

FILE NUMBER: Z223-114(JM) **DATE FILED:** October 13, 2022

LOCATION: East corner of Cedar Springs Road and Fairmount Street

COUNCIL DISTRICT: 14

SIZE OF REQUEST: ± 3.98 acres **CENSUS TRACT:** 48113001802

REPRESENTATIVE: Suzan Kedron, Jackson Walker LLP

APPLICANT: Lincoln Property Company

OWNER: Greenway Cedar Springs, LP

REQUEST: An application for (1) a Planned Development District, and (2) a removal of the D Liquor Control Overlay on property zoned Planned Development District No. 9 with a D Liquor Control Overlay and a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to allow for a mixed-use development with modified development standards. The sale of alcohol is not permitted in the D Liquor Control Overlay. The applicant seeks to permit the sale of alcohol under by right, removing the D Liquor Control Overlay.

CPC RECOMMENDATION: **Approval** of a planned development district, subject to a development plan, setback and height plan, landscape plan, and conditions, and **approval** of removal of the D Liquor Control Overlay.

STAFF RECOMMENDATION: **Approval** of a planned development district, subject to a development plan, setback and height plan, landscape plan, and staff's recommended conditions, and **approval** of removal of the D Liquor Control Overlay.

PLANNED DEVELOPMENT NO. 9:

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=9>

PLANNED DEVELOPMENT NO. 193:

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=193-l>

BACKGROUND INFORMATION:

- On February 8, 1985, the City Council approved Planned Development District No. 193, the Oak Lawn Special Purpose District. The PD is comprised of approximately 2,593 acres, and provides standards to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the objectives outlined in the PD.
- On September 18, 1951, the City Council approved Planned Development District No. 9. The PD is comprised of approximately 14.57 acres for Neighborhood Service District and other specified uses.
- The subject site contains 3.98 acres of which one-third originates from PD No. 9 and two-thirds from GR Subdistrict of PD No. 193.
- The new PD is proposed to default to Chapter 51A, no longer PD No. 193 since the property is split zoned and PD No. 193 cannot be expanded.
- The proposed PD deviates from the existing PD No. 9 and PD No. 193 GR Subdistrict development standards and uses to allow a mixed-use development with increased height and floor area ratio with provided design standards, open space, and mixed-income housing.

Zoning History: There have been 15 recent zoning and board of adjustment requests in the area within the last five years.

1. **Z189-145:** On April 4, 2019, the City Council approved Planned Development Subdistrict No. 149 for LC Light Commercial uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located at the northwest corner of Cedar Springs Road and Maple Avenue.
2. **Z189-151:** On May 10, 2017, the City Council approved Planned Development Subdistrict No. 131 for GR General Retail Subdistrict uses and hotel use by right on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property located on the south corner of Fairmount Street and Carlisle Street. On February 21, 2019, the City Plan Commission recommended approval of an amendment to PDS No. 131. *The case was withdrawn.*
3. **Z189-337:** On January 8, 2020, the City Council approved Planned Development District No. 152 for GR General Retail uses on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose

District, located at the north corner of Howell Street and Routh Street.

4. **Z189-358:** On January 8, 2020, the City Council approved Specific Use Permit No. 2360 for a bank or savings and loan office with a drive-in window use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, bounded by Cedar Springs Road, Fairmount Street and Howell Street.
5. **BDA189-030:** On April 15, 2019, Panel C of the Board of Adjustment granted a special exception to the landscaping regulations at 2620 Maple Avenue.
6. **Z190-168:** On May 27, 2020, the City Council accepted an amendment to volunteered deed restrictions [Z978-150] on property zoned a CS Commercial Service District, located on the northeast side of South Fitzhugh Avenue, north of South Haskell Avenue.
7. **Z190-259:** On October 28, 2020, the City Council approved Planned Development District No. 157 for multiple family uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the northwest line of Woodall Rodgers Freeway, between Southwest line of Maple Avenue, between Cedar Springs Road and Randall Street.
8. **Z190-305:** On February 24, 2021, the City Council approved Planned Development Subdistrict No. 160 for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast corner of Maple Avenue and McKinney Avenue.
9. **Z190-328:** On March 24, 2021, the City Council approved 1) a new tract within Planned Development District No. 9; and 2) removal of the D Liquor Control Overlay with consideration for a Specific Use Permit with a D-1 Liquor Control Overlay on property zoned Planned District No. 9 with a D Liquor Control Overlay located on the southwest line of Routh Street, between Mahon Street and Howell Street.
10. **Z190-338:** On December 9, 2020, the City Council approved an application for an amendment to and expansion of Subdistrict F of Planned Development Subdistrict No. 79 in Planned Development District No.193, in an area generally bounded by North Harwood Street, Hunt Street, Harry Hines Boulevard and Randall Street.
11. **Z201-223:** On August 11, 2021, the City Council approved an application for the renewal of Specific Use Permit No. 2341 for a bar, lounge, or tavern on property zoned Tract A within Planned Development

District No. 269, the Deep Ellum/Near East Side District, on the south line of Exposition Avenue, west of Parry Avenue.

12. **Z201-233:** On August 11, 2021, the City Council approved Planned Development Subdistrict No. 165 for GR General Retail Subdistrict uses on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on Vine Street between Cole Street and Laclede Street.
13. **BDA212-080:** On September 21, 2022, Panel B of the Board of Adjustment granted a special exception to the landscaping regulations at 3004 & 3012 Fairmount Street.
14. **Z212-136:** On April 27, 2022, the City Council approved Planned Development Subdistrict No. 167 for GR Subdistrict uses on property zoned a GR General Retail within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the east corner of Fairmount Street and Carlisle Street.
15. **Z223-156:** On December 13, 2022, an application for automatic renewal of Specific Use Permit No. 2412 for the sale of alcoholic beverages in conjunction with an establishment of a religious, charitable, or philanthropic nature use was submitted for review, on property zoned Tract C within Planned Development District No. 9 with a D-1 Liquor Control Overlay, located on the northwest line of Mahon Street and southwest line of Routh Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Cedar Springs Avenue [Turtle Creek Boulevard]	Minor Arterial	40 feet	--
Fairmount Street	Community Collector	50 feet	--
Routh Street	Community Collector	40 feet	--
Howell Street	Community Collector	50 feet	--

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the Traffic Impact Analysis dated September 22, 2022 and determined

that the proposed development will not significantly impact the surrounding roadway system.

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 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.

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

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

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.5 Focus on companies that represent the greatest potential for job growth and investment.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

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

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Policy 5.2.4 Enhance retail, industrial and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

NEIGHBORHOOD PLUS

GOAL 4 ATTRACT AND RETAIN MIDDLE CLASS

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

GOAL 6 ENHANCE RENTAL HOUSING OPTION

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

Area Plans:

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

The Plan recognizes Uptown as a Core / Supporting Districts as “one of the city’s most vibrant urban neighborhood, boasting a lively mix of residences and retailers, restaurants and offices, walkable, bikeable streets, and green spaces, all connected via the area’s beloved McKinney Avenue Trolley.” Uptown is largely successful in balancing jobs, housing and services. As Dallas’s most dense neighborhood, Uptown consists of a wide mix of apartments, condominiums, townhouses, residential towers and historic homes. Despite these assets, large blocks and inward-oriented building architecture

present challenges to pedestrian activity in many parts of the district. In the future, developments are expected to fill in gaps to assist in creating a truly walkable, transit-oriented urban neighborhood.

The Plan's key recommendation includes:

- Create a transit-oriented, walkable neighborhood by developing new projects and redeveloping existing buildings with small setbacks, ground floors with high transparency, and retail/restaurant uses; address parking needs while envisioning no surface parking in front of buildings.

The applicant's request is consistent with the goals and policies of the 360 Plan. The proposal includes a development that would contribute to walkable vibrant urban neighborhood. This is accomplished through a ground floor with high transparency and retail/restaurant uses, pedestrian design standards, and higher density as recommended in the Plan. The proposal also removes significant surface parking and activates the area with additional housing.

The 360 Plan is intended to create a complete and connected city center with transformative strategies such as advanced urban mobility, building complete neighborhoods, and promoting great placemaking. The proposed development plan adds an improved street presence than is currently provided.

Surrounding Land Uses:

Area	Zoning	Use
Site	GR General Retail Subdistrict and PD No. 9	Office, Bar, Restaurant, and Surface Parking
Northwest	GR General Retail and LC Light Commercial Subdistricts, PDS No. 58 and 98	Office, Bar, Multiple Family, and Bank w/Drive-in
Northeast	GR General Retail Subdistrict, PDS No. 86 and PDS No. 152	Multiple Family, Office, Retail, and Restaurant
Southeast	PD No. 9 w/SUP No. 2412	Retail, Personal Service, Restaurant, Office, Child Care Facility, and Sale of Alcohol in Conjunction with an Establishment of a Religious, Charitable, or Philanthropic Nature
Southwest	GR General Retail Subdistrict w/SUP No. 2360	Bank or Savings Loan Office with a Drive-in Window and Office

Land Use Compatibility:

The 3.98-acre site is a conglomerate of parcels containing a variety of structures with office, bar, and restaurant uses, in addition to surface parking.

Surrounding land uses consist of office, bar, multiple-family, and bank with drive-in to the northwest; multiple-family, office, retail, and restaurant to the northeast; retail, personal service, restaurant, office, child-care facility, and sale of alcohol in conjunction with an establishment of a religious, charitable, or philanthropic nature to the southeast; and bank or savings loan office with a drive-in window and office to the southwest.

The applicant proposes to create a new PD since the site is located partially in PD No. 9, which cannot be added to PD No. 193. The proposed PD for MU-3 Mixed Use District uses is a departure from the existing zoning. However, surrounding case history shows Uptown has a variety of PD Subdistricts which have amended development rights to allow for mixed-use developments and towers similar to what is proposed.

The mixed-use development proposed allows for: (1) the renovation and alteration of the existing structures with the addition of the expanded land uses due to the restrictive nature of PD No. 9, (2) rezoning to an MU-3 District to permit development similar to the surrounding rezoned parcels with mixed-use office and residential towers and retail at street level, (3) additional development rights for a Special Project to allow for additional height, density, and floor-area-ratio, subject to providing mixed-income housing and improved open space. These three scenarios provide a variety of options for the property to (1) continue to serve the neighborhood with updated land uses and renovation of existing structures, (2) provide for a comparable to surrounding mixed-use development type with added urban design, sustainability, and open space features, or (3) a Special Project with the same upgrades plus affordable housing and additional open space.

The applicant has also requested removal of the D Liquor Control Overlay, which prohibits the sale of alcohol. The portion of the site zoned PD No. 9 protrudes into the block and includes the prohibition on the sale of alcohol. Staff supports removal of the D Overlay to allow state agencies to control over liquor sales for the mixed-use development.

The rezoning is consistent with and would complement the existing neighborhood character. The inclusion of ground floor commercial adds neighborhood destinations, aids in placemaking, and serves as additional employment in proximity to nearby and proposed housing. Staff appreciates that the proposed project captures the importance of the pedestrian experience and public open spaces; therefore, staff supports the request. However, two stipulations exist. Staff disagrees with the mixed-income housing proposed and the addition of a provision to regulate operation hours for retail and personal service uses. Staff maintains that a PD is not the appropriate mechanism for moderating business operations. Further information on the MIH recommendation is found below.

Development Standards:

SUBDISTRICT	SETBACKS		DUD/ FAR	Height/ Stories	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
Existing—PD No. 193 GR General Retail Subdistrict	10 feet for 1 st 36 feet 25 feet above 36 feet	10' adjacent to residential* OTHER: No Min.	DUD by lot size for bedrooms. 2.0:1 2.5:1**	120'	80%	Retail, restaurant, office, multiple family
Existing—PD No. 9 for NS Neighborhood Service Uses	Per Exhibit 51P-9D 15' on Howell St. 25' on Routh St.	5' side for main bldg. 0' rear for accessory	DUD by lot size for bedrooms. No max FAR.	36' 3 Stories	40% Nonres. 60% Res.	Establishment of a religious, charitable, or philanthropic nature and limited retail category
Proposed—PD for MU-3	Per MU-3	Per MU-3	Per MU-3	330' Stories Per MU-3	Per MU-3	Retail, restaurant, office, multifamily. Micro units. Design standards. Open space. Sustainability.
Comparison— MU-3 District	15' Urban form setback 20' for structure taller than 45'	0' Or 20' adj. to or across alley from res. Tower spacing: addtl setback of 1' for every 2' above 45' in height, max 30'	No max DUD (res allowed) FAR based on MUP range from 3.2 to 4.5 depending on the mix.	270' 20 stories	80%	Retail, restaurant, office, multifamily.
Proposed—PD for MU-3 Special Project Applicant: 5% at 81-100 Staff: 10% at 61-80 and 5% at 81-100	20' Cedar Springs 25' Routh 20' Howell 25' Fairmount Setback and Height Plan as Exhibit shows additional setbacks provided. Encroachments permitted.	No Min.	Per MU-3 on DUD 8.0 FAR	Bldg. 1: 330' Bldg. 2: 385' Bldg. 3: 415'	Per MU-3	Retail, restaurant, office, multifamily. Micro units. Design standards. Open space. Sustainability.
Comparison— MU-3 District w/MIH Category E 1) 5% at 61-80 2) 10% at 61-80 3) 10% at 61-80 and 5% at 81-100	Per MU-3 Encroachments permitted w/MIH. On thoroughfare, surface parking prohibited in FY.	Per MU-3 Encroachments permitted w/MIH. Max 15% surface parking in SY.	Per MU-3 Bonus of 1.0, 2.0, or 3.0 additional FAR Extra 1.0 FAR for TOD	270' 20 stories	80-85%, 90% TOD	Retail, restaurant, office, multifamily. MF parking reduction. Design standards. Open space.

*An additional setback required for portions of a structure over 36 feet in height.

**When the floor area for residential uses is equal to or greater than lot area.

The surrounding areas are zoned a GR Subdistrict within PD No. 193, PD No. 9, and a variety of PDS with base districts of GR or LC Light Commercial. PD No. 9 is the most restrictive zoning district in the area, with a maximum height of 36 feet and specified land uses permitted on-site including NS Neighborhood Service District uses. The NS base district is the most restrictive neighborhood-serving commercial district and intended to provide limited retail uses. However, the GC and LC Subdistricts provide for a robust mix of uses inclusive of multiple family, retail, office, and personal service uses. The difference between these two subdistricts is the height and FAR permitted, which both double for the LC Subdistrict.

Setbacks

The proposed MU-3 base would reduce setbacks which supports the urban nature of the area and goals in the area plan. However, the existing zoning within both PD No. 193 and PD No. 9 have more restrictive setbacks of 25 feet. The applicant proposes a mix of setbacks between 20 and 25 feet for the four street frontages. This is an increase from the base MU-3 requested, but a reduction from the existing zoning.

Additional setbacks are provided on the *Setbacks and Height Plan* proposed as an exhibit to the PD. This plan identifies the Special Project heights for the three towers with additional setbacks as height increases to the maximums.

The plan indicates tower No. 1 will provide an additional setback of five feet from 20 to 36-feet-in-height. The building will then setback over 20 feet for the portion up to 167-feet-in-height for a depth of 15 feet. The tower will then setback a minimum of five feet at 167-feet-in-height before reaching 330-feet-in-height.

The plan indicates tower No. 2 will provide an additional setback of five feet from 20 to 36-feet-in-height, then reach a height of 179 feet for a depth of 22 feet before setting back another five feet. The tower will then setback a minimum of five feet at 179-feet-in-height before reaching 385-feet-in-height.

The plan indicates tower No. 3 will provide an additional setback of five feet from 20 to 36-feet-in-height. No other setbacks are proposed for this 415-foot tower facing Routh Street. However, the heights of the tower do vary. A 100-foot-tall portion of the tower wraps the western frontage along Cedar Springs Road at a depth of over 30 feet, and the eastern interior portion of the tower at a depth of over 80 feet.

If the site is developed under the base PD for MU-3 standards instead of the Special Project deviations, the additional setbacks of the base MU-3 District apply. This includes tower spacing providing an additional one-foot setback for every two feet above 45-feet-in-height but tops out at a maximum additional setback of 30 feet.

Height

The existing GR Subdistrict allows up to 120-feet-in-height. PD No. 9 has a maximum of 36-feet-in-height. The proposed MU-3 District base has a maximum height of 270 feet. MIH bonuses do not increase the height in the MU-3 District. The proposed base for this PD has an increased height of 330 feet. However, the applicant has provided additional design standards, open space, and sustainability standards to improve the development. The additional height is suitable to allow for flexibility in providing the benefits to the neighborhood.

Surpassing the base height of 330 feet for a Special Project includes additional public benefits for increased open space and the addition of affordable housing. The heights requested for the three towers are detailed in the conditions and a *Setbacks and Height Plan*. There have been 15 rezoning cases in the vicinity within the last five years. A variety of cases to the northwest and southwest have increased heights of up to 399 feet. PDS No. 160, located south of the site, permits height up to 406 feet.

Overall, the proposed public benefits are considered suitable reasons for the requested flexibility in height. The height requested is similar to the rezoning requests in the vicinity and is respecting the character for the area.

FAR

The existing GR Subdistrict permits up to 2.5 FAR with a residential component. The MU-3 District base requires a MUP mixed-use-project to reach a maximum FAR of 4.5 with a residential component. The applicant has kept the base MU-3, which is similar to the adjacent LC Subdistrict and many of the PDS in the vicinity. While other surrounding PDS have elected for increased FARs of up to 6.0. Additionally, MIH bonuses permit up to a 3.0 FAR increase in the MU-3 District plus one additional FAR point for TOD transit-oriented development projects. The applicant is requesting additional FAR to reach 8.0 for the Special Project standards and is located in Uptown within one mile from the M-line Trolley Station.

Staff considered a comparison of the public benefits provided in surrounding rezoning cases and bonuses offered for MIH. This request has added greater design standards, open space, sustainability standards, and mixed-income housing. The increase in FAR allows for greater massing of the towers at taller heights. However, with the inclusion of the additional setbacks as described, the structures will fit into the neighborhood overall.

Dwelling Unit Density

It is important to note that there are no changes to the dwelling unit density. The existing GR Subdistrict calculates the allotted DUD based on the lot size comparison to the bedroom count for multiple family projects. PD No. 9 refers to the NS District which permits multiple family development under the same lot-to-bedroom regulations as the GR Subdistrict. The proposed MU-3 District base has no dwelling unit density maximum and no lot size limitations. MIH bonuses do not increase the DUD. This provision is not being amended from the base form. While this does constitute a DUD increase, the base code regulation is suitable.

Micro-units

A micro-unit means a dwelling unit that is an efficiency, studio, or one-bedroom unit less than 400 square feet in size. The applicant has included a minimum five percent micro-units required for any multifamily projects on the site. These units are in addition to affordable housing offered for the project, which could be off-site due to the fee-in-lieu option.

Open Space

The Dallas Development Code requires 10 percent open space for projects incentivized through the MIHDB Mixed Income Housing Development Bonus Program. Two open space provisions are provided in this PD. The first is for regular base PD development and requires 30 percent open space with a maximum of 40 percent hardscaping to include pedestrian connectivity/sidewalks and other paved features.

For a Special Project, the total open space increases to 55 percent; however, the provisions require a minimum of one collective space with at least 15,000 square feet of area. Hardscape cannot exceed 40 percent of the open space. An additional provision specific to the Special Project is that private balconies, parking areas, valet staging, and drive aisles may be counted towards non-buildable open space area.

Design Standards

While a Special Project requires underground parking, any base PD project would require the structured parking to contain an active use for a depth of 25 feet on the ground level street-facing portions of the structures. It should also be noted that a new development plan would be required if the site were to be developed per base PD rather than as a Special Project. The structured parking option also requires façade standards to match the main structure and provide a screening element for vehicle and headlights.

For a Special Project, the loading will occur interior to the parking garage.

The base PD for MU-3 requires compliance with the following urban design standards (1) unobstructed sidewalk width of 10 feet; (2) a minimum six-foot-wide average eight-foot-wide ADA accessible pedestrian pathway shall be provided from Cedar Springs to Howell and from Routh to the central open space of the district; (3) provide pedestrian amenities including one bench and one trash receptacle for every 225 linear feet of street frontage; (4) require 50 bike parking spaces of which 50 percent are enclosed; (5) require no mechanical or utility equipment may obstruct the required sidewalk planting area or clear zone; (6) require pedestrian street lighting directed downward at prescribed intervals to total recommended lighting levels at the perimeter of the site; (7) require a minimum of three public art installations; (8) require architectural elements including 30 percent transparency for all street-facing facades and fenestration requirements to promote visual variety, specifically limiting blank walls to a maximum of 30 feet-in-length; (9) requiring internal loading docks and service entries; and, (10) prohibiting surface parking.

The proposed standards are beyond the Design Standards required for MIHDB Program development bonuses.

Mixed Income Housing

The applicant requests development rights to allow an increase in height and FAR, leveraging their proposal to provide design standards, open space, sustainability regulations, and ensure the development has an affordable housing component.

Staff uses the Market Value Analysis (MVA) categories to evaluate requests for PDs with mixed-income housing. The area of request is located in a “E” MVA area. In “D,” “E,” and “F” MVA areas, staff’s standard recommendation is that 10 percent of the total units be reserved for households at 61 to 80 percent of AMFI and five percent of the total units be reserved for households at 81-100 percent of AMFI. The applicant is proposing five percent of the total units be reserved for households at 81-100 percent of AMFI only.

The applicant’s proposal is contrary to the maximum bonuses provided in standard MIH developments. The additional height and FAR are beyond the bonuses in the MIH program. Similarly, the public benefits offered with the project go beyond the MIH program standards. However, staff finds the base MIH bonuses hold the base requirements for MIH to be provided. The additional development rights and public benefits are separate. For this reason, staff recommends the minimum affordable housing component to include 10 percent reserved for households at 61 to 80 percent

of AMFI and five percent of the total units be reserved for households at 81-100 percent of AMFI.

Parking:

Parking will be in accordance with the parking regulations in Section 51A, except for those proposed in the new PD. The PD has amended parking ratios for several uses. The combined uses with amended parking ratios have been assessed in a parking study considered by the Engineering Division and found suitable. Additionally, staff recommended to add the MIH multifamily parking ratio to permit a minimum of one-half space per dwelling unit with 15 percent of parking available for guest parking. The applicant agreed to include the ratio as an option.

Landscaping:

Landscaping must be provided in accordance with Article X. For a Special Project, landscaping will be in accordance with the landscape plan. This plan was assessed by the city arborist and found acceptable.

Article X generally requires a street buffer zone, residential buffer zone, interior zone plantings, and additional provisions. A typical street buffer zone for arterials and community collectors is between 10 and 30 feet-in-depth with an average depth of 10 feet required. However, in accordance with the Article X provision for an urban streetscape a landscape plan that provides for a minimum six-foot SBZ is considered an urban streetscape. This minimum is met with the required landscape plan.

Market Value Analysis:

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

List of Officers/Principals

Applicant—**Lincoln Property Company**

- Clay Duvall—Vice President

Owner—**Greenway Cedar Springs LP**

- Gerald H. Stool—President
- Todd Petty—Vice President

CPC Action
October 5, 2023

23-2581 Z223-114(JM)

Motion: It was moved to recommend 1) **approval** of a planned development district, subject to a development plan, setback and height plan, landscape plan, and conditions with the following changes: (1) **SEC. 51P-____.103. DEFINITIONS AND INTERPRETATIONS.** (a) Include Habitat Garden definition: “(2) HABITAT GARDEN means any planting areas will be native or native adaptive species to North Texas with low water or very low water consumption characteristics with the intention of attracting or providing habitat for bees, birds, butterflies, or other pollinators or a combination thereof. The landscaping shall be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats. Turf and lawn areas are considered planting areas within this definition, provided however, that lawn and turf areas may use grasses that are not considered low or very low water consumption.”; Remove Planting Area definition; (2) **SEC. 51P-____.106. MAIN USES PERMITTED** (b) (2) add to the end: “Residential units are required.”; (3) **SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS** (a)(1) to read: “Maximum structure height is 240 feet.” (b) to read “Special Project: for a Special Project, the following yard, lot, and space regulations apply. (b)(4) Height, add a new A to read: “(A) Building 1: Except as provided in this paragraph, the maximum structure height is 330 feet.” Then, the remaining paragraphs will be re-lettered; (4) **SEC. 51P-____.109. OFF-STREET PARKING AND LOADING.** (a)(10)(i) shall be changed to: “All off-street parking must be located underground.”; (5) **SEC. 51P-____.111. LANDSCAPING** add “(d) For a Special Project, all landscaping must conform to the Habitat Garden standards.”; (6) **SEC. 51P-____.113. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.** For boxes, Applicant’s request for (b), Staff’s request to remove (c); (7) **SEC. 51P-____.114. DESIGN STANDARDS** Remove (c) and (1) under (c); and (8) **SEC. 51P-____.117. ADDITIONAL PROVISIONS** Box selection for (c): Applicant’s request, and 2) **approval** of a removal of the D Liquor Control Overlay on property zoned Planned Development District No. 9 with a D Liquor Control Overlay and a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Cedar Springs Road and Fairmount Street.

Maker: Kingston
Second: Blair
Result: Carried: 11 to 1

For: 11 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Treadway,
Hall, Kingston, Rubin

Z223-114(JM)

Against: 1 - Housewright
Absent: 2 - Anderson, Haqq
Vacancy: 0
Conflict: 1 - Jung

Notices: Area: 500 Mailed: 136
Replies: For: 28 Against: 0

Speakers: For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Kevin Conway, 333 S. Grand Ave., Los Angeles, CA, 90071
Anthony Page, 3210 Carlisle St., Dallas, TX, 75201
Adam Murphy, 2828 Routh St., Dallas, TX, 75204
For (Did not speak): Luke Franz, 2323 Ross Ave., Dallas, TX, 75204
Against: None

August 17, 2023

An application for (1) a Planned Development District, and (2) a D-1 Liquor Control Overlay on property zoned Planned Development District No. 9 with a D Liquor Control Overlay and a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Cedar Springs Road and Fairmount Street.

Note: Commission Jung was out of the room when item was discussed.

No action was taken on Z223-114(JM), due to a notification error.

Speakers: For: None
For (Did not speak): Luke Franz, 2323 Ross Ave., Dallas, TX, 75201
Anthony Page, 3210 Carlisle St., Dallas, TX, 75204
Against: None

<p>CPC RECOMMENDED Proposed PD Conditions</p>

ARTICLE ____.

PD ____.

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

PD ____ was established by Ordinance No. ____, passed by the Dallas City Council on _____, 2023.

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

PD ____ is established on property located at the east corner of Cedar Springs Road and Fairmount Street. The size of PD ____ is approximately 3.98 acres.

SEC. 51P-____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this district:

(1) BLANK WALL means a ground floor portion of the exterior of a building that fronts on a street that does not include a material change, windows, doors, columns, pilaster, or other articulation greater than 12 inches in depth. Blank wall area is measured horizontally.

(2) HABITAT GARDEN means any planting areas will be native or native adaptive species to North Texas with low water or very low water consumption characteristics with the intention of attracting or providing habitat for bees, birds, butterflies, or other pollinators or a combination thereof. The landscaping shall be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats. Turf and lawn areas are considered planting areas within this definition, provided however, that lawn and turf areas may use grasses that are not considered low or very low water consumption.

(3) MICRO-MOBILITY CHARGING means an electrical charging station or outlet available for charging micro-mobility vehicles such as e-scooters and e-bikes.

(4) MICRO-UNIT means an efficiency, studio, or one-bedroom unit less than 400 square feet in size.

(5) PUBLIC ART means original tangible works created by an artist including, but not limited to paintings, sculptures, murals, photography and original works of graphic art, water features, glass, lighting, mosaics, or any combination of media.

(6) **SPECIAL PROJECT** means a project with an FAR greater than 4.0 that is compliant with Sections 112, 113, 114, and 116.

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

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P-____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: development plan.
- (2) Exhibit ____B: building heights and setbacks plan.
- (3) Exhibit ____C: mixed use development parking chart.
- (4) Exhibit ____D: landscape plan.

SEC. 51P-____.105. DEVELOPMENT PLAN.

(a) In general. Except as provided in this section, development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this division and the development plan, the text of this division controls. For all other developments, a development plan must be approved by the city plan commission.

(b) No development plan is required. Compliance with the development plan is not required for renovations or alterations to buildings existing on the property as of [*insert date of adopted ordinance*].

SEC. 51P-____.106. MAIN USES PERMITTED.

(a) In general. Except as provided in this section, the only main uses permitted in MU-3 district, subject to the same conditions applicable in the MU-3 shall be permitted. For example, a use permitted in the MU-3 only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MU-3 is subject to DIR in this subdistrict; etc.

(b) Special Project Uses.

(1) For a Special Project, uses above the second floor in Building 2 are limited to residential and accessory uses only.

(2) For a Special Project, uses above the second floor in Building 3 are limited to residential, hotel, and accessory uses only. Residential units are required.

SEC. 51P-____.107. ACCESSORY USES.

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

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS

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

(a) In general. Except as provided in this subsection for a Special Project, the yard, lot, and space regulations for an MU-3 Mixed Use District apply.

CPC Recommendation and Applicant Request:

(1) <u>Height.</u> Maximum structure height is 240 feet.
--

Staff Recommendation:

(1) <u>Height.</u> Maximum structure height is 330 feet.
--

(2) Stories. No maximum stories.

(3) Floor area ratio. This district is considered one lot for purposes of required floor area ratio calculations.

(b) Special Project. For a Special Project, the following yard, lot, and space regulations apply.

(1) Front yard.

(A) Cedar Springs Road. Minimum front yard is 20 feet and is measured from the property line.

(B) Routh Street. Minimum front yard is 25 feet and is measured from the property line.

(C) Howell Street. Minimum front yard is 20 feet and is measured from the property line.

(D) Fairmount Street. Minimum front yard is 25 feet and is measured from the property line.

(E) Encroachments. The following are allowable encroachments into the front yard setbacks: architectural elements; benches; stoops; patios; garage ventilation shafts; raised planters; seat walls and retaining walls; stairs, stoops and railings; structures that are not fully enclosed such as canopies, colonnades that support building overhangs, and pergolas; city required utilities; and ordinary projections of window sills, bay windows, belt courses, cornices, eaves and other architectural features.

(2) Side and rear yard. No minimum side or rear yard setback is required.

(3) Floor area ratio. If compliant with Section 51P-____.113, the maximum floor area ratio is 8.0:1.

(4) Height.

CPC Recommendation and Applicant Request:

(A) Building 1. Except as provided in this paragraph, the maximum structure height, is 330 feet.

Staff Recommendation:

(A) Base height for PD is 330 so no bonus needed for Building 1.

(B) Building 2. Except as provided in this paragraph, the maximum structure height, is 385 feet.

(C) Building 3. Except as provided in this paragraph, the maximum structure height is 415 feet.

(D) Maximum structure height. Maximum structure height is limited to the height shown on the building heights and setbacks map (Exhibit ____B).

(5) Micro Units. A minimum of five percent of Micro Units are required in this district.

SEC. 51P-____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, off-street parking and loading must be provided in accordance with the use regulations in Division 51A-4.200. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(1) One space per 366 square feet of floor area must be provided for the following uses:

(A) Financial institution without drive-in window.

- (B) Office.
- (2) One space per 220 square feet of floor area must be provided for the following uses:
 - (A) Dry cleaning or laundry store.
 - (B) General merchandise or food store 3,500 square feet or less.
 - (C) General merchandise or food store greater than 3,500 square feet.
 - (D) Liquor store.
 - (E) Personal service uses.
 - (F) Post office.
- (3) If compliant with Section xxx.113, one-half spaces are required per multifamily dwelling unit. At least 15 percent of the required parking must be available for guest parking.
- (4) A minimum of 15 percent of the required off-street parking spaces for a multifamily use must be unassigned and available for use by visitors and residents.
- (5) The off-street parking requirement for a hotel or motel use is three quarters of a space for each room; no additional spaces are required for meeting rooms.
- (6) This district is considered one lot for purposes of required off-street parking and loading.
- (7) Parking spaces are not required to be shown on the development plan.
- (8) Tandem parking is permitted for up to 20 percent of the required parking for a hotel or motel and multifamily use, provided a valet license is secured from the city.
- (9) Mixed use development parking reduction.
 - (A) In general.
 - (i) The off-street parking requirement for a mixed use development (MUD) may be reduced in accordance with the mixed use development parking chart (Exhibit ___C). Except for a large format specialty retail use, shared parking facilities for all other uses must be available to all residents, employees, guests, and visitors.

(ii) For purposes of this subsection, mixed use development means a tract with more than one main use, where the parking for those uses are contained within a single, contiguous parking area or garage.

(ii) The off-street parking reduction may be used in combination with other parking reductions, except that the required parking for a mixed use development may not be reduced by more than 30 percent.

(B) Calculation of adjusted standard off-street parking requirement.
The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(iii) Finally, the “time of day” columns are totalled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(C) Minimum parking requirement. If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(10) Parking structures.

(i) All off-street parking must be located underground.

(ii) Underground parking structures may project to the lot line.

(11) Loading for a Special Project:

(A) All loading and maneuvering must be within the building footprint.

(B) Building 1.

(i) Five internal loading spaces are required.

(ii) Maximum truck length permitted is 69 feet.

(C) Building 2.

- (i) Three internal loading spaces are required.
- (ii) Maximum truck length permitted is 30 feet.

(4) Building 3.

- (i) Three internal loading spaces are required.
- (ii) Maximum truck length permitted is 39.5 feet.

SEC. 51P-____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.111. LANDSCAPING.

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

(ii) For a Special Project, landscaping must be provided in accordance with the landscape plan (Exhibit____D).

(b) If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

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

(d) For a Special Project, all landscaping must conform to the Habitat Garden standards.

SEC. 51P-____.112 OPEN SPACE.

(a) Except as provide in this section, at least 30 percent of the building site must be reserved as open space for activity such as active or passive recreation, playground activity, or landscaping and hardscaping. Hardscape may not exceed forty percent of the open space area.

(1) Private balconies, 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.

(2) Operation or parking of vehicles, except Emergency and grounds maintenance vehicles, is prohibited within on-site open space.

(b) For a special project, at least 55 percent of the building site must be reserved as non-buildable open space for activity such as active or passive recreation, playground activity, or landscaping and hardscaping.

(1) Hardscape may not exceed forty percent of the open space area.

(2) A minimum of one 15,000-square-foot central open space area is required to be connected to public streets.

(3) Private balconies, parking areas, valet staging, and drive aisles may be counted towards non-buildable open space area.

(c) No structures except for architectural elements; garage ventilation shafts; raised planters; seat walls and retaining walls; stairs, stoops and railings; playground equipment; structures that are not fully enclosed such as canopies, colonnades that support building overhangs, pergolas, and gazebos; city required utilities; and ordinary projections of window sills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed.

(d) Open space may contain primarily pavers, concrete sidewalks and seating areas, grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, exterior seating paths, plazas, or shade structures.

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

(a) In general. Except as provided in this section, compliance with Division 51A-4.1100, as amended, is required to obtain the development bonuses in Section 51P-____.108.

CPC Recommendation and Applicant Request:

(b) Reserved units. Five percent of the total residential units, not including Micro Units, must be made available to households earning between 81 percent to 100 percent of the area median family income.

Staff Recommendation:

(b) Reserved units. Ten percent of the total residential units, not including Micro Units, must be made available to households earning between 61 percent to 80 percent of the area median family income and five percent of the total residential units, not including Micro Units, must be made available to households earning between 81 percent to 100 percent of the area median family income.

CPC and Staff Recommendation:

Remove (c).

Applicant Request:

(c) Fee-in-lieu. Payment of a fee in accordance with Section 20A-23.1(c) is sufficient for compliance with Division 51A-4.1100 to obtain the development bonuses in place of providing reserved units.

(d) Development regulations. Compliance with Section 51A-4.1107 is not required.

(e) Off-street parking and loading. In the event of a conflict between Section 51A-4.1107(c) and this article, this article controls.

SEC. 51P-____.114. DESIGN STANDARDS

(a) Public realm design.

(1) Sidewalks.

(A) A minimum unobstructed perimeter street sidewalk clear zone width of 10 feet must be provided.

(B) Perimeter street sidewalks must be located in an area between six feet and 30 feet of the back of the projected street curb.

(C) Sidewalks should be continuous and level across all driveways and curb cuts and should be designed to be at the same grade as the existing sidewalk. Detectable warning paving will be used in compliance with ADA requirements to promote the safety of pedestrians entering vehicular zones.

(2) Pedestrian amenities.

(A) A minimum six-foot-wide average eight-foot-wide ADA accessible pedestrian pathway shall be provided from Cedar Springs to Howell and from Routh to the central open space of the district.

(B) For every 225 linear feet of street frontage, a minimum of one bench and one trash receptacle shall be provided. Clustering of benches and trash receptacles is permitted. Each street frontage shall have a minimum of one clustered area.

(C) Pedestrian areas shall be separated from driveway area by plantings, bollards or similar barriers.

(3) Bicycle amenities.

(A) A minimum of 50 bike parking spaces are required in this district.

(B) A minimum 50 percent of the required bike spaces must be

enclosed.

(c) The required bike parking spaces must be distributed throughout the property, and cannot be closeted in a single location.

(4) Mechanical equipment. No above grade utilities or mechanical equipment may be placed within the required sidewalk planting zone or clear zone.

(5) Lighting.

(A) Unless otherwise provided, pedestrian street lighting poles limited to a maximum of 16 feet in height must be spaced 30 to 100 feet apart, with the exception of visibility triangles and vehicular drives, with the center of the light pole foundation located two to three feet from the back of curb. Spacing may be adjusted to achieve optimal photometric performance of a minimum of 0.5 foot candles between fixtures.

(B) Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(C) All lighting must be directed down.

(6) Public Art. A minimum of three installations of Public Art shall be required in the district and shall be displayed in a manner that are visible to the public. Rotations or changing of the art installations shall be permitted.

(7) All rooftop mounted equipment must be screened.

(b) Building design.

(1) Architectural elements.

(A) An architectural element, such as the following, must be provided adjacent to all building corners and at public entry points: architecturally prominent public entrances, canopies, awnings, building material variations, variations in building massing, increased transparency, and variations in fenestration.

(B) Ground-level of building should provide a minimum of 30 percent transparency for all street-facing facades.

(2) Service and loading.

(A) Service entries and back of house functions must be internal.

(B) Internal loading docks: (i) should be located away from primary street facades and pedestrian routes; (ii) should be a maximum of 30 feet wide if unscreened; and

(iii) should provide a closable opaque gate or door that can block the loading area from the public right of way during times when it is not in use.

(3) Façade standards. The following design standards apply to facades:

(A) Transparency is required for a minimum of 30% of the total area of each façade.

(B) Building entries must be architecturally prominent and clearly visible from the street.

(C) Blank walls longer than 30 feet in length are prohibited. Where blank walls occur, horizontal or vertical articulation is required such as:

(i) A minimum of one change in plane is required for each 30 feet of horizontal or vertical articulation, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches;

(ii) Architectural details such as raised bands and cornices;

(iii) Architecturally prominent entrance;

(iv) Attached tower or turret;

(v) Awnings; or

(vi) Change in material.

SEC. 51P-____.115. SIGNS.

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

(b) This district is considered one lot for purposes of sign regulations.

SEC-____.116. SUSTAINABLE DESIGN FEATURES FOR A SPECIAL PROJECT.

(a) A minimum 1,000 square feet of photovoltaic cells for producing solar energy shall be located on the roof of each building, with a total of 6,000 square feet required for the district.

(b) Recycling containers shall be available for all users.

(c) Two electric scooter or bicycle charger areas must be provided at grade level within the district and accessible to the open space areas. Charging areas to accommodate a minimum of five vehicles each.

(d) Drip irrigation shall be utilized for maintenance of plantings

(e) Condensate from mechanical equipment must be captured and reused for irrigation.

(f) Detention and rainwater harvesting shall be utilized for irrigation.

(g) Roofs.

(1) A minimum of 18 percent of the roof area identified on the development plan shall be covered with improvements that minimize heat production such as turf, synthetic turf, raised planters, photovoltaic cells, swimming pools, water features, and shade structures.

(2) Light colored roof materials that minimize cooling loads shall be employed on all roofs.

SEC. 51P-____.117. ADDITIONAL PROVISIONS.

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

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

CPC Recommendation and Applicant Request:

(c) The hours of operation for a retail and personal service uses are limited to 6:00 a.m. to midnight.

Staff Recommendation:

(c) ~~The hours of operation for a retail and personal service uses are limited to 6:00 a.m. to midnight.~~

(d) Retail and personal service uses may not utilize outdoor amplified sound systems after 10:00 p.m.

(e) Renovations or alterations to existing buildings on [insert date of adopted ordinance] or construction of up to an additional 20,000 square feet of floor area beyond the floor area existing on [insert date of adopted ordinance] are exempt from Sections 112, 114, and 116.

SEC. 51P-____.118. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

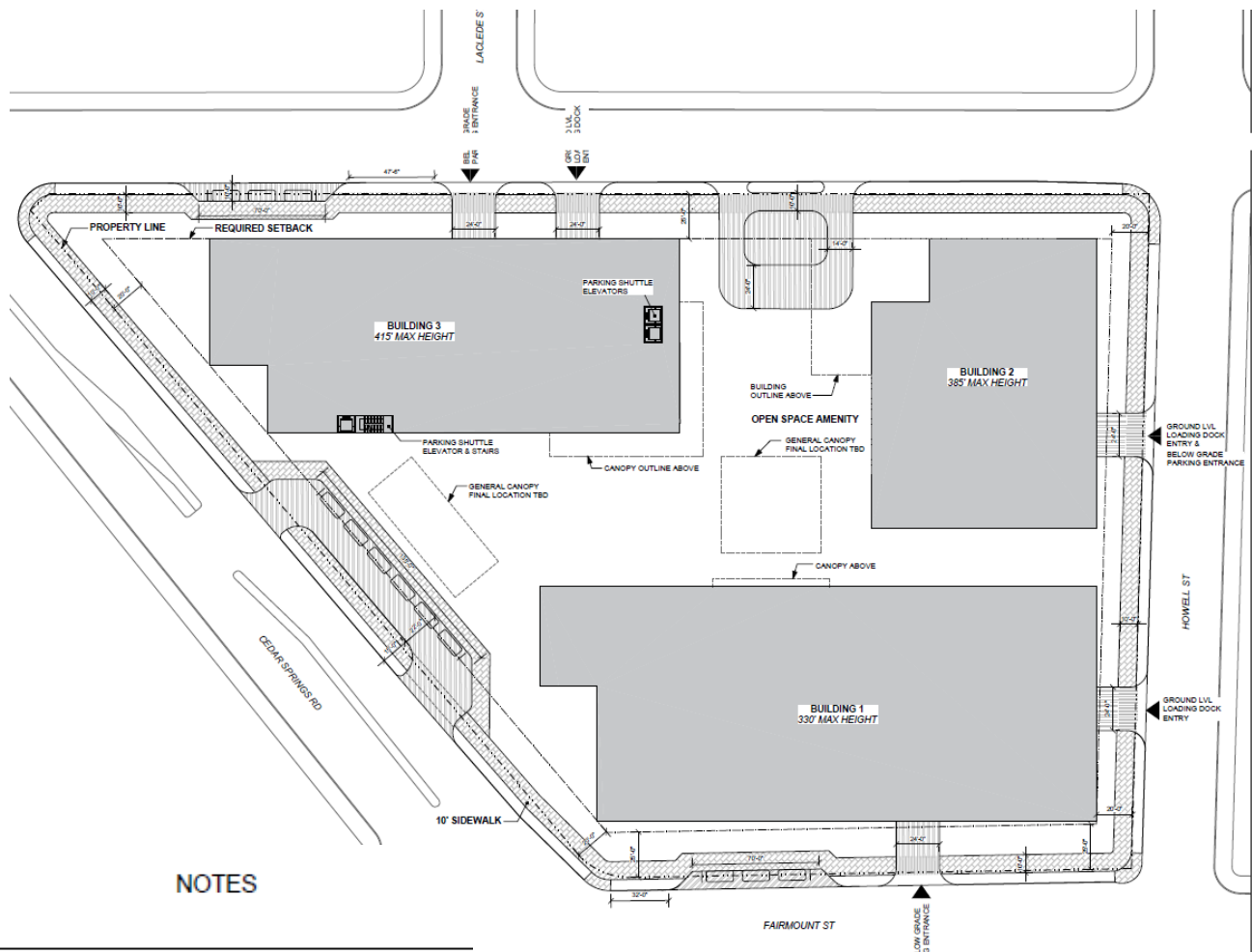
EXHIBIT ____C
Mixed Use Development Parking Chart
(for calculating standard parking requirement)

USE CATEGORIES	STANDARD REQUIREMENT	PARKING	PARKING THE TIME OF DAY (weekday)				ADJUSTMENT
			Morning	Noon	After-noon	Late After Noon	
Multifamily Uses	(1.5/dwelling unit)	80%	80%	60%	60%	70%	100%
Office-related Uses	(1/366 sq. ft.)	100%	100%	80%	100%	85%	35%
Retail & personal service uses	(1/220 sq. ft.)	60%	60%	75%	70%	65%	70%
Bar & restaurant uses	(1/100 sq. ft.)	20%	20%	100%	30%	30%	100%
Hotel and motel uses	(1/.75 rooms)	60%	60%	60%	60%	70%	100%
Any other use	Must be ascertained	100%	100%	100%	100%	100%	100%

The adjusted standard off-street parking requirements for the development are the largest of the five “time of day” column sums.

Note: If the use does not fit into one of the first five categories listed above, 100 percent assignment must be used in each of the “time of day” columns. If one or more of the main uses in the development is a retail and personal service use, the minimum parking requirement for the development under this reduction option is the sum of the standard parking requirements for each of the retail and personal service uses in the development.

CPC Recommended Development Plan

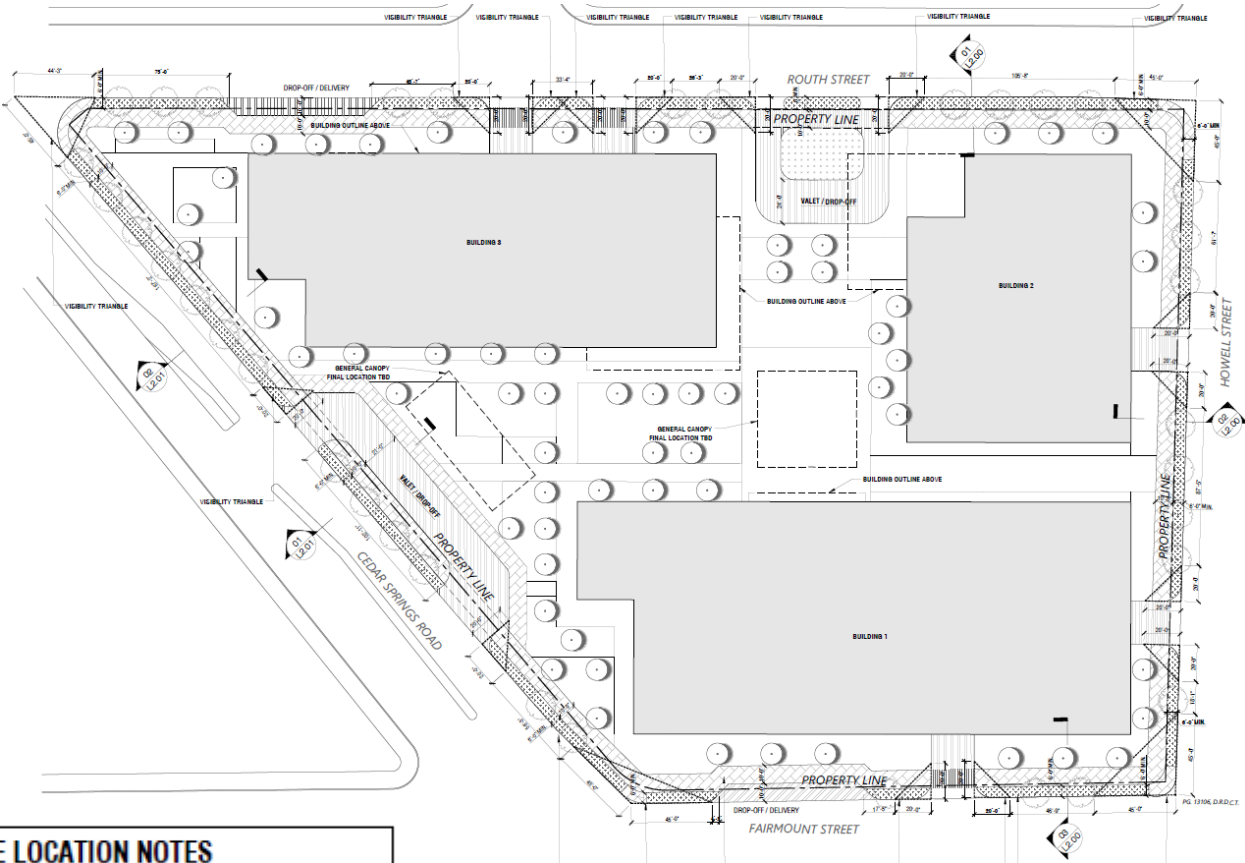


OVERALL SITE DATA

1. All loading must be internal to building envelope.
2. All required parking must be below grade.
3. All back-of-house functions must be internal to the building envelope.
4. Each building to have service elevators and a direct service/loading path to retail areas that does not obstruct front-of-house lobbies.
5. Burying all power lines on the site.
6. EV charging / parking requirements.
7. Dedicated rideshare drop off locations.
8. Dedicated dog park for residents.
9. Dedicated WiFi spot in public spaces.
10. Tabletop sidewalk at drive entries, typ.
11. Bike storage to be provided within Building 1 at the ground level.

Site Area	173,534 SF
Area of All Buildings	1,395,700 SF

CPC Recommended Landscape Plan



TREE LOCATION NOTES
TREES MAY BE ADJUSTED BEYOND THE LOCATIONS IDENTIFIED ON THE LANDSCAPE PLAN AND PLACED ON THE LOT IN ACCORDANCE WITH ARTICLE X REQUIREMENTS.





TREE MITIGATION NOTES
ALL EXISTING TREES TO BE MITIGATED IN ACCORDANCE WITH ARTICLE X REQUIREMENTS.



SOIL NOTES
ALL TREES WILL BE PLANTED IN SOIL QUANTITIES THAT ARE IN ACCORDANCE WITH ARTICLE X REQUIREMENTS.

IRRIGATION NOTES
ALL LANDSCAPE AREAS WILL BE IRRIGATED BY A FULLY AUTOMATIC IRRIGATION SYSTEM. A PERMANENT DRAINAGE SYSTEM WILL BE INSTALLED THAT COMPLIES WITH INDUSTRY STANDARDS.

GENERAL NOTES

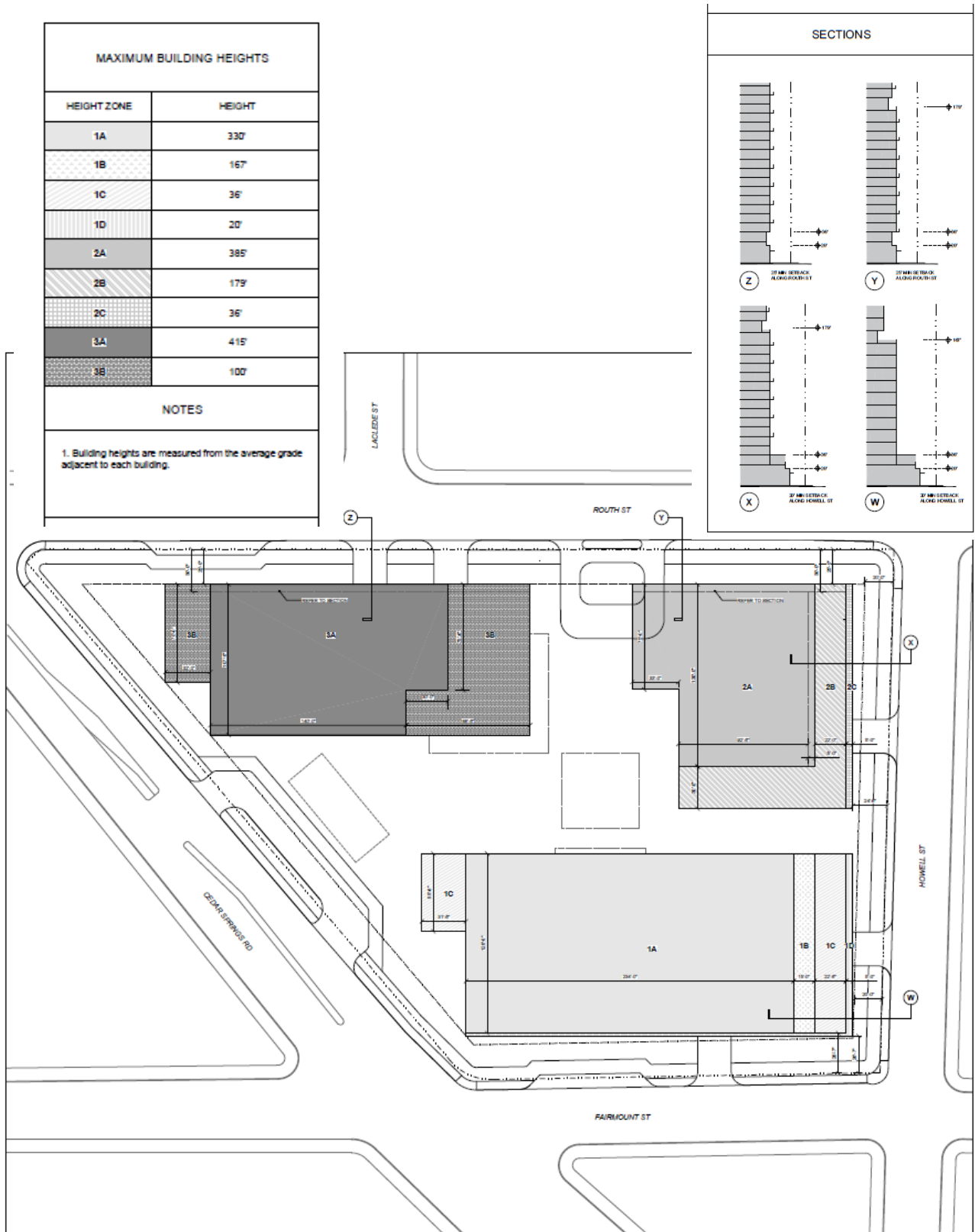
1. ALL PLANTING AREAS WILL BE HABITAT GARDEN.
2. ALL SPECIES SELECTION FOR PLANTING AREAS AND TREES WILL CONFORM TO ARTICLE X REQUIREMENTS.
3. STREET TREES AND OPEN SPACE TREES WILL CONFORM TO ARTICLE X STANDARDS FOR LARGE, MEDIUM, AND SMALL TREES.

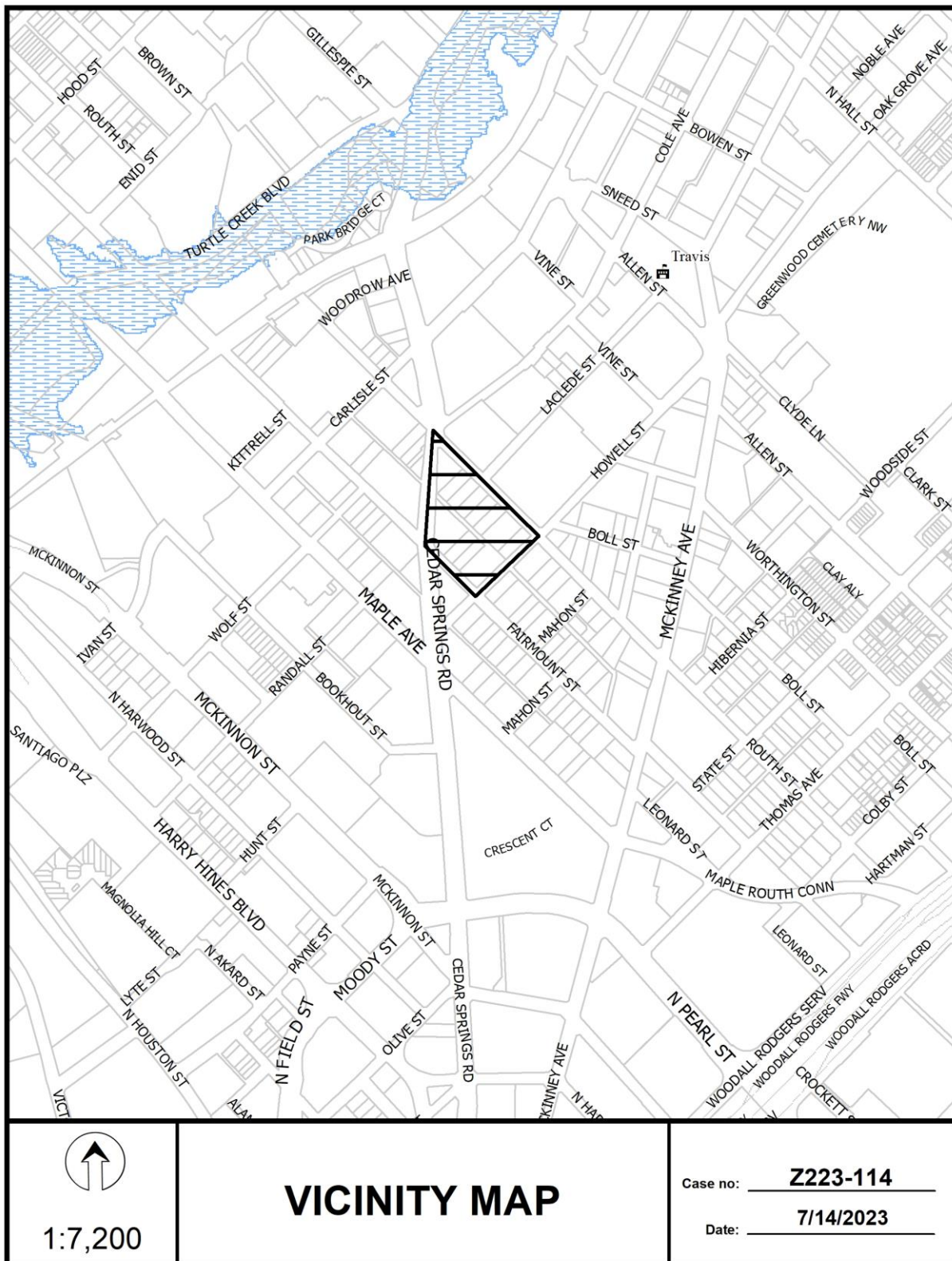
LEGEND	
	ENHANCED PEDESTRIAN PAVING
	ENHANCED VEHICULAR PAVING
	ENHANCED PEDESTRIAN CROSSWALKS
	PLANTING ZONE

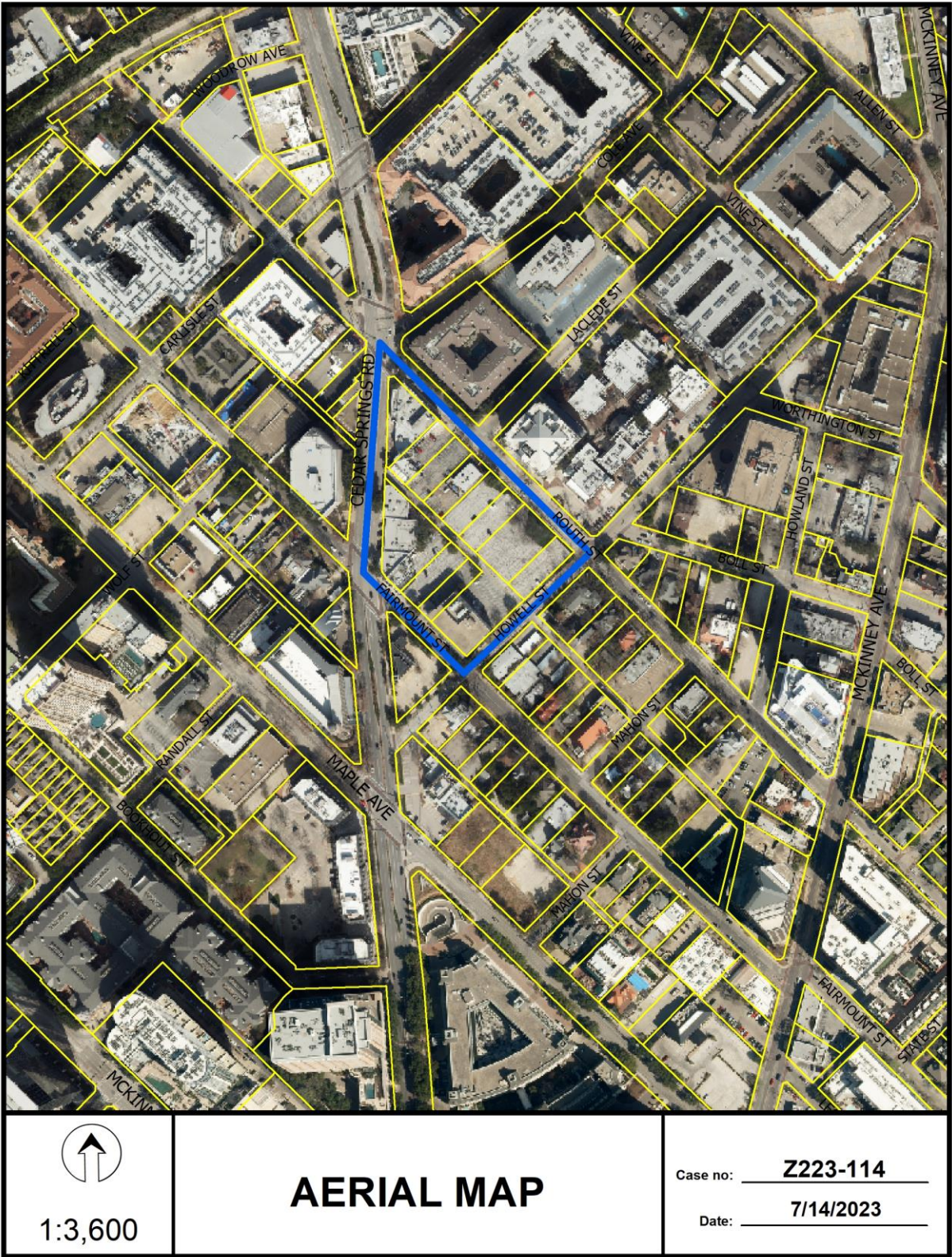
PLANTING LEGEND			
SYMBOL	COMMON NAME / BOTANICAL NAME	SIZE	REQUIREMENTS
	<u>STREET TREE</u>	200 GAL.	STRAIGHT LEADER, 7" CLEAR HEIGHT FROM MEASURED GRADE.
	<u>OPEN SPACE TREE</u>	200 GAL.	STRAIGHT LEADER, 7" CLEAR HEIGHT FROM MEASURED GRADE.

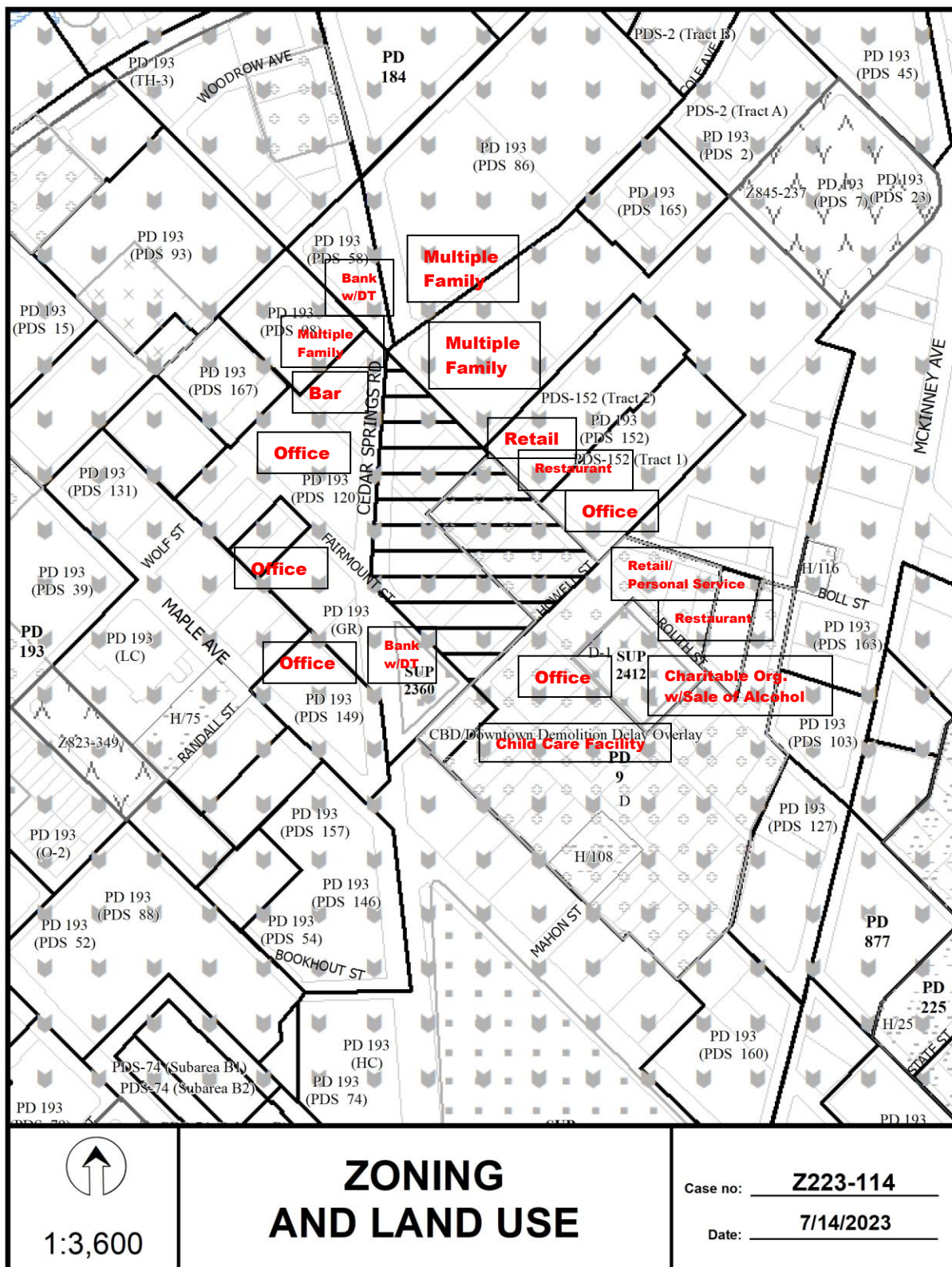
TREE REQUIREMENT		
	LOT FRONTAGE / 25	PROVIDED
CEDAR SPRING ROAD	326 FT. LF / 25 = 13 TREES	13 TREES
FAIRMOUNT STREET	68 FT. LF / 25 = 3 TREES	3 TREES
HOWELL STREET	167 FT. LF / 25 = 7 TREES	8 TREES
ROUTH STREET	252 FT. LF / 25 = 10 TREES	11 TREES
TOTAL	792 FT. LF / 25 = 33 TREES	35 TREES

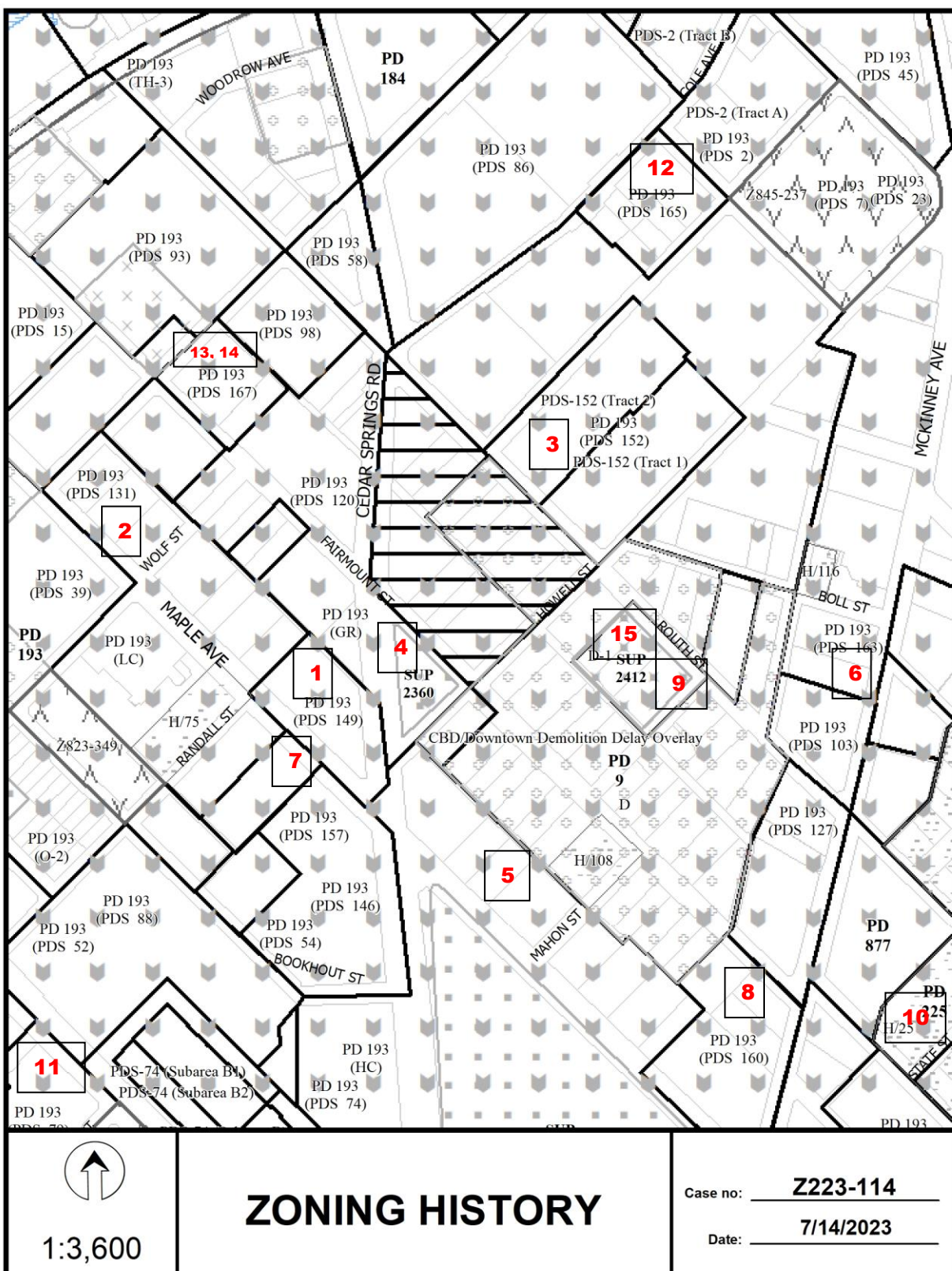
CPC Recommended Setback and Height Plan

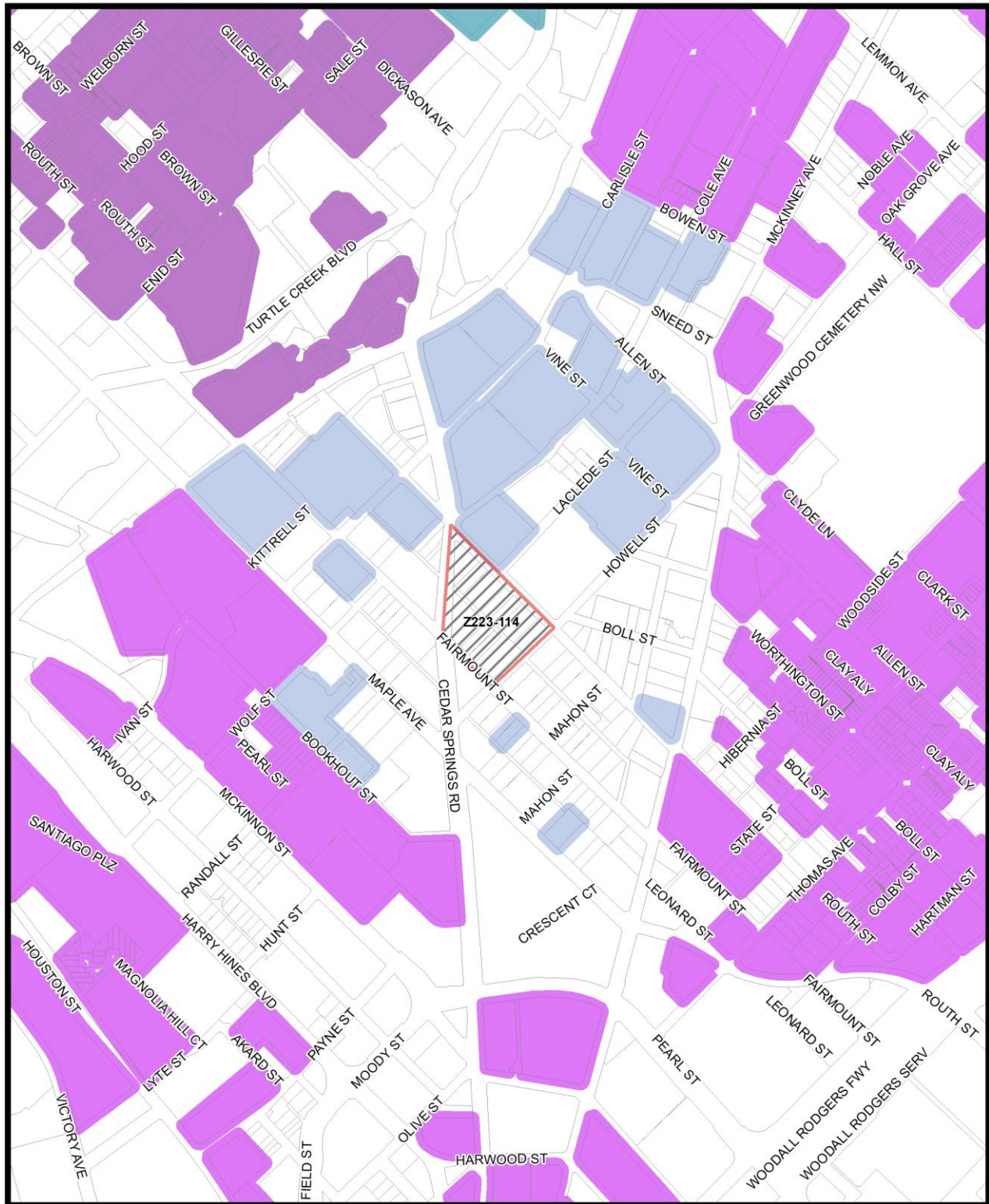












Market Value Analysis A B C D E F G H I NA

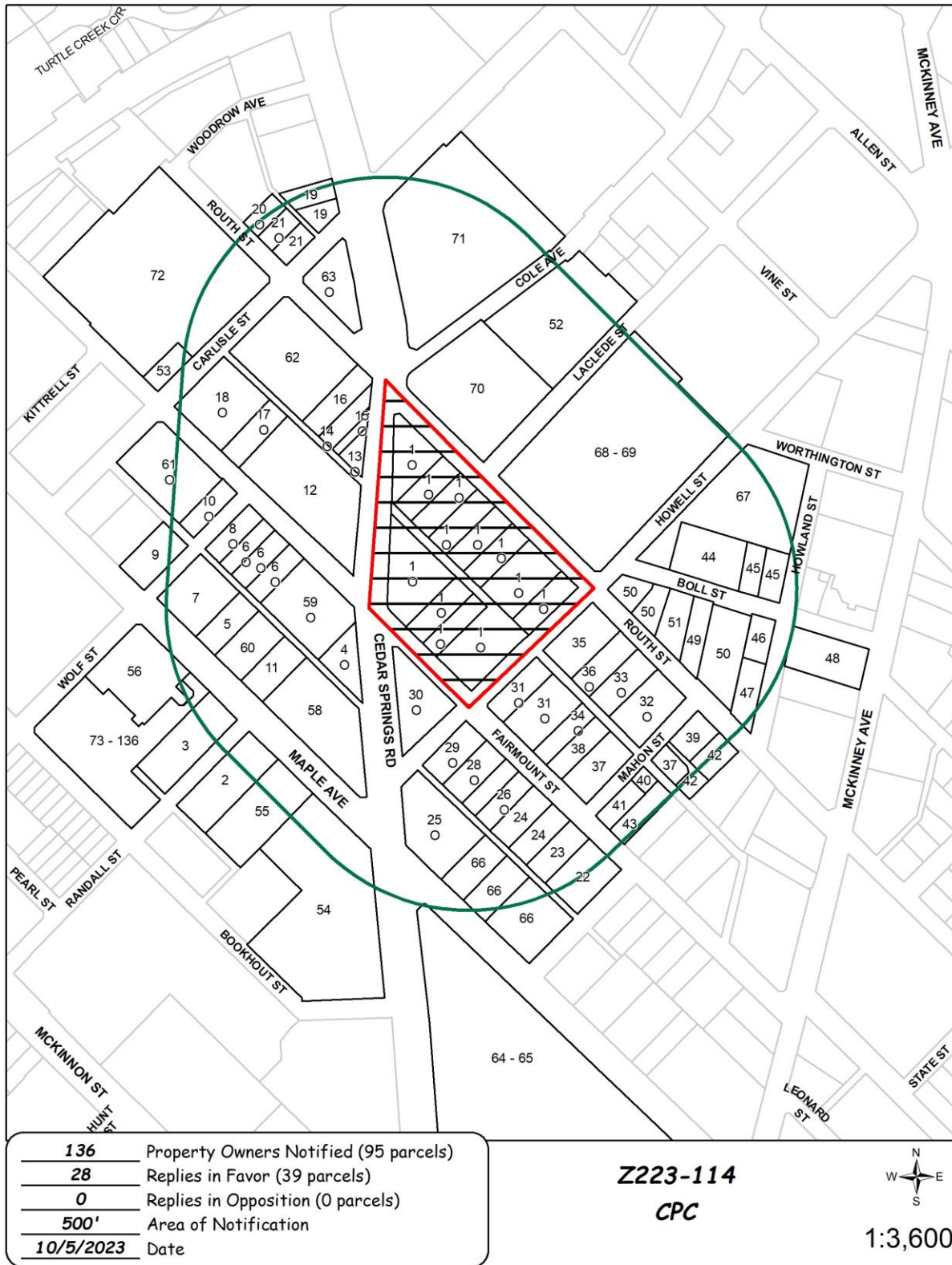


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Market Value Analysis

Printed Date: 7/14/2023

CPC RESPONSES



10/04/2023

Reply List of Property Owners***Z223-114******136 Property Owners Notified******28 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	2812 FAIRMOUNT ST	GREENWAY CEDAR SPRINGS LP
	2	2817 MAPLE AVE	SL UCHI LP
	3	2905 MAPLE AVE	Taxpayer at
	5	2912 MAPLE AVE	MAPLE LLC
	7	2926 MAPLE AVE	STONELEIGH P LLC
O	8	2925 FAIRMOUNT ST	2925 FAIRMOUNT LP
	9	3000 MAPLE AVE	ROMANO SAMUEL P 2008
O	10	3001 FAIRMOUNT ST	AM UPTOWN HOTEL II LLC
	11	2902 MAPLE AVE	2902 MAPLE LP
	12	2501 CEDAR SPRINGS RD	GH CEDAR SPRINGS INC
	16	3005 ROUTH ST	JEH FAMILY TRUST
O	17	3004 FAIRMOUNT ST	ALAMO MANHATTAN FAIRMOUNT LLC
O	18	3012 FAIRMOUNT ST	ALAMO MANHATTAN FAIRMOUNT LLC
	19	2705 CEDAR SPRINGS RD	CARLISLE JOINT VENTURE
	21	2601 CARLISLE ST	ASEL ART SUPPLY INC
	22	2603 FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
	23	2611 FAIRMOUNT ST	DCMS FOUNDATION
	24	2701 FAIRMOUNT ST	MAPLE MARKETING CORP
O	25	2628 MAPLE AVE	GREENWAY MAPLE LP
	27	2715 FAIRMOUNT ST	KORNYE GEORGE W
O	30	2408 CEDAR SPRINGS RD	GREENWAY MAPLE LP
O	32	2711 ROUTH ST	PEGASUS FOUNDATION THE
O	33	2719 ROUTH ST	PEGASUS FDN
	35	2727 ROUTH ST	2727 PARTNERSHIP LP
O	36	2723 ROUTH ST	PEGASUS FOUNDATION THE
	37	2700 FAIRMOUNT ST	MORTON PRODUCTION INC &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	38	2706 FAIRMOUNT ST	FAIRMOUNT OFFICE LLC
	39	2707 ROUTH ST	TURTLE CREEK MANOR INC
	40	2512 MAHON ST	GINSBURG BROOKE &
	41	2610 FAIRMOUNT ST	GINSBURG BROOKE MINORS
	42	2703 ROUTH ST	DAYTON JOHN W
	43	2604 FAIRMOUNT ST	SMITH SHARON HAYSLIP
	44	2718 BOLL ST	SRPF BGINGERMAN PROPERTY LLC
	45	2706 BOLL ST	STORY HERBERT B JR &
	46	2703 BOLL ST	OGLE LINDA K ET AL
	47	2704 ROUTH ST	SC ONE DALLAS LLC
	48	2633 MCKINNEY AVE	CH RETAIL FUND I DALLAS MCKINNEY AVENUE LP
	49	2714 ROUTH ST	2714 ROUTH STREET LTD
	50	2728 ROUTH ST	PASHA & SINA INC
	51	2724 ROUTH ST	FREESTONE HOLDINGS LLC
	52	2626 COLE AVE	TALON 2626 COLE LLC
	53	3104 FAIRMOUNT ST	TINY & GIGI LLC
	54	2305 CEDAR SPRINGS RD	23 SPRINGS LP
	55	2811 MAPLE AVE	GP INVITATION FUND III LP
	56	2927 MAPLE AVE	CWI DALLAS HOTEL LP
	57	2927 MAPLE AVE	DFW DALLAS HOTEL LP
	58	2401 CEDAR SPRINGS RD	GPIF 2401 CS LLC
	60	2906 MAPLE AVE	2906 MAPLE AVE LLC
O	61	3033 FAIRMOUNT ST	AM UPTOWN HOTEL LLC
	62	3033 ROUTH ST	HANSA BELL KATY TRAIL JV LLC
O	63	2605 CEDAR SPRINGS RD	GREENWAY-CARLISLE LP
	64	100 CRESCENT CT	GPIF TC OWNER LLC
	65	100 CRESCENT CT	CRESCENT TC INVESTORS LP
	66	2610 MAPLE AVE	2620 MAPLE OWNER LLC
	67	2626 HOWELL ST	TRINITY BELL APARTMENTS LLC
	68	2688 LACLEDE ST	SRPF BQUADRANGLE PROPERTY LLC
	69	2800 ROUTH ST	THEATRE THREE INC

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
70	2600	COLE AVE	GABLES MIRABELLA LP
71	2650	CEDAR SPRINGS RD	LG VILLA ROSA II LP
72	2525	CARLISLE ST	MORE UPTOWN TRAIL LLC
73	2300	WOLF ST	MORRISON SEAN J
74	2300	WOLF ST	NICHOLS CHAD M
75	2300	WOLF ST	MASSEY GREGORY & KAY
76	2300	WOLF ST	GINSBERG LAURIE BECKER
77	2300	WOLF ST	NICKERSON STEVEN CASH &
78	2300	WOLF ST	NICKERSON STEVEN CASH &
79	2300	WOLF ST	SALZMAN JACK D & ROBIN SMITH
80	2300	WOLF ST	SDK TRUST
81	2300	WOLF ST	MICKY DAWN
82	2300	WOLF ST	1999 LISA K HAINES TRUST
83	2300	WOLF ST	WOOD PHILIP R & PEGGY A
84	2300	WOLF ST	MICHAELSON FRANCINE SURVIVORS
85	2300	WOLF ST	KUZMIC DANIEL & CHARLOTTE
86	2300	WOLF ST	PERKINS DAVID L & JULIANA A
87	2300	WOLF ST	MARADI X INC
88	2300	WOLF ST	REYNOLDS STONELEIGH INVESTMENTS
89	2300	WOLF ST	WILSON MICHAEL
90	2300	WOLF ST	SPEARS RONALD E &
91	2300	WOLF ST	RPC 2019 TRUST
92	2300	WOLF ST	SC WOLF LLC
93	2300	WOLF ST	CARLILE FAMILY 2018 TRUST
94	2300	WOLF ST	NEVERNEVERLAND LLC
95	2300	WOLF ST	MWS FINISHED UNITS LLC
96	2300	WOLF ST	PETERSON GALE & ALLAN
97	2300	WOLF ST	BANK OF AMERICA N A TRUSTEE
98	2300	WOLF ST	BRADLEY JOHN THOMAS JR &
99	2300	WOLF ST	CORBELLINI LIVING TRUST
100	2300	WOLF ST	GOSS TIM K &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	101	2300 WOLF ST	HINOJOSA ELIU M
	102	2300 WOLF ST	STEWART AUDREY
	103	2300 WOLF ST	GEORGE WILLIAM WILEY
	104	2300 WOLF ST	GOTTLIEB PETER R &
	105	2300 WOLF ST	MARADI X INC
	106	2300 WOLF ST	REED RANDALL L & SHERRY D
	107	2300 WOLF ST	PALACIOS ANTONIO &
	108	2300 WOLF ST	ELLENBOGEN PAUL H &
	109	2300 WOLF ST	COLE JAMES & SHEILA LIVING TRUST
	110	2300 WOLF ST	HOLLY MARIA ELENA
	111	2300 WOLF ST	WOJNAR MANAGEMENT TRUST
	112	2300 WOLF ST	COLE THOMAS B
	113	2300 WOLF ST	REDFIELD VANCE & SUSAN
	114	2300 WOLF ST	OCONNELL JOHN F & DONNA R
	115	2300 WOLF ST	ZOLLARS MARY CATHERINE
	116	2300 WOLF ST	BORICUA ENTERPRISES LP
	117	2300 WOLF ST	VENEGAS GONZALO & MARIA
	118	2300 WOLF ST	ANGEL DOLORES & STEPHEN
	119	2300 WOLF ST	LUTTRELL D SCOTT LIVING TRUST
	120	2300 WOLF ST	TANENBAUM RICHARD I REV TRUST &
	121	2300 WOLF ST	STONER SUSAN K & EUGENE C JR
	122	2300 WOLF ST	GALAS THOMAS E & PATRICIA A
	123	2300 WOLF ST	230019A WOLF STREET
	124	2300 WOLF ST	DANDRIDGE WILLIAM W &
	125	2300 WOLF ST	HOUSE JOHN MICHAEL & KARLA
	126	2300 WOLF ST	TRITON CAMP BOWIE I LLC
	127	2300 WOLF ST	MICKEY DAWN
	128	2300 WOLF ST	MASSAD GENE F & BARBARA J
	129	2300 WOLF ST	GREER CHARLES SCOTT & LINDA L
	130	2300 WOLF ST	MONTGOMERY WILLIAM A &
	131	2300 WOLF ST	CARLISLE RICHARD P &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	132	2300 WOLF ST	REGARD BETTY S
	133	2300 WOLF ST	REDFIELD VANCE & SUSAN
	134	2300 WOLF ST	SDK TRUST
	135	2300 WOLF ST	TURNER CHRIS R & MARYBETH C
	136	2300 WOLF ST	CARTER LINDA JO
O	A1	2535 CEDAR SPRINGS RD	SPURGIN ROBERT B
O	A2	2537 CEDAR SPRINGS RD	SPURGIN ROBERT B & SALLY
O	A3	2521 CEDAR SPRINGS RD	THORNTON LAURIE L &
O	A4	2708 FAIRMOUNT ST	VICEROY FAIRMOUNT LP
O	A5	2718 FAIRMOUNT ST	2718 FAIRMOUNT LP
O	A6	2722 FAIRMOUNT ST	2718 FAIRMOUNT LP
O	A7	2711 FAIRMOUNT ST	2711 FAIRMOUNT LP
O	A8	2719 FAIRMOUNT ST	SHAW EVAN L
O	A9	2723 FAIRMOUNT ST	SHAW EVAN LANE
O	A10	2913 FAIRMOUNT ST	2913 FAIRMOUNT LLC
O	A11	2921 FAIRMOUNT ST	SELENE CAPITAL DEVELOPMENT
O	A12	2917 FAIRMOUNT ST	SELENE CAPITAL DEVELOPMENT
O	A13	2923 FAIRMOUNT ST	SELENE CAPITAL DEVELOPMENT
O	A14	2425 CEDAR SPRINGS RD	PONOS DYNAMICS LLC
O	A15	3108 ROUTH ST	KATY TRAIL ICE HOUSE LP
O	A16	3104 ROUTH ST	ASEL ART SUPPLY INC