

**CPC PROPOSED CONDITIONS**

**ARTICLE 15.**

**PD 15.**

**SEC. 51P-15.101. LEGISLATIVE HISTORY.**

PD 15 was established as a C-2 district with special deed restrictions by Ordinance No. 4040, passed by the Dallas City Council on April 23, 1947. Ordinance No. 4040 amended Chapter 165 of Title XLIII of the Code of Civil and Criminal Ordinances of 1941. The district created by Ordinance No. 4040 was converted to PD 15 by Comprehensive General Zoning Ordinance No. 10962, passed by the Dallas City Council on March 29, 1965. Ordinance No. 4040 was amended by Ordinance No. 14241, passed by the Dallas City Council on September 4, 1973; Resolution No. 77-2960, passed by the Dallas City Council on October 5, 1977; Resolution No. 77-3605, passed by the Dallas City Council on November 30, 1977; and Ordinance No. 16683, passed by the Dallas City Council on September 17, 1980. (Ord. Nos. 3251; 4040; 10962; 14241; 16683; 24637; Res. Nos. 77-2960; 77-3605)

**SEC. 51P-15.102. PROPERTY LOCATION AND SIZE.**

PD 15 is established on property located on the north side of West Northwest Highway between Pickwick Lane and Baltimore Avenue. The size of PD 15 is approximately **12.6 [14.2]** acres. (~~Ord. Nos. 14241; 24637~~)

**SEC. 51P-15.103. DEFINITIONS AND INTERPRETATIONS.**

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

(1) BLANK WALL AREA means any portion of the exterior of a building that does not include a material change, windows or doors, or columns, pilasters, or other articulation greater than 12 inches in depth. Blank wall area is measured horizontally on each story.

(2) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Chapter 455 of the Texas Occupation Code, as amended.

(3) PORTICO means an open-air structure attached to a building that consists of a roof supported by columns.

(4) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an

indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the piercing of body parts, other than ears, to allow the insertion of jewelry.

(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.

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

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

**SEC. 51P-15.104. EXHIBIT.**

The following exhibit is incorporated into this article: Exhibit 15A: Subarea map.

**SEC. 51P-15.105. CREATION OF SUBAREAS.**

This district is divided into the following two subareas:

(1) Subarea A.

(2) Subarea B.

**SEC. 51P-15.106. DEVELOPMENT PLAN.**

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

(b) No development plan is required for the interior remodel of an existing structure (from the passage of this ordinance), sidewalk construction in accordance with Section 51P-15.116, or landscape improvements in accordance with Section 51P-15.113.

**SEC. 51P-15.107. MAIN USES PERMITTED.**

The following uses are the only main uses permitted:

(1) Residential uses.

- Single family. [A minimum of six, maximum of eight single family structures must be attached together. A minimum of 15 feet must be provided between each group of six to eight single family structures.]
  - Handicapped group dwelling unit. [A minimum of six, maximum of eight single family structures must be attached together. A minimum of 15 feet must be provided between each group of six to eight single family structures. SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]
  - Multifamily.
  - Retirement housing.
- (2) Institutional and community service uses.
- Church.
- (3) Utility and public service uses.
- Local utilities.
  - Tower/antenna for cellular communication. [Limited to a mounted cellular antenna].

**SEC. 51P-15.108.**

**LIMITED USES PERMITTED IN SUBAREA A.**

The following limited uses are permitted in Subarea A on the first and second floors only:

- (1) Office uses.
- Medical clinic or ambulatory surgical center.
  - Office.
- (2) Retail and personal service uses.
- Alcoholic beverage establishment.
  - Dry cleaning or laundry store.
  - General merchandise or food store less than 3,500 square feet.
  - Personal service use [tattoo and massage establishment prohibited].

**SEC. 51P-15.109.**

**ACCESSORY USES.**

(a) Except as provided in this section, 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.

(b) The following specific accessory uses are not permitted:

- *Accessory medical/infectious waste incinerator.*
- *Accessory pathological waste incinerator.*
- *Accessory outside storage.*
- *Amateur communication tower.*
- *General waste incinerator.*

**SEC. 51P-15.110.**

**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) Setbacks.

(1) Perimeter setbacks. Minimum setback from:

(A) Northwest Highway is 70 feet.

(B) Pickwick Lane is 20 feet.

(C) Baltimore Drive is 20 feet.

(D) the alley along the northern Property line is 20 feet.

(2) Interior setbacks.

(A) Minimum setback from an interior property line that runs east/west is 40 feet.

(B) Minimum setback from an interior property line that runs north/south is 20 feet.

(3) Encroachments.

(A) Benches, street lamps, transformers and other utility equipment, landscape planters, sculptures, and other decorative landscape items may be located within the required setbacks.

(B) Seat walls, retaining walls, stoops, porches, steps, unenclosed balconies, ramps, handrails, and safety railings all not exceeding four feet in height may project up to five feet into the required setbacks.

(C) Balconies, bay windows, awnings, and signs affixed to the building or part of the foundation may project up to five feet into the required setbacks if the clearance of the projection is a minimum of 12 feet above grade.

(D) Porticos may encroach up to 15 feet into the Northwest Highway setback and the setback from an interior property line that runs east/west.

(4) Urban form setback.

(A) An additional 20-foot front yard setback from Northwest Highway is required for that portion of a structure over 45 feet in height.

(B) An additional 20-foot setback from any interior property line that runs east/west is required for that portion of a structure over 45 feet in height.

(5) Tower spacing. Along Pickwick Lane, Baltimore Drive, and the interior property lines that run north/south an additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet.

(b) Density.

(1) In general. Maximum dwelling unit density is 90 dwelling units per acre.

(2) Open space density bonus. Five additional dwelling units per acre are allowed if an additional five percent of the building site is reserved as open space in accordance with Section 51P-15.115 and provided in addition to the five percent of open space required in Section 51P-15.115. The open space density bonus can only be used in addition to the requirements in Section 51P-15.115 and Section 51P-15.110(e) and can only be used for a one time bonus for five additional dwelling units per acre.

(3) Mixed-income housing density bonus. When the provisions of Section 51P-15.119 are met:

(A) except as provided in this paragraph, maximum dwelling unit density per acre may increase in accordance with the following:

**CPC Recommendation:**

<u>Set aside minimums</u> (% of total residential units reserved in each income band, adjusted annually)	<u>Maximum Unit Density</u> per Acre	<u>Density per Acre Increase</u>
<u>5% at 51-60% AMFI and</u> <u>5% at 61-80% AMFI</u>	100	<u>+10 dwelling units per acre</u>
<u>5% at 51-60% AMFI and</u> <u>5% at 61-80% AMFI and</u> <u>5% at 81-100% AMFI</u>	120	<u>+30 dwelling units per acre</u>

**Staff Comment: Decrease mixed-income set aside percentages from 10 percent to 5 percent for 10 additional dwelling units per acre and from 15 percent to 10 percent for 30 additional dwelling units per acre. Staff’s Suggested Language:**

<u>Set aside minimums</u> (% of total residential units reserved in each income band, adjusted annually)	<u>Maximum Unit Density</u> per Acre	<u>Density per Acre Increase</u>
<u>5% at 51-60% AMFI and</u> <u>5% at 61-80% AMFI</u>	100	<u>+10 dwelling units per acre</u>
<u>5% at 51-60% AMFI and</u> <u>5% at 61-80% AMFI and</u> <u>5% at 81-100% AMFI</u>	120	<u>+30 dwelling units per acre</u>

**CPC Recommendation:**

(B) maximum dwelling unit density may increase to 125 dwelling units per acre when a building complies with Subsection (d)(2)(B) and mixed income housing is provided at five percent at 51-60 percent AMFI and five percent at 61-80 percent AMFI.

**Staff Comment: Increase mixed-income set aside percentages from 10 percent to 15 percent. Staff’s Suggested Language:**

(B) maximum dwelling unit density may increase to 125 dwelling units per acre when a building complies with Subsection (d)(2)(B) and mixed income housing is provided at five percent at 51-60 percent AMFI and, five percent at 61-80 percent AMFI, and five percent at 81-100 percent AMFI.

(4) Combined density bonuses. The density bonuses in Paragraphs (2) and (3)(A) may be used independently or combined.

(c) Floor area ratio. No maximum floor area ratio.

(d) Height.

(1) Maximum structure height.

(A) For structures located within 240 feet of Northwest Highway:

(i) except as provided in this subparagraph, maximum structure height is 240 feet.

**CPC Recommendation:**

(ii) maximum structure height is 310 feet when:

(aa) a building complies with Paragraph (2)(B); and

(bb) the provisions of Section 51P-15.119 are met and mixed income housing is provided at five percent at 51-60 percent AMFI and five percent at 61-80 percent AMFI.

**Staff Comment: Increase mixed-income set aside percentages from 10 percent to 15 percent. Staff's Suggested Language:**

(ii) maximum structure height is 310 feet when:

(aa) a building complies with Paragraph (2)(B); and

(bb) the provisions of Section 51P-15.119 are met and mixed income housing is provided at five percent at 51-60 percent AMFI and, five percent at 61-80 percent AMFI, and five percent at 81-100 percent AMFI.

(B) For structures located between 240 feet north of Northwest Highway and the north Property line, maximum structure height is 96 feet.

(2) Residential proximity slope.

(A) Except as provided in this paragraph, residential proximity slope defined in 51A-4.412 applies to the Property.

**CPC Recommendation:**

(B) A building on a building site abutting and within 240 feet of Northwest Highway does not need to comply with residential proximity slope if:

(i) the building has a floor plate of 15,000 square feet or less;

(ii) the building site provides a minimum of 12.5 percent contiguous usable open space in accordance with Section 51P-15.115 located adjacent to:

(a) any interior north/south property line within **Subarea B**;

(b) any interior east/west property line; or

(c) the terminus of an interior east/west property line;  
and

(iii) all required parking is located in an underground parking structure.

**Staff Comment: Clarify that the open space in the section below must be provided in addition to the base open space requirements. Staff's Suggested Language:**

(B) A building on a building site abutting and within 240 feet of Northwest Highway does not need to comply with residential proximity slope if:

(i) the building has a floor plate of 15,000 square feet or less;

(ii) the building site provides a minimum of 12.5 percent contiguous usable open space in accordance with Section 51P-15.115 and in addition to the requirements in Section 51P-15.115 and Section 51P-15.110(e) and located adjacent to:

**B**;

(a) any interior north/south property line within **Subarea**

(b) any interior east/west property line; or

(c) the terminus of an interior east/west property line;

and

(iii) all required parking is located in an underground parking structure.



(3) Projections.

(A) The following architectural elements may project up to six feet above the maximum structure height:

(i) Elevator or stair penthouse or bulkhead.

(ii) Mechanical equipment room.

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

(B) Parapet walls and guard rails may project up to four feet above the maximum structure height.

(e) Lot coverage.

(1) Within 240 feet of Northwest Highway, lot coverage is calculated as follows:

(A) For structures less than or equal to 96 feet in height, maximum lot coverage is 65 percent.

(B) For structures between 96 feet and 168 feet in height, maximum lot coverage is 55 percent, and 10 percent of open space must be provided in addition to the five percent of open space required in Section 51P-15.115.

(C) For structures greater than 168 feet in height, maximum lot coverage is 45 percent, and 20 percent of open space must be provided in addition to the five percent of open space required in Section 51P-15.115.

(2) Between 240 feet north of Northwest Highway and the north Property line, lot coverage is calculated as follows:

(A) For structures less than or equal to 60 feet in height, maximum lot coverage is 65 percent.

(B) For structures greater than 60 feet in height, maximum lot coverage is 55 percent, and 10 percent of open space must be provided in addition to the five percent of open space required in Section 51P-15.115.

(3) If a lot contains a structure that has increased height and decreased lot coverage as specified in Subsections (e)(1)(B), (e)(1)(C), or (e)(2)(B), lot coverage for the entire building site is subject to the lowest of the lot coverage percentages used.

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

(f) Lot size. Minimum lot size for a single family and handicapped group dwelling use is 2,000 square feet. No minimum lot size for all other uses.

(g) Stories. No maximum number of stories above grade.

**SEC. 51P-15.111. 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) Structured parking. Except as provided in this section, all required off-street parking must be located within an aboveground or underground parking structure.

(1) Structured parking access. If an underground or aboveground parking structure is constructed on a building site adjacent to Northwest Highway or Northwest Parkway it must provide vehicular access from the parking structure to Northwest Parkway or Northwest Highway.

(2) Aboveground parking structures. Aboveground parking structure must be screened or wrapped.

(A) Screening of parking structures. Openings in aboveground parking structure facades must be screened except for openings for vehicular access. Screening may include architectural grill work or other materials that provide ventilation.

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

(3) Single family and handicapped group dwelling unit garages. For single family and handicapped group dwelling unit uses, enclosed parking garages must be provided for required off-street parking.

(c) Surface parking.

(1) Required parking may not be provided as surface parking.

(2) Excess surface parking is only allowed as parallel parking with a minimum four-foot-wide bump out for every three spaces of parallel parking along an interior property line that runs east/west or within the Northwest Highway required setback.

(d) Service, loading, and garbage storage areas. Service, loading, and garbage storage areas must be enclosed within a main structure.

**SEC. 51P-15.112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-15.113. LANDSCAPING AND PEDESTRIAN AMENITIES.**

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

(b) Pedestrian zones along required setbacks.

(1) Pedestrian zone along Northwest Highway. The following must be provided in an area between 50 feet and 65 feet from Northwest Highway:

(A) A minimum of one medium or large tree per 30 linear feet.

(B) A minimum of one bench per 60 linear feet.

(C) A minimum of one pedestrian street lamp (free-standing or wall mounted) per 50 linear feet.

(2) Pedestrian zone along interior property lines that run east/west. The following must be provided either in an area between zero feet and 15 feet from the back of the projected curb or edge of paving along all interior property lines that run east/west or, if there is no drive aisle, between the exterior structure facade and the lot line:

(A) A minimum of one medium or large tree per 30 linear feet.

(B) A minimum of one bench per 60 linear feet.

(C) A minimum of one pedestrian street lamp (free-standing or wall mounted) per 50 linear feet.

(c) Northwest Highway landscaping buffer. The street buffer zone in Section 51A-10.125(b)(1) does not apply to the landscape area fronting Northwest Highway.

(1) A minimum 10-foot-wide landscape buffer strip with screening must be provided along Northwest Highway.

(2) An existing or improved wall or fence must be provided in the landscape buffer and placed alongside large evergreen shrubs planted to form a full screening effect, or in combination with options for plant screening with one of the five options listed in Section 51A-10.126(b)(4)(D).

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

**SEC. 51P-15.114. SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. 51P-15.115. OPEN SPACE.**

(a) Minimum required open space. A minimum of five percent of the building site must be reserved as open space for activity such as active or passive recreation, groundwater recharge, or landscaping and must be located between the exterior structure facade and the property line.

(b) Increased height/decreased lot coverage open space requirements. In addition to the minimum open space required in Subsection (a), additional open space may be required due to increased height/decreased lot coverage. See Section 51P-15.110(e).

(c) Density bonus for open space. To obtain a density bonus of five additional dwelling units per acre, an additional five percent of the building site must be reserved as open space. This requirement is in addition to the open space requirements in Subsections (a) and (b).

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

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

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

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

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

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

(6) Landscape areas that fulfil the requirements of Article X may also fulfil these requirements if all conditions of this section and Article X are met.

(7) Open space requirements may include the pedestrian zones as referenced in Section 51P-15.113(b).

**SEC. 51P-15.116. SIDEWALKS.**

(a) A sidewalk with a minimum average width of six feet must be provided along all street frontages and all interior required setbacks that run east/west except for the rear yard setback along the north Property line.

(1) Except as provided in this subsection, all sidewalks must be clear and unobstructed for a minimum of five feet in width.

(2) Tree grates do not count toward the minimum unobstructed sidewalk width.

(3) If the director determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location.

(b) A sidewalk with a minimum width of four feet must be provided along all interior required setbacks that run north/south.

(c) Sidewalks must be located in an area parallel to and between:

(1) Two feet and 15 feet of the back of the projected curb or edge of paving along Pickwick Lane and Baltimore Drive.

(2) Zero feet and 15 feet of the back of the projected street curb or edge of paving along all interior property lines that run east/west and north/south or, if there is no drive aisle, between the exterior structure facade and the lot line.

(3) 50 feet and 65 feet from Northwest Highway.

(d) Where a sidewalk crosses a vehicular driveway, the sidewalk must be constructed of a material, texture, or color that contrasts to the material, texture, or color of the vehicular driveway.

**SEC. 51P-15.117. DESIGN STANDARDS.**

(a) Transparency.

(1) Ground-story. A minimum of 30 percent transparency is required on the ground-story facade.

(2) Upper-stories. A minimum of 20 percent transparency is required on each of the upper story facades.

(3) Applicability. This subsection does not apply to facades facing the northern Property line except for facades facing open space as provided in Section 51P-15.115.

(b) Pedestrian building entrance. Except for facades facing the northern Property line that do not face open space as provided in Section 51P-15.115, a minimum of one pedestrian building entrance is required per 125 feet of building facade.

(c) Blank wall area. Maximum blank wall area is 30 linear feet on any facade.

(d) Highly reflective glass. Highly reflective glass is prohibited. Reflective glass may not be used as an exterior building material on any building or structure in the district.

(e) Non-required fences. Unless a use specifically requires screening, all fences along a street, setback, or open space must have a surface area that is a minimum of 50 percent open, allowing visibility between three feet and six feet above grade. The exception for multifamily uses in Section 51A-4.602(a)(2) that provides that a fence exceeding four feet above grade may be erected in a front yard in multifamily districts does not apply.

**SEC. 51P-15.118. STREET FRONTAGES.**

A lot is not required to front upon either a dedicated street or a private street if adequate access is provided by an access easement. The design and construction of the access easement must be approved by the director of public works and transportation in accordance with standard city rules and specifications.

**SEC. 51P-15.119. MIXED-INCOME HOUSING.**

(a) Except as provided in this section, compliance with Division 51A-4.1100 is required to obtain the density bonus in Section 51P-15.110(b)(3).

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

**SEC. 51P-15.120. SPECIAL PROVISIONS.**

(a) Development bonuses for enhanced urban design.

(1) During development plan review, the director shall assign points for each of the below enhanced urban design features:

(A) To prevent a wall effect along Northwest Highway for any building greater than 96 feet in height, three points are assigned for any one of the following:

(i) A tower with a floor plate of less than 15,000 square feet;

(ii) For a tower with a floor plate between 15,000 square feet and 18,000 square feet, the tower dimension perpendicular to Northwest Highway must equal or exceed the tower dimension parallel to Northwest Highway;

(iii) For a tower with a floor plate more than 18,000 square feet, the tower dimension perpendicular to Northwest Highway must be at least three times longer than the tower dimension parallel to Northwest Highway.

**CPC Recommendation:**

(B) One point, up to a maximum of five points, for each 2.5 percent of building site area of usable open space in accordance with Section 51P-15.115 located at grade and:

(i) Abutting any interior north/south property line within Subarea B; or

(ii) Abutting any interior east/west property line or located at the terminus of an adjacent interior east/west property line and either abutting, or across a street or driveway from, other such usable open space on other building sites.

**Staff Comment: Clarify that the open space must be contiguous and be provided in addition to the base open space requirements. Staff's Suggested Language:**

(B) One point, up to a maximum of five points, for each 2.5 percent of building site area of contiguous usable open space in accordance with Section 51P-15.115 located at grade and in addition to the requirements in Section 51P-15.115 and Section 51P-15.110(e) and located adjacent to:

(i) Abutting any interior north/south property line within Subarea B; or

(ii) Abutting any interior east/west property line; or located at the terminus of an adjacent interior east/west property line and either abutting, or across a street or driveway from, other such usable open space on other building sites.

(iii) the terminus of an interior east/west property line.

(C) Six points or a maximum density increase of 25 dwelling units per acre for locating all required off-street parking spaces, except for prospective tenant and delivery spaces, in an underground structure.

**CPC Recommendation:**

(D) Two points for a minimum 75 percent of a building facade facing an east/west property line with ground floor dwelling units having individual entries. Individual entries may be gated and private yards may be fenced if the fencing is a minimum of 50 percent open, such as wrought iron. Fences and stoops for dwelling units may project up to five feet within a required setback and have at least one of the following two building elements:

(ii) A minimum of two different facade materials on a building facade facing an east/west property line; or

(iii) Building articulation with a minimum depth of one foot for every 50 feet of length of a building facade.

**Staff Comment: Regulations for fences and stoops are already listed in the ordinance. Building facade and articulation is already required through blank wall area regulations. Staff's Suggested Language:**

~~(D) Two points for a minimum 75 percent of a building facade facing an east/west property line with ground floor dwelling units having individual entries. Individual entries may be gated and private yards may be fenced if the fencing is a minimum of 50 percent open, such as wrought iron. Fences and stoops for dwelling units may project up to five feet within a required setback and have at least one of the following two building elements:~~

~~(ii) A minimum of two different facade materials on a building facade facing an east/west property line; or~~

~~(iii) Building articulation with a minimum depth of one foot for every 50 feet of length of a building facade.~~

**CPC Recommendation:**

(E) Two points total for the following landscaping elements:

(i) Tree planting that exceeds by at least 20 percent in quantity, or at least 20 percent of caliper inch size requirement; and

(ii) A minimum of three of the following pedestrian amenities per building site in excess of the requirements in Section 51P-15.113(b): bench, drinking fountain, trash receptacle, pedestrian-scale lighting fixture, water feature, artwork visible from outside the building site.



**Staff Comment: Enlarged tree bonuses could cause conflict and unintended consequences with Article X and has limited benefits. Additional pedestrian amenities are excessive, cause clutter, and provide limited benefits. Staff's Suggested Language:**

~~\_\_\_\_\_ (E) Two points total for the following landscaping elements:~~

~~\_\_\_\_\_ (i) Tree planting that exceeds by at least 20 percent in quantity, or at least 20 percent of caliper inch size requirement; and~~

~~\_\_\_\_\_ (ii) A minimum of three of the following pedestrian amenities per building site in excess of the requirements in Section 51P-15.113(b): bench, drinking fountain, trash receptacle, pedestrian scale lighting fixture, water feature, artwork visible from outside the building site.~~

\_\_\_\_\_ (2) Points assigned in accordance with Paragraph (1) may be applied to the following development bonuses:

\_\_\_\_\_ (A) Elimination of the tower spacing and urban form setback requirements: 2 points.

\_\_\_\_\_ (B) Elimination of any property zoned MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) as a residential proximity slope site of origination under Section 51A-4.412: 2 points.

\_\_\_\_\_ (C) Increases of density in increments of five dwelling units per acre up to a maximum increase of 25 dwelling units per acre: 1 point for each five dwelling units per acre increase up to the maximum.

\_\_\_\_\_ (D) Reduction of the setback from an interior east/west property line of 10 feet: 2 points (maximum 10 foot reduction)

**CPC Recommendation:**

\_\_\_\_\_ (E) One-time ten percentage point increase in lot coverage: 3 points.

**Staff Comment: Clarify to ensure that increase in lot coverage does not decrease open space that would otherwise be required. The intent is to provide flexibility, not to take away required open space. Staff's Suggested Language:**

\_\_\_\_\_ (E) One-time ten percentage point increase in lot coverage provided that the original open space requirement in Section 51P-15.110(e) is met: 3 points.

**CPC Recommendation:**

(b) Increases in density provided in Section 51P-15.120(a)(1)(C), Section 51P-15.120(a)(2)(C), and Section 51P-15.110(b)(2) may be combined up to a total maximum density of 115 dwelling units per acre. For density greater than 115 dwelling units per acre, Section 51P-15.110(b)(3)(A) must be utilized for mixed income housing provided at five percent at 51-60 percent AMFI and five percent at 61-80 percent AMFI. Total density may not exceed 125 dwelling units per acre.

**Staff Comment: Prioritize mixed-income housing. Require that any points exchanged for density must utilize mixed-income housing first. Staff's Suggested Language:**

(b) To assign points related to increases in density, mixed-income housing must be provided at five percent at 51-60 AMFI and five percent at 61-80 AMFI in accordance with the provisions in Section 51P-15.110(b)(3)(A) and Section 51P-15.119. Increases in density provided in Section 51P-15.120(a)(1)(C), Section 51P-15.120(a)(2)(C), and Section 51P-15.110(b)(2) may be combined up to a total maximum density of 115 dwelling units per acre. For density greater than 115 dwelling units per acre, Section 51P-15.110(b)(3)(A) must be utilized for mixed income housing provided at five percent at 51-60 percent AMFI and five percent at 61-80 percent AMFI. Total density may not exceed 125 dwelling units per acre.

**SEC. 51P-15.121. ADDITIONAL PROVISIONS.**

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

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

**SEC. 51P-15.122. 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.”

**[SEC. 51P-15.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

**SEC. 51P-15.104. USES.**

(a) ~~Use of the first and second floors of the building known as the Preston Towers Condominium Building at 6211 W. Northwest Highway are limited to the following uses:~~

- ~~(1) Snack shop, limited to 1200 square feet of floor space.~~
- ~~(2) Private club with bar service, limited to 1500 square feet of floor space.~~
- ~~(3) Barber shop and beauty shop.~~
- ~~(4) Health studio.~~
- ~~(5) Laundry or dry cleaning (self service).~~
- ~~(6) Laundry or cleaning pickup and receiving station.~~
- ~~(7) Food store, retail sales.~~
- ~~(8) Book and stationery store.~~
- ~~(9) Cigar, tobacco, and candy store.~~
- ~~(10) Drug store or pharmacy.~~
- ~~(11) Medical office.~~
- ~~(12) General office.~~
- ~~(13) Optical shop.~~
- ~~(14) Jewelry store.~~
- ~~(15) Travel bureau.~~
- ~~(16) Clothing store.~~
- ~~(17) Florist shop.~~

(18) ~~Party service office.~~

(b) ~~All of the above listed uses are restricted to the first and second floors in accordance with the attached floor plans, limited to a total of 24,487 square feet of net leasable space, and must be limited uses subject to the provisions of Section 10-1000, Chapter 51. [Note: Section 10-1000 was later recodified as Section 51-4.218 in Chapter 51.]~~

(c) ~~Only Multiple Family 3 District uses, excluding the uses listed in Subsections (a) and (b) above, are permitted in the balance of the Preston Towers Condominium Building.~~

**SEC. 51P-15.105. DENSITY.**

~~The density of PD 15 is limited to the present density plus the density of the proposed tower on Tract 3, up to a maximum of 52.4 dwelling units per acre.~~

**SEC. 51P-15.106. FIRE SAFETY.**

(a) ~~An automatic sprinkler system must be provided as required in Section 16-61 of Ordinance No. 8737, the City Fire Protection Code.~~

(b) ~~In order to provide sufficient water for fire protection, the building must be connected to the 12 inch water main located on the north right of way line of Northwest Highway.~~

(c) ~~The applicant must provide an eight inch water line along the north property line of PD 15 to connect the existing water lines located at Pickwick Lane and at Baltimore Lane. Two standard fire hydrants must be installed along this eight inch water line, dividing its length into three equal parts.~~

(d) ~~The alley along the north property line of PD 15 must be designated as a fire lane.~~

(e) ~~The north/south access easement adjacent to the east boundary line of Tract 3 in PD 15 must be designated as a fire lane.~~

(f) ~~The perpetual access easement adjacent to the north right of way line of Northwest Highway must be designated as a fire lane. (Ord. Nos. 14241; 24637)~~

**SEC. 51P-15.107. CIRCULATION AT PICKWICK LANE.**

~~Parking is prohibited on both sides of Pickwick Lane from Northwest Highway to Bandera Avenue. "No parking" signs must be provided except adjacent to the east right of way line where the 60 foot curb cut for a loading apron is located. The area of the loading apron is shown on the site plan labelled Exhibit 15A. A sidewalk must be constructed adjacent to the loading apron.~~

**SEC. 51P-15.108. TRAFFIC STUDY.**

~~A traffic study of the area north of Northwest Highway, south of Bandera Road, east of Preston Road, and west of Edgemere must be conducted by the department of public works and transportation. The purpose of the study is to determine the feasibility of alternate traffic patterns and the use of additional traffic control devices to relieve the congested conditions in the area.~~

**SEC. 51P-15.109. ACCESS TO DIAMOND HEAD CIRCLE.**

~~Permanent vehicular access must be provided from the proposed apartment building on Tract 3 to Diamond Head Circle (a private street). Diamond Head Circle must be designated as a perpetual access easement.~~

**SEC. 51P-15.110. ELEVATION.**

~~The eight by ten color photograph of the prospective elevation presented to the city plan commission is labelled as Exhibit 15B. An architectural performance document presented to the city plan commission and required to be attached to Ordinance No. 14241 cannot be located in official city files and is therefore not an exhibit to this article.~~

**SEC. 51P-15.111. CERTIFICATES OF OCCUPANCY REQUIRED.**

~~All businesses within the Preston Towers Condominium Building must obtain a certificate of occupaney unless they presently possess a valid certificate of occupaney.~~

**SEC. 51P-15.112. PARKING.**

(a) ~~Residential off-street parking must be provided at the minimum rate of 1.22 spaces per unit. If the total number of units reaches 318, any additional units must provide parking in accordance with the requirements of Section 20-200, Chapter 51. [Note: Section 20-200 was a "Schedule of Minimum Off-street Parking for Single Family, Two Family, and Multiple Family Dwellings – Residential Districts." This schedule was later eliminated and its information incorporated into the use regulations in Chapter 51.]~~

(b) ~~A minimum of 89 off-street parking spaces must be provided for the nonresidential uses.~~

**SEC. 51P-15.113. ZONING MAP.**

~~PD 15 is located on Zoning Map No. F-7.~~

**SEC. 51P-15.114. PLAN.**

~~Development on the Property must comply with Exhibit 15A.]~~

Note: highlighted wording was added for clarification