

FILE NUMBER: Z212-186(JA) **DATE FILED:** February 22, 2022
LOCATION: Southeast corner of West Commerce Street and Neal Street
COUNCIL DISTRICT: 6
SIZE OF REQUEST: Approx. 8.636 acres **CENSUS TRACT:** 48113004300

REPRESENTATIVE: Baldwin Associates LLC

APPLICANT: OP Acquisitions, LLC

OWNER: 1400 Triple B Holdings, LP

REQUEST: An application for a Planned Development District 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] on property zoned an IR Industrial Research District and an IM Industrial Manufacturing District.

SUMMARY: The purpose of the request is to allow modified development standards primarily related to permitted uses, setbacks, density, height, landscaping, mixed-income housing, and design standards to redevelop the site with multifamily and specified nonresidential uses.

STAFF RECOMMENDATION: Hold under advisement to March 23, 2023.

BACKGROUND INFORMATION:

- The majority of the area of request is currently zoned an IM Industrial/Manufacturing District and is developed with an office showroom/warehouse use. The southeast portion of the area of request is currently zoned an IR Industrial/Research District and remains undeveloped.
- 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 *forwardDallas! Comprehensive Plan* vision illustration identifies the area containing the request site as part of an Urban Neighborhood Building Block.
- The applicant requests a Planned Development District (PD) 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 proposes to redevelop the site with a multifamily residential use, including five percent mixed-income units available to households earning between 51 and 60 percent of Area Median Family Income (AMFI). The specified non-residential uses (office, general merchandise or food store 3,500 square feet or less, restaurant without drive-in or drive-through service, and personal service uses) are also permitted only in Tract 1 and only as part of a mixed-use residential project.
- The applicant proposes to utilize mixed-income housing development bonuses specified in the PD ordinance.
- Short term rentals are to be prohibited on the Property as a condition of the PD.

Zoning History:

There have been nine zoning cases on seven properties in the area within the last five years.

1. **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.

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.

2. **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.
3. **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.
4. **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]*.
7. **Z178-271:** On September 11, 2019, City Council remanded back to City Plan Commission a request for (1) an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and (2) an expansion of Planned Development District No. 944 on property zoned an IR Industrial/Research District and an IM Industrial/Manufacturing District, in area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west. This zoning request was withdrawn by the applicant on June 23, 2020.
6. **Z189-189:** On June 26, 2019, City Council granted the renewal of Specific Use Permit No. 1804 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on the north line of West Commerce Street, west of Sylvan Avenue for a period to expire on December 10, 2019.

Z178-159: On August 22, 2018, City Council granted the renewal of Specific Use Permit No. 1804 for a one-year period. *[SUP No. 1804 was first approved on April 28, 2010, for a five-year period with eligibility for one three-year automatic renewal.]*
5. **Z189-225:** On June 20, 2019, City Plan Commission recommended denial of a Specific Use Permit for commercial motor vehicle parking on property zoned an IR Industrial/Research District on the southeast corner of Vilbig Road and Seale Street. This zoning request was subsequently withdrawn by the applicant on June 28, 2019.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
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 reviewed a traffic impact analysis dated April 28, 2022, evaluating the request site, existing infrastructure, and anticipated impact on adjacent and surrounding roadway system. The study shows that the current condition of the roadways is not able to support the increase in density without causing significant traffic delays.

The City has no planned improvements for roadways adjacent to the request site, and due to the length of frontages the right-of-way improvements will not be required of the applicant at time of platting. It is unclear when, how, and by whom the pavement line between existing paving and proposed curb will be constructed. Additionally, there is not currently a plan for signal improvements at nearby intersections that will be impacted by the proposed development.

The report notes, however, that although roadway mitigations are needed to accommodate the existing and background traffic volumes, the analysis shows that the proposed development is not expected to have a significant impact on the surrounding roadway network. Additionally, staff notes that development of private properties in the area would eventually trigger the allocation of resources for the city to improve roadway infrastructure.

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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics

- Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

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

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.

ENVIRONMENT ELEMENT

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

GOAL 6.5 PROVIDE ACCES TO PARKS, OPEN SPACES AND RECREATIONAL OPPORTUNITIES

NEIGHBORHOOD PLUS

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

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

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

The *forwardDallas! Comprehensive Plan* vision illustration identifies the area containing the request site as part of an Urban Neighborhood Building Block. While still intended as predominantly residential, Urban Neighborhoods are characterized as having a wide variety of housing options, concentrations of shops and offices along key corridors, mixed-use buildings with ground floor shops, and pedestrian-friendly streets. These characteristics contribute to an environment that provides residential services and job opportunities within walking distance of residences.

Surrounding Land Uses:

	Zoning	Land Use
Site	IM Industrial/Manufacturing District, IR Industrial/Research District	Office showroom/warehouse; Undeveloped
North	IM Industrial/Manufacturing District	Industrial (inside); Warehouse
East	IM Industrial/Manufacturing District, IR Industrial/Research District	Industrial (inside); Undeveloped
South	R-7.5(A) Single Family District	Single family; Undeveloped
West	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

forwardDallas! Comprehensive Plan vision illustration identifies the area containing the request site as part of an Urban Neighborhood Building Block.

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 applicant requests a Planned Development District (PD) 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 proposes to redevelop the site with a multifamily residential use, including five percent mixed-income units available to households earning between 51 and 60 percent of Area Median Family Income (AMFI). The specified non-residential uses (office, general merchandise or food store 3,500 square feet or less, restaurant without drive-in or drive-through service, and personal service uses) are also permitted only in Tract 1 and only as part of a mixed-use residential project.

Staff notes that the proposed planned development district will provide an additional, and affordable, housing option in the area while also maintaining approximately two acres on the property as a tree preservation area. A limited number of townhouse-style multifamily dwelling units are proposed for Tract 2, facing Seale Street and the existing single-family neighborhood. Vehicular access to Tract 2 units is through the private drive accessed from Neal Street, and pedestrian access is required to face Seale Street to the south. These Tract 2 units are limited in height and provide a transition in scale from the existing single-family development to the taller and higher density portion of the multifamily development proposed for Tract 2.

With this request, staff recognizes an opportunity to leverage additional development rights to gain affordable housing. The request is also compatible with a number of goals and policies of the comprehensive plan, the neighborhood plus plan, and is consistent with the Urban Neighborhood Building Block envisioned for the area in the *forwardDallas! Comprehensive Plan* vision illustration.

However, staff notes a number of details still to be resolved in coordination with the applicant and requests that the case be held under advisement to allow this continued cooperation.

Land Use Comparison:

The following table indicates uses permitted in the existing IR and IM Industrial Districts and in the proposed MF-2(A)-based Tract 1 and the proposed CH-based Tract 2. Note that specified non-residential uses are also allowed in Tract 1 but only as part of a mixed-use residential project as defined in the PD conditions.

KEY: • use allowed by right ★ consult use regs
 RAR – Residential Adjacency Review
 SUP – Specific User Permit; DIR – Development Impact Review

	Existing IR	Existing IM	Tract 1 MF-2(A) base	Tract 2 CH base
AGRICULTURAL USES				
Animal production				
Commercial stable				
Crop production	•	•	•	•
Private stable				
COMMERCIAL AND BUSINESS SERVICE USES				
Building repair and maintenance shop	RAR	RAR		
Bus or rail transit vehicle maintenance or storage facility	RAR	RAR		
Catering service	•	•		
Commercial cleaning or laundry plant	RAR	RAR		
Custom business services	•	•		
Custom woodworking, furniture construction, or repair	•	•		
Electronics service center	•	•		
Job or lithographic printing	RAR	RAR		
Labor hall	SUP ★	SUP ★		
Machine or welding shop	RAR	RAR		
Machinery, heavy equipment, or truck sales and services	RAR	RAR		
Medical or scientific laboratory	•	•		
Technical school	•	•		
Tool or equipment rental	•	•		
Vehicle or engine repair or maintenance	•	RAR		
INDUSTRIAL USES				
Alcoholic beverage manufacturing	RAR	RAR		
Industrial (inside) not potentially incompatible	★	★		
Industrial (inside) potentially incompatible	★	★		
Industrial (inside) light manufacturing	•	•		
Industrial (outside) not potentially incompatible	★	★		
Industrial (outside) potentially incompatible	★	★		
Medical/infectious waste incinerator	SUP	SUP		
Metal salvage facility		SUP		
Mining		SUP		
Gas drilling and production	SUP	SUP	SUP	SUP
Gas pipeline compressor station		SUP		
Municipal waste incinerator	SUP	SUP		
Organic compost recycling facility	SUP	RAR		
Outside salvage or reclamation		SUP		
Pathological waste incinerator	SUP	SUP		
Temporary concrete or asphalt batching plant	SUP	SUP	SUP	SUP
INSTITUTIONAL AND COMMUNITY SERVICE USES				
Adult day care facility	•	•	SUP	SUP
Cemetery or mausoleum	SUP	SUP	SUP	SUP
Child-care facility	•	•	SUP	SUP
Church	•	•	•	•
College, university, or seminary	•	•	SUP	SUP
Community service center	•		SUP	SUP
Convalescent and nursing homes, hospice care, and related institutions			RAR	SUP
Convent or monastery			•	SUP
Foster home			•	•
Halfway house				

Land use comparison table cont'd on next page

KEY: • use allowed by right ★consult use regs
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	Existing IR	Existing IM	Tract 1 MF-2(A) base	Tract 2 CH base
INSTITUTIONAL AND COMMUNITY SERVICE USES, cont'd				
Hospital	RAR	SUP	SUP	
Library, art gallery, or museum			SUP	SUP
Public school other than open enrollment charter school	SUP	SUP	SUP	SUP
Private school or Open enrollment charter school	SUP	SUP	SUP	SUP
LODGING USES				
Hotel or motel	RAR/SUP	RAR/SUP		
Extended stay hotel or motel	SUP	SUP		
Lodging or boarding house	•	SUP	•	
Overnight general-purpose shelter	★			
MISCELLANEOUS USES				
Attached non-premise sign	SUP	SUP		
Carnival or circus (temporary)	BO auth	BO auth	BO auth	BO auth
Detached non-premise sign				
Hazardous waste management facility	•	•		
Placement of fill material				
Temporary construction or sales office	•	•	•	•
OFFICE USES				
Alternative financial establishment	SUP	SUP		
Financial institution without drive-in window	•	•		
Financial institution with drive-in window	RAR	RAR		
Medical clinic or ambulatory surgical center	•	•		
Office	•	•	PD-specific	
RECREATION USES				
Country club with private membership	•	•	RAR	RAR
Private recreation center, club, or area	•	•	SUP	SUP
Public park, playground, or golf course	•	•	•	•
RESIDENTIAL USES				
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			•	
Retirement housing			•	•
Single family			•	•
RETAIL AND PERSONAL SERVICE USES				
Ambulance service				
Animal shelter or clinic without outside run	•	•		
Animal shelter or clinic with outside run	★	★		
Auto service center	RAR	RAR		
Alcoholic beverage establishments	★	★		
Business school	•	•		
Car wash	RAR	RAR		
Commercial amusement (inside)	★	★		
Commercial amusement (outside)				
Commercial motor vehicle parking	• or SUP	• or SUP		
Commercial parking lot or garage	RAR	RAR		
Convenience store with drive-through	SUP	SUP		
Drive-in theater		SUP		
Dry cleaning or laundry store	•	•		
Furniture store	•	•		
General merchandise or food store 3,500 square feet or less	•	•	PD-specific	
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	RAR	RAR		
Household equipment and appliance repair	•	•		
Liquefied natural gas fueling station	• or SUP	• or SUP		

Land use comparison table cont'd on next page

KEY: • use allowed by right ★ consult use regs
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	Existing IR	Existing IM	Tract 1 MF-2(A) base	Tract 2 CH base
RETAIL AND PERSONAL SERVICE USES, cont'd				
Mortuary, funeral home, or commercial wedding chapel				
Motor vehicle fueling station	•	•		
Nursery, garden shop, or plant sales				
Outside sales				
Paraphernalia shop	SUP	SUP		
Pawn shop	•	•		
Personal service uses	•	•	PD-specific	
Restaurant without drive-in or drive-through service	RAR	RAR	PD-specific	
Restaurant with drive-in or drive-through service	DIR	DIR		
Surface parking				
Swap or buy shop				
Taxidermist	•	•		
Temporary retail use	•	•		
Theater	•	•		
Truck stop	SUP	SUP		
Vehicle display, sales, and service	RAR	RAR		
TRANSPORTATION USES				
Airport or landing field	SUP	SUP		
Commercial bus station and terminal	RAR	RAR		
Heliport	RAR	RAR		
Helistop	RAR	RAR		
Private street or alley				SUP
Railroad passenger station	SUP	SUP		
Railroad yard, roundhouse, or shops		RAR		
STOL (short takeoff or landing port)	SUP	SUP		
Transit passenger shelter	•	•	•	•
Transit passenger station or transfer center	★	★	SUP	SUP
UTILITY AND PUBLIC SERVICE USES				
Commercial radio or television transmitting station	•	•		
Electrical generating plant		SUP		
Electrical substation	•	•	SUP	SUP
Local utilities	★	★	★	★
Police or fire station	•	•	SUP	SUP
Post office	•	•		
Radio, television, or microwave tower	RAR	RAR	SUP	SUP
Refuse transfer station		SUP		
Sanitary landfill		SUP		
Sewage treatment plant		SUP		
Tower/antenna for cellular communication	★	★	★	★
Utility or government installation other than listed	SUP	SUP	SUP	SUP
Water treatment plant	SUP	RAR		
WHOLESALE, DISTRIBUTION, AND STORAGE USES				
Auto auction	RAR	SUP		
Building mover's temporary storage yard		SUP		
Contractor's maintenance yard		RAR		
Freight terminal		RAR		
Livestock auction pens or sheds		SUP		
Manufactured building sales lot	RAR	RAR		
Mini warehouse	•	•		
Office showroom/warehouse	•	•		
Outside storage	RAR	RAR		
Petroleum product storage and wholesale		RAR		
Recycling buy-back center	★	★		
Recycling collection center	★	★		
Recycling drop-off container	★	★	★	★
Recycling drop-off for special occasion collection	★	★	★	★
Sand and gravel or earth sales and storage		RAR		
Trade center	•	•		
Vehicle storage lot		•		
Warehouse	RAR	RAR		

End of land use comparison table

Development Standards:

District	Setbacks		Height ¹	Lot Coverage ²	Density/FAR	Special Standards
	Front	Side/Rear				
Existing IR	15'	30' if adjacent to residential district, otherwise no min	200'	80%	2.0 FAR overall, 0.75 office + retail, 0.5 retail	RPS ¹ (Residential Proximity Slope), Continuity of blockface
Existing IM	15' at thoroughfare plan street, otherwise no min	30' if adjacent to residential district, otherwise no min	110'	80%	2.0 FAR overall, 0.75 office + retail, 0.5 retail	RPS ¹ (Residential Proximity Slope), Continuity of blockface)
Proposed PD [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	Alternate RPS ¹ (Residential Proximity Slope), Continuity of blockface
Proposed PD [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	Alternate RPS ¹ (Residential Proximity Slope), Continuity of blockface Parking reduced to 0.5 per unit

¹A 1:3 RPS, originating from lots in R-7.5(A) zoning district to the south of request site, is a height limiting factor for the area of request.

Due to the severe topography, the applicant proposes an alternate RPS to be included as Exhibit ____E in the ordinance.

²Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

³A minimum 15' rear yard setback is required for multifamily and non-residential developments in MF-2(A) zoning districts only if the building site backs upon a single family or duplex district.

Landscaping:

Except as noted in proposed Sec. 51P-____.112, the applicant proposes to provide landscaping in accordance with Article X.

Staff has requested, but is not yet in receipt of, additional discovery from the applicant – regarding location of overhead electrical and underground utilities in relation to planting zones – in order to determine if the site is able to comply with Article X and with the proposed exceptions to Article X in the PD condition language.

It is not possible to determine if the landscaping being proposed will work until staff receives the additional discovery items requested.

Once the requested information is provided, staff will work with applicant to draft alternate condition language, if necessary, to ensure that the property can be developed in a manner that adequately buffers the proposed residential use from the heavy industrial uses surrounding the request site on three sides and to ensure a pedestrian friendly environment surrounding the site.

Parking:

Except as noted in proposed Sec. 51P-____.110, off-street parking and loading must be provided in accordance with the use regulations in Division 51A-4.200 for all uses to be located on the site.

Reduced parking ratios are proposed for office, restaurant, and general merchandise uses, which are only permitted on Tract 1 and only as part of a mixed-use residential project. Additionally, 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 that qualifies for development bonuses for mixed income housing when the multifamily use is part of a mixed-use residential project.

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 "H" MVA area but borders on an "E" MVA area to the north across West Commerce Boulevard. The areas to the west, south, and east of the subject site are "H" MVA areas.

List of Officers

OP Acquisitions, LLC

Clay D. Likover, President

1400 Triple B Holdings, LP

Triple B Holdings, LLC

Brent Burns, Sole Member

ARTICLE ____

PD ____

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

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

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

PD ____ is established on property located at the southeast corner of West Commerce Street and Neal Street. The size of PD ____ is approximately 8.636 acres.

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

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

(b) In this district, the following definitions apply:

(1) Except as expressly stated in this section, ACTIVE NON-RESIDENTIAL USE means a non-residential main use that is allowed in the district.

(2) DOOR YARD means the area between the edge of the sidewalk furthest from the street and the front building facade.

(3) MIXED-USE RESIDENTIAL PROJECT (MURP) means a development on a single building site that complies with Section 51P-____.115 and all of the following:

(A) At least 80 percent of the total floor area on the building site is devoted to residential uses; and

Staff Recommendation:

At least **60 [39]** percent of the total frontage along the Tract 1 primary street contains street-level, street-facing active non-residential uses with a minimum depth of 25 feet. For purposes of meeting this requirement, 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:

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

Staff Recommendation, cont'd:

(i) 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; and

(ii) 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.

Applicant's Request:

(A) For Tract 1, at least 30 percent of the total frontage along the primary street contains street-level, street-facing active non-residential, and amenity, uses with a minimum depth of 25 feet. For purposes of meeting this requirement, a leasing office, fitness center, co-work, clubhouse, coffee bar, lounge that are an accessory to a multifamily use may be considered an active non-residential use, provided the leasing office, fitness center, co-work, clubhouse, coffee bar, lounge are at street level, faces the primary street, and has a minimum depth of 25 feet

Staff Recommendation:

~~(B) For purposes of this definition, the property shown on the development plan is considered a single building site.~~

Applicant's Request:

(C) For purposes of this definition, the property shown on the development plan is considered a single building site.

Staff Recommendation:

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

Applicant's Request:

(3) PRIMARY STREET means the principal frontage for a building site, as designated on the development plan.

(4) 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.

(3) TRANSPARENCY means the total area of window and door opening filled with glass, expressed as a percentage of the total facade area by story, except that structured parking transparency is not required to be filled with glass.

(4) SHORT-TERM RENTAL means the provision of, or offer to provide residential property, a dwelling unit, or a portion thereof through an oral or written agreement (such as a rental agreement, lease, license, or any other agreement) for compensation or consideration for a period of 30 consecutive days or less to a tenant.

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

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

SEC. 51P-____.104. EXHIBITS.

The following exhibits are incorporated into this article:

Staff Recommendation:

(1) Exhibit ____A: **Tract map and** legal description of district and tract boundaries

Applicant's Request:

(1) Exhibit ____A: Legal description of district and tract boundaries

(2) Exhibit ____B: Development plan

(3) Exhibit ____C: Tract 3 tree preservation plan.

(4) Exhibit ____D: Residential proximity slope illustration.

Staff Recommendation:

(5) Exhibit ____E: Street sections **(from established center line (CL) of West Commerce Street, Neal Street, and Seale Street, up to and including the Door Yard and the front wall of the building.**

Staff Recommendation:

(5) Exhibit ____E: West Commerce Street street cross section

SEC. 51P-____.105. DEVELOPMENT PLAN.

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

SEC. 51P-____.106. TRACT 3 TREE PRESERVATION PLAN.

Development and use of the Property must comply with the Tract 3 tree preservation plan (attached as Exhibit ____C). If there is a conflict between the text of this article and the Tract 3 tree preservation plan, the text of this article controls.

SEC. 51P-____.107. MAIN USES PERMITTED.

(a) Tract 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.

Staff Recommendation:

(b) The following additional non-residential uses are permitted in Tract 1 **only as part of a mixed-use residential project (MURP)**:

Applicant's Request:

(b) The following additional non-residential uses are permitted in Tract 1:

- Office.
- General merchandise of food store 3,500 square feet or less.
- Restaurant without drive-in or drive-through service.
- Personal service uses.

(c) Tract 2. Except as provided in this section, 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.

(d) A general merchandise or food store 3,500 square feet or less with drive-through service is prohibited in this district.

(e) A short-term rental is prohibited in this district.

Staff Recommendation:

(b) Tract 3. Tract 3 is a two-acre protected tree preservation area abutting Seale Street and the private drive as shown in the development plan.

(1) Except as provided in Sec. 51P- .XXX, development is prohibited in Tract 3.

(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. ~~This Tract 3 contributes to the total open space of 3.02 acres of the combined Tracts 1, 2 and 3.~~

Applicant's Request:

(f) Tract 3. Tract 3 is a two-acre (2.0 acre) protected tree preservation area abutting Seale Street and the private drive as shown in the development plan. 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. This Tract 3 contributes to the total open space of 3.02 acres of the combined Tracts 1, 2 and 3

SEC. 51P-____.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-____.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) Primary street for Tract 1 is West Commerce Street.

(c) Primary street for Tract 2 is Seale Street.

Applicant's Request shown. Staff Recommendation pending.

(d) Minimum primary street setback is 15 feet for Tract 1 and 15 feet for Tract 2. The following items may encroach into the required setback: balconies, awnings, stoops, steps, patios, stairs, planters, retaining walls, signs affixed to the building, transformers and other utility equipment, benches, pots, raised planters, sculptures, cabanas, and other decorative landscape.

(e) Side and rear yard. Minimum side and rear yard are 10 feet

(f) Density. Except as otherwise provided, the maximum dwelling unit density is 40 units per acre. When the provisions, of Section S-____.114 are met, the maximum dwelling unit density is 65 per acre.

(g) Height.

(i) Maximum height. Unless further restricted under Subparagraph (i), maximum structure is 36 feet. Structures shown on the Development Plan within 20 feet of Seale Street are limited to 26 feet.

(ii) If compliant with SEC. 51P-____-114, maximum height is 66 feet.

(iii) Residential proximity slope (Exhibit D). If any portion of a structure is over 26 feet in height, that portion may not be located above a 1:3 residential proximity slope starting from the grade at the property of the R, R(A), D, D(A), TH, TH(A) District.

(i) Lot size. No minimum lot size.

(j) Stories. Maximum number of stories above grade is three, except if compliant with Section 51P____-114 in which case the maximum stories is five, and except for structures within 20 feet of Seale Street which are limited to one story. Basement stories and parking garages are exempt from this requirement but must comply with the height regulations.

(k) 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-____.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) Parking for a mixed-use residential project (MURP):

Multifamily. Except as provided in this subparagraph, if compliant with Section 51P-____.114, 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 that

(1) is part of an MURP. At least 15 percent of the required parking for a multifamily use must be unassigned and available for guests and residents.

(2) Office. One space per 400 square feet of floor area is required for an office use that is part of an MURP.

(3) Restaurant without drive-in or drive-through service. One space per 125 square feet of floor area is required for a restaurant use that is part of an MURP.

(4) General merchandise of food store less than 3,500 square feet. One space per 250 square feet of floor area is required for a general merchandise of food store less than 3,500 square feet that is part of an MURP.

SEC. 51P-____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

Applicant's Request shown. Staff Recommendation pending.

SEC. 51P-____.112. LANDSCAPING.

(a) Landscaping must be provided and maintained in accordance with Article X, except as noted below.

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

Enhanced landscape buffer of 15' shall be provided adjacent to Seale Street between Neal Street and Montclair Avenue. The enhanced buffer zone must have an average depth of 15 feet and shall include a minimum of one plant group every 30 feet. Each 30-foot plant

(c) group shall contain a combination of one large tree and three small trees that may be composed of either existing or newly planted trees from the City of Dallas approved list.

(d) Along the West Commerce Street and Neal Street frontages, one medium tree from the approved tree list must be planted every 30 feet.

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

(f) A paved pedestrian pathway is required along one side of the private driveway.

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

Staff Recommendation:

SEC. 51P-____.113. SIGNS.

- (a) Tract 1. Except as provided in this section, signs in Tract 1 must comply with the provisions for business zoning districts in Article VII, as amended.
- (b) All signs located along the Neal Street frontage must comply with the provisions for non-business zoning districts in Article VII, as amended.
- (c) Tract 2. For purposes of this section, Tract 2 is considered a non-business zoning district.
- (d) Tract 3. Signs are prohibited in Tract 3. (Ord. No. _____)

Applicant's Request:

SEC. 51P-____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII for the residential building. Signs must comply with the provisions for business zoning districts in Article VII for the retail/office building. (Ord. No. _____)

SEC. 51P-____.114. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.

- (a) In general. Except as provided in this section, the development bonuses identified in the yard, lot, and space regulations and off-street parking and loading section of this article apply if a minimum of five percent of the total number of units are available to households earning between 51 and 60 percent of AMFI and are in compliance with Ch. 51A-4.1100 as amended.
- (b) Design standards. Compliance with 51A-4.1107 is not required. (Ord. No. _____)

SEC. 51P-____.115. 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 by another building; or

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

(2) Aboveground parking structures must be constructed so as to screen 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 shall not prohibit the garage from being considered "open air" for ventilation purposes.

Applicant's Request shown. Staff Recommendation pending.

(c) Surface parking location.

(1) Surface parking is prohibited along the primary streets between street-facing facade and the property line. For the purposes of this paragraph, 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 the West Commerce Street frontage, and the entrance must face the street. This requirement does not apply to Tract 2, nor to frontage along Neal Street.

Staff Recommendation:

(2) Individual entries for dwelling units.

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

(B) Tract 2. All dwelling units located on Tract 2 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.

Applicant's Request:

(2) Individual entries for dwelling units. A minimum of 80 percent of the street-level, street-facing dwelling units located along each street frontage must have individual entries that access the street with an improved path connecting the sidewalk.

(3) Transparency.

(A) The following minimum transparency is required for street-facing facades.

Applicant's Request shown. Staff Recommendation pending.

no-active uses.	(i) Ground story. 30 percent for active uses and 25 percent for
	(ii) Upper story transparency. 20 percent.

(B) 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.

(i) 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.

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

(iii) Architecturally prominent entrance.

(iv) Attached tower or turret.

(v) Awnings.

(vi) Change in color.

(vii) Change in material.

(viii) Change in texture.

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

(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 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.

Applicant's Request shown. Staff Recommendation is pending.

(g) Pedestrian amenities. The following pedestrian amenities are required along West 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.

(i) Non-required fences. Except for required screening and the required six foot fence within the side yard setback at Tract 2, all fences along a street must have a surface area that is a minimum of 50 percent open.

(j) Sustainability

(1) Drip irrigation shall be utilized for maintenance of plantings along ROW.

- (1) Water efficient plumbing fixtures shall be utilized. (Ord. No. _____)

Applicant's Request shown. Staff Recommendation is pending.

(i) Sidewalks.

(1) A minimum unobstructed sidewalk width of eight feet with a minimum eight-foot-wide buffer is required along West Commerce Street.

(2) A minimum unobstructed sidewalk with of five feet with a minimum five-foot-wide buffer is required along Neal Street frontage.

(3) A minimum unobstructed sidewalk width of five feet with a minimum five-foot-wide buffer is required along Seale Street frontage.

(4) Internal sidewalks are required to ensure pedestrian connectivity throughout the property as shown on Exhibit B. Internal pedestrian amenities, pedestrian lighting, and landscaping must be provided. (Ord. No. _____)

Staff Recommendation: Revise & relocate to proposed Additional Provisions section.

~~SEC. 51P~~ ~~_____~~ ~~.116.~~ ~~ELECTRIC VEHICLE PARKING~~

~~(a) Electric Vehicle (EV) Parking Spaces Required.~~

~~(1) Number of EV Spaces Required.~~

~~(A) In general. The number of EV parking spaces required are included in the minimum number of required parking spaces based on the land use(s) on a lot.~~

~~(B) Non-residential parking lots with 100 parking spaces required. A minimum of 12 percent of the required number of spaces must be reserved for the sole use of electric vehicles only.~~

~~(C) Non-residential parking lots with more than 100 parking spaces required. A minimum of five percent of the required number of spaces must be reserved for the sole use of electric vehicles only.~~

~~(D) Residential parking. For multiple family uses, a minimum of 10 percent of units must have access to one reserved space per unit for the sole use of electric vehicles only.~~

~~(E) The Property will include the conduit infrastructure to allow the Property to be able to provide electric vehicle parking to serve up to 2-7% of units in the future.~~

~~(2) Design of EV Spaces.~~

~~(A) All EV parking spaces must have pavement markings indicating the space as EV parking.~~

~~(B) All EV parking spaces must have the same dimensions as standard parking spaces.~~

Staff Recommendation, cont'd: Revise & relocate to proposed Additional Provisions section.

~~(C) EV parking spaces do not require the installation of an "Electric Vehicle (EV) Charger." For the purposes of this section, an "Electric Vehicle (EV) Charger" means an electrical appliance designed specifically to charge batteries within one or more electric vehicles. Chargers are also called electric vehicle supply equipment (EVSE). Charger styles may include pedestal and wall or pole-mounted.~~

~~(D) EV parking spaces may charge a fee for providing electric vehicle charging. This fee is not considered charging a fee for parking. (Ord. No. _____)~~

Applicant's Request:

SEC. 51P-____.116. ELECTRIC VEHICLE PARKING.

(a) Electric Vehicle (EV) Parking Spaces Required.

(1) Number of EV Spaces Required.

(A) In general. The number of EV parking spaces required are included in the minimum number of required parking spaces based on the land use(s) on a lot.

(B) Non-residential parking lots with 100 parking spaces required. A minimum of 12 percent of the required number of spaces must be reserved for the sole use of electric vehicles only.

(C) Non-residential parking lots with more than 100 parking spaces required. A minimum of five percent of the required number of spaces must be reserved for the sole use of electric vehicles only.

(D) Residential parking. For multiple-family uses, a minimum of 10 percent of units must have access to one reserved space per unit for the sole use of electric vehicles only.

(E) The Property will include the conduit infrastructure to allow the Property to be able to provide electric vehicle parking to serve up to 2-7% of units in the future.

(2) Design of EV Spaces.

(A) All EV parking spaces must have pavement markings indicating the space as EV parking.

(B) All EV parking spaces must have the same dimensions as standard parking spaces.

(C) EV parking spaces do not require the installation of an "Electric Vehicle (EV) Charger." For the purposes of this section, an "Electric Vehicle (EV) Charger" means an electrical appliance designed specifically to charge batteries within one or more electric vehicles. Chargers are also called electric vehicle supply equipment (EVSE). Charger styles may include pedestal and wall or pole-mounted.

(D) EV parking spaces may charge a fee for providing electric vehicle charging. This fee is not considered charging a fee for parking. (Ord. No. _____)

SEC. 51P-____.117. ADDITIONAL PROVISIONS.

Staff Recommendation:

- (a) The improvements shown in Tracts 1 and 2 on the development plan (Exhibit ___B) 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 ___ E must be constructed prior to the issuance of a certificate of occupancy for any use on the Property.

Applicant's Request:

- (a) The improvements shown on Exhibit B on Tract 1 and Tract 2 must be constructed concurrently.
- ~~(b) A certificate of occupancy may not be issued for a use located in Tract 1 prior to the 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 ___ E must be constructed prior to the issuance of a certificate of occupancy for any use on the Property.~~

(d) Green construction standards. The Property shall exceed the City of Dallas Green Construction Standards in force at the time of passage of this ordinance.

Staff Recommendation: Revised & relocated from proposed Electric Vehicle Parking section.

(e) Electric vehicle charging station. The Property shall be designed and constructed to (i) immediately provide electric vehicle charging capabilities for up to 10% of units and (ii) will include the conduit infrastructure to allow the Property to be able to serve up to 25% of units in the future.

Applicant's Request: See proposed stand-alone Electric Vehicle Parking section.

~~(e) Electric vehicle charging station. The Property shall be designed and constructed to (i) immediately provide electric vehicle charging capabilities for up to 10% of units and (ii) will include the conduit infrastructure to allow the Property to be able to serve up to 25% of units in the future.~~

(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. (Ord. No. _____)

SEC. 51P-____.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. (Ord. No. _____)

PROPOSED EXHIBIT A

Staff comments:

Exhibit A not complete.

Legal description for property perimeter boundaries (shown here) has been approved by GIS.

Tract map (pending) with boundaries corresponding to legal descriptions for individual tracts (approved by GIS) will also be included as part of Exhibit A.

OVERALL LEGAL DESCRIPTION

BEING an 8.636 acre tract of land situated in the William Coombs Survey, Abstract Number 290, City of Dallas, Dallas County, Texas, and being all of City Blocks 34/7263, and 35/7263, and part of City Block 36/7263, 38/7263, and 39/7263 and part of a called 8.636 acre tract of land described in a Special Warranty Deed to 1400 Triple B Holdings, LP, as recorded in Volume 2005059, Page 1408 of the Official Public Records of Dallas County, Texas, (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of said 8.636 acre tract, the northwest corner of said Block 34/7263, and at the intersection of the south right-of-way line of Commerce Street (a 60-foot wide right-of-way) and the east right-of-way line of Neal Street (a 60-foot wide right-of-way);

THENCE North 89 degrees 19 minutes 43 seconds East, along said south right-of-way line of Commerce Street and the north line of said 8.636 acre tract, a distance of 935.37 feet to the northeast corner of said 8.636 acre tract, the northwest corner of a called 0.480 acre tract of land described in a Warranty Deed with Vendor's Lien to Raphael W. Smith, as recorded in Volume 93109, Page 6874 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and the northeast corner of said Block 36/7263;

THENCE South 00 degrees 44 minutes 17 seconds East, departing said south row-of-way line of Commerce Street, and along the east line of said 8.636 acre tract, and the west line of said 0.480 acre tract, a distance of 167.00 feet to the most eastern southeast corner of said 8.636 acre tract and the southwest corner of said 0.480 acre tract, said corner being on the north line of a called 2.319 acre tract of land described in a General Warranty Deed to Martin E. Rios, as recorded in Instrument Number 201100139659, O.P.R.D.C.T.;

THENCE South 89 degrees 19 minutes 43 seconds West, along the south line of said 8.636 acre tract and the north line of said 2.319 acre tract, a distance of 121.01 feet to a reentrant corner of said 8.636 acre tract and the northwest corner of said 2.319 acre tract;

THENCE South 00 degrees 50 minutes 17 seconds East, along the east line of said 8.636 acre tract and the west line of said 2.319 acre tract, a distance of 58.69 feet to a reentrant corner of said 8.636 acre tract and the northernmost southwest corner of said 2.319 acre tract;

THENCE North 75 degrees 59 minutes 43 seconds East, along the east line of said 8.636 acre tract and the west line of said 2.319 acre tract, a distance of 22.55 feet to a common "ell" corner of said 8.636 acre tract and said 2.316 acre tract;

THENCE South 00 degrees 50 minutes 47 seconds East, along the east line of said 8.636 acre tract and the west line of said 2.319 acre tract, a distance of 216.57 feet to a point for the southeast corner of said 8.636 acre tract, the southwest corner of said 2.316 acre tract, and on the south line

GIS_Approved

of said Block 38/7263 and the north line of Block 1, Flanders Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 90, Page 283, (D.R.D.C.T.);

THENCE along the south line of said 8.636 acre tract, the following bearings and distances:

South 89 degrees 17 minutes 12 seconds West, along the south line of said Block 38/7263, and the north line of said Flanders Heights, passing at a distance of 271.68 feet the northeast corner of Lot 1-D, Block 1/3962 of Subdivision of Lot 1, Block 1/3962 Flanders Heights Addition, an addition to the City of Dallas, as recorded in Volume 16, Page 289, D.R.D.C.T., and continuing along said south line and the north line of said Lot 1-D, in all a total distance of 354.00 feet to a southerly "ell" corner of said 8.636 acre tract and the northwest corner of Lot 1-D, Block 1/3962, and on the east right-of-way line of Montclair Avenue (a variable width right-of-way);

North 02 degrees 07 minutes 59 seconds East, along the east right-of-way line of said Montclair Avenue, a distance of 5.77 feet to a point for "ell" corner of said 8.636 acre tract and at the intersection of the east right-of-way line of said Montclair Avenue and the north right-of-way line of Seale Street (a variable width right-of-way);

North 88 degrees 35 minutes 17 seconds West, along the north right-of-way line of said Seale Street, a distance of 216.23 feet to the northeast corner of said 1400 Triple B Holdings tract;

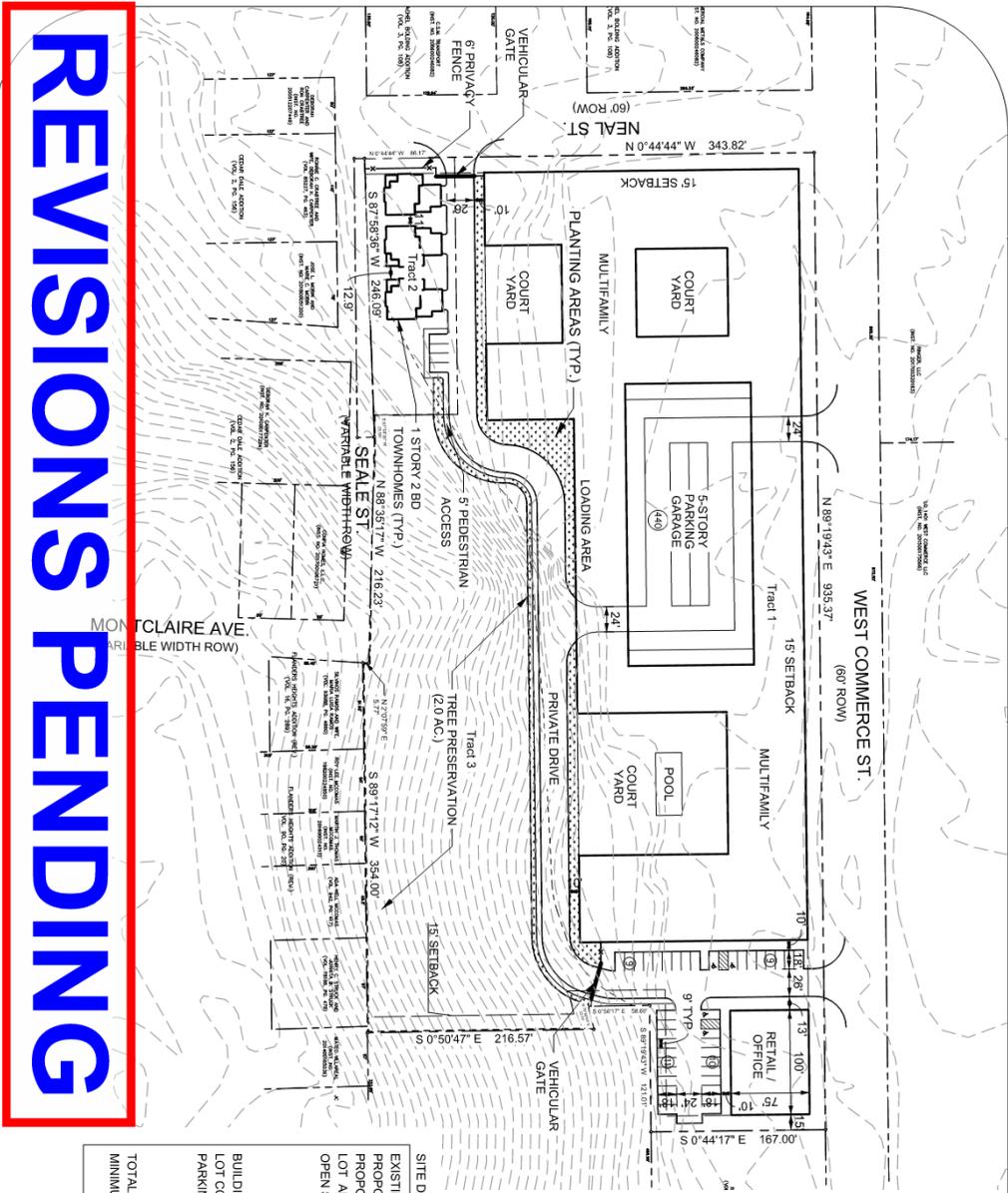
South 87 degrees 58 minutes 36 seconds West, continuing along the north line of said 1400 Triple B Holdings tract and the north right-of-way line of said Seale Street, a distance of 267.04 feet to a point for the southwest corner of said 8.636 acre tract, the northwest corner of said 1400 Triple B Holdings tract, and at the intersection of the north right-of-way line of said Seale Street and the east right-of-way line of the aforementioned Neal Street;

THENCE North 00 degrees 44 minutes 44 seconds West, along the east right-of-way line of said Neal Street and the west line of said 8.636 acre tract, a distance of 429.99 feet to the **POINT OF BEGINNING AND CONTAINING** 8.636 acres (376,165 square feet) of land, more or less.

NOTES:

1. This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in the real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. The Basis of Bearing is based on a called 8.636 acre tract of land described in a Special Warranty Deed to 1400 Triple B Holdings, LP, as recorded in Volume 2005059, Page 1408 of the Official Public Records of Dallas County, Texas, (O.P.R.D.C.T.).

PROPOSED EXHIBIT B



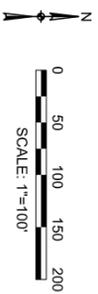
REVISIONS PENDING

The Standard on Commerce
Exhibit B - Development Plan

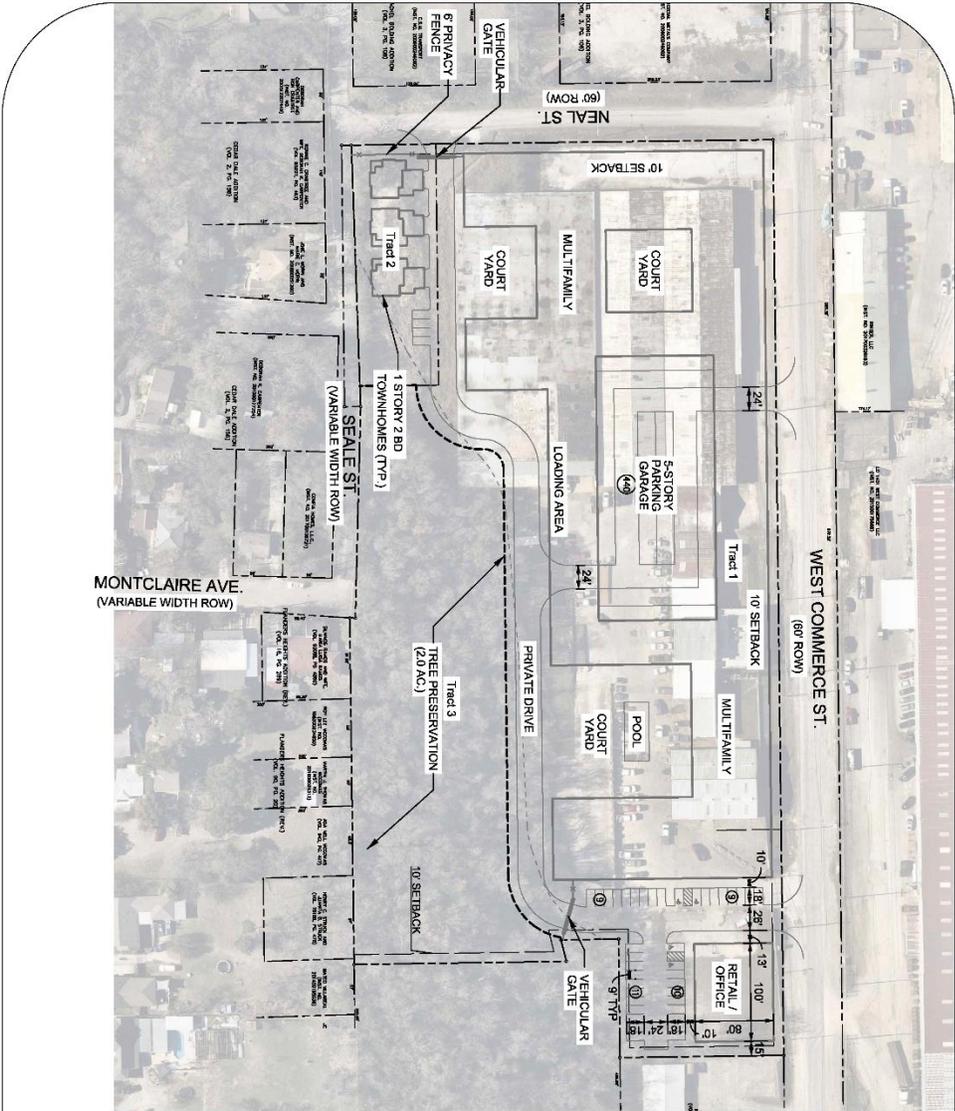


VICINITY MAP
(NOT TO SCALE)

SITE DATA TABLE: WEST COMMERCE ST.	
EXISTING ZONING	IM & IR
PROPOSED ZONING	PD
PROPOSED USE	MULTIFAMILY
LOT AREA	8.88 AC (378,100.8 SF)
OPEN SPACE	0.88 AC (38,483 SF) TRACT 1 0.12 AC (5,278 SF) TRACT 2 2.00 AC (87,120 SF) TRACT 3
	TREE PRESERVATION 3.01AC (131,371 SF) TOTAL OPEN SPACE
BUILDING HEIGHT	66' MAX
LOT COVERAGE	60% MAX
PARKING REQUIRED	344 UNITS @ 1.25 SP/UNIT = 430 SP, 8,000 SF NON-RES @ 1 SP/250 SF = 32 SP, 4 TH @ 1.25 SP/TH = 5 SP, TOTAL = 467
TOTAL PARKING PROVIDED	491
MINIMUM SETBACKS	15'



PROPOSED EXHIBIT C

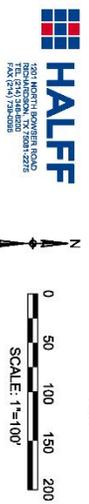


The Standard on Commerce
 Exhibit C - Tree Preservation plan

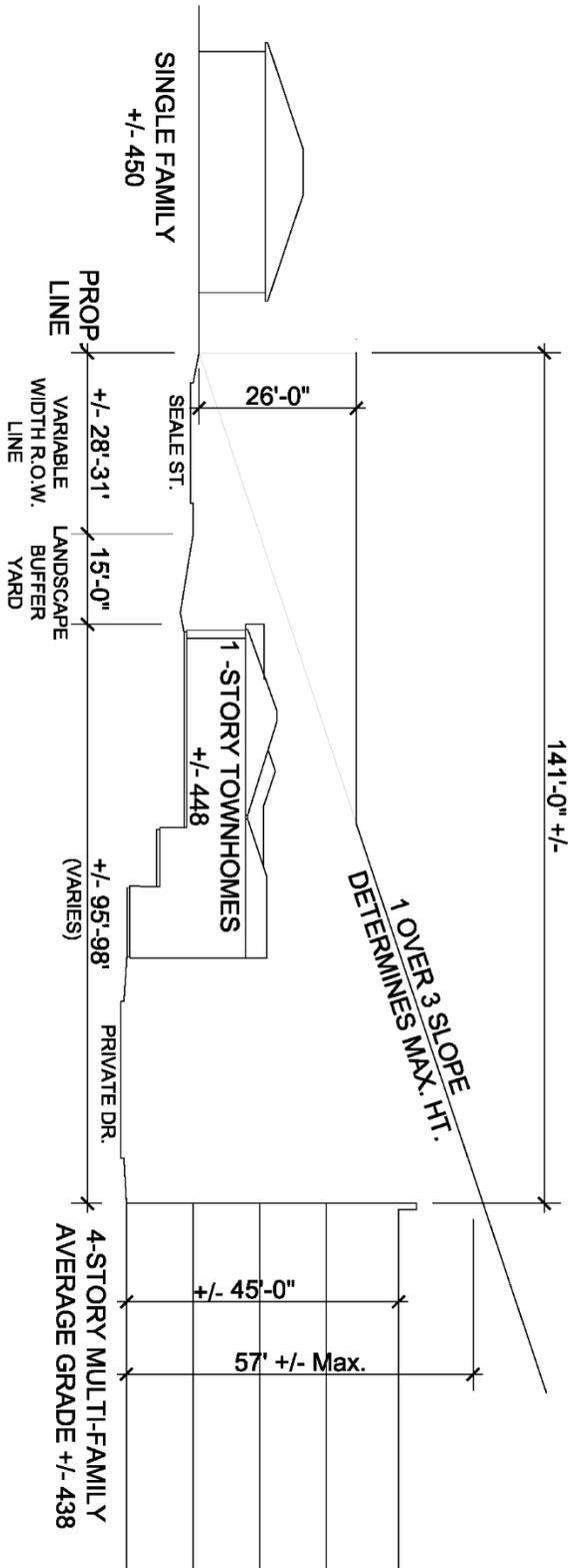


TRACT 3 TREE PRESERVATION PLAN PENDING SUBMISSION BY APPLICANT

Staff comments:
 This is not a tree preservation plan
 A tree preservation plan must include a tree protection plan, soil resource assessment, and a complete tree survey performed by a consulting arborist. The tree preservation plan must be implemented and monitored by a consulting arborist.



PROPOSED EXHIBIT D



Staff recommendation
Alternate Residential Proximity Slope

Z212-186 - Exhibit D



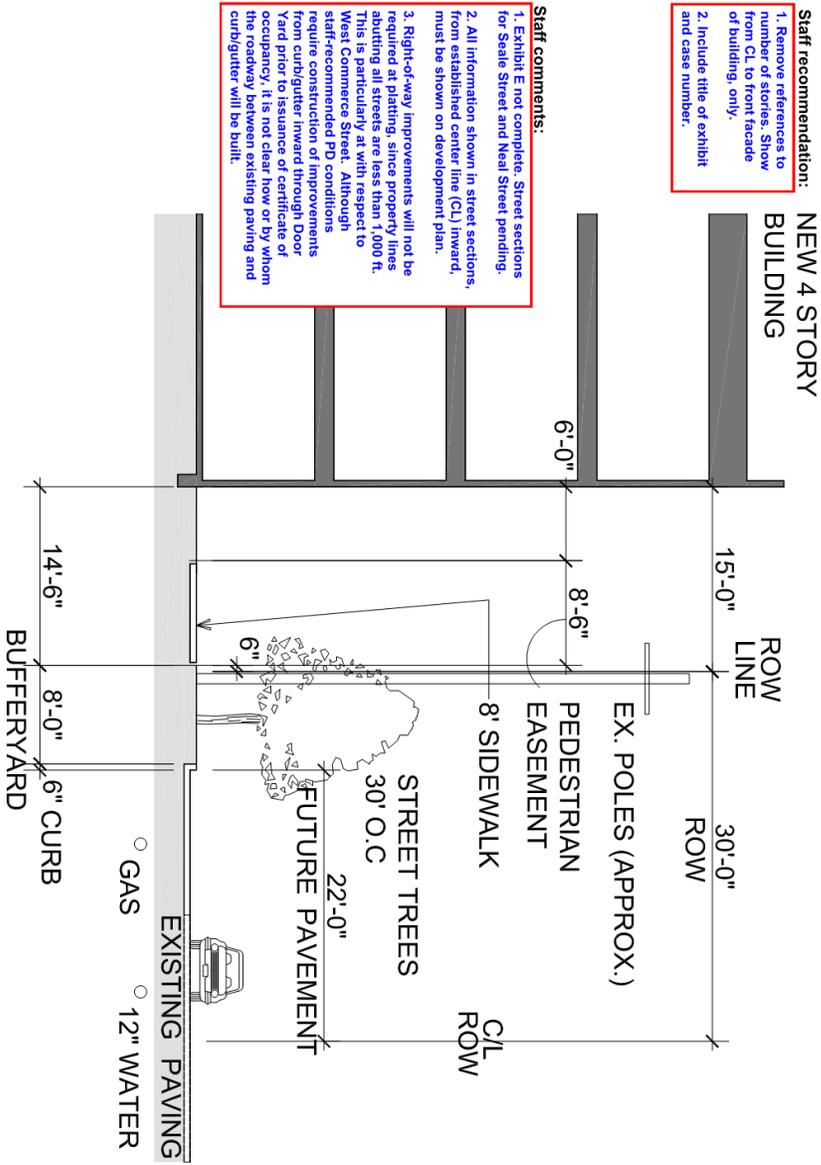
OjalalHoldings

RESIDENTIAL PROX. SLOPE
SCALE 1/8" = 1'



WEST COMMERCE
DALLAS, TX
12.07.2022

PROPOSED EXHIBIT E



Staff recommendation:

1. Remove references to number of stories. Show from CL to front facade of building, only.
2. Include title of exhibit and case number.

Staff comments:

1. Exhibit E not complete. Street sections for Seal Street and Neal Street pending.
2. All information shown in street sections, from established center line (CL) inward, must be shown on development plan.
3. Right-of-way improvements will not be required at platting, since property lines abutting all streets are less than 1,000 ft. This is particularly at with respect to West Commerce Street. Although staff-recommended PD conditions require construction of improvements from curb/gutter inward through Door Yard prior to issuance of certificate of occupancy, it is not clear how or by whom the roadway between existing paving and curb/gutter will be built.

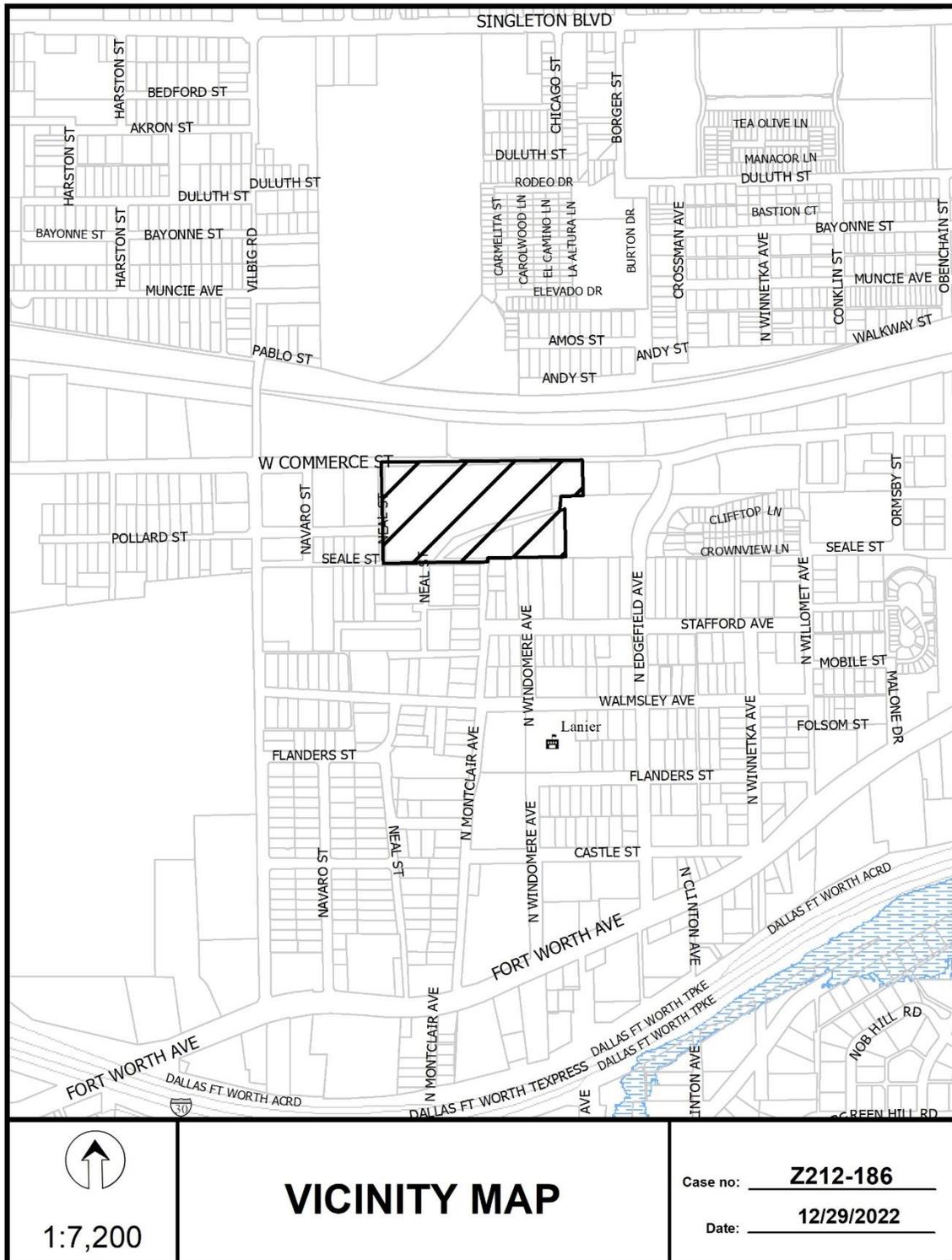


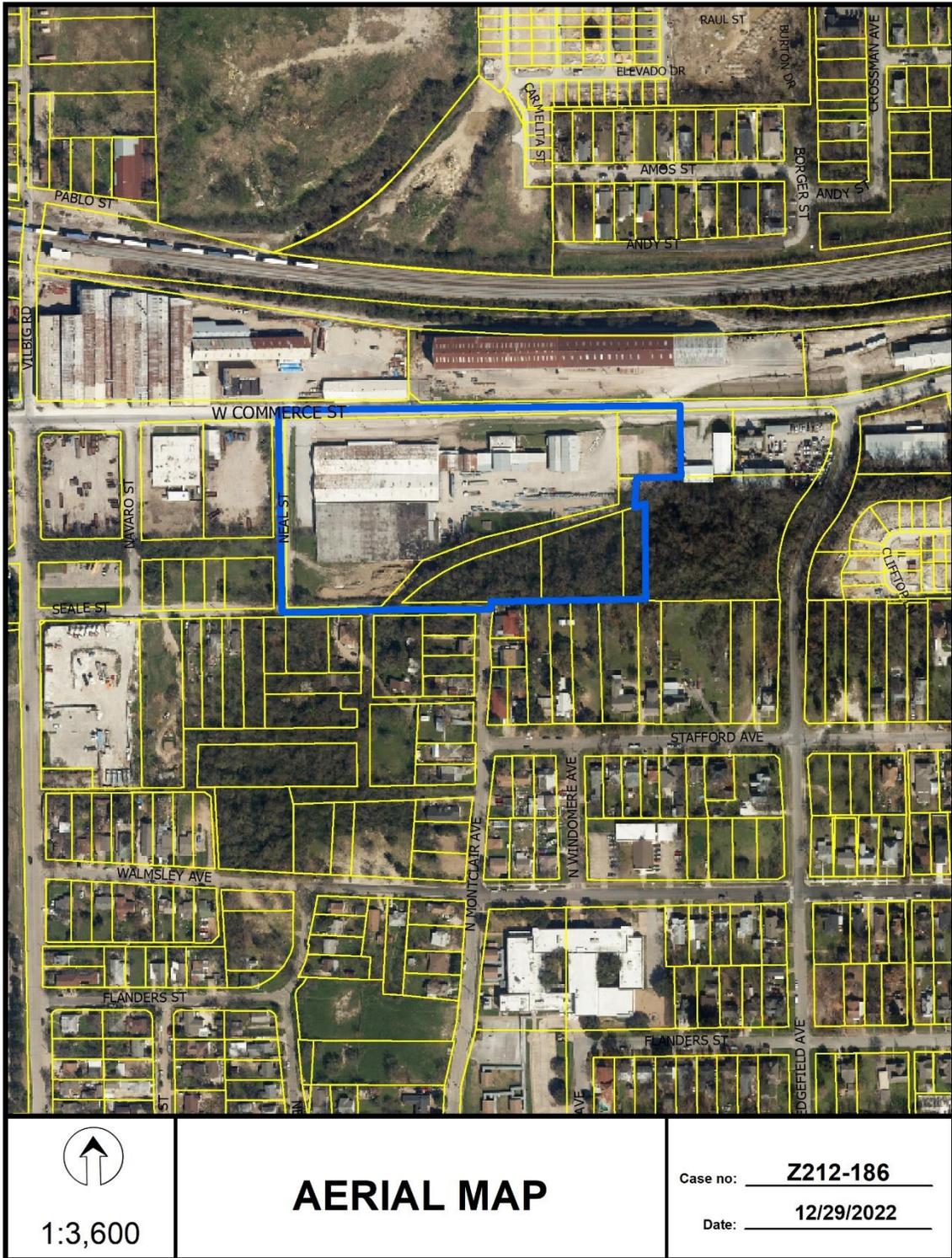
OjalorHoldings

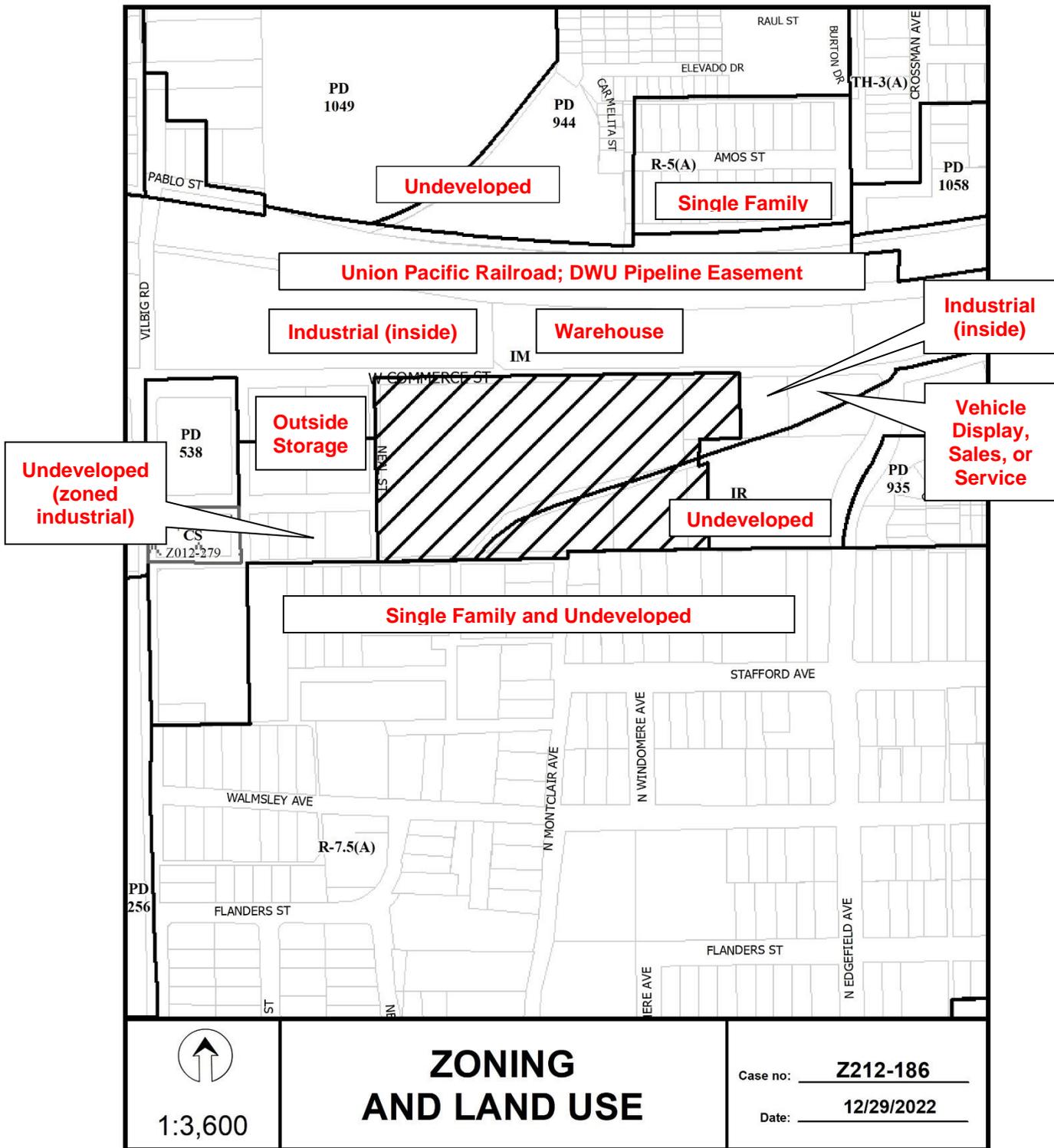
W. COMMERCE STREET
SCALE: 1/8" = 1'-0"

#22010

WEST COMMERCE
DALLAS, TX
12.20.2022

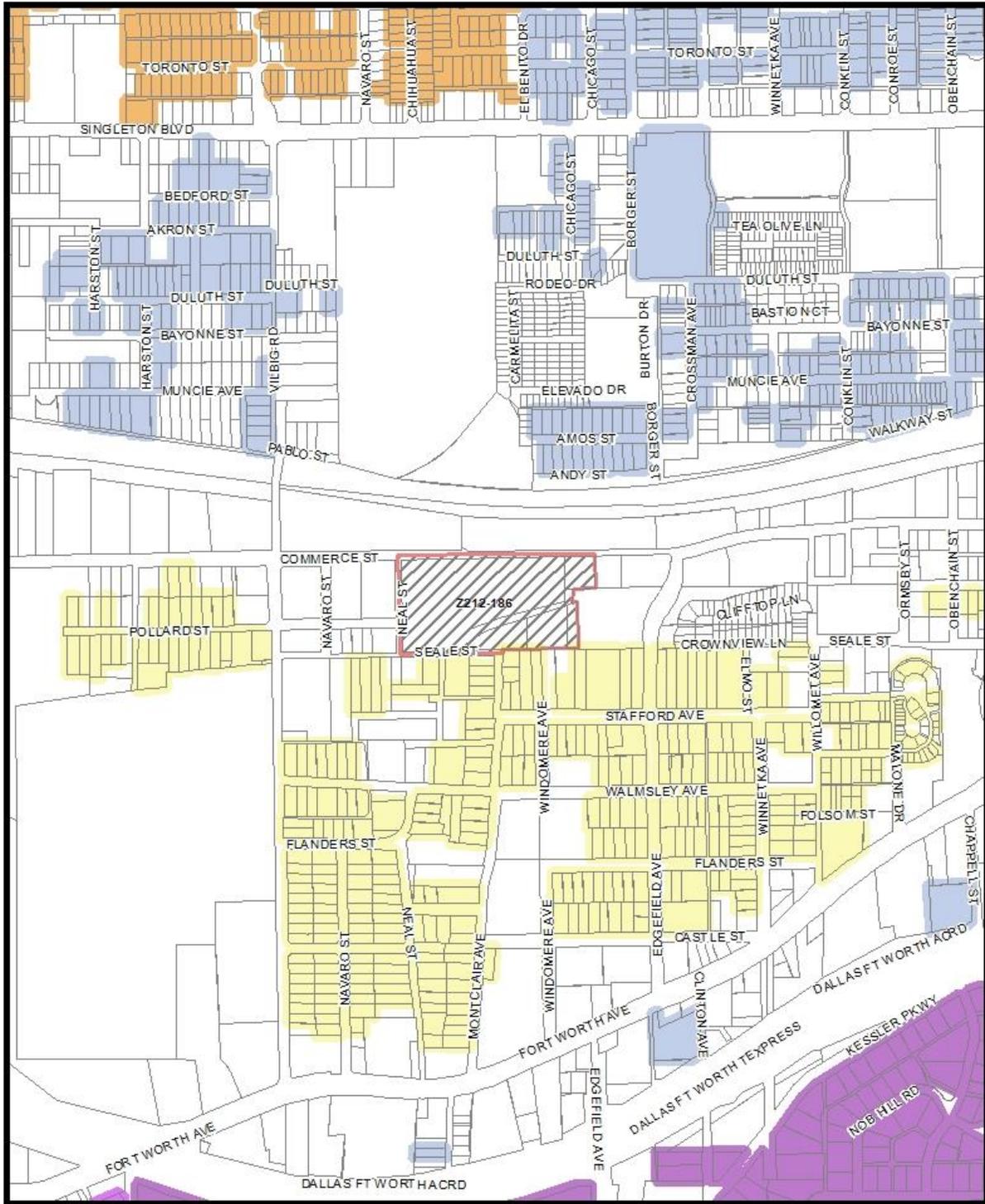








 1:3,600	<h2>ZONING HISTORY</h2>	Case no: <u>Z212-186</u> Date: <u>12/29/2022</u>
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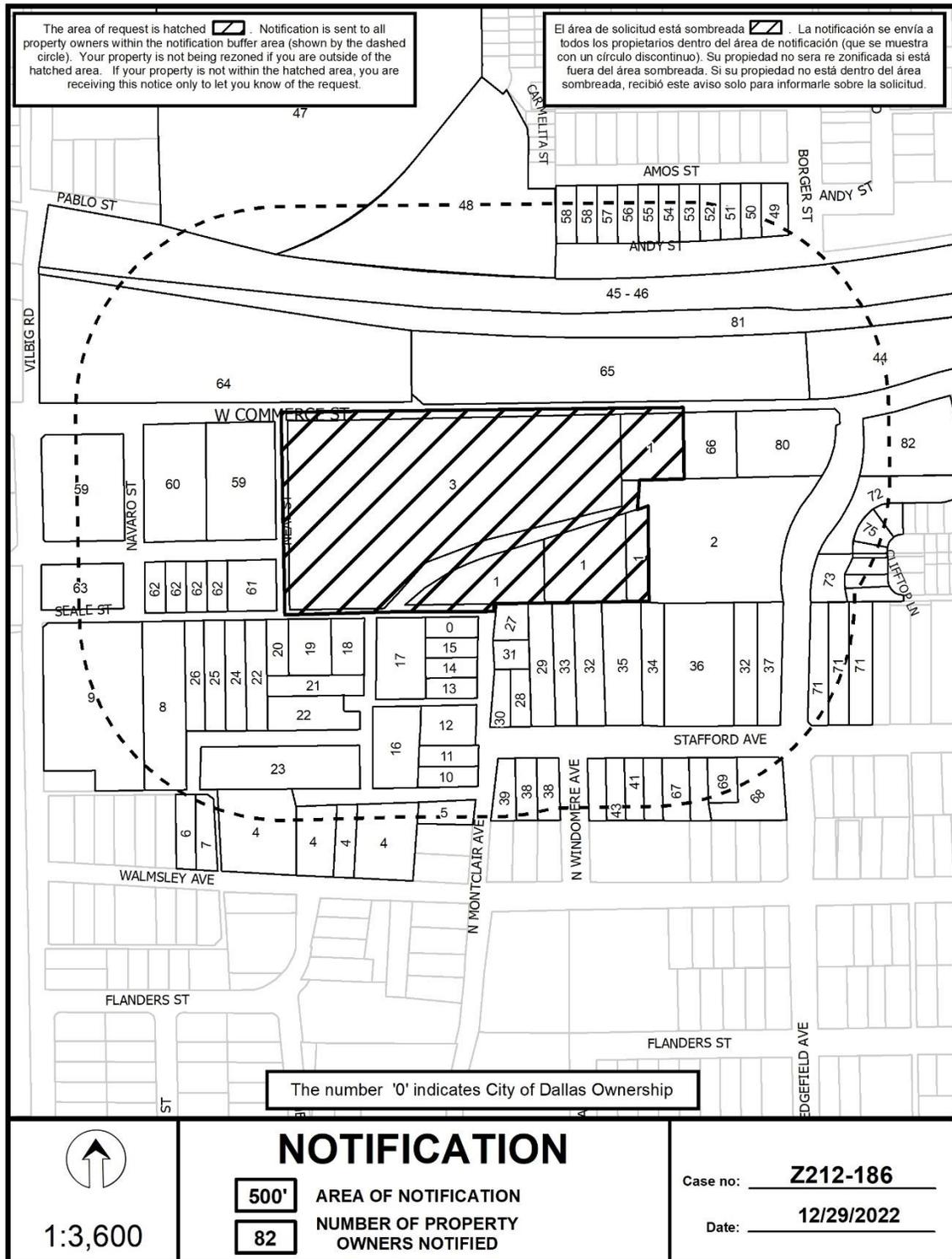
Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA

1:7,200

Market Value Analysis

Printed Date: 12/29/2022



12/29/2022

Notification List of Property Owners***Z212-186******82 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1338 W COMMERCE ST	1400 TRIPLE B HOLDINGS LP
2	2107 N EDGEFIELD AVE	RIOS MARTIN E
3	1400 W COMMERCE ST	Taxpayer at
4	1609 WALMSLEY AVE	WILLIEJAXON V LLC
5	1915 N MONTCLAIR AVE	DELEON ALICIA
6	1625 WALMSLEY AVE	HERRERA BENITO F &
7	1621 WALMSLEY AVE	HERRERA ZULEMA
8	1702 SEALE ST	MORIN JOSE L & MARIE C
9	2016 VILBIG RD	DAVILA JUAN Z
10	1923 N MONTCLAIR AVE	Taxpayer at
11	2007 N MONTCLAIR AVE	MARTINEZ SILVERIO
12	2011 N MONTCLAIR AVE	BARRIGA JAMES P
13	2013 N MONTCLAIR AVE	AGUILAR ISMAEL
14	2017 N MONTCLAIR AVE	ALUMITEX CORPORATION
15	2019 N MONTCLAIR AVE	Taxpayer at
16	2006 NEAL ST	LYONS J A
17	2018 NEAL ST	Taxpayer at
18	1602 SEALE ST	Taxpayer at
19	1610 SEALE ST	Taxpayer at
20	1614 SEALE ST	Taxpayer at
21	2009 NEAL ST	Taxpayer at
22	2005 NEAL ST	CARPENTER DEBORAH
23	1909 NEAL ST	Taxpayer at
24	1620 SEALE ST	ESCALANTE GRACIELA C &
25	1628 SEALE ST	ROGERS TONY GARCIA
26	1632 SEALE ST	J C LEASING LLP

12/29/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2022 N MONTCLAIR AVE	RAMOS SILVINOS &
28	1407 STAFFORD AVE	Taxpayer at
29	1401 STAFFORD AVE	MCCOMAS ROY LEE ET AL
30	1409 STAFFORD AVE	MORALES ROBERTO
31	2018 N MONTCLAIR AVE	GONZALES SAMMY R
32	1335 STAFFORD AVE	MCCOMAS BRAU ADA NELL
33	1343 STAFFORD AVE	MCCOMAS MARTIN J THOMAS
34	1323 STAFFORD AVE	Taxpayer at
35	1331 STAFFORD AVE	STRUCK JUANITA B
36	1319 STAFFORD AVE	ORDAZ JOSE LUIS & LYDIA
37	1303 STAFFORD AVE	MCCOMAS ADA NELL B
38	1402 STAFFORD AVE	MARTINEZ SILVERO
39	1410 STAFFORD AVE	DELGADO PEDRO LAZCANO &
40	1336 STAFFORD AVE	PONCE JOE
41	1328 STAFFORD AVE	MENA DAVID TREIJO
42	1324 STAFFORD AVE	Taxpayer at
43	1332 STAFFORD AVE	MARTINEZ SILVERIO JR
44	1211 W COMMERCE ST	1211 W COMMERCE ST LLC
45	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
46	9999 NO NAME ST	UNION PACIFIC RR CO
47	1600 SINGLETON BLVD	VILLAGES AT SOHO SQUARE LLC
48	1300 DULUTH ST	MEGATEL TRINITY MEADOWS LLC
49	1300 AMOS ST	GRIMALDO ALBERTO & ROSA
50	1304 AMOS ST	ARISPE ALEXUS PAIGE &
51	1308 AMOS ST	BURROUGHS BILLY JOE &
52	1312 AMOS ST	DE LEON JUAN
53	1316 AMOS ST	SOTO PHILLIP DANIEL
54	1320 AMOS ST	IPINA FELIPE
55	1324 AMOS ST	YBARA REYNALDO &
56	1328 AMOS ST	TORRES ALEJANDRINO
57	1332 AMOS ST	TORRES PEDRO &

12/29/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1336 AMOS ST	VELASQUEZ ABIGAIL &
59	1706 W COMMERCE ST	COMMERCIAL METALS COMPANY
60	1618 W COMMERCE ST	JUNG BUCK L & HELEN W
61	1619 SEALE ST	C S M TRANSPORT
62	1625 SEALE ST	COMMERCIAL SCRAP MGMT CO
63	2011 NAVARO ST	RALPH THADOG LLC
64	1607 W COMMERCE ST	RINGER LLC
65	1401 W COMMERCE ST	LO 1401 WEST COMMERCE LLC
66	1318 W COMMERCE ST	SMITH RAPHAEL W
67	1320 STAFFORD AVE	MEDRANO ALVARO
68	1923 N EDGEFIELD AVE	RAMLER ANDREW J & MICHAELLA
69	1314 STAFFORD AVE	Taxpayer at
70	1318 STAFFORD AVE	ONE TOOTH PRODUCTION LLC
71	1247 STAFFORD AVE	WILLIEJAXON V LLC
72	2102 N EDGEFIELD AVE	SEALE WILLOMET LAND LP
73	2102 N EDGEFIELD AVE	SEALE WILLOMET LAND LP
74	1253 CLIFFTOP LN	HARRIS MICHAEL SCOTT
75	1261 CLIFFTOP LN	CALLAN GEORGINA
76	1269 CLIFFTOP LN	CALLAN GAVIN ASHTON
77	1277 CLIFFTOP LN	MIR PORT ONE LLC
78	1285 CLIFFTOP LN	GARZA JEREMY
79	1293 CLIFFTOP LN	MIR PORT SEVEN LLC
80	1316 W COMMERCE ST	FIRST CLASS AUTO INC
81	2300 AL LIPSCOMB WAY	BNSF RAILWAY
82	1220 COMMERCE ST	PROPER THREE HOLDINGS LLC