

FILE NUMBER: Z223-208(LG) **DATE FILED:** February 15, 2023

LOCATION: Southwest line of Armstrong Avenue, between McKinney Avenue and North Central Expressway

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approx. 3.14 acres **CENSUS TRACT:** 48113000705

REPRESENTATIVE: Tommy Mann, Winstead PC

APPLICANT/OWNER: Knox Promenade, LLC

REQUEST: An application for **(1)** a Planned Development Subdistrict for LC Light Commercial Subdistrict uses; and **(2)** the termination of deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273] on property zoned an LC Light Commercial Subdistrict and a GR General Retail Subdistrict within Planned Development No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to allow modified development standards primarily related to permitted uses, setbacks, floor area ratio, height, lot coverage, parking, landscaping, design standards, and mixed income housing to allow the development of a convalescent nursing building, office building, and multifamily building.

STAFF RECOMMENDATION: **(1) Approval**, subject to a development plan, a landscape plan, a height plan, and staff’s recommended conditions; and **(2) approval** of the termination of deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273] as volunteered by the applicant.

CPC RECOMMENDATION: **(1) Approval**, subject to development plan, a landscaping plan, a height plan, and conditions with changes; and **(2) approval** of the termination of deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273] as volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is currently developed with several buildings that contain a mixture of retail and restaurants uses.
- The site in question currently has deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273], which the applicant requests to terminate to be able to develop the property with a mixed-use development (multifamily, assisted living and retirement housing, and office).
- The applicant proposes to develop the site with three towers; however, the existing one-story retail building at the southwestern corner of the site will remain.

Zoning History:

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

1. **Z212-125:** On May 25, 2022, the City Council approved an application for a Planned Development Subdistrict for LC Light Commercial Subdistrict uses and multifamily, retail, and lodging uses on property zoned an LC Light Commercial Subdistrict within Planned Development No. 193, the Oak Lawn Special Purpose District, southwest of the intersection of Knox Street and Travis Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Central Expressway	Highway	--
McKinney Avenue	Minor Arterial	60 feet - 80 feet Bike Plan
Armstrong Avenue	Local Street	--
Oliver Avenue	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 ANALYSIS:

Comprehensive Plan:

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

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

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPEMNT PRIORITIES

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

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.3 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN ELEMENT

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

Policy 5.1.1 Promote pedestrian friendly streetscapes.

Policy 5.1.2 Define urban character in downtown and urban cores.

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

Land Use:

	Zoning	Land Use
Site	LC Subdistrict and GR Subdistrict within PD 193 with deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273]	Professional, personal service, and custom crafts, retail store, furniture store, clothing store
North	LC Subdistrict within PD 193	Retail store, restaurant
Northwest	LC Subdistrict within PD 193	Retail store, furniture store
West	PDS 47 within PD 193	Multiple family
Southwest	PDS 43 and MF-2 Subdistrict within PD 193	Multiple family
South	O-2 Subdistrict within PD 193	Office, vacant building
Southeast	CR District with "D" Liquor Control overlay	Restaurant w/o a drive-in service, office, undeveloped
East	MC-1 District	Motel
Northeast	PD 462	Animal shelter or clinic w/o outside runs, personal service use

Land Use Compatibility:

The area of request is currently developed with several one-story and two-story buildings that contain a mixture of retail and restaurants uses and is zoned LC Subdistrict and GR Subdistrict within Planned Development No. 193. The site is surrounded by multiple-family use to the west and southwest, and a mixture of retail, restaurant, and office uses to the northwest and north. To the east across North Central Expressway there is a motel, animal shelter or clinic without outside runs, personal services uses, office, restaurant without drive-in service, and undeveloped land.

The existing LC Subdistrict and GR Subdistrict allow for the development of office, retail, multiple family, and retirement housing uses; however, it does not allow an assisted living facility use. Therefore, the applicant requests a new subdistrict within Planned Development District No. 193 to allow for the development of an assisted living facility use and permit a greater maximum building height and FAR, shared loading areas between the mixture of uses and buildings. The proposed land use would be complementary to the surrounding uses in the area, while introducing a new variety of housing not available in the vicinity of the site. In terms of varying from the base zoning,

variations to yard, lot, and space regulations and design standards in the proposed Planned Development Subdistrict would tie to a project that qualifies for a development bonus for mixed-income housing.

Staff supports the request because the proposed use will add an appropriately designed development with an additional diversity of housing. However, staff recommends an alignment with the 10% at 61%-80% AMI; and 5% at 81%-100% AMI since additional Mixed Income Housing would be leveraged to balance the request. The subject site is within MVA Category C, for which standard MIH bonus becomes eligible with providing the income band reserved units and the percentage of units that have been reserved.

Additionally, the site is currently subject to four sets of deed restrictions originally approved on October 3, 2003 under zoning cases Z023-154, Z023-271, Z023-272, Z023-273. Staff supports the termination of these deed restrictions.

Development Standards

Following are the development standards for the current LC Subdistrict and GR Subdistrict and the proposed changes within the new Planned Development Subdistrict, which otherwise uses LC Subdistrict as a base.

District	Existing: LC Subdistrict & GR Subdistrict within PD 193	Proposed: New PDS
Front Setback	Single family: 10 ft. Other: 10 ft.	McKinney Ave. & Armstrong Ave: 10 ft. from grade to 36 ft in height 25 ft. above 36 ft. in height N. Central Expwy.: 10 ft. from grade to 36 ft in height 25 ft. above 36 ft. in height (Expect no additional front yard is required above 36 ft. in height where shown on the development plan)
Side/Rear Setback	Single family: 0 ft. Duplex: Side: 5 ft. Rear: 10 ft. Multiple family:	0 ft. Side yard for existing retail/restaurant building shown on development plan Side of nursing convalescent abutting public alley: 24 ft. from grade to 60 ft. in height 30 ft. above a height of 60 ft.

	Side: 10 ft. Rear: 15 ft./25 ft. Other: 0 ft.	Other Sides: 10 ft.
FAR	LC Subdistrict: 4 to 1 GR Subdistrict: 2 to 1	FAR 7.9 to 1
Height	Single family 36 ft. OTHER: LC Subdistrict: 240 ft. GR Subdistrict: 120 ft.	Except as further restricted by the height plan, maximum height: Convalescent Nursing Building: 260 ft. Office Building: 295 ft. Multifamily Building: 399 ft.
Lot Coverage	80%	From grade to 36 ft. in height: 55% Above 36 ft. to 142 ft. in height: 40% Above 142 ft. in height: 37%

Design Standards

The following design standards are proposed within the new Planned Development Subdistrict. Benches and trash receptacles are required along McKinney Avenue and Armstrong Avenue. Unobstructed sidewalks are required along McKinney Avenue and Armstrong Avenue, with a minimum width of 10 feet. Pedestrian scale lighting must be provided at regular intervals along all building facades facing a public street. The required transparency is a minimum of 30% of the total area of each façade. A minimum of 14,000 square feet of open space must be provided, or roughly 10 percent of the lot.

Landscaping:

Except as provided, landscaping and screening will be provided in accordance with Part I of Planned Development District No. 193. For a project that qualifies for a development bonus for mixed-income housing, landscaping must be provided according to this subsection and as shown on the proposed landscape plan and must conform to the Habitat Garden standards. The building official may allow for reduction or relocation of trees if necessary to avoid utility, driveway, or visibility triangle conflicts.

Parking:

The parking and off-street loading requirements of the proposed new Subdistrict will default to Part I of Planned Development District No. 193. In addition to these requirements, for a project that qualifies for a development bonus for mixed-income housing, no additional parking is required for floor area outside dwelling units for retirement housing use.

Market Value Analysis:

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

List of Officers

Knox Promenade, LLC

Stockdale Advisors, LLC (Governing Person)

Kenneth Pratt (Manager)

Joe Pastora (Manager)

Daniel Winters (Manager)

**CPC Action
May 2, 2024**

Motion: It was moved to recommend **approval** of 1) a Planned Development Subdistrict for LC Light Commercial Subdistrict uses, and 2) the termination of deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273] as volunteered by the applicant, subject to a development plan, the landscape plan dated April 26th, 2024, and the Hype plan with the following amendments: Section 109 yard lot and space regulations, Subsection B, Sub Subsection four remove the words “when providing mixed income housing in accordance with section_116”, accept the applicant’s request as modified as follows to read, expect as provided in this section, a project qualifies for the development bonus of a minimum of 2.5% of the total dwelling units within the multi-family building are available to households earning between 81% and a hundred percent of the area meeting family income and compliance with divisions 51A-4.110 as amended, Subsection B, accept applicant’s requested language in Subsection 117 additional provision, under Subsection D, Sub Subsection 1 restaurant uses, create a Subsection A for outdoor dining areas may not be utilized after 11:00 PM, add a Subsection B to read pollution control units shall be utilize to reduce odors for kitchen areas, on property zoned an LC Light Commercial Subdistrict and a GR General Retail Subdistrict within Planned Development No. 193, the Oak Lawn Special Purpose District, on the southwest line of Armstrong Avenue, between McKinney Avenue and North Central Expressway.

Maker: Kingston
Second: Blair
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Blair, Sleeper, Eppler, Haqq, Hall, Kingston, Rubin

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Note: The Commission took a short recess at 9:26 p.m. and reconvened at 9:37 p.m. where Commissioner Kingston presented an amended motion.

Motion II: It was moved to recommend **approval** of 1) a Planned Development Subdistrict for LC Light Commercial Subdistrict uses, and 2) the termination of deed restrictions [Z023-154, Z023-271, Z023-272, and Z023-273] on property zoned an LC Light Commercial Subdistrict and a GR General Retail Subdistrict within Planned Development No. 193, the Oak Lawn Special Purpose District as volunteered by the applicant, subject to a development plan, the landscape plan dated April 26th, 2024, and the Hype plan with the following amendments: Section 109 yard and lot and space regulations, Subsection

B, Subsection 4 remove the words “when providing mixed income housing in accordance with section_116”, Section_116 accept the applicants request as follows to read “except as provided in this section, a project qualifies for the development bonus of a minimum of 0.25% if the total dwelling units within the multi-family building 2.5% of the total dwelling units within the multifamily building are available to households earning between 81% and 100% of the area meeting family income and compliance with divisions 51A-4.110, Subsection B accept applicant’s requested language in Subsection 117 additional provisions, under Subsection D, Sub Subsection 1, restaurant uses create a Subsection A for outdoor dining areas may not be utilized after 11:00 PM, add Subsections B to read “pollution control units shall be utilized to reduce odors from kitchen areas”, on the southwest line of Armstrong Avenue, between McKinney Avenue and North Central Expressway.

Maker: Rubin
Second: Shidid
Result: Carried: 10 to 5

For: 13 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Blair*, Sleeper, Housewright, Haqq, Hall, Kingston, Rubin

Against: 0
Absent: 1 - Wheeler-Reagan
Vacancy: 0

*out of the room, shown voting in favor

Notices:	Area: 500	Mailed: 185
Replies:	For: 11	Against: 1

Speakers: For: Tommy Mann, 500 Winstead Building, Dallas, TX 75201
Evan Beatty, 3030 Nowitzki Way, Dallas, TX 75219
Andrew Claire, 11 W. 42nd St., New York, New York 10036
Joe Pastora, Address not provided
Adam Murphy, 2028 Routh St., Ste. 100, Dallas, TX 75201
Against: Erica Bachman, 4411 McKinney Ave., Dallas, TX 75205

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

Note: In these deed restrictions Tracts A-1, A-2, A-3, B, C-1, C-2, C-3, and D are illustrated on Exhibit F and defined in Exhibit G.

Note: In these deed restrictions, a restaurant means a drive-in restaurant, a drive-through restaurant, and a restaurant without drive-in or drive-through service.

Note: In these deed restrictions, retail means those uses listed in Section 51P-193.107 (k) of Chapter 51P of the Dallas City Code, as amended.

1. A bar, lounge, or tavern use or restaurant use in Tracts A-2, A-3, B, C-1, C-2 or C-3 must not: a) have speakers that transmit any sound outside of the building; b) allow any doors or windows to remain open; and c) allow any outside entertainment events.
2. A bar, lounge, or tavern use or restaurant use in Tracts A-2 or A-3 must not have outdoor seating.
3. A bar, lounge, or tavern use or restaurant use in Tracts C-1 or C-2 must not have outdoor seating anywhere other than the east side of the building.
4. Structures for retail uses in Tract A-1 must not have any openings facing south except for emergency exits.
5. Structures for retail use, restaurant use, or bar, lounge or tavern use in Tracts C-1, C-2 or C-3 must not have any openings facing west or south except for service or emergency exits.
6. A minimum of six evergreen site trees with a minimum caliper size of 3 inches each must be planted and maintained along the southern perimeter of Tract A-1.
7. A minimum of six evergreen site trees with a minimum caliper size of 3 inches each must be planted and maintained along the western perimeter of Tracts C-1, C-2 and D combined.
8. A restaurant use on Tracts A-2, A-3, B, C-1, C-2 or C-3 must enhance its filtration system with charcoal or equivalent filters to mitigate the amount of odor generated by a restaurant use from going beyond the property line.
9. In all parts of the Property except for Tract B, garbage dumpsters and compactors on the Property must be screened on all four sides, enclosed with a roof structure, and placed on the alley side of the tract at the most northern end of the building on the tract.
10. Internally lighted signs are prohibited on the west wall of any building in Tracts C-1, C-2 or C-3 and on the south side of any building in Tract A-1. All attached signs must be mounted below the top of the building.
11. Internally lighted detached signs are prohibited in Tract A-1.
12. Detached signs on Tracts C-1, C-2, C-3 and D are prohibited anywhere other than in the area between the east building façade and Central Expressway.
13. Driveway access to the alley from a retail use in Tract A-1 is prohibited. Driveway access to the alley from retail, restaurant, or bar, lounge or tavern uses in Tract C-1 is prohibited, and curbs and landscaping must be used to prohibit such driveway access.

14. For purposes of this paragraph Tracts B, C-1, C-2, C-3 and D will be considered as one development tract and known as the "East Development Tract" (EDT). Tracts A-1, A-2, and A-3 will be considered as one development tract and known as the "West Development Tract" (WDT). Only two driveways having access to the alley are permitted, one on the EDT and one on the WDT. The driveway to the alley from the EDT must be on Tracts B or C-3. The driveway to the alley from the WDT must be on Tracts A-2 or A-3. These two driveways may be used for circulation and emergency purposes only. The main entry to Tracts A-1, A-2 and A-3 combined must be one or more driveways from McKinney Avenue and there must be a minimum of two entrances to the combination of Tracts B, C-1, C-2, C-3 and D from the Central Expressway southbound service road and Armstrong Avenue, one of which must be from the Central Expressway southbound service road.
15. A restaurant use or bar, lounge or tavern use in Tracts A-2, A-3 or C-1 must close on or before 11:00 pm Sunday through Thursday and 11:59 pm on Friday and Saturday.
16. A restaurant use or bar, lounge or tavern use on the Property must have insulated exterior walls and insulated-glass-glazed exterior windows. Entrances to any restaurant uses in Tracts A-2 and A-3 must have a double door vestibule.
17. A retail use, restaurant use, or bar, lounge or tavern use in Tracts C-1, C-2 or C-3 must locate a majority of the parking east or north of the building façade line of structures on Tracts C-1, C-2 or C-3.
18. A retail use, restaurant use, or bar, lounge or tavern use in Tract C-1 must locate its building entrances on the east façade of the building. A retail use, restaurant use, or bar, lounge or tavern use in Tracts C-1, C-2 and C-3 must locate its building entrances on the east façade of the building and/or within the most easterly 33% of the north façade of the building.
19. The following uses are not permitted on the Property (Tracts A-1, A-2, A-3, B, C-1, C-2, C-3, D):

Lodging or boarding house
 Overnight general purpose shelter
 Sewage pumping station
 Sewage treatment plant
 Water treatment plant
 Airport or landing field
 Passenger bus station and terminal
 Helistop
 Foster home
 Halfway house
 Ambulance service
 Public golf course
 Outside commercial amusement
 Theatre
 Catering service
 Commercial cleaning shop
 Self service laundry or dry cleaning
 Feed store

- Pawn Shop
- Home improvement center
- Swimming pool sales and supply
- Autos glass, muffler or seat cover shop
- Autos parts sales (outside display)
- Auto repair garage (inside)
- Car wash
- Service station
- Building repair and maintenance shop
- Plumbing, electrical, air conditioning and heating shop
- Gummed label printing
- Garden shop, plant sales or greenhouse
- Mortuary or funeral home
- Commercial wedding chapel
- Veterinarians Office
- Inside commercial amusement

20. The following additional uses are not permitted on Tracts A-1 and D:

- Restaurant
- Bar, lounge or tavern
- Private club

21. The following additional uses are not permitted on Tract C-1:

- Bar, lounge or tavern
- Private club

22. The following additional provisions apply to Tract D:

- A. Parking on the lot shall be used only for required parking for uses on Tract D or employee parking for employees of businesses located on Tracts A-1, A-2, A-3, B, C-1, C-2 and C-3.
- B. The parking lot located on Tract D shall have no driveway access to the alley and will have landscaping along the west property line.
- C. The entrance to the existing parking lot on Tract D shall be controlled by some type of physical means to insure its use complies with A above.

III.

These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Planned Development District No. 193, as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.


XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

EXECUTED this the 17 day of September, 2003.

Owner:
KNOX STREET PROMENADE, LTD.,
a Texas limited partnership

By: KP GP, LLC, a Texas limited liability
company, its General Partner

By:  _____

Printed Name: Steven G. Shafer

Title: Manager

032740

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

SOUTHTRUST BANK,
an Alabama banking corporation
Property Lienholder or Mortgagee

By: William C. Roher

Printed Name: William C. Roher

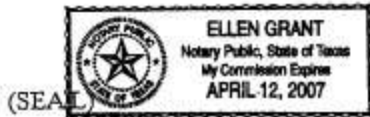
Title: Vice President

APPROVED AS TO FORM:
MADELEINE JOHNSON, City Attorney

By: John Rapp
Assistant City Attorney

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on this 17th day of September, 2003, by Steven G. Shafer, Manager of KP GP, LLC, a Texas limited liability company, General Partner of KNOX STREET PROMENADE, L.P., a Texas limited partnership, on its behalf.



Ellen Grant
Notary Public

My commission expires: 4-12-2007
(date)

STATE OF TEXAS
COUNTY OF Dallas

This instrument was acknowledged before me on this 19th day of September, 2003, by William C. Roken, Vice President of SOUTHTRUST BANK, an Alabama banking corporation, on its behalf.



Julie Cambron
Notary Public

My commission expires: 12-17-05
(date)

EXHIBIT A

BEING part of Lots 4 and 5, Block G/1533, of Cockrell's Fairland Addition, an Addition to the City of Dallas, Texas, according to the map thereof recorded in Volume 95, Page 624, Deed Records Dallas County, Texas, further being part of that tract of land described as a Leasehold Estate by document recorded in Volume 74166, Page 0212, Deed Records of Dallas County, Texas, said Leasehold Estate subsequently becoming held by American Automobile Association, Incorporated by virtue of Articles of Merger as recorded in Volume 86152, Page 5529, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF ASSOC., INC." for corner in the new west right-of-way line of Central Expressway (U.S. Highway 75) (variable width right-of-way), as recorded in Volume 90107, Page 1975, of said Deed Records, said corner being on the common line between Lot 6 and Lot 5 of said Addition;

THENCE South 25 degrees 11 minutes 48 seconds West, along said new west line, a distance of 100.03 feet to a found "X" cut for corner;

THENCE North 66 degrees 10 minutes 00 seconds West, departing said west line and along the common line between said Lot 4 and Lot 3, Block G/1533, a distance of 166.20 feet to a found P.K. nail for corner in the east line of a twenty-foot wide alley;

THENCE North 23 degrees 50 minutes 00 seconds East, along said east alley line, a distance of 100.00 feet to the northwest corner of said Lot 5, being also the southwest corner of said Lot 6;

THENCE South 66 degrees 10 minutes 00 seconds East, departing said east alley line and along the common line between Lot 6 and Lot 5 a distance of 168.58 feet to the POINT OF BEGINNING AND CONTAINING 16,739 square feet or 0.3843 acres of land, more or less.

2003 227 04110

EXHIBIT B

BEING a part of Lot 6 and Lot 7, Block G/1533 and all of Lot 8, Block G/1533 of Cockrell's Fairland Addition, an Addition to the City of Dallas, Texas, according to the map thereof recorded in Volume 95, Page 624, Deed Records Dallas County, Texas, further being all of that tract of land described as Tract 2 to Knox Street Promenade, L.P. as recorded in Volume 2003001, Page 3950, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a found P K Nail for the southeast corner of Lot 9, Block G/1533 of said Addition, said point being in the west line of Central Expressway (U.S. Highway 75) (variable width right-of-way) and being a distance of 200.00 feet (measured at right angle) from the south line of Armstrong Avenue (50 foot right-of-way);

THENCE South 23 degrees 50 minutes 00 seconds West, along said west line, a distance of 90.58 feet to a 5/8-inch found iron rod with a yellow plastic cap stamped "HALFF ASSOC., INC." (hereinafter referred to as with cap) for corner at the beginning of the new west line of Central Expressway conveyed to the State of Texas in Donation Deed recorded in Volume 90033, Page 2111 of said Deed Records;

THENCE South 25 degrees 12 minutes 09 seconds West, along said new west line, a distance of 59.44 feet to a 1/2-inch found iron rod with cap for corner on the common line between said Lot 6, Block G/1533 and Lot 5, Block G/1533 of said addition;

THENCE North 66 degrees 10 minutes 00 seconds West, departing said west line and along said common lot line, a distance of 168.58 feet to a 1/2-inch found iron rod with cap for the southwest corner of said Lot 6, Block G/1533 in the east line of a twenty-foot wide alley;

THENCE North 23 degrees 50 minutes 00 seconds East, along said east alley line, a distance of 150.00 feet to the northwest corner of said Lot 8, Block G/1533 from which a 1/2-inch found iron rod bears South 66 degrees 10 minutes 00 seconds East, a distance of 0.13 feet and a 3/8-inch found iron rod bears North 46 degrees 26 minutes 04 seconds East, a distance of 1.04 feet, said corner also being the southwest corner of said Lot 9, Block G/1533;

THENCE South 66 degrees 10 minutes 00 seconds East, along the common line between said Lot 9 and said Lot 8, a distance of 170.00 feet to the POINT OF BEGINNING AND CONTAINING 25,458 square feet or 0.5844 acres of land, more or less.

2003227 04111

EXHIBIT B

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Being all of Lot 15, Block G/1533, and the Northeast 55 feet of Lot 16, Block G/1533, of Cockrell's Fairland Addition, an Addition to the City of Dallas, Texas, according to the map thereof recorded in Volume 95, Page 624 Deed Records Dallas County, Texas, further being all of that tract of land described as Tract 1 to Knox Street Promenade, L.P. as recorded in Volume 2003001, Page 3950, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with a yellow plastic cap stamped "HALFF ASSOC., INC." (hereafter referred to as "with cap") for corner in the east line of McKinney Avenue (80-foot wide right-of-way), said corner being the southwest corner of Lot 14, Block G/1533, of said Addition, said corner also being South 23 degrees 50 minutes 00 seconds west, a distance of 150.00 feet from the south line of Armstrong Avenue (50 foot wide right-of-way);

THENCE South 66 degrees 10 minutes 00 seconds East, departing said east line and along the common line between said Lot 14 and Lot 15, Block G/1533, a distance of 200.00 feet to a 1/2-inch Found iron rod with cap for corner in the west line of a twenty-foot wide alley, said corner also being the southeast corner of said Lot 14;

THENCE South 23 degrees 50 minutes 00 seconds West, along said west line, a distance of 130.00 feet to the northeast corner of a tract of land conveyed to Barbara Reeves, as recorded in Volume 83030, Page 3579 of said Deed Records, from which a found 1/2-inch iron rod bears South 52 degrees 32 minutes 19 seconds East, a distance of 0.39 feet;

THENCE North 66 degrees 10 minutes 00 seconds West, along the north line of said Reeves tract, a distance of 200.00 feet to a 1/2-inch found iron rod with cap for corner on said east line of McKinney Avenue;

THENCE North 23 degrees 50 minutes 00 seconds East, along said east line, a distance of 130.00 feet to the POINT OF BEGINNING AND CONTAINING 26,000 square feet or 0.5969 acres of land, more or less.

2003227 04112

EXHIBIT C

BEING all of Lot 9, Block G/1533, of Cockrell's Fairland Addition, an Addition to the City of Dallas, Texas, according to the map thereof recorded in Volume 95, Page 624, Deed Records Dallas County, Texas, further being all of that tract of land described to Stonecourt, Inc. as recorded in Volume 88119, Page 4102, Deed Records of Dallas County, Texas, (D.R.D.C.T.) and being more particularly described as follows:

BEGINNING at a found PK nail for the northeast corner of Lot 8 and the southeast corner of said Lot 9 of said Addition, said point being on the west right-of-way line of Central Expressway (U.S. Highway 75) (variable width right-of-way) and being a distance of 200.00 feet (measured at right angle) from the south line of Armstrong Avenue (50 foot right-of-way);

THENCE North 66 degrees 10 minutes 00 seconds West, along the common line between said Lots 8 and 9, a distance of 170.00 feet to the southwest corner of said Lot 9 being also the northwest corner of said Lot 8 and being in the east line of a 20.00 feet wide alley, from which a 1/2-inch found iron rod bears South 66 degrees 10 minutes 00 seconds East, a distance of 0.13 feet and a 3/8-inch found iron rod bears North 46 degrees 26 minutes 04 seconds East, a distance of 1.04 feet;

THENCE North 23 degrees 50 minutes 00 seconds East, along said east alley line, a distance of 50.00 feet to a found PK nail for the northwest corner of said Lot 9 being also the southwest corner of Lot 10, Block G/1533 of said addition;

THENCE South 66 degrees 10 minutes 00 seconds East, along the common line between said Lots 9 and 10, a distance of 170.00 feet to a 1/2-inch found iron rod with a yellow plastic cap stamped "HALFF ASSOC. INC." for the southeast corner of said Lot 10 and the northeast corner of said Lot 9 and being on the west right-of-way line of said Central Expressway;

THENCE South 23 degrees 50 minutes 00 seconds West, along said west right-of-way line, a distance of 50.00 feet to the POINT OF BEGINNING AND CONTAINING 8,500 square feet or 0.1951 acres of land, more or less.

2003227 04113

DEED RESTRICTIONS

EXHIBIT DLegal Description of Property

Being a part of Lots 10, 11 and 12 in Block G/1533 of Cockrell's Fairland Addition, an Addition to the City of Dallas, Texas, according to the revised map thereof recorded in Volume 142, Page 382, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a P.K. nail set in asphalt paving at the North corner of said Lot 12, Block G/1533, said point being the intersection of the Southwest line of Armstrong Avenue (a 50 foot right-of-way as shown on the map of said Addition) with the Southeast line of a 20 foot public alley right-of-way as shown on the map of said addition;

THENCE South 66 degrees 15 minutes 35 seconds East, along said Southwest line, a distance of 152.00 feet to a ½ inch dia. iron rod set at the Northwest corner of that portion of said Lot 12, Block G/1533 conveyed to the City of Dallas, by deed recorded in Volume 2860, Page 439, Deed Records, Dallas County, Texas;

THENCE South 22 degrees 41 minutes 48 seconds East, along the West line of said portion of Lot 12, Block G/1533 conveyed to the City of Dallas, a distance of 14.70 feet to a ½ inch dia. iron rod set at the North corner of that portion of said Lot 12, Block G/1533 conveyed to the State of Texas, by instrument recorded in Volume 90135, Page 1506, Deed Records, Dallas County, Texas, said point being in the Northwest line of Central Expressway (a public right-of-way);

THENCE South 20 degrees 46 minutes 29 seconds West (basis of bearing per instrument recorded in Vol. 90135, Page 1506), along the Northwest line of said portion of Lot 12, Block G/1533 conveyed to the State of Texas, and the said Northwest line of Central Expressway, a distance of 140.06 feet to a ½ inch dia. iron rod set in the common line of Lots 9 and 10, Block G/1533 of said Addition;

THENCE North 66 degrees 15 minutes 35 seconds West along said common line, a distance of 169.90 feet to a P.K. nail set in asphalt paving in said Southeast line of a public alley right-of-way;

THENCE North 23 degrees 44 minutes 25 seconds East, along the Northwest line of said Lots 10, 11 and 12, Block G/1533, a distance of 150.00 feet to the PLACE OF BEGINNING, and containing 24,851.2 square feet or 0.571 of an acre of land.

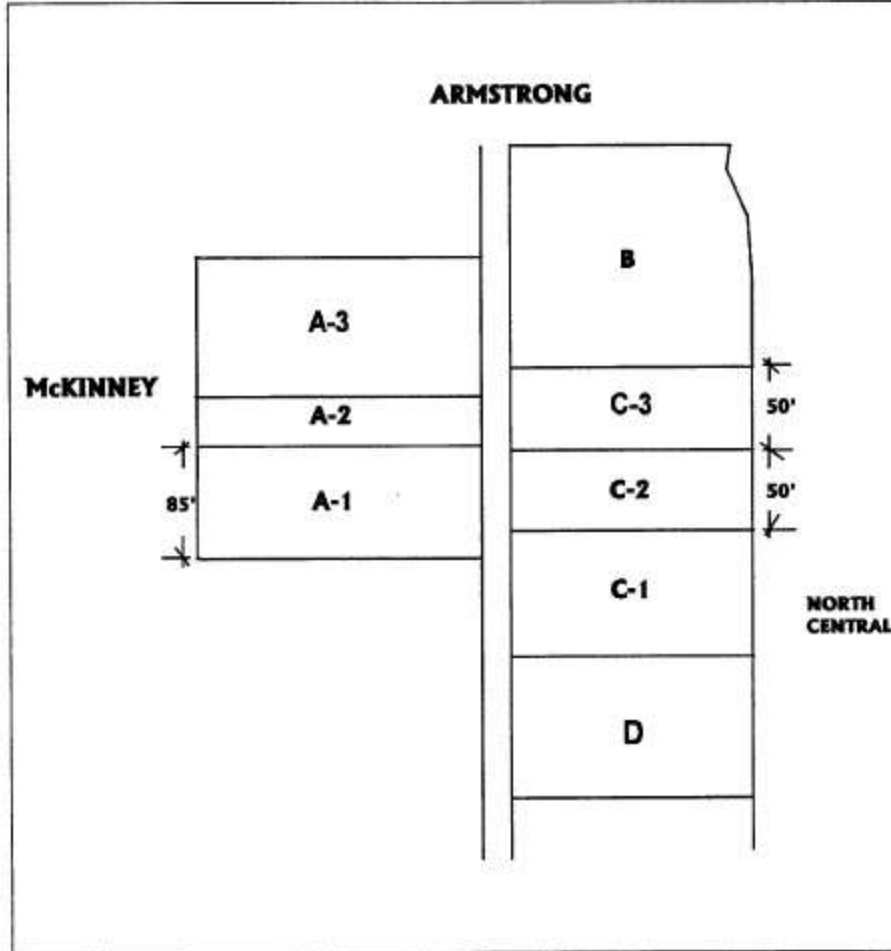
2003227 04114

EXHIBIT E

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN CITY OF DALLAS, DALLAS COUNTY, TEXAS AND BEING KNOWN AS LOT 14 IN BLOCK G/1533 OF COCKRELL'S FAIRLAND, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP THEREOF AS RECORDED IN VOLUME 95 AT PAGE 624 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND CONTAINING 15,000 SQUARE FEET OR 0.3444 ACRES OF LAND, MORE OR LESS.

2003 227 04115

EXHIBIT F



2003227 04116

**EXHIBIT G
TRACT DESCRIPTION**

TRACT A-1:

BEING the southwest 30.00 feet of Lot 15 and the northeast 55.00 feet of Lot 16 in City Block G/1533, fronting 85.00 feet on the southeast line of McKinney Avenue, beginning at point 195.00 feet southwest of the southwest line of Armstrong Avenue, and containing approximately 17,000 square feet or 0.39 acres of land.

TRACT A-2:

BEING the northeast 45.00 feet of Lot 15 in City Block G/1533, fronting 45.00 feet on the southeast line of McKinney Avenue, beginning at a point 150.00 feet southwest of the southwest line of Armstrong Avenue, and containing approximately 9,000 square feet or 0.21 acres of land.

TRACT A-3:

BEING all of Lot 14 in City Block G/1533, fronting 75.00 feet on the southeast line of McKinney Avenue, beginning at point 75.00 feet southwest of the southwest line of Armstrong Avenue, and containing approximately 15,000 square feet or 0.34 acres of land.

TRACT B:

BEING Lots 10, 11, and 12 in City Block G/1533, fronting 140.21 feet on the northwest line of North Central Expressway, beginning at a point at the most southerly end of a corner clip at the southwest corner of North Central Expressway and Armstrong Avenue, and containing approximately 24,829.2 square feet or 0.57 acres of land.

TRACT C-1:

BEING Lots 6 and 7 in City Block G/1533, fronting approximately 100.00 feet on the northwest line of North Central Expressway, beginning at a point approximately 240.79 feet southwest of the most southerly end of a corner clip at the southwest corner of North Central Expressway and Armstrong Avenue, and containing approximately 16,858 square feet or 0.39 acres of land.

TRACT C-2:

BEING Lot 8 in City Block G/1533, fronting approximately 50.00 feet on the northwest line of North Central Expressway, beginning at a point approximately 190.21 feet southwest of the most southerly end of a corner clip at the southwest corner of North Central Expressway and Armstrong Avenue, and containing approximately 8,400 square feet or 0.19 acres of land.

2003227 04117

EXHIBIT G

Page 2

TRACT C-3:

BEING Lot 9 in City Block G/1533, fronting approximately 50.00 feet on the northwest line of North Central Expressway, beginning at a point approximately 140.21 feet southwest of the most southerly end of a corner clip at the southwest corner of North Central Expressway and Armstrong Avenue, and containing approximately 8,500 square feet or 0.195 acres of land.

TRACT D:

BEING Lots 4 and 5 in City Block G/1533, fronting approximately 100.00 feet on the northwest line of North Central Expressway beginning at a point approximately 340.23 feet southwest of the most southerly end of a corner clip at the southwest corner of North Central Expressway and Armstrong Avenue, and containing approximately 16,739 square feet or 0.38 acres of land.

2003 227 04 P 18

PROPOSED CONDITIONS

Division S-___. PD Subdistrict ___.

SEC. S-___.101. LEGISLATIVE HISTORY.

PD Subdistrict ___ was established by Ordinance No._____, passed by the Dallas City Council on _____, 20__.

SEC. S-___.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ___ is established on property located on McKinney Avenue, Armstrong Avenue, and North Central Expressway. The size of PD Subdistrict ___ is approximately 3.14 acres.

SEC. S-___.103. PURPOSE.

The regulations in this division complement the development pattern in the area. The objectives of these regulations are as follows:

- (1) To promote the health, safety, welfare, convenience, and enjoyment of the public.
- (2) To achieve buildings more urban in form.
- (3) To promote a pedestrian environment.
- (4) To encourage underground off-street parking.
- (5) To encourage development that complements nearby properties.
- (6) To achieve buildings efficient in design and use of space while providing view corridors, light, and air to nearby properties.
- (7) To achieve buildings that reduce natural resource consumption, enhance occupant comfort and health, lower utility consumption, minimize strain on local infrastructures, improve quality of life, and generally align with principles established in the Comprehensive Environmental and Climate Action Plan of the City of Dallas.

SEC. S-___.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

- (1) **BLANK BUILDING WALL** means exterior ground floor walls of a building fronting a public street that does not include a window, door, building modulation, or other architectural fenestration.

Z223-208(LG)

(2) GROUND LEVEL means the story of a building closest to and above grade along a public street or an internal street.

(3) HABITAT GARDEN means any planting areas that are native or native adaptive species to North Texas with low water or very low water consumption characteristics with the intention of attracting or providing habitat for bees, birds, butterflies, or other pollinators or a combination thereof. Turf and lawn areas are considered planting areas within this definition, provided however, that lawn and turf areas may use grasses that are not considered low or very low water consumption .

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

(5) MICRO-UNIT means an efficiency, studio, or one-bedroom unit less than 500 square feet in size.

(6) MULTIFAMILY BUILDING means the building labeled as such on the development plan for a project that qualifies for a bonus pursuant to Sec. S-____.116.

(7) OFFICE BUILDING means the building labeled as such on the development plan for a project that qualifies for a bonus pursuant to Sec. S-____.116.

(8) OPEN SPACE means an area not less than 10 feet in width or length, contains no structures except for ordinary projections of cornices, balconies, building overhangs, eaves, pedestrian furniture, shade structures, or similar pedestrian amenities.

(9) CONVALESCENT NURSING BUILDING means the building labeled as such on the development plan.

(10) LAST-MILE DELIVERY VEHICLES means vehicles for short term deliveries including, but not limited to, restaurant and food delivery and last-mile retail contract delivers that are typically made in non-commercial vehicles that can safely park and maneuver within a standard parking space.

(11) SUBDISTRICT means a subdistrict of PD 193.

(12) TRANSPARENCY means the total area of window opening, door opening, or other opening, expressed as a percentage of the total façade area by story.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

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

SEC. S-____.105. EXHIBITS.

(a) The following exhibits are incorporated into this division for a project that qualifies for a bonus pursuant to Sec. S-____.116:

(1) Exhibit S-____A: development plan.

(2) Exhibit S-____B: landscape plan.

(3) Exhibit S-____C: height plan.

SEC. S-__106. DEVELOPMENT PLAN.

(a) For a project that qualifies for a bonus pursuant to Sec. S-__116, development and use of the Property must comply with the development plan (Exhibit S-__A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, a development plan is not required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

SEC. S-__107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Light Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the LC Light Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the LC Light Commercial Subdistrict is subject to DIR in this Subdistrict; etc.

(b) Convalescent and nursing home, hospice care, and related institutional uses and retirement housing use may include a kitchen and a central dining facility, and the dwelling units and suites contain kitchens and a centralized dining facility.

SEC. S-__108. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-__109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the LC Light Commercial Subdistrict apply.

(b) For a project that qualifies for a bonus pursuant to Sec. S-__116. .

(1) Front yard.

(A) McKinney Avenue and Armstrong Avenue.

(i) Except as provided in this sub-paragraph, minimum front yard is 10 feet.

(ii) An additional 15-foot front yard is required for a portion of a structure 36 feet in height and above.

(B) US-75 North Central Expressway:

(i) Except as provided in this sub-paragraph, minimum front yard is 10 feet.

(ii) An additional 15-foot front yard is required for a portion of a structure 36 feet in height and above where shown on the development plan.

(C) Awnings or similar structures may project up to 10 feet into the front yard into the front yard at a height between 10 and 20 feet above grade.

(E) Trellises, screens, awnings, balconies, and cantilevered roof eaves may project up to 5 feet into the front yard.

(F) Retaining walls and planters may be located in the front yard up to a maximum height of 2 feet.

(2) Side yard.

(A) Except as provided in this paragraph minimum side yard is 10 feet.

(B) No required side yard for the existing retail/restaurant building shown on the development plan.

(B) Minimum side yard for the portion of the nursing convalescent building abutting a public alley is 24 feet up to a height 60 feet and 30 feet above a height of 60 feet.

(3) Floor area ratio. When providing mixed income housing in accordance with Sec._116: Maximum floor area ratio is 7.9 to 1.

(4) Maximum Height. When providing mixed income housing in accordance with Sec._116: Unless further restricted by the height plan, the maximum structure heights for

(A) Convalescent Nursing Building: 260 feet.

(B) Office Building: 295 feet.

(C) Multifamily Building: 399 feet.

(5) Height plan. Except as provided below, heights of the different portions of the convalescent nursing building, office building, and multifamily building may not exceed the heights identified on the height plan.

(A) Parapet walls and railings may project up to 4 feet above the maximum structure heights.

(B) The following may project a maximum of 10 feet above the maximum structure heights:

- (i) Elevator penthouse or bulkhead;
- (ii) Mechanical equipment;
- (iii) Cooling tower;
- (iv) Tank designed to hold liquids;
- (v) Skylights;
- (vi) Visual screens surrounding roof mounted mechanical equipment;

(5) Lot coverage.

(A) For portions of a structure less than 36 feet in height, maximum lot coverage is 55 percent.

(B) For portions of a structure 36 feet in height or greater but less than 142 feet in height, maximum lot coverage is 40 percent.

(C) For portions of a structure less than 142 feet in height or greater, maximum lot coverage is 37 percent.

(D) Aboveground parking structures are included in lot coverage calculations; surface parking areas private drives, shade structures within open space, and underground parking structures are not.

SEC. S-___.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For a project that qualifies for a bonus pursuant to Sec. S-___.116,

(1) All required parking must be located at grade and below grade.

(2) Four medium, three large, and four small loading spaces are required. Loading spaces may share maneuvering lanes, and separate buildings may share loading areas.

(3) For a retirement housing use, no additional parking is required for floor area outside of dwelling units.

(4) Maximum number of on-site surface parking spaces is 15.

(5) Last-mile delivery space. Two last-mile delivery vehicle parking spaces shall be provided and clearly marked with a maximum of allowed time of 15 minutes.

SEC. S-__111. ENVIRONMENTAL PERFORMANCE STANDARDS.

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

SEC. S-__112. LANDSCAPING.

(a) Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) For a project that qualifies for a bonus pursuant to Sec. S-__116, landscaping must be provided according to this subsection and as shown on the landscape plan (Exhibit S-__B). The building official may allow for reduction or relocation of trees if necessary to avoid utility, driveway, or visibility triangle conflicts.

(c) For a project that qualifies for a bonus pursuant to Sec. S-__116, landscaping must conform to the Habitat Garden standards. The landscaping shall be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats

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

SEC. S-__113. SUSTAINABILITY STANDARDS FOR A PROJECT THAT QUALIFIES FOR A BONUS PURSUANT TO SEC. S-__116.

(a) Photovoltaic cells. A minimum of 1,000 square feet of photovoltaic cells for producing solar energy must be located on the roof of each building, with a total of 4,000 square feet required for the district.

(b) Micro-mobility charging and parking. Micro-mobility charging and parking for at least 12 vehicles must be provided along public streets.

(c) Bicycle Parking. A minimum of one bicycle storage space for every three residential units is required onsite within the garage and/or residential building. Long-term bicycle storage spaces are not subject to the minimum size requirements of the required bike parking spaces per the Dallas Development Code and may be secured to wall or floor mounted storage racks. A minimum of 20 bicycle parking spaces must be provided for the office building in the garage and or the office building, and if provided in the garage, such bicycle parking may be shared with the requested bicycle parking for the residential building.

(d) No-smoking signs will be placed at all building entrances stating that smoking is prohibited within 25 feet of the building.

(e) Zero CFC based refrigerants will be used on all HVAC equipment.

(f) Locations for recycling paper, cardboard, glass, plastic, metal, mercury-containing lamps, batteries and e-waste will be provided on site.

(g) Micro-units. A minimum of 5 percent of the dwelling units within the multifamily building shall be micro-units, and micro-units may not be counted toward the percentage of units to qualify for a bonus pursuant to Sec. S-__116.

(h) Drip irrigation. Drip irrigation must be utilized for maintenance of plantings.

(i) Irrigation.

(1) Condensate from base building HVAC cooling coils that are greater than 5 tons must be re-used for cooling tower makeup or irrigation. Excess condensate will be discharged to sanitary sewer if the amount of condensate wastewater exceeds the irrigation and cooling tower makeup water needs of the project.

(2) Detention and rainwater harvesting must be utilized for irrigation.

(j) Roofs. Light colored roof materials with an initial solar reflectance value of at least 0.80 that minimize cooling loads must be employed on all roofs.

SEC. S-___,114. URBAN DESIGN STANDARDS FOR A PROJECT THAT QUALIFIES FOR A BONUS PURSUANT TO SEC. S-___116.

(a) Pedestrian lighting must be provided at regular intervals along all building facades facing a public street.

(b) The following minimum pedestrian amenities must be provided along McKinney Avenue and Armstrong Avenue:

(1) Benches occupying at least 10 linear feet of frontage.

(2) A minimum of one trash receptacle and one recycling receptacle per street frontage.

(c) Ground level transparency and maximum blank wall.

(1) Driveway and garage entrances are excluded in calculating façade area, and minimum transparency along public streets between grade and 15 feet in height is 65% along all street frontages.

(d) Minimum open space. Minimum open space area is 14,000 square feet. Paved areas such as sidewalks, walkways, courtyards, and plazas may be counted as part of open space area. A maximum of 60 percent of required open space may be impervious. Parking structures may be located below grade underneath pervious or impervious open space area.

(e) Sidewalks.

(1) At each intersection of driveway and sidewalk, crosswalks must be constructed of a material that differs in finish and color from that of vehicular ingress and egress driveways.

(2) 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.

(3) A minimum 10-foot sidewalk along Armstrong Avenue and McKinney Avenue is required.

(f) Shade. A minimum of 20 percent of the 14,000 square feet of open space area must be improved to provide shade, using trees, awnings, shade structures, building overhangs, or other means to provide users refuge from the elements.

(g) Screening of rooftop equipment. All mechanical and related equipment located on the rooftop of any building must be screened so as not to be visible from any adjacent public right-of-way.

(h) Pedestrian lighting. Pedestrian lighting must be provided at regular intervals along all building facades facing a public street or the internal way in order to provide suitable lighting on sidewalks, streets or walkways,

as applicable, to enhance pedestrian safety. Lighting must be directed downward and away from adjacent residential properties.

(1) Pedestrian lighting must provide a minimum maintained average of 1.5-foot candles along the sidewalks, streets, or walkways, as applicable.

(i) Building lighting. Decorative lighting on the upper stories of buildings shall be directed toward the building façade. Decorative light emitting diode bands not utilized for tenant signage are not permitted.

(j) Façade standards. The following design standards apply to façades:

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

(2) Building entries must be architecturally prominent and clearly visible from the street or internal drives.

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

(A) A minimum of one change in plane is required for each 36 feet of horizontal or vertical articulation, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 12 inches and a depth of at least 6 inches and may include columns, planters, arches, niches, architectural details such as raised bands and cornices, architecturally prominent entrances, attached towers, awnings, or changes in material.

SEC. S-__115. SIGNS.

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

SEC. S-__116. DEVELOPMENT BONUS FOR MIXED-INCOME HOUSING.

CPC's Recommendation, Applicant's Request:

(a) Except as provided in this section, a project qualifies for the development bonus if a minimum **2.5 percent of the total dwelling units** within the multifamily building are available to households earning between 81 percent and 100 percent of the area median family income in compliance with Division 51A-4.1100, as amended.

Staff's Recommendation

(a) Except as provided in this section, a project qualifies for the development bonus if a minimum of **10 percent of the total dwelling units, not included micro-units**, within the multifamily building are available to households earning between **61 percent and 80 percent of the area median family income** and an additional **5 percent of the total dwelling units, not including micro-units**, within the multifamily building are available to households earning between 81 percent and 100 percent of the area median family income in compliance with Division 51A-4.1100, as amended.

- (b) Compliance with Section 51A-4.1107, as amended, is not required.

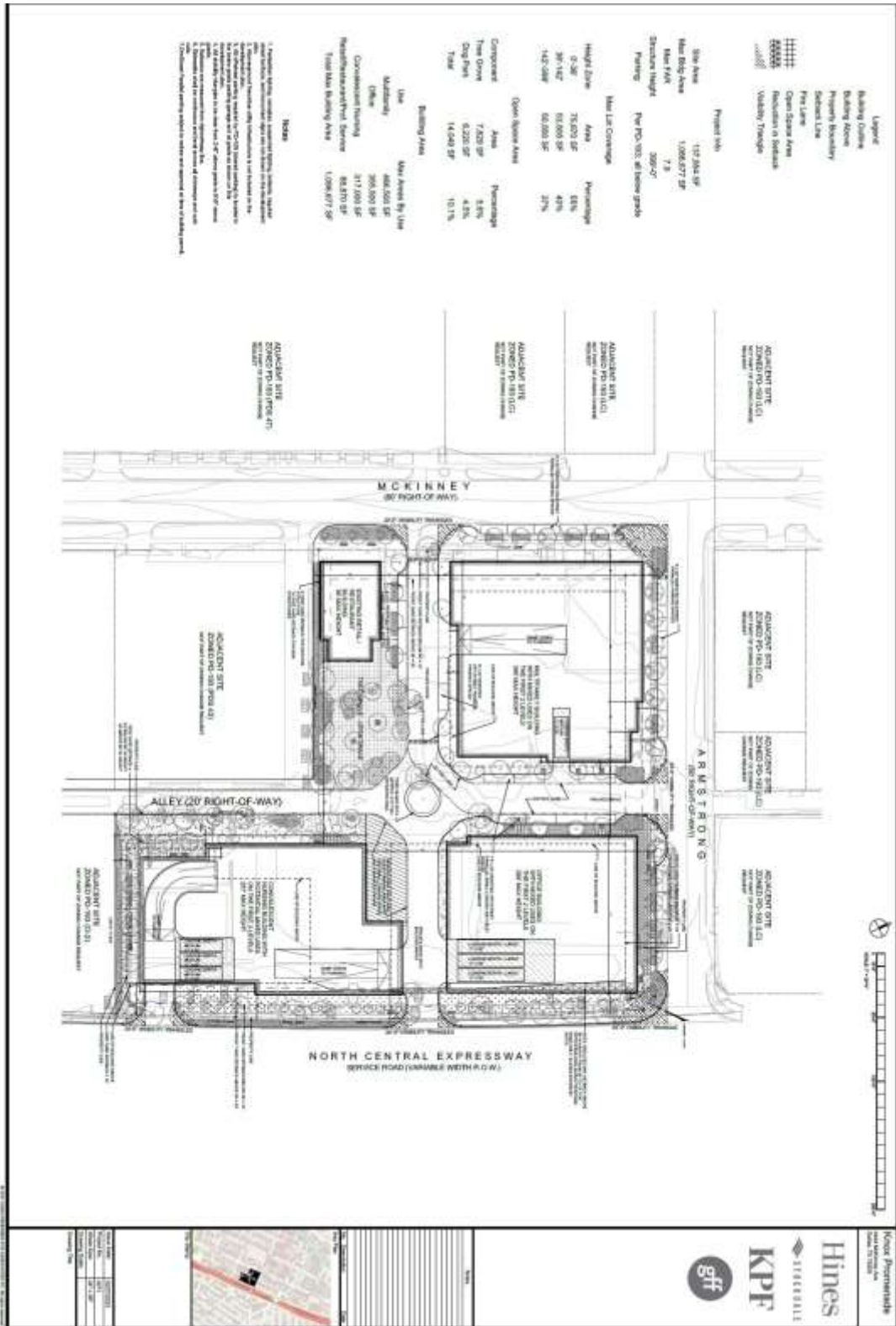
SEC. S-__117. ADDITIONAL PROVISIONS.

- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) Except as provided in this division, development and use of the Property must comply with Part I of this article.
- (d) For uses that qualifies for a bonus pursuant to sec. S-__116:
 - (1) Restaurant uses.
 - (a) Outdoor dining areas may not be utilized after 11:00pm.
 - (b) Pollution control units shall be utilized to reduce odors from kitchen areas.
 - (2) Retail and personal service uses. Outdoor amplified sound systems after 10:00 p.m. Amplified sound systems may not exceed 63 decibels.

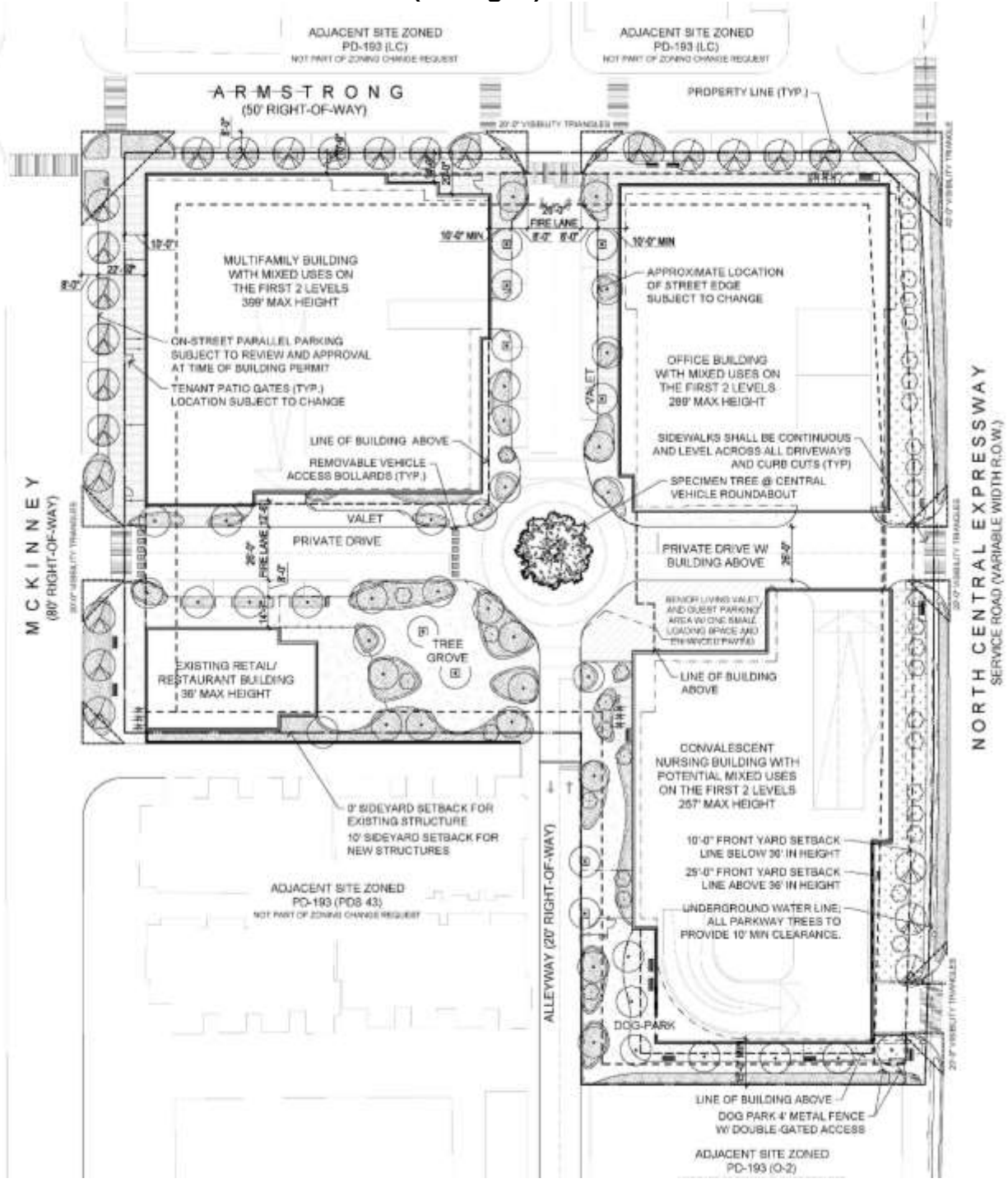
SEC. S-__118. COMPLIANCE WITH CONDITIONS.

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

PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN (Enlarged)



PROPOSED HEIGHT PLAN

Legend

Building Outline
Property Boundary
Setback Line

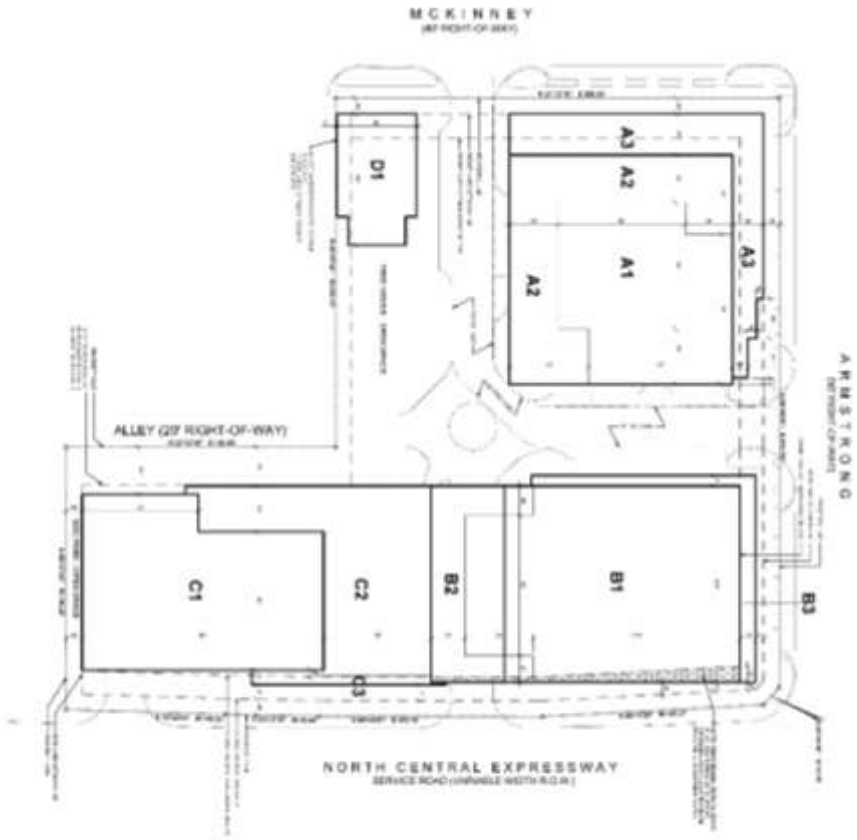
Building Max Heights

A1	Midrise	200'-0"
A2	Midrise	200'-0"
A3	Midrise	200'-0"
B1	Office	200'-0"
B2	Office	200'-0"
B3	Office	200'-0"
C1	Office/Loft	200'-0"
C2	Office/Loft	200'-0"
C3	Office/Loft	200'-0"
D1	Midrise Midrise	200'-0"

Notes

1. Building heights are based on the proposed floor plate area.

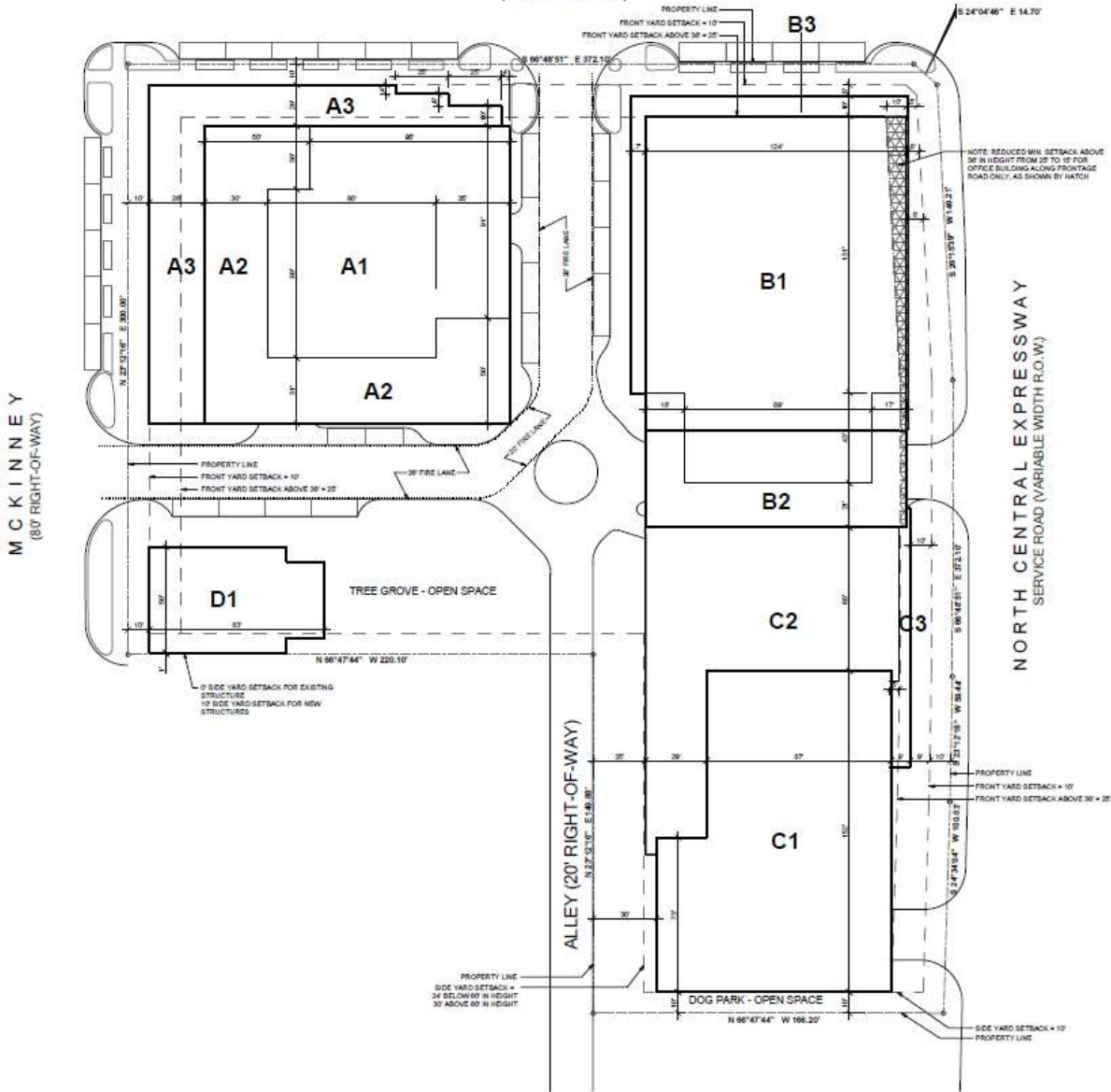
2. Building heights are based on the proposed floor plate area.

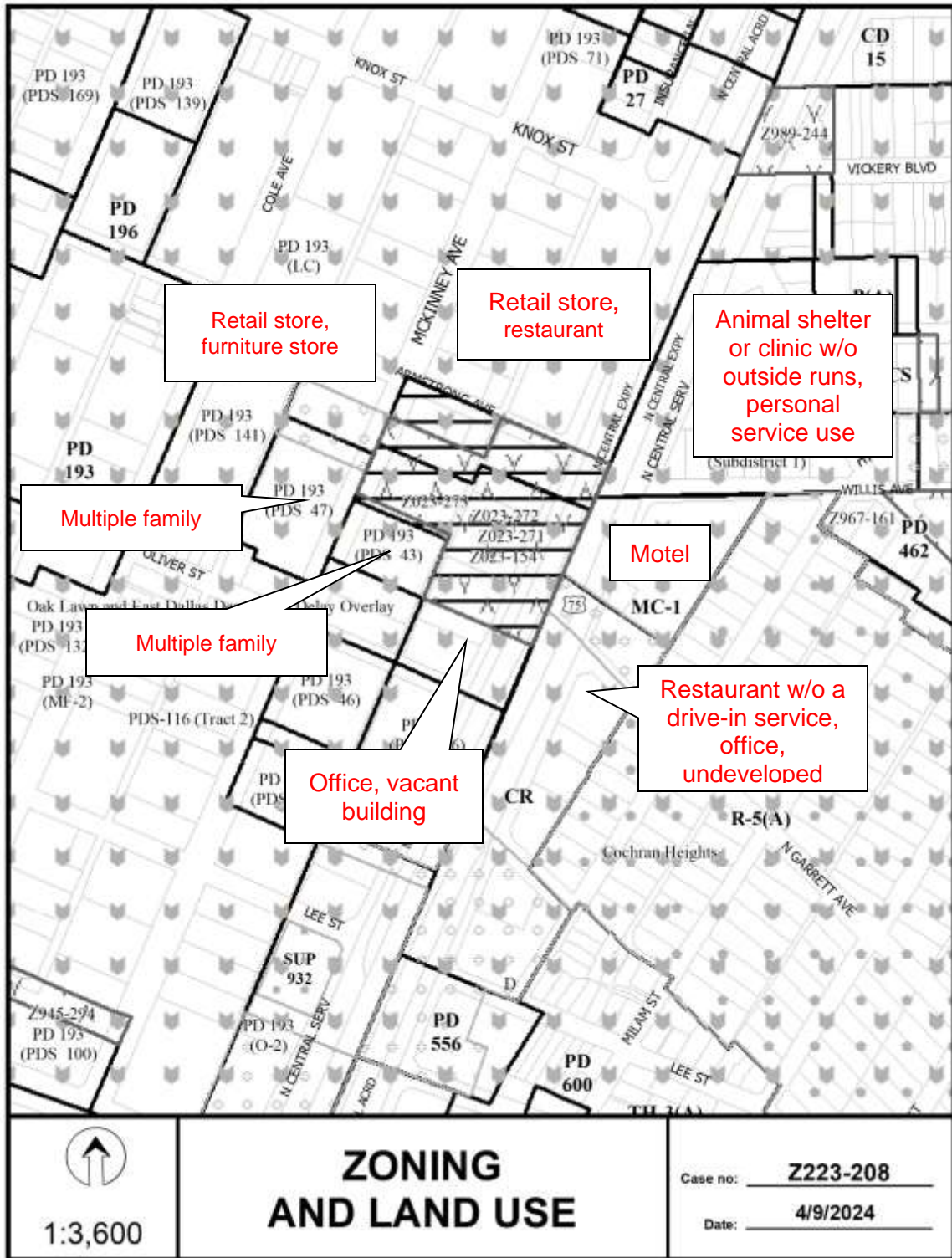


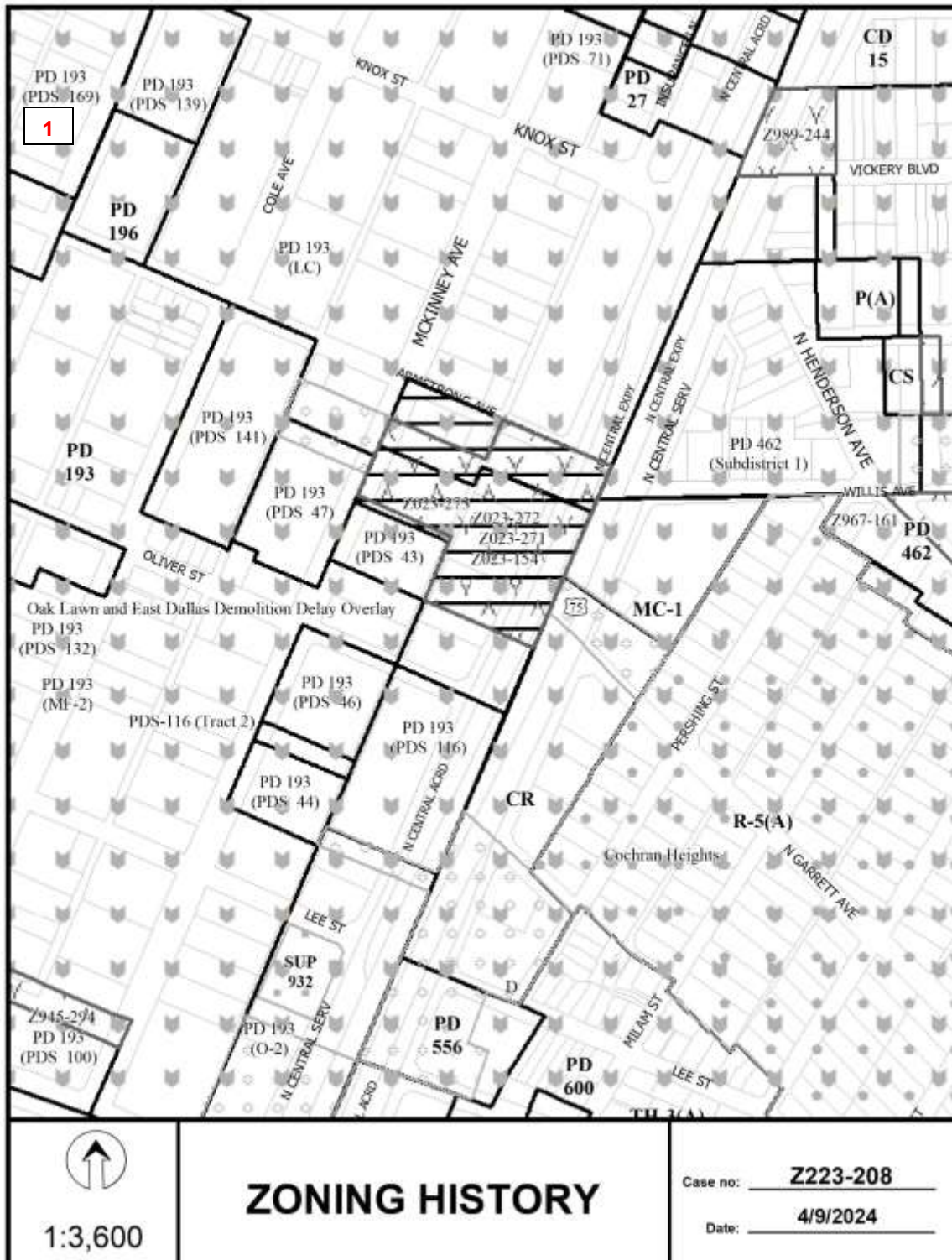
Hines KPF gff		<p>Project Information</p> <p>Project Name: Z223-208(LG)</p> <p>Project Address: [Address]</p> <p>Project Date: [Date]</p> <p>Project Status: [Status]</p>
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PROPOSED HEIGHT PLAN (Enlarged)

ARMSTRONG
(50' RIGHT-OF-WAY)









05/01/2024

Reply List of Property Owners**Z223-208*****185 Property Owners Notified******11 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3013	ARMSTRONG AVE	KNOX PROMENADE LLC
3	4412	MCKINNEY AVE	MAGNANI MARIA BEATRICE
4	4412	MCKINNEY AVE	MCNUTT ANN LINDSAY
5	4412	MCKINNEY AVE	PARNELL WENDY CARMEN
6	4412	MCKINNEY AVE	WOLCOTT EDWARD RYAN
7	4412	MCKINNEY AVE	CELLA GRAINNE
8	4412	MCKINNEY AVE	LOWDER STUART & ALISON
9	4412	MCKINNEY AVE	KATY TRAIL N HIGHLAND PARK TRUST
10	4412	MCKINNEY AVE	JONES WARREN KEITH & SUSAN
11	4412	MCKINNEY AVE	DAVILA ROBERT J
12	4412	MCKINNEY AVE	GOBLE LAUREN E
13	4412	MCKINNEY AVE	KENNEDY MICHAEL E & JOY A
14	4412	MCKINNEY AVE	HAZELWOOD JEFFREY C &
15	4412	MCKINNEY AVE	KANYER DANIELLA M & CHAD MICHAEL
16	4412	MCKINNEY AVE	SMITH TERRY C &
17	4412	MCKINNEY AVE	QUALLS MELANIE
18	4412	MCKINNEY AVE	BRANDT GREGORY
19	4333	MCKINNEY AVE	BPKK LTD &
20	3119	OLIVER ST	NADURAK BRIAN &
21	4346	COLE AVE	A W FALCONE FAMILY LLC THE
22	4405	MCKINNEY AVE	IPENEMA INVESTMENTS LTF
25	4403	N CENTRAL EXPY	DUWEST 4403 CENTRAL LP
26	4411	N CENTRAL EXPY	LUNA ROBERT E
27	4408	MCKINNEY AVE	IVANYI INC
28	4524	MCKINNEY AVE	KD KNOX STREET VILLAGE HOLDCO LLC
29	4544	MCKINNEY AVE	NABHOLTZ KMCK PARTNERS LP

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	30	4516 MCKINNEY AVE	CRYSTAL PYRAMID LTD
	31	4502 MCKINNEY AVE	I S K INC
	32	4519 MCKINNEY AVE	GILLILAND PROPERTIES II LTD
	33	4525 MCKINNEY AVE	GILLILAND PPTIES III LTD
	34	4531 MCKINNEY AVE	GILLILAND PPTIES II LTD
	35	4514 COLE AVE	EOSII AT HIGHLAND PARK PLACE LLC
	36	3009 N HENDERSON AVE	HENDERSON AT CENTRAL INC
	37	3001 N HENDERSON AVE	SRRS CAPITAL LLC
	38	2933 N HENDERSON AVE	2929 N HENDERSON LLC
	39	2927 N HENDERSON AVE	POTTER INVESTMENTS LTD
	40	2923 N HENDERSON AVE	2923 N HENDERSON LLC
	41	2901 N HENDERSON AVE	PRESTON PATIO BLDG INC
	42	5037 WILLIS AVE	POTTER EVA J TRUSTEE
	43	4440 N CENTRAL EXPY	PH UPTOWN LLC
	44	5102 PERSHING ST	ZARAZAGA CARLOS E &
	45	5106 PERSHING ST	GUNN DAVID L &
	46	5110 PERSHING ST	RUSH CARLA
	47	5114 PERSHING ST	ARAGON MANUEL
	48	5118 PERSHING ST	SALYMINAHOLDINGS INC
	49	5122 PERSHING ST	ANDERSON KAREN K
	50	5103 PERSHING ST	MARTZEN ASHLEY J
	51	5107 PERSHING ST	JOSEPH SUSAN &
O	52	5111 PERSHING ST	LYNCH SAMANTHA
	53	5115 PERSHING ST	BARNES MARY
	54	5119 PERSHING ST	HAUGH TIMOTHY &
	55	5123 PERSHING ST	SHANAHAN KAREN
	56	5203 PERSHING ST	WOODS CHANDLER
	57	5207 PERSHING ST	RUIZ PALOMA FERNANDEZ &
	58	5211 PERSHING ST	DAWSON MARISSA
	59	5215 PERSHING ST	HENNING ELIZABETH & JORDON
	60	5219 PERSHING ST	OWENS LINDSAY M & MERSEDEH

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	61	5223 PERSHING ST	HUDACKY ELIZABETH C
	62	5040 PERSHING ST	RAINS J KYLE
	63	5044 PERSHING ST	5044 PERSHING LLC
	64	5048 PERSHING ST	SALOMON OREN
	65	4340 N CENTRAL EXPY	Taxpayer at
	66	4310 N CENTRAL EXPY	Taxpayer at
X	67	4330 N CENTRAL EXPY	AAB LLC
	68	5053 PERSHING ST	SCAMMEL LEE
	69	5049 PERSHING ST	ZAGROS MANAGEMENT HOLDINGS LLC
	70	5045 PERSHING ST	ANDRADE GUILLERMO & MARIA
	71	5041 PERSHING ST	CHHUTANI SHEILA
	72	5037 PERSHING ST	ANDRADE URIEL
	73	5033 PERSHING ST	GANNON JASMINE PERLIC
	74	5029 PERSHING ST	TING SIMON
	75	5025 PERSHING ST	CLEVELAND RICHARD &
	76	3031 OLIVER ST	KRE NOVE OWNER LLC
	77	3113 OLIVER ST	KASSANOFF GREGORY &
	78	4344 COLE AVE	BROWN RICHARD L & MICHELLE R
	79	4444 COLE AVE	4444 COLE AVENUE LLC
	80	3132 OLIVER ST	WUERTZ TROY D
	81	3128 OLIVER ST	PRESCOTT JOY A
	82	3124 OLIVER ST	HALL MARGARET FAY
	83	3120 OLIVER ST	INGRAM DEBORAH LYNN
	84	3116 OLIVER ST	THOELE STACEY ANN
	86	4528 MCKINNEY AVE	NABHOLTZ KMCK PARTNERS LP
	87	4511 MCKINNEY AVE	MAJAHUAL LP
O	88	3101 KNOX ST	GILLILAND PROPERTIES LTD
	89	3133 KNOX ST	GILLIAND PROPERTIES II LTD
	90	4350 N CENTRAL EXPY	MODY GROUP LTD
	91	4330 MCKINNEY AVE	ALTEKAR ASHWIN & TIFFANY
	92	4330 MCKINNEY AVE	EHLERS SCOTT

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	93	4330 MCKINNEY AVE	PENNANT JOHN H & JEAN C
	94	4330 MCKINNEY AVE	KUMAR POOJA SHYAM ASHOK &
	95	4330 MCKINNEY AVE	NAGARAJ SUDHIR &
	96	4330 MCKINNEY AVE	MILLER JEFFREY DANIEL
	97	4330 MCKINNEY AVE	VILLANUEVA MARCELINO P &
	98	4330 MCKINNEY AVE	CUDE MARTIN III &
	99	4330 MCKINNEY AVE	BENGEN LIN & DANIEL
	100	4330 MCKINNEY AVE	BROWN BRIANNA L
	101	4330 MCKINNEY AVE	SNYDER MICHAEL
	102	4330 MCKINNEY AVE	ARMSTRONG REBECCA
	103	4330 MCKINNEY AVE	WU GRANT
	104	4330 MCKINNEY AVE	GABLE LISA G & JAMES S
	105	4330 MCKINNEY AVE	ETHRIDGE CHRISTOPHER W
	106	4330 MCKINNEY AVE	BEAULNE DANIEL B
	107	4330 MCKINNEY AVE	KIESEL MATTHEW J
	108	4330 MCKINNEY AVE	WILKERSON KATHLEEN M
	109	4330 MCKINNEY AVE	CARR KAREN DIANE & DONALD R DAUDT III
	110	4330 MCKINNEY AVE	GARCIA HERIBERTO &
	111	4330 MCKINNEY AVE	SO CALVIN & WANG MONICA
	112	4330 MCKINNEY AVE	HARE TAYLOR MARIE
	113	4312 MCKINNEY AVE	TANNEN ANN MOREE
	114	4312 MCKINNEY AVE	MYERS FRANCIS J &
	115	4312 MCKINNEY AVE	GOMEZ MARTIN
	116	4312 MCKINNEY AVE	KANNER OSNAT &
	117	4312 MCKINNEY AVE	PEREZ KERRY
	118	4312 MCKINNEY AVE	WU NELSON
	119	4312 MCKINNEY AVE	KAITSON EMMANUEL & ANGELA
	120	4312 MCKINNEY AVE	FOX JAROD &
	121	4312 MCKINNEY AVE	HAND CALEB T
	122	4312 MCKINNEY AVE	PAPE STEPHANIE M &
	123	4312 MCKINNEY AVE	4312 MCKINNEY LLC

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124	4312	MCKINNEY AVE	PINKUS JUSTIN
125	4312	MCKINNEY AVE	ARMIJO ASHELY N &
126	4312	MCKINNEY AVE	REYNOLDS LISA M
127	4312	MCKINNEY AVE	FINKEN PATRICIA E
128	4312	MCKINNEY AVE	WARREN THOMAS D &
129	4312	MCKINNEY AVE	KELLOGG STEVEN R
130	4411	MCKINNEY AVE	CAMERON WARIC S
131	4411	MCKINNEY AVE	DAY SCOTT
132	4411	MCKINNEY AVE	FAGLEY TRACY BROOK
133	4411	MCKINNEY AVE	REGAN JENNIFER N
134	4411	MCKINNEY AVE	FODEMSKI STEVEN
135	4411	MCKINNEY AVE	HUNTER LAUREN M
136	4411	MCKINNEY AVE	ADLER JUSTIN
137	4411	MCKINNEY AVE	RIORDAN BLAKE A
138	4411	MCKINNEY AVE	LANGHENRY NATHAN A
139	4411	MCKINNEY AVE	BAHLINGER BROOKE &
140	4411	MCKINNEY AVE	CARVER GENE M & ANNA M
141	4411	MCKINNEY AVE	BACHMANN ERICA J
142	4411	MCKINNEY AVE	4411 MCKINNEY LLC
143	4411	MCKINNEY AVE	FARMER CURTIS CHATMAN &
144	4411	MCKINNEY AVE	KIME STEVEN A
145	4411	MCKINNEY AVE	MANACK RYAN A
146	4411	MCKINNEY AVE	RELTON ANITA JOYCE
147	4411	MCKINNEY AVE	PARSLEY CATHERINE C
148	4411	MCKINNEY AVE	LAKHMANCHUK MARINA
149	4411	MCKINNEY AVE	TANDON ANIMESH & MARIA H
150	4411	MCKINNEY AVE	TILLY DOMINIQUE &
151	4411	MCKINNEY AVE	DELANEY CHRISTOPHER SCOTT
152	4411	MCKINNEY AVE	CHENG YI SHING LISA
153	4411	MCKINNEY AVE	FURST BRADLEY
154	4411	MCKINNEY AVE	WYNNE REBECCA J

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155	4411	MCKINNEY AVE	SW CITYVILLE LP
156	4411	MCKINNEY AVE	RIVERA FRANK J
157	4411	MCKINNEY AVE	RAMSEY ROBERT BLAKE
158	4411	MCKINNEY AVE	SOUTH MADISON REAL ESTATE LLC
159	4411	MCKINNEY AVE	SPOONER MEGAN ELISE
160	4411	MCKINNEY AVE	SURGALSKI REVOCABLE
161	4411	MCKINNEY AVE	PHOENIX RISING VENTURES II LLC
162	4411	MCKINNEY AVE	LURVEY NICOLE M
163	4411	MCKINNEY AVE	MONTES YVONNE R
164	4411	MCKINNEY AVE	COOK HAYLEY A
165	4411	MCKINNEY AVE	HARRIS HAL
166	4411	MCKINNEY AVE	KNECHT DEAN P & DEBRA H
167	4411	MCKINNEY AVE	LETZELTER BRIANNA M
168	4411	MCKINNEY AVE	ADAMS MADELINE L
169	4343	MCKINNEY AVE	KRANICH GEORGE
170	4343	MCKINNEY AVE	FIORILLO TATIANA POZO
171	4343	MCKINNEY AVE	ONSTAD JENNIFER S LIVING TRUST
172	4343	MCKINNEY AVE	WESTON RIDGE HOLDINGS LP
173	4343	MCKINNEY AVE	CLARY VIRGINIA
174	4343	MCKINNEY AVE	MAYBEN VENTURES LLC
175	4343	MCKINNEY AVE	HEBEISEN CHERI A
176	4343	MCKINNEY AVE	AZIZ SANIHA NASIM
177	4343	MCKINNEY AVE	MORGAN COLE P &
178	4343	MCKINNEY AVE	LOWERY OLIVIA JURHEE LIFE EST
179	4343	MCKINNEY AVE	WILCOX SAMANTHA TAYLOR
180	4343	MCKINNEY AVE	A GONZALEZ INVESTMENTS LLC
181	4343	MCKINNEY AVE	JEI 303 LLC
182	4343	MCKINNEY AVE	HARRISON MARY BETH
183	3110	OLIVER ST	MATHIES CAROLINA ALVAREZ
184	3110	OLIVER ST	EOJO LLC
185	3110	OLIVER ST	WEBBER MICHAEL C

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	A1	4433 MCKINNEY AVE	KNOX PROMENADE IV LP
O	A2	4415 N CENTRAL EXPY	KNOX PROMENADE LLC
O	A3	4425 N CENTRAL EXPY	KNOX PROMENADE LLC
O	A4	4447 N CENTRAL EXPY	KNOX PROMENADE LLC
O	A5	3111 ARMSTRONG AVE	KNOX PROMENADE PARK LLC
O	A6	4438 MCKINNEY AVE	KNOX PROMENADE LLC
O	A7	4444 MCKINNEY AVE	KNOX PROMENADE LLC
O	A8	4447 MCKINNEY AVE	KNOX PROMENADE LLC
O	A9	3001 KNOX ST	KNOX PARK VILLAGE LLC