

**FILE NUMBER:** Z234-262(MB) **DATE FILED:** June 14, 2024

**LOCATION:** West line of North Beckley Avenue, between West Commerce Street and West Main Street; also on the north line of West Main Street, between North Beckley Avenue and Herbert Street; and the northeast corner of North Beckley Avenue and West Commerce Street

**COUNCIL DISTRICT:** 6

**SIZE OF REQUEST:** 16.063 acres **CENSUS TRACT:** 48113004300

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**REPRESENTATIVE:** Andrew Ruegg, Masterplan

**APPLICANT:** Trinity Park Conservancy

**OWNER:** 2601 N Beckley LLC

**REQUEST:** An application for a new subdistrict on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, an A(A) Agricultural District, and an IM Industrial Manufacturing District.

**SUMMARY:** The purpose of the request is to allow for modified development standards primarily related to uses, setbacks, design standards, landscaping, and required parking to develop the site with private recreation center, club, or area and public park, playground, or golf course uses.

**STAFF RECOMMENDATION:** Approval, subject to staff's recommended conditions.

## **BACKGROUND INFORMATION:**

- The area of request is currently zoned Subarea 1A, within Planned Development District No. 714 and IM Industrial Manufacturing District, the Fort Worth Avenue/West Commerce Street Special Purpose District.
- The applicant intends to develop the area of request with a park as well as other uses which would be incorporated into the park.
- The applicant is requesting a new subdistrict based on an MU-1 Mixed Use District.

### **Zoning History:**

There have been three zoning cases on two sites in the area in the last five years:

1. **Z234-291:** On February 26, 2025, City Council approved an application for a Planned Development Subdistrict on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, bound by West Commerce Street, Haslett Street, Yorktown Street, and Pittman Street.
2. **Z234-205:** On September 11, 2024, City Council approved an application for 1) an amendment to Subdistrict 1D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District; and 2) an amendment to Specific Use Permit No. 2437 for alcoholic beverage manufacturing on the south side of Powell Street between Haslet Street and Sulphur Street, north of Yorktown Street.
3. **Z212-129:** On February 23, 2022, City Council approved application for a Specific Use Permit for an alcoholic beverage manufacturing use on property zoned Subdistrict 1D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, located on the south line of Powell Street, between Haslett Street and Sulphur Street.

### **Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Proposed ROW</b>
North Beckley Avenue	Minor Arterial	100 feet, Bike Plan
West Commerce Street	Principal Arterial	100 feet, Bike Plan
West Main Street	Local	-

**Traffic:**

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation and Public Works Department, reviewed the request and determined that, pending commensurate improvements, it will not significantly impact the surrounding roadway system. The project will be responsible for mitigating development impact as determined through the engineering review process.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines 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 1.2 PROMOTE DESIRED DEVELOPMENT**

**Policy 1.2.2** Establish clear and objective standards for land use planning.

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

**URBAN DESIGN ELEMENT**

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

**Policy 5.1.1** Promote pedestrian friendly streetscapes.

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

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.1** Maintain neighborhood scale and character.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

Overall, the proposed change advances the Comprehensive Plan's goals to encourage a healthy mix of land uses and strengthen neighborhood character and identity through complementary development.

**Land Use**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Subdistrict 1A, Planned Development District No. 714, IM Industrial Manufacturing District	Light Industrial uses
<b>North</b>	IR Industrial Research District, PD No. 891	Undeveloped, concrete batch plant, electrical substation
<b>East</b>	A(A) Agricultural District	Trinity floodplain
<b>South</b>	Subdistrict 1A, Planned Development District No. 714	Multifamily, alcoholic beverage establishment, vehicle display sales and service
<b>West</b>	Subdistrict 1A, Planned Development District No. 714	Multifamily

**Necessity for Planned Development District:**

According to [Sec. 51A-4.702](#), the purpose of a planned development district is to provide flexibility in the planning and construction of development projects by allowing a combination of land uses developed under a uniform plan that protects contiguous land uses and preserves significant natural features.

Planned development districts are appropriate where the existing code may not accommodate a use or a development within the bounds of a conventional zoning district or where unique site characteristics may necessitate relief or modification of certain base code provisions.

The proposed subdistrict contains two sets of development standards. The first set of development standards are identical to the existing Subdistrict 1A development standards, which include minimum and maximum front yard setbacks and provisions for additional side yard setbacks for structures over 45 feet in height. Additional deviations

allow for greater floor-area ratios than provided in base MU-1. The allowable uses are also carried over from the existing Subdistrict 1A allowable uses.

The second set of standards pertains to the proposed park development. This includes a definition for a “special park project,” which is comprised of a public park or private recreation area in conjunction with one or more delineated uses. For the special park project, setbacks are set to zero. Additional deviations for the special park project are provided throughout the PD, such as a fixed number of parking spaces, landscaping, sidewalk standards, and more.

A base MU-1 Mixed Use District would allow for the majority of the proposed uses for both the special park project and the other allowed uses. However, a base MU-1 district provides for somewhat smaller developments than what would be allowed in the proposed conditions, or in the existing Subdistrict 1A. Furthermore, given the nature of the proposed development, a base zoning district would impose various parking requirements for all uses associated with the development except for the park (which requires no parking). The incorporation of the existing Subdistrict 1A standards allows for compatibility with the adjacent areas which would remain under Subdistrict 1A. As such, staff finds that the requested subdistrict is appropriate.

### **Land Use Compatibility:**

The subject site is primarily developed with light industrial uses. The surrounding area is a mix of multifamily, industrial, and commercial uses. The proposed subdistrict would incorporate some of the existing allowable uses, as well as the uses in the adjacent Subdistrict 1E, while also defining a use for a regional park.

Public parks are permitted by right in all districts, while private recreation areas are generally allowed by right in most non-residential districts and by SUP in residential districts. The various uses incorporated in the special park project use are also generally allowed in non-residential districts.

Staff notes that the applicant proposes a definition for a “land bridge” which connects the western and eastern portions of the park, and proposes including the “land bridge” as one of the allowable uses within the special park project use. Staff recommends that this definition and use be omitted. The connection between the two parks is simply a component of the park project overall. Including “land bridge” as a use may complicate permitting as distinct uses may require their own certificates of occupancy. Construction of the land bridge, including engineering requirements and right-of-way considerations, are outside the scope of zoning documents.

Staff finds that the proposed uses are compatible with the surrounding uses. The primary use, a park, would not be detrimental to surrounding uses; indeed, it would provide a benefit to nearby multifamily and connect with the open space of the Trinity River levee. Park space also provides a relief in the public realm in contrast with nearby industrial uses, improving the public realm.

**Land Use Comparison:**

The following table is a comparison of the uses allowed in the existing Subdistrict 1A and the proposed new subdistrict. Note that this table does not include uses with custom definitions within PD 714.

<p><u>LEGEND</u></p> <p>Use prohibited</p> <ul style="list-style-type: none"> <li>• Use permitted by right</li> </ul> <p>S Use permitted by Specific Use Permit</p> <p>D Use permitted subject to Development Impact Review</p> <p>R Use permitted subject to Residential Adjacency Review</p> <p>★ Consult the use regulations in Section 51A-4.200</p>		
Use	Existing PD 714 Sub 1A	Requested PD 714 New Sub
<b>AGRICULTURAL USES</b>		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>		
Building repair and maintenance shop	•	
Bus or rail transit vehicle maintenance or storage facility		
Catering service	•	•
Commercial bus station and terminal		
Commercial cleaning or laundry plant		
Custom business services	•	•
Custom woodworking, furniture construction, or repair	•	
Electronics service center	•	
Job or lithographic printing	•	
Labor hall		
Machine or welding shop	•	
Machinery, heavy equipment, or truck sales and services		

Medical or scientific laboratory	•	
Technical school		
Tool or equipment rental	•	
Vehicle or engine repair or maintenance	S	
<b>INDUSTRIAL USES</b>		
Alcoholic beverage manufacturing		
Gas drilling and production		S
Gas pipeline compressor station		
Industrial (inside)	S	
Industrial (inside) for light manufacturing	•	
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	★	★
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>		
Adult day care facility	•	
Cemetery or mausoleum	S	
Child-care facility	•	
Church	•	•
College, university, or seminary	•	
Community service center	S	
Convalescent and nursing homes, hospice care, and related institutions	R	
Convent or monastery	•	
Foster home		
Halfway house		
Hospital	R	
Library, art gallery, or museum	•	•
Open-enrollment charter school or private school	S	



Public school other than an open-enrollment charter school	S	
Public or private school	S	
<b>LODGING USES</b>		
Extended stay hotel or motel	S	
Hotel or motel	S, ★	•, S
Lodging or boarding house	•	
Overnight general purpose shelter	★	
<b>MISCELLANEOUS USES</b>		
Attached non-premise sign.		
Carnival or circus (temporary)		
Hazardous waste management facility		
Temporary construction or sales office	•	•
<b>OFFICE USES</b>		
Alternative financial establishment		
Financial institution without drive-in window	•	
Financial institution with drive-in window	D	
Medical clinic or ambulatory surgical center	•	
Office	•	•
<b>RECREATION USES</b>		
Country club with private membership	•	•
Private recreation center, club, or area	•	•
Public park, playground, or golf course	•	•
<b>RESIDENTIAL USES</b>		
College dormitory, fraternity, or sorority house	•	
Duplex		
Group residential facility		
Handicapped group dwelling unit		
Manufactured home park, manufactured home subdivision, or campground		
Multifamily	★	•
Residential hotel	R	
Retirement housing		R
Single family	•	•

<b>RETAIL AND PERSONAL SERVICE USES</b>		
Alcoholic beverage establishments.		
Ambulance service		
Animal shelter or clinic without outside runs	R	R
Animal shelter or clinic with outside runs		
Auto service center	R	
Business school	•	
Car wash		
Commercial amusement (inside)	S	S, ★
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage	S	S
Convenience store with drive-through		
Drive-In theater		
Dry cleaning or laundry store	•	•
Furniture store	•	•
General merchandise or food store 3,500 square feet or less	•	•
General merchandise or food store greater than 3,500 square feet	•	•
General merchandise or food store 100,000 square feet or more		
Home improvement center, lumber, brick or building materials sales yard	S	
Household equipment and appliance repair	•	
Liquefied natural gas fueling station		
Liquor store		
Mortuary, funeral home, or commercial wedding chapel		
Motor vehicle fueling station	•	
Nursery, garden shop, or plant sales	•	•
Outside sales		
Paraphernalia shop		
Pawn shop		

Personal service use up to 1,000 sq. ft. in floor area	•	
Personal service use	•	•
Restaurant without drive-in or drive-through service	R	•
Restaurant with drive-in or drive-through service	D	
Surface parking		
Swap or buy shop	S	
Taxidermist		
Temporary retail use	•	•
Theater	•	•
Truck stop		
Vehicle display, sales, and service		
<b>TRANSPORTATION USES</b>		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley		S
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	•	•
Transit passenger station or transfer center	S, ★	S, ★
<b>UTILITY AND PUBLIC SERVICE USES</b>		
Commercial radio or television transmitting station		
Electrical generating plant		
Electrical substation	•	
Local utilities	S,R,★	S,R,★
Police or fire station	•	
Post office	•	
Radio, television, or microwave tower		
Refuse transfer station		
Sanitary landfill		

Sewage treatment plant		
Mounted cellular antenna		
Tower/antenna for cellular communication		
Utility or government installation other than listed	S	
Water treatment plant		
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse		
Office showroom/warehouse	•	
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center	★	★
Recycling collection center	★	★
Recycling drop-off container	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center	S	
Vehicle storage lot		
Warehouse	•	

**Development Standards:**

(Changes from base highlighted)

District	Setback		Density/ Lot Size / FAR	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Current: PD 714 Sub 1A	6' min.  15' max.	No min./max.	None; min. lot size is 7,500 sqft	145' / 11 stories	80% max.	Sec. 51P-714.118 Architectural Design Standards	Mixed uses
Proposed new subdistrict	See above; no setback for special park project	See above	None / None / Ranges from 1.0 – 3.5 depending on uses	145' / 11 stories	80% max.	None	Special park project

**Landscaping:**

Landscaping must be provided in accordance with PD 714. The proposed special park project is exempted from certain requirements in PD 714 which will allow for flexibility at permitting, mainly pertaining to street tree requirements and tree spacing. Additional tree species are proposed for the special park project.

**Parking:**

Should the commission choose to approve the PD subdistrict, staff recommends that no parking be required for the requested use.

Parking requirements are not appropriate in proximity to high frequency transit, trail infrastructure, adjacent to major employment centers (Downtown Dallas), in mixed use areas, or in legacy building environments. Removing these requirements will allow the applicant to achieve improved urban design and may provide parking through agreements as necessary. This is a policy also supported by CECAP.

As with any minimum required parking, these ratios only reflect the minimum amount required. The developer may provide additional parking beyond these.

**Design Standards:**

The proposed subdistrict requires a minimum average sidewalk width of seven feet on Commerce Street and Wales Street; five feet on North Beckley Avenue and any proposed rights-of-way; and five feet on West Main Street.

**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 subject property is located within an MVA "C".

## **Applicant's Proposed Conditions**

### **ARTICLE 714.**

#### **PD 714.**

#### **West Commerce Street/Fort Worth Avenue Special Purpose District**

#### **SEC. 51P-714.101. LEGISLATIVE HISTORY.**

PD 714 was established by Ordinance No. 25898, passed by the Dallas City Council on February 23, 2005. (Ord. 25898)

#### **SEC. 51P-714.102. PROPERTY LOCATION AND SIZE.**

PD 714 is established on property located north and south of West Commerce Street and Fort Worth Avenue from North Beckley Avenue to Westmoreland Road. The size of PD 714 is approximately 410.427 acres. (Ord. Nos. 25898; 26876; 27056; 28505; 31570; 32073)

#### **SEC. 51P-714.103. CREATION OF SUBDISTRICTS.**

(a) This district is divided into the following subdistricts:

(1) Subdistrict 1. This subdistrict is for medium density mixed-use development that respects existing businesses but gives incentive for new mid-rise commercial and residential development. Development should support West Commerce Street as the gateway from downtown into the area, and strengthen the Sylvan Avenue-Fort Worth Avenue intersection as a retail anchor. New development should support future light rail along the northern edge of the subdistrict. Preserving historic buildings through adaptive re-use is a priority. This subdistrict will be the most densely developed urban subdistrict due to its proximity to the Trinity River and downtown. The mix of uses should lean more to commercial, although residential development is essential to the success of the mixed uses. Buildings should front the street with broad sidewalks. Street trees should line the street edge. On-street parking should be parallel parking along West Commerce Street and Fort Worth Avenue. Off-street parking should be provided behind buildings or in parking structures and shared between adjacent lots. This subdistrict should have an overall urban feel, but still provide pedestrian amenities. Subdistricts 1A, 1B, 1C, 1D, 1E, ~~and 1F~~, and 1H have maximum building heights and maximum stories that reflect the rising topography and protect the downtown view. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential above. Pedestrian protections from traffic, such as street trees, planters, and crosswalks, are desired. Subdistricts 1A, 1B, 1C, 1D, ~~and 1E~~, and 1H are part of Subdistrict 1. Except as provided in this article, Subdistrict 1 regulations apply in Subdistricts 1A, 1B, 1C, 1D, 1E, ~~and 1F~~, and 1H.

(2) Subdistrict 2. Subdistrict 2 is a mixed-use subdistrict that consists predominately of residential uses, but with some small retail and office uses. Because residential neighborhoods are adjacent to the subdistrict, it should be more serene than other subdistricts. New development should strengthen the existing residential neighborhoods and help to create a pedestrian-friendly environment. North Edgefield Avenue should connect the north and the south neighborhoods. Pedestrian protections from traffic, such as on-street parking, street trees, and parkways, are desired. Buildings should have minimum or no setbacks. Building heights are controlled separately in Subdistricts

2A, 2B, 2C, and 2D to optimize medium density residential development, preserve downtown views, and be sensitive to the existing single- family neighborhood to the north. Preserving historic buildings through adaptive re-use is a priority. Subdistricts 2A, 2B, 2C, and 2D are part of Subdistrict 2. Subdistrict 2 regulations apply in Subdistricts 2A, 2B, 2C, and 2D unless otherwise indicated.

(3) Subdistrict 3. Subdistrict 3 is a mixed-use subdistrict primarily developed with commercial and retail uses, but with some residential uses. Retail and commercial areas should be strengthened with more varied uses. New development should include residential uses and vertical stacking of uses for more efficient land use resulting in activity throughout the day and night. Buildings should have minimum or no setbacks. Off-street parking should be provided behind buildings and shared between neighboring lots. Use of traffic calming elements such as median plantings, on-street parking, street trees, broad sidewalks, and low-to-mid-rise buildings is desirable. Development should strive to create a village center accessible by pedestrians, bicycles, mass transit, and cars. Land uses are controlled separately in Subdistricts 3A, 3B, 3C, and 3D to be sensitive to residential neighborhoods. The regulations in Subdistrict 3 apply to Subdistrict 3D unless otherwise provided.

(4) Subdistrict 4. Subdistrict 4 is a mixed-use subdistrict dominated by multifamily uses. While commercial and retail uses are encouraged at street level, maintenance of the residential density is desired. Pedestrian protections from traffic, such as broad sidewalks, street trees, and crosswalks, are desired. New construction should be oriented to address the street front. Existing slip roads providing on-street parking and pedestrian amenities should be preserved. Building height, land use, and setbacks are controlled separately in Subdistricts 4A and 4B to encourage mixed use and townhouse development. Subdistricts 4A and 4B are part of Subdistrict 4. Subdistrict 4 regulations apply in Subdistricts 4A and 4B unless otherwise indicated.

(5) Subdistrict 5. Subdistrict 5 is a mixed-use district balanced with residential, commercial, and retail uses. New development should include vertical stacking of different uses to achieve more efficient land use and activity throughout the day and night. New development should also include a medium density residential component to strengthen surrounding residential neighborhoods and ensure the success of commercial and retail development. Building heights and uses are controlled to be sensitive to residential neighborhoods. New development should strengthen pedestrian connections on Fort Worth Avenue. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential uses above. Off-street parking should be provided behind buildings and shared between neighboring lots. Pedestrian protections from traffic, such as broad sidewalks, street trees, planters, and crosswalks, are a priority.

(b) Exhibit 714A is a map showing the boundaries of this district and its subdistricts. Exhibit 714B is a verbal description of the boundaries of this district and its subdistricts. In the event of a conflict between the graphic depiction in Exhibit 714A and the verbal description in Exhibit 714B, the verbal description in Exhibit 714B controls.

(c) This district is considered to be a mixed-use zoning district. (Ord. Nos. 25898; 26876; 27056; 27820; 28505; 29654; 30610; 32104; 32175; 32411)

#### **SEC. 51P-714.104.**

#### **DEFINITIONS.**

Unless otherwise stated, the definitions in Chapter 51A apply to this article. In this district:

(1) BINGO PARLOR means a facility licensed for the conducting of bingo



pursuant to Texas Occupation Code Chapter 2001, as amended.

(1.1) BUILD-TO ZONE means the area where a specified percentage of a street-facing building facade must be constructed on a lot.

(1.2) CERAMIC STUDIO means a studio containing kilns used to fire ceramics.

(1.3) COWORKING OFFICE means, in Subdistrict 1E ~~only~~ and 1H, a building or portion thereof consisting of a shared office environment, which contains desks or other workspaces and facilities including, but not limited to, dedicated workstations, office suites, meeting rooms, event space, resource libraries, and business or administrative support services, and is used by a recognized membership who share the space. In all other subdistricts, this is an office use.

(1.4) CREATIVE OFFICE means, in Subdistrict 1E ~~only~~ and 1H, an office use for art and design related professions including, but not limited to, art studios, audio or visual production, architecture, real estate development, landscape architecture and engineering.

(2) DISTRICT means the entire planned development district (the West Commerce Street/Fort Worth Avenue Special Purpose District) created by this article.

(2.1) ELECTRICAL VEHICLE CHARGING STATION means a dedicated parking area for vehicles that includes publicly accessible recharging equipment.

(2.2) FARMERS MARKET means a publicly or privately owned or operated area for the sale and exchange of agricultural produce, food, and general merchandise by vendors.

~~(2.23)~~ FOOD HALL means, in Subdistrict 1E ~~only~~ and 1H, an establishment with three or more individual food-related businesses in an area where food may be served. A food hall may combine restaurant or retail uses within a single structure, but share communal indoor and outdoor seating space, restrooms, and ingress/egress. Shared food preparation areas are also allowed. In all other subdistricts, this is a restaurant with or without drive-through use when dining is on-site or a general merchandise or food store use when there is no dining on site.

(3) FRONT FACADE means the primary building elevation facing the front yard.

(4) FULLY SIGHT-OBSCURING FENCE means a fence that provides complete visual separation. Fully sight-obscuring fences must be six feet high and 100 percent sight-obscuring. Fences must be constructed of one or more of the following: brick, concrete masonry (split or polished face only; no unfinished units or cinder block), stone, stucco, or wood. Landscaping with a minimum height of three feet must be provided on the street side of the fence. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(4.1) GATEWAY PLAZA means a plaza in Permissible Building Area A of Subdistrict 1C as shown on the conceptual plan that marks the entrance to Subdistrict 1C by creating a sense of arrival and that incorporates a minimum of two of the following, which must be shown on an approved development plan:

(A) Public art.

- (B) A prominent architectural feature that marks the corner through increased height such as a tower or monument.
- (C) A visual enhancement such as a water feature, distinctive landscaping, or a display window.
- (D) Site configuration that allows direct pedestrian access through the plaza and into the interior of Subdistrict 1C through the use of pedestrian passages or paseos.
- (5) HIGH SCREEN means a landscape treatment that provides physical and visual separation between uses. Shrubs must form a six-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. Ground cover plants must cover the remainder of the landscaped area. If a wall or fence is also provided, it must be on the interior side of the high screen.

**APPLICANT REQUESTED CONDITION**

(5.1) LAND BRIDGE means a bridge structure constructed above grade primarily to allow pedestrians to cross a city right-of-way as part of a public or private park use.

**STAFF RECOMMENDATION**

(5.1) LAND BRIDGE means a bridge structure constructed above grade primarily to allow pedestrians to cross a city right-of-way as part of a public or private park use.

- (6) LIVE/WORK UNIT means an interior space with street-level access that combines residential with office or retail and personal service uses.
- (7) LOW SCREEN means a landscape treatment that provides physical separation between uses. Shrubs must form a three-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. Ground cover plants must cover the remainder of the landscaped area. A three-foot-high masonry wall may be substituted, but ground cover plants are still required. A berm may be substituted. The berm must be planted with turf grass or groundcover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height per three feet of width. If a wall or fence is provided in addition to shrubs or a berm, it must be on the interior side of the shrubs or berm.
- (8) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in floor area of an original building by 50 percent or more. With regard to streets and sidewalks, MAJOR MODIFICATION means reconstruction, alteration, or renovation that exceeds 50 percent of the surface area of that street or sidewalk segment.

(8.1) MAKERSPACE means, in Subdistrict 1E ~~only~~ and 1H, a building or portion thereof used for the on-site production of parts or finished products by individual or shared use of hand-tools, mechanical tools, and electronic tools. Makerspaces may include space for design and prototyping of new materials, fabrication methodologies, and products, as well as space for packaging, incidental storage, sales, and distribution of such projects. Typical uses include but are not limited to the following: electronic goods; printmaking; leather products; jewelry and clothing/apparel; metalwork; furniture; woodworking and cabinet shops; glass or ceramic production; and paper manufacturing. Makerspaces may host classes or networking events which are open either to the public or to current and prospective members. In all other subdistricts, this use is one of the commercial and business services uses or one of the industrial uses, depending on the proposed operations.

(9) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under the physician's direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, massage by registered physical therapists who treat only patients recommended by a licensed physician and who operate only under the physician's direction, or massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(9.1) MICRO-BREWERY OR MICRO-WINERY means a facility that produces no more than 15,000 barrels of beer or wine, as defined in the Texas Alcoholic Beverage Code, per year for sale or distribution on or off the premises.

(9.2) MICRO-DISTILLERY means a facility that manufactures no more than 250,000 gallons of distilled spirits, as defined in the Texas Alcoholic Beverage Code, per year for sale or distribution on or off premises.

(10) MIXED-USE PROJECT means a development containing uses in two or more of the following categories, and with the combined floor areas of the uses in each category equaling or exceeding the following percentages of the total floor area of the project:

<u>Use category</u>	<u>Percentage of total floor area</u>
Lodging	10%
Office	15%
Residential	10%
Retail and personal service	5%

(11) NEW CONSTRUCTION means construction of a main structure that did not exist on February 23, 2005, the date of the establishment of this special purpose district. With regard to streets and sidewalks, NEW CONSTRUCTION means construction of a street or sidewalk that did not exist on February 23, 2005.

(12) ORIGINAL BUILDING means a structure existing on February 23, 2005, but does not include a structure that has undergone a major modification.

(13) PARTIALLY SIGHT-OBSCURING FENCE means a fence that provides

partial visual separation. Partially sight-obscuring fences must be six feet high and at least 50 percent sight- obscuring. Fences must be constructed of one or more of the following: brick, concrete masonry (split or polished face only; no unfinished units or cinder block), stone, stucco, wood, or wrought iron. Landscaping with a minimum height of three feet must be provided on the street side of the fence. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(13.1) PHOTOGRAPHY STUDIO means a facility for taking and processing photographs. This does not include a bulk photography processing plant.

(13.2) PEDESTRIAN ZONE means the area between the back-of-curb and the building facade, which is intended for sidewalks, planting areas, outdoor eating areas, and pedestrian amenities.

(14) PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(14.1) REQUIRED FRONTAGE means the percentage of the street-facing facade that must be located within the build-to zone.

(14.2) SPECIAL COMMUNITY ACTIVITY means a temporary event or gathering such as:

(A) sale of merchandise, food, or beverages;

(B) art shows or craft shows; or

(C) outdoor shows, concerts, exhibits, or exhibitions that may also involve erection of a tent; installation of a stage, bandshell, trailer, van, portable building, grandstand, or bleachers; placement of portable toilets; or placement of temporary no-parking, directional, over-size, or identification signs or banners.

#### **APPLICANT REQUESTED CONDITION**

(14.2A) SPECIAL PARK PROJECT means a development containing a public park use or private recreation center, club, or area in conjunction with one or more of the following uses: surface parking, restaurant without drive through, land bridge, commercial amusement (inside), coworking office, creative office, farmers market, food hall, makerspace, special community activity, or special temporary retail use.

#### **STAFF RECOMMENDATION**

(14.2A) SPECIAL PARK PROJECT means a development containing a public park use or private recreation center, club, or area in conjunction with one or more of the following uses: surface parking, restaurant without drive through, commercial amusement (inside), coworking office, creative office, farmers market, food hall, makerspace, special community activity, or special temporary retail use.

(14.3) SPECIAL TEMPORARY RETAIL USE means an outdoor temporary facility for the retail sale of seasonal products such as food, Christmas trees, and live plants.

(14.4) STOOP means a small porch leading to the entrance of a residential structure.

(15) STREET CAR/TROLLEY SHELTER means a structure which affords protection from the weather to persons who are waiting to board a ~~publically~~ publicly-owned or franchised street car or trolley.

(16) SUBDISTRICT means one of the subdistricts referred to in Section 51P-714.103 of this article.

(16.1) SUPPORTIVE HOUSING means three or more dwelling units located on a lot where supportive services are provided onsite for residents. Supportive services include, but are not limited to, counseling services, health services, workforce training, and job placement assistance.

(17) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(17.1) TEMPORARY CELLULAR UNIT means any cellular communication structure, vehicle, trailer mounted apparatus, or device that is part of a system authorized by the Federal Communications Commission that is designed to temporarily provide service where an existing tower/antenna for cellular communication is not operable due to one or more of the following reasons:

(A) The existing tower/antenna for cellular communication use is damaged or destroyed by something other than the intentional act of the owner or agent; or

(B) A demolition or construction permit has been issued on a building site that includes an existing mounted cellular antenna, monopole cellular tower, or other cellular communication tower/antenna.

(18) VISIBILITY TRIANGLE means the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection. VISIBILITY TRIANGLE means the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and an adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on driveway or alley edge and the street curb line 20 feet from the intersection.

(19) WRECKER SERVICE means a facility for the parking or storage of vehicle tow trucks. (Ord. Nos. 25898; 27820; 28470; 28505; 29914; 32104; 32175)

## **SEC. 51P-714.105. INTERPRETATIONS.**

*Omitted for brevity*

## **SEC. 51P-714.105.1. EXHIBITS.**

*Omitted for brevity*

Z234-262(MB)

**SEC. 51P-714.106. CONCEPTUAL PLAN.**

*Omitted for brevity*

**SEC. 51P-714.107. DEVELOPMENT PLAN.**

*Omitted for brevity*

**SEC. 51P-714.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NOS. 1A, 1B, AND 1D and 1F.**

*Omitted for brevity*

**SEC. 51P-714.108.1 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1C.**

*Omitted for brevity*

**SEC. 51P-714.108.2 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1E.**

*Omitted for brevity*

**SEC. 51P-714.108.3 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1H.**

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

(3) Institutional and community service uses.

-- Church.

-- Library, art gallery, or museum.

(4) Lodging uses.

-- Hotel or motel. [SUP if 30 or fewer guest rooms]

(5) Miscellaneous uses.

--        Temporary construction or sales office.

(6)        Office uses.

                    --        Coworking office.

                    --        Creative office.

                    --        Makerspace.

                    --        Office.

(7)        Recreation uses.

                    --        Private recreation center, club, or area.

                    --        Public park, playground, or golf course.

                    --        Special park project.

(8)        Residential uses.

                    --        Live/work unit.

                    --        Multifamily. *[See Section 51P-714.108.2(c) for additional use standards.]*

                    --        Retirement housing. *[RAR]*

                    --        Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*

(9)        Retail and personal service uses.

                    --        Animal shelter or clinic without outside runs. *[RAR]*

                    --        Commercial amusement (inside). *[SUP] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*

                    --        Commercial parking lot or garage. *[SUP][SUP not required if lot is developed as part of a Special park project as defined Sec. 104]*

                    --        Dry cleaning or laundry store.

                    --        Farmers market.

                    --        Food hall.

                    --        Furniture store.

                    --        General merchandise or food store 3,500 square feet or less.

                    --        General merchandise or food store greater than 3,500 square feet.

                    --        Nursery, garden shop, or plant sales.

                    --        Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*

                    --        Restaurant without drive-in or drive-through service.

                    --        Temporary retail use.

                    --        Theater.

(10)      Transportation uses.

                    --        Private street or alley. *[SUP]*

                    --        Transit passenger shelter.

                    --        Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(11) Utility and public service uses.

-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*

(12) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*  
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*  
-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) 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 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are permitted only by SUP:

-- Accessory helistop.

(3) In this subdistrict, the following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.  
-- Accessory pathological waste incinerator.  
-- Amateur communication tower.  
-- General waste incinerator.  
-- Private stable.

(4) In this subdistrict, the following accessory use is permitted only with a fully sight-obscuring fence or a high screen on any side visible from a street:

-- Accessory outside storage.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, “Yard, Lot, and Space Regulations.” In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this subparagraph, minimum front yard is six feet. At least 50 percent of the front facade must be at the minimum front yard setback.

(B) Maximum front yard is 15 feet.

(C) An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.



(D) No minimum or maximum front yard setback for a special park project.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), no minimum side and rear yard.

(B) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet.

(3) Density. No maximum dwelling unit density.

(4) Floor area ratio.

(A) Except as provided in this paragraph, the maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

<u>Use category</u>	<u>Base (no MUP)</u>	<u>MUP=2 (no res.)</u>	<u>MUP=2 (with res.)</u>	<u>MUP=3 (with res.)</u>
<u>Lodging</u>	<u>1.6</u>	<u>2.5</u>	<u>3.0</u>	<u>3.5</u>
<u>Office</u>	<u>1.6</u>	<u>2.5</u>	<u>3.0</u>	<u>3.5</u>
<u>Residential</u>	<u>1.6</u>	<u>=</u>	<u>3.0</u>	<u>3.5</u>
<u>Retail and personal service</u>	<u>1.0</u>	<u>1.1</u>	<u>1.2</u>	<u>1.3</u>
<u>Total</u>	<u>=</u>	<u>2.5</u>	<u>3.0</u>	<u>3.5</u>

(5) Height. Maximum structure height is 145 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent. For lot coverage requirements, Subdistrict 1H is considered one lot.

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

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade is 11.

(B) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading. See Section 51P-714.113, “Off-Street Parking and Loading.”

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, “Landscaping,” see Article X. (Ord. Nos. 25898; 30610)

**SEC. 51P-714.109. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN  
SUBDISTRICT NO. 2.**

*Omitted for brevity*

**SEC. 51P-714.110. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN SUBDISTRICT NO. 3.**

*Omitted for brevity*

**SEC. 51P-714.111. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN  
SUBDISTRICT NO. 4.**

*Omitted for brevity*

**SEC. 51P-714.112. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN  
SUBDISTRICT NO. 5.**

*Omitted for brevity*

**SEC. 51P-714.113. OFF-STREET PARKING AND LOADING.**

(a) In general. Except as modified in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Except as modified in this section, consult the off-street parking and loading regulations in Divisions 51A-4.300 et seq. for information regarding off-street parking and loading generally. For parking purposes, Subdistricts 1D, 1E, 1F, [and special park project use in 1H](#) are each considered one lot.

(b) Remote parking. Except as provided in this section, remote parking is allowed if it is located within 600 feet of the main use and the requirements of Division 51A-4.320, “Special Parking Regulations,” are met. Except for residential uses, all of Subdistrict 4A is considered one building site for parking purposes.

(c) Residential.

(1) One space per bedroom up to a maximum of two spaces per dwelling unit.

(2) In Subdistricts 4A and 4B, for purposes of this subsection, a bedroom is defined as having at least 100 square feet of floor area and direct access to a closet.

(3) In Subdistrict 4A, at least one parking space per residential unit must be located on the same building site as the residential unit. Any additional required parking spaces must be located on a building site within ~~Subdistrict~~ [Subdistrict](#) 4A and within 200 feet of the building site containing the residential use.

(d) Restaurant.

(1) One space per 125 square feet of floor area.

(2) Except as provided in this subsection, any outdoor dining area, whether or not covered, counts as floor area for calculation of the parking requirement. For purposes of this provision, “outdoor dining area” means a rectangular area that includes all outdoor tables, chairs, and wait-stations.

(3) In Subdistricts 4A and 4B, 50 percent of an outdoor dining area, whether or not covered, is excluded for calculation of the parking requirement as long as the outdoor dining area is within 20 feet of, and has direct access to, a street, sidewalk, or ~~publically~~ [publicly](#) accessible open space. This exclusion only applies to an area up to 20 percent of the size of the indoor floor area. Any portion of an outdoor dining area in excess of 20 percent of the size of the indoor floor area must be parked in accordance with Paragraph (2).

[\(4\) This section does not apply to special park project use in Subdistrict 1H.](#)

(e) Retail and personal service in Subdistricts 4A and 4B. Except for a business school; commercial amusement (inside); furniture store; nursery, garden shop, or plant sales; and theater, one space per 250 square feet of floor area. The floor area of a sales/leasing office and amenities for residential uses that are part of a mixed use project do not count for purposes of determining parking calculations. The non-residential portion of a live/work unit is treated as an office or a retail and personal service use for parking purposes. [This section does not apply to special park project use in Subdistrict 1H.](#)

(f) Retirement housing in Subdistricts 4A and 4B. 0.7 spaces per dwelling unit or suite. In Subdistrict 4A, all required parking must be located on the same building site as the retirement housing use.

(g) Above-grade off-street parking. Parking is permitted on any level of a building.

(h) Bicycle parking.

(1) Except as provided by this subsection, if an institutional and community service use, mixed-use project, or retail and personal service use has a floor area of 4,000 square feet or more, it must provide a lockable rack for a minimum of two bicycles.

(2) In Subdistrict 1E, one bicycle parking space per six dwelling units is required for multifamily projects that develop under Section 51P-714.108.2(c)(1). A minimum of 75 percent of required bicycle parking must be located on the same property as the use requiring the bicycling parking. Remaining bicycle parking may be dispersed across the subdistrict. Required off-street parking may be reduced by one space for every six bicycle parking spaces provided on a building site. Required bicycle parking must otherwise comply with the requirements of Section 51A-4.330.

(i) Mixed-use shared parking reduction.

(1) Office and residential uses within a mixed-use project must share parking. Any shared parking must be on the same building site as the mixed-use project. The number of off-street parking spaces required for the mixed-use project is 100 percent of the parking requirement for the use requiring the greater number of spaces plus 25 percent of the parking requirements for the use requiring fewer spaces. For example, if the office component would separately require 100 spaces and the residential component would separately require 80 spaces, then the parking requirement for the mixed-use project is 120 spaces  $[(100 \times 1.00) + (80 \times .25) = 120]$ .

(2) Retail and residential uses within a mixed-use project must share parking. Any shared parking must be on the same building site as the mixed-use project. The number of off-street parking spaces required for the mixed-use project is 100 percent of the parking requirement for the use requiring the greater number of spaces plus 75 percent of the parking requirements for the use requiring fewer spaces. For example, if the retail component would separately require 100 spaces and the residential component would separately require 80 spaces, then the parking requirement for the mixed-use project is 160 spaces  $[(100 \times 1.00) + (80 \times .75) = 160]$ .

(3) If a mixed-use project has office, retail, and residential uses, the project must use the parking reduction that offers the greatest reduction, but may not use both. For example, if the office-residential reduction reduces the parking to 120 spaces and the retail-residential reduction reduces the parking to 160 spaces, then the office-residential reduction must be used and the retail-residential reduction may not be used.

(4) The parking reduction in this subsection may not be used in Subdistrict 1C.

(j) On-street parallel, straight, or angled head-in parking.

(1) Except as provided in this subsection, any on-street parallel parking spaces on West Commerce Street, Fort Worth Avenue, or a street that intersects Fort Worth Avenue may be counted toward the parking requirement of the use adjacent to the on-street parallel parking space. In Subdistrict 1E [and 1H](#), any on-street parking spaces on West Main Street or a street that intersects West Commerce Street may be counted towards the parking requirement of the use adjacent to the on-street parking space.

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

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

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

(2) In Subdistrict 4A, any on-street parallel, straight, or angled head-in parking space may be counted toward the total off-street parking requirement of the use adjacent to the on-street parallel, straight, or angled head-in parking space.

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

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ( $8 \div 24 = \text{one-third}$ ). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(3) In Subdistrict 4B, parallel, straight, or angled head-in parking accessed from the alley between Subdistrict 4B and Colorado Boulevard is allowed and screening from the alley is not required.

(4) In Subdistrict 4B, on-street parallel, straight, or angled head-in parking may be counted towards the total off-street parking requirement.

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

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ( $8 \div 24 = \text{one-third}$ ). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(k) Parking to the rear of the main structure.

(1) Except as provided in the paragraph, in Subdistricts 1A, 1B, ~~and 1D~~ and 1H, 100 percent of any parking for new construction located on the same building site as the main use must be to the rear of the main structure. In Subdistrict 1E, off-street surface parking may not be located between a street-facing facade and public right-of-way and off-street structured parking must be provided in compliance with subsection (l). In Subdistrict 1D and 1E, compliance with this paragraph is only required after the demolition of an existing structure built prior to 1985. This section does not apply to special park project use in Subdistrict 1H.

(2) Except as provided in this subsection, in Subdistricts 2, 3, 4, and 5, only 25 percent of any parking for new construction located on the same building site as the main use, or one row of parking, whichever is fewer spaces, may be located in front of the main structure. In addition, only one drive aisle may be located in front of the main structure. This paragraph does not apply to Subdistrict 2D or to a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet in Subdistrict 3D.

(3) In Subdistrict 4B, one row of parking is allowed in front of the main structure with

no limit on the percentage of total parking.

(l) Parking structures.

(1) In Subdistrict 4A, if an aboveground parking structure is located within 200 feet of an adjacent residential district not dedicated to a public park, playground, or golf course use, the parking must be concealed in a structure with a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(2) Except as provided in this subparagraph, aboveground parking structures are prohibited in Subdistrict 4A within 100 feet of a residential district not dedicated to a public park, playground, or golf course use. If an aboveground parking structure is located in that portion of Subdistrict 4A shown on Exhibit 714H, which is located within 100 feet of the boundary of the adjacent residential district, the aboveground parking structure must be aligned with the existing aboveground parking structure. If the existing aboveground parking structure in the adjacent residential district is demolished or is not used for parking prior to construction of the aboveground parking structure in Subdistrict 4A, the aboveground parking structure in Subdistrict 4A must be located more than 100 feet from the boundary line of the adjacent residential district.

(3) In Subdistrict 2D, parking structures must have a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(4) In Subdistrict 1E [and 1H](#), parking structures must be located behind a primary use except as otherwise provided in this paragraph.

(A) Blocks 4 and 6.

(i) 40 percent of the ground story facade may be allowed as a parking structure provided that the parking structure is setback a minimum of 20 feet from West Main Street to allow for open space or outdoor dining areas between the street and parking structure and the parking facade is similar in appearance to the main structure facade.

(ii) Additional stories above the ground story of a parking structure are not required to be located behind a primary use provided that the parking facade is similar in appearance to the main structure facade.

(B) Screening for all parking structures. All parking structures must be constructed to screen vehicle headlights from adjacent properties. Screening may include louvers, landscaped green walls, architectural grill work, or other materials that provide ventilation. This provision does not apply to parking structure facades facing railroad right-of-way.

(m) Loading.

(1) In Subdistricts 1D, 4A, and 4B, a nonresidential use with a floor area greater than 10,000 square feet, but less than 20,000 square feet, per occupancy must have one small size loading space as defined in Section 51A-4.303.

(2) In Subdistricts 4A and 4B, a required loading space may be located within the public right-of-way.

(3) Structures in Subdistrict 1D built prior to 1985 may provide loading within interior floor area.

(4) In Subdistrict 1E [and 1H](#), residential loading must be located outside the public right-of-way. For the purposes of this paragraph, Blocks 4 and 6 as shown on the conceptual plan are exempt.

(n) Parking lanes and private drives In Subdistricts 1D and 4B, parking lanes and private drives may be accessed from an alley.

(o) Subdistrict 2D.

(1) Single building site. For purposes of off-street parking, this subdistrict is considered one building site.

(2) Special parking. A maximum of 50 percent of off-street parking may be special parking.

(p) Subdistrict 1E.

(1) Co-working and creative office uses must provide parking at a ratio of 1 space per 333 square feet of floor area before the application of any reductions.

(2) Food hall uses must provide parking at a ratio of 1 space per 125 square feet of floor area. Outdoor dining areas are included for the purposes of parking.

(3) Makerspace uses must provide parking at a ratio of 1 space per 1,000 square feet of floor area before the application of any reductions.

(4) Off-street parking requirements for projects in compliance with Section 51P-714.108.2(c)(1) are reduced by 25 percent for non-residential uses, including non-residential accessory uses to a residential use that are open to the public for service or membership. (Ord. Nos. 25898; 26876; 27820; 28505; 29654; 30610; 30705; 32104; 32411)

[\(q\) Subdistrict 1H.](#)

[\(1\) For a special park project use in Subdistrict 1H, a minimum of 40 spaces are required.](#)

#### **STAFF RECOMMENDATION**

[\(1\) For a special park project use in Subdistrict 1H, no parking is required.](#)

[\(2\) For all main uses other than a special park project use in Subdistrict 1H, parking and loading must be provided per Section 51P-714.113.](#)

#### **SEC. 51P-714.114.**

#### **LANDSCAPING.**

(a) In general.

(1) Except as modified in this section, the regulations in Article X, "Landscape and



Tree Preservation Regulations,” apply to this district. In the event of a conflict between this section and Article X, this section controls.

(2) Landscaping of streets as shown in Exhibit 714F is required. [This section does not apply to special park project use in Subdistrict 1H.](#)

(b) Street trees.

(1) One street tree must be provided per 30 feet of street frontage, with a minimum of two street trees per building site. Along Fort Worth Avenue in Subdistricts 1C and 2D, small tree types, as listed in Section 51P-714.114 (c)(5) may be provided in lieu of street trees. The director may waive the requirement for a street tree in Subdistrict 2D in locations that conflict with an underground or overhead utility. [For a special park project use in Subdistrict 1H, street trees are required to be planted as follows:](#)

[\(A\) West Main Street, Commerce Street, Wales Street, and any proposed right of way. Street trees must be provided per 30 feet of street frontage except that when conflicts with fire access, passenger and service loading and unloading zones, utilities and electrical infrastructure are identified, the street tree requirement may be lessened. The director may waive or lessen the street tree requirements in accordance with this section.](#)

[\(B\) North Beckley Avenue. No street trees required.](#)

(2) It is recommended that, to the extent possible, street trees be spaced 30 feet apart, but, where necessary, street trees may be spaced a minimum of 20 feet apart. [The director may approve alternative tree spacing for a special park project use in Subdistrict 1H.](#)

(3) Street trees must have a minimum caliper of three inches and must have a minimum height of eight feet when planted.

(4) In Subdistricts 1A and 1B, street trees must be placed in a 16-foot square tree grate. In Subdistrict 1C, street trees must be planted in either a minimum 16-foot square tree grate or a minimum 4x6 foot planting area. In Subdistricts 1C and 1E, street trees must be planted within six feet of the back of curb. In Subdistrict 1E, street trees must be placed within a minimum five-foot tree planting zone.

(5) In Subdistrict 2, street trees must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(6) In Subdistrict 3, street trees must be placed in a 16-foot square tree grate.

(7) Except as provided in this subsection, in Subdistrict 4, street trees must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(8) In Subdistricts 4A and 4B, street trees must be placed in a minimum 15 square foot tree grate if placed within a sidewalk or other non-permeable area. In Subdistricts 4A and 4B, street trees not planted within a sidewalk or other non-permeable area must be placed in a minimum 15 square foot planting strip. In Subdistricts 4A and 4B, street trees may be placed anywhere within the public right-of- way.

(9) In Subdistricts 4A and 4B, credit will be given for the preservation of existing street trees in accordance with Section 51A-10.125(b)(3)(B).

(10) In Subdistricts 1E, [1H](#), 4A, and 4B, site trees and street trees planted in the right-of-way count as replacement trees required for the mitigation of protected trees.

(11) In Subdistrict 5, street trees along Fort Worth Avenue must be placed in a 16-foot



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square tree grate, and street trees along all other streets must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(12) Street trees at the following frontages must be placed in a 16-foot[-]square tree grate:

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(13) Trees must be evenly spaced over the length of a planting strip. [The director may approve alternative tree spacing for a special park project use in Subdistrict 1H.](#)

(14) Except for Subdistrict 1C [and 1H](#), see Exhibit 714F for the required location of tree grates or planting strips.

(15) Except as provided in this paragraph, street trees may not be counted as site trees. In Subdistricts 1E and 4A, street trees may be counted as site trees. In Subdistrict 4B, street trees other than those directly adjacent to Fort Worth Avenue may be counted as site trees.

(16) Except as provided in this section, street trees must be provided from the following list of Texas native or adapted species:

<u>Scientific name</u>	<u>Common name</u>	<u>Tree type</u>
Acer barbatum var. "Caddo"	Caddo maple	Large canopy
Acer buergerianum	Trident maple	Large canopy
Acer grandidentatum	Bigtooth maple	Large canopy
Acer truncatum	Shantung maple	Medium canopy
<i>[Subdistrict 1C only]</i>		
Diospyros virginiana (male only)	Common persimmon	Large canopy
Fraxinus americana	White ash	Large canopy
Fraxinus pennsylvanica	Urbanite ash	Large canopy <i>[Subdistrict 1C only]</i>
Gymnocladus dioicus	Kentucky coffee tree	Large canopy
Liquidambar styraciflua	Sweetgum	Large canopy
Pistachia chinensis	Chinese pistachio	Large canopy
<a href="#">Platanus occidentalis</a>	<a href="#">American Sycamore</a>	<a href="#">Large canopy <i>[Special park project use Subdistrict 1H only]</i></a>
Prosopis glandulosa	Maverick mesquite	Large canopy <i>[Subdistrict 4A and 4B only]</i>

Quercus buckleyi	Texas red oak	Large canopy
Quercus durandii	Durand oak	Large canopy
Quercus fusiformis	Escarpment live oak	Large canopy
<a href="#">Quercus lyrata</a>	<a href="#">Overcup oak</a>	<a href="#">Large canopy /Special park project use Subdistrict 1H only/</a>
Quercus muhlenbergii	Chinkapin oak	Large canopy
<a href="#">Quercus polymorpha</a>	<a href="#">Netleaf white oak</a>	<a href="#">Large canopy /Special park project use Subdistrict 1H only/</a>
Quercus shumardii	Shumard oak	Large canopy
Quercus virginiana	Live oak	Large canopy
Quercus virginiana “SLDN”	Cathedral live oak	Large canopy [Subdistrict
1C only] Quercus virginiana “QVTIA” 1C, 4A and 4B only]	High-rise live oak	Large canopy [Subdistricts
Ulmus crassifolia	Cedar elm	Large canopy
Ulmus parvifolia 4A and 4B only]	Bosque elm	Large canopy [Subdistricts
Ulmus parviflora	Lacebark elm	Large canopy

(17) Street trees required to be planted along West Commerce Street or Fort Worth Avenue must be provided from the following list of Texas native or adapted species:

<u>Scientific name</u>	<u>Common name</u>	<u>Tree type</u>
Acer barbatum var. “Caddo”	Caddo maple	Large canopy
Acer buergerianum	Trident maple	Large canopy
Acer grandidentatum	Bigtooth maple	Large canopy
Acer truncatum	Shantung maple	Medium canopy
Fraxinus pennsylvanica	Urbanite ash	[Subdistrict 1C only] Large canopy [Subdistrict 1C only]
Liquidambar styraciflua	Sweetgum	Large canopy
Pistachia chinensis	Chinese pistachio	Large canopy
<a href="#">Platanus occidentalis</a>	<a href="#">American Sycamore</a>	<a href="#">Large canopy /Special park project use Subdistrict 1H only/</a>
Prosopis glandulosa 4A and 4B only]	Maverick mesquite	Large canopy [Subdistrict
Quercus buckleyi	Texas red oak	Large canopy
Quercus durandii	Durand oak	Large canopy
Quercus fusiformis	Escarpment live oak	Large canopy
<a href="#">Quercus lyrata</a>	<a href="#">Overcup oak</a>	<a href="#">Large canopy /Special park project use Subdistrict 1H only/</a>
Quercus muhlenbergii	Chinkapin oak	Large canopy
<a href="#">Quercus polymorpha</a>	<a href="#">Netleaf white oak</a>	<a href="#">Large canopy /Special park project use Subdistrict 1H only/</a>
Quercus shumardii	Shumard oak	Large canopy
Quercus virginiana	Live oak	Large canopy
Quercus virginiana “SLDN”	Cathedral live oak	Large canopy [Subdistrict

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### *1C only*

<b>Quercus virginiana “QVTIA”</b> <i>1C, 4A and 4B only</i>	<b>High-rise live oak</b>	<b>Large canopy</b> <i>[Subdistricts</i>
<b>Ulmus crassifolia</b>	<b>Cedar elm</b>	<b>Large canopy</b>
<b>Ulmus parvifolia</b> <i>4A and 4B only</i>	<b>Bosque elm</b>	<b>Large canopy</b> <i>[Subdistricts</i>
<b>Ulmus parviflora</b>	<b>Lacebark elm</b>	<b>Large canopy</b>

(18) In Subdistrict 1D, this subsection does not apply to the Sulphur Street frontage of a structure built prior to 1985.

### (c) Site trees.

(1) One site tree must be provided per 3,000 square feet of lot area or fraction thereof, with a minimum of four trees provided.

(2) Site trees must have a minimum caliper of two inches.

(3) Site trees may not be counted as street trees.

(4) In Subdistricts 4A and 4B, site trees planted in the right-of-way count as replacement trees required for the mitigation or protected trees.

(5) Except as provided in this paragraph, site trees must be provided from the following list of Texas native or adapted species. In Subdistrict 1C, other species of trees may be used as street trees with approval from the building official. [This section does not apply to special park project use in Subdistrict 1H.](#)

<u>Scientific name</u>	<u>Common name</u>	<u>Tree type</u>
Acer barbatum var. “Caddo”	Caddo maple	Large canopy
Acer buergerianum	Trident maple	Large canopy
Acer grandidentatum	Bigtooth maple	Large canopy
Acer truncatum	Shantung maple	Medium canopy
<i>[Subdistrict 1C only]</i>		
Aesculus glaba v. arguta	Texas buckeye	Small
Aesculus pavia	Red buckeye	Small
Carya illinoensis	Pecan	Large canopy
Carya texana	Black hickory	Large canopy

	Cercis canadensis	Redbud	Small
	Chilopsis linearis	Desert willow	Small
	Diospyros texana	Texas persimmon	Small
	Diospyros virginiana (male only)	Common persimmon	Large canopy
	Fraxinus americana	White ash	Large canopy
	Fraxinus pennsylvanica	Urbanite ash	Large canopy <i>[Subdistrict 1C only]</i>
	Gymnocladus dioicus	Kentucky coffee tree	Large canopy
	Ilex decidua	Deciduous holly or Possumhaw	Small
	Ilex vomitoria	Yaupon holly	Small
	Juglans microcarpa	Texas black walnut	Large canopy
	Juniperus ashei	Ashe juniper	Small
	Juniperus virginiana	Eastern red cedar	Large noncanopy
	Lagerstroemia indica	Crepe myrtle	Small
	Liquidambar styraciflua	Sweetgum	Large canopy
	Magnolia grandiflora	Southern magnolia	Large noncanopy
	Pistachia chinensis	Chinese pistachio	Large canopy
	Prosopis glandulosa	Mesquite	Small
	Prosopis glandulosa	Maverick mesquite	Large canopy <i>[Subdistrict 4A and 4B only]</i>
	Prunus mexicana	Mexican plum	Small
	Quercus buckleyi	Texas red oak	Large canopy
	Quercus durandii	Durand oak	Large canopy
	Quercus fusiformis	Escarpment live oak	Large canopy
	Quercus macrocarpa	Bur oak	Large canopy
	Quercus muhlenbergii	Chinkapin oak	Large canopy
	Quercus shumardii	Shumard oak	Large canopy
	Quercus virginiana	Live oak	Large canopy
	Quercus virginiana "SLDN"	Cathedral live oak	Large canopy <i>[Subdistrict 1C only]</i>
	Quercus virginiana "QVTIA"	High-rise live oak	Large canopy <i>[Subdistricts 1C, 4A and 4B only]</i>
	Rhamnus caroliniana	Carolina buckthorn	Small
	Rhus lanceolata	Flameleaf sumac	Small
	Rhus virens	Evergreen sumac	Small
	Sophora affinis	Eve's necklace	Small
	Taxodium ascendens	Pond cypress	Large noncanopy
	Taxodium distichum	Bald cypress	Large noncanopy
	Ulmus crassifolia	Cedar elm	Large canopy
	Ulmus parvifolia	Bosque elm	Large canopy <i>[Subdistricts 4A and 4B]</i>
Ulmus parviflora		Lacebark elm	Large canopy
Viburnum rufidulum		Rusty blackhaw	
viburnum			Small

(6) For a special park project use in Subdistrict 1H, the director may approve alternative tree species not listed in Article X including but not limited to the following:

<u>Celtis x “Magnifica”</u>	<u>Magnifica Hackberry</u>	<u>Large canopy</u>
<u>Juniperus virginiana “Taylor”</u>	<u>Taylor Juniper</u>	<u>Large canopy</u>
<u>Parkinsonia x “Desert Museum”</u>	<u>Texas Palo Verde</u>	<u>Large canopy</u>
<u>Prunus serotina var. serotina</u>	<u>Eastern Black Cherry</u>	<u>Large canopy</u>
<u>Quercus canbyi</u>	<u>Sierra Red Oak</u>	<u>Large canopy</u>
<u>Quercus lyrata</u>	<u>Overcup Oak</u>	<u>Large canopy</u>
<u>Quercus michauxii</u>	<u>Swamp Chestnut Oak</u>	<u>Large canopy</u>
<u>Quercus nuttallii</u>	<u>Nuttall Oak</u>	<u>Large canopy</u>
<u>Sabal texana</u>	<u>Texas Palmetto</u>	<u>Large canopy</u>
<u>Salix babylonica</u>	<u>Weeping Willow</u>	<u>Large canopy</u>
<u>Taxodium mucronatum</u>	<u>Montezuma Bald Cypress</u>	<u>Large canopy</u>
<u>Acer palmatum</u>	<u>Japanese Maple</u>	<u>Medium</u>
<u>Bauhinia lunarioides</u>	<u>Anacacho Orchid Tree</u>	<u>Medium</u>
<u>Cotinus x “Grace”</u>	<u>Grace Smoke Tree</u>	<u>Medium</u>
<u>Diospyros virginiana</u>	<u>Common Persimmon</u>	<u>Small</u>
<u>Prunus serotina</u>	<u>Black Cherry</u>	<u>Large canopy</u>
<u>Quercus buckleyi</u>	<u>Buckley Oak</u>	<u>Large canopy</u>

(7) For a special park project use in Subdistrict 1H, the director may approve alternative tree spacing distances to enhance landscaping design in conflict with Section 51A-10.104(h) in Article X.

(d) Parking lot trees.

(1) Except as provided in this subsection, each required parking space must be within 75 feet of the trunk of a large canopy site tree.

(2) In Subdistricts 1E, 1H, 4A, and 4B, each required parking space not within a parking structure must be within 75 feet of either a site tree or street tree.

(3) Parking lot trees must have a minimum caliper of three inches.

(4) Parking lot trees may not be planted closer than two feet from a paved surface.

(5) Parking lot trees may be counted as site trees, but may not be counted as street trees. This section does not apply to a special park project use in Subdistrict 1H.

(e) Prohibited trees. The following trees may not be planted within this district:

<u>Scientific name</u>	<u>Common name</u>
<u>Pyrus calleryana</u>	<u>Bradford pear</u>
<u>Populus deltoides</u>	<u>Cottonwood</u>
<u>Albizia julbrissen</u>	<u>Mimosa</u>

(f) Open space fund.

(1) If a property owner cannot plant all of the required trees on the building site, the property owner shall make a payment into the West Commerce Street/Fort Worth Avenue Open Space Fund for no more than 50 percent of the required trees.

(2) The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a tree equal in caliper to the tree not planted, as derived from the most recent edition of the *Guide for Establishing Values of Trees and Other Plants* published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining the tree for two years as determined by the park and recreation department.

(3) The department shall administer a city account to be known as the West Commerce Street/Fort Worth Avenue Open Space Fund. Funds from the West Commerce Street/Fort Worth Avenue Open Space Fund must be used only for acquiring and maintaining property for parks and open space within this district and for median landscape improvement on West Commerce Street or Fort Worth Avenue. The Fort Worth Avenue Development Group, its successor or a similar organization, should be consulted on uses of the fund

(g) Landscaping in the public right-of-way.

(1) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(2) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this district. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(3) A property owner or tenant is not required to comply with any right-of-way landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.

(4) Upon the installation of landscaping in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(5) Each owner or tenant is responsible for maintaining the right-of-way landscaping in a healthy, growing condition, and for keeping the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain right-of-way landscaping or make repairs. The granting of a license for landscaping under this subsection does not release the owner or tenant from liability for the installation or maintenance of landscaping in the public right-of-way.

(h) Plant requirements. Plants used to satisfy landscape requirements must comply with the following requirements:

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- (1) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.
- (2) Solid sod or hydro-mulch grass may be used.
- (3) Artificial plant materials may not be used.
- (4) Any required landscaping that dies must be replaced.
- (5) Except as provided in this subsection, trees and shrubs must be planted at least 10 feet from the centerline of any water or sewer main. Landscaping over water or sewer mains must be limited to ground cover. [For a special park project use in Subdistrict 1H, the director may approve alternative landscape spacing than otherwise specified in this section.](#)
- (6) In Subdistricts 4A and 4B, trees and shrubs must be planted at least five feet from the centerline of any water or sewer main.
- (7) Trees must be trimmed to provide adequate clearance for pedestrians and vehicles so as not to create a safety hazard.
- (8) Trees may not be located within 15 feet of light poles, signal lights, warning signs, or traffic control devices. This provision does not apply to existing trees in Subdistricts 4A and 4B. [For a special park project use in Subdistrict 1H, the director may approve alternative landscape spacing than otherwise specified in this section.](#)

(9) Trees may not be planted within 90 feet of a school crossing or a railroad crossing. This provision does not apply to existing trees in Subdistricts 4A and 4B.

(10) An adequate irrigation and drainage system must be provided for all landscaping. Drought tolerant plants must be used when an irrigation system is not provided. See Section 51A-10.106, “Irrigation Requirements.”

(11) Plants other than trees within parkways must be maintained so that they do not overhang the curb.

(i) Plantings within medians.

(1) Trees within medians may not be planted adjacent to left turn lanes.

(2) Trees within medians must be located so as to provide adequate sight distance.

(3) Trees within medians may not be planted within 30 feet of the tip of the median.

(4) Trees within medians may not be planted within three feet of the back of the curb.

(5) Trees within medians must be placed in a six-foot-wide planting strip.

(6) Plants other than trees within medians must be maintained so that they do not overhang the curb.

(7) Trees within medians must have a minimum clearance of 15 feet.

(8) Drought tolerant plants must be used in medians.

(j) Landscape plan.

(1) This section becomes applicable to a building site when an application is made for a building permit for construction work that within a 24-month period:

(A) increases the number of stories in a building on the site;

(B) increases the combined floor area of all buildings on the site; or

(C) increases the nonpermeable coverage on the site by 1,000 square feet or more.

(D) this section does not apply to a special park project use in Subdistrict 1H.

(2) Landscape plans must be reviewed by water utilities and the department of public works and transportation.

(3) A landscape plan must include a schedule for maintenance of required landscaping.

(4) A landscape plan must earn at least 75 points (out of a total of 125 possible points). The points awarded for providing each feature is provided in parentheses. Existing landscaping qualifies for points. If the landscape plan earns at least 75 points, the design standards of Section 51A-10.126, “Design Standards,” are not required.



(A) Lighting. (Total possible points = 30) Ten points each are awarded for providing tree lighting, building facade lighting, or landscape area lighting. Tree lighting must provide lighting in each tree in the front yard. Building facade lighting must illuminate the entire front facade. Landscape area lighting must illuminate a landscape feature such as a planting bed, fountain, sculpture, or water feature. The lighting must be at least 1.5 foot-candles in intensity.

(B) Foundation planting strip. (Total possible points = 30) Thirty points are awarded for a three-foot-wide foundation planting strip extending along at least 50 percent of the foundation facing the street. The foundation planting strip must have evergreen shrubs planted every three feet on center.

(C) Seasonal color landscaping. (Total possible points = 15) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for each 10 square feet of landscape area. The plants in the landscape area must be changed at least twice per year with appropriate seasonal color plants. The landscape area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(D) Native or adapted xeriscape landscaping. (Total possible points = 30) Points may be obtained for using native plants or xeriscape plants for at least 80 percent of the landscape requirement. Native plants or adapted xeriscape plants listed in Exhibit 714C must be used.

(E) Creation of open space. (Total possible points = 20) Five points are awarded for every 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this district. For purposes of this subparagraph, "open space" means a contiguous space containing primarily grass or vegetation and pedestrian amenities such as fountains, benches, paths, or shade structures. In Subdistricts 1E, [1H](#), 4A, and 4B, dog parks, community gardens, and publicly-accessed plazas are also open space. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

(k) Street buffer zone in Subdistrict 3D. The street sections and landscaping as shown in Exhibit 714F are not required in Subdistrict 3D, if the following provisions are met.

(1) Except as provided in this paragraph, one large or medium street buffer tree must be provided for every 30 linear feet of frontage. When existing conditions prohibit planting large or medium trees, the building official may approve two small trees to be substituted for each large or medium tree.

(2) Street buffer trees must be planted within 30 feet of the curb.

(3) Landscaping buffers and planting areas must be provided as required by Article X.

(l) Surface parking lots in Subdistrict 3D. Permeable pavers must be used in parking spaces with bioswales between rows where two rows of parking abut. (Ord. Nos. 25898; 26876; 27820; 28505; 30610; 30705; 32104; 32411)

## **SEC. 51P-714.115.**

## **STREET AND SIDEWALK STANDARDS.**

(a) In general.

(1) The street and sidewalk standards of this section apply only to new construction or a major modification.

(2) Except as provided in this section, streets as shown in Exhibit 714F are required. This provision does not apply in Subdistricts 1C, [1H](#), 2D, and 3D.

(3) Except as provided in this section, sidewalks along streets as shown in Exhibit 714F are required. [This provision does not apply in Subdistrict 1H.](#)

(4) In Subdistrict 3D, sidewalks are required to 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.

(5) In Subdistrict 3D, at each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete or patterned or stamped brick pavers for pedestrian crossing.

(b) Street standards.

(1) Except as provided in this section, streets must be constructed as shown in Exhibit 714F. If future right-of-way dedications are made in Subdistricts 1D and 4A, the pavement width for new streets must be in accordance with Exhibit 714F. Parallel parking must be provided as shown in Exhibit 714F. This provision does not apply in Subdistricts 1C, [1H](#), and 2D. This provision does not apply in Subdistrict 3D, provided the provisions in Paragraph (5) are met.

(2) Vehicular access to and from Subdistrict 4B is restricted to Colorado Boulevard and Walter Drive.

(3) The following frontages are exempt from parallel parking requirements:

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(F) Street frontages in Subdistricts 4A and 4B.

(G) The Powell Street frontage in Subdistrict 1D so long as it remains a 30-foot right-of-way.

(H) The Sulphur Street frontage in Subdistrict 1D so long as it remains a 40-foot right-of-way.

(I) The Haslett Street frontage in Subdistrict 1D so long as it remains a 40-foot right-of-way.

(4) In Subdistrict 4B, a slip street is prohibited in the area between Fort Worth Avenue and buildings fronting Fort Worth Avenue.

(5) The regulations in Paragraph (1) do not apply to Subdistrict 3D if the street buffer trees are planted within 20 feet of the curb.

(c) Sidewalk standards.

(1) Except as provided in this subsection, in Subdistricts 1A, 1B, and 1D, there must be a 15-foot-wide sidewalk along West Commerce Street and Fort Worth Avenue, and an 11-foot, six-inch-wide sidewalk along any other street. In Subdistrict 1C, there must be a minimum 15-foot-wide pedestrian zone along Fort Worth Avenue, and a minimum 11-foot, six-inch-wide pedestrian zone along Sylvan Avenue. In Subdistrict 1E, there must be a 15-foot-wide pedestrian zone along West Commerce Street and Fort Worth Avenue, and an 11-foot, six-inch-wide pedestrian zone along any other street which may be reduced to an 11-foot wide pedestrian zone when the pavement width for the adjacent street must be provided in excess of the requirements of this district for the purpose of fire protection. [This section does not apply to a special park project use in Subdistrict 1H.](#)

(2) In Subdistrict 2, there must be a six-foot sidewalk.

(3) In Subdistrict 2D, there must be a five-foot sidewalk.

(4) Except as provided in this paragraph, in Subdistrict 3, there must be a 12-foot sidewalk along Fort Worth Avenue, and an 11-foot, six-inch sidewalk along any other street. In Subdistrict 3D, a six-foot-wide sidewalk is required along Hampton Road.

(5) Except as provided in this subsection, in Subdistrict 4, there must be a six-foot sidewalk.

(6) In Subdistricts 4A and 4B, the minimum width of sidewalks along Fort Worth Avenue is 10 feet. At least five feet of the sidewalks along Fort Worth Avenue must be made of concrete; the remainder may be an aggregate or permeable surface. All other sidewalks along a right-of-way must be at least six-feet-wide with at least three feet of the sidewalk unobstructed and clear. ADA-approved tree grates are not a sidewalk obstruction. If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement or access agreement to the city to assure its availability to the public as a permanent pedestrian way.

(7) In Subdistrict 5, there must be a 10-foot sidewalk.

(8) Except as provided in this paragraph, see Exhibit 714F for the required widths of sidewalks. See Paragraph (1) for the required width of sidewalks in Subdistricts 1C and 1D.

(9) The street curb may not be counted as part of the sidewalk width.

(10) The following frontages must provide the sidewalks shown on page 6 of Exhibit 714F.

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(11) Sidewalk widths must taper or expand to match the width of existing sidewalks in front of adjacent properties at the point of convergence.

(12) Sidewalks must be located along the entire length of the street frontage.

(13) Each owner or tenant is responsible for maintaining sidewalks, and for keeping sidewalks safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain sidewalks or make repairs.

(14) Except as provided in this paragraph, in Subdistrict 1D, if the right-of-way width is 40 feet or less, a minimum nine-foot, six-inch wide sidewalk (as measured from back of curb perpendicular to property edge, exclusive of tree wells) is required adjacent to Sulphur Street and Haslett Street and a minimum seven-foot, six-inch wide sidewalk (as measured from back of curb perpendicular to property edge exclusive of tree wells) is required adjacent to Powell Street. Frontage adjacent to structures built prior to 1985 are exempt from this requirement.

(15) In Subdistrict 1E, the following additional improvements are required:

(A) A minimum eight-foot wide bicycle and pedestrian path must be provided to connect West Main Street and Sylvan Avenue within Phase 2.

(B) Pedestrian-scale lighting must be provided at regular intervals with a spacing of no greater than 100 feet along all street facing facades, except for visibility triangles and vehicular drives, in order to provide lighting on sidewalks, walkways, and plazas. (Ord. Nos. 25898; 26876; 27820; 28505; 30491; 30610; 30705; 32104; 32411)

(16) For a special park project use in Subdistrict 1H, the following minimum sidewalk widths are required:

(A) Commerce Street and Wales Street. Minimum average sidewalk width is 7 feet.

(B) North Beckley Avenue and any proposed right of way. Minimum average sidewalk width is five feet.

(C) West Main Street. Minimum average sidewalk width is five feet.

**SEC. 51P-714.116.**

**SCREENING REGULATIONS.**

*Omitted for brevity*

**SEC. 51P-714.117.**

**SIGNS.**

*Omitted for brevity*

**SEC. 51P-714.118.**

**ARCHITECTURAL DESIGN STANDARDS.**

(a) Purpose.

(1) The district is hereby designated as an area of historical, cultural, and architectural importance and significance. The architectural design standards of this section are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. The corridor has historic and cultural importance as an early major east-west thoroughfare in the Dallas metroplex. The development patterns and architecture along the corridor reflect pioneer settlements; the Great Depression; mid-20th century Americana; and post-World War II automobile, nightclub, and restaurant culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

(2) The purpose of these architectural design standards is to:

(A) ensure that new development enhances the character of the corridor and complement adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area's character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(b) Applicability. The architectural design standards of this section apply to:

(1) New construction and major modifications of buildings containing a nonresidential use.

(2) Buildings containing only residential uses.

(3) In Subdistrict 2D, facades constructed before February 1, 2005 do not count towards the facade calculations for purposes of determining compliance with this section.

(4) In Subdistrict 3C, buildings constructed before February 1, 2005 are not required to comply with this section.

(5) This section does not apply for a special park project use in Subdistrict 1H.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation.

(1) Except as provided in 51A-714.118(e)(3), the primary facade and primary entrance of new construction must be oriented to face the public right-of-way. In Subdistrict 4B, the primary facade and primary entrance of new construction must be oriented to face Fort Worth Avenue. In Subdistrict 3D, except as provided in this paragraph, the primary facade and primary entrance for new construction must be oriented to face Hampton Road. In Subdistrict 3D, any building within 100 feet of Fort Worth Avenue may be oriented to face Fort Worth Avenue. In Subdistrict 1E, in a building of less than 10 units, when the primary facade of an individual unit is immediately adjacent to right of way, its primary facade and primary entrance must be oriented towards the right of way. All other units within the building may be oriented to front on an open space.

(2) Except as provided in 51P-714.111(c)(1)(D), garage doors serving eight or fewer dwelling units may not face West Commerce Street or Fort Worth Avenue. In Subdistrict 1C, this provision applies only to individual vehicular garages for residential dwelling units.

(e) Entrances.

(1) In general. All street-facing entrances must be architecturally prominent and clearly visible from the street. This provision applies only to new construction. In Subdistrict 1C, except as provided in 51A-714.118(e)(3), all customer entrances for retail and personal service uses must have the same level of design and articulation whether street-facing or not.

(2) Primary customer entrances for retail and personal service uses in all subdistricts. Except as provided in this subsection, primary customer entrances for retail and personal service uses must face the street. For corner lots, primary customer entrances for retail and personal service uses may be oriented toward the corner. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:

- (A) Arcade.
- (B) Arch.
- (C) Attached tower or turret.
- (D) Awning.
- (E) Canopy.
- (F) Decorative elements such as tile work, molding, raised banding, or projected banding.
- (G) Display windows.
- (H) Integral planters or wing walls that incorporate landscaped areas or places for sitting.
- (I) Overhang.
- (J) Peaked roof form.
- (K) Patio.

- (L) Porch.
- (M) Portico.
- (N) Projection.
- (O) Raised corniced parapet.
- (P) Recess.

(3) Additional regulations for customer entrances for retail and personal service uses in Subdistrict 1C. Street-facing customer entrances must be provided as follows:

(A) In Permissible Building Area A, one entrance must be oriented to Sylvan Avenue unless the facade oriented to Sylvan Avenue is 60 percent or more glazing. For purposes of calculating glazing percentage, glazing must be located a minimum of three feet above grade and a maximum of 10 feet above grade.

(B) In Permissible Building Area B, one entrance must be oriented to Sylvan Avenue.

(C) In Permissible Building Area C, two entrances must be oriented to a public street.

(D) In Permissible Building Area D, one entrance must be oriented to Ft. Worth Avenue.

(E) Four of the five entrances required in this paragraph must comply with Paragraph (2). All other entrances are not required to comply with Paragraph (2).

(4) Structures built prior to 1985 in Subdistrict 1D. The primary entrance may be located on the side of a building no more than 20 feet from the street facing facade, and must have one architectural element.

(f) Facades.

(1) Street-facing facades on a single development tract must have similar architectural design. This provision does not apply to buildings built before February 1, 2005 in Subdistrict 2D. For Subdistrict 1E, only street-facing facades on a lot must have similar architectural design.

(2) Except as provided in this paragraph, street-facing facades exceeding 30 feet in length must have two of the following elements. Street-facing facades exceeding 100 feet in length must have four of the following elements. Street facing facades on single family uses in Subdistrict 4B must have at least two of the following elements. Street-facing facades on structures built prior to 1985 in Subdistrict 1D may contain metal or glass overhead roll up doors and are exempt from the requirements in the following list.

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

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

- (C) Architecturally prominent public entrance.
- (D) Attached tower or turret.
- (E) Awnings.
- (F) Change in color.
- (G) Change in material.
- (H) Change in texture.

(3) Except for structures built prior to 1985 in Subdistrict 1D, the ground floor of the primary facade of nonresidential uses or mixed-use projects with retail uses on the ground floor must have at least two of the following elements for at least 60 percent of the width of the facade. In Subdistrict 1E, this applies only to facades with non-residential facades or entrances.

- (A) Arcades, canopies, or secondary roofs to provide shade.
- (B) Display windows.
- (C) Awnings associated with windows or doors.

(4) Except in Subdistricts 1C, 1D, 1E, 2D, and 4B street-facing facades of all buildings other than accessory buildings must be visually divided into a base, a middle, and a top. The base must be at least two feet above grade and distinguished from the middle by a change of materials, horizontal banding, change of color, or change of plane. The top must be distinguished from the middle by cornice treatments, roof overhangs with brackets, stepped parapets, corbeling, textured materials, or differently colored materials. Color bands are not acceptable as the only treatment for the top.

(5) Accessory structures must have the same architectural detail, design elements, materials, and roof design as the primary structure.

(6) Except as provided in this paragraph, any parking structure for a residential use must be constructed of comparable materials and be of the same architectural treatment as the dwelling units. In Subdistrict 4A, this provision only applies to a facade facing a public street. In Subdistrict 1E, this provision only applies to a facade facing a public street, unless adjacent to rail right-of-way, in which case architectural treatments must be provided over 40 feet in height.

(7) Additions and alterations must have the same architectural detail, design elements, materials, and roof design as the portion of the structure that is not being altered.

(8) That portion of the ground-level floor facing the street of any multi-floor parking facility must have a use other than parking. For Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground-level western facade must be a use other than parking.

(9) Except as provided in this paragraph, at least 20 percent, but no more than 80 percent, of street-facing facades of nonresidential uses must be windows and doors. In Subdistrict 3D, general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet must have a minimum of 30 percent of the street-facing facade be transparent or have a painted work of art. In



Subdistrict 1D, the entire square footage of metal overhead rollup doors are counted as door area and the entire square footage of glass overhead rollup doors are counted as window area. In Subdistrict 1C, at least 20 percent, but no more than 80 percent, of non-street level facades of nonresidential uses must be windows and doors, except for residential portions of mixed-use structures. Windows and doors on street-level facades in Subdistrict 1C must be provided as follows:

	Permissible Building Area A	Permissible Building Area B	Permissible Building Area C	Permissible Building Area D
Minimum transparency required**	50% facing Sylvan*	50% facing Sylvan	50% facing Sylvan	60% facing Fort Worth Ave

\* See SEC. 51P-714.118(e)(3) for additional requirements.

\*\* For purposes of calculating the minimum transparency required, glazing must be located a minimum of 3 feet and a maximum of 10 feet above grade.

(A) In Subdistrict 1C, metal and stucco are allowed in addition to masonry on up to 50 percent of the total area of street-facing facade per street frontage.

(B) In Subdistrict 2D:

(i) For the Fort Worth Avenue frontage, at least 50 percent, but no more than 80 percent, of the street-facing facade of nonresidential uses must be windows and doors.

(ii) For the Sylvan Avenue frontage, at least 40 percent, but no more than 80 percent, of the first 10 feet measured from the finished floor of the street-facing facade of nonresidential uses must be windows and doors. The first 10 feet measured from grade of the open areas between buildings may be credited towards meeting this requirement.

(10) Except as provided in this paragraph, if a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. Except in Subdistrict 1E, if the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry. In Subdistrict 1C, metal and stucco are allowed in addition to masonry on up to 50 percent of the total area of street-facing facade per street frontage. In Subdistrict 4B, 75 percent of the first-story street-facing facade, excluding fenestration, must be masonry.

(11) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(12) Within Permissible Building Area E in Subdistrict 1C, vehicular access must be provided from west to east.

(13) Within Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground floor of any parking structure oriented to and visible from the east boundary line of Subdistrict 1C must be screened by plant material.

(14) In Subdistrict 1C, facades oriented to Sylvan Avenue and Ft. Worth Avenue may have overhead garage-type doors if the doors do not open to an automotive use.

(15) In Subdistrict 4B, facades of single family structures that face Walter Drive or Colorado Boulevard must have a minimum 10 percent fenestration.

(16) In Phase 2 for Subdistrict 1E, a minimum of 25 percent of street-level dwelling units adjacent to a street in each building must have individual entries that access the street with an improved path connecting to the sidewalk.

(17) Within Subdistrict 3D, galleries, arcades, or awnings with a minimum length of 25 feet per 100 feet of building facade must be provided along the primary entrance of a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet.

(18) Within Subdistrict 3D, a building must have a minimum of one entrance that is architecturally prominent and facing the street.

(g) Fences and walls.

(1) In general. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may spread out over the length of the fence or wall.

(2) Subdistrict 4B.

(i) A maximum four-foot-high fence is allowed in a front yard and must have fence panels with surface areas that are a minimum of 50 percent open.

(ii) Fences must be decorative metal (for example, wrought iron).

(iii) Columns must be decorative metal, brick, stone, or masonry.

(iv) A maximum three-foot-high handrail may be located on maximum four-foot-high retaining walls in a front yard.

(h) Materials. Exterior building materials should be high quality and durable.

(1) Glass.

(A) Allowed. Glass is allowed. In Subdistrict 1C, no more than 50 percent of the total area of street-facing facade per street frontage may be metal panels.

(B) Prohibited. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, “reflectance” is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

(i) Brick.

- (ii) Cement-based siding or panels.
- (iii) Finished concrete masonry units such as split-faced concrete masonry units.
- (iv) Tilt architectural pre-cast concrete with an applied masonry finish. Painted pre-cast concrete walls are allowed in Subdistrict 1D for structures built prior to 1985.

(B) Prohibited.

- (i) Painted brick.
- (ii) Simulated brick.
- (iii) Unfinished concrete masonry units.

(3) Metal.

(A) Allowed.

- (i) General. Except as provided in this paragraph, no more than 20 percent of a street-facing facade may be flat or corrugated metal panels.
- (ii) Subdistrict 1C. No more than 50 percent of the total area of street-facing facade per street frontage may be metal panels.
- (iii) Subdistrict 1D. Neither passage doors nor overhead doors count towards the calculation of flat or corrugated metal panels.
- (iv) Subdistrict 2D.
  - (aa) Except as provided in this item, a maximum of 50 percent of the total area of the street-facing facades may be metal panels.
  - (bb) Along Forth Worth Avenue a maximum of 50 percent of the street-facing facade of each building may be metal panels.

(B) Prohibited.

- (i) Aluminum siding.
- (ii) Reflective metal panels.

(4) Plastic.

(A) Allowed. Fiberglass.

(B) Prohibited. Plastic, including plastic siding and vinyl siding.

(5) Stone.

(A) Allowed.

(i) Cast stone.

(ii) Materials that simulate natural stone.

(iii) Natural stone.

(B) Prohibited. Painted stone.

(6) Stucco.

(A) Allowed. Stucco. In Subdistricts 4A and 4B, miscellaneous foam trim sections are permissible as base material to be covered in stucco.

(B) Prohibited. Simulated stucco. In Subdistricts 4A and 4B, exterior insulated finish systems (EIFS).

(7) Tile. Terra cotta and tile are allowed.

(8) Wood.

(A) Allowed.

(i) Natural wood.

(ii) No more than 20 percent of a street-facing facade may be shake shingles or plywood.

(B) Prohibited. Flakeboard.

(i) Roofs. Roofs must comply with the following:

(1) Sloped roofs must have a pitch of 4:12 or more, and must have overhanging eaves extending no less than 12 inches past the supporting walls. Overhanging eaves are not required in Subdistrict 1E.

(2) Except in Subdistrict 1E, flat roofs and roofs with a pitch of less than 4:12 must have a parapet that meets the following:

(A) Except in Subdistrict 1D, the parapet must be articulated or detailed as an element distinct from other building facade elements.

(B) Single-story buildings must have a parapet at least 18 inches high.

(C) Multi-story buildings must have a parapet at least 24 inches high.

(D) Structures built prior to 1985 in Subdistrict 1D must have a minimum 12-inch-high parapet on at least three sides.

(3) Except as allowed in Subdistricts 1C and 1D, mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way. In Subdistrict 1C, skylights and solar panels may be part of any structure regardless of visibility. In Subdistrict 1D, mechanical equipment must not be visible to a person standing at ground level on the opposite side of the right-of-way adjacent to the primary facade.

(j) Story dimensions.

(1) A minimum 10-foot floor-to-floor dimension is required for the ground floor of single-story and multi-story residential structures. In Subdistrict 1E, the residential portion of the ground floor of a multi-story mixed use building must have a minimum 10-foot floor-to-floor dimension required. Except in Subdistricts 1E, 4A, and 4B, the foundation must be two feet above grade.

(2) A minimum 12-foot floor-to-floor dimension is required for the ground floor of single-story nonresidential structures and single-story mixed-use projects.

(3) Except as provided in this subsection, a minimum 14-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and multi-story mixed-use projects.

(4) In Subdistrict 4A, a minimum 10-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and the nonresidential portions of multi-story mixed use projects.

(5) In Subdistrict 4B, a minimum nine-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and the nonresidential portions of multi-story mixed-use projects.

(6) In Subdistricts 4A and 4B, a minimum eight-foot floor-to-floor dimension is required for any residential portion of a structure.

(7) For structures built prior to 1985 in Subdistrict 1D, a building with two stories or less above grade may have floor-to-floor heights of seven-feet, six-inches for up to 30 percent of the total floor area.

(k) Pedestrian pathway. In Subdistrict 3D, for a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet, at least one pedestrian pathway from the sidewalk along Fort Worth Avenue is required for commercial spaces abutting Fort Worth Avenue. A pedestrian pathway must be clearly marked by colored concrete or patterned or stamped brick pavers, in contrast to any crossing parking areas, maintaining a continuous grade, and directly connecting the exterior sidewalks with the entrance to each retail structure. Any improved paths must include one of the following:

- Covered by a trellis, canopy, or awning.
- A large tree planted every 30 feet. (Ord. Nos. 25898; 27820; 28505; 30491; 30610; 30705; 32104; 32175; 32411)

**SEC. 51P-714.118.1 MIXED INCOME HOUSING.**

*Omitted for brevity*

**SEC. 51P-714.119. ADDITIONAL PROVISIONS.**

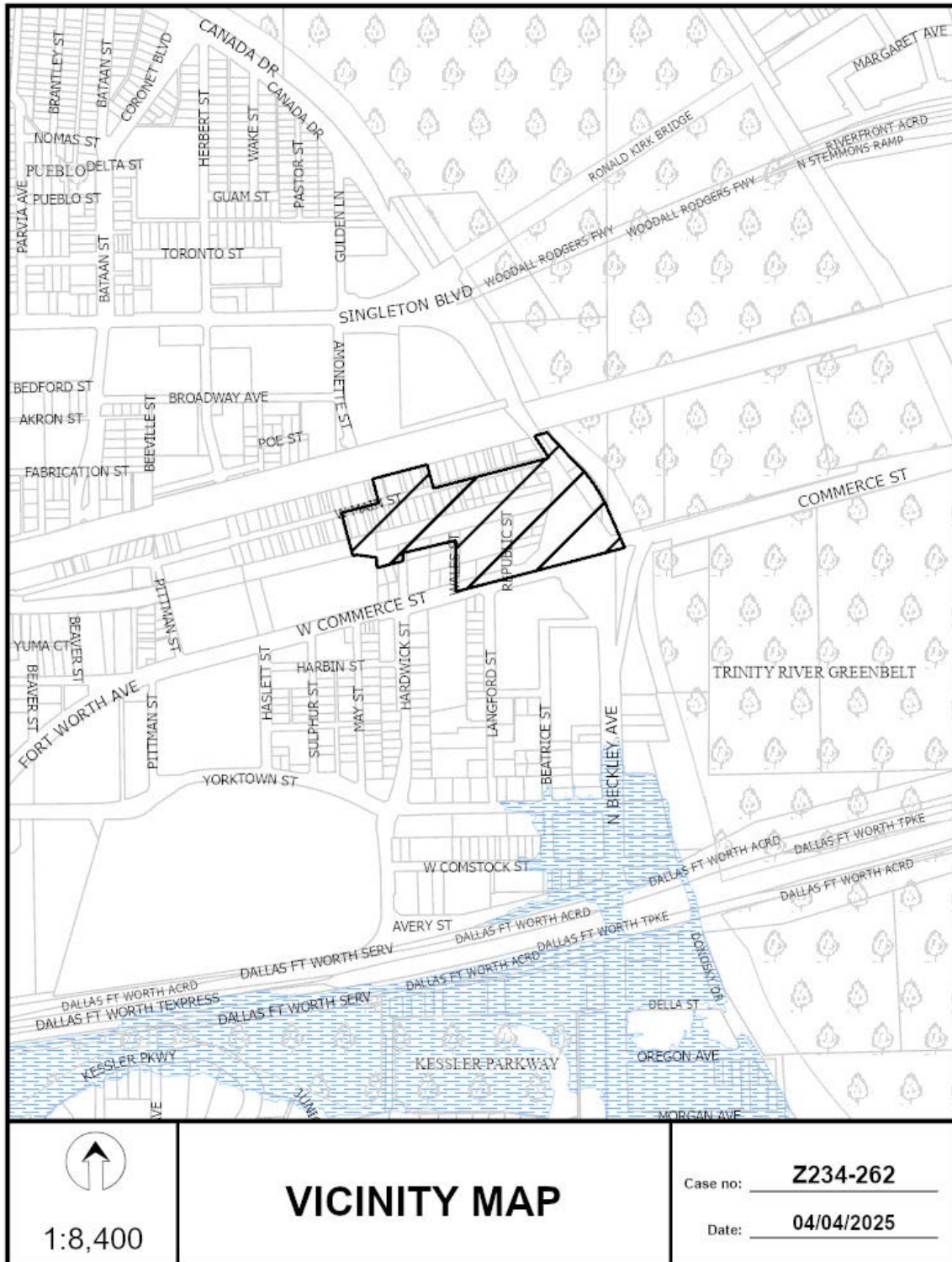
Z234-262(MB)

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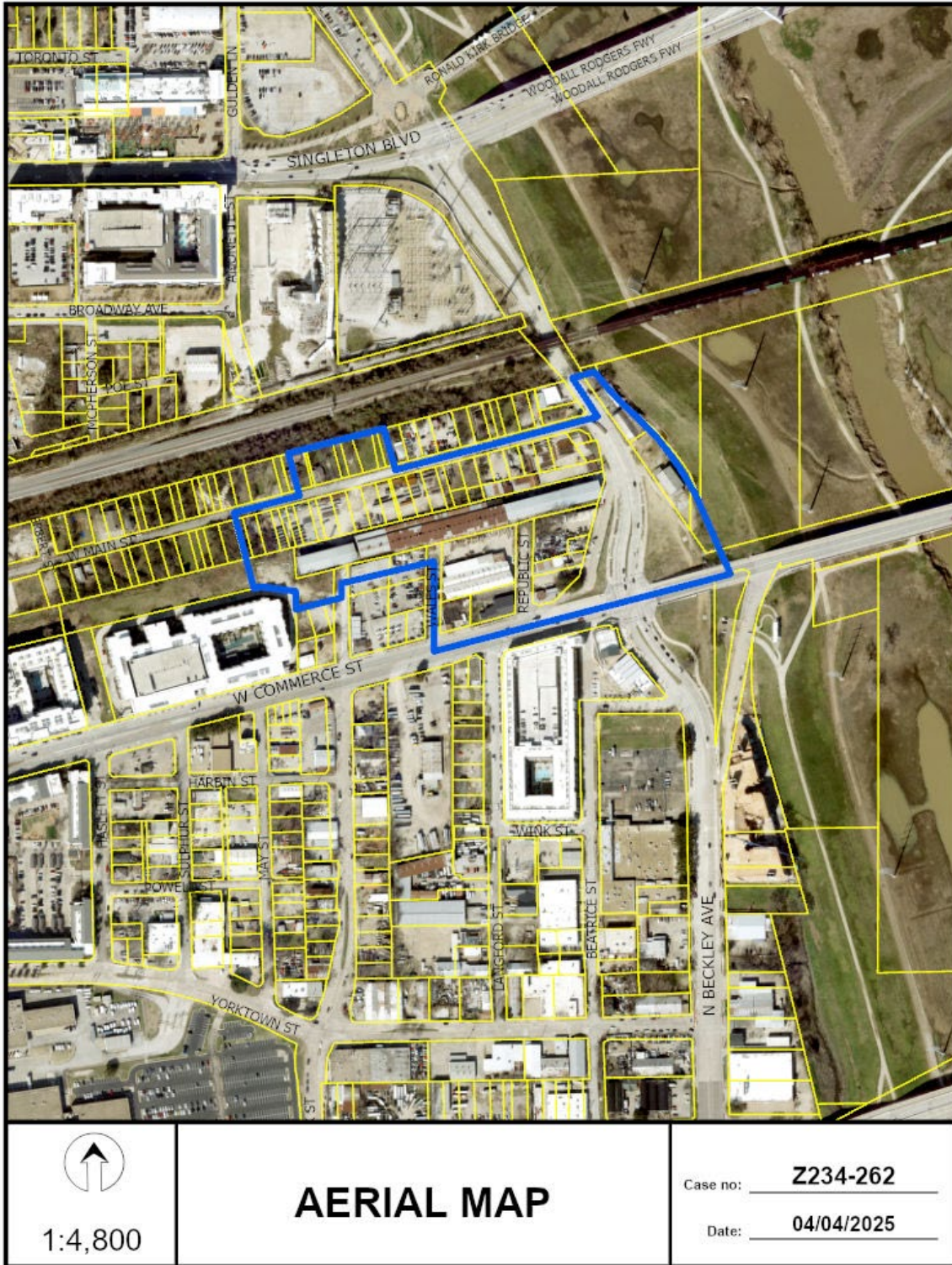
**SEC. 51P-714.120.**

**COMPLIANCE WITH CONDITIONS.**

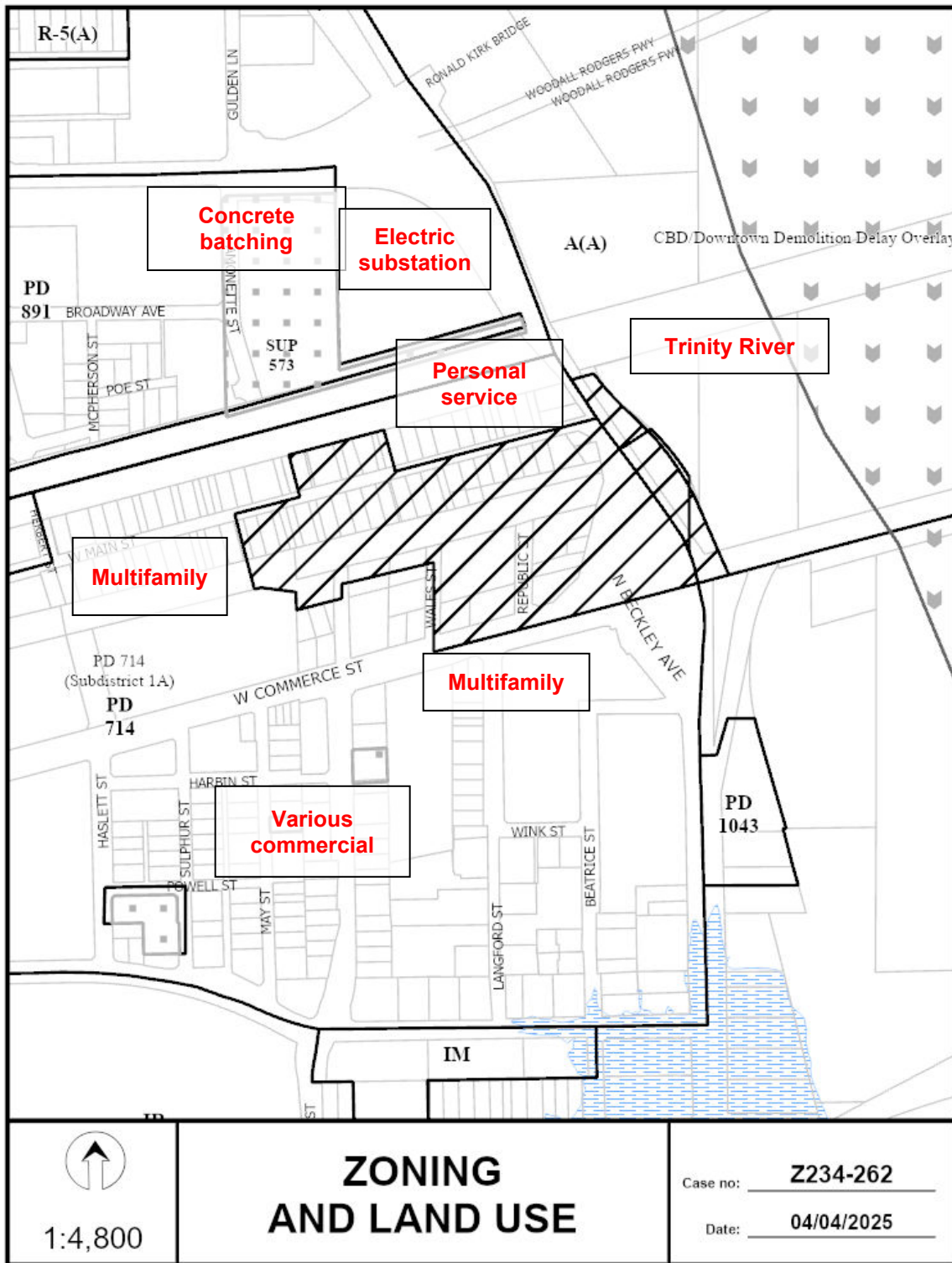
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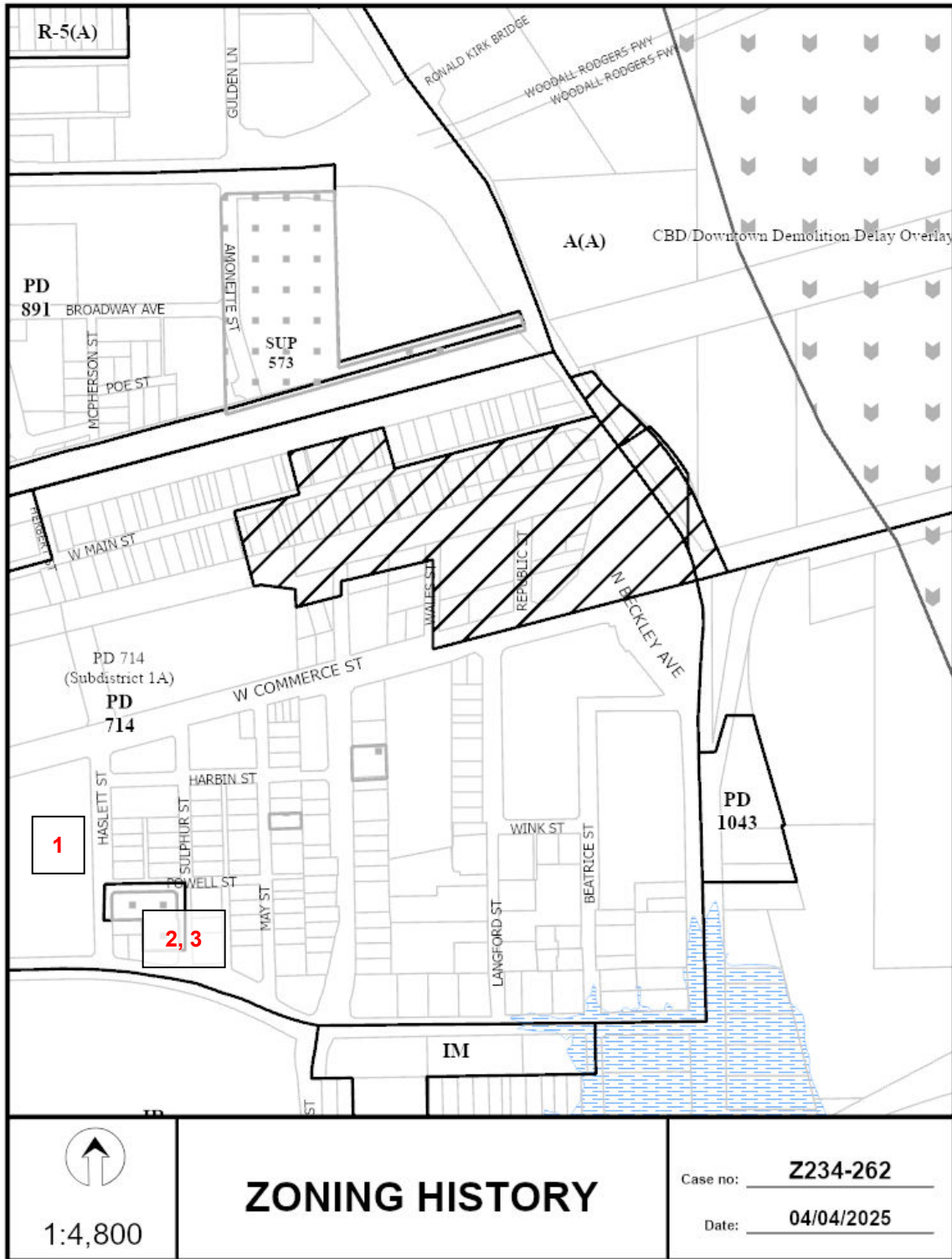




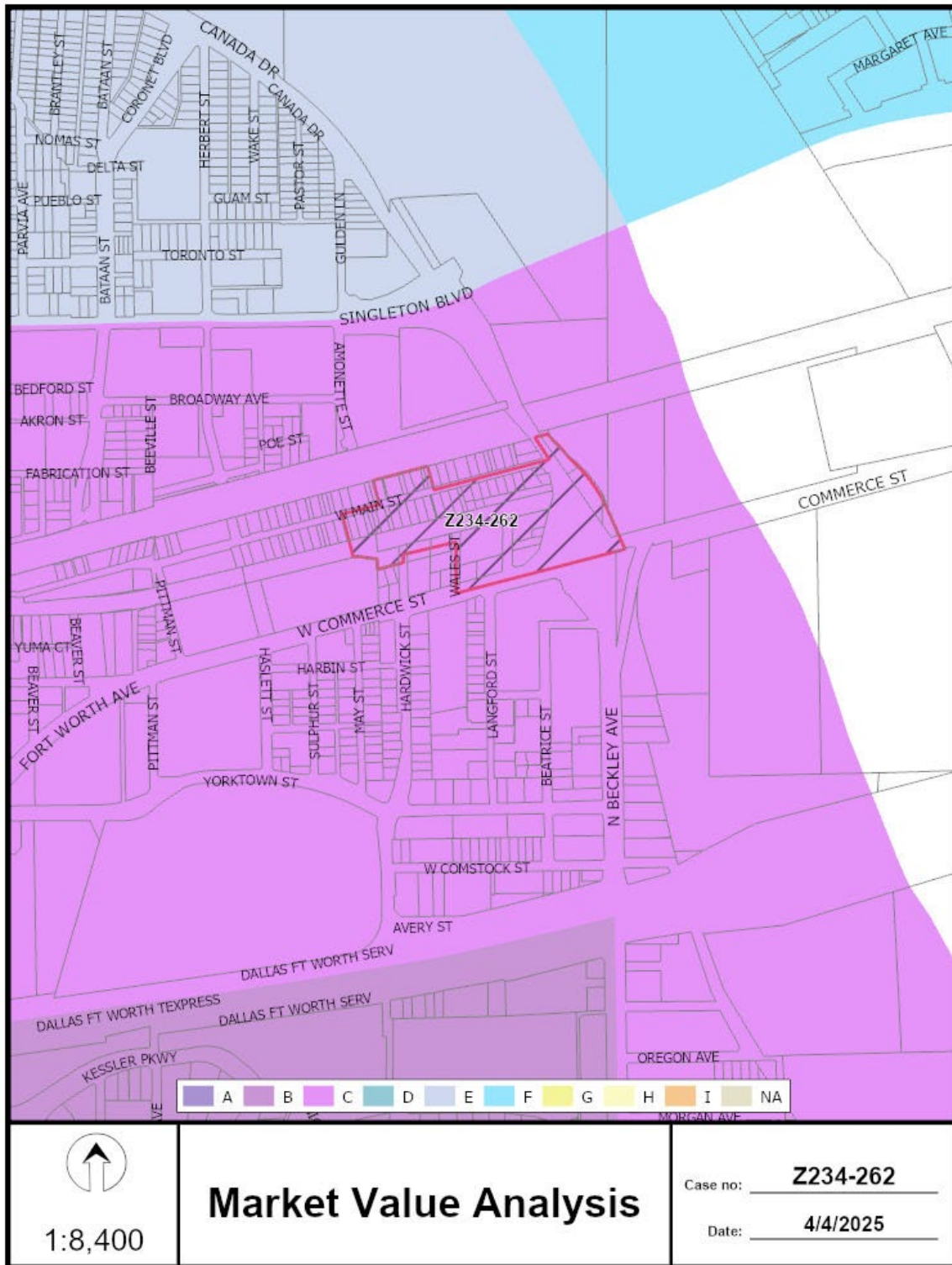


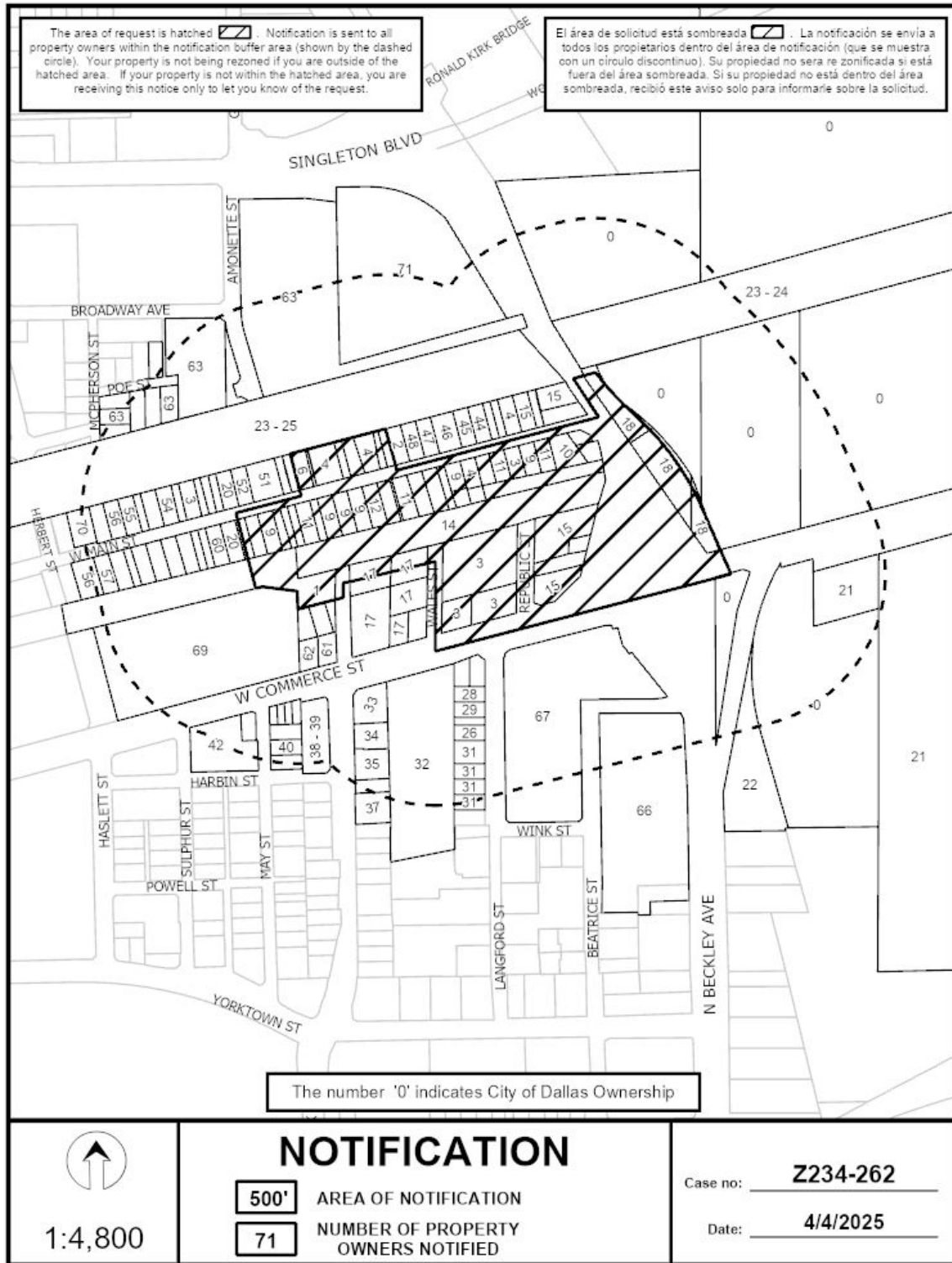






Z234-262(MB)





04/04/2025

## Notification List of Property Owners

**Z234-262****71 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	2500 HARDWICK ST	FOUNTAIN GRASS LLC
2	219 W MAIN ST	REYNA PABLO & ELVIRA
3	129 W MAIN ST	RFA 201 W COMMERCE LLC
4	227 W MAIN ST	RFA 201 W COMMERCE LLC
5	235 W MAIN ST	RFA 201 W COMMERCE LLC
6	247 W MAIN ST	RFA 201 W COMMERCE LLC
7	262 W MAIN ST	BECKLEY COMMERCE ACQUISITIONS
8	258 W MAIN ST	NOVELLA DOUGLAS BURDETT &
9	256 W MAIN ST	2601 N BECKLEY LLC
10	252 W MAIN ST	2601 N BECKLEY LLC
11	250 W MAIN ST	2601 N BECKLEY LLC
12	228 W MAIN ST	2601 N BECKLEY LLC
13	208 W MAIN ST	HUNT TORY BREON &
14	2601 N BECKLEY AVE	2601 N BECKLEY LLC
15	115 W MAIN ST	RFA 201 W COMMERCE LLC
16	2517 N BECKLEY AVE	RFA 201 W COMMERCE LLC
17	19 W COMMERCE ST	LEMON GRASS LLC
18	2634 N BECKLEY AVE	TPC BECKLEY LLC
19	245 W MAIN ST	COMMERCE PROPERTIES WEST
20	267 W MAIN ST	RFA 201 W COMMERCE LLC
21	251 ROCK ISLAND ST	CITY & COUNTY LEVEE
22	2332 N BECKLEY AVE	MCREF MFR 1 TRINITY LLC
23	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
24	9999 NO NAME ST	UNION PACIFIC RR CO
25	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
26	2419 LANGFORD ST	PENSKE TRUCK LEASING CO LP

04/04/2025

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	224 W COMMERCE ST	Taxpayer at
28	2435 LANGFORD ST	Taxpayer at
29	2431 LANGFORD ST	Taxpayer at
30	2427 LANGFORD ST	Taxpayer at
31	2423 LANGFORD ST	DP LANGFORD 2411 LLC
32	234 W COMMERCE ST	PENSKE TRUCK LEASING CO LP
33	250 W COMMERCE ST	COOPER DEWAYNE
34	2412 HARDWICK ST	CINQUEMANI JAMES B JR
35	2406 HARDWICK ST	ANDOR PROPERTIES LLC
36	2358 HARDWICK ST	LOCHHEAD RANDY A &
37	2354 HARDWICK ST	MR33 INC
38	2407 HARDWICK ST	COOPER DEWAYNE
39	266 W COMMERCE ST	ALLIED FENCE CO
40	2406 MAY ST	COOPER SEAN
41	2410 MAY ST	COOPER L DEWAYNE
42	310 W COMMERCE ST	SANFORD GROUP REAL ESTATE LLC
43	125 W MAIN ST	COMMERCE PPTIES WEST LC
44	131 W MAIN ST	RIOS DORA L
45	133 W MAIN ST	RFA 201 W COMMERCE LLC
46	207 W MAIN ST	Taxpayer at
47	211 W MAIN ST	Taxpayer at
48	215 W MAIN ST	Taxpayer at
49	249 W MAIN ST	COMMERCE PROPERTIES WESTLC
50	251 W MAIN ST	PSW WEST DALLAS URBAN
51	253 W MAIN ST	RAMBO CYNTHIA ANN
52	263 W MAIN ST	PINK MUHLY GRASS LLC
53	273 W MAIN ST	BECKLEY COMMERCE ACQUISITIONS
54	303 W MAIN ST	BLUE OAT GRASS LLC
55	319 W MAIN ST	LEWIS WILLIE CHARLES &
56	323 W MAIN ST	LONE STAR MISSIONARY BAPTIST
57	324 W MAIN ST	Taxpayer at

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04/04/2025

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	322 W MAIN ST	BECKLEY COMMERCE ACQUISITIONS LLC
59	312 W MAIN ST	JOHNSON JOE AND GRACE
60	268 W MAIN ST	CHAMBERS HASKELL J &
61	247 W COMMERCE ST	ROSA RUGOSA INVESTMENTS LLC
62	255 W COMMERCE ST	VIBURNAM INVESTMENTS LLC
63	240 SINGLETON BLVD	GOLDEN TRINITY LLC
64	2702 MCPHERSON ST	DELEON JOE D
65	320 POE ST	LOZANO SAMUEL
66	2343 N BECKLEY AVE	BLANKS INVESTMENT
67	200 W COMMERCE ST	200 W COMMERCE ST OWNER LP
68	302 W COMMERCE ST	HILL ERIC C
69	305 W COMMERCE ST	305 WEST COMMERCE LLC
70	331 W MAIN ST	LONE STAR BAPTIST CHURCH
71	2829 N BECKLEY AVE	ONCOR ELECRTIC DELIVERY COMPANY