

**FILE NUMBER:** Z234-302(MP)                      **DATE FILED:** August 6, 2024  
**LOCATION:** Southeast corner of West Commerce Street and Neal Street  
**COUNCIL DISTRICT:** 6  
**SIZE OF REQUEST:** Approx. 8.73 acres                      **CENSUS TRACT:** 48113004300

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**APPLICANT:** OP Acquisitions, LLC  
**OWNER:** 1400 Triple B Holdings, LP  
**REQUEST:** An application for an amendment to Planned Development District No. 1099.  
**SUMMARY:** The purpose of the request is to allow for modified landscaping provisions within the existing development standards to develop the site with multifamily uses.

**STAFF RECOMMENDATION:** Approval, subject to conditions.

**BACKGROUND INFORMATION:**

- Planned Development District No. 1099 was approved in 2023 to permit a multifamily development on site with a small non-residential component, as well as a tree preservation area.
- The existing PD calls for MF-2(A) Multifamily District uses and office, general merchandise or food store 3,500 square feet or less, restaurant without drive-in or drive-through service, and personal service uses [Tract 1]; CH Clustered Housing District uses [Tract 2]; and a tree preservation area [Tract 3]. The applicant does not request to modify the tracts or their basic function.
- The applicant requests two minor changes to the landscaping section of the PD to address on-site conditions.

**Zoning History:**

There have been six zoning cases in the area within the last five years.

1. **Z212-186:** On April 12, 2023, City Council approved an ordinance granting a Planned Development District No. 1099 on property zoned an IR Industrial Research District and an IM Industrial Manufacturing District on the southeast corner of West Commerce Street and Neal Street [Subject site].
2. **Z201-257:** On November 10, 2021, City Council denied an application for a Specific Use Permit for an industrial (outside) use limited to a concrete batch plant on property zoned an IR Industrial/Research District on the north line of West Commerce Street, west of Sylvan Avenue.
3. **Z190-279:** On June 23, 2021, City Council approved an ordinance granting a Planned Development District for TH-3(A) Townhouse District uses on property zoned an IR Industrial/Research District and a TH-3(A) Townhouse District south of Muncie Avenue, between Conklin Street and Borger Street.
4. **Z201-105:** On April 14, 2021, City Council approved an ordinance granting a Planned Development District for Mixed Use District uses on property zoned an IR Industrial/Research District and an IM Industrial/Manufacturing District on the south line of Singleton Boulevard, southwest of the intersection of Duluth Street and Borger Street.
5. **Z190-116:** On May 21, 2020, City Plan Commission recommended denial without prejudice of a Planned Development District for MU-3 Mixed Use District uses on property zoned an IM Industrial/Manufacturing District and an IR Industrial/Research District [subject site].
6. **Z189-301:** On November 13, 2019, City Council granted the renewal of Specific Use Permit No. 1752 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant for an 18-month period on property zoned

an IR Industrial/Research District on the north side of West Commerce Street, west of Sylvan Avenue.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Proposed ROW</b>
Commerce Street <i>[Westmoreland to Fort Worth]</i>	Community Collector	Standard-4 lanes-Undivided 60 ft ROW; 44 ft pavement; Bike Plan <i>(not built to S-4-U designation)</i>
Neal Street	Local Street	56 ft ROW <i>(28 ft from established CL of existing pavement will be required dedication at platting)</i>
Seale Street	Local Street	56 ft ROW <i>(28 ft from established CL of existing pavement will be required dedication at platting)</i>

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on the surrounding roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The request is consistent with the following goals and policies of the comprehensive plan:

**ECONOMIC ELEMENT**

**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

**URBAN DESIGN ELEMENT**

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

**Policy 5.1.1** Promote pedestrian friendly streetscapes.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Planned Development District No. 1099	Office showroom/warehouse; Undeveloped
<b>North</b>	IM Industrial/Manufacturing District	Industrial (inside); Warehouse
<b>East</b>	IM Industrial/Manufacturing District, IR Industrial/Research District	Industrial (inside); Undeveloped
<b>South</b>	R-7.5(A) Single Family District	Single family; Undeveloped
<b>West</b>	IM Industrial/Manufacturing District, IR Industrial/Research District	Outside storage; Undeveloped

**Land Use Compatibility:**

The request property, part of an existing industrial corridor situated along the Union Pacific Railroad line, is near, but outside the boundaries of, the area included in the Trinity River Corridor Comprehensive Land Use Study (2005, revised 2009), the West Dallas Urban Structure & Guidelines Area Plan (2011), and *The360Plan* (2017).

The area of request is currently developed with an office/warehouse use and the property is surrounded on three sides by industrial (inside), warehouse, and outside storage uses. To the south of the request site, however, is an established R-7.5(A) single family neighborhood. The wider area has generally been transitioning away from intense commercial and heavy industrial uses, with a large number of properties rezoned in the area for redevelopment with residential and/or a mix of uses with a residential component.

The request largely does not modify the previously proposed development concept but proposes minor changes to the mandatory landscaping provisions. These modifications are likely necessary to respond to conditions of the site and surrounding utilities but were not made clear in the previous hearings that created the PD. No changes are proposed to the existing tract map, development plan, or street sections.

**Development Standards (No Changes):**

District	Setbacks		Height	Lot Coverage	Density/FAR	Special Standards
	Front	Side/Rear				
<b>Existing PD 1099</b> [base]	15' w allowed encroachments	10'/10'	Tract 1: 36' unless further restricted by alternate RPS;  Tract 2: 26' for structures w/in 20' of Seale St	60%	No minimum lot size  40 dwu/acre (348 effective tot.)	Alternate RPS (Residential Proximity Slope), Continuity of blockface
<b>Existing PD 1099</b> [w/ MIHDB]	15' w allowed encroachments	10'/10'	Tract 1: 66 unless further restricted by alternate RPS  Tract 2: 26' for structures w/in 20' of Seale St	60%	No minimum lot size  65 dwu/acre (567 effective tot.)	Alternate RPS (Residential Proximity Slope), Continuity of blockface

No changes are proposed to the existing development standards.

**Landscaping:**

Landscaping and tree preservation area required in accordance with PD 1099.

The two changes are a result of on-site conditions not previously noted by the applicant.

The conditions currently specifically call for one large tree for every 30 feet of frontage along West Commerce. This size and density was intended to provide additional screening for the quality of life of residents on site to nearby industrial uses on West Commerce. As both underground and overhead utilities exist on this frontage, large trees would not be acceptable in the planting zone on this frontage. The applicant has proposed to replace each large tree with two small trees which is the alternate requirement that would typically be available in the base code. However, with the proposed plantings of small trees at one per 15 feet, it maintains the additional planting density of one to 30 feet as opposed to the base code requirement of one to 40.

The conditions currently disallow any development within Tract 3, the tree preservation area. The proposed change would allow removal of trees only when deemed necessary to construct the needed retaining wall along the northern portion of this tract. As the PD describes, documentation would need to be submitted at permitting for each tree removed.

**Parking:**

Parking is required generally in accordance with Chapter 51A and PD 1099.

No changes are proposed to required parking.

**Market Value Analysis:**

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

**List of Officers**

**OP Acquisitions, LLC**

Clay D. Likover, President

**1400 Triple B Holdings, LP**

Triple B Holdings, LLC

Brent Burns, Sole Member

**PROPOSED CONDITIONS**  
**All changes highlighted**

**ARTICLE 1099.**

**PD 1099.**

**SEC. 51P-1099.101. LEGISLATIVE HISTORY.**

PD 1099 was established by Ordinance No. 32432, passed by the Dallas City Council on April 12, 2023.

**SEC. 51P-1099.102. PROPERTY LOCATION AND SIZE.**

PD 1099 is established on property located at the southeast corner of Commerce Street and Neal Street. The size of PD 1099 is approximately 8.73 acres.

**SEC. 51P-1099.103. DEFINITIONS AND INTERPRETATIONS.**

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

(1) ACTIVE NON-RESIDENTIAL USE means a non-residential main use that is allowed in the district.

(2) BAIL BOND ESTABLISHMENT means a business that acts as a surety and pledges money or property as bail for the appearance of a criminal defendant in court.

(3) ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) means the conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

(4) EV CAPABLE means electric capacity, conduit, and space to support a circuit for each EV parking space, and the installation of raceways, both underground and surface mounted, as required, to support the EVSE.

(5) LIVE WORK UNIT means an interior space with street level access that combines residential with office or retail and personal service uses. A live work unit is considered a non-residential use.



(6) **MASSAGE ESTABLISHMENT** and **MASSAGE** means a massage establishment or massage as defined by Texas Occupations Code Chapter 455, as amended.

(7) **MIXED-USE RESIDENTIAL PROJECT** means a mixed-use development that meets the requirements of Section 51P-1099.115.

(8) **OPEN SPACE** means an area that is limited to pedestrians, is at least 80 percent open to the sky, a contiguous area of not less than 15 feet in width and 25 feet in length, and where a minimum of 25 percent of the open space area is landscaped with turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these live plant materials. A required yard on a lot with a structure is not open space.

(9) **PRIMARY STREET** means the principal frontage for a tract within PD 1099. The primary street for Tract 1 is Commerce Street. The primary street for Tract 2 is Seale Street.

(10) **TATTOO OR BODY PIERCING STUDIO** means a business in which tattooing or body piercing 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. **BODY PIERCING** means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

(11) **SHORT-TERM RENTAL** means a full or partial building containing one or more kitchens, one or more bathrooms, and one or more bedrooms that is rented to occupants for fewer than 30 consecutive days per rental period.

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

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

**SEC. 51P-1099.104. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 1099A: tract map and legal description of district and tract boundaries.
- (2) Exhibit 1099B: development plan.
- (3) Exhibit 1099C: alternate residential proximity slope
- (4) Exhibit 1099D: street sections.

**SEC. 51P-1099.105. TRACTS.**

This district is divided into three tracts, Tract 1, Tract 2, and Tract 3, as shown on the tract map and legal description of district and tract boundaries (Exhibit 1099A).

**SEC. 51P-1099.106 DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit 1099B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

**SEC. 51P-1099.107. MAIN USES PERMITTED.**

(a) Tract 1.

(1) Except as provided in this section, the only main uses permitted in Tract 1 are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in Tract 1 only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in Tract 1; etc.

(2) The following main uses are permitted in Tract 1 only as part of a mixed-use residential project:

- General merchandise or food store 3,500 square feet or less. *[Drive-in or drive-through service prohibited.]*
- Live work unit.
- Office.
- Personal service uses.
- Restaurant without drive-in or drive-through service.

(3) The following main uses are not permitted in Tract 1:

- Bail bond establishment.
- Massage establishment. *[Permitted as an accessory use.]*
- Tattoo or body piercing studio.

(b) Tract 2. The only main uses permitted in Tract 2 are those main uses permitted in the CH Clustered Housing District, subject to the same conditions applicable in the CH Clustered Housing District, as set out in Chapter 51A. For example, a use permitted in the CH Clustered Housing District only by specific use permit (SUP) is permitted in Tract 2 only by SUP; a use subject to development impact review (DIR) in the CH Clustered Housing District is subject to DIR in Tract 2; etc.

- (c) Tract 3. No development is permitted in Tract 3.
- (d) Short-term rentals. Short-term rental use is prohibited in this district.

**SEC. 51P-1099.108. ACCESSORY USES.**

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

**SEC. 51P-1099.109. YARD, LOT, AND SPACE REGULATIONS.**

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

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

(b) Front yard.

(1) Minimum front yard is 15 feet, measured from the right-of-way line shown on the street sections (Exhibit 1099D).

(2) The following items may encroach a maximum of five feet into the required front yard: awnings, stoops, steps, stairs, handrails, patios, planters, benches, pots, raised planters, sculptures, cabanas, and other decorative landscape features.

(c) Side and rear yard. Minimum side yard is 10 feet. Minimum rear yard is 10 feet.

(d) Density.

(1) In general. Except as provided in this section, the maximum dwelling unit density is 40 units per acre.

(2) Increased development standards. If compliant with Section 51P-1099.114, the maximum dwelling unit density is 65 units per acre.

(e) Height.

(1) Tract 1 and 2.

(A) In general. The residential proximity slope is a plane projected upward and outward from every site of origination as defined in Section 51A-4.412(a). For purposes of this subsection, the slope is projected from the line formed by the intersection of the vertical plane extending through the boundary line of the site of origination and the grade at the nearest property line of the site of origination as shown in the alternate residential proximity slope (Exhibit 1099C)

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

(ii) Maximum height.

(A) Tract 1. Unless further restricted under romanette (i), maximum structure height is 36 feet.

(B) Tract 2. Unless further restricted under romanette (i), maximum structure height above grade at the Tract 2 primary street property line is 26 feet.

(2) Increased development standards. Unless further restricted under paragraph (1), if compliant with Section 51P-1099.114, the maximum height for a structure in Tract 1 is 66 feet.

(f) Lot size. No minimum lot size.

(g) Stories.

(1) Tract 1.

(A) In general. Except as provided in this paragraph, maximum number of stories above grade is three.

(B) Increased development standards. If compliant with Section 51P-1099.114, maximum number of stories above grade is five. Basement stories and parking garages are exempt from this requirement but must comply with the height regulations.

(2) Tract 2. Maximum number of stories above the grade at the Tract 2 primary street property line is one.

**SEC. 51P-1099.110. OFF-STREET PARKING AND LOADING.**

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

(b) Multifamily. Except as provided in this section, if compliant with Sections 51P-1099.114 and 51P-1099.115 the lesser of one-half space per dwelling unit or the minimum number of parking spaces required in Division 51A-4.200, as amended, is required for a multifamily use. At least 15 percent of the required parking for a multifamily use must be unassigned and available for guests and residents.

(c) Parking for a mixed-use residential project:

(1) General merchandise or food store less than 3,500 square feet. One space per 250 square feet of floor area is required.

(2) Live work unit. One-half space per unit.

(3) Office. One space per 400 square feet of floor area is required.

(4) Restaurant without drive-in or drive-through service. One space per 125 square feet of floor area is required.

**SEC. 51P-1099.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-1099.112. LANDSCAPING.**

(a) Except as provided in this section, landscaping must be provided in accordance with Article X. If the building official determines that this section cannot be met due to site constraints (including, but not limited to, conflicts with overhead electrical lines, overhead street lighting, underground utilities, etc.), inability to obtain required license for plantings within public rights-of-way, or for any other reason, an amendment to this article including a new landscape plan, is required before a certificate of occupancy may be issued for any use within the district.

(1) Seale Street frontage.

(A) Tract 2. An enhanced landscape buffer of 15 feet is required along Seale Street for the entire length of the Tract 2 frontage. The enhanced buffer zone must include a minimum of one plant group every 30 feet. Each 30-foot plant group must contain a combination of one large tree and three small trees and may be composed of either existing or newly planted trees from the approved tree list.

(B) Tract 3. Tract 3 is exempt from the residential buffer zone and street buffer zone requirements in Article X.

1. Commerce Street frontage. One large tree from the approved tree list must be planted every 30 feet within the required eight-foot-wide parkway. **On frontages where utility conflicts exist as determined by the director, one-small tree from the approved tree list must be planted every 15 feet within the required eight-foot-wide parkway. The director may waive individual plantings where the director determines required plantings would conflict with existing street lighting or driveways.**

(2) Neal Street frontage. One medium tree from the approved tree list must be planted every 30 feet within the required eight-foot-wide parkway.

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

(c) Turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these live plant materials must be installed on both sides of the private drive, except where the private drive intersects with driveways and parking spaces, as shown on the development plan.

(d) A paved pedestrian pathway is required along one side of the private driveway as shown on the development plan.

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

(f) Tract 3 is an approximately two-acre protected tree preservation area abutting Seale Street and the private drive as shown on the development plan.

(1) Development is prohibited in Tract 3, **except that a retaining wall and supporting infrastructure and safety slopes may be built. The director may approve the removal of trees in the protected tree preservation area only when the director determines removal of a tree is necessary to construct or maintain a retaining wall and supporting infrastructure.**

(2) The pruning, cutting down, or other destruction or removal of live trees or plants located in Tract 3 is prohibited, except as necessary and with the written approval of the city arborist, to control or prevent hazard, disease, injurious insect infestation, security conflicts, or fire, provided such uses shall be conducted in a manner that is designed to protect the conservation values of the Property, including tree preservation, scenic, and wildlife habitat values.

**SEC. 51P-1099.113. SIGNS.**

(a) Tract 1.

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

(2) Neal Street. All signs located along the Neal Street frontage must comply with the provisions for non-business zoning districts in Article VII.

(b) Tract 2. Signs must comply with the provisions for non-business zoning districts in Article VII.

(c) Tract 3. Signs are prohibited in Tract 3.

**SEC. 51P-1099.114. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.**

(a) In general. Except as provided in this section, the development bonuses identified in Sections 51P-1099.109 and 51P-1099.110 apply if a minimum of five percent of the total number of units are available to households earning between 51 and 60 percent of the area median family income and a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of area median family income and in compliance with Division 51A-4.1100.

(b) Design standards. Compliance with Section 51P-1099.116 is required in lieu of compliance with Section 51A-4.1107.

**SEC. 51P-1099.115. MIXED-USE RESIDENTIAL PROJECT.**

(a) To qualify as a mixed-use residential project:

(1) at least 80 percent of the total floor area must be residential uses; and

(2) at least 30 percent of the total frontage along Tract 1 primary street is required to have street-level, street-facing active non-residential uses with a minimum depth of 25 feet.

(b) Notwithstanding Section 51P-1099.103, the following may be considered active non-residential uses, provided they are at street level on Tract 1, face the Tract 1 primary street, and have a minimum depth of 25 feet:

(A) A leasing office that is accessory to a multifamily main use and has a public entrance facing the Tract 1 primary street.

(B) A limited use fitness center (or other personal service limited use, not including the back-of-house areas of such use) serving a multifamily main use.

(C) A limited use restaurant, bar, or lounge area (not including the back-of-house areas of such use), including community spaces that may be reserved for use by residents, serving a multifamily main use.

(c) For purposes of qualifying as a mixed use residential project, the property is considered to be a single building site.

**SEC. 51P-1099.116. DESIGN STANDARDS.**

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

(b) Above-grade parking structures.

(1) The street-facing ground-level of any multi-floor parking facility must be screened from the street and single family districts by any combination of the following methods:

(A) have an active use other than parking of a minimum depth of 25 feet;

(B) have a facade that is similar in materials, architecture, and appearance to the facade of the main structure;

(C) be screened from the street or single family districts by another building; or

(D) be setback a minimum of 30 feet with a plaza between the parking facility and the street single family districts.

(2) Aboveground parking structures must be constructed so as to screen vehicles and vehicle headlights from shining on adjacent properties. Sloping ramps located at the perimeter of aboveground parking structures must be screened through use of vegetation, panels, solid walls, or other architectural elements to obscure at least 80 percent of the sloping ramps' length from view. Screening may include architectural grill work or other materials that provide ventilation. This required screening does not prohibit the garage from being considered "open air" for ventilation purposes.

(c) Surface parking location. Surface parking is prohibited between street facing facades and the property line along all street frontages. For the purposes of this subsection, surface parking means at grade parking not within or under a structure.

(d) Street facing facades.

(1) Public entrances. A minimum of one public entrance is required along Commerce Street, and the entrance must face the street. This requirement does not apply to Tract 2, nor to frontage along Neal Street.

(2) Individual entries for dwelling units.



(A) Tract 1. A minimum of 80 percent of street-level, street-facing dwelling units must have individual entries that access the street with an improved path connecting the public sidewalk.

(B) Tract 2. All dwelling units must face the Tract 2 primary street and must have individual, street-level entries that access the Tract 2 primary street with an improved path connecting the public sidewalk.

(3) Transparency. Transparency must be provided for a minimum of 25 percent of the total of each continuous street-fronting facade. Transparency must be uniformly spaced vertically and horizontally with no more than 25 feet separating areas of transparency.

(4) Facade articulation. Street-facing facades and open space-fronting facades exceeding 30 feet in length must have two of the following elements. Street-facing facade and open space-fronting facades exceeding 100 feet in length must have four of the following elements.

(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 entrance.

(D) Attached tower or turret.

(E) Awnings.

(F) Change in material.

(e) Lighting.

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

(2) Pedestrian lighting. Pedestrian lighting must be provided at regular intervals along all building facades facing a public street or the internal way to provide suitable lighting on sidewalks, streets, or walkways, as applicable, to enhance pedestrian safety. Lighting must be directed downward and away from adjacent residential properties.

(f) Open space. A minimum of 40,000 square feet of open space must be provided for active or passive recreation, playground activity, plaza, groundwater recharge, or landscaping in Tract 1 and Tract 2 combined.

(1) No structures except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed; otherwise, open space must be open to the sky.

(2) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, or shade structures.

(3) Open space may also be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, plaza, or similar type of outside common area.

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

(5) Operation or parking of vehicles within on-site open space is prohibited. Emergency and grounds maintenance vehicles are exempt.

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

(g) Pedestrian amenities. The following pedestrian amenities are required along Commerce Street and Neal Street frontages every 200 feet at regular intervals. Required pedestrian amenities may be located within a right-of-way with a license.

(1) Two benches.

(2) Two trash cans.

(3) Bicycle rack for at least five bicycles. This bicycle rack may count towards the minimum bicycle parking requirements.

(h) Pedestrian driveway crossings. At each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing. Pedestrian pathways must be continuous and level at driveway crossings.

(i) Fences. Except as provided in the subsection, and except for required screening, all fences along a street must have a surface area that is a minimum of 50 percent open. A solid fence is permitted along Neal Street within Tract 2

(j) Sustainability.

(1) Drip irrigation is required for maintenance of plantings along the public right-of-way.

(2) Water efficient plumbing fixtures must be utilized.

(k) Sidewalks.

(1) Along Commerce Street, a minimum unobstructed eight-foot sidewalk with a minimum eight-foot-wide buffer must be provided.

(2) Along Neal Street, a minimum unobstructed five-foot sidewalk with a minimum eight-foot-wide buffer must be provided.

(3) Along Seale Street, a minimum unobstructed five-foot sidewalk with a minimum five-foot-wide buffer must be provided.

(4) Internal sidewalks are required to ensure pedestrian connectivity throughout the property as shown on the development plan. Internal pedestrian amenities, pedestrian lighting, and landscaping must be provided.

(l) Dwelling units. At least 70 of the dwelling units on the Property must have two or more bedrooms and at least 24 units must have three or more bedrooms.

**SEC. 51P-1099.117. ADDITIONAL PROVISIONS.**

(a) The improvements shown in Tracts 1 and 2 on the development plan must be constructed concurrently.

(b) A certificate of occupancy may not be issued for a use located in Tract 1 prior to issuance of a certificate of occupancy for the residential use in Tract 2.

(c) All right-of-way improvements (including curb, gutter, buffer, and sidewalk) shown in Exhibit 1099B must be constructed prior to the issuance of a certificate of occupancy for any use on the Property.

(d) The Property must exceed the Dallas Green Construction Code (Chapter 61) standards in force on April 12, 2023.

(e) The Property shall be designed and constructed to:

(1) immediately be EV capable for up to 10 percent of units; and

(2) include the conduit infrastructure to allow the Property to serve up to 25 percent of units with EV capabilities.

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

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

**SEC. 51P-1099.118. COMPLIANCE WITH CONDITIONS.**

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

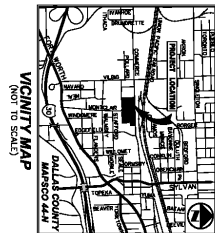
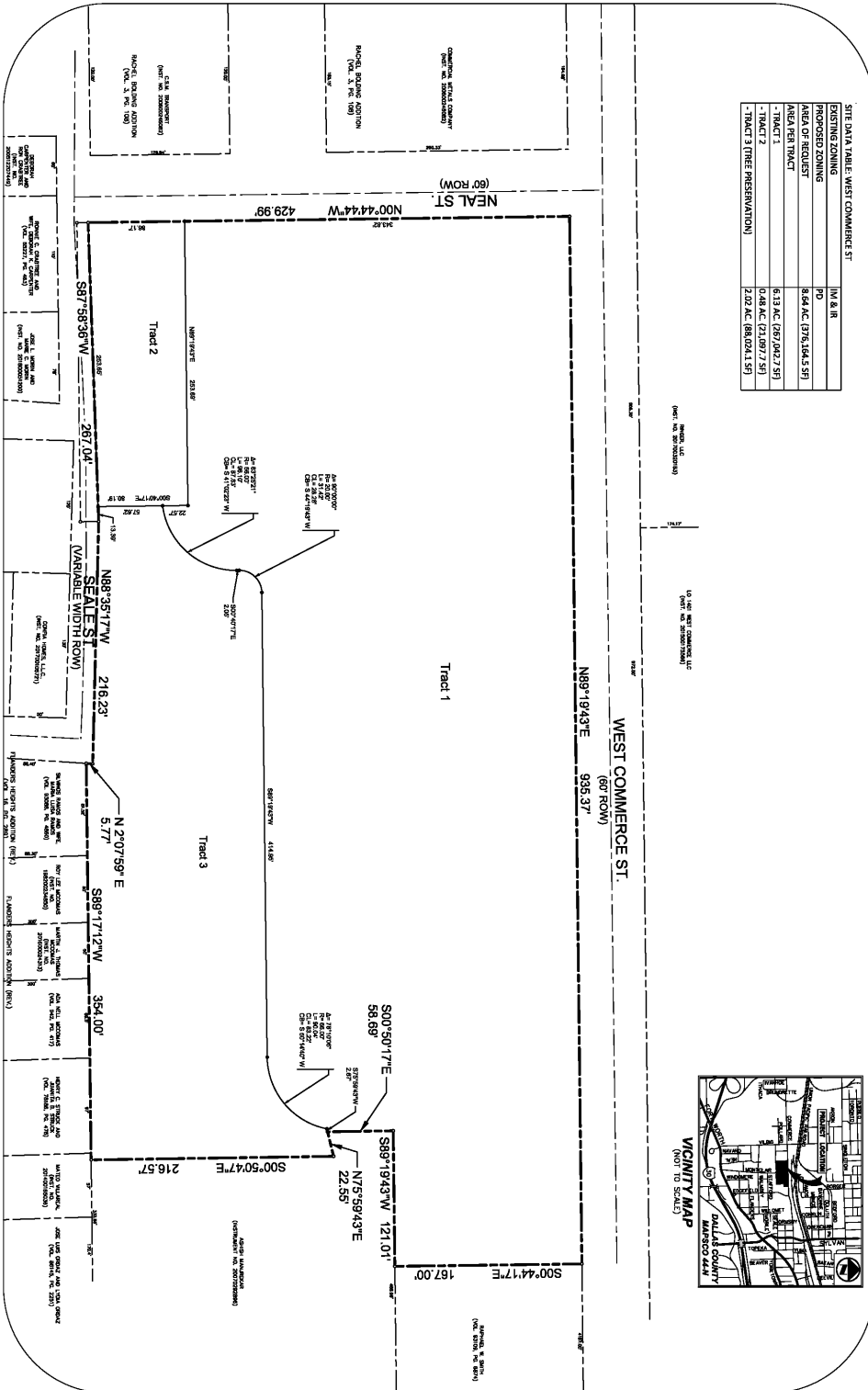
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

EXISTING TRACT MAP (NO CHANGES)

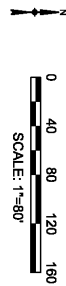
Exhibit A - Tract Map

SITE DATA TABLE: WEST COMMERCIE ST

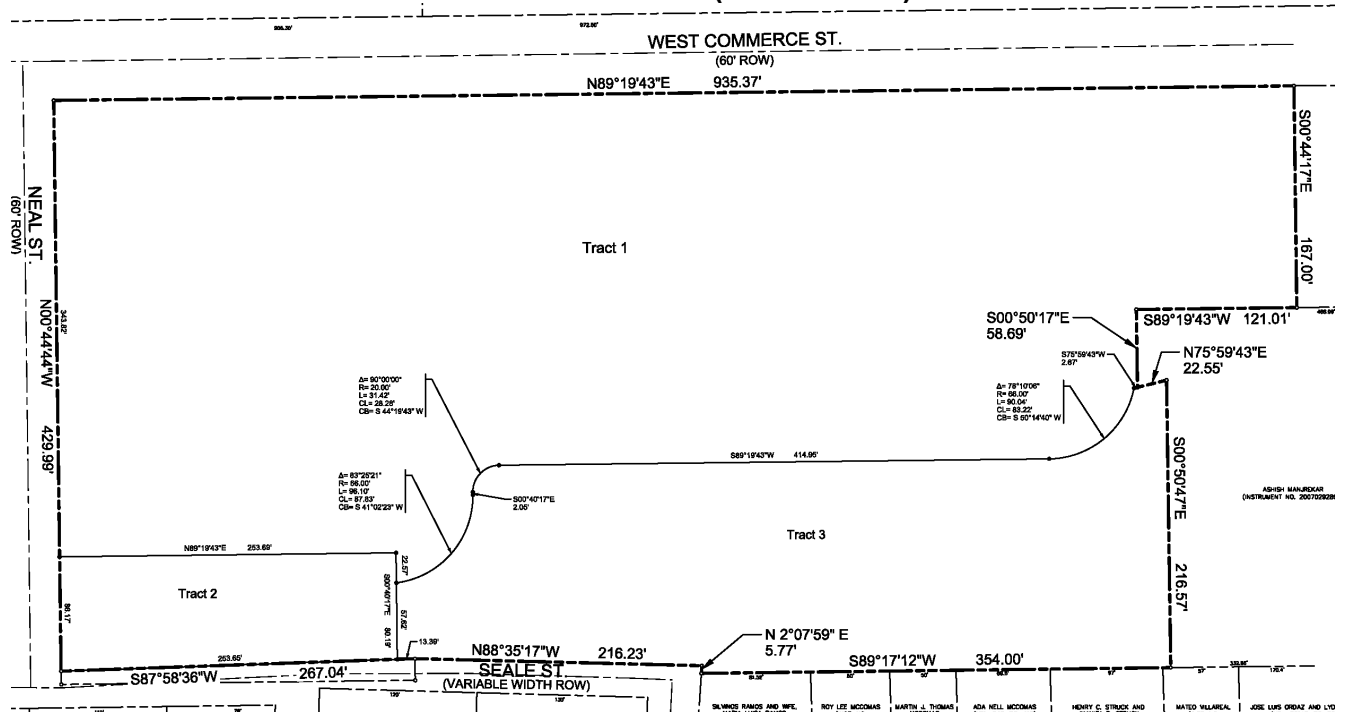
EXISTING ZONING	PROPOSED ZONING	IN & BR
	PD	
AREA OF REQUEST		8.84 AC. (375,164.5 SF)
AREA PER TRACT		
- TRACT 1		6.13 AC. (267,042.7 SF)
- TRACT 2		0.88 AC. (37,987.7 SF)
- TRACT 3 (TREE PRESERVATION)		2.22 AC. (96,024.1 SF)



**The Standard on Commerce**  
Z212-186 (UA)  
03-23-2023



### EXISTING TRACT MAP (ENLARGED)



EXISTING DEVELOPMENT PLAN (NO CHANGES)

32432

230509

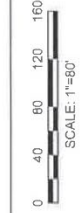
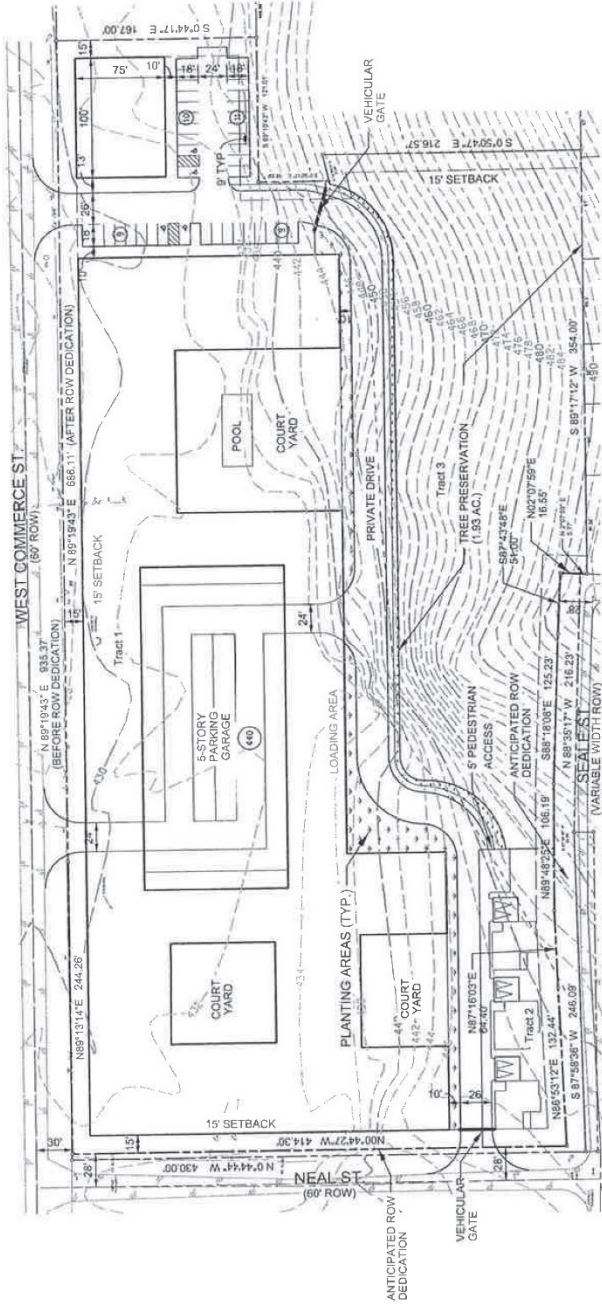
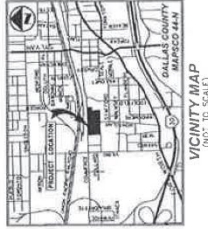
Exhibit 1099B Development Plan  
 Approved  
 City Plan Commission  
 February 16, 2023

Exhibit B - Development Plan

ITEM	DATE	TABLE	WEST COMMERCE ST	1/4" = 8' H
PROPOSED ZONING	8/10/20	1376	164.5	150
PROPOSED LOT AREA	8/10/20	1376	164.5	150
PROPOSED BEQUEST	8/10/20	1376	164.5	150
ANTICIPATED ROW DEDICATION	8/10/20	1376	164.5	150
NET AREA AFTER ROW DEDICATION	8/10/20	1376	164.5	150
AREA PER TRACT WITH ANTIC. ROW	8/10/20	1376	164.5	150
-TRACT 1	8/10/20	1376	164.5	150
-TRACT 2	8/10/20	1376	164.5	150
-TRACT 3 (TREE PRESERVATION)	8/10/20	1376	164.5	150
MINIMUM SETBACK	8/10/20	1376	164.5	150

Exhibit 1099B

- NOTES:
- EXISTING TOPO SHOWN FOR REFERENCE ONLY. ALL SETBACKS AND SETBACK LINES SHOWN ARE TO CENTER OF EXISTING STREET PAVEMENT.
  - SETBACKS BASED ON ANTICIPATED ROW DEDICATION.
  - SETBACKS BASED ON ANTICIPATED ROW DEDICATION.
  - SETBACKS BASED ON ANTICIPATED ROW DEDICATION.



The Standard on Commerce  
 Z212-186 (JA)  
 03-21-2023

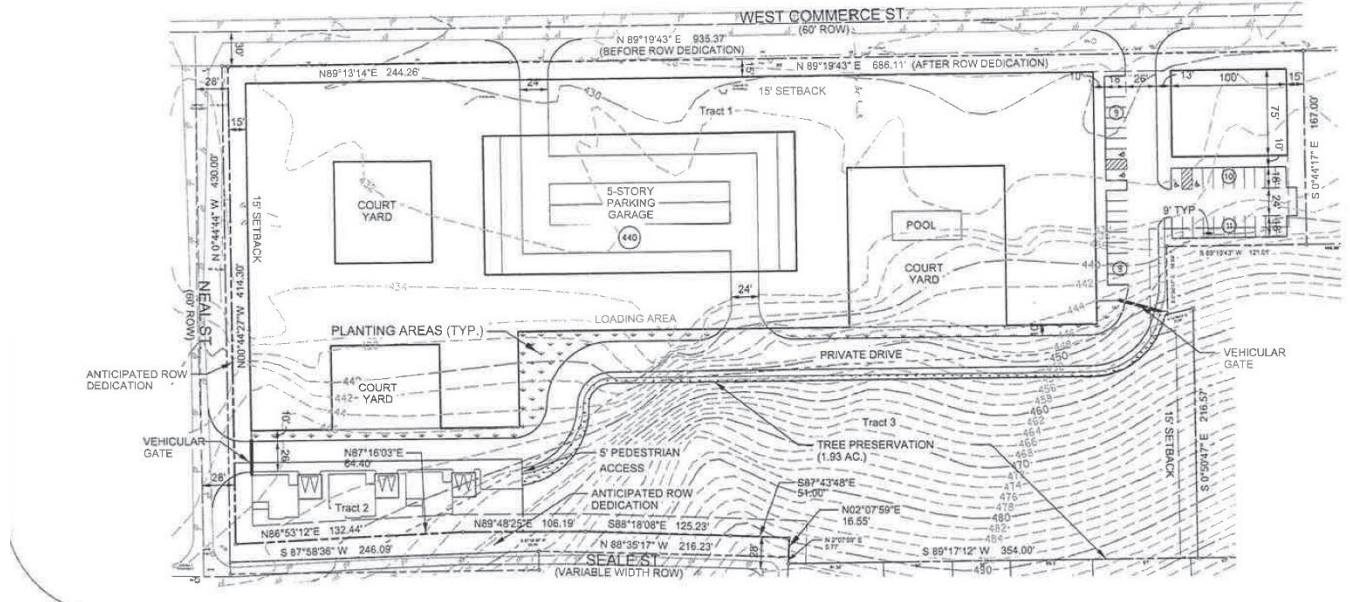
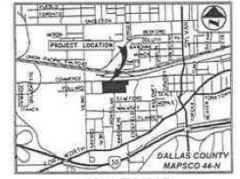
# EXISTING DEVELOPMENT PLAN (ENLARGED)

## Exhibit B - Development Plan

SITE DATA TABLE - WEST COMMERCE ST	
EXISTING ZONING	TM & IR
PROPOSED ZONING	PD
AREA OF REQUEST	8.64 AC. (376,164.5 SF)
ANTICIPATED ROW DEDICATION	10.24 AC. (110,555.3 SF)
NET AREA AFTER ROW DEDICATION	8.39 AC. (365,609.2 SF)
AREA PER TRACT WITH ANTIC. ROW	
- TRACT 1	6.09 AC. (265,271.2 SF)
- TRACT 2	0.37 AC. (16,313.7 SF)
- TRACT 3 (TREE PRESERVATION)	1.93 AC. (85,023.8 SF)
MINIMUM SETBACK	15'

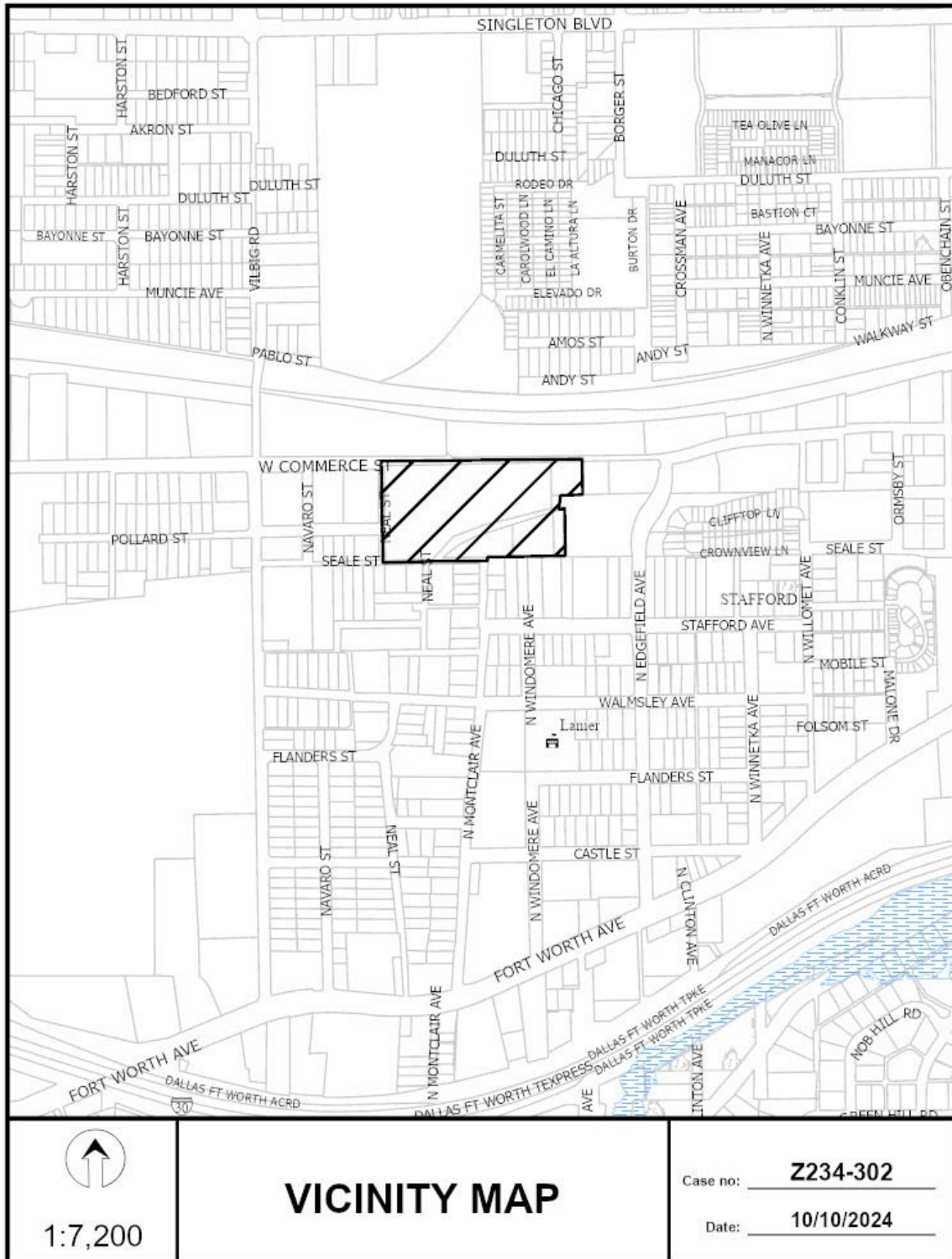
### Exhibit 1099B

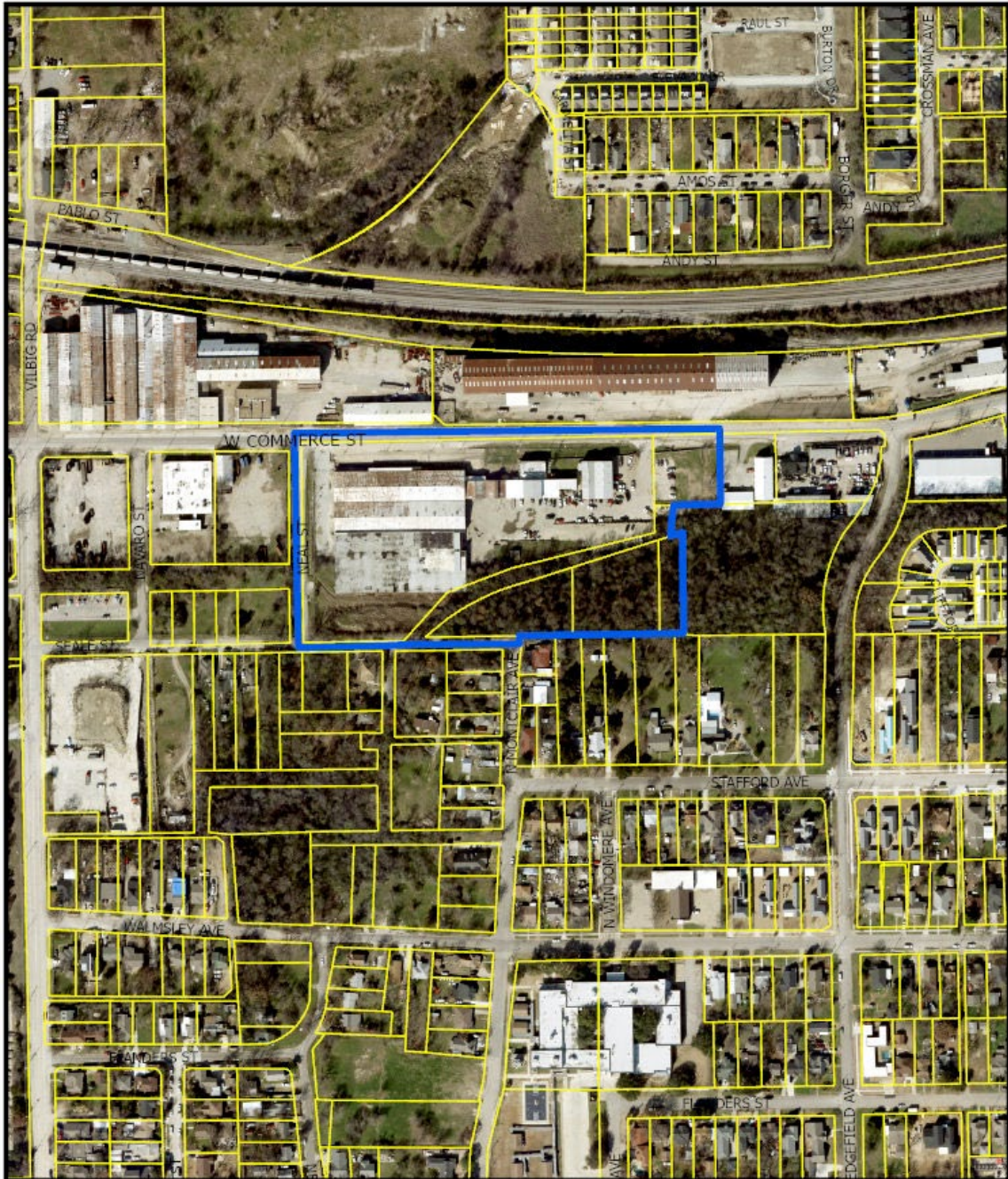
- NOTES:
1. EXISTING TOPO SHOWN FOR REFERENCE. FINAL GRADING TO BE DETERMINED AT PERMITTING.
  2. ALL CENTERLINES SHOWN ARE TO CENTER OF EXISTING STREET PAVEMENT.
  3. SETBACKS BASED ON ANTICIPATED ROW DEDICATION.





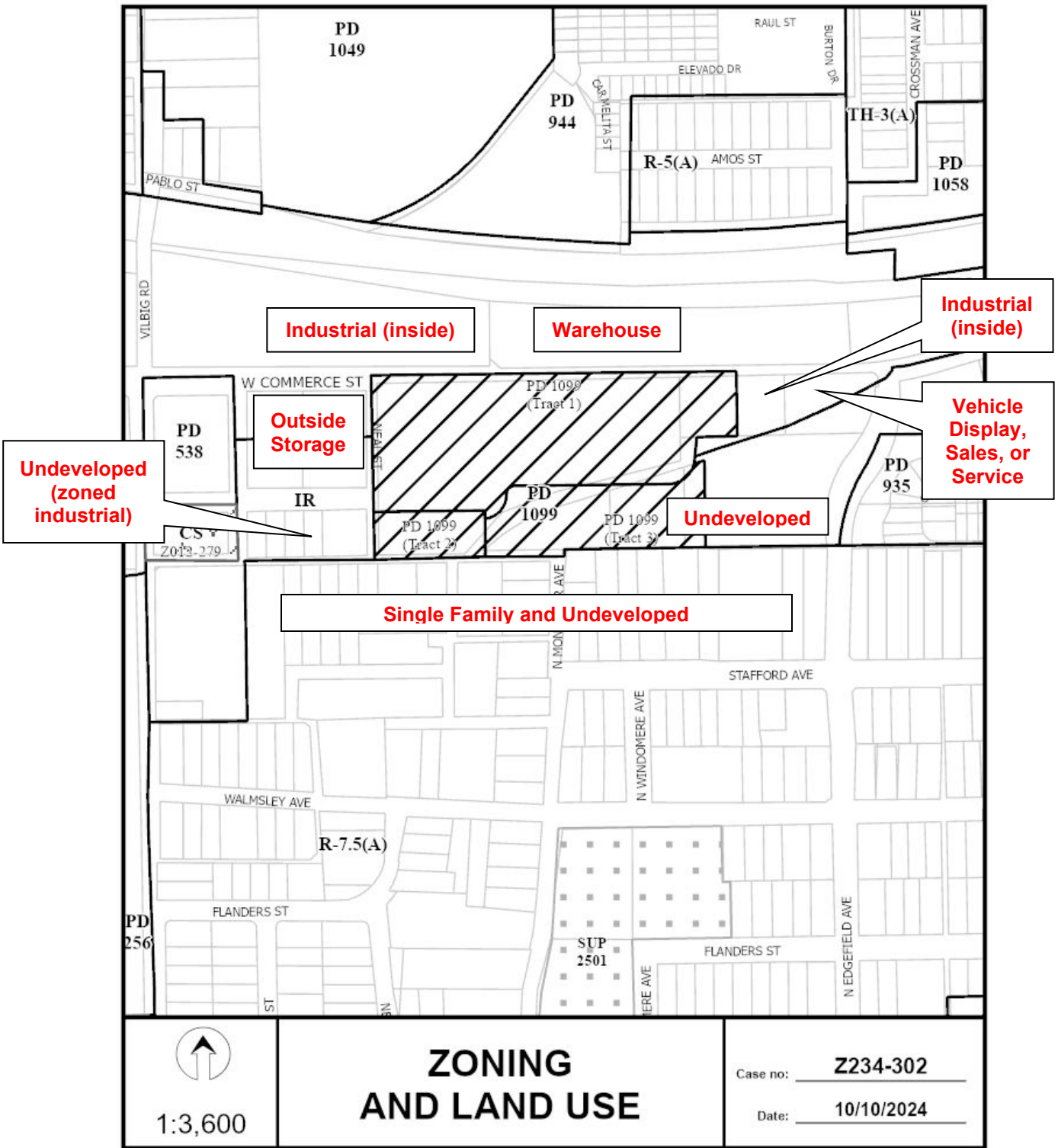
Z234-302(MP)





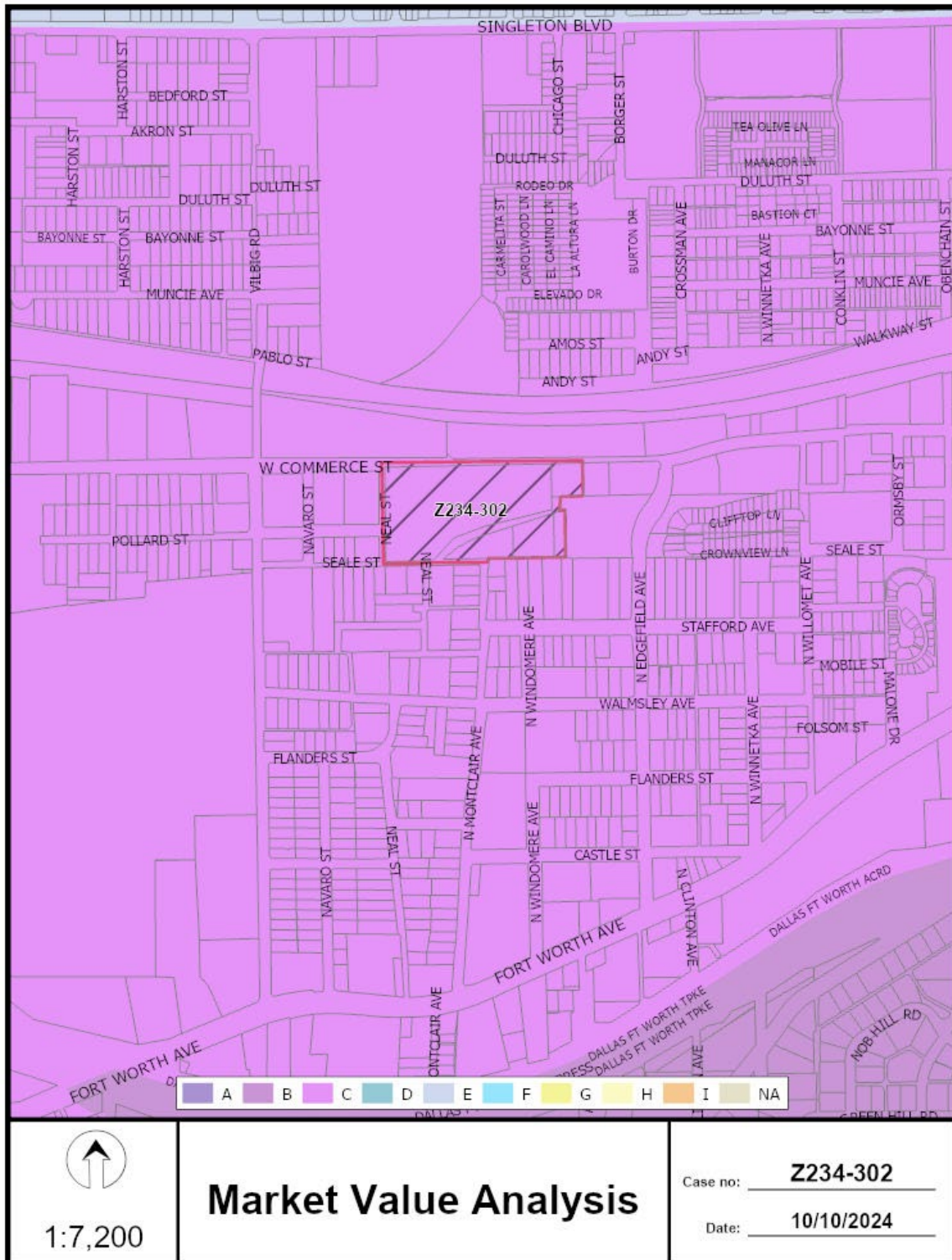
 1:3,600	<h2>AERIAL MAP</h2>	Case no: <u>Z234-302</u> Date: <u>10/10/2024</u>
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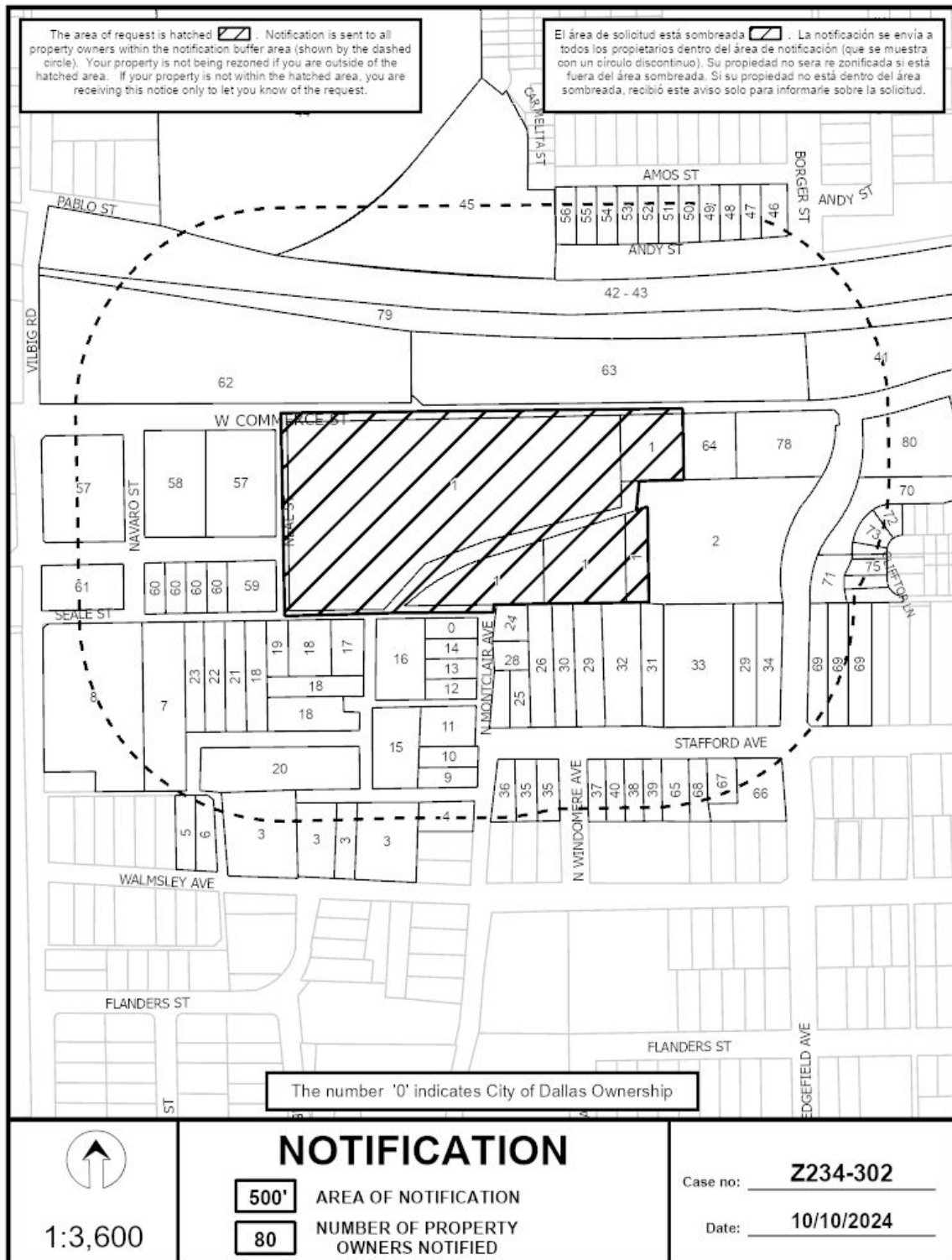






 1:3,600	<h2>ZONING HISTORY</h2>	Case no: <u>Z234-302</u> Date: <u>10/10/2024</u>
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10/10/2024

***Notification List of Property Owners******Z234-302******80 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1338 W COMMERCE ST	1400 TRIPLE B HOLDINGS LP
2	2107 N EDGEFIELD AVE	RIOS MARTIN E
3	1609 WALMSLEY AVE	WILLIEJAXON V LLC
4	1915 N MONTCLAIR AVE	DELEON ALICIA
5	1625 WALMSLEY AVE	HERRERA BENITO F &
6	1621 WALMSLEY AVE	HERRERA ZULEMA
7	1702 SEALE ST	MORIN JOSE L & MARIE C
8	2016 VILBIG RD	DAVILA JUAN Z
9	1923 N MONTCLAIR AVE	ELVISARA LLC
10	2007 N MONTCLAIR AVE	MARTINEZ SILVERIO
11	2011 N MONTCLAIR AVE	BARRIGA JAMES P
12	2013 N MONTCLAIR AVE	AGUILAR ISMAEL
13	2017 N MONTCLAIR AVE	ALUMITEX CORPORATION
14	2019 N MONTCLAIR AVE	MORIN JOSE L &
15	2006 NEAL ST	LYONS J A
16	2018 NEAL ST	CARPENTER DEBORAH K
17	1602 SEALE ST	Taxpayer at
18	1610 SEALE ST	CARPENTER DEBORAH
19	1614 SEALE ST	CARPENTER D DEBORAH
20	1909 NEAL ST	HUMPHREY JAMES B
21	1620 SEALE ST	ESCALANTE GRACIELA C &
22	1628 SEALE ST	ROGERS TONY GARCIA
23	1632 SEALE ST	J C LEASING LLP
24	2022 N MONTCLAIR AVE	RAMOS SILVINOS &
25	1407 STAFFORD AVE	CARDENAS MARIA LUZ
26	1401 STAFFORD AVE	MCCOMAS ROY LEE ET AL

10/10/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1409 STAFFORD AVE	MORALES ROBERTO
28	2018 N MONTCLAIR AVE	GONZALES SAMMY R
29	1335 STAFFORD AVE	MCCOMAS BRAU ADA NELL
30	1343 STAFFORD AVE	MCCOMAS MARTIN J THOMAS
31	1323 STAFFORD AVE	VILLAREAL MATEO
32	1331 STAFFORD AVE	STRUCK JUANITA B
33	1319 STAFFORD AVE	ORDAZ JOSE LUIS & LYDIA
34	1303 STAFFORD AVE	MCCOMAS ADA NELL B
35	1402 STAFFORD AVE	MARTINEZ SILVERO
36	1410 STAFFORD AVE	DELGADO PEDRO LAZCANO &
37	1336 STAFFORD AVE	PONCE JOE
38	1328 STAFFORD AVE	MENA DAVID TREIJO
39	1324 STAFFORD AVE	KNAUSS MEGAN E
40	1332 STAFFORD AVE	MARTINEZ SILVERIO JR
41	1211 W COMMERCE ST	1211 W COMMERCE ST LLC
42	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
43	9999 NO NAME ST	UNION PACIFIC RR CO
44	1600 SINGLETON BLVD	Taxpayer at
45	1300 DULUTH ST	MEGATEL TRINITY MEADOWS LLC
46	1300 AMOS ST	GRIMALDO ALBERTO & ROSA
47	1304 AMOS ST	ARISPE ALEXUS PAIGE &
48	1308 AMOS ST	BURROUGHS BILLY JOE &
49	1312 AMOS ST	DE LEON JUAN
50	1316 AMOS ST	SOTO PHILLIP DANIEL
51	1320 AMOS ST	IPINA FELIPE
52	1324 AMOS ST	YBARA REYNALDO &
53	1328 AMOS ST	TORRES ALEJANDRINO
54	1332 AMOS ST	TORRES PEDRO &
55	1336 AMOS ST	LUNA JOSE G
56	1340 AMOS ST	LIPP DANA E
57	1706 W COMMERCE ST	COMMERCIAL METALS COMPANY



10/10/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1618 W COMMERCE ST	PAULINES LAND HOLDINGS LLC
59	1619 SEALE ST	C S M TRANSPORT
60	1625 SEALE ST	COMMERCIAL SCRAP MGMT CO
61	2011 NAVARO ST	RALPH THADOG LLC
62	1607 W COMMERCE ST	RINGER LLC
63	1401 W COMMERCE ST	LO 1401 WEST COMMERCE LLC
64	1318 W COMMERCE ST	SMITH RAPHAEL W
65	1320 STAFFORD AVE	MEDRANO ALVARO
66	1923 N EDGEFIELD AVE	RAMLER ANDREW J & MICHAELLA
67	1314 STAFFORD AVE	Taxpayer at
68	1318 STAFFORD AVE	ONE TOOTH PRODUCTION LLC
69	1247 STAFFORD AVE	WILLIEJAXON V LLC
70	2102 N EDGEFIELD AVE	SEALE WILLOMET LAND LP
71	2102 N EDGEFIELD AVE	SEALE WILLOMET LAND LP
72	1253 CLIFFTOP LN	HARRIS MICHAEL SCOTT
73	1261 CLIFFTOP LN	CALLAN GEORGINA
74	1269 CLIFFTOP LN	CALLAN GAVIN ASHTON
75	1277 CLIFFTOP LN	MIR PORT ONE LLC
76	1285 CLIFFTOP LN	GARZA JEREMY
77	1293 CLIFFTOP LN	MIR PORT SEVEN LLC
78	1316 W COMMERCE ST	FIRST CLASS AUTO INC
79	2300 AL LIPSCOMB WAY	BNSF RAILWAY
80	1220 COMMERCE ST	PROPER THREE HOLDINGS LLC