

FILE NUMBER: Z-25-000167 **DATE FILED:** October 17, 2025

LOCATION: Southeast corner of Berkshire Lane and Lomo Alto Drive

COUNCIL DISTRICT: 13

SIZE OF REQUEST: 1.4 Acres **CENSUS TRACT:** 481130073012

OWNER: L. Leckband - FHF I Berkshire Tower LLC

APPLICANT: Karl Crawley – Masterplan Consultants

REQUEST: An application for new Subarea on property zoned Tract II within Planned Development No. 314, the Preston Center Special Purpose District,

SUMMARY: The purpose of the request is to create a new Subarea within PD 314 Tract II to allow additional attached signs.

STAFF RECOMMENDATION: Approval, subject to amended conditions.

CPC RECOMMENDATION: Approval, subject to amended conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Tract II within PD 314, Preston Center Special Purpose District and is developed with a high-rise office building (approx. 205,000 sf).
- The property has frontage on both Berkshire Lane and Lomo Alto Drive.
- Planned Development District 314 was approved by the City Council on July 26, 1989. It was amended on May 9, 1990, February 28, 1996, and September 24, 1997.
- The purpose of the request is to amend PD 314 to create a Subarea E to allow three additional non-illuminated attached signs on each of the north, east, and west facades of the existing high-rise office building with each sign not to exceed 48” in height for characters, and each sign not to exceed 100 square feet in effective area.
- Each of the proposed attached, non-illuminated signs on the north, east, and west façades are to be located: one each between floor 2 and 6, one between floors 7 and 12, and one between floors 13 and the roof.
- Per Sec. 51A-4.704. Attached Signs provides that all signs erected pursuant shall be limited to one per facade per occupant of premise unless the characters are less than 4” in height in which there is no limit to the number of attached signs.
- Also, no attached sign shall be permitted to have more than eight words consisting of characters in excess of four inches in height and such sign shall not exceed 40 square feet in effective area unless in an LO(A), MO(A), GO(A), or O-2 zoning district may be permitted to have additional attached signs with larger effective areas above the first two stories of the building when the following conditions are met:
 - (A) If an election is made to erect a sign greater than 40 square feet, only one sign on that facade will be permitted above the first two stories of the building. Nothing herein shall prohibit each occupant or premise otherwise authorized an attached sign pursuant to this section to have such a sign below the third story of the building.
 - (B) Only two attached signs per building may have an effective area larger than 40 square feet and each shall be on a separate facade.
 - (C) Each attached sign erected pursuant to this exception may have an additional 40 square feet of effective area for each additional story above the first two stories of the building.
- As such, the amendment is necessary as the site is not in one of the above listed Office Districts and due to the height of the building.

Zoning History:

There have been two zoning cases in the area of notification within the last five years.

1. **Z201-353:** On January 11, 2022, the City Council approved an amendment to Tract II within Planned Development District 314 Preston Center Special Purpose District to create a new subarea D to allow additional attached signage on the existing building on a property zoned Tract II within PD 314 located on the north line of Sherry Lane, west of Douglas Avenue.
2. **Z223-141:** On June 25, 2024, the City Council approved an amendment to Tract III within Planned Development District 314 Preston Center Special Purpose District to create a new subarea A to allow modified development standards primarily related to floor area ratio, height, design standards, and mixed income housing to develop the site with residential, retail, and office uses.

Thoroughfares/Street:

Thoroughfare/Street	Type	Existing/Proposed ROW
Berkshire Lane	Local Street	--
Lomo Alto Drive	Local Street	--

Traffic:

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

Transit Access:

The following transit service is located within ½ mile of the property:

Dart Bus Route: 20.

STAFF ANALYSIS

- **Comprehensive Plan Consistency Review:**
 - ForwardDallas 2.0 is the citywide Comprehensive Plan for future land use in the City of Dallas. Adopted by the City Council in September 2024, the plan includes a future land use map, and guidance for a future vision of the City of Dallas. It also establishes goals and guidelines for land use and other decisions by the

City. According to the City of Dallas's Development Code, the comprehensive plan serves merely as a guide for rezoning requests but does not establish zoning boundaries nor does it restrict the City's authority to regulate land use.

- **Consistency Review Recommendation**

- The proposed zoning change of amending PD 314 for a new subarea E to allow additional signage on the existing high-rise office building is consistent with Forward Dallas 2.0 as the site is completely within the Community Mixed-Use placetype which is primarily intended for multi-plex, apartments, mixed-use, lodging, commercial, and office uses. Areas within the Community Mixed-Use placetype are typically located at major intersections, and key corridors, serving multiple surrounding neighborhoods and attracting retailers and services that require a larger market area. Commercial centers, commercial corridors, and office parks are representative of this placetype.

- **Placetype Summary**

Placetypes describe the long-term vision and desired building and preservation characteristics for different places within the city including neighborhoods, mixed-use areas, employment and industry centers, and open spaces.

Other Contextual comments related to long-range plan

Area Plan:

Northwest Highway and Preston Road Area Plan

The Northwest Highway and Preston Road Area Plan was approved by Council on January 25, 2017, and includes this property. The community vision statement includes a reference to Preston Center as a renewed, walkable center that will serve as an urban core for the surrounding neighborhoods, with a balanced mixture of office, retail, residential, hospitality and entertainment facilities, making it possible to live, work and play without getting into your automobile.

The area of request is located within Zone 1 (Preston Center) of the Northwest Highway and Preston Road Area Plan. "The Preferred Vision would encourage the development of multi-story buildings that feature retail space on the ground floor and residential and/or office uses on the upper floors, particularly on the sites that surround the parking garage. Recognizing that not all developments will be mixed use, the ultimate build out would undoubtedly include additional residential, retail, office and hospitality."

The Plan was comprised of seven study areas and approximately 1,370 acres. The area of request is located within Zone 1, Preston Center. In Preston Center, the Plan envisions the core of Preston Center as a vibrant, mixed-use concept with retail space located on the ground floor and office or residential spaces located on the upper floors. The Plan recommends the City of Dallas support more density, building height, floor to area ratios (FAR) and other land use concessions through the zoning process to encourage Zone 1 property owners to develop residential projects where commercial office could be built by right. This should be done without compromising proximity slope protections for surrounding neighborhoods.

Furthermore, the Plan includes pedestrian recommendations for Zone 1, among them being:

- Provide publicly accessible open space areas integrated into development;
- Provide public realm enhancements including seating areas, small planting areas, etc.;
- Provide streetscape enhancements such as outdoor seating areas, landscape zones, street trees, shade structures and lighting;
- Provide bicycle parking and bicycle rack zones.

The proposed subarea to allow additional attached signage for the high-rise office building is appropriate for this area that is dominated mainly by office and retail uses. The proposed additional attached signage on the upper floors of the high-rise building will provide wayfinding to some of the tenants that cannot be seen from street-level due to the height of the building..

Planning Narrative Response

As a high-level citywide policy document, ForwardDallas 2.0 does not include recommendations at the scale of this request.



LEGEND



Land Use:

	Zoning	Land Use
Site	PD 314, Tract II	Office (Financial Planner, Corporate Office)
North	PD 314	Office (Property Management Company, Financial Institution without drive-through service)
South	PD 314	Residential (High-rise Condo)
East	PD 314	Office (Real Estate Agency, Coworking Space)
West	R-16(A)	North Dallas Tollway, Residential

Land Use Compatibility:

The area of request is currently zoned Tract II within Planned Development District 314, and is developed with an existing high-rise office building (approx. 205,000 sf).

The zoning is Tract II within PD 314 to the north and west and the land uses are mainly office uses and developed with a property management agency and several financial institutions without drive-through service, respectively. Immediately adjacent to the south of the property is zoned PD 314 and developed a residential use – a high-rise condominium. To the east across Lomo Alto Drive and the North Dallas Tollway is zoned R-16(A) Residential District and is developed with residential uses. With a mix of mainly office, and residential uses, staff finds the applicant’s requested zoning change of the amendment of the PD to allow additional attached signage on the existing high-rise office building on all facades not immediately adjacent to the high-rise residential use to identify the specific

users on each of the three floors on the site to be compatible with the Community Mixed-Use placetype character designation of the Comprehensive Plan.

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

Development Standards:

The following is a comparison chart of the development standards for the current Tract II within PD 314 and a newly created Subarea E within PD 314.

District	Setback		Density / FAR	Height	Lot Cvrg	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: Tract II PD 314	15' adj. to Lomo Alto Dr; otherwise 0'	0'	None/4.0	180' 14 stories (above grade)	100%	RPS, Landscaping, Signage Urban Form Setback	Agricultural, Commercial and Business Service, Institutional and Community Service, Lodging, Office, Recreation, Residential, Retail and Personal Service, Transportation, Utility and Public Service, Retirement (by-right)
Proposed: Tract II, Subarea E PD 314	15' adj. to Lomo Alto Dr; otherwise 0'	0'	None/4.0	180' 14 stories (above grade)	100%	RPS, Landscaping, Signs (three attached signs on each of the north, east, and west facades with character height no taller than 48" and no greater than 100 sf in effective area), Urban Form Setback	Agricultural, Commercial and Business Service, Institutional and Community Service, Lodging, Office, Recreation, Residential, Retail and Personal Service, Transportation, Utility and Public Service, Retirement (By-right)

Landscaping:

The site is currently developed with a high-rise office building. Any future development, including an increase in the total floor area of the property would necessitate compliance with Article X, Landscaping and Tree Conservation Regulations and landscaping per PD 314.

Parking:

Under the requested amendment of PD 314 to create a new Subarea E, the applicant proposes to add three attached signs to each of the north, east, and west facades no greater than 48” in height and no greater than 100 square feet of effective area on the existing building. No other changes are proposed for the existing site.

At permitting, the applicant would be required to comply with the current standard parking ratio of no minimum parking spaces for the specified existing use. No additional parking shall be required for the proposed premises sign for the existing building.

Market Value Analysis:

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

List of Partners

James O. Buckingham	Managing Partner
Michael R. Haggerty	Managing Partner
James P. Raisides	Managing Partner, Senior Vice President
Scott L. Dalrymple	Senior Vice President, Chief Financial Officer, Treasurer and Secretary
Patrick L. Fisher	Senior Vice President, Assistant Treasurer and Assistant Secretary
Sean P. Ruhmann	Senior Vice President
Peter J. Schreck	Controller
Gita Patel	Corporate Controller
Jonathan J. Wong	Director of Tax
Scott W. Amling	Regional Director
Alan E. Brand	Regional Director
David H. Buxbaum	Regional Director
Christopher J. Good	Regional Director
Jeffery J. Harrington	Regional Director
Seje S.N. Henry-Hughes	Regional Director
James P. Knowles	Regional Director
L. Kendrick Leckband	Regional Director
Todd S. Macklin	Regional Director
Jacob P. Maliel	Regional Director
Cristinal M. McElhinney	Regional Director
Nhat M. Nguyen	Regional Director
John W. Powell	Regional Director
Brooks D. Wales	Regional Director

**CPC Meeting
January 15, 2026**

Motion: It was moved to recommend **approval** of a new Subarea, subject to amended conditions with the following changes: Section 51.P 314.103.1 Exhibits 2) strike Section 51.P 314.103.1 parenthesis 14 3) revise Section 51.P 314.107 H4 to read, “

on property zoned Tract II within Planned Development 314 Preston Center Special Purpose District, on the southeast corner of Berkshire Lane and Lomo Alto Drive.

Maker: Hall
Second: Carpenter
Result: Carried: 14 to 0

For: 14 - Sims, Hampton, Herbert, Forsyth, Serrato,
Carpenter, Wheeler-Reagan, Franklin
Koonce, Housewright, Kocks, Coffman, Hall,
Sims

Against: 0
Absent: 1 - Kingston
Vacancy: 0

Notices: Area: 300 Mailed: 49
Replies: For: 3 Against: 0

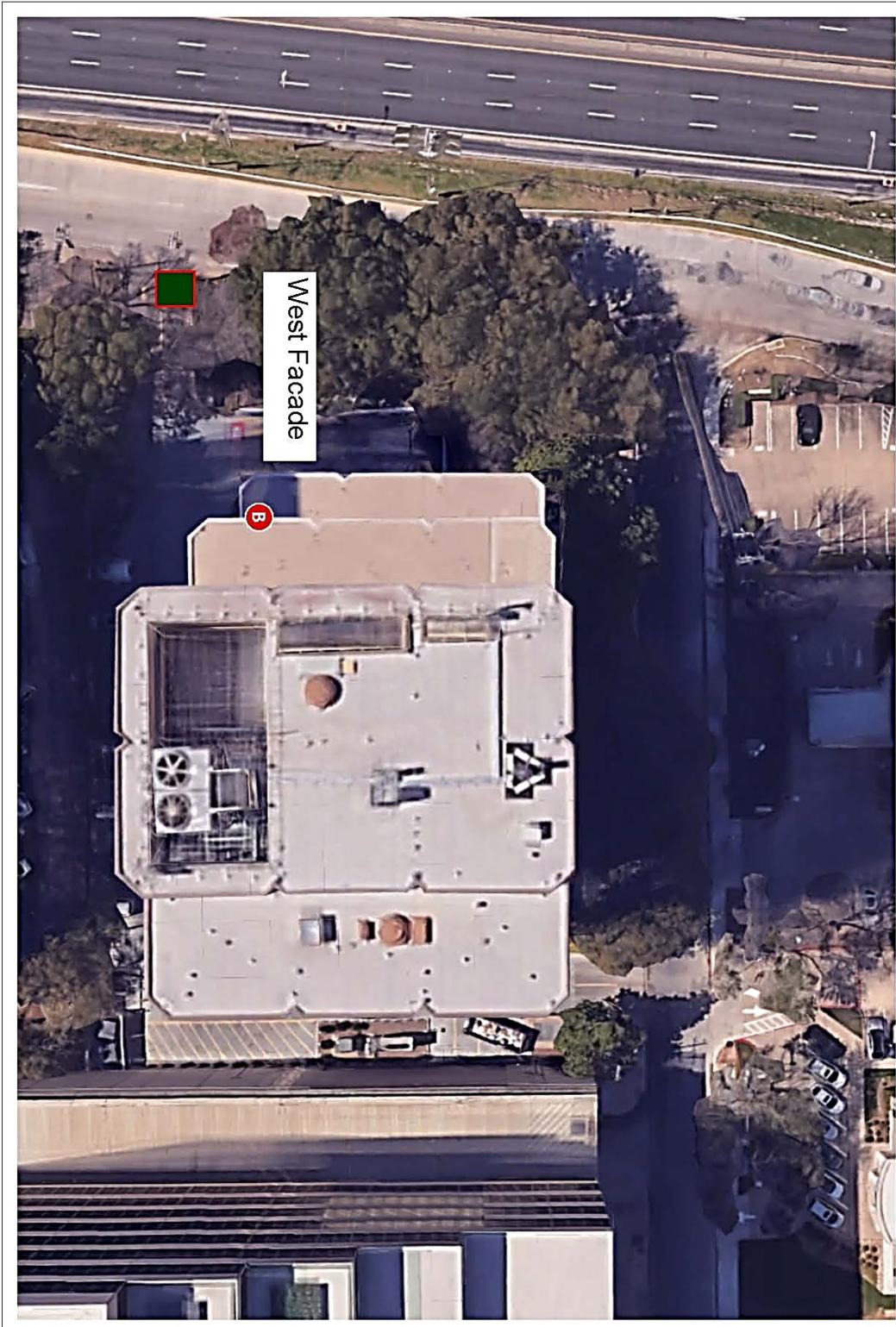
Speakers: For: Karl Crawley, 3333 Welborn, Dallas, TX, 75
Against: None

Exhibit 314C – Proposed Tract 2, Subarea E



Aerial View Showing Location of Proposed Sign for West Façade of Proposed Tract 2, Subarea E

AERIAL VIEW



Project ID
0425969Ar3

UMB
5950 BERKSHIRE LANE
DALLAS, TEXAS 75225

Date: 7/2/24
Contact: MJD/EMB
Designer: ES

Sign Item

AERIAL VIEW

Scale: N.T.S.

Revision Notes

- r1-RFF-7/30/24: Revise Sign A
- r2-JMc-10/15/24: Remove Sign A opt. 2
- r3-MAB-11/7/24: Update spacing per standards - Relocate Sign B

Information Required for Production

Customer Approval

Signature _____

MM/DD/YYYY _____

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It is the Customer's responsibility to ensure that the sign installation location is suitable to accept and support the installation of the signs being ordered. Notify Pattison ID immediately if further details are required.



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Existing and Proposed Sign (UMB Bank) on West Façade of Proposed Tract 2, Subarea E



EXISTING ELEVATION
NO PRIOR WORK REQUIRED



B PROPOSED NON-ILLUMINATED REVERSE CHANNEL LETTERS
ONE (1) SET REQUIRED - MANUFACTURE & INSTALL

WEST FAÇADE

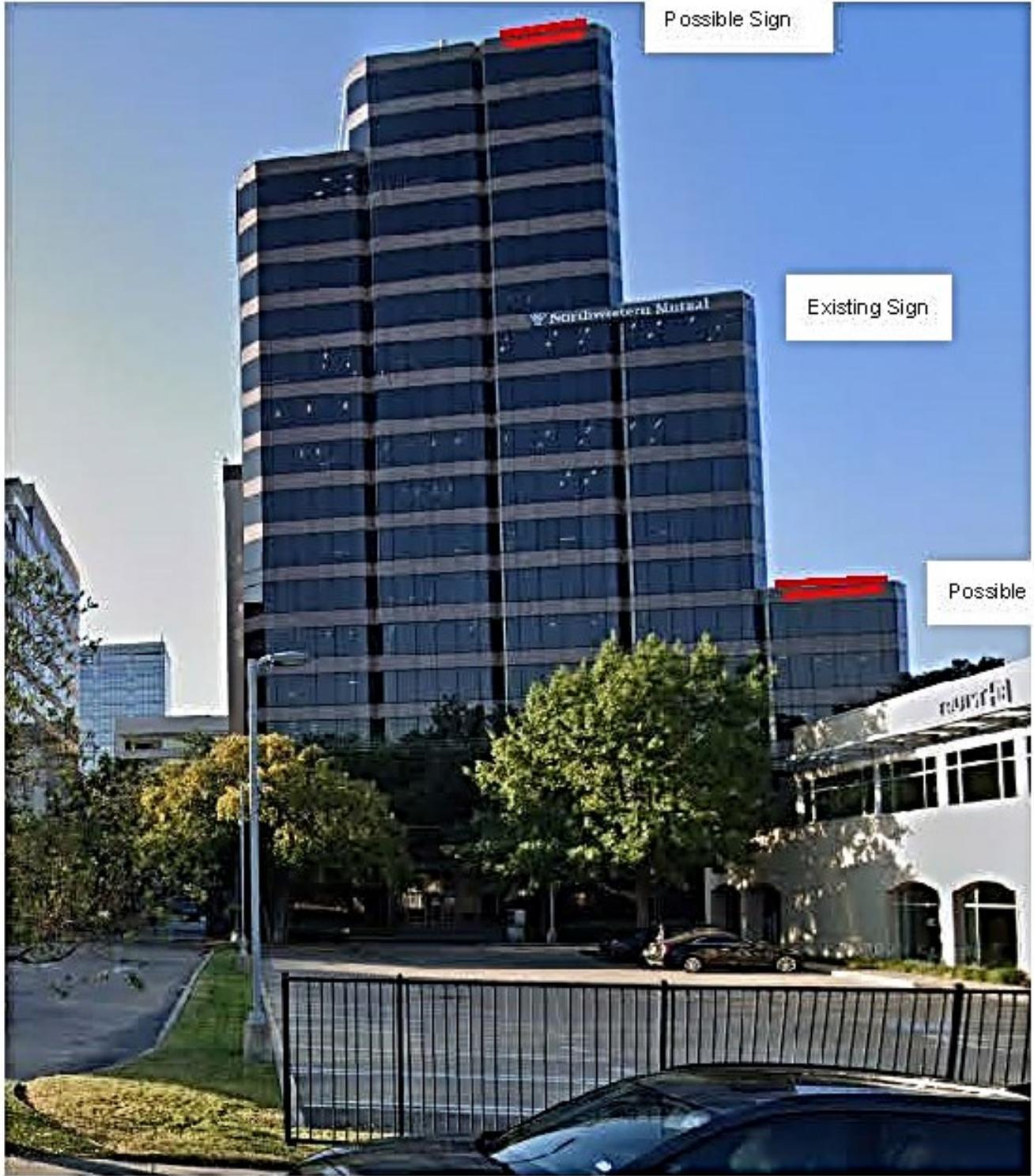
3'-11"
EQ
3'-8"

28'-9"
26'-13 1/4"

<p>Project ID 0425969A-3</p> <p>UMB 5950 BERSHIRE LANE DALLAS, TEXAS 75225</p> <p>Date: 7/2/24 Contract: MUD/EMB Designer: ES</p> <p>Sign Item</p> <p>Scale: N/A</p> <p>B: BEFORE & AFTER</p> <p>Revision Notes</p> <p>7/14/24 20:24 Update Sign 7/14/24 20:24 Update Sign 7/14/24 20:24 Update Sign 7/14/24 17:24 Update Sign 7/14/24 17:24 Update Sign 7/14/24 17:24 Update Sign</p>	<p>Information Required for Production</p> <p>Customer Approval</p> <p>Signature</p> <p>TAM/05/17/24</p> <p>All rights reserved. The artwork depicted herein is copyrighted and the exclusive property of the advertiser. It is to be used only for the specific campaign for which it was created. No part of this artwork may be reproduced or distributed in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without written permission of the advertiser.</p> <p>Printed in the United States of America. This sign is a reproduction of the original artwork. The advertiser is responsible for the accuracy of the information provided. The advertiser is responsible for the accuracy of the information provided. The advertiser is responsible for the accuracy of the information provided.</p>
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**Example of Proposed Sign Locations for North Façade Elevation /
Existing Sign – Proposed Tract 2, Subarea E**



**Example of Proposed Sign Locations for East Façade Elevation /
Existing Sign – Proposed Tract 2, Subarea E**



Proposed PD Amendments

ARTICLE 314.

PD 314.

Preston Center Special Purpose District

SEC. 51P-314.101.

LEGISLATIVE HISTORY.

PD 314 was established by Ordinance No. 20397, passed by the Dallas City Council on July 26, 1989. Ordinance No. 20397 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20397 was amended by Ordinance No. 20619, passed by the Dallas City Council on May 9, 1990; Ordinance No. 22689, passed by the Dallas City Council on February 28, 1996; and Ordinance No. 23277, passed by the Dallas City Council on September 24, 1997. (Ord. Nos. 10962; 19455; 20397; 20619; 22689; 23277; 24914)

SEC. 51P-314.102.

PROPERTY LOCATION AND SIZE.

PD 314 is established on property generally bounded by Northwest Highway on the north, Preston Road on the east, Colgate Avenue on the south, and the Dallas North Tollway on the west. The size of PD 314 is approximately 66.884 acres. (Ord. Nos. 20397; 24914; 27859; 31519)

SEC. 51P-314.103.

DEFINITIONS AND INTERPRETATIONS.

(a) Unless the context clearly indicates otherwise, in this article:

(1) **BAR, LOUNGE, OR TAVERN USE** means the “bar, lounge, or tavern” use defined in Section 51A-4.210.

(2) **BLANK WALL** means a ground floor portion of the exterior of a building that fronts on and is within 50 feet of a street that does not include a material change, windows, doors, or columns, pilaster, or other articulation greater than 12 inches in depth. Blank wall area is measured horizontally.

(3) **DIR** means development impact review pursuant to Division 51A-4.800.

(4) **FORMER PLANNED DEVELOPMENT DISTRICT NO. 6** means the planned development district established and governed by Ordinance No. 7059, passed by the Dallas City Council on September 10, 1956, as amended by Ordinance Nos. 14320 and 19221, passed by the Dallas City Council on November 5, 1973, and July 16, 1986, respectively. Copies of Ordinance Nos. 7059, 14320, and 19221 are included in this article as Exhibit 314A.

(5) **LANDSCAPE TERRACE** is an outdoor occupiable space lying upon a portion of the building’s roof, that contains landscaping, vegetated pots, or plantings. The landscape terrace may contain decks, pavers, furniture, pool, shade structures or pool amenities, and associated structures or fixtures.

(6) **NEARBY INTERSECTIONS** means those street intersections within a one-quarter (1/4) mile radius of the building site.

- (7) NEW DEVELOPMENT means any work that increases the total floor area on a building site.
- (8) OFFICE USES means those uses defined in Section 51A-4.207.
- (9) OWNER means the owner or owners, from time to time, of property in this district.
- (10) PARAGRAPH means the first division of a subsection. Paragraphs are designated by Arabic numerals in parentheses, e.g. “(1).”
- (11) PRIMARY BUILDING ENTRIES means entrance to a building primarily for pedestrian use from public or private sidewalks.
- (12) PRIVATE PROPERTY means any property not dedicated to public use, except that “private property” does not include the following:
 - (A) A private street or alley.
 - (B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.
 - (C) A railroad right-of-way.
 - (D) A cemetery or mausoleum
- (13) RAR means residential adjacency review pursuant to Division 51A-4.800.
- (14) REMOTE COMMUNITY CENTER means a multi-functional facility sponsored or operated by a church as an accessory use to the church use where a combination of social, recreational, or educational activities are provided to church members and their families.
- (15) RESIDENTIAL PROXIMITY SLOPE means the “residential proximity slope” defined in Section 51A-4.412.
- (16) RETAIL AND PERSONAL SERVICE USES means those uses defined in Section 51A-4.210.
- (17) SECTION means a section of this article.
- (18) STREET ACTIVATING USES means uses offering products or services to the general public, including but not limited to, uses in the retail and personal service use category and lodging use category.
- (19) SUBAREA A means Subarea A in Tract I, Subarea A in Tract II, Subarea A in Tract III, Subarea A in Tract IV, or Subarea A in Tract VIII.
- (20) SUBAREA B means Subarea B in Tract I, Subarea B in Tract II, Subarea B in Tract IV, or Subarea B in Tract VIII.
- (21) SUBPARAGRAPH means a division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. “(A).” A division of a subparagraph is also referred to as a subparagraph.
- (22) SUBSECTION means the first division of a section. Subsections are designated by lower case letters in parentheses, e.g. “(a).”[.]

- (23) SUP means specific use permit.
- (24) THIS DISTRICT means the entire planned development district created by Ordinance No. 20397, as amended.
- (25) TRACT means one of the tracts referred to in Section 51P-314.105 of this article.
- (26) TRANSPARENCY means the total area of windows and door openings or other openings, expressed as a percentage of a specified facade area, excluding facade openings for garage entrances and service area access, by street frontage.
- (27) UNACCEPTABLE LEVEL-OF-SERVICE means a level-of-service “E” or “F” as defined in the Highway Capacity Manual, Transportation Research Board of the National Research Council, Washington, D.C.
- (28) USE CATEGORY means the group of uses defined in any one of the following sections: Sections 51A-4.201 through 51A-4.217. The name of the use category corresponds to the section title. For example, “Retail and Personal Service” is a use category consisting of those uses defined in Section 51A-4.210, which is entitled “Retail and Personal Service Uses.”
 - (b) Unless otherwise stated, the definitions contained in CHAPTER 51A apply to this article. In the event of a conflict, this section controls.
 - (c) Unless otherwise stated, all references to code sections in this article refer to sections in CHAPTER 51A.
 - (d) The interpretations in CHAPTER 51A, including Section 51A-2.101, "Interpretations," apply to this article.
 - (e) The phrase "the only uses permitted are those permitted in the ... district" means that the uses indicated are permitted in this district under precisely the same conditions (e.g. SUP, DIR, RAR, etc.) as permitted in the referenced district.
 - (f) In the event of a conflict between this article and Ordinance No. 7059, passed by the Dallas City Council on September 10, 1956, as amended by Ordinance Nos. 14320 and 19221, passed by the Dallas City Council on November 5, 1973, and July 16, 1986, respectively (see Exhibit 314A), this article controls.
 - (g) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district and each tract within this district is considered to be a "nonresidential zoning district." (Ord. Nos. 20397; 23277; 24914; 26807; 27859; 28089; 28788; 31684; 32713; 32766)

SEC. 51P-314.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 314A: copies of Ordinance Nos 7059, 14320, and 19221
- (2) Exhibit 314B: Preston Center Special Purpose District tract boundary descriptions.
- (3) Exhibit 314C: Tract map.
- (4) Exhibit 314D: Tract V development plan.

- (5) Exhibit 314E: Tract I, Subarea B development plan.
- (6) Exhibit 314F: Tract I, Subarea B landscape plan.
- (7) Exhibit 314G: Tract I, Subarea C development plan.
- (8) Exhibit 314H: Tract I, Subarea C landscape plan.
- (9) Exhibit 314I: Tract VIII development plan.
- (10) Exhibit 314J: Tract VIII landscape plan.
- (11) Exhibit 314K: Tract IV, Subarea B traffic management plan
- (12) Exhibit 314L: Tract IV, Subarea B development plan.
- (13) Exhibit 314M: Tract III, Subarea A development plan. (Ord. Nos. 28068; 28788; 30814; 31684; 32713; 32766)

SEC. 51P-314.103.2. DEVELOPMENT PLANS.

(a) In general. Except as provided in this section, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

(b) Tract I, Subarea B. Development and use of the Property must comply with the Tract I, Subarea B development plan (Exhibit 314E). If there is a conflict between the text of this article and the Tract I, Subarea B development plan, the text of this article controls.

(c) Tract III, Subarea A. Development and use of the Property must comply with the Tract III, Subarea A development plan (Exhibit 314M). If there is a conflict between the text of this article and the Tract III, Subarea A development plan, the text of this article controls.

(d) Tract IV, Subarea B. For a private school use, development and use of the Property must comply with the Tract IV, Subarea B development plan (Exhibit 314L). If there is a conflict between the text of this article and the Tract IV, Subarea B development plan, the text of this article controls.

(e) Tract V. Development and use of the Property must comply with the Tract V development plan (Exhibit 314D). If there is a conflict between the text of this article and the Tract V development plan, the text of the article controls.

(f) Tract VIII. Development and use of the Property must comply with the Tract VIII development plan (Exhibit 314I). If there is a conflict between the text of this article and the Tract VIII development plan, the text of the article controls. (Ord. Nos. 28788; 31684; 32713; 32766)

SEC. 51P-314.104. ZONING CLASSIFICATION CHANGE AND DISTRICT NAME.

PD 314 is to be known as the Preston Center Special Purpose District. The boundaries of this district are described in Exhibit A of Ordinance No. 20397. (Ord. Nos. 20397; 24914)

SEC. 51P-314.105.

CREATION OF SEPARATE TRACTS.

This district is divided into eight tracts: Tracts I, II, III, IV, V, VI, VII, and VIII. In addition, Tract I contains a designated "Subarea A," a designated "Subarea B," and a designated "Subarea C," Tract II contains a designated "Subarea A," a designated "Subarea B," a designated "Subarea C," and a designated "Subarea D," and a designated "Subarea E," Tract III contains a designated "Subarea A," Tract IV contains a designated "Subarea A," and a designated "Subarea B," and Tract VIII contains a designated "Subarea A," and a designated "Subarea B," which may be developed independently of each other without affecting the development rights of the other. The boundaries of all tracts, including Subareas A in Tracts I, II, III, IV, and VIII, Subareas B in Tracts I, II, IV, and VIII, Subareas C in Tracts I and II, and Subarea D of Tract II, and Subarea E of Tract II, are verbally described in Exhibit 314B. A map showing the boundaries of the various tracts, including Subareas A in Tracts I, II, III, IV, and VIII, Subareas B in Tracts I, II, IV, and VIII, Subareas C in Tracts I and II, and Subarea D and E in Tract II, is labeled Exhibit 314C. If there is a conflict, the verbal descriptions in Exhibit 314B control over the graphic description in Exhibit 314C. (Ord. Nos. 23277; 24914; 27859; 28089; 28788; 30698; 30814; 31684; 32101; 32713; 32766)

**SEC. 51P-314.106.
FOR TRACTS I AND V.**

USE REGULATIONS AND DEVELOPMENT STANDARDS

(a) Use regulations. The following use regulations apply in Tracts I and V (including Subareas A, B, and C):

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are:

- (A) those permitted in the NO(A) district;
- (B) in Subareas A and C of Tract I and Tract V only, financial institution with drive
- (C) in Subarea B of Tract I only, fire station (permitted by right); and
- (D) in Tract V only, multifamily.

in windows [SUP];

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tracts I and V (including Subareas A and B):

(1) Front, side, and rear yards.

(A) Except as provided in this paragraph, minimum front, side, and rear yards are the same as those for the NO(A) district.

(B) In Subarea B of Tract I, no minimum front yard is required on Douglas Avenue or Berkshire Lane and no minimum side yard or rear yard are required.

(C) In Tract V, no side yard is required.

(2) Density. In Tract V, maximum number of dwelling units is 115.

(3) Floor area. In Tract V, maximum floor area is 200,000 square feet.

(4) Floor area ratio.

(A) Tract I.

ratio is 0.5.

(i) Except as provided in this subparagraph, maximum floor area

(ii) In Subarea B, maximum floor area ratio is 1.19.

(B) Tract V. Maximum floor area ratio is 1.94.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A- 4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is as follows:

(i) 30 feet in Tract I.

(ii) 119 feet in Tract V.

(6) Lot coverage.

(A) Tract I.

is 50 percent.

(i) Except as provided in this subparagraph, maximum lot coverage

(ii) For Subarea B, maximum lot coverage is 85 percent.

(B) Tract V. Maximum lot coverage is 60 percent.

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

(7) Stories.

(A) Tract I. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(B) Tract V. Maximum number stories above grade is nine. The top story may only be used for mechanical equipment. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(c) Required off-street parking.

(1) Except as provided in this subsection, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(2) For office uses in Tract V, one space per 410 square feet of floor area is required.

(d) Tract V environmental performance standards.

(1) In general. Except as provided in this section, see Article VI.

(2) LEED certification.

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004 (or more current), must be submitted with an application for a building permit for development, indicating how the development will comply with a LEED compliance designation. A LEED accredited professional designated by the department must affirm that development plans submitted for a building permit are LEED compliant. The building official must determine that the project is consistent with the standards and criteria for a LEED certified designation before a building permit may be issued.

(B) If during development, the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(C) All supporting documentation and templates related to the points previously approved by the city for the LEED level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department affirms that the building complies with the LEED certified designation.

(e) Landscape regulations.

(1) Tract I.

(A) Except as provided in this paragraph, landscaping must be provided in accordance with Article X.

(B) In Subarea B, landscaping must be provided as shown on the Tract I, Subarea B landscape plan (Exhibit 314F). If there is a conflict between the text of this article and the Tract I, Subarea B landscape plan, the text of this article controls.

(C) In Subarea C, landscaping must be provided as shown on the Tract I, Subarea C landscape plan (Exhibit 314H). If there is a conflict between the text of this article and the Tract I, Subarea C landscape plan, the text of this article controls.

(2) Tract V.

(A) Landscaping must be provided in accordance with Section 51P-314.112.

(B) Except as provided in this paragraph, tree preservation, removal, and replacement must comply with Article X.

(C) Replacement trees must be planted in the right-of-way adjacent to the lot where the protected trees were removed or injured.

(f) Development impact review in Tracts I and V (including Subareas A and B). A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 22689; 24914; 26807; 28068; 28788; 30814)

**SEC. 51P-314.107.
TRACT II.**

USE REGULATIONS AND DEVELOPMENT STANDARDS FOR

(a) Use regulations. The following use regulations apply in Tract II (including Subareas A, B, C, and D):

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are:

- (A) those permitted in the GO(A) and MF-4(A) districts; and
- (B) retirement housing (permitted by right).

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

- (A) the "outside sales" main and accessory uses are prohibited; and
- (B) accessory outside display of merchandise is subject to the following

restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract II (including Subareas A, B, C, and D):

(1) Front yard.

(A) Except as otherwise provided in Subparagraph (B), the minimum front yard is:

- (i) 15 feet where adjacent to Lomo Alto Drive; and
- (ii) no minimum in all other cases.

(B) An additional 20-foot "urban form" front yard setback is required for a building exceeding 45 feet in height if the building is on a lot whose front yard is adjacent to Lomo Alto Drive. The additional setback is only required for that portion of the building exceeding 45 feet in height.

(2) Side and rear yards. Minimum side and rear yards are the same as those for the GO(A) district.

(3) Floor area ratio. Maximum floor area ratio is 4.0.

(4) Dwelling unit density. No maximum dwelling unit density.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exceptions:

(i) Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. In Subarea C, railings, parapet walls, trellises, and architectural features such as wind barriers, wing walls, and patio dividing walls may project through the slope to a height not to exceed the maximum structure height, or eight feet above the slope, whichever is less.

(ii) For purposes of calculating the maximum permitted height of a structure located in Subareas A and B of Tract II only, if the structure has no openings above 36 feet in height facing the residential neighborhood directly across the Dallas North Tollway, those sites of origination located west of the Dallas North Tollway are considered to project residential proximity slopes as follows:

<u>ZONING CATEGORY</u>	<u>ANGLE OF PROJECTION</u>	<u>EXTENT</u>
R, R(A), D, D(A), TH, and TH(A)	21.3°	Infinite; (1 to 2.56 slope)

otherwise, the standard residential proximity slope (1 to 3 slope), as defined in Section 51A-4.412, applies. For purposes of this subparagraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 180 feet.

(6) Lot coverage. Maximum lot coverage is 100 percent.

(7) Stories. Maximum number of stories above grade is 14. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph(5).

(c) Required off-street parking. Required off-street parking in Tract II (including Subareas A, B, and C) must be provided for each use in accordance with Chapter 51A.

(d) Landscaping regulations. Landscaping in Tract II (including Subareas A, B, and C) must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract II (including Subareas A, B, C, and D). A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(f) Attached signage in Subarea B. In addition to the attached signage allowed in non- business zoning districts in Article VII of Chapter 51A, one attached sign may be placed on both the northern and southern facades of any building, in accordance with the following standards:

(1) Additional attached signs must be located within the area of the 5th and 6th stories above ground level.

(2) The additional attached signs may contain a maximum of five words each, with letters and symbols no taller than six feet in height.

(3) The maximum effective area of each additional attached sign permitted under this subsection is 125 square feet.

(g) Attached signage in Subarea D. In addition to the attached signage allowed in nonbusiness zoning districts in Article VII of Chapter 51A, one attached non-illuminated sign may be placed on the southern facade of any building, in accordance with the following standards:

- (1) Additional attached signs must be located within the area above the top story windows.
- (2) The additional attached signs may contain a maximum of five words each, with letters and symbols no taller than nine feet in height.
- (3) The maximum effective area of each additional attached sign permitted under this subsection is 520 square feet.
- (4) No other signs larger than 40 square feet in area may be allowed on the southern facade of any building. (Ord. Nos. 20397; 20619; 24914; 28089;30698; 32101)

(h) Attached signage in Subarea E. In addition to the attached signage allowed in nonbusiness zoning districts in Article VII of Chapter 51A, the following standards apply:

- (1) North façade:
 - a. A maximum of three attached signs may be located on the façade. One sign between floor 2 and 6; one between floors 7 and 12 and one between floors 13 and the roof.
 - b. The sign may not be illuminated
 - c. The maximum effective area of each sign is 100 square feet.
- (2) East façade:
 - a. A maximum of three attached signs may be located on the façade. One sign between floor 2 and 6; one between floors 7 and 12 and one between floors 13 and the roof.
 - b. The sign may not be illuminated
 - c. The maximum effective area of each sign is 100 square feet.
- (3) West façade:
 - d. A maximum of three attached signs may be located on the façade. One sign between floor 2 and 6; one between floors 7 and 12 and one between floors 13 and the roof.
 - e. The sign may not be illuminated
 - f. The maximum effective area of each sign is 100 square feet.

(4) The additional attached signs may contain a maximum of five words each, with letters and symbols no taller than 48" (4) feet in height.

**SEC. 51P-314.108.
TRACT III.**

USE REGULATIONS AND DEVELOPMENT STANDARDS FOR

(a) Use regulations. The following use regulations apply in Tract III:

- (1) Except as otherwise provided in Paragraph (2), the only uses permitted are those permitted in the MU-2 district.
- (2) The "bar, lounge, or tavern" use is prohibited.
- (3) That portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west is limited to parking uses only.

(4) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

- (A) the "outside sales" main and accessory uses are prohibited; and
- (B) accessory outside display of merchandise is subject to the following restrictions:

- (i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

- (ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

- (iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(5) In Subarea A, a minimum of 40,000 square feet of ground floor building area must be reserved for street activating uses facing a public right-of-way. Any ground floor building area facing Westchester Drive must be reserved for street activating uses. Main uses located on the ground floor must have direct access from the sidewalk or pavement immediately adjacent to the sidewalk.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract III:

(1) Front yard.

- (A) Except as otherwise provided in Subparagraph (B), the minimum front yard is:
 - (i) 15 feet where adjacent to Northwest Highway or Preston Road; and
 - (ii) no minimum in all other cases.

- (B) An additional 20-foot "urban form" front yard setback is required for a building exceeding 45 feet in height if the building is on a lot whose front yard is adjacent to Northwest Highway or Preston Road. The additional setback is only required for that portion of the building exceeding 45 feet in height.

(2) Side and rear yards. Minimum side and rear yards are the same as those for the MU-2 district.

(3) Floor area ratio.

- (A) In general. Except as provided in this paragraph, maximum floor area ratio is 2.0.

- (B) Increased development standards. In Subarea A, if compliant with Section 51P- 314.112.2, and with a minimum residential floor area ratio of 1.0., the overall maximum floor area ratio is 4.5.

(4) Height.

- (A) Residential proximity slope. Except as provided in this paragraph, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

- (i) Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) In Subarea A, the following structures may project a maximum of 12 feet above the residential proximity slope line:

(aa) Elevator penthouse or bulkhead. (bb)

Mechanical equipment room.

(cc) Cooling tower.

(dd) Tank designed to hold liquids.

(ee) Visual screens which surround roof mounted mechanical equipment.

(ff) Chimney and vent stacks.

(gg) Tower antenna for cellular communications.

(hh) Parapet wall, limited to a height of four feet.

(ii) Open air trellises and handrails

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is:

(i) 40 feet on Lots 7, 8, and 9 in City Block 5623 and on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west; and

(ii) in Subarea A, if compliant with Section 51P-314.112.2, maximum structure height is 225 feet.

(iii) 85 feet on all other property.

(5) Lot coverage. Maximum lot coverage is 100 percent.

(6) Stories.

(A) Maximum number of stories above grade is:

(i) three on Lots 7, 8, and 9 in City Block 5623; ~~and~~

(ii) no maximum in Subarea A; and

(iii) six on all other property.

(B) Parking garages are exempt from the requirements of Subparagraph (A), but must comply with the height regulations in Paragraph (4).

(c) Required off-street parking. Except as provided in this subsection, the following off-street parking regulations apply in Tract III:

(1) Except as otherwise provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) If at least 800 off-street parking spaces are available for use by the general public as part of an improved parking facility located on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west, the number of off-street parking spaces required for each use shall be a percentage of the number of parking spaces required for that use in Division 51A-4.200, "Use Regulations," of the Dallas Development Code, as amended, as follows:

PERCENT OF DIVISION USE CATEGORY	<u>51A-4.200 REQUIREMENT</u>
Retail and personal service	60 percent
All other use categories	75 percent

Delta credits, if any, shall not be taken into account when making the above calculation. Such credits, if any, shall be applied after the above calculation is made. (Consult Section 51A-4.704 for more information regarding the delta theory generally.)

(3) Remote parking for a use in Tract III may be located anywhere within Tract III regardless of the walking distance between the parking and the use served.

(4) In February, 1993, and every five years thereafter, the department of public works and transportation shall:

(A) evaluate the off-street parking needs of all uses in Tract III; and

(B) if necessary, recommend that appropriate changes be made to the off-street parking requirements of this subsection.

(5) All parking studies required under Paragraph (4) must be made available for public inspection upon their completion. The director of planning and development shall maintain a list of all persons requesting early notification of zoning matters affecting this district and notify those persons whenever a parking study required under Paragraph (4) has been completed.

(d) Landscaping regulations. Landscaping in Tract III must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract III. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(6) The off-street parking regulations in this paragraph apply to Tract III, Subarea A:

(A) The parking reductions in Section 51P-314.108(c)(2) do not apply.

(B) If compliant with this subparagraph, a shared parking reduction is permitted. When calculating the total parking for a development, the number of off-street parking spaces required for each use is a percentage of the number of parking spaces required for that use in Division 51A-4.200, as follows:

PERCENT OF DIVISION USE CATEGORY	<u>51A-4.200 REQUIREMENT</u>
Retail and personal service use	65 percent
All other use categories	75 percent

(i) Shared parking. The required off-street parking for office and retail and personal service uses must be shared between 5:00 p.m. and 11:00 p.m., Monday through Friday, and 24 hours per day on Saturday, Sunday, and national holidays.

(ii) Valet parking. Subject to approval by the director, valet parking, if approved, must operate between 5:00 p.m. and 11:00 p.m., Monday through Sunday.

(C) Required off-street parking located in a parking structure may be available as free parking, contract parking, or paid parking on an hourly or daily basis.

(d) Landscaping regulations. Landscaping in Tract III must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract III. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(f) Supplemental design standards. Except as provided in this subsection, in Subarea A, the supplemental design standards in Section 51P-314.110.1(g) apply.

(1) Above-ground structured parking, internal at-grade parking, and below-grade parking are permitted. Any above ground parking facility must have an active use other than parking, with a minimum depth of 25 feet, or must have an exterior facade that is similar in materials, architecture, and appearance to the facade of the main structure. Exterior parking structure facade openings must provide solid screening a minimum 48 inches from the floor level within the parking structure to screen vehicles and vehicle headlights. Except for head-in or indented parking, surface parking is prohibited between the street-facing facade and the property line.

(2) A minimum total of 4,000 square feet of open space, with a minimum depth of 10 feet from the property line, must be directly accessible from the public right-of-way, of which:

(A) A minimum of 2,000 square feet of contiguous open space must be required for any new development with frontage on Luther Lane;

(B) Any new development with frontage on Berkshire Lane must be required to provide, at a minimum, any remaining open space in a contiguous manner;

(C) A minimum of 15 percent of the contiguous open space must be landscaped;

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

(E) Except for emergency and ground maintenance vehicles, operation or parking of vehicles within on-site open space is prohibited.

(3) Subject to approval by the director, surface parking along Westchester Drive shall be required to provide a minimum of one landscape island for every 10 parking spaces.

(4) Except for required screening and required handrails, a maximum four-foot-high fence is allowed between the facade and property line.

(5) If street-level dwelling units are provided, a minimum of 60 percent must have individual entries that access the street with an improved path connecting to the sidewalk. If at-grade open space dwelling units are provided, a minimum of 60 percent must have individual entries that access the open space.

(6) A minimum of 30,000 square feet of building roof area must be landscape terrace.

(7) Driveways are subject to the following maximum measurements:

(A) Along Luther Lane, where an ingress or egress driveway crosses a sidewalk, maximum width of each driveway is 24 feet, with a maximum combined width of 78 feet of all ingress and egress driveways across the entire frontage.

(B) Along Westchester Drive, where an ingress or egress driveway crosses a sidewalk, maximum width of each driveway is 15 feet, with a maximum combined width of 15 feet of all ingress and egress driveways across the entire frontage.

(C) Along Berkshire Lane, where an ingress or egress driveway crosses a sidewalk, maximum width of each driveway is 24 feet, with a maximum combined width of 48 feet of all ingress and egress driveways across the entire frontage.

(D) Along Douglas Avenue, where an ingress or egress driveway crosses a sidewalk, maximum width of each driveway is 35 feet, with a maximum combined width of 65 feet of all ingress and egress driveways across the entire frontage.

(E) The maximum combined width of all ingress and egress driveways does not include passenger loading zones or median areas that divide a driveway.

(8) Any driveway with frontage on Westchester Drive must include private signage with the following requirements:

(A) The signage must state, "Service entrance only, No public access".

(B) This signage must be located within 10 feet of the property line on private property and must be visible from public right of way. (Ord. Nos. 20397; 20619; 24914; 32766)

SEC. 51P-314.109.

USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS IV AND VII.

(a) Use regulations. The following use regulations apply in Tracts IV and VII:

(1) Except as provided in this subsection, the only uses permitted are those permitted in the MU-2 district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the "outside sales" main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(4) A remote community center is allowed in Tract VII. A remote community center is not required to be located on the same lot as the church, but the lot containing a remote community center must be within 100 feet of the lot containing the church.

(5) A private school use is allowed in Subarea B of Tract IV by right.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tracts IV and VII:

(1) Front yard. Minimum front yard is:
Parkway; and
(A) 15 feet where adjacent to Preston Road, Douglas Avenue, or Weldon Howell
(B) no minimum in all other cases.

(2) Side and rear yards.
(A) In Tract IV, minimum side and rear yards are the same as those for the MU-2 district.
(B) In Tract VII, minimum side and rear yards are five feet.

(3) Floor area ratio.
(A) In Tract IV, maximum floor area ratio is 2.0.
(B) In Tract VII, maximum floor area ratio is 1.0.

(4) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(B) Preston Road slope. If any portion of a structure is over 45 feet in height, that portion may not be located above the plane projecting upward and outward from Preston Road at an angle of 26.5° (1 to 2 slope) through the line formed by the intersection of:

(i) the vertical plane extending through the Preston Road front yard setback
line; and
(ii) the horizontal plane 45 feet above grade.

(C) Exception to slope restrictions. Structures listed in Section 51A- 4.408(a)(2) may project through the slopes described in Subparagraphs (A) and (B) to a height not to exceed the maximum structure height, or 12 feet above the slopes, whichever is less.

(D) Maximum structure height.

(i) Unless further restricted under Subparagraphs (A) and (B), in Subdistrict IV, maximum structure height is 120 feet.

(ii) In Tract VII, maximum structure height is 45 feet.

(5) Lot coverage.

(A) In Tract IV, maximum lot coverage is 100percent.

(B) In Tract VII, maximum lot coverage is 80percent.

(6) Stories. Maximum number of stories above grade is nine. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (4).

(7) Floor area.

(A) In Tract IV, Subarea A may not have more than 30,000 square feet of retail and personal service uses.

(B) In Tract VII, maximum floor area is 42,000 square feet.

(c) Required off-street parking. The following off-street parking regulations apply in Tracts IV and VII:

(1) Except as otherwise provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) In Subarea A, the off-street parking requirement is 1,306 spaces. Subsection (e), "Off-Street Parking Reduction Option," of Section 51P-314.111 of this article does not apply to property located in Subarea A.

(3) No parking spaces are required for a remote community center.

(4) Tract VII is considered one lot for parking purposes.

(5) For a church or private school use in Subarea B of Tract IV, the off-street parking requirement is 56 spaces.

(6) In Subarea B of Tract IV, a church and private school located on the same building site may share parking.

(7) For a church or private school use in Subarea B of Tract IV, except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example,

a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 =$ one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(d) Landscaping regulations. Landscaping in Tracts IV and VII must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Sidewalks and pedestrian amenities for a private school use in Subarea B of Tract IV. The following conditions must be built prior to the issuance of a new certificate of occupancy for a private school use:

(1) One of the following is required on the Colgate Avenue and Preston Road frontages:

(A) An eight-foot unobstructed sidewalk.

(B) A six-foot unobstructed sidewalk with a five-foot buffer.

(2) A six-foot unobstructed sidewalk with a five-foot buffer is required on the Westchester Drive frontage.

(f) Street furniture. In Subarea B of Tract IV, a minimum of one bench, one trash receptacle, and one bicycle rack must be located within the area that is 10 feet from the sidewalk along Westchester Drive frontage and 50 feet from the sidewalk along Colgate Avenue.

(g) Development impact review in Tracts IV and VII. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(h) Tract IV, Subarea B traffic management plan.

(1) In general. In Subarea B of Tract IV, operation of a private school must comply with the Tract IV, Subarea B traffic management plan (Exhibit 314K).

(2) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(3) Traffic study.

(A) The property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director on or before March 1, 2026. After the initial traffic study, the property owner or operator shall submit updates of the traffic study to the director by March 1 of each even numbered year.

(B) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(i) ingress and egress points;

(ii) queue lengths;

(iii) number and location of personnel assisting with loading and unloading of students;

(iv) drop-off and pick-up locations;

- (v) drop-off and pick-up hours for each grade level;
- (vi) hours for each grade level; and
- (vii) circulation.

(C) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(i) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(ii) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the property owner to submit an amended traffic management plan. If the property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(4) Amendment process.

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

(B) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation, eliminate traffic hazards, or decrease traffic congestion. (Ord. Nos. 20397; 20619; 23277; 24914; 26708; 27859; 32713)

**SEC. 51P-314.110.
TRACT VI.**

USE REGULATIONS AND DEVELOPMENT STANDARDS FOR

(a) Use regulations. The following use regulations apply in Tract VI:

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are those permitted in the CR district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the "outside sales" main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a

minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract VI:

(1) Front, side, and rear yards. Minimum front, side, and rear yards are the same as those for the CR district.

(2) Floor area ratio. Maximum floor area ratio is 0.75.

(3) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A- 4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

(4) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(5) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph(3).

(c) Required off-street parking. Required off-street parking in Tract VI must be provided for new development in accordance with Chapter 51A. Off-street parking for existing development must be provided as was required under former Planned Development District No. 6. (See Exhibit 314A)

(d) Traffic impact study required.

(1) Except as otherwise provided in this subsection, no building permit in Tract VI may be issued to authorize development at an FAR in excess of that permitted in former Planned Development District No. 6 unless and until the director of public works and transportation determines that such development will not result in an unacceptable level-of-service at nearby intersections.

(2) An applicant for a permit to authorize development at an FAR in excess of that permitted in former Planned Development District No. 6 shall submit a traffic impact study to the building official for review and approval by the director of public works and transportation. The director may reject a traffic impact study submitted if, in the opinion of the director, it does not contain sufficient information.

(3) Within 30 calendar days of the date the traffic impact study is accepted, the director of public works and transportation shall determine whether the development will result in an unacceptable level-of-service at nearby intersections. The applicant may appeal the decision of the director to the board of adjustment.

(4) The property owner assumes the risk that the provisions of this subsection have been complied with. Any permit issued in violation of this subsection is void.

(e) Landscaping regulations. Landscaping in Tract VI must be provided on all property in accordance with Article X of Chapter 51A.

(f) Development impact review in Tract VI. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day

and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.110.1. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT VIII.

(a) Use regulations. The following use regulations apply in Tract VIII.

(1) Except as provided in this subsection, the only uses permitted are those permitted in the MU-2 District.

(2) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the “outside sales” main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(3) In Subarea A. A minimum of 4,000 square feet of ground floor building area must be reserved for street activating uses. Main uses located on the ground floor and fronting Luther Lane must have direct access from the sidewalk or a pavement immediately adjacent to the sidewalk.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract VIII:

(1) Front yard.

(A) Subarea A. No minimum front yard.

(B) Subarea B. Minimum front yard is 25 feet.

(2) Side yard.

(A) Subarea A. No minimum side yard.

(B) Subarea B. Minimum side yard is five feet.

(3) Rear yard. No minimum rear yard.

(4) Density.

(A) Subarea A. Maximum number of dwelling units is 96.

(B) Subarea B.

(i) Except as provided in this subparagraph, maximum number of dwelling units is 255.

(ii) If a building site qualifies for a height bonus pursuant to Section 51P- 314.110.1(b)(7)(B)(ii), maximum number of dwelling units is 339.

(5) Floor area. In Subarea A, a hotel use may occupy no more than 65 percent of the total floor area.

(6) Tower spacing.

(A) Subarea A. No portion of a building above 60 feet in height may be located closer than 50 feet from the area identified on the development plan as greater than 60 feet in height in Subarea B.

(B) Subarea B. No portion of a building above 60 feet in height may be located closer than 50 feet from the area designated on the development plan as greater than 60 feet in height in Subarea A.

(7) Height.

(A) Subarea A.

(i) Except as provided in this subparagraph, maximum structure height is 268 feet at the northern boundary of Subarea A and may increase to a maximum building height of 305 feet as shown on the development plan.

(ii) If any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height or 12 feet above slope, whichever is less.

(B) Subarea B.

(i) Except as provided in this subparagraph, maximum structure height is 270 feet.

(ii) Except as provided in this paragraph, maximum structure height may be increased to 350 feet if five percent of the total number of dwelling units are reserved for certain households as follows:

(aa) two and one-half percent of the total number of dwelling units are available to households earning between 61 percent to 80 percent of area median family income (AMFI) for the Dallas, TX HUD Metro FMR Area and offered at affordable rent prices in accordance with Section 51P-314.114; and

(bb) two and one-half percent of the total number of dwelling units are available to households earning between 81 percent and 100 percent of area median family income (AMFI) for

the Dallas, TX HUD Metro FMR Area and offered at affordable rent prices in accordance with Section 51P-314.114.

(iii) If any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height or 12 feet above slope, whichever is less.

(C) Residential proximity slope. Except as provided in this paragraph, the residential proximity slope in Section 51A-4.412 applies to Tract VIII in accordance with points of origin emanating from outside of this district. The point of origin for the residential proximity slope emanating from the south may originate from the boundary of private property in single family districts south of Colgate Avenue in the City of Dallas if multifamily units are set aside for mixed income housing in accordance with Section 51P-314.110.1(b)(7)(B)(ii).

(8) Lot coverage.

(A) For portions of a structure 60 feet in height or less, maximum lot coverage is 85 percent.

(B) Except as provided in this paragraph, for structures above 60 feet in height, maximum lot coverage is 60 percent.

(C) Maximum lot coverage above 60 feet in height may be increased to 65 percent for a residential rental development in Subarea A if five percent of the total residential rental units are reserved for certain households as follows:

(aa) two and one-half percent of the total number of residential rental dwelling units are available to households earning between 61 percent and 80 percent of area median family income (AMFI) for the Dallas, TX HUD Metro FMR Area and offered at affordable rent prices in accordance with Section 51P-314.114; and

(bb) two and one-half percent of the total number of residential rental dwelling units are available to households earning between 81 percent and 100 percent of area median family income (AMFI) for the Dallas, TX HUD Metro FMR Area and offered at affordable rent prices in accordance with Section 51P-314.114.

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

(9) Lot size. No minimum lot size.

(10) Stories. No maximum number of stories.

(c) Required off-street parking. The following off-street parking regulations apply in Tract VIII:

(1) Except as provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) For a hotel and motel use, 0.5 space per guest room is required. No additional parking is required for accessory uses such as restaurants, retail, and meeting rooms.

(3) For the property located on Subarea A, if at least 800 off-street parking spaces are available for use by the general public as part of an improved parking facility located on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west, the number of off-street parking spaces required for each use shall be a percentage of the number of parking spaces required for that use in Division 51A-4.200, "Use Regulations," of the Dallas Development Code, as

amended, as follows:

<u>USE CATEGORY</u>	<u>PERCENT OF DIVISION 51A-4.200 REQUIREMENT</u>
Retail and personal service	50 percent
All other uses	100 percent

Delta credits, if any, shall not be taken into account when making the above calculation. Such credits, if any, shall be applied after the above calculation is made. (Consult Section 51A-4.704 for more information regarding the delta theory generally.)

(4) The property owner may provide up to 20 percent of the required parking to be available to the general public.

(5) In Subarea A, two off-street loading spaces must be provided as shown on the development plan. Maneuvering in and out of loading spaces may be from the alley right-of-way as shown on the Tract VIII development plan.

(f) Landscaping regulations. Landscaping must be provided as shown on the Tract VIII landscape plan (Exhibit 314J). If there is a conflict between the text of his article and the Tract VIII landscape plan, the text of this article controls.

(g) Supplemental design standards. The following supplemental design standards apply in Tract VIII:

(1) A minimum of two of the following elements must be provided for each subarea and either located on the lot or within the special amenities zone defined in Section 51P-314.113:

- (A) Bench;
- (B) Bicycle rack;
- (C) Trash receptacle.

(2) A bench provided pursuant to this section may also be counted as seating for purposes of Section 51P-314.113. A bicycle rack provided pursuant to this section may be counted as bicycle parking for purposes of Chapter 51A.

(3) Except as otherwise provided in this article, above-ground structured parking is prohibited. Internal at-grade and below-grade structured parking are allowed.

(4) Transparency must be provided for not less than 50 percent of the total area of each portion of a building exterior that faces a street, is located under 14 feet in height, and is within 50 feet of a public street exclusive of openings for garage entrances and service area access.

(5) Primary building entries facing a street must be clearly visible from the street.

(6) A minimum of 15 percent of building roof area must be landscape terrace.

(7) Blank walls longer than 30 feet in length and within 50 feet of a street are prohibited.

(8) A minimum of 2,000 square feet of contiguous open space must be directly accessible

from public right-of-way. A minimum of 15 percent of the contiguous open space must be landscaped.

(h) Access to the alley along the southern boundary of Subarea B from the proposed building on Subarea B must be provided in the general location shown on the Tract VIII development plan and must be access controlled with a gate arm or similar device for service vehicles only. (Ord. 31684)

SEC. 51P-314.111. PROVISIONS OF GENERAL APPLICABILITY.

(a) In general. The following subsections apply to all property in this district and are cumulative of the use regulations and development standards for individual tracts in the previous sections.

(b) Existing buildings conforming. All buildings lawfully existing at the time of passage of Ordinance No. 20397 shall be considered conforming.

(c) Illumination of buildings and structures.

(1) In this subsection:

(A) EXTERIOR ILLUMINATION means illumination provided for the primary purpose of attracting the attention of persons outside the premise on which it is located, regardless of whether the light source itself is physically located inside or outside of a building or structure. This definition includes illuminated holiday decorations.

(B) LIGHT SOURCE means a device such as a lamp, mantle, or bulb, or any portion thereof, which produces visible light.

(C) LUMINAIRE means a device or fixture containing a light source and means for directing and controlling the distribution of light from the source.

(2) Except in Tract III, Subarea A, the exterior illumination of buildings, structures, signs, and art is prohibited:

(A) above 30 feet in height when the item illuminated is located within 600 feet of private property in a residential district and the illumination is visible from that property; and

(B) above 45 feet in height in all other cases.

All exterior illumination in this district must be brought into full compliance with this paragraph on or before July 28, 1989. No person shall have nonconforming rights to exterior illumination as defined in this subsection.

(3) In Tract III, Subarea A, outdoor illumination is permitted subject to the following:

(A) Outdoor light sources must:

(i) be indirect, diffused, or covered by shielded-type fixtures that control or direct the distribution of light;

(ii) be installed to reduce glare and the consequent interference with boundary streets and neighboring properties;

(iii) be oriented down and onto the property they light and away from any adjacent property with a residential use; and

(iv) be located no more than 24 feet above grade.

(B) Light fixtures for outdoor light sources must be attached to buildings or mounted on poles made of metal or a material with similar durability.

(C) Shielded-type fixtures used with outdoor light sources must control the light beam so that it is not directed outside of the district.

(D) Except as provided in this subsection:

(i) The words on a sign may be illuminated by back lighting if no part of the sign has a changeable message, moves, flashes, blinks, changes its illumination, or rotates.

(ii) A building may have a horizontal and vertical light-emitting diode (LED) lighting system that is affixed to the fins of the building if:

(aa) the lighting does not blink, flash, move, be animated, or change its illumination; and

(bb) the system is installed so that it outlines only the edges of the building facades.

(iii) This paragraph does not apply to light sources located indoors that have the sole purpose of providing illumination for one or more rooms, halls, or other spaces in the interior of a building.

(d) Noise.

(1) Except as otherwise provided in this subsection, the noise regulations in Article VI of Chapter 51A apply in this district. In the event of a conflict between this subsection and Article VI, this subsection controls.

(2) The use of an outside public address or paging speaker is prohibited in this District.

(3) The use of an outside speaker as part of an intercom system must be approved by the director of planning and development if the speaker is located within 250 feet of private property in a residential district. Review and approval of the speaker are governed by the procedures and standards for residential adjacency review in Division 51A-4.800.

(4) Paragraphs (2) and (3) do not apply to special events for which a special events permit is issued under Chapter 42A of the Dallas City Code.

(e) Off-street parking reduction option.

(1) A property owner may reduce the standard off-street parking requirement for office uses up to 20 percent in Tracts II and IV and up to 10 percent in Tract III and Tract VIII if the owner:

(A) submits a traffic impact study establishing that the reduction will not result in an unacceptable level-of-service at nearby intersections; and

(B) makes a "cash in lieu of parking" payment into a special city account, to be known as the Preston Center Parking and Transit Improvement Fund.

(2) The traffic impact study required under Paragraph (1) must be approved by the director of public works and transportation. The applicant may appeal the decision of the director to the board of adjustment.

(3) The amount of the "cash in lieu of parking" payment referred to in Paragraph (1) is calculated by taking 50 percent of the "cost of constructing a parking garage space" and multiplying that cost by the

number of parking spaces that will not be required by reason of the payment. Until January 2, 1991, the cost of constructing a parking garage space is \$5,975.52. On January 2, 1991, and on January 2 of each odd-numbered year thereafter, the director of planning and development shall determine a new cost of constructing a parking garage space by using the following formula:

National Median Cost x 320 sq. ft. x Dallas Cost Index Sq. Ft.

where National Median Cost/Sq. Ft. is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issues of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another publication is designated by the director of planning and development. In order for the off-street parking reduction to be considered in cases involving work for which a permit is required, the entire payment must be made to the building official before issuance of the permit.

(5) All money paid into the Preston Center Parking and Transit Improvement fund must be used for programs to promote new common area and shared use parking, ride sharing, van pooling, transit usage (including system improvements), and bike and walkway facilities. All programs on which the money is spent must directly benefit properties in this district.

(f) Parking structures. Parking structures located adjacent to or directly across a street or alley from private property in a residential district must have a facade treatment to ensure that vehicles parked are not visible from that property.

(g) Sanitation. Garbage storage areas, including dumpster, must:

- (1) be located behind the front building line;
- (2) be screened from all yards having frontage on Lomo Alto Drive, Preston Road, or Northwest Highway; and
- (3) comply in all other respects with Chapter 51A and all other applicable ordinances of the city.

(h) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. For purposes of this section, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(i) Sign regulations.

(1) Non-premise signs, as defined in Article VII of the Dallas Development Code, as amended, are prohibited in this district.

(2) Section 51A-7.209, "Signs Displaying Noncommercial Messages," of the Dallas Development Code, as amended, applies in this district. (Ord. Nos. 20397; 20619; 24914; 31684)

SEC. 51P-314.112.

SPECIAL LANDSCAPING REGULATIONS.

(a) Definitions. Except as otherwise provided in this subsection, the definitions in Article X of Chapter 51A apply to this section. In this section:

- (1) COURT OR PLAZA means a pedestrian area covered with a permeable or

nonpermeable surface paving material.

(2) FRONT YARD means the area extending across the lot between the roadway and any facade of the main building facing the roadway and lines parallel to and extending outward from that facade.

(3) FRONT YARD LANDSCAPE AREA means an area in the front yard, as defined in this section, at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials.

(4) FYLA means front yard landscape area.

(5) INTERNAL STREET means a street that is internal to, i.e. not on the perimeter of, this district.

(6) PARKWAY means the portion of a street right-of-way between the street curb and the front lot line.

(7) SPECIAL AMENITIES ZONE means that area parallel to and between three and six feet from the back of the street curb in Tracts II, III, and IV, and that area parallel to and between three and 25 feet from the back of the street curb in Tract V and Tract VIII.

(b) In general. Properties in Tracts II, III, IV, and VIII, with front yard setbacks of less than 15 feet may comply with these special landscaping regulations as an alternative to strict compliance with Article X of Chapter 51A. Properties in Tract V must comply with the mandatory special landscaping provisions in Subsection (e). Property in Tract III, Subarea A must comply with the mandatory special landscaping provisions in Subsection (e). This section partially modifies the requirements of Article X for qualifying properties. Those portions of Article X not expressly modified in this section continue to apply to all property in Tracts II, III, IV, V, and VIII. In the event of a conflict between this section and Article X, this section controls.

(c) Minimum point totals required. The minimum number of points needed for landscape plan approval varies depending on the tract the lot is in and the zoning district classification of adjacent properties as follows:

**LOT WITH
RESIDENTIAL**

LOT WITHOUT

25 points

**RESIDENTIAL ADJACENCY*
15 points**

***As defined in Section 51A-10.101 (Definitions). The alternatives from which an applicant may select to achieve the minimum point score needed for approval are referred to in this section as "design standards" and contained in Subsection (d).**

(d) Design standards.

(1) Front yard landscape area.

(A) Five points are awarded when one square foot of front yard landscape area (FYLA) is provided for each linear foot of lot frontage. One additional point may be earned for each additional increment of one square foot of FYLA per linear foot of lot frontage, up to a maximum of three additional points (eight points total). [Example: Seven points would be awarded if three square feet of FYLA was provided for each linear foot of lot frontage.]

(B) FYLA credits may be substituted for actual front yard landscape area. FYLA credits are earned when trees or shrubs are placed in the front yard as follows:

SIZE OF TREE OR SHRUB

FYLA CREDIT

1 tree: minimum 5 in. caliper
minimum 2.5 in. caliper
minimum 1 in. caliper

100 sq. ft.
50 sq. ft.
30 sq. ft.

1 shrub: minimum 4-foot height
minimum 2-foot height

30 sq. ft.
15 sq. ft.

(2) Pavement enhancement. Five points are awarded when at least 50 percent of all outdoor pedestrian and vehicular pavement area in the front yard consists of enhanced pavement. An additional one-half point may be earned for each additional increment of enhanced pavement constituting 10 percent of the total pedestrian and vehicular pavement area in the front yard.

(3) Pedestrian facilities.

(A) Courts or plazas. Three points are awarded when at least three square feet of courts or plazas are provided for each linear foot of lot frontage. One additional point is earned for each additional increment of one-half square foot of courts or plazas per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(B) Covered walkways. Three points are awarded when walkways in the front yard are covered by awnings or canopies in accordance with this subparagraph. Coverage must be at least five feet in depth, and the total length of walkways covered must be equal to or greater than 25 percent of the length of the lot frontage. One additional point is awarded for each additional increment of walkway length covered that is equal to 25 percent of the lot frontage, up to a maximum of three additional points (six points total).

(C) Fountains, ponds, and sculpture. Three points are awarded when at least one-half square foot of front yard area for each linear foot of lot frontage is devoted to fountains, ponds, or sculpture. One additional point is earned for each additional increment of one-half square foot per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(D) Seating area. Three points are awarded when at least 0.25 linear feet of seating is provided for each linear foot of lot frontage. One additional point is earned for each additional increment of 0.25 linear feet of seating per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(e) Mandatory provisions.

(1) The following mandatory provisions must be complied with in addition to achieving the minimum number of points required by Subsection (c).

(2) Sidewalks must be provided and located in the special amenities zone.

(3) Any lot having frontage on an internal street or on Douglas Avenue must have:

(A) a minimum average sidewalk width of seven feet; and

(B) a minimum unobstructed sidewalk width of five feet.

(4) Any lot in Tract III having frontage on an internal street or on Douglas Avenue must have:

(A) a minimum average sidewalk width of ten feet; and

(B) a minimum unobstructed sidewalk width of seven feet.

(4.1) Tract VIII.

(C) The sidewalk must have a minimum unobstructed sidewalk width of 10 feet at all times.

(D) Sidewalks across driveways:

(i) may not have a slope greater than the adjoining sidewalks; and

(ii) must be constructed with a material, pattern, or color that contrasts with the driveway.

(4.2) Tract III, Subarea A.

(A) Sidewalks must have:

(i) an average minimum sidewalk width of 10 feet; and

(ii) a minimum unobstructed sidewalk width of seven feet.

(B) Sidewalks must be continuous and level across all driveways and curb cuts and designed to be at the same grade as the existing sidewalk subject to approval of the director.

(C) At the intersection of each driveway with a sidewalk or pedestrian path, sidewalks must be constructed with a material, pattern, or color that contrasts with the driveway and clearly marks pedestrian crossing.

(D) Between sidewalks and any driving surface, off-street or on-street pedestrian loading zone, or parking surface, one of the following buffering must be used:

(i) Landscaping plantings with a minimum height of 36 inches.

(ii) Bollards with a minimum height of 36 inches, spaced no more than six feet

apart.

(5) Street trees must be provided and located in the special amenities zone. The street trees must have a caliper of at least two and one-half inches and, except in Tracts V and VIII, must be spaced no less than 25 feet apart, measured from trunk to trunk. The street trees in Tract V must be spaced no less than 15 feet apart and no more than 35 feet apart, measured from trunk to trunk, excluding driveways and required visibility triangles. The street trees in Tract VIII must be spaced no less than 15 feet apart and no more than 35 feet apart on Westchester Drive and no more than 65 feet apart on Luther Lane, measured from trunk to trunk, excluding driveways and required visibility triangles. In Tract V and Tract VIII, street trees planted in the right-of-way may be counted towards the site tree requirements.

(6) Except as provided in this paragraph, off-street loading and service areas must be screened from adjacent properties by a minimum six-foot-high screening wall or fence. No screening is required in Tract VIII for loading spaces adjacent to an alley.

(7) Surface off-street parking must be screened from all adjacent public streets and residential properties by a wall or evergreen hedge. In Tract V, drive lanes and structured parking adjacent to Douglas Avenue must also be screened by a wall or evergreen hedge. Screening from adjacent public streets must be at least three feet in height, while screening from adjacent residential properties must be at least six feet in height.

(8) Pedestrian scale lighting must be provided and located in the special amenities zone. The light standards must be no greater than 14 feet in height and be spaced no more than 50 feet apart. The intensity

of light on the pedestrian surface must be at least 1.5 footcandles.

(9) Any lot in Tract V having frontage on Douglas Avenue must provide a minimum of 18 linear feet of seating area and a minimum of 200 square feet of courts or plazas in the front yard facing Douglas Avenue.

(f) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with Subsection (g) of this section. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(g) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and be accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(3) A property owner is not required to comply with any mandatory landscaping requirement of this section if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permits is inconsistent with or unreasonably impairs the public use of the right-of-way.

The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 20397; 24914; 28068; 31684; 32766)

SEC. 51P-314.112.1. MIXED-INCOME HOUSING

(a) Except as provided in this section, compliance with Division 51A-4.1100 is required to obtain the density, height, and lot coverage development bonuses in Section 51P-314.110.1.

(b) The maximum percentage of total units that may be specialty units and not required to be part of the dispersal of reserved dwelling units by unit type pursuant to Section 51A-4.1106(f)(1) is 15 percent.

(c) Compliance with Section 51A-4.1107 is not required. (Ord. 31684)

SEC. 51P-314.112.2. MIXED-INCOME HOUSING FOR TRACT III, SUBAREA A.

(a) In general. Except as provided in this section, the development bonuses identified in Section 51P-

314.108 apply if a minimum of five percent of the total residential units are made available to households earning between 81 percent and 100 percent of the area median family income and are in compliance with Division 51A-4.1100, as amended.

(b) Design standards. Except as provided in this section, compliance with Section 51A-4.1107 is not required.

(c) Minimum parking. Minimum parking must be provided in accordance with Section 51A-4.1107(c). (Ord. 32766)

SEC. 51P-314.113.

COMPLIANCE DATES AND NONCONFORMING RIGHTS.

(a) The compliance date of October 26, 1989, in Paragraph (5) of Subsection (c) of Section 11 of Ordinance No. 20397 applies only to light sources for the lighting of parking lots and garages [See Paragraphs (3) and (4) of that subsection].

(b) The compliance date of July 28, 1989, in Section 3 of Ordinance No. 20619 is not ex post facto, but reflects, for informational purposes, the original effective date of Paragraph (2) of Subsection (c) of Section 11 of Ordinance No. 20397.

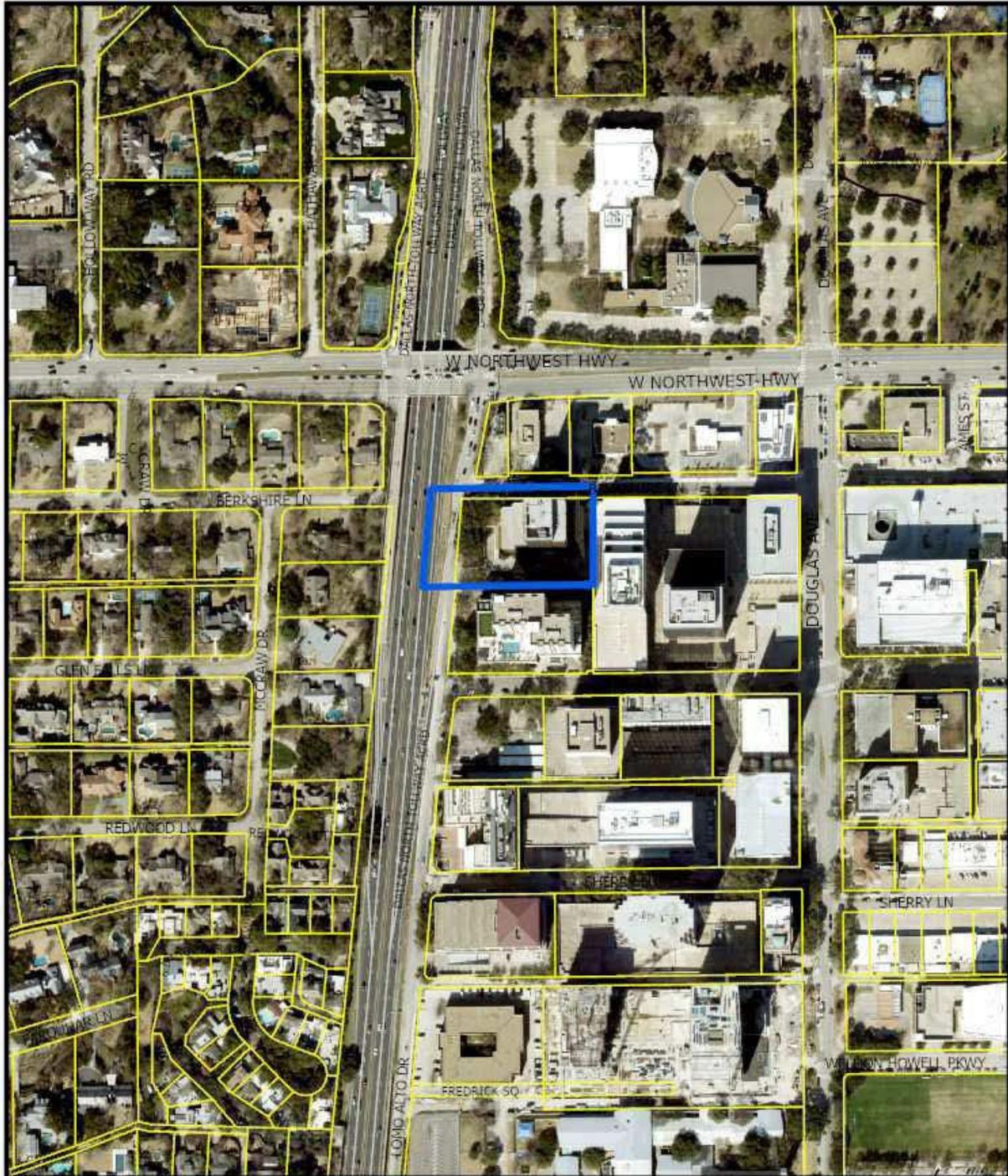
(c) The Dallas City Council did not grant, establish, or provide for nonconforming rights to illumination when it passed Ordinance No. 20397.

(d) For Tract VIII, structures existing on October 28, 2020 are subject to Section 51A-4.704. (Ord. Nos. 20619; 24914; 31684)

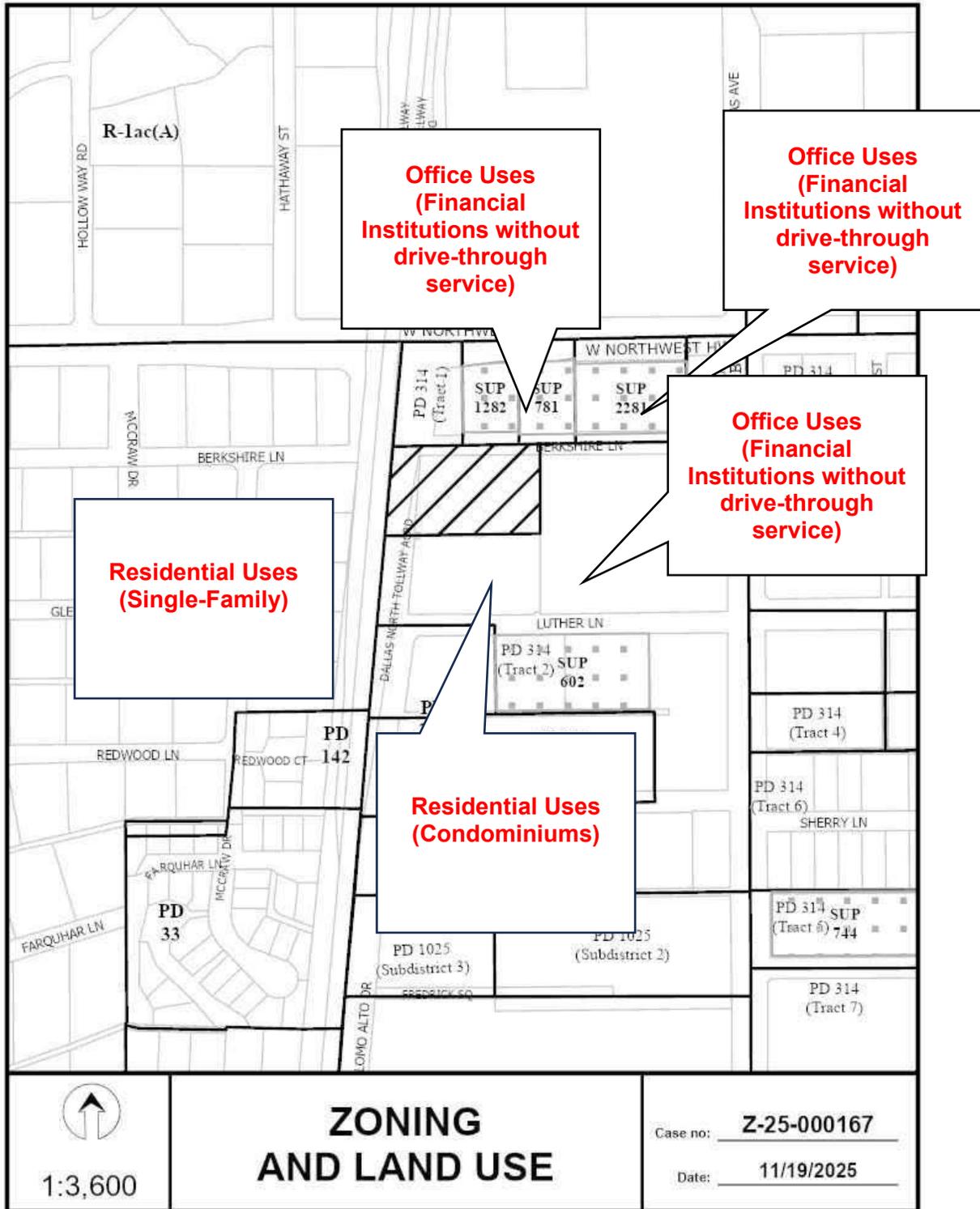
SEC. 51P-314.114.

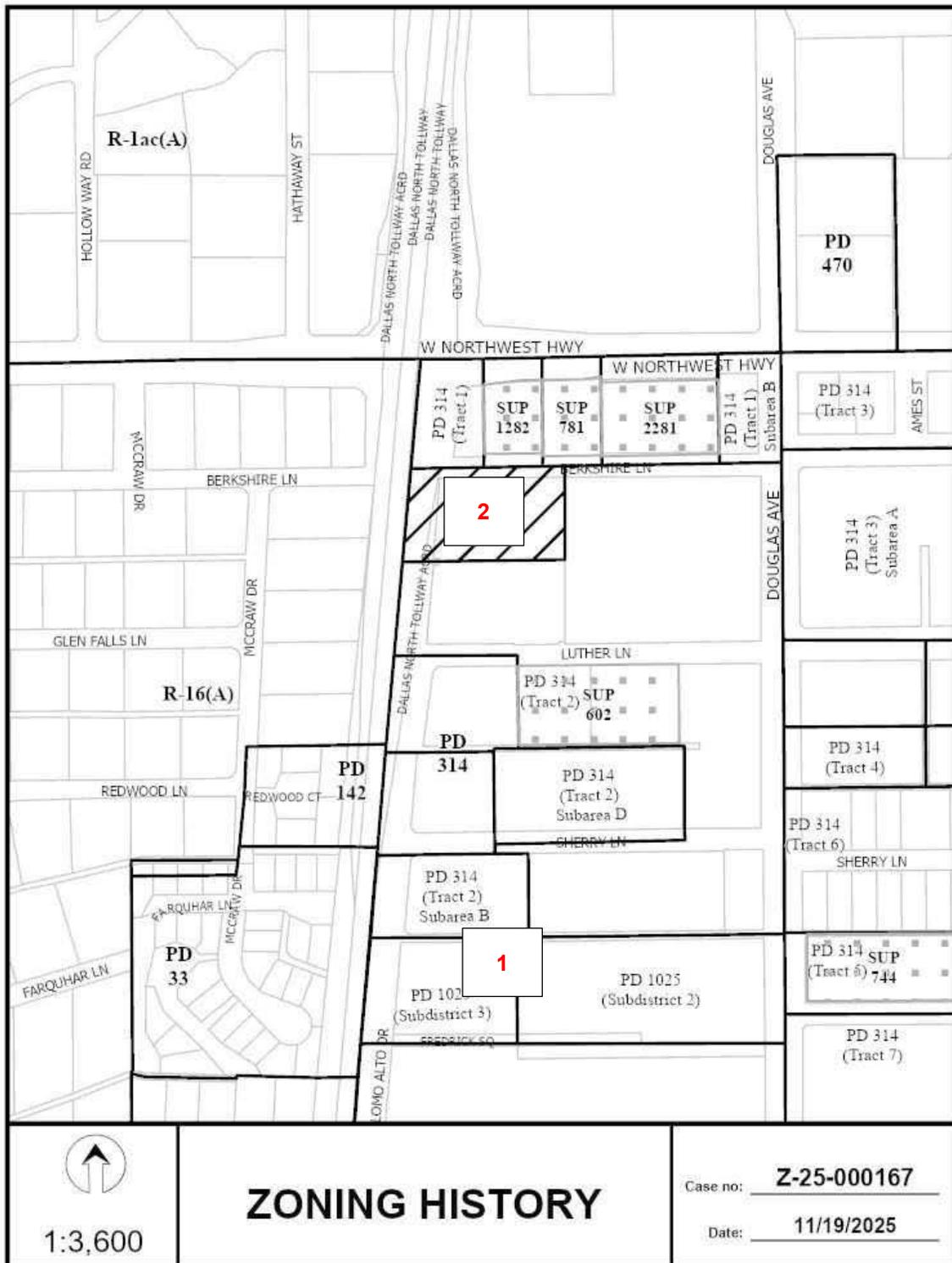
CERTIFICATE OF OCCUPANCY CONDITIONED ON COMPLIANCE.

The building official shall not issue a certificate of occupancy for a use on the Property until there has been full compliance with this article and with the construction codes and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 20397; 24914; 26102)



 1:3,600	<h1>AERIAL MAP</h1>	Case no: <u>Z-25-000167</u> Date: <u>11/19/2025</u>
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1:3,600

ZONING HISTORY

Case no: Z-25-000167
 Date: 11/19/2025



129	Property Owners Notified (32 parcels)
1	Replies in Favor (1 parcel)
3	Replies in Opposition (3 parcels)
500'	Area of Notification
1/15/2026	Date

Z-25-000167
CPC



1:2,400

01/14/2026

Reply List of Property Owners***Z-25-000167******129 Property Owners Notified 1 Property Owners in Favor 3 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5950 BERKSHIRE LN	FHF I BERKSHIRE TOWER LLC
	2	9206 HATHAWAY ST	TEXAS TURNPIKE AUTHORITY
	3	9211 HATHAWAY ST	MORRISON JERRY & JOYCE
	4	5800 W NORTHWEST HWY	NW55 LLC
	5	8235 DOUGLAS AVE	GPI DOUGLAS LP
	6	5949 SHERRY LN	KBSIII STERLING PLAZA LLC
	7	5815 BERKSHIRE LN	WOODMAN THOMAS L
	8	5825 BERKSHIRE LN	FRATTAROLI CHRISTOPHER &
X	9	5833 BERKSHIRE LN	LITTLE CHARLES D &
	10	5841 BERKSHIRE LN	PARBHOO FAMILY TRUST
X	11	5822 BERKSHIRE LN	COURTNEY JAY DEE &
X	12	5819 GLEN FALLS LN	AUSTIN ALLISON S & AMON
	13	5818 GLEN FALLS LN	COVEY KRISTI
	14	5830 BERKSHIRE LN	PONTES LUCAS DECARVALHO &
	15	9114 MCCRAW DR	BROWN EDGAR MILLER & CYNTHIA CASEY
	16	9104 MCCRAW DR	BIGGERS OLIVER ROBERT II & JULIE ANNE
	17	9026 MCCRAW DR	SCOTT MARVETTA & BRADFORD
	18	9018 MCCRAW DR	HARDAWAY JOANNE S
	19	9226 HATHAWAY ST	PECHAR FAMILY REVOCABLE
	20	8505 DOUGLAS AVE	NORTHWEST BIBLE CHURCH
	21	8631 DOUGLAS AVE	NORTHWEST BIBLE CHURCH OF DALLAS TEXAS
	22	5858 W NORTHWEST HWY	DB FIVE GRILL LP
	23	5840 W NORTHWEST HWY	NWHWY 5840 LLC
	24	5820 W NORTHWEST HWY	BV NWH 5820 LP
	25	5944 LUTHER LN	LUTHER PRESTON CENTER LLC
	26	5954 LUTHER LN	WOODBINE LEGACY

01/14/2026

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	27	5934 LUTHER LN	METROPOLITAN PRESTON CENTER
	28	5917 SHERRY LN	SHI IV PRESTON OWNER LLC
	29	5805 REDWOOD CT	WILSON JOHN STACKHOUSE & KELLY B
	30	5811 REDWOOD CT	LARDNER ANN MARIE
	31	8343 DOUGLAS AVE	DOUGLAS CENTER HP LP
	32	5960 BERKSHIRE LN	CIO TERRACES LLC
	33	5909 LUTHER LN	SHIELLS THEODORE F & EVA A
	34	5909 LUTHER LN	JAI INVESTMENTS LLC
	35	5909 LUTHER LN	AUREMIK LLC
	36	5909 LUTHER LN	AUREMIK LLC
	37	5909 LUTHER LN	ZAHEDI VASSILIKIE & SIAVASH
	38	5909 LUTHER LN	POINTERWOMERSLEY OLIVER C
	39	5909 LUTHER LN	TORMOS REAL ESTATE LLC
	40	5909 LUTHER LN	MCCUTCHIN GENE
	41	5909 LUTHER LN	LENNROY VENTURES LUTHER
	42	5909 LUTHER LN	HERNANDEZ BELINDA A
	43	5909 LUTHER LN	DENG JIE
	44	5909 LUTHER LN	BAKER JAMES A LIVING TR &
	45	5909 LUTHER LN	HAMMOND PPTIES INC
	46	5909 LUTHER LN	RATCLIFF TERRENCE P
	47	5909 LUTHER LN	HARE WILLIAM C III
	48	5909 LUTHER LN	DAVIS PAMELA A
	49	5909 LUTHER LN	THURASINGHAM BHAVANI
	50	5909 LUTHER LN	WEBER KATHERINE GRACE EXEMPT
	51	5909 LUTHER LN	KENNAN SEAN & KATHERINE
	52	5909 LUTHER LN	BERGIN KATHLEEN JANE &
	53	5909 LUTHER LN	ALBERTS SHIRLEY
	54	5909 LUTHER LN	SILVER LIFE HOLDINGS OF TEXOMA
	55	5909 LUTHER LN	CHRISTENSEN THOMAS & MARLENE
	56	5909 LUTHER LN	ARAB FATHIMA & MOHAMMED
	57	5909 LUTHER LN	CRUZ ERWIN

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	5909 LUTHER LN	FLEET TIMOTHY
	59	5909 LUTHER LN	SNIDER ROSEMARY T LIVING TRUST
	60	5909 LUTHER LN	ADDISON STONE LLC
	61	5909 LUTHER LN	CHOI ROY
	62	5909 LUTHER LN	ROBERTS CLAIRE
	63	5909 LUTHER LN	ARAVAMUTHAN VIBHAS &
	64	5909 LUTHER LN	BETTY YOUNG FAMILY
	65	5909 LUTHER LN	ROSE PETER M & CHRISTINA G
	66	5909 LUTHER LN	BAIRRINGTON JEAN FAMILY TRUST
	67	5909 LUTHER LN	MOYE ARELYS & JOHN H
	68	5909 LUTHER LN	PARDUE MARY CLARE REVOCABLE
	69	5909 LUTHER LN	FRAZAR KEVIN D
	70	5909 LUTHER LN	LITTLEJOHN STEPHEN G & AMY
	71	5909 LUTHER LN	FRANKE REVOCABLE TRUST
	72	5909 LUTHER LN	HARVIN ROBERT
	73	5909 LUTHER LN	PEARCY MELISSA
	74	5909 LUTHER LN	TURNER JOANNA L
	75	5909 LUTHER LN	DAKIL DIANE
	76	5909 LUTHER LN	CLARK ROLAND & LEIGH
	77	5909 LUTHER LN	LANE CINDY & G DAVID
	78	5909 LUTHER LN	CALVERT MICHAEL & NANCY
	79	5909 LUTHER LN	SHIELDS LIVING TRUST
	80	5909 LUTHER LN	MNAB REVOCABLE TRUST
	81	5909 LUTHER LN	PINTO BEN J & AMY
	82	5909 LUTHER LN	WILLIAMS DWIGHT & CANDACE
	83	5909 LUTHER LN	PURVIN DEBORAH T &
	84	5909 LUTHER LN	PIVNICK LIVING TRUST
	85	5909 LUTHER LN	TORKILDSON STEVEN & KAREN
	86	5909 LUTHER LN	MOUSSA FAMILY TRUST
	87	5909 LUTHER LN	NATAN NIMROD & MARGARET
	88	5909 LUTHER LN	RUBLE KARIN G

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	5909 LUTHER LN	NICHOL FRANCES VIRGINIA &
	90	5909 LUTHER LN	GARBARINO ANNE
	91	5909 LUTHER LN	BLACK PAULA J REVOCABLE TRUST
	92	5909 LUTHER LN	CAMALIER GEORGE ROBERT & CATHY KYLE
	93	5909 LUTHER LN	BROKAW SUSAN LYNN
	94	5909 LUTHER LN	ZAHEDI SIAVASH & VASSILIKIE
	95	5909 LUTHER LN	MENTER GILLIAN SACHAR
	96	5909 LUTHER LN	SAULTER GILBERT J & MAE F
	97	5909 LUTHER LN	DALE LAUREN CATHERINE TRUST
	98	5909 LUTHER LN	FIKE REBECCA & RICHARD
	99	5909 LUTHER LN	FULLER CYNTHIA G & CHARLES L
	100	5909 LUTHER LN	LONG THOMAS EDWARD &
	101	5909 LUTHER LN	KING ERICA V
	102	5909 LUTHER LN	LUBICK FINANCIAL GROUP LLC
	103	5909 LUTHER LN	DUNN BRINDA HOLT & PAUL ALLEN
	104	5909 LUTHER LN	BAAKLINE INVESTMENTS LLC
	105	5909 LUTHER LN	CLAYTON JOHN DAVID &
	106	5909 LUTHER LN	SCHALLER REVOCABLE TRUST THE
	107	5909 LUTHER LN	KLING MARY
	108	5909 LUTHER LN	SANDEFER CAROLE W
	109	5909 LUTHER LN	STREET BRUCE & JANET
	110	5909 LUTHER LN	GLOVER MARK FAMILY TRUST
	111	5909 LUTHER LN	DETCHEVA SLAVEA NASKOVA
	112	5909 LUTHER LN	RODGERS JOHN H
	113	5909 LUTHER LN	KAIHANI MICHELLE LEE
	114	5909 LUTHER LN	POINTER SUZANNE E
	115	5909 LUTHER LN	FREEMPORT CONSULTING LLC
	116	5909 LUTHER LN	UNTERBERG CRAIG & ROBIN
	117	5909 LUTHER LN	DREHSEN DESIREE K
	118	5909 LUTHER LN	GLAZER LORI LUSKEY
	119	5909 LUTHER LN	HIRSCHEY KARL

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	5909 LUTHER LN	UNTERBERG CRAIG & ROBIN
	121	5909 LUTHER LN	TORNOS REAL ESTATE LLC
	122	5909 LUTHER LN	CENERGISTIC LLC
	123	5909 LUTHER LN	GARZON CAROLINA GOMEZ &
	124	5909 LUTHER LN	MCDONALD JON DAVID
	125	5909 LUTHER LN	SCHREYER EDWARD J & ERIN L
	126	5909 LUTHER LN	TUJIOS ANDREW PATRICK &
	127	5909 LUTHER LN	LEONE AMANDA
	128	5909 LUTHER LN	ZUTTER JEAN D & KATHLEEN R
	129	5909 LUTHER LN	RODRIGUEZ BENJAMIN