

**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

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**REPRESENTATIVE:** Baldwin Associates LLC

**APPLICANT:** OP Acquisitions, LLC

**OWNER:** 1400 Triple B Holdings, LP

**REQUEST:** An application for a Planned Development District 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.

**CPC RECOMMENDATION:** **Approval**, subject to a tract map, a development plan, a residential proximity slope illustration, street sections, and conditions.

**STAFF RECOMMENDATION:** **Approval**, subject to a tract map, a development plan, a residential proximity slope illustration, street sections, and staff's recommended conditions.

## **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) and five percent mixed-income units available to households earning between 61 and 80 percent of 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.
- On February 16, 2023, the City Plan Commission recommended approval of the request, subject to a tract map, a development plan, a residential proximity slope (RPS) illustration, street sections, and conditions with changes.

**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]*.
5. **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.]*
7. **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:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IM Industrial/Manufacturing District, IR Industrial/Research District	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

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) and five percent mixed-income units available to households earning between 61 and 80 percent of 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.

Staff supports the request, subject to a tract map, a development plan, a residential proximity slope illustration, street sections, and staff's recommended conditions.

**Land Use Comparison:**

The following table indicates uses permitted in the existing IR and IM Industrial Districts, in the adjacent R-7.5(A) Single Family District, in the proposed CH-based Tract 2, and in the proposed MF-2(A)-based Tract 1. 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.

<b>KEY:</b> • use allowed by right    ★ consult use regs RAR – Residential Adjacency Review SUP – Specific User Permit; DIR – Development Impact Review					
	Existing IR	Existing IM	Adjacent R-7.5(A)	Tract 2 CH base	Tract 1 MF-2(A) base
<b>AGRICULTURAL USES</b>					
Animal production					
Commercial stable					
Crop production	•	•	•	•	•
Private stable					
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>					
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			
<b>INDUSTRIAL USES</b>					
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	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	SUP
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>					
Adult day care facility	•	•	SUP	SUP	SUP
Cemetery or mausoleum	SUP	SUP	SUP	SUP	SUP
Child-care facility	•	•	SUP	SUP	SUP
Church	•	•	•	•	•
College, university, or seminary	•	•	SUP	SUP	SUP
Community service center	•		SUP	SUP	SUP
Convalescent and nursing homes, hospice care, and related institutions				SUP	RAR
Convent or monastery			SUP	SUP	•
Foster home			SUP	•	•
Halfway house					

Land use comparison table cont'd on next page



KEY: • use allowed by right ★ consult use regs

RAR – Residential Adjacency Review

SUP – Specific User Permit; DIR – Development Impact Review

	Existing IR	Existing IM	Adjacent R-7.5(A)	Tract 2 CH base	Tract 1 MF-2(A) base
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES, cont'd</b>					
Hospital	RAR	SUP			SUP
Library, art gallery, or museum			SUP	SUP	SUP
Public school other than open enrollment charter school	SUP	SUP	SUP	SUP	SUP
Private school or Open enrollment charter school	SUP	SUP	SUP	SUP	SUP
<b>LODGING USES</b>					
Hotel or motel	RAR/SUP	RAR/SUP			
Extended stay hotel or motel	SUP	SUP			
Lodging or boarding house	•	SUP			•
Overnight general-purpose shelter	★				
<b>MISCELLANEOUS USES</b>					
Attached non-premise sign	SUP	SUP			
Carnival or circus (temporary)	BO auth	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	•	•	•	•	•
<b>OFFICE USES</b>					
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
<b>RECREATION USES</b>					
Country club with private membership	•	•	SUP	RAR	RAR
Private recreation center, club, or area	•	•	SUP	SUP	SUP
Public park, playground, or golf course	•	•	•	•	•
<b>RESIDENTIAL USES</b>					
College dormitory, fraternity, or sorority house					•
Duplex				•	•
Group residential facility				★	★
Handicapped group dwelling unit			★	★	★
Manufactured home park, manufactured home subdivision, or campground					
Multifamily				•	•
Residential hotel					•
Retirement housing				•	•
Single family			•	•	•
<b>RETAIL AND PERSONAL SERVICE USES</b>					
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

RAR – Residential Adjacency Review

SUP – Specific User Permit; DIR – Development Impact Review

	Existing IR	Existing IM	Adjacent R-7.5(A)	Tract 2 CH base	Tract 1 MF-2(A) base
<b>RETAIL AND PERSONAL SERVICE USES, cont'd</b>					
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			
<b>TRANSPORTATION USES</b>					
Airport or landing field	SUP	SUP			
Commercial bus station and terminal	RAR	RAR			
Heliport	RAR	RAR			
Helistop	RAR	RAR			
Private street or alley			SUP	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	SUP
<b>UTILITY AND PUBLIC SERVICE USES</b>					
Commercial radio or television transmitting station	•	•			
Electrical generating plant		SUP			
Electrical substation	•	•	SUP	SUP	SUP
Local utilities	★	★	★	★	★
Police or fire station	•	•	SUP	SUP	SUP
Post office	•	•			
Radio, television, or microwave tower	RAR	RAR	SUP	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	SUP
Water treatment plant	SUP	RAR			
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>					
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 <sup>1</sup>	Lot Coverage <sup>2</sup>	Density/FAR	Special Standards
	Front	Side/Rear				
<b>Existing IR</b>	15'	30' if adjacent to residential district, otherwise no min	200'	80%	2.0 FAR overall, 0.75 office + retail, 0.5 retail	RPS <sup>1</sup> (Residential Proximity Slope), Continuity of blockface
<b>Existing IM</b>	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 <sup>1</sup> (Residential Proximity Slope), Continuity of blockface)
<b>Proposed PD</b> [base]	15' w allowed encroachments	10'/10'	Tract 1: 36' unless further restricted by alternate RPS;  Tract 2: 26'	60%	No minimum lot size  40 dwu/acre	Alternate RPS <sup>1</sup> (Residential Proximity Slope), Continuity of blockface
<b>Proposed PD</b> [w/ MIHDB]	15' w allowed encroachments	10'/10'	Tract 1: 66' unless further restricted by alternate RPS  Tract 2: 26'	60%	No minimum lot size  65 dwu/acre	Alternate RPS <sup>1</sup> (Residential Proximity Slope), Continuity of blockface  Parking reduced to 0.5 per unit

<sup>1</sup>A 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 \_\_\_\_C in the ordinance.

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

<sup>3</sup>A 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-\_\_\_\_.111, the applicant proposes to provide landscaping in accordance with Article X.

Staff requested 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 and represented in the proposed street sections. The applicant has declined to provide the requested information and requests to move forward to permitting.

Staff notes that it is not possible to determine if the landscaping being proposed can be accommodated on the site without the additional discovery items requested.

Because the street sections and landscaping requirements outlined in the proposed PD conditions and illustrated in the proposed street sections are designed, in part, 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, it is essential that these elements are provided. Condition language, therefore, requires that if the building official determines that the required plantings cannot be accommodated in the designated locations for any reason, an amendment to the PD, including a new Exhibit E: Landscape plan, is required before a certificate of occupancy may be issued for any use on the property.

**Parking:**

Except as noted in proposed Sec. 51P-\_\_\_\_.109, 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.

**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

**CPC Action**  
**February 16, 2023**

23-511 Z212-186(JA)

Planner: Jenniffer Allgaier

**Motion:** It was moved to recommend **approval** of 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], subject to a revised tract map, a revised development plan, a revised residential proximity slope illustration, revised street sections for all three street abutting the property, and applicant's recommended conditions, as briefed; with the following changes: 1) **SEC. 51P-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.** add definition for Live Work Unit as follows: Live Work Unit means an interior space with street level access that combines residential with office or retail and personnel service uses. A Live Work Unit is considered a non-residential use; 2) **SEC. 51P-\_\_\_\_.106. MAIN USES PERMITTED.** (b) add Live Work as an allowed use (MURP); 3) allow Personnel services uses with the except of bail bond establishments, tattoo parlors, and massage establishments; 4) **SEC. 51P-\_\_\_\_.114. DESIGN STANDARDS.** (j) staff's recommendation and add the following sentence: A solid fence is permitted along Neal Street within Tract 2; and 5) **SEC. 51P-\_\_\_\_.114. DESIGN STANDARDS.** (d) (4) strike items (F) Change in color and (H) Change in texture 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.

Maker: Rubin  
Second: Hampton  
Result: Carried: 13 to 0

For: 13 - Popken, Hampton, Anderson, Shidid, Wheeler-Reagan, Blair, Jung, Housewright, Treadway, Haqq, Stanard, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 3  
Conflict: 1 - Carpenter\*\*

\*\*out of the room when vote taken

**Notices: Area: 500 Mailed: 82**  
**Replies: For: 1 Against: 2**

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
John Snyder, 2401 N. Harwood St., Dallas, TX, 75201  
Marie Morin, 1602 Seale St., Dallas, TX, 75208  
Ryan Patterson, 1215 Stafford St., Dallas, TX, 75208

Z212-186(JA)

For (Did not speak): Daniel Smith, 2501 N. Harwood St., Dallas, TX, 75201  
Andrew Ramler, 1923 N. Edgefield, Dallas, TX, 75208

Against: None

Staff: Phil Erwin, Chief Arborist, Development Services

## **CPC-RECOMMENDED PD CONDITIONS**

### **SEC. 51P-\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD \_\_\_\_ was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_. (Ord. No. \_\_\_\_\_)

### **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. (Ord. No. \_\_\_\_\_)

### **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:

*Added per CPC motion:*

Live Work Unit means an interior space with street level access that combines residential with office or retail and personnel service uses. A Live Work Unit is considered a non-residential use

(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

*CPC Recommendation:*

(B) At least 30 [60] 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:



*Staff Recommendation:*

(B) At least 60 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;

(ii) 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

(iii) 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.

*CPC Recommendation:*

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

*Staff Recommendation:*

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

(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.

(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.

(5) 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.

(6) 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.

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

- (d) This district is considered to be a residential zoning district. (Ord. No. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.104. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit \_\_\_\_A: Tract map and legal description of district and tract boundaries.
- (2) Exhibit \_\_\_\_B: Development plan
- (3) Exhibit \_\_\_\_C: Residential proximity slope illustration.
- (4) Exhibit \_\_\_\_D: 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. (Ord. No. \_\_\_\_\_)

**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. 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.

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

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

*Added per CPC motion:*

- ➔ add Live Work as an allowed use (MURP);
- ➔ allow personal services uses with the exception of bail bond establishments, tattoo parlors, and massage establishments. However, massage may be accessory to a related main use.

*Staff Recommendation:*

- ➔ add Live Work as an allowed use (MURP);
- ➔ ~~allow personal services uses with the exception of bail bond establishments, tattoo parlors, and massage establishments. However, massage may be accessory to a related main use.~~

(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.

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

(1) 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. (Ord. No. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.107. 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. (Ord. No. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.108. 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. Minimum front yard is 15 feet, measured from the right-of-way line shown in Exhibit D: Street sections.

(c) Additional allowed encroachments. The following additional 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.

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

(e) Density. Except as otherwise provided, the maximum dwelling unit density is 40 units per acre. When the provisions, of Section 51P-\_\_\_\_.113 are met, the maximum dwelling unit density is 65 per acre.

(f) Height.

(1) Tract 1. Except as noted below, the height regulations, including residential proximity slope, for the MF-2(A) Multifamily District apply to structures in Tract 1.

(A) Residential proximity slope defined. The residential proximity slope is a plane projected upward and outward from every site of origination as defined in Sec. 51A-4.412(a). For purposes of this provision, the slope is projected from the line formed by the intersection of:

- i. the vertical plane extending through the boundary line of the site of origination; and
- ii. the grade at the nearest property line of the site of origination.

(B) Maximum height. Unless further restricted under subparagraph (A), maximum structure height in Tract 1 is 36 feet. Unless further restricted under subparagraph (A), when the provisions of Section 51P-\_\_\_\_.113 are met, the maximum height in Tract 1 is 66 feet.

(2) Tract 2. Except as noted below, the height regulations, including residential proximity slope, for the MF-2(A) Multifamily District apply to structures in Tract 2.

(A) Residential proximity slope defined. The residential proximity slope is a plane projected upward and outward from every site of origination as defined in Sec. 51A-4.412(a). For purposes of this provision, the slope is projected from the line formed by the intersection of:

- i. the vertical plane extending through the boundary line of the site of origination; and
- ii. the grade at the nearest property line of the site of origination.

(B) Maximum height. Structures in Tract 2 may not exceed 26 feet in height above the grade at the Tract 2 primary street property line.

(g) Lot size. No minimum lot size.

(h) Stories.

(1) Tract 1. Except as otherwise provided, the maximum number of stories above grade is three. When the provisions, of Section 51P-\_\_\_\_.113 are met, the 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. The maximum number of stories above the grade at the Tract 2 primary street property line is one. (Ord. No. \_\_\_\_\_)

*CPC Recommendation:*

(j) 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. (Ord. No. \_\_\_\_\_)

*Staff Recommendation:*

(j) ~~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. (Ord. No. \_\_\_\_\_)~~

**SEC. 51P-\_\_\_\_.109. 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 subparagraph, if compliant with Sections 51P-\_\_\_\_.113 and 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.. 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 (MURP):

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

(2) 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.

(3) 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. (Ord. No. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. No. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.111. LANDSCAPING.**

(a) Landscaping must be provided and maintained in accordance with Article X, except as noted below. If the building official determines that the requirements noted below cannot be met due to site constraints (including, but not limited to, conflicts with overhead electrical lines, 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 Exhibit E: 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 shall be provided adjacent to Seale Street for the entire length of Tract 2 frontage. The enhanced buffer zone shall include a minimum of one plant group every 30 feet. Each 30-foot plant group shall contain a combination of one large tree and three small trees and may be composed of either existing or newly planted trees from the City of Dallas approved list.

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

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

(3) Neal Street frontage. One medium tree from the approved tree list must be planted every 30 feet within the 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 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.

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

(e) Irrigation. Drip irrigation must be utilized for maintenance of plantings. (Ord. No. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.112.                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. \_\_\_\_\_)

**SEC. 51P-\_\_\_\_.113.                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, a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of AMFI, and in compliance with Ch. 51A-4.1100 as amended.

(b)     Design standards. Compliance with Section 51P-\_\_\_\_.114 is required in lieu of compliance with Section 51A-4.1107. (Ord. No. \_\_\_\_\_).

**SEC. 51P-\_\_\_\_.114.                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.

(c) Surface parking location.

(1) Surface parking is prohibited between street facing facades and the property line along all street frontages. 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.

(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.

(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. 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 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.

(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. Pedestrian pathways must be continuous and level at driveway crossings.

(j) Non-required fences. 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.

(k) Sustainability

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

(2) Water efficient plumbing fixtures shall be utilized. (Ord. No. \_\_\_\_\_)

(l) 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 eight-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. \_\_\_\_\_)

## **SEC. 51P-\_\_\_\_.115.                    ADDITIONAL PROVISIONS.**

(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.

(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.

(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.**

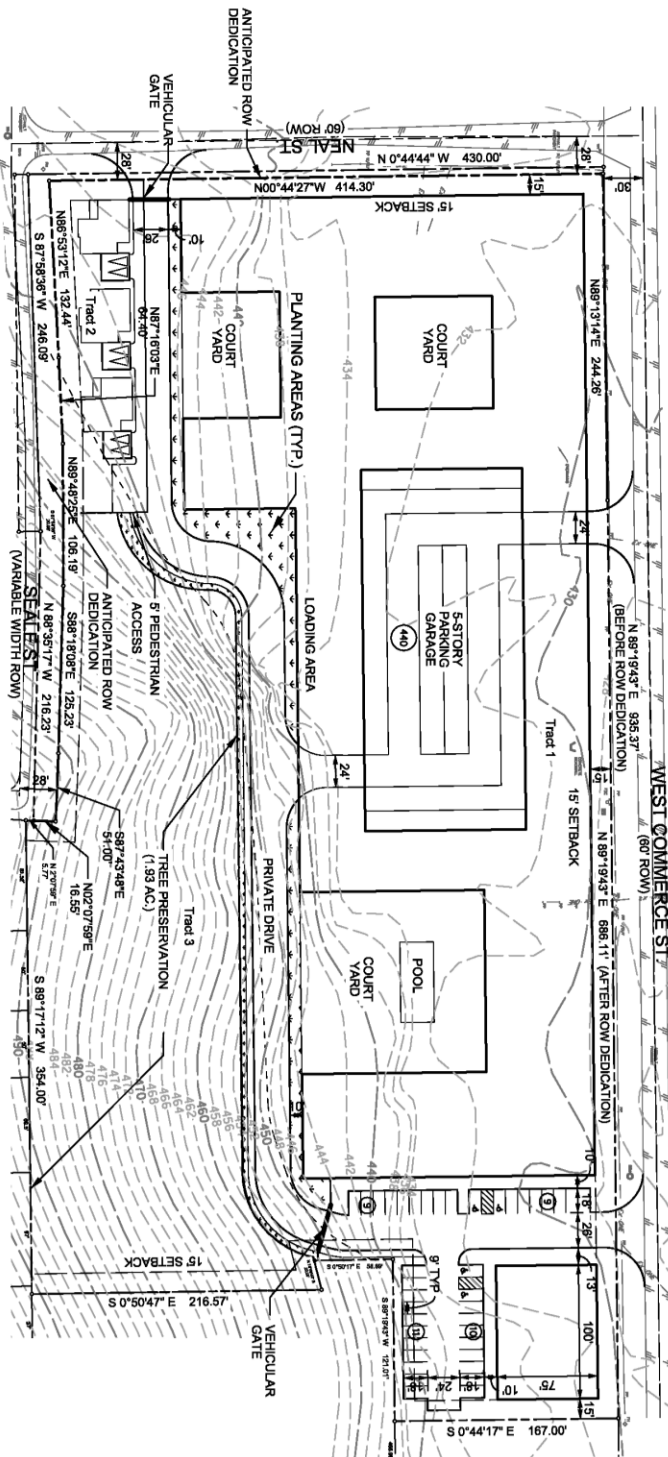
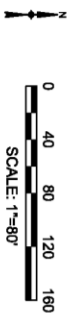
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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. \_\_\_\_\_)

# CPC-RECOMMENDED PD EXHIBIT B: Development Plan

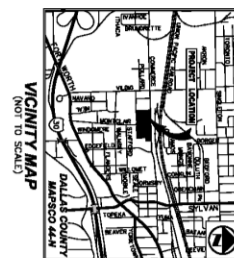
## Exhibit B - Development Plan

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

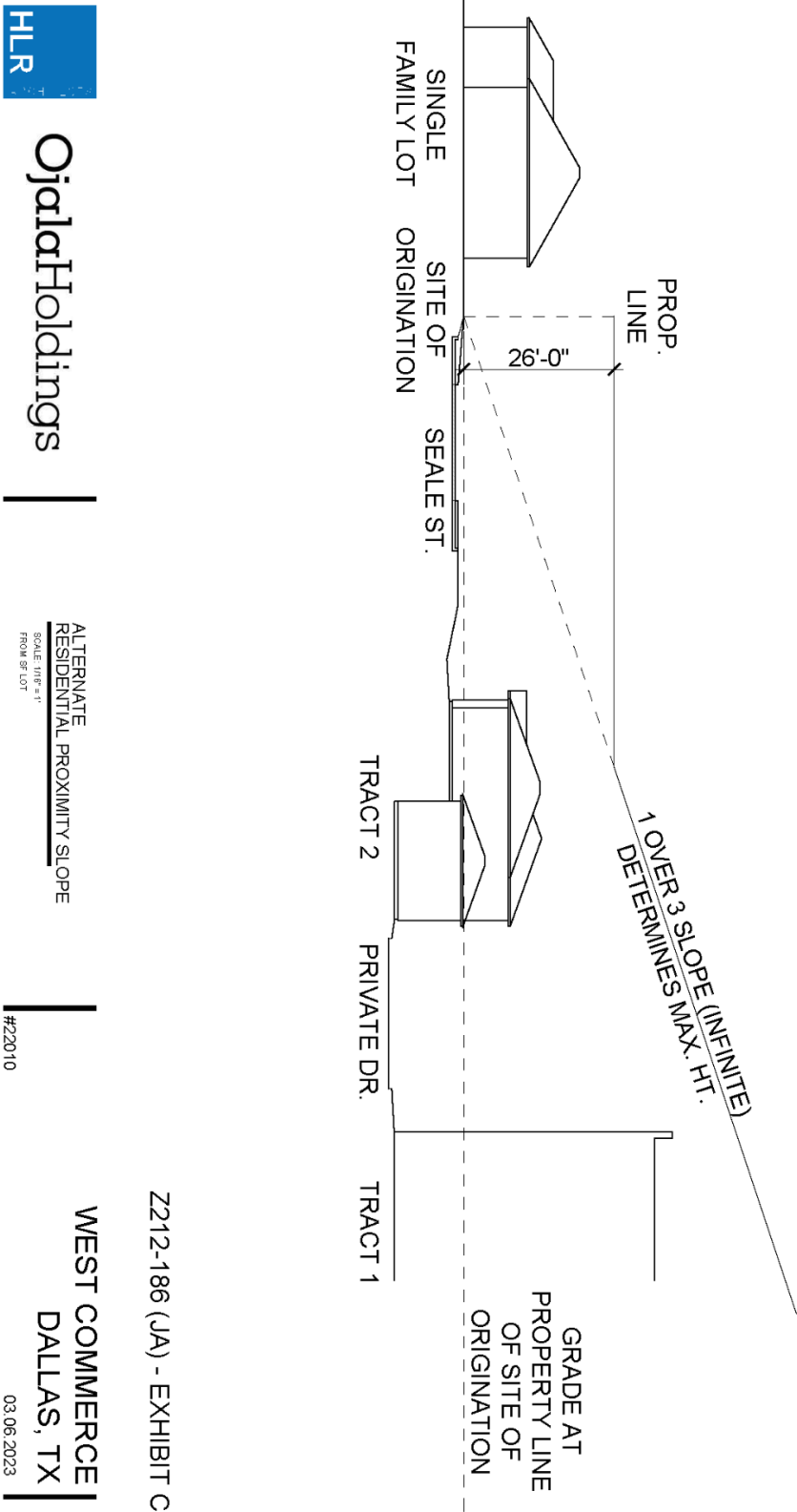


SITE DATA TABLE: WEST COMMERCE ST	
EXISTING ZONING	IM & R
PROPOSED ZONING	PD
AREA OF REQUEST	8.64 AC (375,164.5 SF)
ANTICIPATED ROW DEDICATION	0.24 AC (10,553.3 SF)
NET AREA AFTER ROW DEDICATION	8.39 AC (365,609.2 SF)
AREA PER TRACT WITH ANTIC. ROW	
- TRACT 1	6.09 AC (265,271.7 SF)
- TRACT 2	0.37 AC (16,313.7 SF)
- TRACT 3 (TREE PRESERVATION)	1.93 AC (84,028.8 SF)
MINIMUM SETBACK	15'

- NOTES:
1. EXISTING TOPO SHOWN FOR REFERENCE
  2. ALL CENTER LINES SHOWN ARE TO CENTER
  3. OF EXISTING STREET PAVEMENT.
  4. SETBACKS BASED ON ANTICIPATED ROW DEDICATION.



CPC-RECOMMENDED EXHIBIT C: Alternate RPS Illustration



CPC-RECOMMENDED EXHIBIT D1: West Commerce Street Cross Section



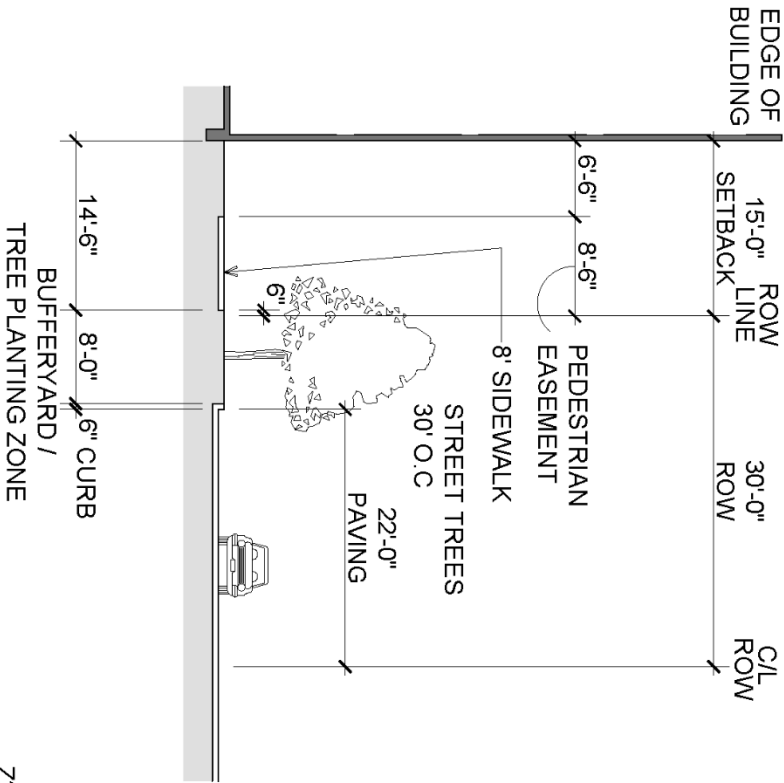
OjalatHoldings

W. COMMERCE STREET S-4-U  
SCALE 1/8" = 1'-0"

#22010

WEST COMMERCE  
DALLAS, TX  
03.06.2023

Z212-186 (JA) - EXHIBIT D(1)



CPC-RECOMMENDED EXHIBIT D2: Neal Street Cross Section

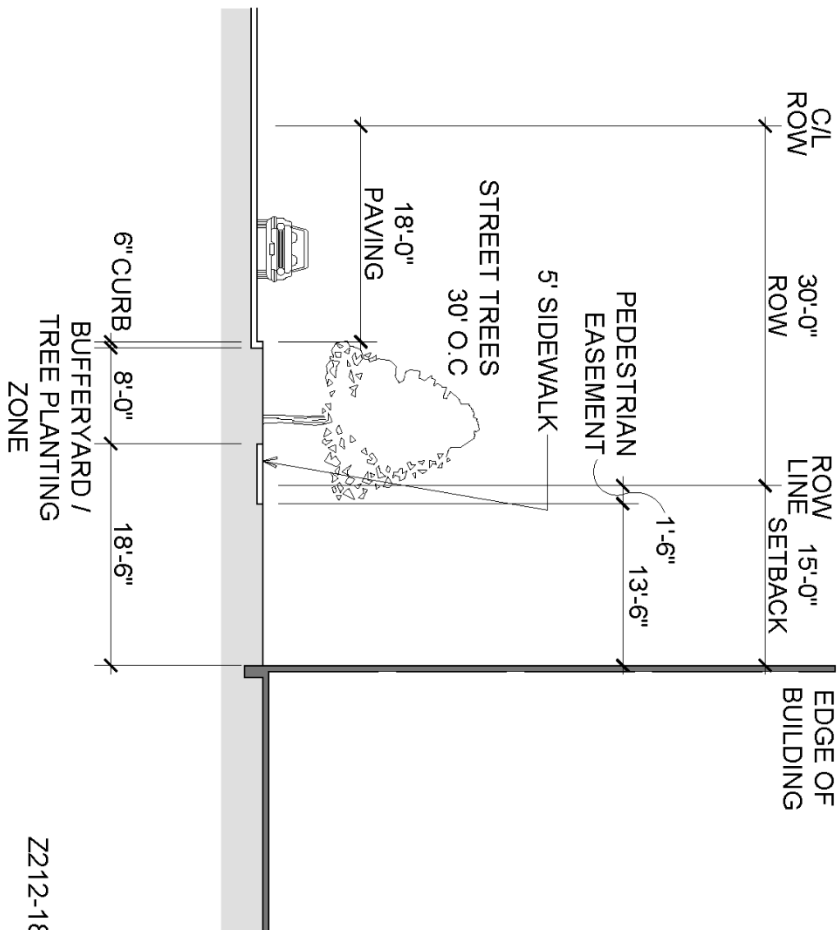


OjalaHoldings

NEAL STREET  
SCALE 1/8" = 1'-0"

#22010

WEST COMMERCE  
DALLAS, TX  
03.06.2023



Z212-186 (JA) - EXHIBIT D(2)

CPC-RECOMMENDED EXHIBIT D3: Seale Street Cross Section



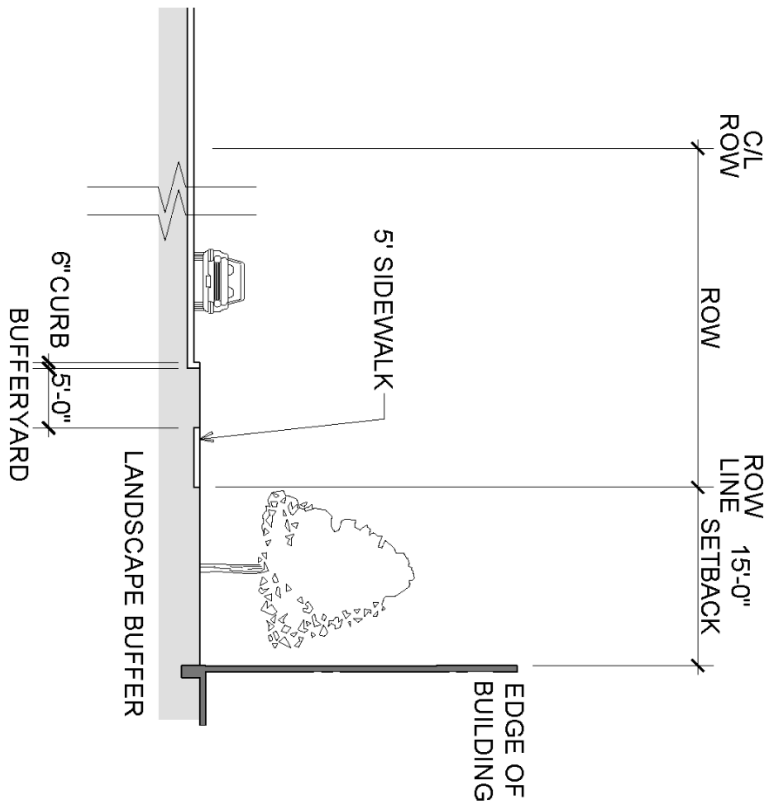
OjalaHoldings

SCALE STREET  
SCALE 1/8" = 1'-0"

#22010

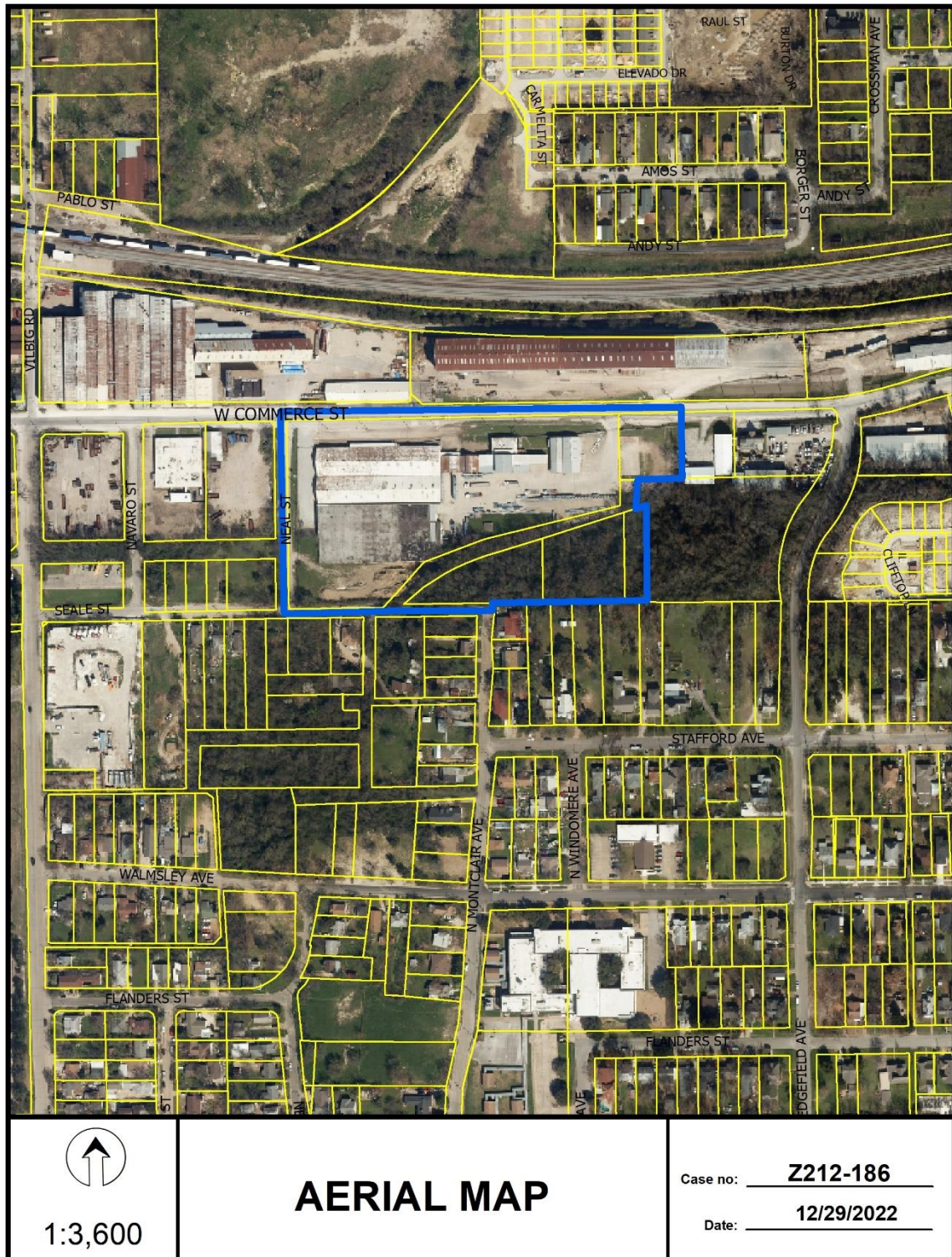
WEST COMMERCE  
DALLAS, TX  
03.06.2023

Z212-186 (JA) - EXHIBIT D(3)

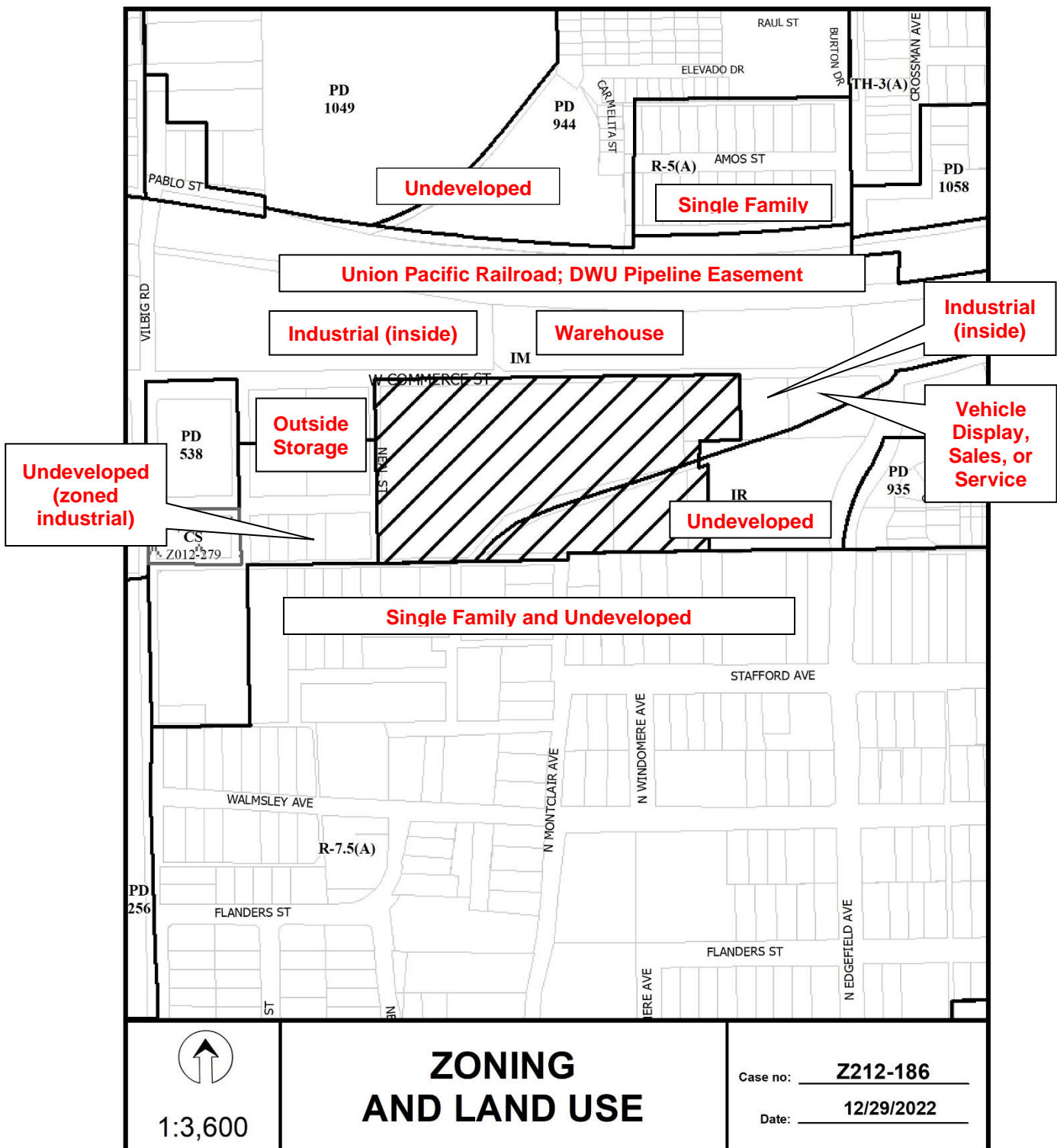




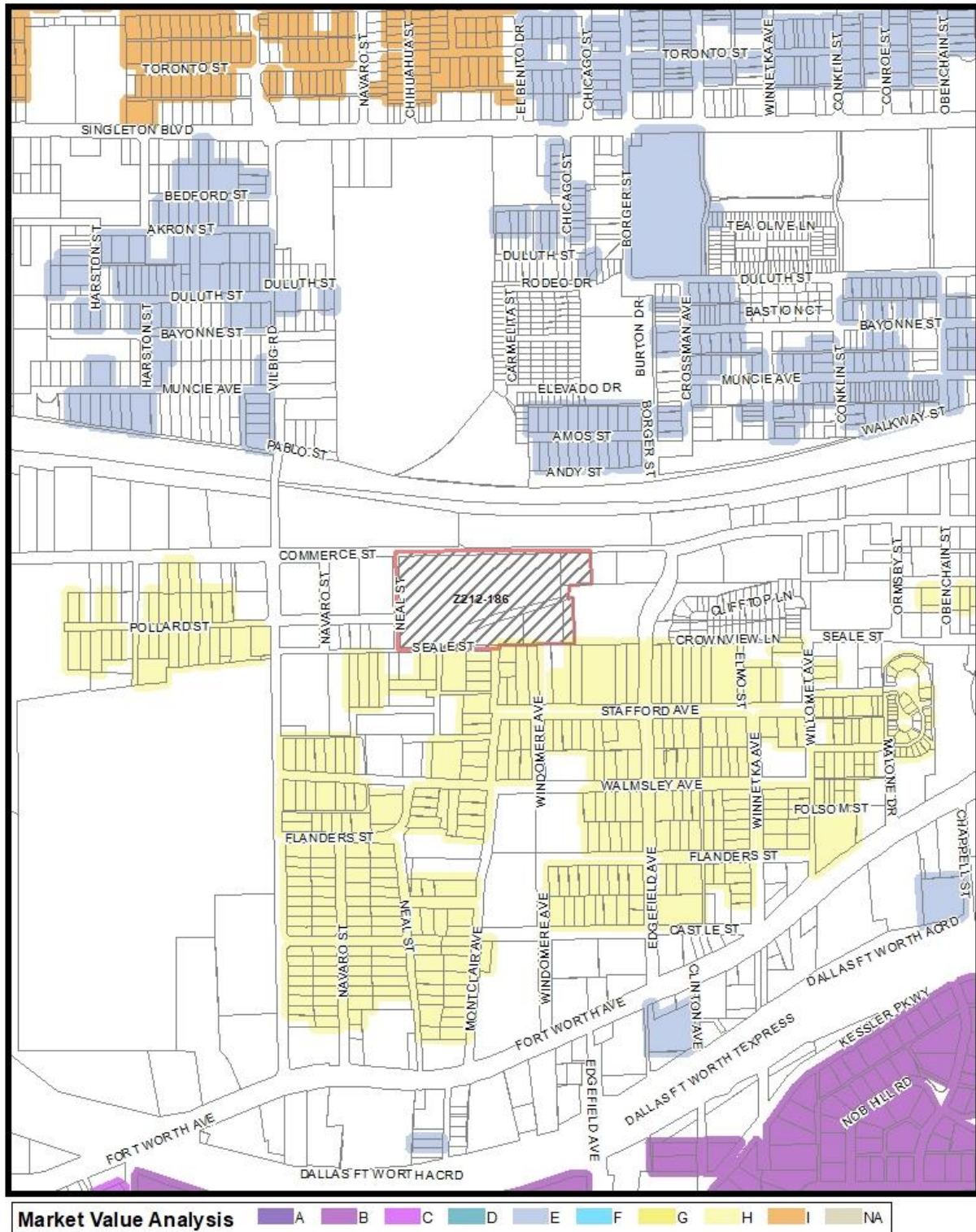




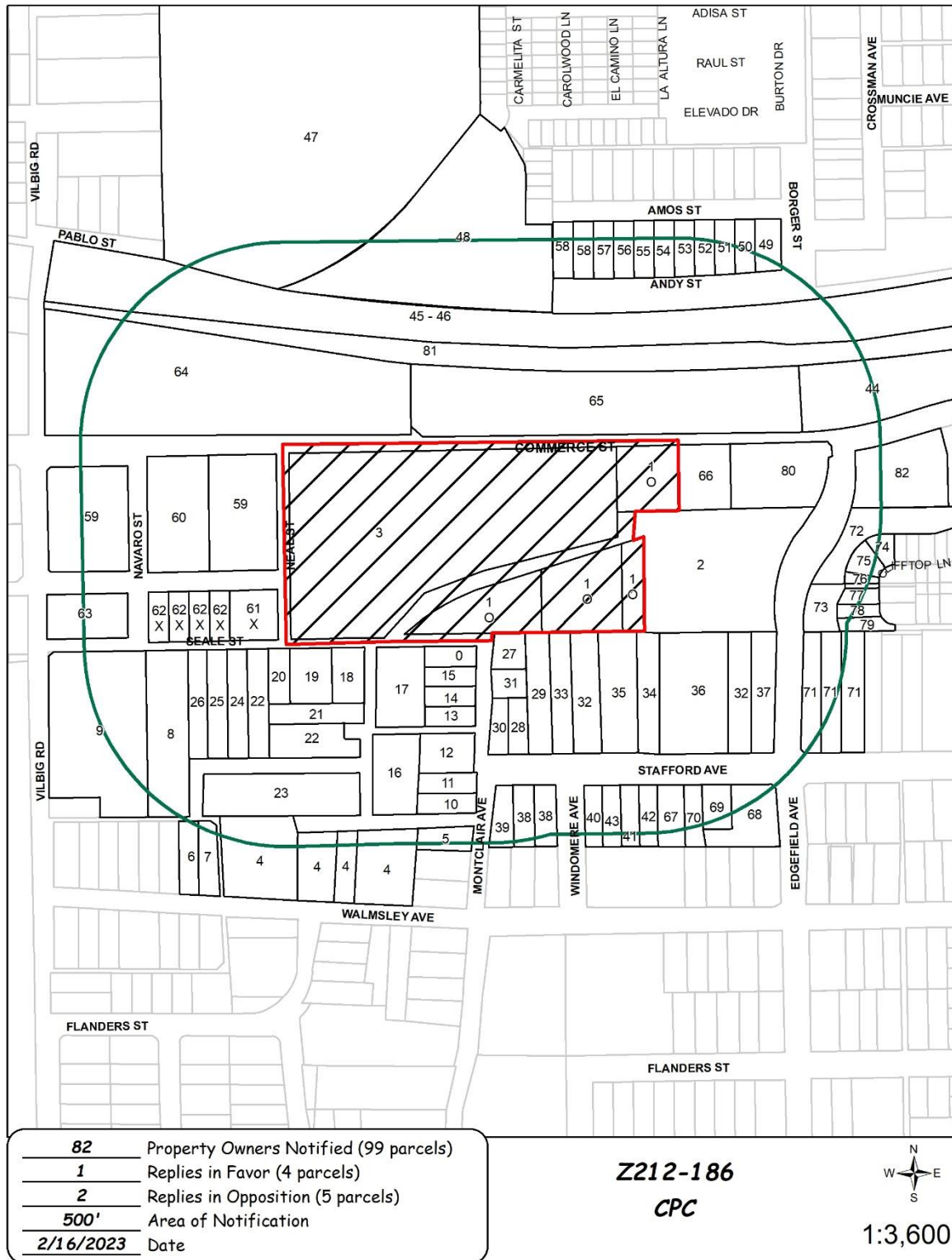








## Market Value Analysis



02/15/2023

***Reply List of Property Owners******Z212-186******82 Property Owners Notified      1 Property Owners in Favor      2 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	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



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<i>Reply</i>	<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 &



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<i>Reply</i>	<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
X	61	1619 SEALE ST	C S M TRANSPORT
X	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