

ORDINANCE NO. 27392

An ordinance changing the zoning classification on the following property:

BEING a tract of land in Block A/5459, fronting approximately 232.62 feet on the north line of Walnut Hill Lane at Manderville Lane, and containing approximately 3.75 acres,

from an RR Regional Retail District to Planned Development District No. 804; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 804; establishing use regulations and development standards for this planned development district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property described in this ordinance; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from an RR Regional Retail District to Planned Development District No. 804 on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property").

SECTION 2. That Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Article 804 to read as follows:

"ARTICLE 804.

PD 804.

SEC. 51P-804.101. LEGISLATIVE HISTORY.

PD 804 was established by Ordinance No. _____, passed by the Dallas City Council on November 10, 2008.

SEC. 51P-804.102. PROPERTY LOCATION AND SIZE.

PD 804 is established on property located on the northwest line of Walnut Hill Lane at Manderville Lane. The size of PD 804 is approximately 3.75 acres.

SEC. 51P- 804.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, MEDICAL CLINIC, AMBULATORY SURGICAL CENTER, AND OFFICE COMPLEX means a combination of a medical clinic or ambulatory surgical center uses, office uses, and RR Regional Retail District uses with a total combined floor area that exceeds 245,025 square feet.

(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 nonresidential zoning district.

SEC. 51P- 804.104. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit 804A: development plan.

SEC. 51P-804.105. DEVELOPMENT PLAN.

(a) For a medical clinic, ambulatory surgical center, and office complex use, development and use of the Property must comply with the development plan (Exhibit 804A). If

there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required if total floor area does not exceed 245,025 square feet, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

SEC. 51P-804.106. MAIN USES PERMITTED.

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

(b) The following main use is permitted:

- Medical clinic, ambulatory surgical center, and office complex.

SEC. 51P-804.107. ACCESSORY USES.

(a) 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 accessory uses are permitted by SUP only:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.

SEC. 51P-804.108. 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) Except as provided in this section, the yard, lot, and space regulations for the RR Regional Retail District apply.

(b) For medical clinic, ambulatory surgical center, and office complex use the following regulations apply:

- (1) Front yard. The urban form setback does not apply.
- (2) Floor area ratio. Maximum floor area ratio is 4.0. The maximum floor area for RR Regional Retail uses other than medical clinic or ambulatory surgical center uses and office uses is 20,000 square feet.
- (3) Height. Maximum structure height is 210 feet. Except when originating from a multifamily district, the residential proximity slope in Section 51A-4.412 applies.
- (4) Stories. The maximum number of stories above grade is 12.
- (5) Visual intrusion. The visual intrusion limitation does not apply.

SEC. 51P-804.109. OFF-STREET PARKING AND LOADING.

(a) 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) Uses other than restaurant without drive-in or drive-through service; restaurant with drive-in or drive-through service; alcoholic beverage establishments; and commercial amusement (inside) may reduce parking by 20 percent if the conditions for a parking reduction in Subsection (d) are provided.

(c) One space per 250 square feet of floor area is required for all uses associated with a medical clinic, ambulatory surgical center, and office complex use if the conditions for a parking reduction in Subsection (d) are provided.

(d) A parking reduction may be obtained if the following are provided:

- (1) one large tree planted within 20 feet of the curb for each 30 feet of frontage on Walnut Hill Lane (trees may count as site trees and street trees to meet Article X requirements);
- (2) a minimum six-foot-wide sidewalk along Walnut Hill Lane; and
- (3) a minimum of one bench located within 20 feet of the curb for each 100 feet of frontage along Walnut Hill Lane.

SEC. 51P-804.110. DRIVEWAY IMPROVEMENTS.

If total floor area exceeds 245,025 square feet, a certificate of occupancy may not be issued until the following driveway improvements are provided:

- (1) two egress lanes from the Property to southbound Walnut Hill Lane at the main entry; and
- (2) elimination of the existing driveway on Walnut Hill Lane between Manderville Lane and the main entry.

SEC. 51P-804.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-804.112. LANDSCAPING.

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) Section 51A-10.125(b)(1) "Perimeter Landscape Buffer Strip" does not apply.
- (c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-804.113. SIGNS.

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

SEC. 51P-804.114. 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-804.115. 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 director of public works and transportation.

(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-804.116. ZONING MAP.

PD 804 is located on Zoning Map No. E-5.”

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale version of Exhibit 804A (development plan) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 5. That the director of development services shall correct Zoning District Map No. E-5 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 804 in Chapter 51P.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 8. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

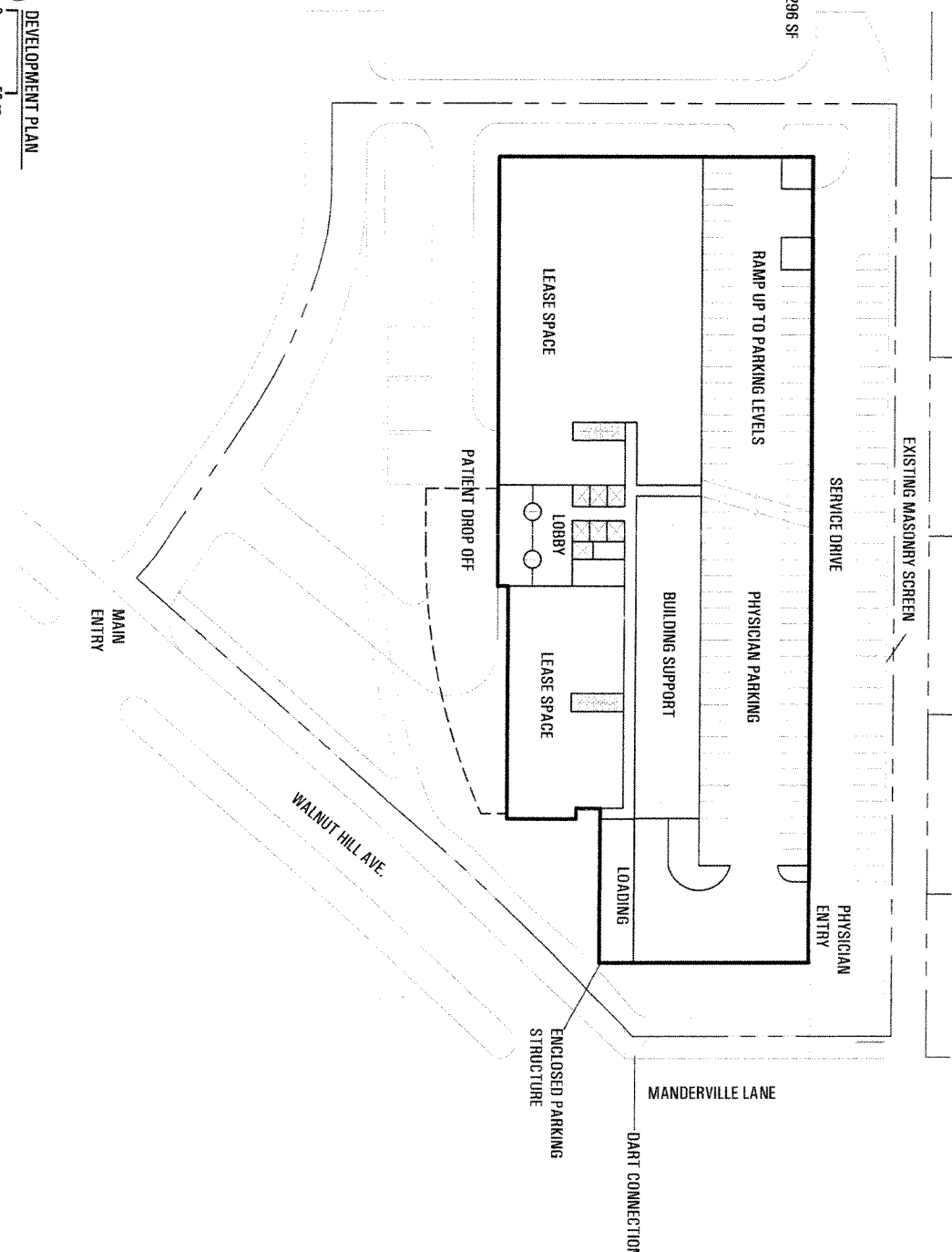
Passed NOV 10 2008

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27392

Exhibit 804A

LAND AREA: 3.75 ACRES (163,350 SF)
 TOTAL GARAGE: 333,240 SF (LEVELS 1-5)
 LEASE AREA GROUND LEVEL: 40,704 SF
 MEDICAL OFFICE LEASE AREA LEVELS (LEVELS 6-12): 219,296 SF
 TOTAL LEASE AREA: 260,000 SF
 FLOOR AREA RATIO:
 - MEDICAL OFFICE BUILDING (260,000 SF)
 SITE AREA (163,350 SF) = 1.6
 - MEDICAL OFFICE BUILDING (260,000 SF)
 + PARKING STRUCTURE (333,240 SF)
 SITE AREA (163,000 SF) = 3.63
 HEIGHT: 12 STORIES OR 210 FEET
 PARKING:
 - GROUND LEVEL LEASE AREA 1 SPACE/ 250 GSF = 163
 - MEDICAL OFFICE LEASE AREA 1 SPACE/ 260 GSF = 878
 TOTAL PARKING: 1041
 - 1000 GARAGE SPACES
 - 41 SURFACES SPACES



WALNUT HILL

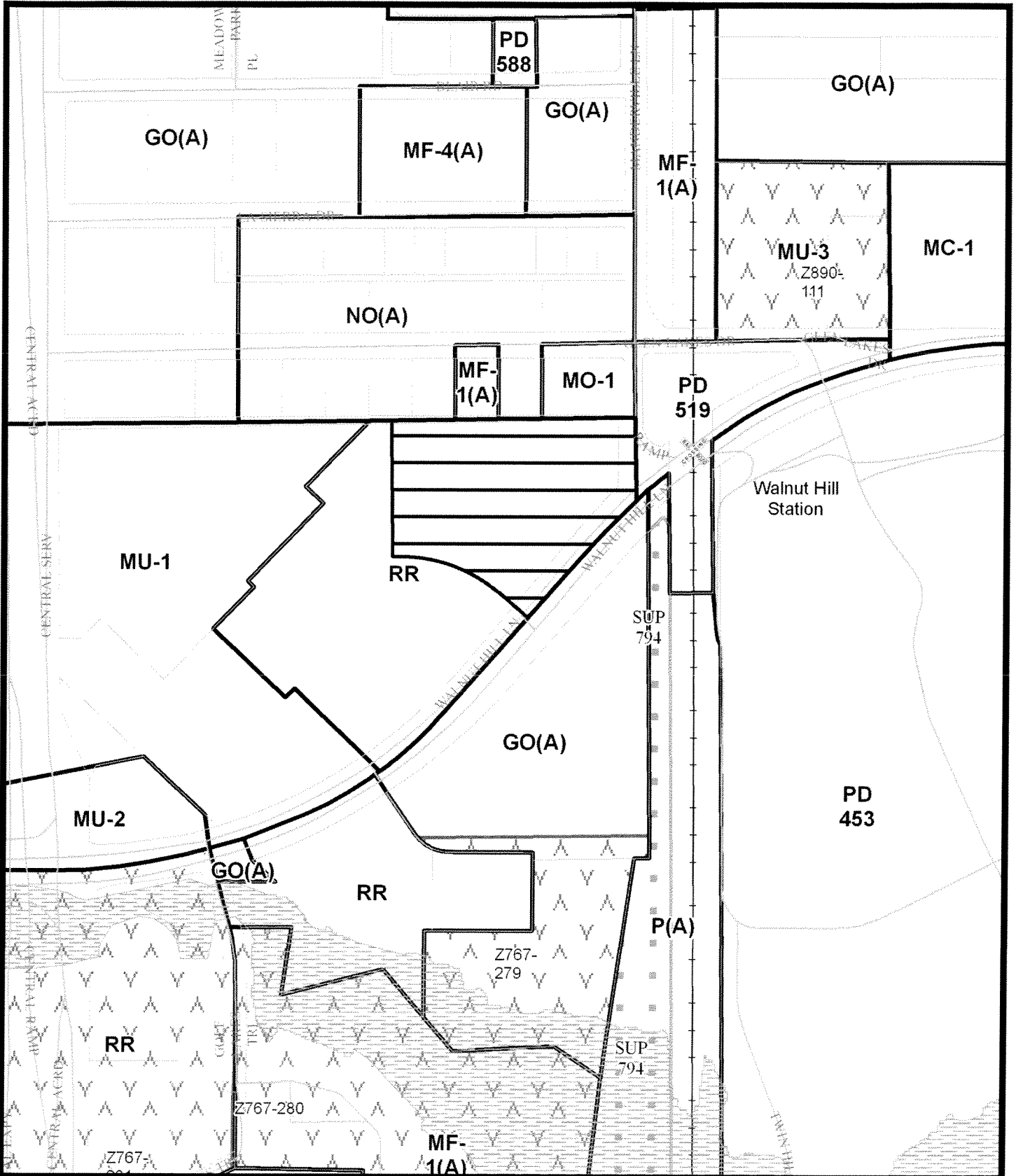
MEDICAL PLAZA

07 OCTOBER 2009

Zoning Case Number: Z078-280

Planned Development
District No. 804

Approved
City Plan Commission
October 16, 2008



1:3,600

ZONING AND LAND USE

E-5

Map no: _____

Z078-280 MW

Case no: _____