

FILE NUMBER: Z212-358(JM)

DATE FILED: September 30, 2022

LOCATION: Southeast corner of Preston Road and Belt Line Road

COUNCIL DISTRICT: 11

SIZE OF REQUEST: +/- 15.514 acres

CENSUS TRACT: 48113013606

REPRESENTATIVE: Masterplan, Lee Kleinman and Andrew Ruegg

OWNER: New Pepper Square S/C Owners, LTD

REQUEST: An application for a Planned Development District for MU-2 Mixed Use District uses on property zoned a CR Community Retail District.

SUMMARY: The purpose of the request is to allow additional land uses and modified development standards primarily related to density, height, structured parking, landscaping, open space, and sidewalks. Mixed-income housing is proposed as an option for development with additional public benefits and development bonuses.

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

PRIOR CPC ACTION: On June 20, 2024, CPC held this case under advisement to allow for further neighborhood outreach and staff review of revised conditions and plans.

BACKGROUND INFORMATION:

- The site contains a shopping center with approximately 198,000 square feet of lease area in 11, one-and-two-story buildings, built between 1977 and 2001, per Dallas Central Appraisal District records. The auto-oriented development contains a large supply of surface parking. The property is zoned a CR Community Retail District which does not allow residential uses.
- The applicant proposes a new planned development district that will generally default to the MU-2 zoning district with modified standards to enable higher density, greater height, specified setbacks, and lot coverage.
- Public benefits include tailored design standards, enhanced open space, upgraded sidewalks, additional landscaping, transit shelters, and a trail connection to White Rock Trail. In addition, mixed-income housing is to be provided to further increase the proposed density, all within the bounds of the MU-2 district standards. Certain land uses are proposed to be prohibited to support the vision for the shopping center turned mixed-use development.
- Per the stated vision, the applicant is intending to breathe new life into Pepper Square, transforming it a vibrant mixed-use, mixed-income development with pedestrian-friendly elements and impactful open space strategically dispersed throughout the site resulting in pedestrian connectivity both internally to the site and externally to the surrounding area. This development is intended to provide a desirable live, work, play environment which will enhance the vitality of the surrounding area for the future.
- Updates since June 20th are identified with highlighted red font in the attached PD conditions proposed and include: (1) defining pedestrian plaza and removing internal secondary drive, (2) renaming proposed parks as open space throughout the conditions and plans, (3) changes to allow certain prohibited uses by SUP, (4) added density caps of 300 for Phase I and 1,550 for the overall project, (5) reduction of maximum height in the two open space areas from up to 165 feet to 36-feet-in-height, (6) added statement requiring compliance with residential proximity slope, (7) two rows of surface parking permitted along Preston Road frontage, (8) adding 10 required micro-mobility charging stations, (9) added trash cans and benches as possible pedestrian facilities and increased the standard to require a minimum of five facilities from the list of 16 items for each open space, and (10) requesting two detached signs per street frontage. The maximum dwelling unit density of 300 is now noted on the updated Phase I Development Plan in this packet. Dark shading was removed to make the plan more visible. No other changes were made to the plan.

Zoning History:

There have been two zoning cases in the area in the past five years:

1. **Z201-221** On October 26, 2022, the City Council approved an application for the creation of PD No. 1094 for MU-2 Mixed Use District uses and standards on property zoned a MF-1(A) Multifamily District, on the west line of Preston Road, south of Arapaho Road.

2. **Z190-250** On October 26, 2022, the City Council approved an application for the creation of PD No. 1093 for MU-2 Mixed Use District uses and standards on property zoned a MF-1(A) Multifamily District, on the west line of Preston Road, north of Belt Line Road.

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW | Proposed ROW |
|----------------------|--------------------|--------------|-----------------------|
| Preston Road | Principal Arterial | 100 feet | 100 feet Bike Plan |
| Belt Line Road | Principal Arterial | 100 feet | 100 feet |

Traffic:

The applicant submitted a Traffic Impact Analysis and subsequent revisions to address staff comments, the last being on March 21, 2024. The TIA considered the impact at buildout of the two recent PDs to the northwest stated in the case history of this report. The TIA provides information on the existing entitlements of the site compared to the proposed development. The following is in excerpt from the TIA:

Based on the analysis presented in this report, the proposed Pepper Square Redevelopment can be successfully incorporated into the surrounding roadway network. The proposed site driveways provide the appropriate level of access for the development.

Improvements recommended in the report (page7, volume 1) include:

- Signalize the intersection of Berry Trail and Belt Line Road.
- Construct the westbound approach of the Belt Line Village Driveway to Preston Road as a two-lane approach.
- Construct a right-turn deceleration lane for the northbound right-turning movement from Preston Road to the Belt Line Village Driveway.
- Construct a right-turn deceleration lane for the northbound right-turning movement from Preston Road to the Pepper Square Driveway.

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation Department, has reviewed the request and recommends the TIA include a threshold or maximum development based on road capacity. Additionally, a parking demand study is requested for the project, which the applicant declined to provide. A parking study will be required at time of permitting.

Comprehensive Plan:

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

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

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

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.2 Establish clear and objective standards for land use planning

1.2.2.2 Incorporate findings that demonstrate consistency with the Policy Plan's goals and policies into land use planning decisions. Findings should guide private development toward zoning that:

- Maintains a healthy balance of jobs and households;
- Protects and stabilizes existing neighborhoods;
- Establishes healthy neighborhoods;
- Emphasizes mixed-use development, especially around transit stations;
- Maintains an adequate transportation and circulation system;
- Provides land use consistent with the established growth targets;
- Protects existing industrial and employment centers;
- Promotes appropriate growth in the Trinity River Corridor and protects the public investment there; and
- Enables development consistent with Vision Building Blocks.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

1.3.1.1 Encourage creation of diverse housing types by establishing ways to foster such development and find ways to foster homeownership.

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT

Policy 1.4.2 Develop a multi-modal transportation network.

Policy 1.4.3 Embrace environmental sustainability.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

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

Policy 4.2.3 Promote efficient, cost-effective and environmentally friendly movement of vehicles.

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.

Policy 5.1.4 Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Policy 5.2.2 Promote the character of the city's significant districts, linkages, and areas.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

5.3.1.1 Amend the Dallas zoning regulations to establish mixed-use, pedestrian-friendly zoning districts. These zoning districts should provide for a range of densities and intensities to suit a variety of urban contexts.

5.3.1.2 Encourage mixed-use zoning districts and developments particularly in the Walkable Mixed-Use Building Blocks, yet ensure sensitivity to existing, surrounding vulnerable land uses.

5.3.1.3 Enact mixed-use zoning districts after consideration and study of Area Plans that identify specific opportunities and needs.

Policy 5.3.3 Encourage transit-oriented developments and transit centers.

5.3.3.2 Amend the Dallas zoning and plat regulations to establish development standards to ensure a quality-built environment contributes positively to the pedestrian environment. Include appropriate setbacks, heights, and other building standards for a range of scale and densities.

Neighborhood Plus Plan

GOAL 4 ATTRACT AND RETAIN THE MIDDLE CLASS

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

GOAL 6 ENHANCE RENTAL HOUSING OPTIONS

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

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

Comprehensive Environmental and Climate Action Plan (CECAP)

GOAL 3 DALLAS' COMMUNITIES HAVE ACCESS TO CARBON-FREE, AFFORDABLE, TRANSPORTATION OPTIONS.

T10 Adopt a target corridor, district, or city-wide mode split goals to help reinforce policies aimed at reducing single-occupancy vehicle use.

T14 Adopt a revised parking ordinance strategy that supports new mode split goals and land use strategy that minimizes available parking in transit-oriented districts.

T15 Implement green infrastructure programs that sets specific design and performance standards that treat the Right of way (ROW) as both a mobility and green infrastructure asset.

The proposed conditions which include reduced minimum parking requirements and ROW design standards support the low carbon, district parking, and mode split goals of CECAP.

There is no City-adopted Area Plan that includes this area of the city.

STAFF ANALYSIS

Surrounding Land Uses:

| | Zoning | Land Use |
|------------------|--|--|
| Site | CR Community Retail District, SUP No. 1087 | Retail and personal service uses and radio, television or microwave tower use |
| Northeast | LO-1 Limited Office District w/DR Z823-234 and MF-2(A) Multifamily District | Office, financial institution w/drive-in window, and multifamily |
| Southeast | MF-2(A) Multifamily District | Multifamily |
| South | CR Community Retail District w/DR Z923-198, SUP Nos. 1109 and 1259, and MF-2(A) Multifamily District | Restaurant, car wash, retail, undeveloped, mini-warehouse, radio, television or microwave tower use, and multifamily |
| West | PD No. 272 for SC Shopping Center District | Restaurant, general merchandise or food store, and personal service |

Land Use Compatibility:

The site contains a shopping center which has grown and served the area for over 45 years. The property has 11 buildings with approximately 198,000 square feet of lease area. However, the auto-oriented development contains a large supply of surface parking to accommodate the lack of residential uses on-site due to the lack of walkability to serve surrounding neighborhoods. The property is zoned a CR Community Retail District which does not permit residential uses.

Surrounding areas exhibit a multitude of zoning districts with uses specifically relating to office, multifamily, and retail and personal service uses. There are also SUPs for two cell towers (one on-site) and one mini-warehouse, located to the south.

Along Belt Line Road to the northeast are LO-1 Limited Office and MF-2(A) Multifamily which house office, financial institution with drive-in window, and multifamily uses. Properties to the southeast are MF-2(A) and contain multifamily uses. A portion of the southern boundary, north of Alexis Drive, was originally a part of this application; however, it was removed. That section is zoned CR, MF-2(A), and two SUPs. The uses include restaurants, car wash, retail, undeveloped, multifamily, and the aforementioned mini-warehouse and cell tower. Across Preston Road to the west is PD No. 272 for an SC Shopping Center uses. This area contains restaurant, general merchandise or food store, and personal service uses.

At the northwest intersection of Preston and Belt Line Roads are two new PDs (1093 and 1094) which are being developed with mixed-use, mixed-income, pedestrian-centric and enhanced design standards.

The applicant is proposing to create a new planned development district that will generally default to the MU-2 zoning district with modified standards to enable higher density, greater height, specified setbacks, and lot coverage. Several public benefits proposed will balance the request for greater density and the addition of the residential component, making the site a livable and enjoyable space, rather than a regional shopping destination solely dependent on auto access.

Staff supports the transition to a mixed-use development with added mixed-income housing and improved design features including alternative access methods to better utilize the site.

Land Use Comparison:

The following is a comparison of the existing zoning district and the proposed PD land uses.

X indicates permitted by right.
SUP indicates permitted with a Specific Use Permit.
RAR indicates permitted, but subject to Residential Adjacency Review.
DIR indicates permitted, but subject to Development Impact Review.
Check Use indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.
By CBO Authorization indicates that the use may be allowed with permission from the Chief Building Official.
CC indicates by City Council resolution.
Highlighted selections indicate a change from the existing CR District with the request for a PD.
~~Red and strikethrough~~ text are prohibited uses per the PD conditions.
 Land uses that are now highlighted and red are updated since the last hearing.

| | <u>Existing</u> | <u>Proposed</u> |
|---|-----------------|-----------------|
| | CR | MU-2 |
| Crop production. | X | X |
| Building repair and maintenance shop. | RAR | |
| Catering Service. | X | X |
| Custom business services. | X | X |
| Electronics service center. | X | X |
| Labor hall. | | SUP |
| Medical or scientific laboratory. | SUP | X |
| Tool or equipment rental. | X | X |
| Gas drilling and production. | SUP | SUP |
| Temporary concrete or asphalt batching plant. | SUP | SUP |
| Adult day care facility. | X | X |
| Cemetery or mausoleum. | SUP | SUP |
| Child-care facility. | X | X |
| Church. | X | X |
| College, university, or seminary. | X | X |
| Community service center. | SUP | SUP |
| Convalescent and nursing homes, hospice care, and related institutions. | | RAR |
| Convent or monastery. | X | X |
| Foster home. | | X |
| Halfway house. | | SUP |

| | <u>Existing</u> | <u>Proposed</u> |
|---|--------------------|--------------------|
| Hospital. | SUP | SUP |
| Library, art gallery, or museum. | X | X |
| Open-enrollment charter school or private school. | SUP | SUP |
| Public school other than an open-enrollment charter school. | RAR | RAR |
| Extended stay hotel or motel. | | SUP |
| Hotel and motel. | SUP | RAR |
| Lodging or boarding house. | SUP | |
| Overnight general purpose shelter. | Check Use | SUP |
| Attached non-premise sign. | SUP | SUP |
| Carnival or circus (temporary). | CBO | CBO |
| Temporary construction or sales office. | X | X |
| Alternative financial establishment. | SUP | SUP |
| Financial institution without drive-in window. | X | X |
| Financial institution with drive-in window. | DIR | DIR |
| Medical clinic or ambulatory surgical center. | X | X |
| Office. | X | X |
| Country club with private membership. | X | X |
| Private recreation center, club, or area. | X | X |
| Public park, playground, or golf course. | X | X |
| College dormitory, fraternity, or sorority house. | X | X |
| Duplex. | | X |
| Group residential facility. | | Check Use |
| Multifamily. | | X |
| Residential hotel. | | X |
| Retirement housing. | | X |
| Alcoholic beverage establishments. | Check Use | Check Use |
| Ambulance service. | RAR | |
| Animal shelter or clinic without outside runs. | RAR | RAR |
| Auto service center. | RAR | RAR |
| Business school. | X | X |
| Car wash. | DIR | RAR |
| Commercial amusement (inside). | Check Use (SUP) | Check Use (SUP) |
| Commercial amusement (outside). | SUP | SUP |

| | <u>Existing</u> | <u>Proposed</u> |
|--|-----------------|-----------------|
| Commercial parking lot or garage. | RAR | RAR |
| Convenience store with drive-through. | SUP | SUP |
| Dry cleaning or laundry store. | X | X |
| Furniture store. | X | X |
| General merchandise or food store 3,500 square feet or less. | X | X |
| General merchandise or food store greater than 3,500 square feet. | X | X |
| General merchandise or food store 100,000 square feet or more. | SUP | SUP |
| Home improvement center, lumber, brick or building materials sales yard. | DIR | |
| Household equipment and appliance repair. | X | X |
| Liquor store. | X | X |
| Mortuary, funeral home, or commercial wedding chapel. | X | X |
| Motor vehicle fueling station. | X | X |
| Nursery, garden shop, or plant sales. | X | X |
| Paraphernalia shop. | SUP | SUP |
| Pawn shop. | X | |
| Personal service uses. | X | X |
| Restaurant without drive-in or drive-through service. | RAR | RAR |
| Restaurant with drive-in or drive-through service. | DIR | DIR |
| Swap or buy shop. | SUP | SUP |
| Temporary retail use. | X | X |
| Theater. | X | X |
| Helistop. | | SUP |
| Railroad passenger station. | | SUP |
| Transit passenger shelter. | X | X |
| Transit passenger station or transfer center. | SUP/CC | SUP/CC |
| Commercial radio and television transmitting station. | X | X |
| Electrical substation. | X | X |
| Local utilities. | SUP/RAR | SUP/RAR |
| Police or fire station. | X | X |
| Post office. | X | X |
| Radio, television, or microwave tower. | SUP | SUP |
| Tower/antenna for cellular communication. | Check Use | Check Use |
| Utility or government installation other than listed. | SUP | SUP |
| Mini-warehouse. | SUP | SUP |

| | <u>Existing</u> | <u>Proposed</u> |
|---|------------------|------------------|
| Recycling buy-back center. | Check Use | Check Use |
| Recycling collection center. | Check Use | Check Use |
| Recycling drop-off container. | Check Use | Check Use |
| Recycling drop-off container for special occasion collection. | Check Use | Check Use |
| Accessory helistop. | SUP | SUP |
| Accessory medical/infectious waste incinerator. | SUP | SUP |

The requested PD with MU-2 base would most notably allow the addition of residential land uses. Considering the location along a major intersection of two major thoroughfares and the need for housing city-wide, the introduction of residential units would enhance housing options while expanding access to neighborhood-serving retail and personal service uses. This is directly tied to the vision proposed by the applicant to “breathe new life into a new Pepper Square, transforming it into a vibrant, sustainable, and inclusive mixed-use community.” Staff supports the MU-2 base category for permitted land uses on the site.

Development Standards:

The following table is a comparison between the development standards of the existing zoning district and the proposed PD. The standards for base MU-2 and MIHDB are added for information purposes only.

| REGULATION | EXISTING CR Community Retail | PROPOSED PD for MU-2 with MIHDB | Base MU-2 and with MIHDB for Category B |
|-----------------------------------|--|--|--|
| Front Yard Setback | 15' | Preston Road 50' Belt Line Road 25' Urban form setback does not apply. 9' encroachments permitted | 15' <u>Urban form setback.</u> An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height. MIHDB: 5' encroachments permitted in yards. |
| Side and Rear Yard Setback | 0'/0' 20'/20' w/residential adjacency | No min No tower spacing. 9' encroachments permitted | 20' adj to res Other: No min <u>Tower spacing.</u> An additional side and rear yard setback of one foot for each two feet in height above 45 feet. Max of 30-foot setback. MIHDB: 5' encroachments permitted in yards. |

| REGULATION | EXISTING CR Community Retail | PROPOSED PD for MU-2 with MIHDB | Base MU-2 and with MIHDB for Category B |
|---|--|--|---|
| Dwelling Unit Density and/or FAR | <p>No max DUD (no residential uses permitted).</p> <p>FAR is: 0.5 office 0.75 for all uses combined.</p> | <p>75 DUD—no mix of uses required</p> <p>2.5 FAR—no mix of uses</p> <p>MIHDB 1 (5% at 81-100): 87.5 DUD and 2.85 FAR, no max for residential. Staff Rec is 5% at 51-60 and 5% at 61-80.</p> <p>MIHDB 2 (10% at 81-100): 100 DUD with and 3.2 FAR, no max for residential. Staff Rec is 5% at 51-60 and 5% at 61-80 and 5% at 81-100.</p> <p>Density caps added: Phase I—300 Overall—1,550</p> | <p>Depending on mix of uses:</p> <p>DUD is 50, 75, or 100 per acre</p> <p>MIHDB is from 40 to 80 additional DU/acre based on the percentage of MIH offered at certain income bands.</p> <p>3% at 50 or less AMFI: 80 DUD 5% at 51-80: 60 DUD; or 10% at 81-100: 40 DUD</p> <p>FAR is between 1.6 and 2.25 <i>*FAR does not include residential floor area.</i></p> |
| Height and Stories | 54' | <p>Phase 1 and Phase N: 75' and 5 stories</p> <p>Phase P: 165' and 12 stories</p> <p>Open Space A and Open Space B: 36'</p> <p>12' projections</p> | <p>Depending on mix of uses:</p> <p>135' to 180'</p> <p>10 to 14 Stories</p> <p>12' projections for buildings up to 36' in height</p> |
| RPS | Yes | YES | Yes |
| Lot Coverage | 60% | 80% | 80% |

The major increases in development rights are for all standards that enable use of the residential component. Overall, the true ask is for height. The dwelling unit density requested is in-line with the MU-2 base, with a mix of uses. As proposed, the benefit will be the additional mixed-income housing to reach the full potential of the MU-2 base DUD max of 100 DU per acre.

If the site is developed without any bonuses, the proposed PD will mainly default to MU-2 development standards, but with enhanced front yards along Preston Road and Belt Line Road. The height is included in the PD, not as a bonus, as the proposed heights are less than the base height of MU-2. This will allow for better utilization of the site, less surface parking and greater floor area and housing units overall. Meanwhile, the lot coverage is not being amended, allowing for the planned green spaces and pedestrian connectivity through the site for residents and patrons of the site, plus those passing through using the trail connection to the south.

The applicant is requesting that Residential Proximity Slope (RPS) **not apply** to the site from residential districts to the east. RPS is generated by the MF-2(A) district to the east, across Belt Line Road, the R-10(A) to the east, beyond the multifamily zoning and into the single-family neighborhood on Berry Trail. Per the Dallas Development Code, the residential proximity slope is a plane projected upward and outward from every site of origination. The angle and extent of projection of the residential proximity slope depends on the zoning category of the site of origination as follows:

| ZONING CATEGORY | ANGLE OF PROJECTION | EXTENT |
|--------------------------------------|----------------------|--|
| R, R(A), D, D(A), TH, and TH(A) | 18.4° (1 to 3 slope) | Infinite. |
| CH, MF-1, MF-1(A), MF-2, and MF-2(A) | 45° (1 to 1 slope) | Terminates at a horizontal distance of 50 feet from the site of origination. |

However, RPS does not affect the closest site of origination which is the MF-2(A) development with rears along the Belt Line frontage. This is due to the termination distance of 50 feet. Furthermore, the R-10(A) origination site measured from district boundary to the property boundary of the subject site is over 500 feet away, measured directly down Berry Trail. The applicant proposes a 25-foot setback, plus the 500-foot distance to the single-family site of origination (district boundary), making the 3:1 ratio starting height at the setback line proposed, 175 feet—which is beyond the request height.

Mixed-Income Housing:

The proposed PD conditions include development bonuses in exchange for mixed-income housing. A comparison table between the request and the base MU-2 with MIHDB is as follows:

| MVA A, B, C | Proposed: PD—No max FAR for residential uses. | | MU-2—No max FAR for residential uses. FAR is 1.6-2.25 depending on mix. |
|--------------------|--|----------|---|
| | DU/ac | FAR | DU/ac=50, 75, 100 with mix of uses (range) |
| 5% at 51-60 AMFI | None provided | -- | +80/Ac (130-180/Ac) |
| 5% at 61-80 AMFI | None provided | -- | +60/Ac (110-160/Ac) |
| 5% at 81-100 AMFI | 75/Ac →87.5/Ac | 2.5→2.85 | |
| 10% at 81-100 AMFI | 75/Ac →100/Ac | 2.5→3.2 | +40/Ac (90-140/Ac) |

In addition to the bonuses included in the table, parking reductions subject to design standards for parking and requirements for passenger loading spaces are also included in the proposed PD conditions.

Height:

Under the existing CR District standards, the maximum height is 54 feet. Under the base MU-2 District standards, the maximum height for a non-mixed-use project is up to 135 feet, and the proposed conditions include heights up to 165 feet, as bonus, for a portion of the site. A majority of the site has a maximum height of 75 feet, far below the base MU-2 standards.

If RPS would apply, the RPS from the R-10(A) and MF-2(A) districts to the east would permit a height beyond that of the request, 175 feet.

The conceptual plan and coordinated PD conditions propose a maximum height of 165 feet and 12 stories along the western portion of the site, fronting on Preston Road. The areas facing Belt Line Road are restricted to a height of 75 feet and five stories.

Dwelling unit density:

The existing CR district does not allow residential uses. Under the base MU-2 District, if all (MIHDB) bonuses would be applicable, between 1,396 and 2,792 dwelling units may be built. However, the proposed PD conditions provide a base and two bonus DUD which would allow: 1,163 units at base (no MIH), 1,357 units (5 percent at 81-100 AMFI), or at maximum, 1,551 units (10 percent at 81-100 AMFI). **Additionally, the applicant revised the PD conditions to cap the maximum density for Phase I at 300, and for the overall site at 1,550 dwelling units.**

Design standards:

The proposed PD Conditions include design standards to ensure good urban form that supports a walkable development, attention to the relationship with the public realm, including along the internal driveways, and minimizes the impact of parking garages on the surroundings.

The design standards in the PD conditions include:

- A limited portion of provided parking can be surface parking and must be placed behind buildings when along public frontages or driveways;
 - o On June 11th, the applicant requested to add two rows of surface parking along the Preston Road street frontage, separating the tallest development area from the public right-of-way. Staff does not agree with this request.
- Aboveground parking structures must be wrapped with an active use with a depth of 25 feet; and screened otherwise.
- Required accommodations for alternate means of transportation;
- Enhanced landscape standards and street trees along streets and internal driveways;
- Open space: the applicant is proposing 90,000 square feet with two areas identified on the conceptual plan identifying 65,000 square feet (Open Space A) and 20,000 square feet (Open Space B) of contiguous space, each with amenities and pedestrian facilities;
- Enhanced streetscape with eight-foot sidewalks and eight-foot parkways to accommodate street trees and pedestrian amenities;
- Enhanced pedestrian access across the site with six-foot sidewalks and four-foot parkways to accommodate street trees and pedestrian amenities;
- Trail connection through the site to connect surrounding areas; and,
- Transit ridership enhancements.

Staff supports the requested PD that would enable a greater density of dwelling units to compliment the area by increasing the variety of housing choices in the area, possibly diversifying the mixed-use options. As proposed, the project will enhance the overall urban form and enable alternate mobility along Preston Road and better connection with nearby major retail destinations, residential neighborhoods, and trail access for all.

Parking:

The proposed PD conditions include reduced parking ratios as bonus for mixed-income housing consistent with the ratios included in the Dallas Development Code, as amended. For retirement housing, the ratio proposed is one-quarter space per unit. Additionally, all conditions associated with this bonus will apply, and the PD includes design and location conditions for parking.

Staff is recommending the parking ratio bonus for multifamily to default to the code and be one-half space per unit. The applicant agreed to this reduction in parking. Staff took into consideration the proximity to transit, existing and planned, and the proposed enhancements for alternate mobility.

For the other uses, parking will be provided based on Dallas Development Code parking requirements included in Section 51A-4.200, as amended. The PD includes requirements for bike parking, electric vehicle charging stations, micro-mobility, and transit ridership enhancements to support the DART bus routes along Preston Road.

Landscaping:

Landscaping will be in accordance with Article X, as amended. The proposed PD conditions include enhanced landscape standards regarding protected tree mitigation, perimeter landscape buffers along public streets and internal driveways, street trees, and parking lot trees.

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 request site is located within an “B” MVA cluster.

LIST OF PARTNERS

Property Owner: New Pepper Square S/C Partners LTD

CEO & President, Greg Miller
CFO, Robert DuBois
Chair, Geraldine Miller
President, Steve Donosky
Executive Vice President/Principal, Dan Spika
Executive Vice President, Dan Polanchyck
Executive Vice President/Principal, Darrell Hurmis
Executive Vice President, Frank Bullock
Senior Vice President, Jim Brownlow
Managing Director, William Bush
Director, Shelton Weeks
CIO, Phillip Strength
President, Shawn Ackerman
Principal, Keith Coelho
Principal, Glenn Villarreal

UPDATED

**All changes since
June 20th are in
highlighted red font.**

PROPOSED PD CONDITIONS

ARTICLE _____.

PD _____.

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

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

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

PD ____ is established on property located at the east side of Preston Road and the southwest side of Belt Line Road. The size of PD _____ is approximately 15.51 acres.

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

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

(1) **INTERNAL PRIMARY DRIVE** means the north/south or east/west vehicular drive that is labelled on the conceptual plan (Exhibit XXXXA) for primary means of ingress and egress to the Property.

(2) **INTERNAL SERVICE DRIVE** means a vehicular drive that is labelled on the conceptual plan (Exhibit XXXXA) for primary means of ingress and egress to the Property for waste collection, loading and unloading, and other service-related uses and secondary means of ingress and egress to the Property for all other users.

(3) **MAJOR RENOVATION** means a building permit or series of building permits for the reconstruction, alteration, or modification of an original building that increases the floor area that existed on (date of adoption of this article) by 30 percent or more.

(4) **NEW CONSTRUCTION** means construction of a main structure that did not exist as of (date of adoption of this article).

(5) **ORIGINAL BUILDING** means a structure existing on (date of adoption of this article) but does not include a structure that has undergone a major renovation.

(6) PARKWAY means the area between the back of curb and the sidewalk along all public streets.

(7) PEDESTRIAN PLAZA means a publicly accessible pedestrian area used as gathering space and constructed with an impervious surface.

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

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

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ___A: conceptual plan.
- (2) Exhibit ___B: Phase 1 Development Plan.

SEC. 51P- _____.105. VISION STATEMENT.

This district is envisioned to breathe new life into a new Pepper Square, transforming it into a vibrant, sustainable, and inclusive mixed-use community that enhances the quality of life for all residents, customers, and visitors. This development aims to create a harmonious blend of luxury residential units, fine dining, curated shopping experiences, office spaces, hospitality, and recreational areas, all designed to respect the unique character and scale of the neighborhood and surrounding area.

SEC. 51P- _____.106. CREATION OF SUBAREAS.

This district is divided into five subareas, Phase 1, Open Space A, Open Space B, Phase P, and Phase N, as shown on the conceptual plan.

SEC. 51P- _____.107. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit XXXXA). In the event of a conflict between the text of this article and the conceptual plan, the text of this article control.

SEC. 51P- _____.108. DEVELOPMENT PLAN.

(a) Except as otherwise provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize a major renovation or new construction in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) The building official may issue building permits for the following work without the approval of a development plan:

- (A) Alterations to an original building that does not constitute a major renovation;
- (B) Alterations to parking lots not associated with a major renovation or new construction; or
- (C) Installation of open space not associated with new construction or a major renovation.

(c) A development plan is not required to include all phases of development if separate phases are proposed. If separate phases are proposed, however, a development plan for each phase must be approved by the city plan commission before the issuance of a building permit to authorize work in that phase of development.

(d) For purposes of compliance with yard, lot, and space regulations, the Property shall be considered one lot.

(e) In addition to the requirements in Section 51A-4.702, a development plan must include a table with the number of dwelling units for each building site and the total for the Property.

SEC. 51P- _____.109. MAIN USES PERMITTED.

(a) The only main uses permitted are those main uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable in the MU-2 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-2 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-2 Mixed Use District is subject to DIR in this district; etc.

(b) The following main uses are prohibited:

- (1) Retail and personal service uses.
 - Auto service center.
 - Car wash.

- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.

(c) The following main uses are permitted by SUP only:

These uses were previously prohibited. Now, the applicant proposed to allow the uses through the specific use permit process.

- (1) Commercial and business service uses.
 - Labor hall.
- (2) Industrial uses.
 - Gas drilling and production.
 - Temporary concrete or asphalt batching plant.
- (3) Institutional and community service uses.
 - Cemetery or mausoleum.
 - Halfway house.
 - Hospital.
- (4) Lodging uses.
 - Overnight general purpose shelter.
- (5) Office uses.
 - Alternative financial establishment.
- (6) Retail and personal service uses.
 - General merchandise or food store 100,000 square feet or more.

SEC. 51P-____.110. ACCESSORY USES.

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

SEC. 51P-____.111. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply.

(b) Front yard.

- (1) Minimum front yard is 50 feet on Preston Road.
- (2) Minimum front yard is 25 feet on Belt Line Road.
- (3) Urban form setback does not apply.

(c) Side and rear yard.

- (1) No minimum side and rear yard setbacks are required.
- (2) Tower spacing does not apply.

(d) Density.

(1) In general. Except as provided in this subsection, maximum dwelling unit density is 75 dwelling units per acre.

(2) Increased development standards.

(A) If compliant with Section 51P-XXXX.118(a)(1), maximum dwelling unit density is 87.5 dwelling units per acre.

(B) If compliant with Section 51P-XXX.118(a)(2), maximum dwelling unit density is 100 dwelling units per acre.

(3) Phase 1 density. Maximum number of dwelling units for Phase 1 is 300.

(4) Maximum density. Total maximum number of dwelling units is 1,550.

(e) Floor area ratio.

(1) In general. Except as provided in this subsection, maximum floor area ratio is 2.5:1.

(2) Increased development standards.

(A) If compliant with Section 51P-XXXX.118(a)(1), maximum floor area ratio is 2.85:1 and no maximum floor area ratio for residential uses.

(B) If compliant with Section 51P-XXXX.118(a)(2), maximum floor area ratio is 3.2:1 and no maximum floor area ratio for residential uses.

(f) Height.

(1) Subarea - Phase 1 and Phase N. Maximum height is 75 feet.

(2) Subarea – Phase P. Maximum height is 165 feet.

(3) Open Space A and Open Space B. Maximum height is 36 feet to allow for non-habitable structures in compliance with Section 51P-XXXX.115.

(4) Projections. The following architectural elements may project up to 12 feet above the maximum structure height:

(A) Elevator or stair penthouse or bulkhead.

(B) Mechanical equipment.

(C) Cooling tower.

(D) Tank designed to hold liquids.

(E) Skylights.

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

(G) Chimney and vent stacks.

(H) Lightning protection equipment.

(I) Cell towers or other communication equipment.

(J) Parapet wall.

(K) Photovoltaic solar equipment

(5) Residential proximity slope applies to this district.

(g) Stories.

(1) Subareas – Phase 1 and Phase N. Maximum number of habitable stories is five stories. This section does not apply to above grade or below grade parking structures.

(2) Subarea Phase P. Maximum number of habitable stories is twelve stories. This section does not apply to above grade or below grade parking structures.

(3) Open Space A and Open Space B. See subsection (f) for Height requirements.

(h) Encroachments. The following items are permitted to be located 9 feet into the required front, side, and rear yards:

(1) Seat walls, unconditioned balconies, bay windows, ramps, retaining walls, stairs, handrails, safety railings, stoops, benches, and unenclosed porches are allowed into the required front yard and do not need to be shown on the development plan.

(2) Landscape planters.

(3) Sculptures.

(4) Awnings.

SEC. 51P- ____ .112. OFF-STREET PARKING AND LOADING.

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

(1) Retirement housing. One-quarter space per dwelling unit is required, or per the requirements of Division 51A-4.200 or a successor ordinance, whichever requires fewer spaces.

(2) Multifamily parking. If compliant with Section 51P-XX.116(a)(1) or (a)(2), one-half space per dwelling unit is required, or per the requirements of Division 51A-4.200 or a successor ordinance, whichever requires fewer spaces.

(b) Affordable units. Required off-street parking for the affordable units must be available as free parking and must be dispersed and distributed amongst all other assigned parking for similar units.

(c) Parking structure. A minimum of 85 percent of provided parking for new construction must be located in a parking structure.

(d) Aboveground parking structures. Aboveground parking structures must be screened or wrapped in accordance with this subsection.

(1) Screening of parking structures. Except for openings for vehicular or pedestrian access, openings in aboveground parking structure facades must provide solid screening

with a painted, stained, or masonry-like finish a minimum of 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights.

(2) Wrapping of parking structures. Except for openings for vehicular or pedestrian access, aboveground parking structures must be wrapped with a use other than parking, to a minimum depth of 25 feet of the building measured inward from the exterior facing structure facade.

Staff Recommendation:

(e) Surface parking location. Surface parking is prohibited between the public street-facing façade and the property line except that a maximum of two rows of surface parking may be located along the Preston Road street frontage.

Applicant's Request:

(e) Surface parking location. Surface parking is prohibited between the public street-facing façade and the property line except that a maximum of two rows of surface parking may be located along the Preston Road street frontage.

(f) Bike parking. Bike parking for at least 10 percent of the dwelling units must be provided in a parking or building structure in a secure location near the building entrance.

(g) Passenger loading and residential delivery zones.

(1) Each building site must provide at least two off-street or driveway loading and residential delivery spaces. The board of adjustment may grant a variance to this paragraph.

(2) On-street passenger loading zones, if provided, must be constructed in compliance with Architectural Barriers Act accessibility standards and must be approved by the director of public works.

(h) Service, loading, and garbage storage areas. Except for passenger loading and residential deliveries, all service, loading, and garbage storage areas must be enclosed within a main structure.

(i) Micro-mobility charging stations. Charging stations for at least 10 micro-mobility vehicles must be provided and must be located outside of the right-of-way and sidewalks. The charging stations must be designed to allow the possibility to secure the vehicles.

SEC. 51P- _____.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.114. LANDSCAPING.

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

(b) Protected tree mitigation. Replacement trees must have a caliper of at least three inches.

(c) Perimeter landscape buffer.

(1) A minimum 16-foot enhanced landscape buffer consistent with Section 51P.XXXX.116(a) is required along all public streets.

(2) Sidewalks and pedestrian facilities may be located within the required perimeter landscape buffer.

(d) Street trees. One tree is required for each 35 feet of street frontage and internal primary drive frontage. Existing healthy trees with a caliper of two inches or greater located within the permitter landscape buffer may be preserved and count toward the street tree requirement.

(e) Parking lot trees. All parking spaces in a surface lot may not be more than 60 feet from a large canopy tree planted in a median or an island. Each parking lot tree must have a minimum caliper of three inches and may not be planted closer than three feet to a paved portion of the parking lot. The minimum area for a median or island in a surface parking lot is 125 square feet.

(f) Parkway. Parkway must be of a pervious surface and planted. Street trees or landscaping must be located in the parkway.

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

SEC. 51P-____.115. OPEN SPACE.

(a) Open space A and Open Space B.

(1) Prior to or in conjunction with the issuance of the final Certificate of Occupancy for Phase 1, a minimum cumulative total of 90,000 square feet of open space shown on the conceptual plan as Open Space A and Open Space B must be installed in accordance with this section.

(2) A pedestrian plaza may not occupy more than 30 percent of Open Space A or Open Space B open space.

(b) Open space requirements. All open space must comply with the following provisions.

(1) Structures that are not fully enclosed such as pergolas, gazebos, and covered transit shelters and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed to be located within open space.

(2) Open space must contain primarily grass, vegetation, or pedestrian areas and must contain pedestrian amenities in accordance with Subsection (c) of this section.

(3) Parking spaces, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

(4) Except for emergency and grounds maintenance vehicles, operation, or parking of vehicles within open space is prohibited.

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

Staff Recommendation:

(c) Pedestrian facilities. Within Open Space A and Open Space B, a minimum of **six** of the following pedestrian facilities are required for each open space area:

Applicant's Request:

(c) Pedestrian facilities. Within Open Space A and Open Space B, a minimum of **five** of the following pedestrian facilities are required for each open space area:

(1) **Bench.**

(2) Bike racks.

(3) Bioswale/low impact water retention.

(4) Drinking fountains.

(5) Dog park.

(6) Low-water, native plantings.

(7) Micro-mobility charging stations.

(8) Pedestrian plaza.

(9) Pedestrian-scaled shade structure.

(10) Pedestrian wayfinding sign.

- (11) Picnic table.
- (12) Playground equipment.
- (13) Public art.
- (14) Shaded seating areas.
- (15) Trash can.
- (16) Water features.

SEC. 51P-____.116. SIDEWALKS.

- (a) Except as provided in this section, a minimum unobstructed eight-foot-wide sidewalk and a minimum eight-foot-wide parkway must be provided along all public streets.
- (b) A minimum six-foot-wide unobstructed sidewalk and a minimum four-foot-wide parkway must be provided along all internal primary drives to ensure pedestrian connectivity throughout the site.
- (c) At least one bench and one trash receptacle must be provided for every 500 linear feet of street frontage and internal primary drives for each development plan phase.
- (d) Tree grates do not count toward the minimum unobstructed sidewalk width.

SEC. 51P- ____ .117. SIGNS.

- (a) In general. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

Staff Recommendation:

~~(b) — Section 51A-7.304(b)(4) does not apply to this district.~~
(c) — Two detached signs are allowed per street frontage.

Applicant's Request:

(b) Section 51A-7.304(b)(4) does not apply to this district.
(c) Two detached signs are allowed per street frontage.

SEC. 51P- ____ .118. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.

(a) Except as provided in this section, compliance with Division 51A-4.110 is required to obtain the development bonuses in Section 51P-XXXX.110(d)(2), 51P-XXXX.110 (e)(2), and 51P-XXXX.110 (f)(2).

Staff Recommendation:

(1) The density and floor area ratio development bonuses set forth in Sections 51P-XXXX.110(d)(2)(A) and 51P-XXXX.110 (e)(2)(A) apply if a minimum of five percent of the total number of units are available to households earning between 51 and 60 percent of the area median family income and a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of the area median family income.

Applicant's Request:

(1) The density and floor area ratio development bonuses set forth in Sections 51P-XXXX.110(d)(2)(A) and 51P-XXXX.110 (e)(2)(A) apply if a minimum of five percent of the total number of units are available to households earning between 81 and 100 percent of the area median family income.

Staff Recommendation:

(2) The density and floor area ratio development bonuses set forth in Sections 51P-XXXX.110(d)(2)(B) and 51P-XXXX.110 (e)(2)(B) apply if minimum of five percent of the total number of units are available to households earning between 51 and 60 percent of the area median family income, a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of the area median family income, and a minimum of five percent of the total number of units are available to households earning between 81 and 100 percent of the area median family income.

Applicant's Request:

(2) The density and floor area ratio development bonuses set forth in Sections 51P-XXXX.110(d)(2)(B), 51P-XXXX.110 (e)(2)(B) apply if a minimum of ten percent of the total number of units are available to households earning between 81 and 100 percent of the area median family income.

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

SEC. 51P- ____ .119. DESIGN STANDARDS.

(a) New construction. The following design standards apply to new construction.

(1) Street, internal primary drive, and open space frontages.

(A) Frontages. All street-fronting facades, internal primary drive-fronting facades, and open space-fronting facades must have at least one window and at least one common primary entrance facing the street, internal primary drive, or open space at street-level. The entrance must access the street, internal primary drive, or open space with an improved path connecting to the sidewalk. A transparent surface is required for every 25 linear feet of continuous street-fronting, internal primary drive-fronting, and open space-fronting facade.

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

(2) Lighting.

(A) Special lighting requirement. Exterior lighting sources, if used, must be oriented down and onto the Property they light and generally away from adjacent residential properties.

(B) Pedestrian scale lighting. For a development greater than 20,000 square feet of floor area, pedestrian scale lighting that provides a minimum average illumination level of 1.5 foot candles must be provided along streets and internal primary drives. The design and placement of both the standards and fixtures must be approved by the director of transportation.

(3) Non-required fences. Unless a use specifically requires screening, all fences for uses along a street or internal primary drive must have a surface area that is a minimum of 50 percent open, allowing visibility between three feet and six feet above grade. Section 51A-4.602(a)(2) and (a)(4) do not apply to this district.

(4) Building articulation. For every 125 feet of horizontal building façade length, a minimum two-foot variation within the vertical plane must be provided.

(5) Pedestrian driveway crossings. At the intersection of each driveway with a sidewalk or pedestrian path, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.

SEC. 51P- ____ .120. TRANSIT RIDERSHIP ENHANCEMENTS.

(a) In general. This district is intended to enhance public transportation ridership by providing the following enhancements detailed in this section.

(b) Covered transit shelter. A minimum of two covered transit shelter stations with seating must be provided to serve the existing Dallas Area Rapid Transit (DART) bus stop to encourage additional transit ridership. One covered transit shelter station must be located on Preston Road and one covered transit shelter station must be located on Belt Line Road in conjunction with applicable development plan phase. Direct pedestrian connections between the DART station and all buildings must be provided.

SEC. 51P- ____ .121. CONNECTION TO PUBLIC TRAIL SYSTEM.

(a) In general. This district is intended to enhance walkability and public access via alternatives to automobiles providing for the following enhancement detailed in this section.

(b) Trail connection. Within 12 months of the completion of a publicly accessible hike and bike trail that is connected to the White Rock Creek trail and terminates on the south side of Alexis Drive, the property owner will use commercially reasonable efforts to develop a pedestrian connection between this Planned Development and a crossing at Alexis Drive. The cost of all off-site trail improvements crossing Alexis Drive and Belt Line Road shall be funded by the City.

(c) The developer controls the property between the Planned Development and Alexis Drive and will assist in complying with this section.

(d) The property owner may, at its own discretion, grant a pedestrian easement to the City, which the City shall accept for this connection. Upon acceptance of the easement the City shall indemnify the property owner from all claims related to its use.

(e) The property owner or developer will have sole discretion as to the location and design of this facility and may relocate the location of the trail improvements on the property at any time. Should the City require the facility meet design standards for similar public facilities such as sidewalks, trails, bike lanes, etc., the City will fund the enhancements. The property owner or developer will have sole discretion to install additional improvements adjacent to the trail facility.

SEC. 51P- ____ .122. ADDITIONAL PROVISIONS.

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

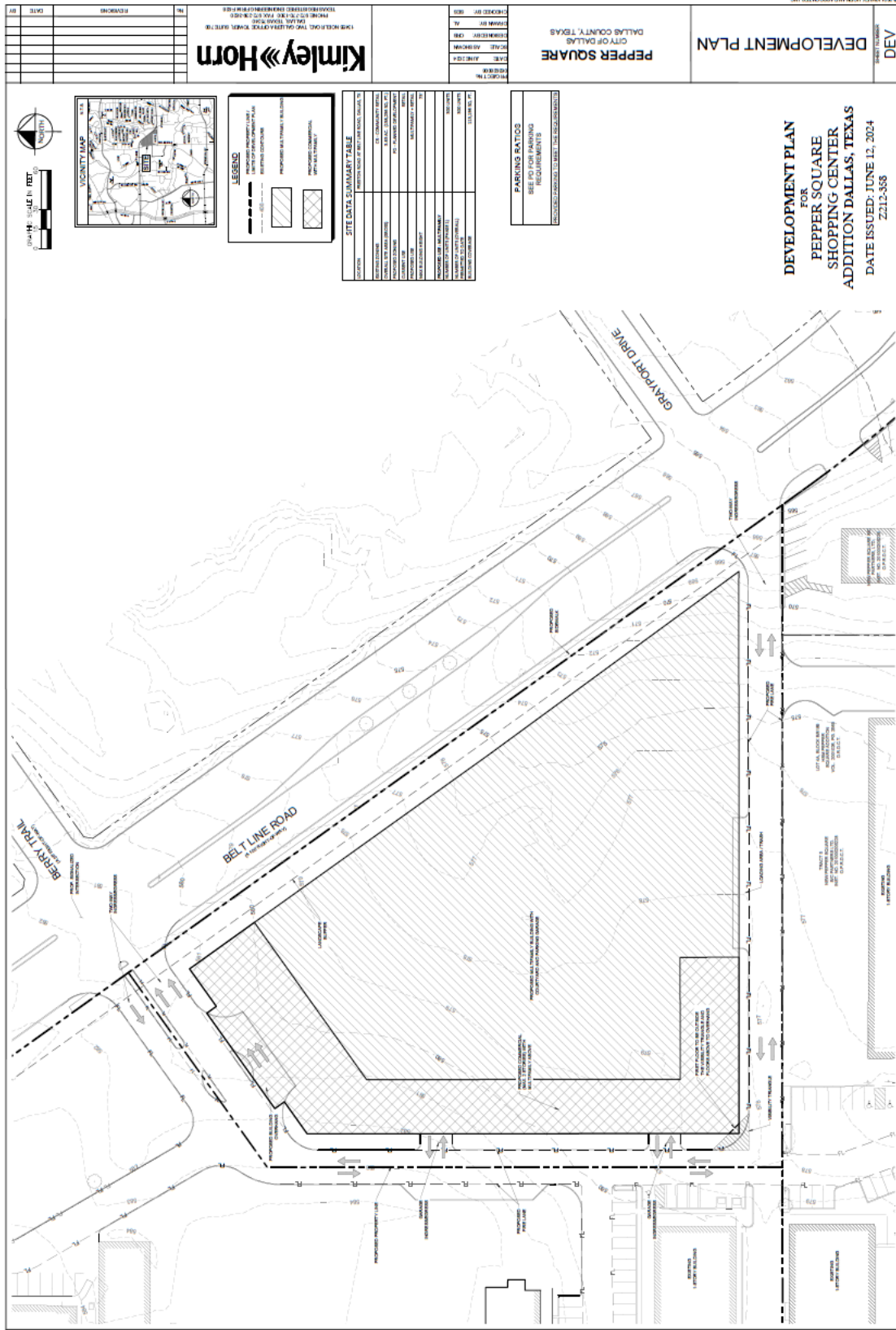
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.123. COMPLIANCE WITH CONDITIONS.

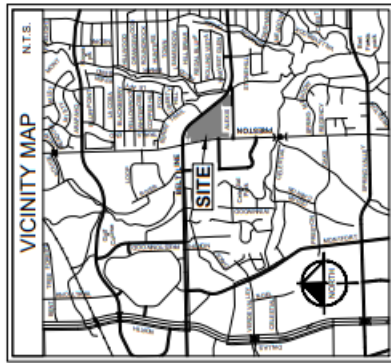
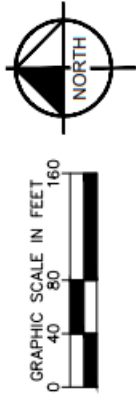
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

PROPOSED CONCEPTUAL PLAN



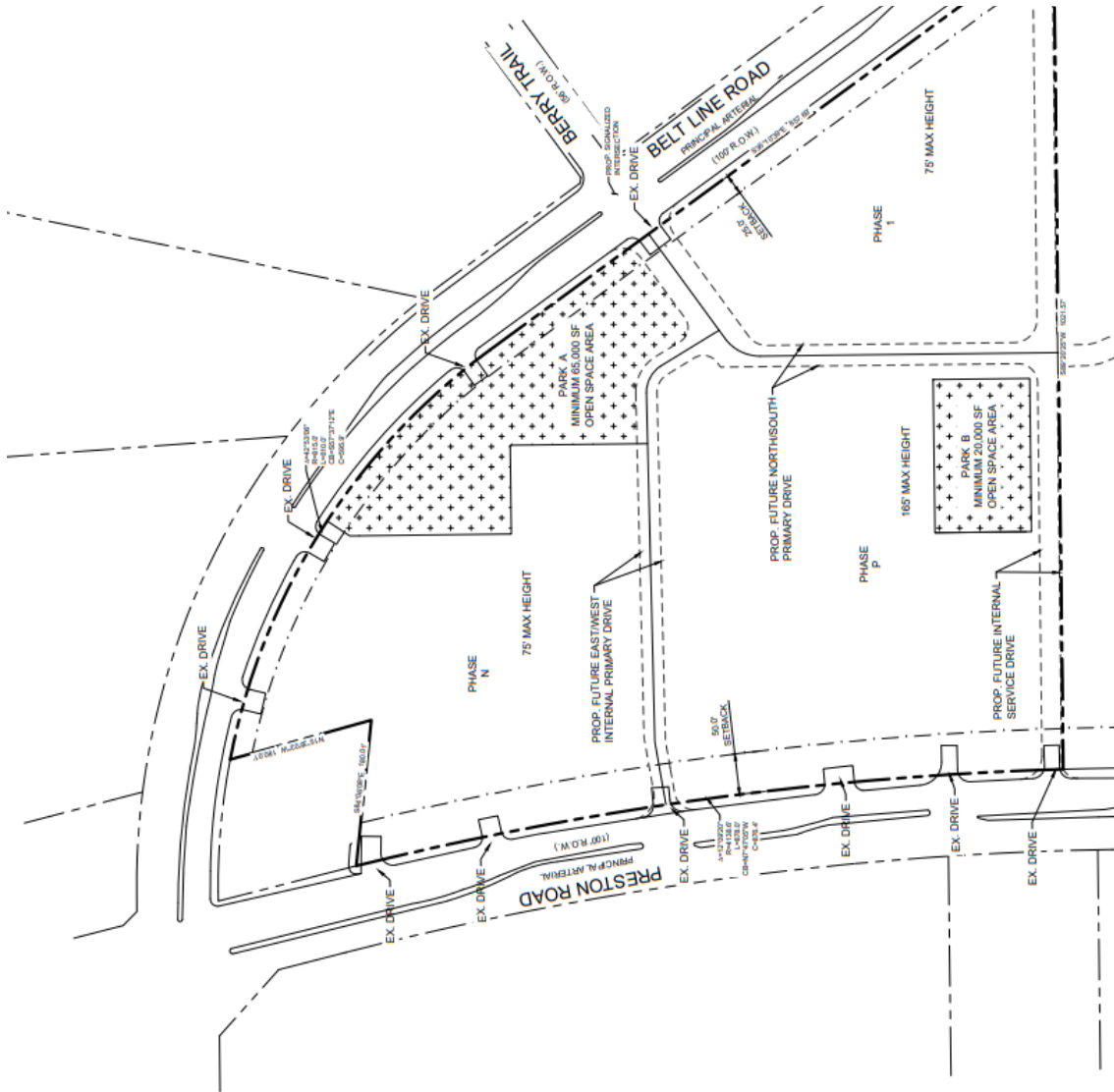
PROPOSED CONCEPTUAL PLAN (ENLARGED)



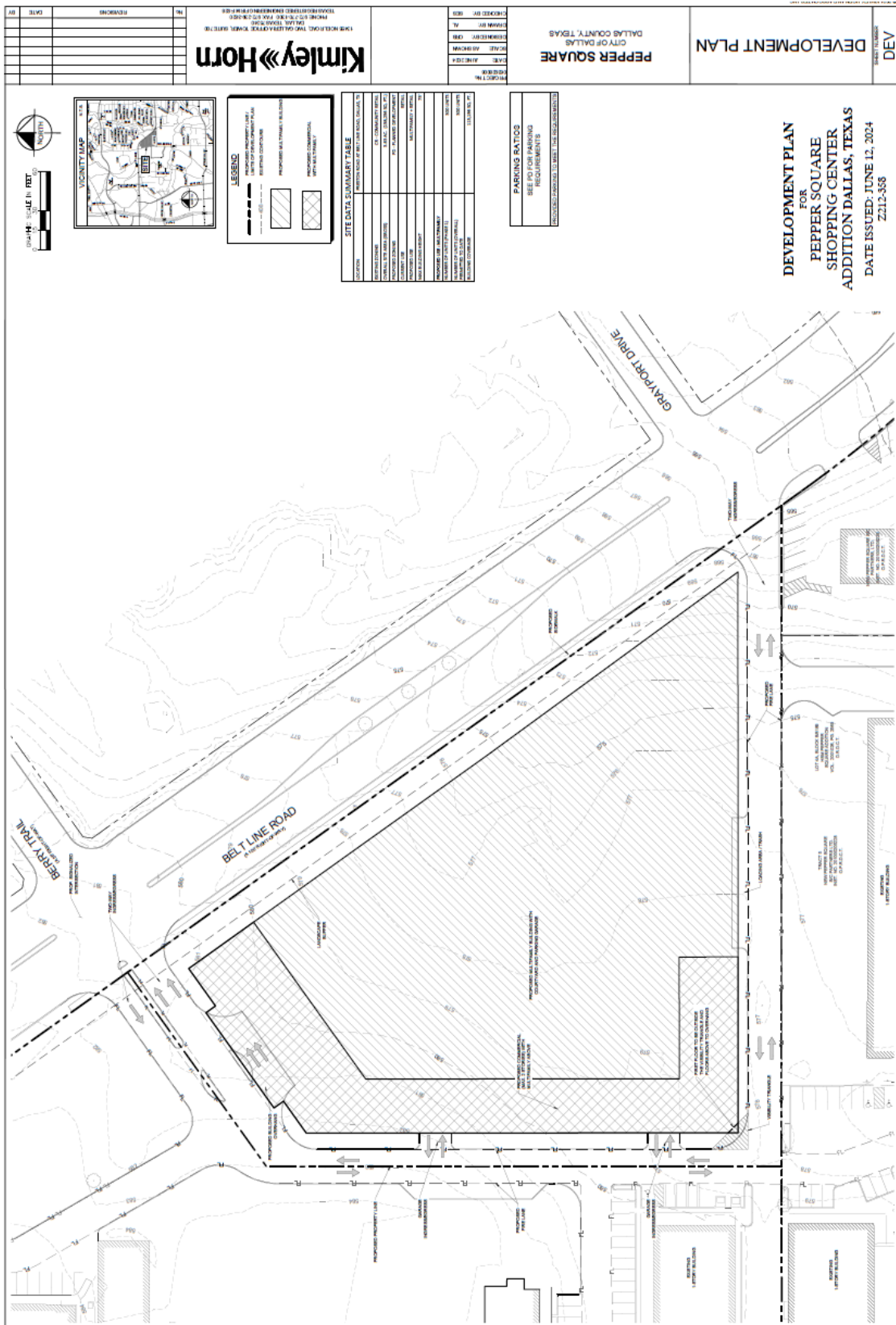
NOTES

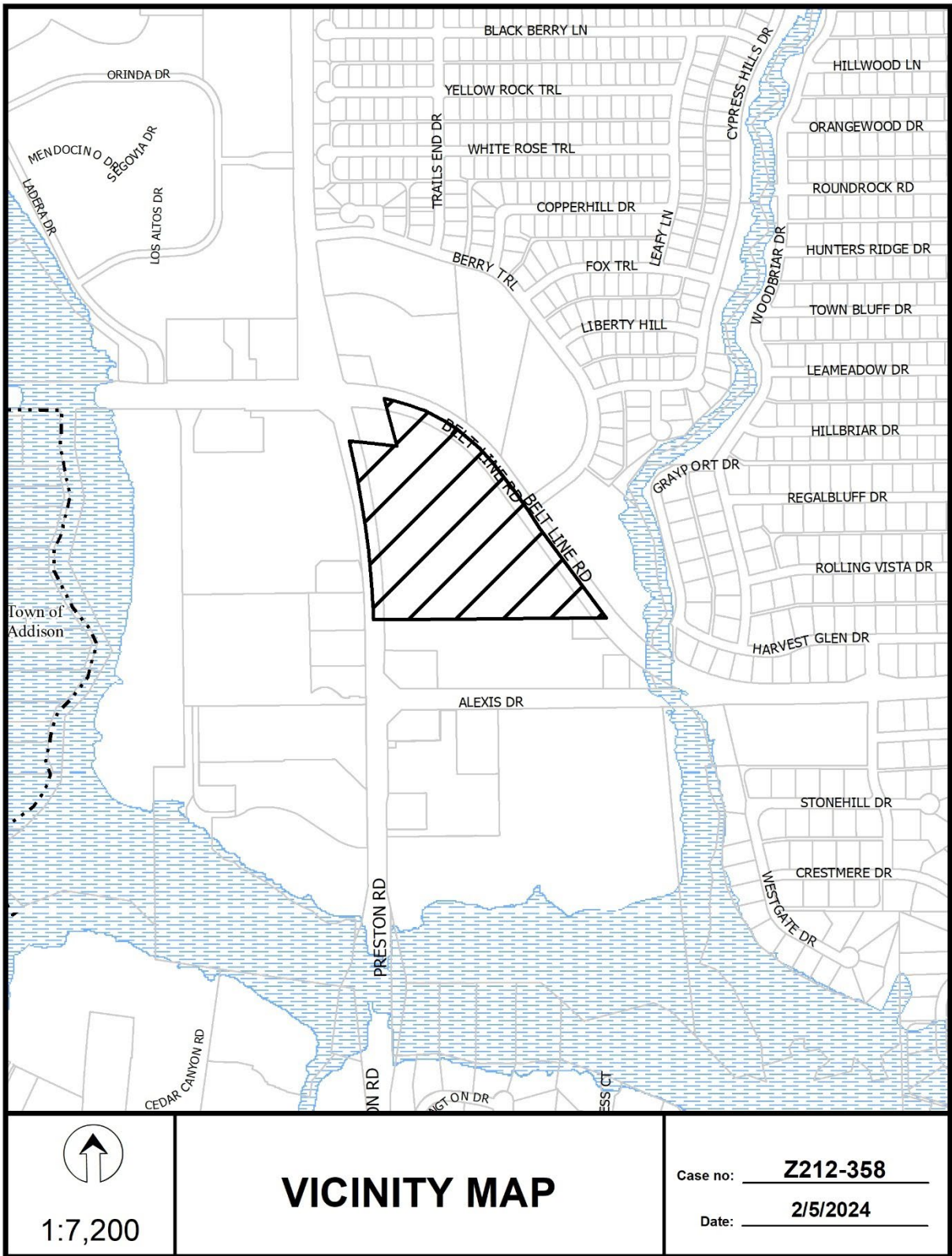
1. FUTURE DRIVES SUBJECT TO CHANGE WITH DEVELOPMENT PLAN IS SHOWN FOR REFERENCE ONLY.
2. REFER TO PD FOR LANDSCAPE AND DESIGN STANDARDS REQUIREMENTS.
3. APPROXIMATE LOCATION FOR PARK A AND B.
4. REFER TO PD FOR ULTIMATE MAX HEIGHT

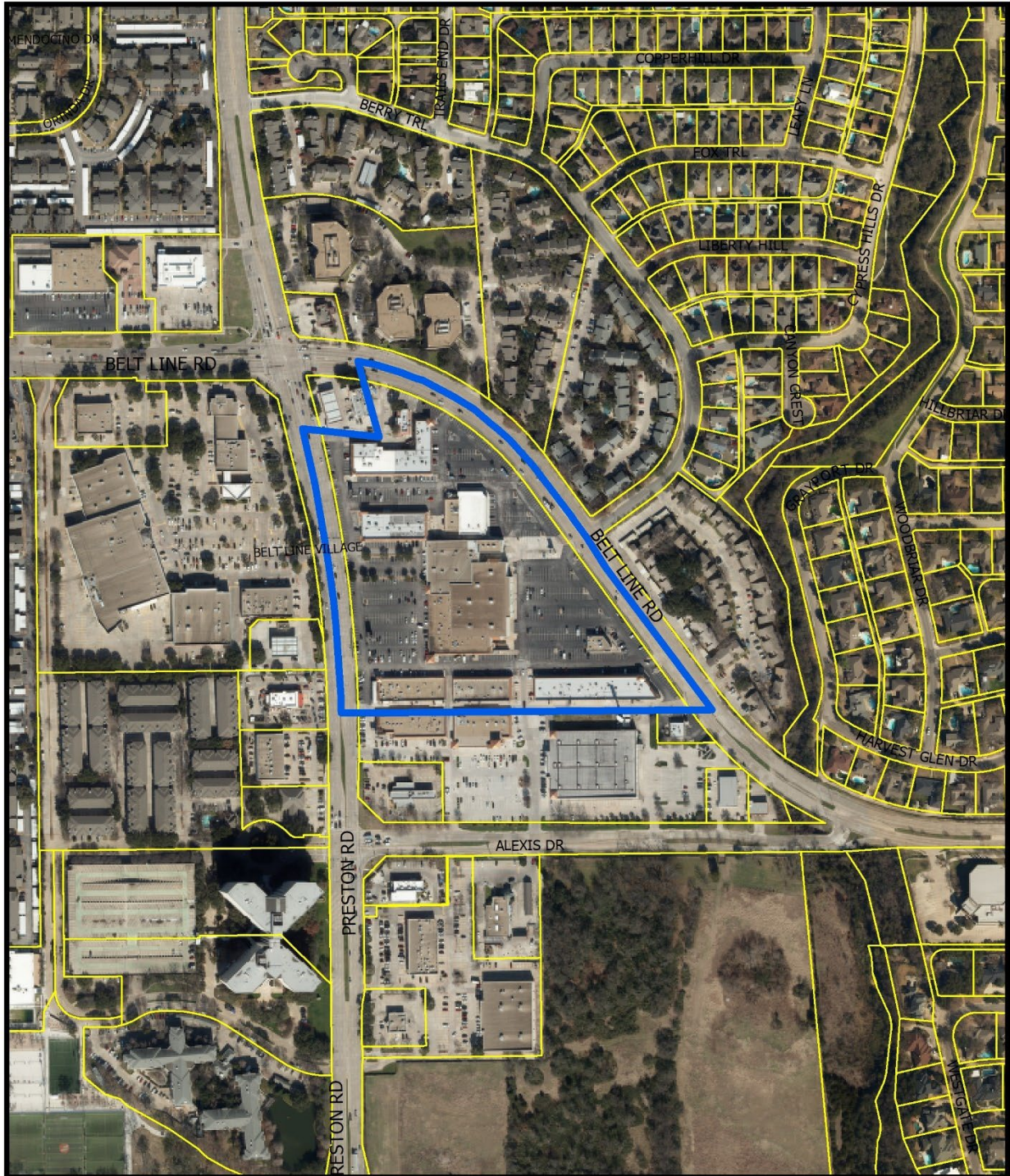
| SITE DATA SUMMARY TABLE | |
|-------------------------|--------------|
| TOTAL ACRES | 15.51 AC |
| TOTAL SF | 675,770.3 SF |
| LOT COVERAGE | 80% MAX |
| FAR | PER PD |
| HEIGHT | PER PD |
| DENSITY | PER PD |
| OPEN SPACE | PER PD |
| USES | MU-2 |
| PARKING | PER PD |



PROPOSED DEVELOPMENT PLAN





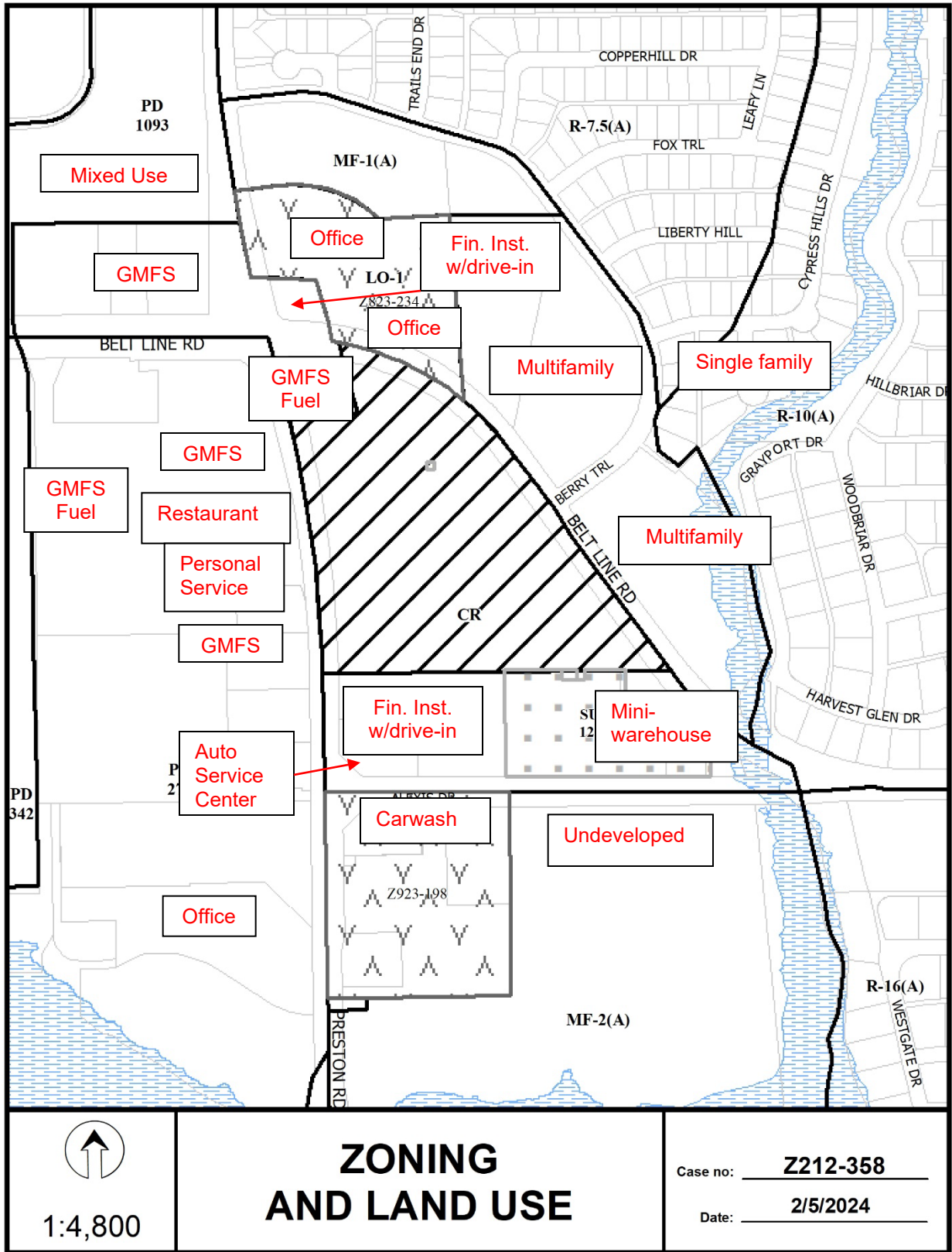


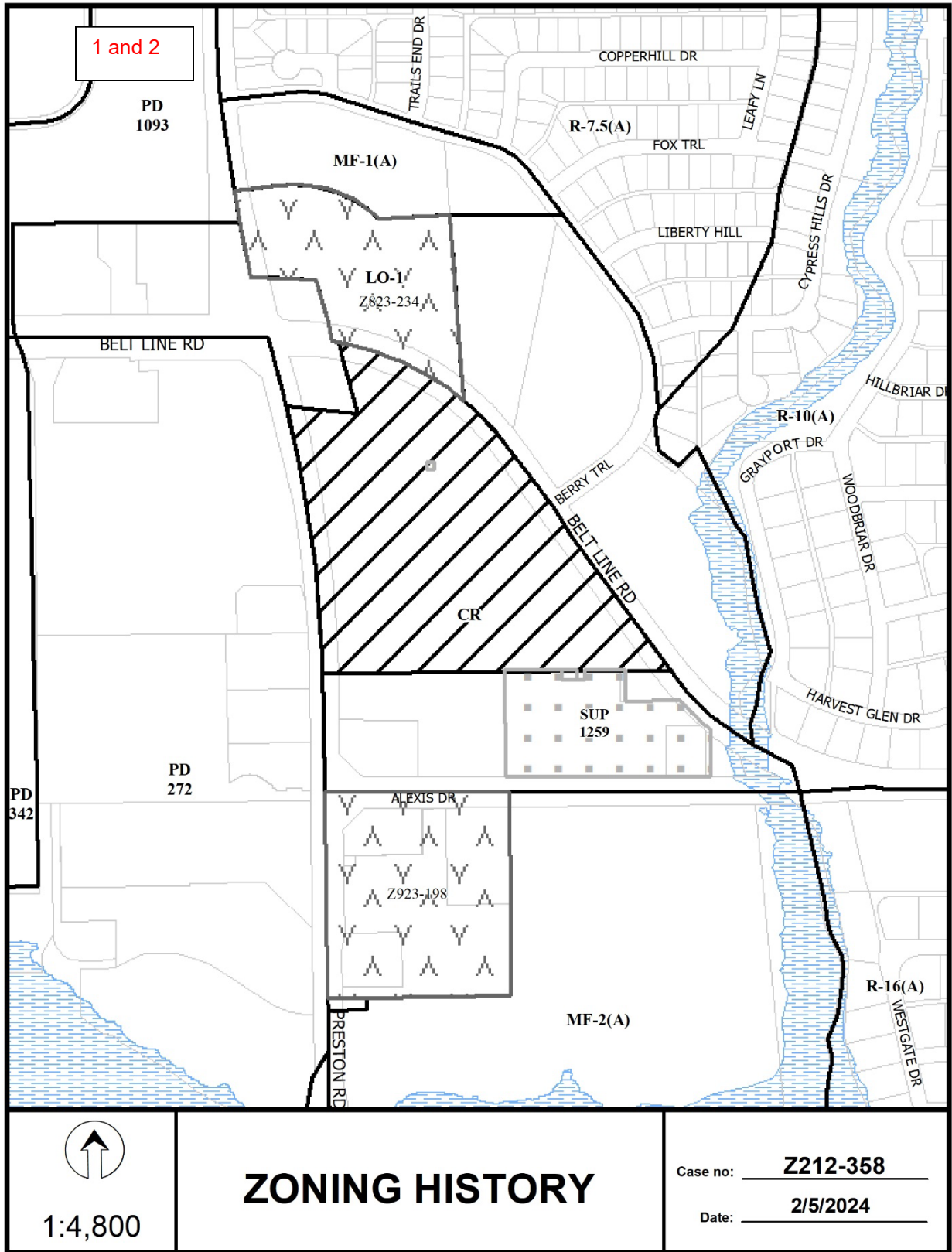
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AERIAL MAP

Case no: Z212-358

Date: 2/5/2024





1 and 2

PD 1093

MF-1(A)

COPPERHILL DR

R-7.5(A)

FOX TRL

LIBERTY HILL

LO-1

Z823-234

BELT LINE RD

R-10(A)

CR

SUP 1259

PD 342

PD 272

ALEXIS DR

Z923-198

R-16(A)

MF-2(A)

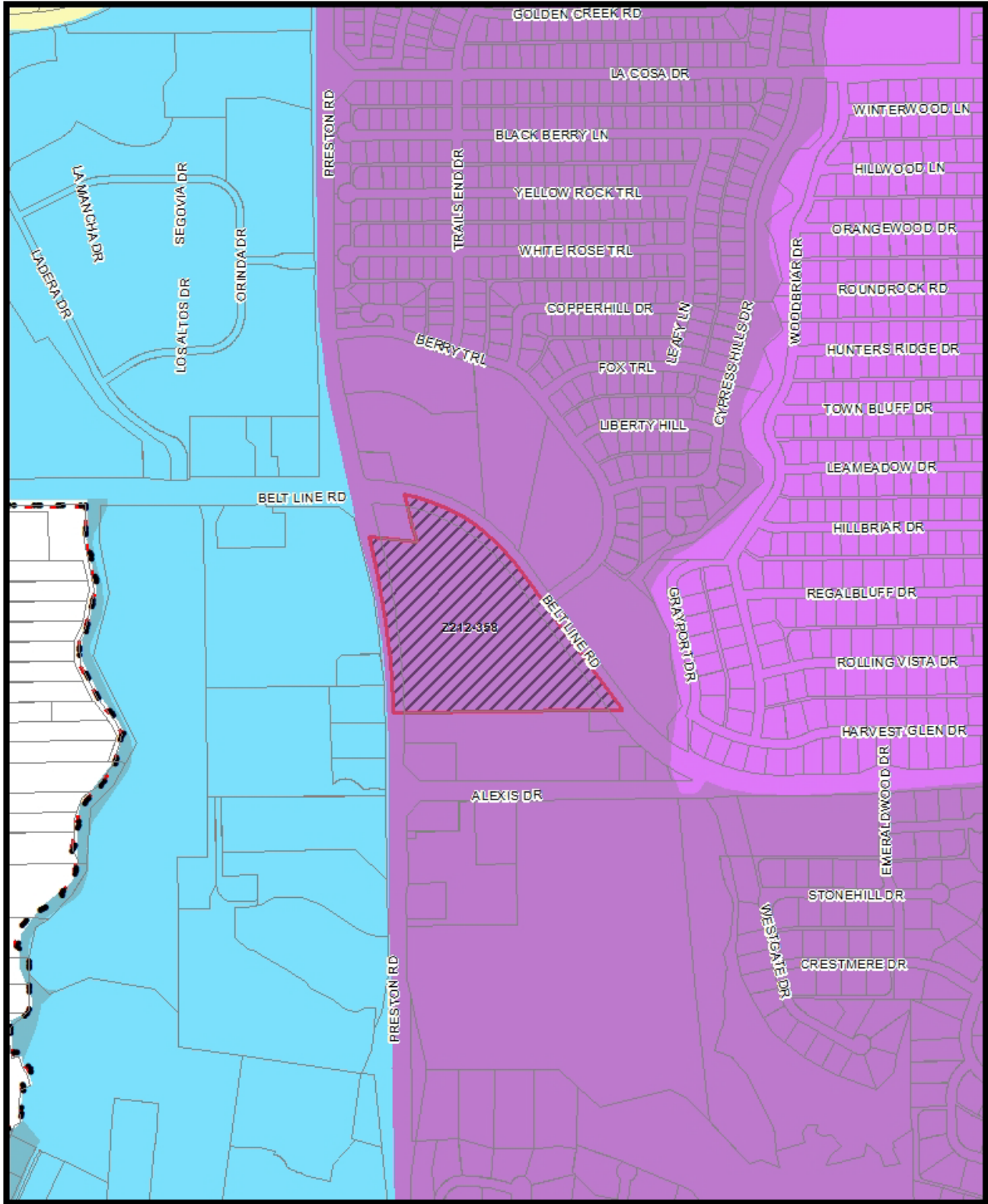


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ZONING HISTORY

Case no: Z212-358

Date: 2/5/2024

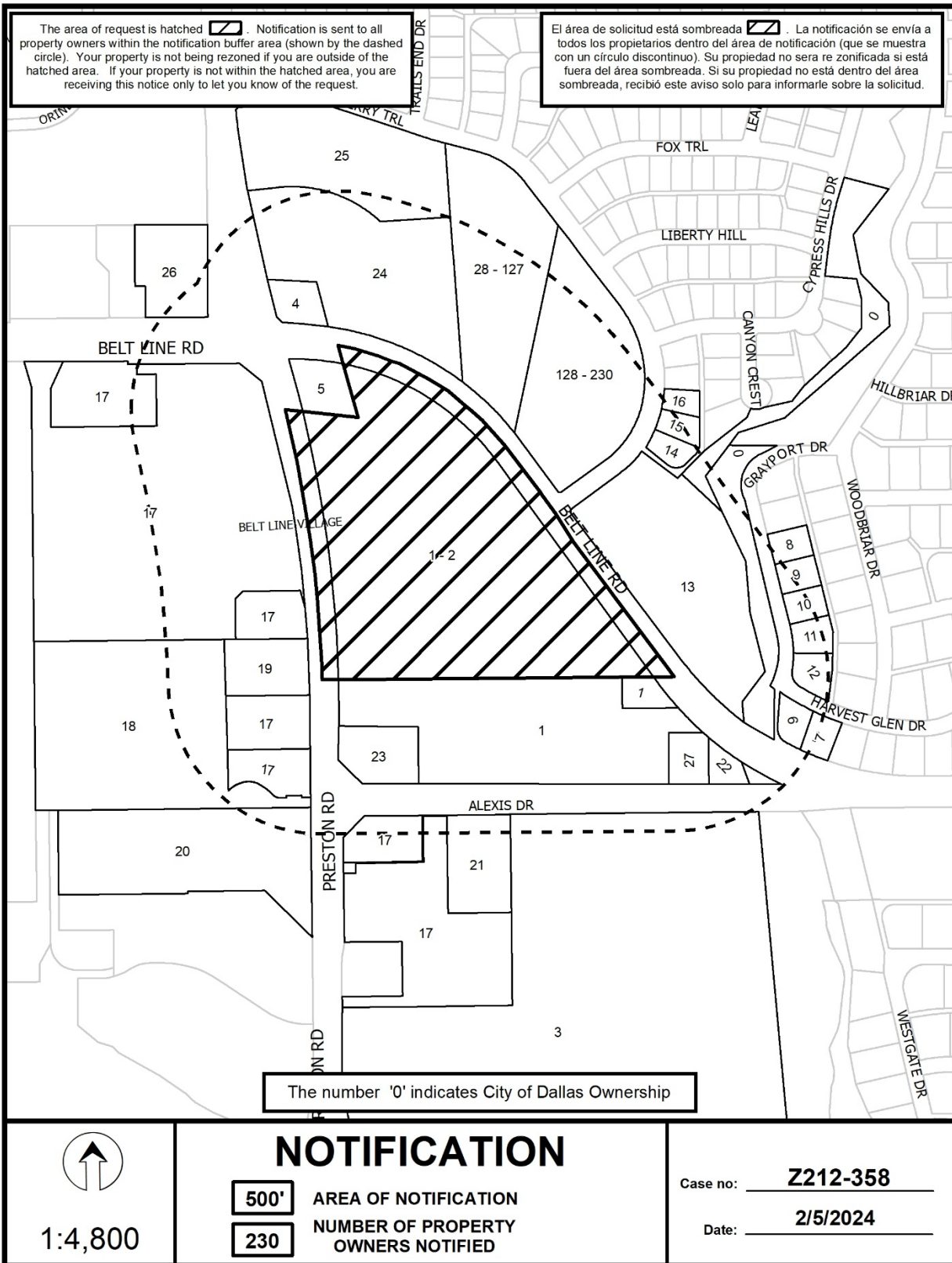


Market Value Analysis A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 2/5/2024



02/05/2024

Notification List of Property Owners***Z212-358******230 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|-------------------------------------|
| 1 | 6160 BELTLINE RD | NEW PEPPER SQUARE S/C PARTNERS LTD |
| 2 | 6010 BELTLINE RD | FURRS CAFETERIA |
| 3 | 6050 BELT LINE RD | NSHE TX BLACK TETRA LLC |
| 4 | 15114 PRESTON RD | INTERCITY INVESTMENT |
| 5 | 15050 PRESTON RD | SEJ ASSET MGMT & INVESTMENT COMPANY |
| 6 | 6530 HARVEST GLEN DR | TORRES NOEL & |
| 7 | 6536 HARVEST GLEN DR | CERPANYA SUSAN HANNA |
| 8 | 14910 GRAYPORT DR | ESTEP DAVID GRANT & |
| 9 | 14906 GRAYPORT DR | WINCORN KENNETH |
| 10 | 14902 GRAYPORT DR | WIELANDY JOHN R & |
| 11 | 14808 GRAYPORT DR | CARLSON CAROLYN NANETTE |
| 12 | 14804 GRAYPORT DR | GARRETT MICHELLE L & WILLIAM C |
| 13 | 6069 BELT LINE RD | GRAND SEASONS APTS LLC |
| 14 | 15124 BERRY TRL | SERRANO SHEILA |
| 15 | 15128 BERRY TRL | FEDERICO KYLE W |
| 16 | 15132 BERRY TRL | LIGNOUL CHRISTINE A & MARK E |
| 17 | 14999 PRESTON RD | FAIRWAY CAPITAL PTNR LTD |
| 18 | 14827 PRESTON RD | 2022-1 DALLAS PRESTONWOOD MF |
| 19 | 14897 PRESTON RD | Taxpayer at |
| 20 | 14785 PRESTON RD | SIGNATURE EXCHANGE OWNER LLC |
| 21 | 6060 ALEXIS DR | RAMSEY LUTHER HAROLD |
| 22 | 6190 BELT LINE RD | Taxpayer at |
| 23 | 14852 PRESTON RD | COMPASS BANK PLANO |
| 24 | 15150 PRESTON RD | 15150 PRESTON DALLAS LTD |
| 25 | 15215 BERRY TRL | 15215 BERRY TRAIL LP |
| 26 | 15105 PRESTON RD | Taxpayer at |

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|----------------|-----------------|----------------------------------|
| 27 | 6161 ALEXIS DR | Taxpayer at |
| 28 | 15221 BERRY TRL | AMTX CONDO VENTURE LLC |
| 29 | 15221 BERRY TRL | HOFMEISTER KENT STANLEY |
| 30 | 15221 BERRY TRL | ALDRICH REAL ESTATE VENTURES LLC |
| 31 | 15221 BERRY TRL | MISSIRLIS HOLDINGS LLC |
| 32 | 15221 BERRY TRL | VALENTINO PATRICIA MARIE |
| 33 | 15221 BERRY TRL | RICKRICH WHITE LLC |
| 34 | 15221 BERRY TRL | COSS CASSANDRA C & |
| 35 | 15221 BERRY TRL | HARRIS ROGER D |
| 36 | 15221 BERRY TRL | LANE KELLY SUZANNE |
| 37 | 15221 BERRY TRL | PATHER PADHMANI |
| 38 | 15221 BERRY TRL | PATHER KAMINI |
| 39 | 15221 BERRY TRL | NUNO RAY & SUSANA |
| 40 | 15221 BERRY TRL | TANGHONGS JIRAPAT ETAL |
| 41 | 15221 BERRY TRL | MANZON ALISON N |
| 42 | 15221 BERRY TRL | LAZIMOVICH LJILJANA & |
| 43 | 15221 BERRY TRL | CHANEY SUZANNE DENISE |
| 44 | 15221 BERRY TRL | MCQUEEN SHERRY L |
| 45 | 15221 BERRY TRL | OMAR SHEWAN J |
| 46 | 15221 BERRY TRL | KUO CHRISTINA |
| 47 | 15221 BERRY TRL | CRISP JAMES DAVID |
| 48 | 15221 BERRY TRL | MANOUEL CECILIA & MICHAEL |
| 49 | 15221 BERRY TRL | DUROSS MATTHEW M |
| 50 | 15221 BERRY TRL | SEITZ DONNA R |
| 51 | 15221 BERRY TRL | STECK CLYDE |
| 52 | 15221 BERRY TRL | MILLER JENNIFER CHRISTINE |
| 53 | 15221 BERRY TRL | IAMAROMANA APHICHARD |
| 54 | 15221 BERRY TRL | GARMON CURTIS III & |
| 55 | 15221 BERRY TRL | TSAO ALEX C |
| 56 | 15221 BERRY TRL | ROMERO AUGUSTINE |
| 57 | 15221 BERRY TRL | BAGHERIAN CHRISTOPHER & JANE E |

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|----------------|-----------------|----------------------------------|
| 58 | 15221 BERRY TRL | LI JIAN |
| 59 | 15221 BERRY TRL | CRISP JAMES DAVID |
| 60 | 15221 BERRY TRL | MORETTA MADELYN |
| 61 | 15221 BERRY TRL | ESTEP PATRICK ALAN COLE & |
| 62 | 15221 BERRY TRL | SOLORZANO WILMER JOSE |
| 63 | 15221 BERRY TRL | NGUYEN LUAN & |
| 64 | 15221 BERRY TRL | INDIANER EVAN & ADRIENNE |
| 65 | 15221 BERRY TRL | GREGORY PATRICIA A |
| 66 | 15221 BERRY TRL | POWELL RONALD & POWELL CAROL |
| 67 | 15221 BERRY TRL | LEWIS DANELIA MORENO |
| 68 | 15221 BERRY TRL | SAGE STEPHEN R REVOCABLE TRUST & |
| 69 | 15221 BERRY TRL | LONG GARRETT |
| 70 | 15221 BERRY TRL | 15221 BERRY TRAIL 603 LLC |
| 71 | 15221 BERRY TRL | CONSIGLI JOHN & |
| 72 | 15221 BERRY TRL | COVINGTON JANICE A |
| 73 | 15221 BERRY TRL | MORALES SABRINA |
| 74 | 15221 BERRY TRL | DAVIS LINDA COOPER |
| 75 | 15221 BERRY TRL | MCSHANE ROSALIE A |
| 76 | 15221 BERRY TRL | NAVARRO LORENA |
| 77 | 15221 BERRY TRL | DFW HOMESTEAD LLC |
| 78 | 15221 BERRY TRL | GILL DAN & MARIE |
| 79 | 15221 BERRY TRL | HOLLIS KELLY |
| 80 | 15221 BERRY TRL | ANDERSON CORY DANIEL & JENIFER |
| 81 | 15221 BERRY TRL | CHILDS DOROTHEA P |
| 82 | 15221 BERRY TRL | CHILDERS LAURA D |
| 83 | 15221 BERRY TRL | BRUNET JOANNA |
| 84 | 15221 BERRY TRL | MAWHEE JAN C |
| 85 | 15221 BERRY TRL | HATCHETT JANAE |
| 86 | 15221 BERRY TRL | PANMANEE PATCHARAPORN |
| 87 | 15221 BERRY TRL | GURBBS TEX B & PAULA |
| 88 | 15221 BERRY TRL | ZIDLE JONATHAN |

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|----------------|-----------------|--------------------------------|
| 89 | 15221 BERRY TRL | OWENS DUSTIN SHANE |
| 90 | 15221 BERRY TRL | STAHL BRETT |
| 91 | 15221 BERRY TRL | MCKINNEY WANDA |
| 92 | 15221 BERRY TRL | HENRIQUEZ SUSANA G |
| 93 | 15221 BERRY TRL | BIGBIE CHRISTOPHER & AMY |
| 94 | 15221 BERRY TRL | DALE JOHN P |
| 95 | 15221 BERRY TRL | STEVENS SHARON |
| 96 | 15221 BERRY TRL | AMEZAGA DIANA |
| 97 | 15221 BERRY TRL | FAIRCHILD PATRICIA M |
| 98 | 15221 BERRY TRL | AYONGA CHRISTINE M |
| 99 | 15221 BERRY TRL | KILLOUGH MITCH |
| 100 | 15221 BERRY TRL | NGUYEN VU BA & |
| 101 | 15221 BERRY TRL | HO TAI A |
| 102 | 15221 BERRY TRL | BLACK BEATRICE |
| 103 | 15221 BERRY TRL | HENSLEY JASON L |
| 104 | 15221 BERRY TRL | VILIUNNY MARRY |
| 105 | 15221 BERRY TRL | NELSON ARTHUR A III & MEREDITH |
| 106 | 15221 BERRY TRL | LABAW GERALD & CONNIE |
| 107 | 15221 BERRY TRL | POLSKY DEBRA G |
| 108 | 15221 BERRY TRL | WEBB JAMIE S |
| 109 | 15221 BERRY TRL | ROLOFF JAMES |
| 110 | 15221 BERRY TRL | FAZELI HEIDI |
| 111 | 15221 BERRY TRL | NGUYEN VU & |
| 112 | 15221 BERRY TRL | WANG XIAOZHOU |
| 113 | 15221 BERRY TRL | BAUM FAMILY LIVING TRUST |
| 114 | 15221 BERRY TRL | ADAR DEVELOPMENT LLC |
| 115 | 15221 BERRY TRL | LINK ANN |
| 116 | 15221 BERRY TRL | BYRD CYNTHIA |
| 117 | 15221 BERRY TRL | FARAHMAND FOAD |
| 118 | 15221 BERRY TRL | SEIBER PAREESHA M |
| 119 | 15221 BERRY TRL | KING TRENTON J |

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|----------------|-----------------|-------------------------------|
| 120 | 15221 BERRY TRL | COBB CAMILLA H MGMT TR |
| 121 | 15221 BERRY TRL | CAMERON ABBY L |
| 122 | 15221 BERRY TRL | ABRAMOV LEZA |
| 123 | 15221 BERRY TRL | VALATABOR ABTIN |
| 124 | 15221 BERRY TRL | LINK JUSTIN G |
| 125 | 15221 BERRY TRL | FEDERICO LISA LEIGH |
| 126 | 15221 BERRY TRL | BYRD BENJAMIN FRANKLIN III |
| 127 | 15221 BERRY TRL | DARBANDI BIJAN & |
| 128 | 15151 BERRY TRL | TIDMORE WILLIAM L & |
| 129 | 15151 BERRY TRL | YERMATOVA VICTORIA & |
| 130 | 15151 BERRY TRL | AMS INTERNATIONAL CORPORATION |
| 131 | 15151 BERRY TRL | ARCHER LESLIE ANN |
| 132 | 15151 BERRY TRL | KUNTZ BETTY & ROGER |
| 133 | 15151 BERRY TRL | PITTS JAMES |
| 134 | 15151 BERRY TRL | KOHANSION STEVE |
| 135 | 15151 BERRY TRL | LIANG FANGQING |
| 136 | 15151 BERRY TRL | JOE MARIE K |
| 137 | 15151 BERRY TRL | REYES SAUL LIFE ESTATE |
| 138 | 15151 BERRY TRL | HASAN NORA |
| 139 | 15151 BERRY TRL | HOROWITZ LINDA W & IRA |
| 140 | 15151 BERRY TRL | XIONG YINGQI & |
| 141 | 15151 BERRY TRL | ANDRE MARLENE |
| 142 | 15151 BERRY TRL | NORWOOD CAROL DOUGLASS |
| 143 | 15151 BERRY TRL | TATUM TRACEY |
| 144 | 15151 BERRY TRL | COWLEY CIERRA |
| 145 | 15151 BERRY TRL | BEAN BRUCE ALLEN |
| 146 | 15151 BERRY TRL | CAKIR CONRAD E |
| 147 | 15151 BERRY TRL | FATT JOEL CHIN |
| 148 | 15151 BERRY TRL | AMTX CONDO VENTURE LLC |
| 149 | 15151 BERRY TRL | MAGANA MARTHA IRMA |
| 150 | 15151 BERRY TRL | ALHOEI ZAHRA & |

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|----------------|-----------------|-------------------------------|
| 151 | 15151 BERRY TRL | FRAZIER JANE V |
| 152 | 15151 BERRY TRL | ABRAMOV OFER |
| 153 | 15151 BERRY TRL | AHERN SUSAN |
| 154 | 15151 BERRY TRL | HAMRICK MATTHEW JOSE R |
| 155 | 15151 BERRY TRL | GRAVES GARY EDWARD |
| 156 | 15151 BERRY TRL | BELJA SARA |
| 157 | 15151 BERRY TRL | LAIGO MA D |
| 158 | 15151 BERRY TRL | ZIVEC HILDA |
| 159 | 15151 BERRY TRL | NAMMINGA IVAN J |
| 160 | 15151 BERRY TRL | QUADROS RAUL A |
| 161 | 15151 BERRY TRL | HOEFERKAMP BRENDON & |
| 162 | 15151 BERRY TRL | SHANKLE JENNIFER |
| 163 | 15151 BERRY TRL | PEREZ ERNESTO A |
| 164 | 15151 BERRY TRL | PATHER KAMINI & |
| 165 | 15151 BERRY TRL | MIRAE LAMI IMAN |
| 166 | 15151 BERRY TRL | HARPER JAMES R & |
| 167 | 15151 BERRY TRL | FORD RONALD DAVID |
| 168 | 15151 BERRY TRL | FEGER ANDREW SCOTT |
| 169 | 15151 BERRY TRL | ALBA ALEXANDER |
| 170 | 15151 BERRY TRL | KNIGHT F ANNE |
| 171 | 15151 BERRY TRL | TORKAMANI SHERRY SHARZAD |
| 172 | 15151 BERRY TRL | POLKOSNIK CONRAD |
| 173 | 15151 BERRY TRL | SHORES CYNTHIA A |
| 174 | 15151 BERRY TRL | SCANTLIN CASSANDRA LYNN |
| 175 | 15151 BERRY TRL | BRAME JAY FRANK |
| 176 | 15151 BERRY TRL | BALA ASISH |
| 177 | 15151 BERRY TRL | DUGAN DERRICK JUSTIN & RICK D |
| 178 | 15151 BERRY TRL | OTOOLE PATRICK & CHRISTINE M |
| 179 | 15151 BERRY TRL | AMTX CONDO VENTURE LLC |
| 180 | 15151 BERRY TRL | SLB DEVELOPMENT LLC |
| 181 | 15151 BERRY TRL | MALEKFARNOOD SHOLEH |

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|----------------|-----------------|---------------------------------|
| 182 | 15151 BERRY TRL | DELGIUDICE JOSIEN A |
| 183 | 15151 BERRY TRL | WHITLEY LAVERNE |
| 184 | 15151 BERRY TRL | AFSHAR MOHAMMAD |
| 185 | 15151 BERRY TRL | YEH SANDY & ALBERT |
| 186 | 15151 BERRY TRL | 66DS RENTALS LLC |
| 187 | 15151 BERRY TRL | COLE ESTEP PATRICK ALAN & |
| 188 | 15151 BERRY TRL | SCHIFFRIS JEFFREY L |
| 189 | 15151 BERRY TRL | SPIROV RANGEL & |
| 190 | 15151 BERRY TRL | REDFORD JANICE JANEL |
| 191 | 15151 BERRY TRL | ERLON THOMAS A EST OF & DIANE K |
| 192 | 15151 BERRY TRL | PERALTA FAITH |
| 193 | 15151 BERRY TRL | COX TINA M & |
| 194 | 15151 BERRY TRL | FIZELL CATHERINE |
| 195 | 15151 BERRY TRL | LAIGO DONNA J |
| 196 | 15151 BERRY TRL | NORDGREN DEBORAH BROWN |
| 197 | 15151 BERRY TRL | CHAVIRA JAVIER H |
| 198 | 15151 BERRY TRL | SQUYRES JEFF T |
| 199 | 15151 BERRY TRL | APEL PATRICE |
| 200 | 15151 BERRY TRL | LI MING JR & RU HUNG WANG |
| 201 | 15151 BERRY TRL | CONTRERAS MARIA D |
| 202 | 15151 BERRY TRL | JENKINS MARY |
| 203 | 15151 BERRY TRL | ROSEN MILDRED M LIF EST |
| 204 | 15151 BERRY TRL | RASKIN BARRY & CHRISTINA |
| 205 | 15151 BERRY TRL | VELARDE ANGEL |
| 206 | 15151 BERRY TRL | SNOW SHELBY ERIN |
| 207 | 15151 BERRY TRL | RAO PRAJAKTI P & |
| 208 | 15151 BERRY TRL | KOESTLINE JACK H |
| 209 | 15151 BERRY TRL | HECKATHORNE PHILLIP N |
| 210 | 15151 BERRY TRL | YATES MIROSALVA GARCIA |
| 211 | 15151 BERRY TRL | HOLLAND EDWARD L JR |
| 212 | 15151 BERRY TRL | XU MENGYUAN |

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|----------------|-----------------|---------------------------------|
| 213 | 15151 BERRY TRL | FRANCO ISRAEL & MARIA GUADALUPE |
| 214 | 15151 BERRY TRL | ABOLHASSANI TAHEREH |
| 215 | 15151 BERRY TRL | GHAREHGOZLOU SAMIRA |
| 216 | 15151 BERRY TRL | PECK TRACY & JOYCE JOINT |
| 217 | 15151 BERRY TRL | KEEN MICHAEL & |
| 218 | 15151 BERRY TRL | CRISP JAMES DAVID |
| 219 | 15151 BERRY TRL | CARDENAS LILIA |
| 220 | 15151 BERRY TRL | DOUGHERTY TIM |
| 221 | 15151 BERRY TRL | FANDINO JOSE & |
| 222 | 15151 BERRY TRL | HU QUANQING |
| 223 | 15151 BERRY TRL | SOLORZANO WILMER JOSE |
| 224 | 15151 BERRY TRL | XUE YILIAN |
| 225 | 15151 BERRY TRL | TUCKER KATHY |
| 226 | 15151 BERRY TRL | OREM CHERYL S |
| 227 | 15151 BERRY TRL | EDWARDS SCOTT |
| 228 | 15151 BERRY TRL | SOLORZANO WILMER |
| 229 | 15151 BERRY TRL | LEHRMAN BENJAMIN ROSS |
| 230 | 15151 BERRY TRL | LEE PHILIP PEIHUNG |