

FILE NUMBER: Z212-165(RM) **DATE FILED:** January 12, 2022

LOCATION: West line of Texas State Highway Spur 408, west of South Merrifield Road

COUNCIL DISTRICT: 3

SIZE OF REQUEST: Approx. 174.78 acres **CENSUS TRACT:** 165.21

REPRESENTATIVE: Suzan Kedron, Jackson Walker

APPLICANT: CHI/Acquisitions

OWNER: Merrifield Family Investments LTD

REQUEST: An application for a Planned Development District for specific residential and nonresidential uses on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of the request is to allow modified development standards primarily related to permitted uses, setbacks, height, lot coverage, lot area, density, parking, mixed income housing, and design standards to redevelop the site with specific residential and nonresidential uses.

CPC RECOMMENDATION: **Denial** without prejudice.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned an A(A) Agricultural District and is developed with single family and crop production uses.
- The applicant proposes to redevelop the request area with three subareas for single family, multifamily, and industrial uses.
- To accomplish this, the applicant proposes a Planned Development District. The permitted uses of Subareas A and B will mirror those of Subdistrict 3 within Planned Development District No. 655, located directly north of the request area. These permitted uses are largely residential in nature. Permitted uses of Subarea C will largely default to those of an IR Industrial/Research District. The applicant proposes a 100-foot landscape buffer separating the industrial subarea from the two residential subareas.
- Subarea A will largely default to an MF-2(A) base district. The maximum height in a standard MF-2(A) District is 36 feet. The applicant requests a maximum height of 36 feet, with an additional nine feet as bonus in exchange for mixed-income units. The maximum lot coverage in a standard MF-2(A) District is 60 percent. The applicant requests a maximum lot coverage of 58 percent, with an additional 22 percent as bonus in exchange for mixed-income units.
- The applicant also proposes modified development standards primarily related to setbacks, height, lot coverage, lot area, density, parking, mixed income housing, and design standards.
- Since the May 19th City Plan Commission meeting, the applicant has updated their conditions regarding permitted uses, residential proximity slope, setbacks, lot size, height, parking, landscaping, design standards, and sustainable design features. The proposed development plan has also been updated to reflect these changes.

Zoning History:

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

1. **Z190-270:** On October 15, 2020, City Plan Commission recommended denial without prejudice of an IR Industrial/Research District on property zoned an A(A) Agricultural District on the west line of Texas State Highway Spur 408, west of South Merrifield Road. [Subject Site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Grady Niblo Road	Principal Arterial	107 feet
Merrifield Road	Local Street	-
Texas State Highway Spur 408	Highway	-

Traffic:

The Transportation Development Services Division of the Transportation Department reviewed a traffic impact analysis for the proposal dated May 2, 2022. The analysis evaluates the subject site, existing infrastructure, and impact to adjacent and nearby streets. Findings indicate that the proposed development can be successfully incorporated into the surrounding local roadway network.

STAFF ANALYSIS:**Comprehensive Plan:**

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

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

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

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.4 Focus on logistics related jobs for the expansion of employment opportunities, particularly in the Southern Sector.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.1 Promote pedestrian friendly streetscapes.

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

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial, and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Policy 5.3.2 Direct pedestrian routes to home, school, or work.

NEIGHBORHOOD PLUS

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

GOAL 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

GOAL 6.1 Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance towards chronic offenders.

GOAL 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use
Site	A(A) Agricultural District	Single family, crop production
North	Planned Development District No. 655	Single family, undeveloped
East	NS(A) Neighborhood Service District, MF-1(A) Multifamily District, A(A) Agricultural District	Multifamily, undeveloped
South	Planned Development District No. 521	Undeveloped
West	Planned Development District No. 521	Warehouse, undeveloped

Land Use Compatibility:

The area of request is currently developed with single family and crop production uses. North of the request area is single family as well as undeveloped land. To the east is multifamily and single family as well as undeveloped land. There is also undeveloped land to the south and west. Also, to the west are warehouses. Staff assesses the applicant's proposed land uses as compatible with surrounding uses in the area.

The applicant proposes to redevelop the request area with three subareas for single family, multifamily, and industrial uses. To accomplish this, the applicant proposes a Planned Development District. The permitted uses of Subareas A and B will mirror those

of Subdistrict 3 within Planned Development District No. 655, located directly north of the request area. These permitted uses are largely residential in nature. Permitted uses of Subarea C will default to those of an IR Industrial/Research District; however, the applicant has updated their conditions to prohibit many of the more noxious uses permitted in a standard IR District. In addition, the applicant proposes modified development standards primarily related to setbacks, height, lot coverage, lot area, density, parking, mixed income housing, and design standards.

In Subarea A, the yard, lot, and space regulations of a standard MF-2(A) District will apply in general. However, the applicant proposes to modify setbacks, remove the minimum lot size requirement, and stipulate that the minimum building separation for multifamily uses in Section 51A-4.209(b)(5)(E)(ii) is 10 feet. While the applicant proposes to retain the 36-foot maximum height of a standard MF-2(A) District, they do propose to increase the maximum height up to 45 feet if five percent of the total number of units are available to households earning between 61 and 80 percent of Area Median Family Income (AMFI). They also propose to retain the 60 percent maximum lot coverage of a standard MF-2(A) District but propose to increase this up to 80 percent if mixed income housing is provided.

In Subarea B, the yard, lot, and space regulations of a standard R-5(A) District will apply in general. The applicant proposes a varying front yard setback based on the type of single family lot. For lots that only front on a mews, the minimum front yard is five feet. For lots with frontage on a public street, the minimum front yard is 10 feet. For lots with frontage on a public street with a lot width of 50 feet or greater, the minimum front yard is 20 feet. Encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, and unenclosed porches are allowed into the required front yard, and no more than one front yard setback is required. A side or rear yard setback is not required, except that for lots with a width of 50 feet or more, the minimum side and rear yard setback is five feet. Lastly, the Merrifield Road frontage is considered a rear yard for Subarea B.

The applicant also proposes to increase the maximum height of a standard R-5(A) District from 30 feet to 36 feet and stipulates that ordinary projections listed in Section 51A-4.408 may exceed the maximum height by 12 feet. Since the last meeting, the applicant has removed the condition that Subarea B is not a site of origination for residential proximity slope within the proposed PD. This would now restrict the height of structures in Subareas A and C according through standard residential proximity slope requirements. Additionally, the applicant proposes to increase the maximum lot coverage of a standard R-5(A) District from 45 percent to 65 percent. The applicant has added a condition that the minimum lot size for at least 35 percent of the lots shall be 6,000 square feet; the minimum lot size for at least 35 percent of the lots shall be 3,300 square feet; and the

minimum lot size for at least 25 percent of the lots shall be 3,000 square feet. This condition is intended to replicate the minimum lot sizes of Subdistricts 3 and 4 in PD No. 655 to the north, which are considered “suburban” and “general urban,” respectively. Lastly, the cumulative maximum residential density in Subareas A and B is proposed to be capped at 700 dwelling units.

While the yard, lot, and space regulations of the IR District still generally apply to Subarea C, the applicant has added a condition restricting maximum structure height to 60 feet. Ordinary projections listed in Section 51A.4-408 can still exceed the maximum height by 12 feet.

Overall, staff supports the request because it will provide high quality, well designed single family, multifamily, and industrial development within a unified site. Regarding the multifamily portion, staff recognizes an opportunity to leverage additional development rights to gain affordable housing. The request is also consistent with several goals and policies of the Comprehensive Plan and Neighborhood Plus plan. The only staff recommended conditions for the PD are regarding the deviations to procedure requested by the applicant. Staff cannot support deviations to procedure through zoning.

Development Standards

Following is a comparison table showing differences in development standards between standard MF-2(A) and R-5(A) districts and the proposed Subareas A and B for MF-2(A) and R-5(A) uses, respectively. Also included are the proposed standards of Subarea C, which will default entirely to those of a standard IR District.

District	Setback		Density	Min. Lot Size	Height	Lot Cvrgr.	Special Standards
	Front	Side/Rear					
Base: MF-2(A)	15'	15'	No max du density	Min lot 1,000 sf 800 sf – E 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	36'	60%	RPS
Proposed SA A: MF-2(A)	10' w/ encr.	10'	Max density for SA 1 and 2 is 700 du	No min	36' +9' w/ MIH	58% +22% w/ MIH	RPS
Base: R-5(A)	20'	5'	No max du density	1 du/5,000 sf	30'	45%	Site of origination for RPS
Proposed SA B: R-5(A)	5' ¹ 10' ² 20' ³ w/ encr. ⁴	None or min 5' ^{5,6}	Max density for SA 1 and 2 is 700 du	6,000 sf for at least 35% 3,300 sf for at least 35% 3,000 sf for at least 25%	36'	65%	Site of origination for RPS
Proposed SA C: IR	15'	30' adj to res	2.0 FAR overall 0.75 office/ retail 0.5 retail	No min	60'	80%	RPS Visual Intrusion

¹ For lots that only front on a mews, minimum front yard is five feet.

² For lots with frontage on a public street, minimum front yard is 10 feet.

³ For lots with frontage on a public street with a lot width of 50 feet or greater, minimum front yard is 20 feet.

⁴ No more than one front yard setback is required.

⁵ For lots with a width of 50 feet or greater, minimum side and rear setback is 5 feet.

⁶ Merrifield Road frontage is considered a rear yard for Subarea B.

Mixed Income Housing

The proposed request would allow the construction of multifamily rental units in Subarea A, including five percent mixed-income units at 61 to 80 percent of AMFI, with surface parking.

The applicant requests development rights to allow increases in height and lot coverage, leveraging their proposal to provide design standards and ensure the development has an affordable housing component.

District	Height	Lot Coverage	Primary Uses
Standard: MF-2(A)	36'	60%	Multifamily
Proposed: MF-2(A)	36' +9' w/MIH	58% +22% w/MIH	Multifamily

The proposed conditions include a percentage of the total number of units as mixed-income housing units based on Adjusted Median Family Income (AMFI).

Percentage of Units	Height	Lot Coverage
Base	36'	58%
Proposed: 5% of units at 61-80% AMFI	45'	80%

Staff uses the Market Value Analysis (MVA) categories to evaluate requests for PDs with mixed-income housing. The area of request is located within a “D” MVA area. In “D,” “E,” and “F” MVA areas, staff’s standard recommendation is that five percent of the total units be reserved for households at 61 to 80 percent of AMFI. Therefore, staff supports the applicant’s proposal for mixed income housing.

Design Standards

The applicant proposes that the design standards for mixed-income housing found in Section 51A-4.1107 are not required for this site and instead proposes alternative design standards. In Subarea A, these will largely meet the intent of the codified mixed-income housing design standards by providing street-fronting facades that have direct connections to a six-foot-wide public sidewalk and limiting the height of fencing within these front yards to four feet. The applicant is also providing façade articulation standards to create visual interest along street-fronting facades and limiting surface parking between the façade and the front property line. Similar standards will also be provided for open space-fronting facades. Lastly, the applicant is providing internal sidewalks as well as pedestrian access points to a walking trail that will traverse Subareas A and B.

In Subarea B, similar conditions for front yard fences, public and internal sidewalks, and façade articulation will be provided. The applicant also proposes a façade spacing condition that will prevent the duplication of building profile between adjacent houses. To prevent a “snout house” appearance for single family lots that only front on a street, garage doors must be recessed a minimum of five feet from the front façade or front porch of the structure. For lots that front onto a mews, homes must be rear loaded with garage access facing the alley. Lastly, any detention ponds in Subarea B must also be used for retention, include a water fountain feature, and be surrounded by walking trails that connect to the walking trail traversing Subareas A and B. The applicant has added conditions for additional amenities in Subareas A and B including playgrounds, barbeque grills, dog parks, gazebos, and a swimming pool.

Finally, the applicant proposes façade standards for Subarea C that will create visual interest along the facades of non-residential buildings as well as 50-foot-long screen walls to screen truck courts. To provide increased compatibility with the adjacent single family and multifamily subareas, the applicant proposes a 100-foot-wide landscape buffer between Subarea C and the other subareas. The eight-foot-wide walking trail that traverses Subareas A and B will be located within this landscape buffer and will ultimately connect to the greenbelt that is part of PD No. 655 to the north. The walking trail will also feature open seating areas along its length. The applicant has also added sustainable design features including drip irrigation, water efficient plumbing fixtures, and sustainable landscaping.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. Additionally, the applicant proposes that street trees planted in the Grady Niblo Road median may count towards landscaping requirements and that the trees must consist of the following species: lacebark elm, live oak, bald cypress, and bur oak.

Parking:

The applicant proposes to meet the standard parking requirements in Section 51A-4.200 in all three subareas. For multifamily uses, the applicant also proposes that the minimum number of parking spaces that must be reserved for the sole use of electric vehicles is at least 10 percent of the number of multifamily dwelling units. In Subarea B, the applicant has added a condition that a minimum of 40 designated guest parking spaces shall be provided throughout the subarea.

Market Value Analysis:

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

List of Officers

Merrifield Family Investments LTD

Merrifield Management Corporation, General Manager

Sharra L. Lankford, President

E. Welsh Merrifield, Vice President

David Lankford, Secretary and Treasurer

Merrifield Ventures LP

Merrifield Ventures Management LLC

E. Welsh Merrifield II, Sole Member

Crow Holdings Industrial

Ken Valach, Chief Executive Officer

Kevin Dennie, Chief Operating Officer

Peggy Bertsch, Chief Administrative Officer

Kim Hallett, Chief Accounting Officer

John Holland, Senior Managing Director

Clark Machemer, Senior Managing Director

Will Munding, Senior Managing Director

Phil Prassas, Senior Managing Director

Sean Rae, Senior Managing Director

Cliff Breining, Senior Managing Director

**CPC Action
July 7, 2022**

Motion I: It was moved to recommend **approval** of a Planned Development District for specific residential and nonresidential uses, subject to a development plan and applicant's recommended conditions with the following changes: 1) prohibit commercial cleaning or laundry plant, community service center, and industrial (inside) potentially incompatible uses, 2) in Section 51P-____.106(c)(1) and (2), remove the word "phases" so the development plan applies to the entire subarea so that it will be a full zoning amendment to change the development plan, and 3) require shore power connections be added to the standard so no trucks idle and to provide that refrigerated trucks to continue to operate without idling on property zoned an A(A) Agricultural District, on the west line of Texas State Highway Spur 408, west of South Merrifield Road.

Maker: Blair
Second: Stanard
Result: Failed: 4 to 8

For: 4 - Blair, Housewright, Gibson, Stanard

Against: 8 - Popken, Hampton, Shidid, Carpenter, Jung,
Haqq, Kingston, Rubin

Absent: 2 - Anderson, Vann

Vacancy: 1 - District 3

Motion II: It was moved to recommend **denial without prejudice** of a Planned Development District for specific residential and nonresidential uses on property zoned an A(A) Agricultural District, on the west line of Texas State Highway Spur 408, west of South Merrifield Road.

Maker: Rubin
Second: Carpenter
Result: Carried: 10 to 2

For: 10 - Popken, Hampton, Shidid, Carpenter, Jung,
Housewright, Haqq, Stanard, Kingston, Rubin

Against: 2 - Blair, Gibson

Absent: 2 - Anderson, Vann

Vacancy: 1 - District 3

Notices: Area: 500 Mailed: 12

Replies: For: 5 Against: 0

Speakers: For: Susan Kedron, 2323 Ross Ave., Dallas, TX, 75201

Will Munding, 3817 Maple Ave., Dallas, TX, 75219
Ryan Gaughan, 2221 E. Lamar Blvd., Arlington, TX, 76006
MattENZler, 3889 Maple Ave., Dallas, TX, 75219
Scott Johnson, 13455 Noel Rd., Dallas, TX, 75240
Dan Gallagher, 13455 Noel Rd., Dallas, TX, 75240
David Lankford, 3600 S. Merrifield Rd., Dallas, TX, 75236
Welsh Merrifield, 3939 S. Merrifield Rd., Dallas, TX, 75236
Suzanne Merrifield, 3939 S. Merrifield Rd., Dallas, TX, 75236
Luke Franz, 2323 Ross Ave., Dallas, TX, 75201
Jon Napper, 1700 Cedar Springs Rd., Dallas, TX, 75202
Justin Jones, 3304 S. Merrifield Rd., Dallas, TX, 75236
Twyla Jones, 3304 S. Merrifield Rd., Dallas, TX, 75236
Stacia Hood Lankford, 3600 S. Merrifield Rd., Dallas, TX, 75236
Jacob Halfer, 13455 Noel Rd., Dallas, TX, 75240
For (Did not speak): Ana Ruth Aguilar de Lopez, 3603 Pisa Mews, Dallas, TX, 75236
Against: Colin Larson, 3644 Patience Blvd., Dallas, TX, 75236
Benjamin Leal, 6949 Clay Academy Blvd., Dallas, TX, 75236
Deborah Quinn, 3726 Patience Blvd., East, Dallas, TX, 75236
Kendall Drew, 6920 Kingdom Estates Dr., Dallas, TX, 75236
David Henley, 5232 Moneta Ln., Dallas, TX, 75236
Jerry Smith, 7010 Samaritan Rd., Dallas, TX, 75236
Fatima Canelo, 6947 Truth Dr., Dallas, TX, 75236
Dianna Drew, 6920 Kingdom Estates Dr., Dallas, TX, 75236
Itzel Pompa, 7014 Samaritan Rd., Dallas, TX, 75236
Sandra Garcia, 7002 Samaritan Rd., Dallas, TX, 75236
John Kappes, 6967 Truth Dr., Dallas, TX, 75236
Eric Zielinski, 3702 Patience Blvd., East, Dallas, TX, 75236
Yvette Branch, 7003 Kingdom Estates Dr., Dallas, TX, 75236
Jesus Avila, 3526 Patience Blvd., Dallas, TX, 75236
Steven Knight, 7012 Capella Park Ave., Dallas, TX, 75236
Jeremiah Salzwedel, 6922 Truth Dr., Dallas, TX, 75236
Shane Gulley, 3620 Patience Blvd., Dallas, TX, 75236
Cesar Reyna, 6949 Clay Academy Blvd., Dallas, TX, 75236
Michael Beard, 3509 Patience Blvd., Dallas, TX, 75236
Rebecca Larson, 3644 Patience Blvd., Dallas, TX, 75236
Teresa Tinsley, 3726 Patience Blvd., East, Dallas, TX, 75236
Barb Temminck, 3724 Prague Mews, Dallas, TX, 75236
Scott Stubbs, 6917 Kingdom Estate Dr., Dallas, TX, 75236
Justin Ransom, 3604 Patience Blvd., Dallas, TX, 75236
Darrell Herbert, 7068 Capella Park Ave., Dallas, TX, 75216
Chadwick McDonald, 6936 Clay Academy Blvd., Dallas, TX, 75236
Against (Did not speak): Zachary Milem, 3729 Patience Blvd., Dallas, TX, 75236
Parker Milem, 3729 Patience Blvd., Dallas, TX, 75236
Preston Milem, 3729 Patience Blvd., Dallas, TX, 75236
Sarah Milem, 3729 Patience Blvd., Dallas, TX, 75236
Heather Salzwedel, 6922 Truth Dr., Dallas, TX, 75236

Doug Niemtschk, 7007 Kingdom Estates Dr., Dallas, TX, 75236
Jennifer Niemtschk, 7007 Kingdom Estates Dr., Dallas, TX, 75236
Manny Espino, 36202 Strasbourg Mews, Dallas, TX, 75236
Blaise Brignac, 3320 Potters House Way, Dallas, TX, 75326
Astria Molina, 3210 Potters House Way, Dallas, TX, 75236
Victor Alvarado, 3737 Patience Blvd., Dallas, TX, 75236
Chelsea Taylor, 3726 Patience Blvd., East, Dallas, TX, 75236
Caesar Ricci, 7036 Capella Park Ave., Dallas, TX, 75236
Christopher Lee, 3636 Patience Blvd., Dallas, TX, 75236
Misty Rockwell, 6949 Capella Park Ave., Dallas, TX, 75236
Staff: David Nevarez, Sr. Traffic Engineer, Development

CPC Action
May 19, 2022

Motion: In considering an application for a Planned Development District for specific residential and nonresidential uses on property zoned an A(A) Agricultural District on the west line of Texas State Highway Spur 408, west of South Merrifield Road, it was moved to **hold** this case under advisement until July 7, 2022.

Maker: Blair
Second: Rubin
Result: Carried: 9 to 0

For: 9 - Popken, Anderson, Shidid, Carpenter, Blair,
Gibson, Stanard, Kingston, Rubin

Against: 0
Absent: 5 - Hampton, Vann, Jung, Housewright, Haqq
Vacancy: 1 - District 3

Notices: Area: 500 Mailed: 12
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Jon Napper, 1700 Cedar Springs Rd., Dallas, TX, 750202
Against: None
Against (Did not Speak): Shane Gulley, 3620 Patience Blvd., Dallas, TX, 75236
Sherry Clark, 7030 Capella Park Ave., Dallas, TX, 75236
Cesar Reyna, 6949 Clay Academy Blvd., Dallas, TX, 75236
Barb Temminck, 3724 Prague Mews, Dallas, TX, 75236
Jeremiah Salzwedel, 6922 Truth Dr., Dallas, TX, 75236
Astria Molina, 3210 Potters House Way, Dallas, TX, 75236
Sandra Garcia, 7002 Samaritan Rd., Dallas, TX, 75236
Justin Ransom, 3604 Patience Blvd., Dallas, TX, 75236

Steven Casanova, 3618 Strasbourg Mews, Dallas, TX, 75236
Jennifer Niemtschk, 7007 Kingdom Estates Dr., Dallas, TX, 75236
Joel Rodriguez, 6928 Truth Dr., Dallas, TX, 75236
Blaise Brignac, 3320 Potters House Way, Dallas, TX, 75236
Darrell Herbert, 7068 Capella Park Ave., Dallas, TX, 75236
Scott Stubbs, 6917 Kingdom Estates Dr., Dallas, TX, 75236
Garreth Baldwin, 6912 Capella Park Ave., Dallas, TX, 75236
Sarah Milem, 3729 Patience Blvd., Dallas, TX, 75236
Ben Leal, 6949 Clay Academy Blvd., Dallas, TX, 75236
Caesar Ricci, 7036 Capella Park Ave., Dallas, TX, 75236
Jerry Smith, 7010 Samaritan Rd., Dallas, TX, 75236
Paul Thibodeaux, 7402 Kaywood Dr., Dallas, TX, 75209
Rachel Phillips, 3516 Gideons Way, Dallas, TX, 75236

APPLICANT'S PROPOSED CONDITIONS

ARTICLE ____.

PD ____.

SEC. 51P- ____ .101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No.____, passed by the Dallas City Council on ____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the south side of Grady Niblo Road, west of Spur 408. The size of PD ____ is approximately 175.152 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) Subareas A and B are considered to be residential zoning districts. Subarea C is considered to be a nonresidential zoning district.

SEC. 51P- ____ .104. EXHIBITS.

The following exhibit is incorporated into this article:

Exhibit ____A: development plan.

Staff's Recommendation

~~SEC. 51P- ____ .105. PURPOSE STATEMENT.~~

~~_____ (a) The development goals of this district are as follows:~~

~~_____ (1) Provide a variety of housing types.~~

_____(2) ~~Provide a connection for this district to the future greenbelt system of PD 655.~~

_____(3) ~~Ensure that new buildings are harmonious with each other and PD 655.~~

_____(4) ~~Provide a variety of thoroughfares that serve the needs of the pedestrian and the automobile.~~

_____(5) ~~Encourage residential building elements which enhance the sense of community and connection to PD 655.~~

_____(6) ~~Require generous setbacks between residential and non-residential uses.~~

Applicant's Request

SEC. 51P-____.105. PURPOSE STATEMENT.

(a) The development goals of this district are as follows:

(1) Provide a variety of housing types.

(2) Provide a connection for this district to the future greenbelt system of PD 655.

(3) Ensure that new buildings are harmonious with each other and PD 655.

(4) Provide a variety of thoroughfares that serve the needs of the pedestrian and the automobile.

(5) Encourage residential building elements which enhance the sense of community and connection to PD 655.

(6) Require generous setbacks between residential and non-residential uses.

SEC. 51P- _____.106. DEVELOPMENT PLAN.

(a) Subarea A. Development and use of the Property must comply with the Subarea 1 development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

Staff's Recommendation

(b) Subarea B. For single family uses, a final plat may serve as the development plan. If there is a conflict between the text of this article and a final plat, the text of this article controls. ~~A final plat for single family development may make minor deviations from the lot and street~~

~~configuration shown on the preliminary plat provided that the final plat does not increase the number of lots or increase the number of access points.~~

Applicant's Request

(b) Subarea B. For single family uses, a final plat may serve as the development plan. A final plat for single family development may make minor deviations from the lot and street configuration shown on the preliminary plat provided that the final plat does not increase the number of lots or increase the number of access points. If there is a conflict between the text of this article and a final plat, the text of this article controls.

(c) Subarea C.

(1) For Phase 1, development and use of the Property must comply with the Subarea 3 development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(2) For future phases, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- _____.107. MAIN USES PERMITTED.

(a) Subarea A and B. The following uses are the only main uses permitted.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- None permitted.

(3) Industrial uses.

-- None permitted.

(4) Institutional and community service uses.

-- Child-care facility.

-- Church.

-- Community service center.

-- Convalescent and nursing homes, hospice care, and related

institutions.

(5) Lodging uses.

-- None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- None permitted.

(8) Recreation uses.

-- Private recreation center, club, or area. *[Off-street parking is not required for playing fields or for free-standing restroom or concession facilities.]*

-- Public park, playground, or golf course. *[Off-street parking is not required for playing fields or for free-standing restroom or concession facilities.]*

(9) Residential uses.

-- Group residential facility. *[SUP required if spacing component of Section 51A-4.209(3) is not met.]*

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*

-- Multifamily.

-- Retirement housing.

-- Single family.

(10) Retail and personal service uses.

-- None permitted.

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Local utilities.

-- Tower/antenna for cellular communication. *[Mounted only.]*

(13) Wholesale, distribution, and storage uses.

-- None permitted.

(b) Subarea C.

(1) Unless further restricted by this section, the main uses permitted in this subarea are those main uses permitted in the IR Industrial Research District, subject to the same conditions applicable in the IR Industrial Research District, as set out in Chapter 51A. For example, a use permitted in the IR Industrial Research 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 IR Industrial Research District is subject to DIR in this district; etc.

(2) The following uses are prohibited in this subarea.

(A) Commercial and business service uses.

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Labor hall.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

(B) Industrial uses.

- Alcoholic beverage manufacturing.
- Gas drilling and production.
- Medical/infectious waste incinerator.
- Municipal waste incinerator.
- Organic compost recycling facility.
- Pathological waste incinerator.
- Temporary concrete or asphalt batching plant.

(C) Institutional and community service uses.

- Cemetery or mausoleum.
- Hospital.

(D) Lodging uses.

- Extended stay hotel or motel.
- Hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter.

(E) Miscellaneous uses.

- Attached non-premise sign.
- Carnival or circus (temporary).
- Hazardous waste management facility.

(F) Office uses.

- Alternative financial establishment.

(G) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(H) All residential uses.

(I) Retail and personal service uses.

- Alcoholic beverage establishments.
- Animal shelter or clinic with outside runs.
- Auto service center.
- Business school.
- Car wash.
- Commercial amusement (inside).
- Commercial motor vehicle parking.
- Commercial parking lot or garage.
- Convenience store with drive-through.
- Dry cleaning or laundry store.
- Furniture store.
- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Liquefied natural gas fueling station.
- Paraphernalia shop.
- Pawn shop.
- Restaurant with drive-in or drive-through service.
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop.
- Vehicle display, sales, and service.

(J) Transportation uses.

- Airport or landing field.
- Commercial bus station and terminal.

- Heliport.
- Helistop.
- Railroad passenger station.
- STOL (short take off or landing) port.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(K) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Radio, television, or microwave tower.
- Tower/antenna for cellular communication.
- Water treatment plant.

(L) Wholesale, distribution, and storage uses.

- Freight terminal.
- Manufactured building sales lot.
- Mini-warehouse.
- Recycling buy-back center.
- Recycling collection center.

SEC. 51P-____.108. ACCESSORY USES.

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

(b) Accessory community center (private) is permitted by right in Subareas A and B.

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Subarea A. Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(1) Front yard. Minimum front yard is 10 feet. Encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, and unenclosed porches are allowed into the required front yard and do not need to be shown on the development plan.

(2) Side and rear yard. Minimum side yard and rear yard is 10 feet.

(3) Height.

(A) Except as provided in this subsection, maximum structure height is 36 feet.

(B) If the provisions of Section 51P-____.113 are met, maximum structure height is 45 feet.

(C) Ordinary projections listed in Section 51A-4.408(a)(2) may project a maximum of 12 feet above the maximum structure height.

(4) Lot coverage.

(A) Except as provided in this subsection, maximum lot coverage is 60 percent.

(B) If the provisions of Section 51P-____.113 are met, maximum lot coverage is 80 percent.

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

(5) Building separation. For multifamily uses, the minimum building separation required in Section 51A-4.209(b)(5)(E)(ii) is 10 feet.

(6) Lot area. No minimum lot area.

(b) Subarea B. Except as provided, the yard, lot, and space regulations for the R-5(A) Single Family District apply. ~~Subarea B is not a site of origination for residential proximity slope within this district.~~

(1) Front yard.

(A) For lots that only front on a mews, minimum front yard is five feet.

(B) Except as provided in this subparagraph, for lots with frontage on a public street, minimum front yard is 10 feet. For lots with a lot width of 50 feet or greater, minimum front yard is 20 feet.

(C) Encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, and unenclosed porches are allowed into the required front yard.

(D) No more than one front yard setback is required. Merrifield Road frontage is considered a rear yard for Subarea 2.

(2) Side and rear yard. No minimum side yard and rear yard, except if ~~a side or rear yard is provided~~ for lots with a width of 50 feet or more, minimum setback is five feet.

(3) Height. Maximum structure height is 36 feet. Ordinary projections listed in Section 51A-4.408(a)(2) may project a maximum of 12 feet above the maximum structure height.

(4) Lot coverage. Maximum lot coverage is 65 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(5) Lot size.

(A) Minimum lot size for at least 35% of the lots shall be 6,000 square feet.

(B) Minimum lot size for at least 35% of the lots shall be 3,300 square feet.

(C) Minimum lot size for at least 25% of the lots shall be 3,000 square feet.

(c) Maximum residential density. Cumulative maximum residential density in Subareas 1 and 2 is 700 dwelling units.

(d) Subarea C. Except as provided, the yard, lot, and space regulations for the IR Industrial Research District apply.

(1) Height. Maximum structure height is 60 feet. Ordinary projections listed in Section 51A-4.408 may exceed the maximum height by 12 feet.

SEC. 51P- ____,110. OFF-STREET PARKING AND LOADING.

(a) In general. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Subarea B guest parking. A minimum of 40 designated guest parking spaces shall be provided throughout the subarea.

(c) Electric Vehicle (EV) parking spaces required.

(1) Number of EV spaces required.

(A) In general. The number of EV parking spaces required are included in the minimum number of required parking spaces based on the land use(s) on a lot.

(B) Residential parking. For multifamily uses, the minimum number of parking spaces that must be reserved for the sole use of electric vehicles is at least 10 percent of the number of multifamily dwelling units.

(2) Design of EV spaces.

(A) All EV parking spaces must have a sign posted in front of the parking space reading "RESERVED PARKING ELECTRIC VEHICLES ONLY" and must have pavement markings indicating the space as EV parking.

(B) All EV parking spaces must have the same dimensions as standard parking spaces.

(C) EV parking spaces do not require the installation of an "Electric Vehicle (EV) Charger." For the purposes of this section, an "Electric Vehicle (EV) Charger" means an electrical appliance designed specifically to charge batteries within one or more electric vehicles. Chargers are also called electric vehicle supply equipment (EVSE). Charger styles may include pedestal and wall or pole-mounted.

(D) EV parking spaces may charge a fee for providing electric vehicle charging. This fee is not considered charging a fee for parking.

SEC. 51P- ____,111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- ____,112. LANDSCAPING.

(a) Except as provided, landscaping must be provided in accordance with Article X.

(b) Street trees planted in the Grady Niblo Road median may count towards landscaping requirements and shall consist of the following species: lacebark elm, live oak, bald cypress, and bur oak.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.113. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.

(a) Except as provided in this section, compliance with Division 51A-4.1100 is required to obtain the development bonuses in Section 51P-____.109.

(b) The height and lot coverage development bonuses set forth in Section 51P-____.09 apply if a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of the area median family income (AMFI).

(c) Compliance with Section 51A-4.1107 is not required.

SEC. 51P-____.114. DESIGN STANDARDS.

(a) Multifamily uses. The following design standards apply to new construction for multifamily uses.

(1) Fencing.

(A) Except as provided in this section, maximum fence height is eight feet.

(i) Maximum fence height in the Grady Niblo Road front yard is four feet.

(B) Except as provided, fence materials along Grady Niblo Road must be brick, stone, decorative block, wrought iron, tubular steel, wood, or similar materials, or a combination of these materials.

(C) All fences along Grady Niblo Road, an open space, or a trail must have a surface area that is a minimum of 50 percent open.

(D) Pedestrian gates or pedestrian access at vehicular ingress/egress points must be provided along Grady Niblo Road.

(E) A minimum of two pedestrian gates or pedestrian access points is required in the rear yard facing the open space and walking trail.

(2) Sidewalks.

(A) Minimum unobstructed sidewalk width of six feet with a minimum five-foot-wide buffer is required along Grady Niblo Road.

Staff's Recommendation

(B) Internal sidewalks are required along private drives to ensure pedestrian connectivity throughout. The location of the internal sidewalks must be provided in the general locations shown on the development plan (Exhibit __A). ~~Deviations on sidewalk locations are allowed without a minor amendment if connectivity is still provided.~~ Internal pedestrian amenities, pedestrian lighting, and landscaping must be provided.

Applicant's Request

(B) Internal sidewalks are required along private drives to ensure pedestrian connectivity throughout. The location of the internal sidewalks must be provided in the general locations shown on the development plan (Exhibit __A). Deviations on sidewalk locations are allowed without a minor amendment if connectivity is still provided. Internal pedestrian amenities, pedestrian lighting, and landscaping must be provided.

(C) At each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.

(3) Roofs. Flat roofs are prohibited.

(4) Facades.

(A) Frontages. All street-fronting facades and open-space fronting facades must have at least one window and at least one common primary entrance facing the street or open space at street-level. The entrance must access the street or open space with an improved path connecting to the sidewalk. Transparency must be provided for a minimum of 25 percent of the total of each continuous street-fronting and open-space-fronting façade. Transparency must be uniformly spaced vertically and horizontally with more than 25 feet separating areas of transparency.

(B) Individual entries. Except as provided in this paragraph, a minimum of 60 percent of the street-level dwelling units adjacent to a street in each building must have individual entries that access the street with an improved path connecting to the sidewalk. For at-grade open space, a minimum of 60 percent of the open-space fronting dwelling units in each building must have individual entries that access the open space. EXCEPTION. This paragraph does not apply to retirement housing.

(C) Facade articulation. Street-facing facades and open space-fronting facades exceeding 30 feet in length must have two of the following elements. Street-facing facade and open space-fronting facades exceeding 100 feet in length must have four of the following elements.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent entrance.

(D) Attached tower or turret.

(E) Awnings.

(F) Change in color.

(G) Change in material.

(H) Change in texture.

(6) Surface parking location. Surface parking is prohibited between the street-facing facade and the front property line or must be setback a minimum of 30 feet and screened with required screening.

(7) Amenities. The following amenities shall be provided within this subarea.

(A) Playground.

(B) Dog park (separated area for large and small dog species).

(C) Hard-Top Gazebo.

(D) Swimming pool.

(b) Single family uses. The following design standards apply to new construction for residential uses other than multifamily uses.

(1) Fencing.

(A) Except as provided in this section, maximum fence height is eight feet.

(i) Maximum fence height in the Grady Niblo Road front yard is four feet.

(B) Except as provided, fence materials along Grady Niblo Road must be brick, stone, decorative block, wrought iron, tubular steel, wood, or similar materials, or a combination of these materials.

(C) All fences along Grady Niblo Road, an open space, or a trail must have a surface area that is a minimum of 50 percent open.

(D) Pedestrian gates or pedestrian access at vehicular ingress/egress points must be provided along Grady Niblo Road.

(2) Sidewalks.

(A) Minimum unobstructed sidewalk width of six feet with a minimum five-foot-wide buffer is required along Grady Niblo Road.

(B) Internal sidewalks are required along on new public streets to ensure pedestrian connectivity throughout. Internal pedestrian amenities, pedestrian lighting, and landscaping must be provided.

(C) At each new local street and Grady Niblo Road intersection, pedestrian crossing must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers.

(3) Roofs. Flat roofs are prohibited.

(4) Facade articulation. A minimum of four of the following design elements must be incorporated on each single family structure:

- (A) Porches, stoops, or covered entries of a minimum of 50 square feet,
- (B) Bay or box windows,
- (C) Dormers,
- (D) Use of accent materials such as brick, stone, or stucco with banding highlights,
- (E) Ornamental or decorative windows and/or shutters,
- (F) Driveways with enhanced paving treatment consisting of salt finished concrete and/or brick borders, or
- (G) Garage doors with at least one of the following enhancements:
 - (i) Cedar or wood clad doors,
 - (ii) Double doors,
 - (iii) Decorative windows, or

(iv) Stamped reveals/texture & carriage style hardware.

(5) Facade spacing. Duplication of building profile between any two adjacent houses fronting the same right of way is prohibited unless sufficient separation is provided, with the following requirements being the minimum conditions for separation:

(A) Duplication is prohibited among any group of three houses;

(B) Any houses located on corner lots whose side yards each parallel the same intersecting street and are less than one block apart; and

(C) Any two or more houses which face across a street from each other.

(6) Garage doors.

(A) Front loaded garages. For single family lots that only front on a street, the garage door must be recessed a minimum of five feet from the front façade or front porch of the structure.

(B) Rear loaded garages. All lots with mews access shall include rear loaded garage access facing the alley.

(7) Detention ponds. Any detention ponds in Subarea 2 must also be used for retention and include a water fountain feature. Ponds must also be surrounded by walking trails that connect to the walking trail provided in Section 51P-____.115(b).

(8) Amenities. The following amenities must be provided within this subarea.

(A) Playground.

(D) Hard-top gazebo.

(c) Non-residential uses. This section applies only to a building that contains a non-residential use.

(1) Definitions. The following definitions apply in this section:

(A) **FACADE WALL** means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building that encloses usable space. Where separate faces are oriented in the same direction, or in the directions within 45 degrees of one another, they are considered as part of a single facade wall.

(B) **PRIMARY FACADE WALL** means a facade wall facing north.

(C) **REAR FACADE WALL** means a facade wall facing south.

(D) **SIDE FACADE WALL** means any facade wall that is not a primary facade wall or a rear facade wall.

(2) **Facade walls.** Primary ~~facade walls and side~~ facade walls must incorporate a 50-foot-long screen wall which shall screen the truck courts and incorporate at least three of the following design elements. Side facade walls must incorporate three of the following design elements. Rear facade walls must incorporate at least two of the following design elements.

(A) A repeating pattern of wall recesses and projections that have a relief of a minimum of 1-1/2 inches such as patterns, offsets, reveals, or projecting ribs.

(B) Architectural details such as metal canopies and curtain wall glass.

(C) Integral wing walls that incorporate landscaping or screening of truck court.

(D) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(E) Prominent features, such as increased parapet heights at corner entrances.

(F) A repeating pattern of clearstory windows along the facade wall.

(G) Awnings, canopies, covered walkways, or porticos.

(H) Display windows, faux windows, or decorative windows.

(I) Trim or accent elements using decorative contrasting colors or decorative accent lighting of at least 10 percent of the area of the facade wall exclusive of fenestration.

(J) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than 50 feet.

(3) **Materials and colors.**

(A) No more than 85 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color.

(B) Facade materials are encouraged to provide the following design standards to ensure compatibility with surrounding and nearby residential uses:

(i) Use of cladding materials of high quality, durable material such as quarried stone, pre-cast architectural concrete, architectural cast-in-place concrete, concrete tilt wall panels, brick or finished metal panels.

(ii) Materials of questionable maintainability and those of perceived or real inferior quality such as but not limited to, metal siding, wood, and wood products, veneer coatings, simulated brick and stucco are unacceptable.

(iii) Preferred building colors are white and neutral or light colors. Accent colors may be used to identify architectural features or highlighted details.

(iv) Large panels of bright colors on building facades are incompatible with surrounding uses.

SEC. 51P- _____.115. OPEN SPACE AND GREENBELT CONNECTION.

(a) Open space.

(A) A minimum of 10 percent of the Property must be provided as open space for activity such as active or passive recreation, playground activity, plaza, groundwater recharge, or landscaping. Open space may be provided in phases, but must be shown on each development plan or final plat.

(B) No structures are allowed except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features; otherwise, open space must be open to the sky.

(C) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.

(D) Open space may also be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, plaza, or similar type of outside common area.

(E) Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

(F) Operation or parking of vehicles within on-site open space is prohibited. Emergency and grounds maintenance vehicles are exempt.

(G) Open spaces must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in a healthy, growing condition.

(b) Residential buffer. A minimum 100-foot-wide landscape buffer shall be provided between Subareas A and B and Subarea C, as shown on the conceptual plan.

(c) Greenbelt connection and trail. A walking path of a minimum width of eight feet must be provided in Subareas A and B that transverse each subarea and lead back to the greenbelt connections shown on the development plan (Exhibit ____A) at Grady Niblo Road. A minimum cumulative linear distance of 2,500 feet of walking path must be provided throughout Subareas A and B. Open seating areas along the walking trail are required in the location shown on the development plan (Exhibit ____B).

SEC. 51P- ____ .116. STREETS AND LIGHTING.

(a) Mews for access. Mews may be used for access for single family uses.

(b) Pedestrian amenities. In Subareas A and B, the following pedestrian amenities are required along Grady Niblo Road. Required pedestrian amenities may be located within a right-of-way with a license.

(1) Two benches, per subarea.

(2) Two trash cans, per subarea.

(c) Pedestrian scale lighting. Pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

SEC. 51P- ____ .117. SIGNS.

(a) Subareas A and B. Signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Subarea C. Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____ .117. SUSTAINABLE DESIGN FEATURES.

(a) Drip irrigation shall be utilized for maintenance of plantings.

(b) Recycling containers shall be available for residents.

- (c) Water efficient plumbing fixtures shall be utilized.
- (d) Roofs. In subarea 3, light colored roof materials that minimize cooling loads shall be employed on all roofs.
- (e) Sustainable landscape design features. Drip irrigation and plant species with reduced water consumption characteristics shall be utilized.

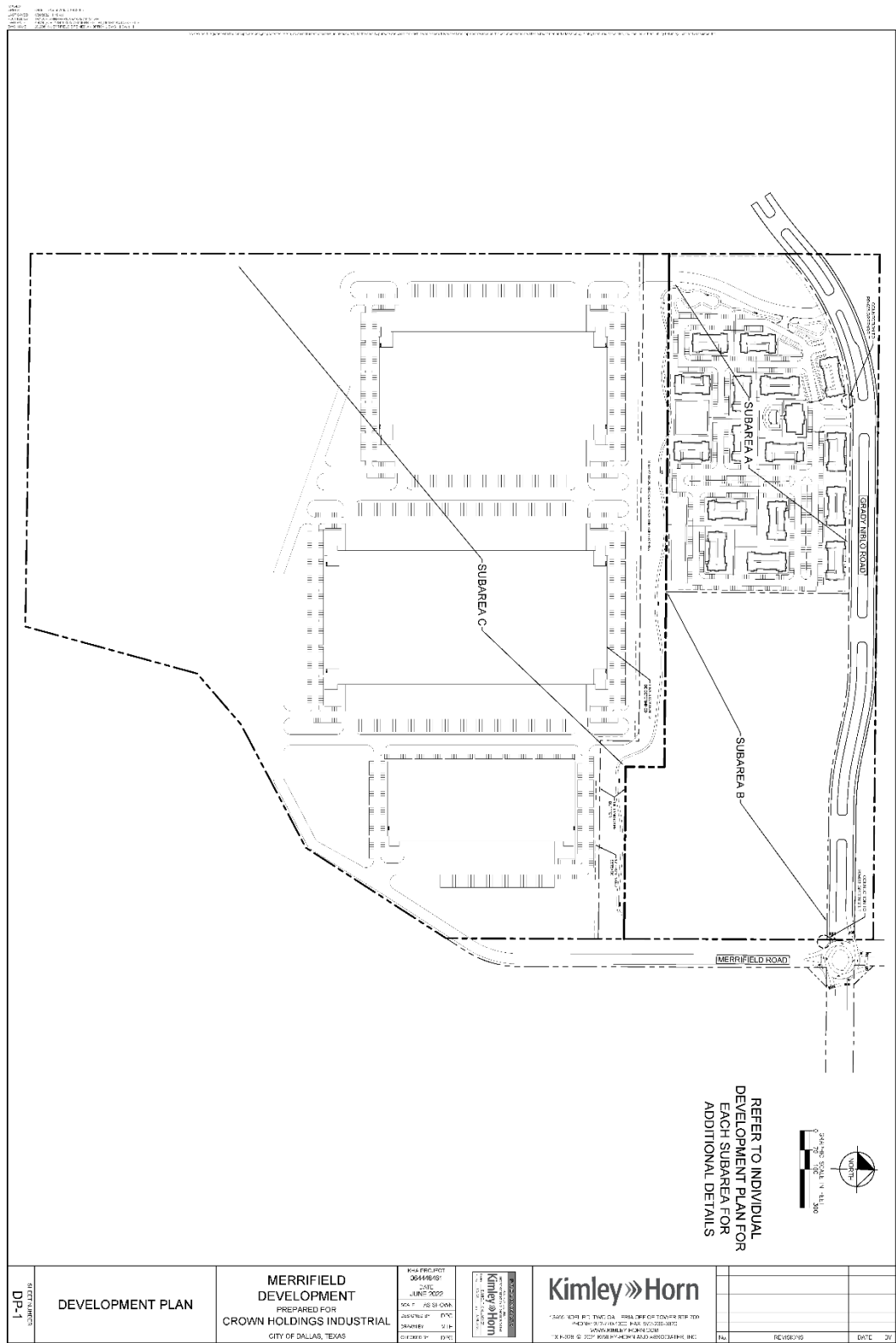
SEC. 51P- ____ .118. ADDITIONAL PROVISIONS.

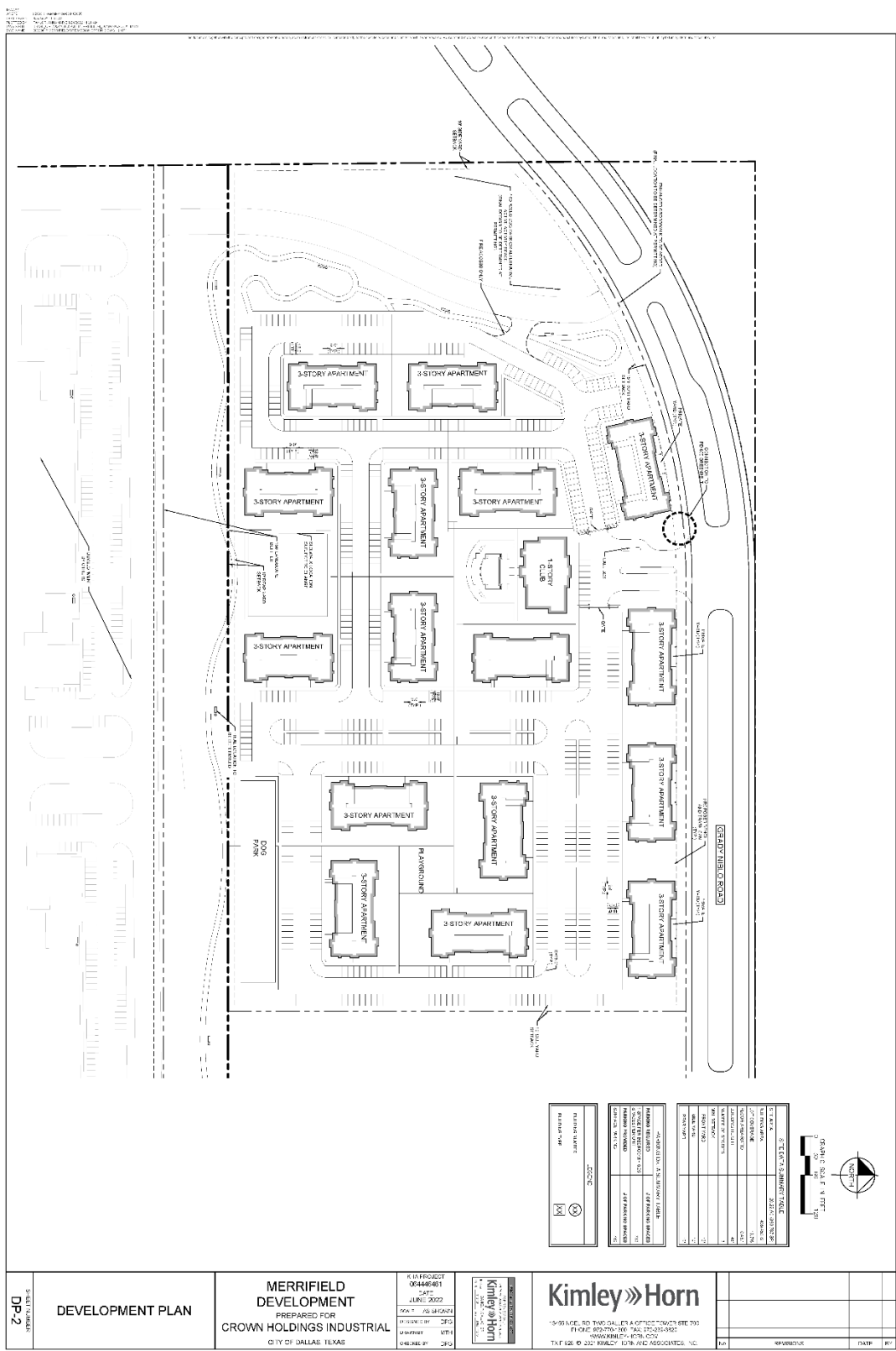
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

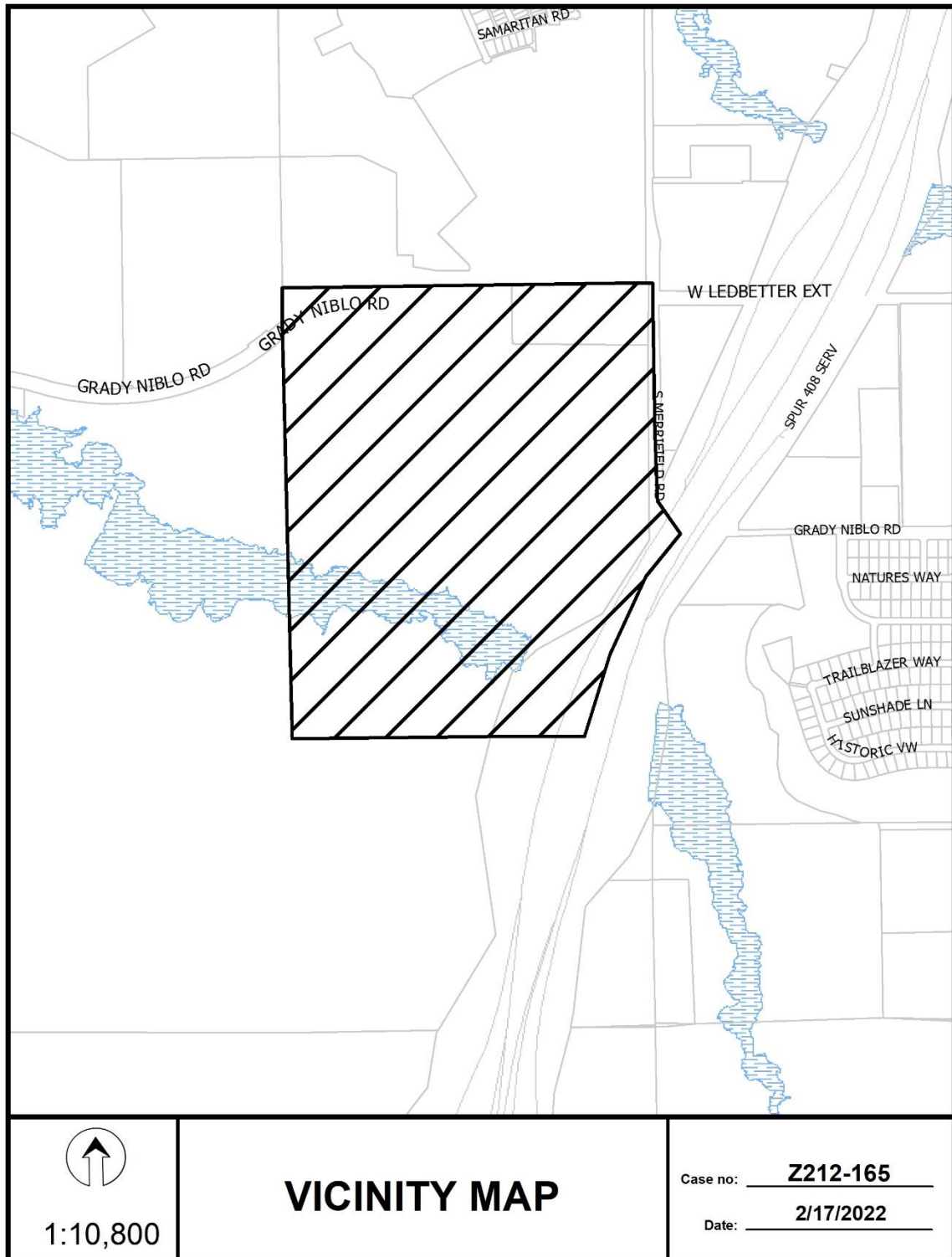
SEC. 51P- ____ .119. COMPLIANCE WITH CONDITIONS.

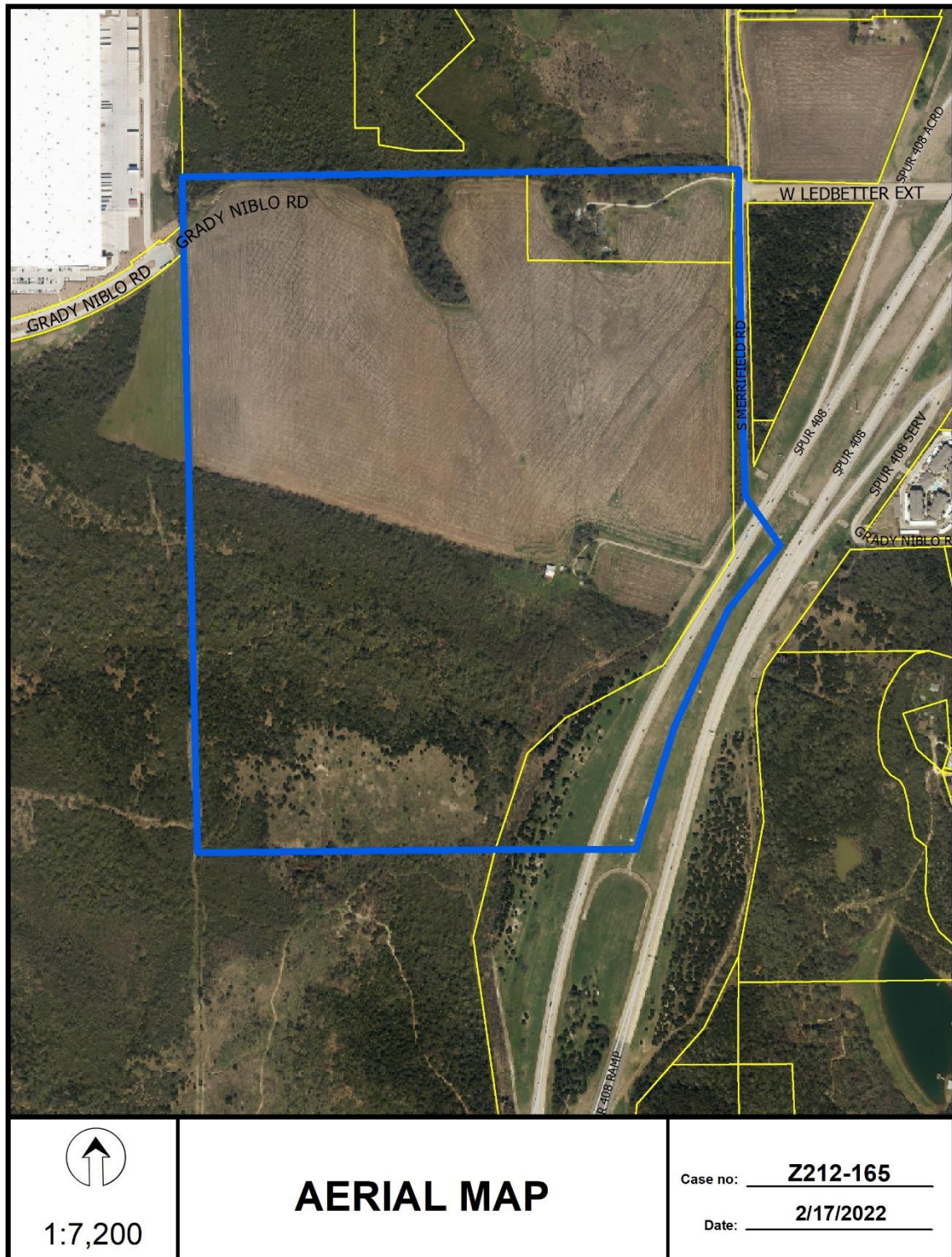
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

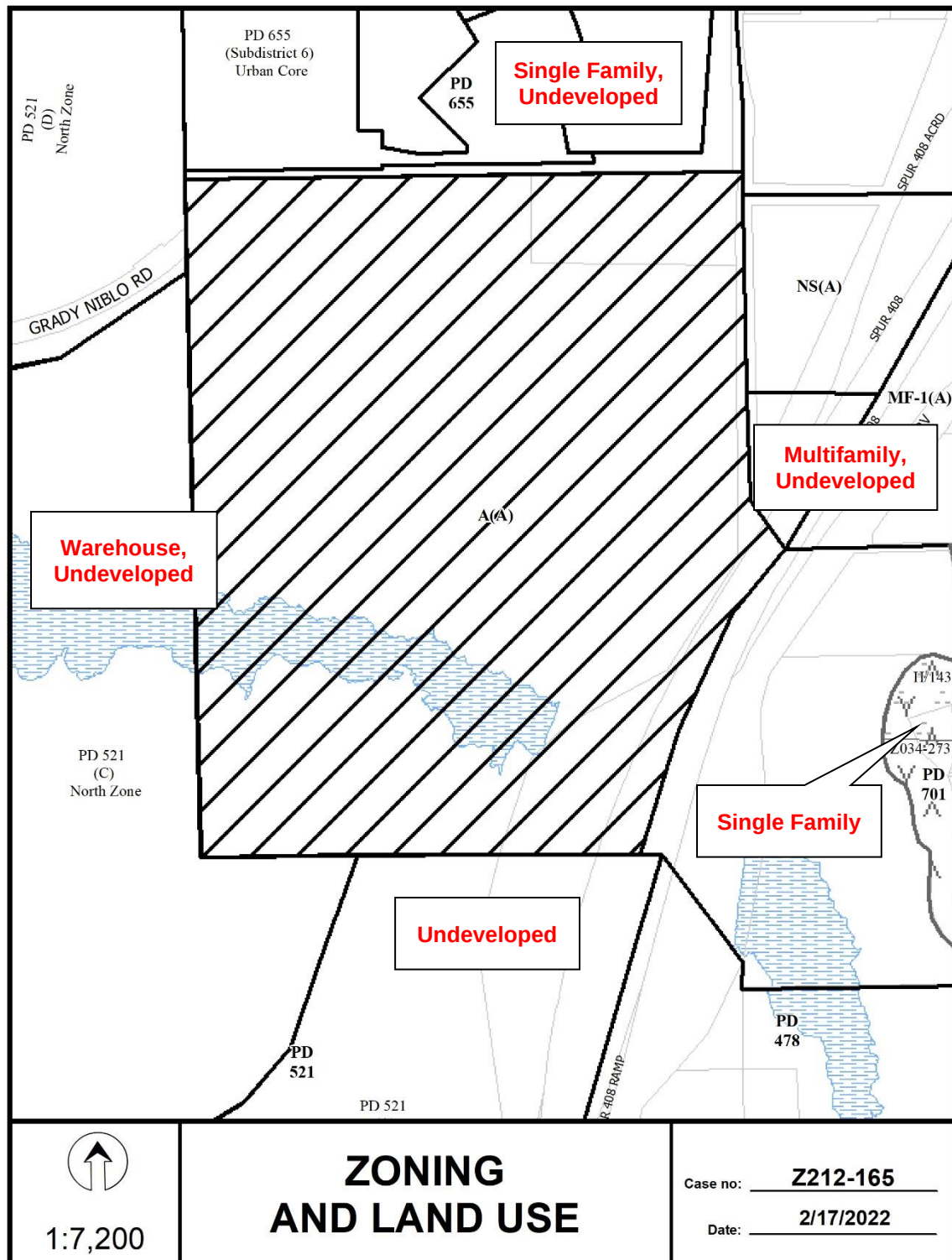
APPLICANT'S PROPOSED DEVELOPMENT PLAN



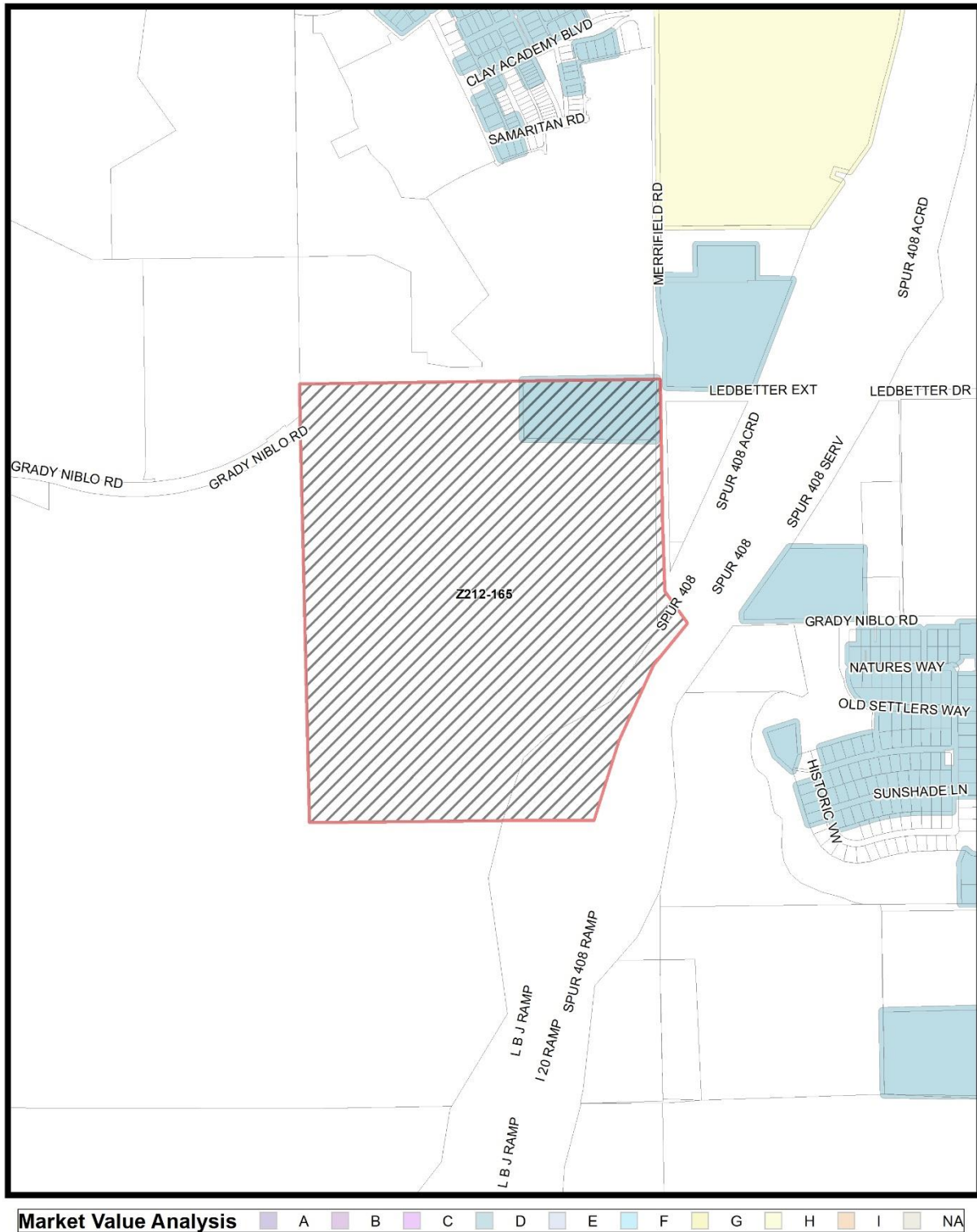


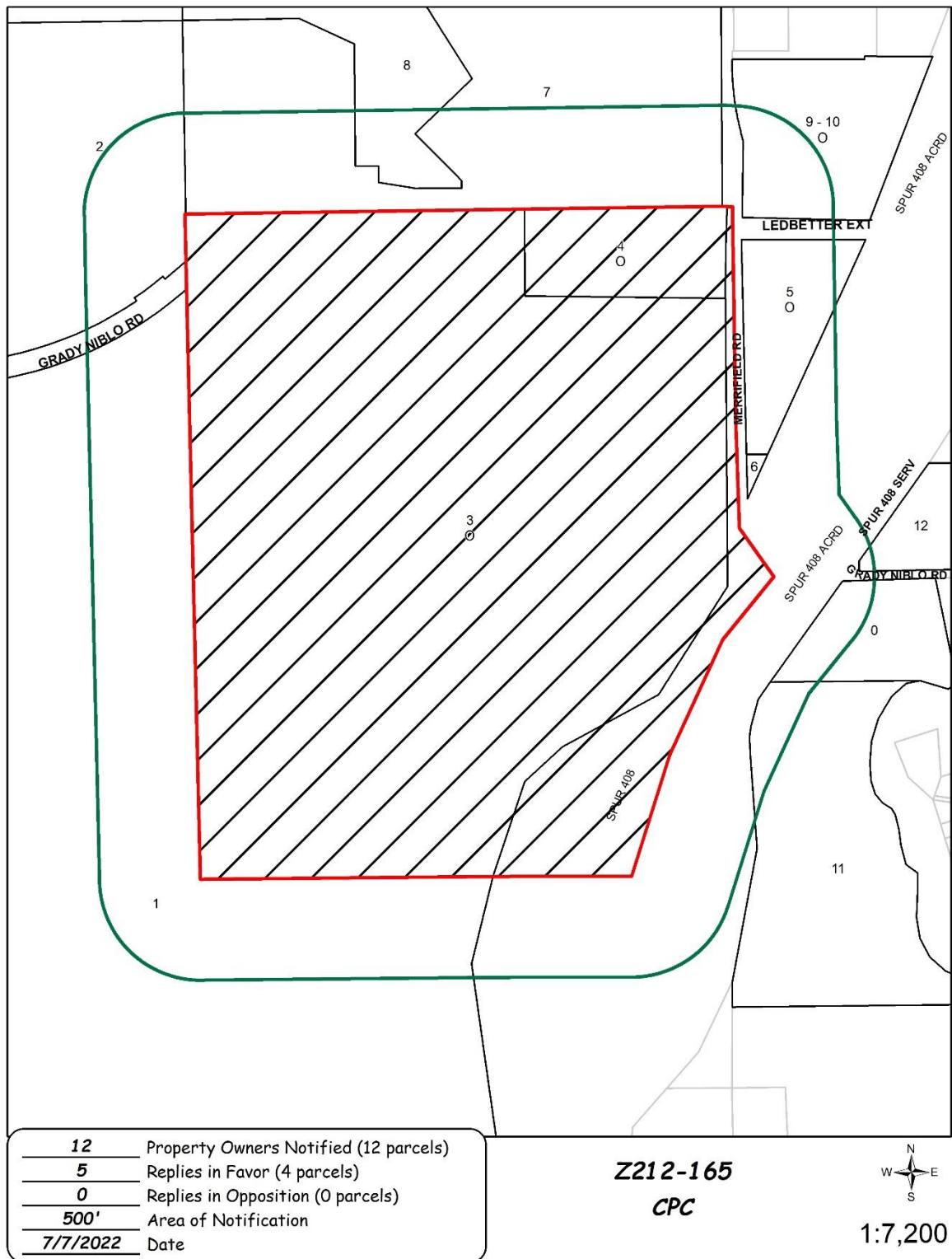












07/06/2022

Reply List of Property Owners***Z212-165******12 Property Owners Notified 5 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	4000 MOUNTAIN CREEK PKWY	COURTLAND FARMS LLC
	2	7243 GRADY NIBLO RD	FHF I MOUNTIAN CREEK II LLC
O	3	4901 SPUR 408	MERRIFIELD FAMILY INVESTMENTS LTD
O	4	3939 MERRIFIELD RD	MERRIFIELD VENTURES LP
O	5	4201 SPUR 408	HEYDARIAN BRUCE B & ASADOLLAH
	6	4301 SPUR 408	TLC PROPERTIES INC
	7	6900 W Kiest BLVD	POTTERS HOUSE OF DALLAS INC
	8	6900 W Kiest BLVD	CLAY ACADEMY INC
O	9	4201 SPUR 408	MERRIFIELD FAMILY INVESTMENTS LTD
O	10	3900 S MERRIFIELD RD	MERRIFIELD FAMILY INVESTMENTS LTD
	11	5429 KIWANIS RD	CAMP WISDOM INC
	12	4810 SPUR 408	PATRIOT RIDGE I LTD CO