

ORDINANCE NO. 27397

An ordinance amending Article 71, "PD 71," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code; creating Subareas A and B; providing a tract map of Subareas A and B; providing height regulations for Subarea B; providing a development plan for Subarea B; 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 this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to amend Article 71 as specified in this ordinance; Now, Therefore,

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

SECTION 1. That Article 71, "PD 71," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"ARTICLE 71.

PD 71.

SEC. 51P-71.101. LEGISLATIVE HISTORY.

PD 71 was established by Ordinance No. 14700, passed by the Dallas City Council on October 14, 1974. Ordinance No. 14700 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 14700 was amended by Resolution No. 76-1522, passed by the Dallas City Council on June 7, 1976; Resolution No. 77-0760, passed by the Dallas City Council on March 21, 1977; Resolution No. 77-1505, passed by the Dallas City Council on June 1, 1977; and Resolution No. 78-3042, passed by the Dallas City Council on October 25, 1978.

SEC. 51P-71.102. PROPERTY LOCATION AND SIZE.

PD 71 is established on property generally located north of the north line of Forest Lane, east of Preston Haven Drive. The size of PD 71 is approximately 10 acres.

SEC. 51P-71.103. DEFINITIONS AND INTERPRETATIONS.

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

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

SEC. 51P-71.104. DEVELOPMENT PLAN.

(a) All development and use of Subarea A must be in accordance with the [~~city plan commission~~] approved development plan[s] for Subarea A (Exhibit[s] 71[A ~~and 71~~]B).

(b) All development and use of Subarea B must be in accordance with the approved development plan for Subarea B (Exhibit 71C). The location of the ingress and egress point shown on the development plan is approximate. The permanent location of the ingress and egress point must be approved by the director of public works and transportation. The centerline of the ingress and egress point must be offset from the centerline of Robledo Drive by at least 10 feet.

(c) This district is divided into Subareas A and B as shown on Exhibit 71A.

SEC. 51P-71.105. USES.

Single-family attached dwellings, a caretaker's or maintenance quarters, and private recreation areas including tennis courts, swimming pools, a lake, a greenhouse, and other common areas are permitted.

SEC. 51P-71.106. DENSITY.

A maximum of 27 dwelling units, including the caretakers or maintenance quarters, is permitted.

SEC. 51P-71.107. MAXIMUM HEIGHT.

(a) In Subarea A, n[N]o building may exceed 24 feet in height. One story structures may not exceed 18 feet in height and must be constructed as shown on Exhibit 71B [the approved development plan].

(b) In Subarea B, no building may exceed 30 feet in height.

SEC. 51P-71.108. LOT AREA.

A minimum of 5,000 square feet of lot area is required for each dwelling unit.

SEC. 51P-71.109. SUBDIVISION PLAT.

Prior to the issuance of a building permit, a subdivision plat of the entire area must be approved by the city plan commission and filed for record.

SEC. 51P-71.110. STREETS, PAVING, AND DEDICATIONS.

(a) All driveways, entrances, and streets must be constructed to the requirements of the department of public works and transportation, and all other departments of the city.

(b) In Subarea A, Lots 1 through 12 and Lot 27 must have frontage on a dedicated street, and [-] Lots 13 through 26 may front on private streets as provided in PD 53, adjacent to the north.

(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard c[C]ity [~~of Dallas~~] specifications to the satisfaction of the director of public works and transportation.

SEC. 51P-71.111. FIRE LANES.

Fire lanes or sprinkler systems must be provided in accordance with the requirements of the fire department.

SEC. 51P-71.112. SCREENING.

Screening must be provided as indicated on Exhibit 71B [~~the development plan~~]. A solid masonry wall, no lower in height than six feet, must be provided along the west and east property lines as shown on Exhibit 71B [~~the development plan~~]. A six-foot wall, or three-foot wall where [~~were~~] permitted, must be constructed along the southern property line adjacent to Forest Lane as shown on Exhibit 71B [~~the development plan~~].

SEC. 51P-71.113. LIGHTING.

Light fixtures for tennis courts and parking areas must be of the indirect, diffused or shielded type fixture and installed so as to reduce glare effect and not shine directly onto property outside of this PD. In addition, tennis court lights must: (1) have glare shades and shine only onto the courts; and (2) be off by 10:00 p.m. during the week and 11:00 p.m. on Friday and Saturday.

SEC. 51P-71.114. STREET LIGHTING.

Street lighting must be provided. The developer, however, has the option within the PD to erect his own lighting or use the lighting available from [~~the~~] public utilities [~~department of the city~~].

SEC. 51P-71.115. ACCESS.

(a) Except as provided in this section, ingress and egress to the development is limited to Forest Lane.

(b) For those dwellings north of the lake and located on Lots 19 through 26, access is permitted from Willow Lane through PD 53.

SEC. 51P-71.116. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.
~~[All signs, either temporary or permanent, must comply with Chapter 41 of the Dallas City Code.
 (the Sign Standards of Ordinance No. 14086).]~~

SEC. 51P-71.117. OFF-STREET PARKING.

A minimum of two off-street parking spaces per dwelling unit must be provided.

SEC. 51P-71.118. MAINTENANCE.

The Property [~~entire premises~~] must be maintained in a state of good repair and neat appearance. All common areas, landscaped areas, walls, fences, recreation areas or facilities must be maintained in perpetuity by the development's homeowners' association.

SEC. 51P-71.119. HOMEOWNERS' ASSOCIATION.

Prior to the sale of any lot within the area of the PD, a homeowners' association, providing for the common ownership and maintenance of all common areas, structures, drives, and easements, must be approved as to form by the city attorney and filed for record with the County of Dallas, Texas.

SEC. 51P-71.120. GENERAL REQUIREMENTS.

In connection with development under this PD, requirements of departments of the city must be met. The requirements of the department of public works and transportation regarding the maintenance of the lake and creek area or floodway easements must be met. Any relocation of lots or revision of lot configuration shown on the development plans as a result of public works and transportation requirements or any future revisions to the approved development plans must be made in accordance with Article VIII. [~~Section 10-661 of the Comprehensive Zoning Ordinance.~~]

SEC. 51P-71.121. GENERAL DEVELOPMENT REGULATIONS.

(a) Each single-family attached unit and the caretaker's quarters must be located on a platted lot, arranged as shown on the development plans. Adjacent dwelling units within the same building complex must be separated by a fire wall. Separate utilities and addresses must be provided for each dwelling unit.

(b) In Subarea B, the developer must provide a right-turn-only sign on the Property at the ingress and egress point during site development and preparation.

SEC. 51P-71.122. COMPLIANCE WITH CONDITIONS.

No certificate of occupancy may be issued by the building official until there has been full compliance with this article and any applicable provisions of the zoning ordinance and the building codes.

SEC. 51P-71.123. ZONING MAP.

PD 71 is located on Zoning Map No. D-7.”

SECTION 2. That the development plan, Exhibit 71A of Article 71, “PD 71,” of Chapter 51P of the Dallas City Code is replaced by the Exhibit 71A attached to this ordinance.

SECTION 3. That development of this district must comply with Exhibit 71A (tract map) and Exhibit 71B and Exhibit 71C (development plans) attached to this ordinance. Permits shall be issued based on information provided on the attached development plans.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That 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 6. 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 7. 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:

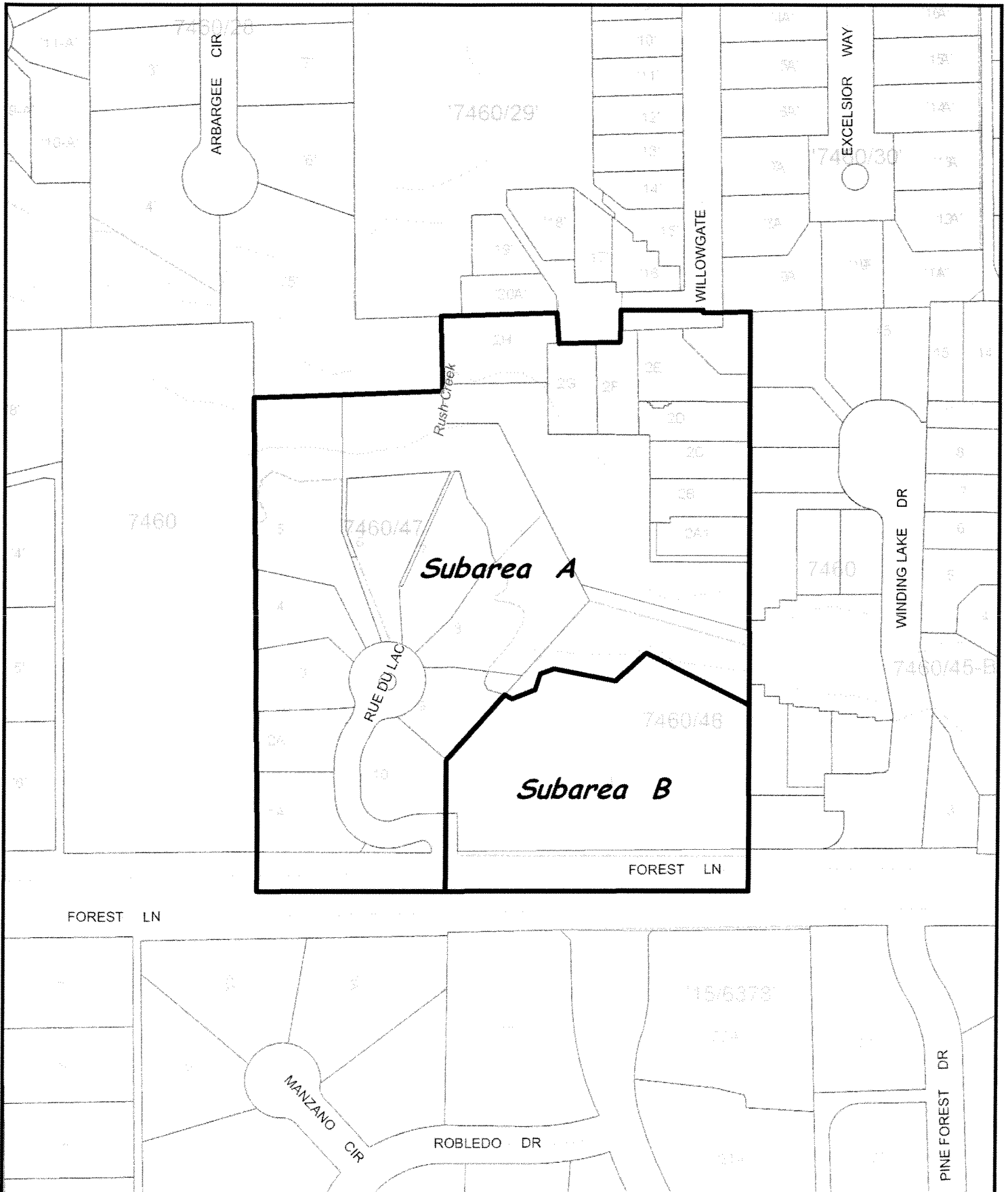
THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed NOV 10 2008

27397
EXHIBIT 71A

083101



Subarea A

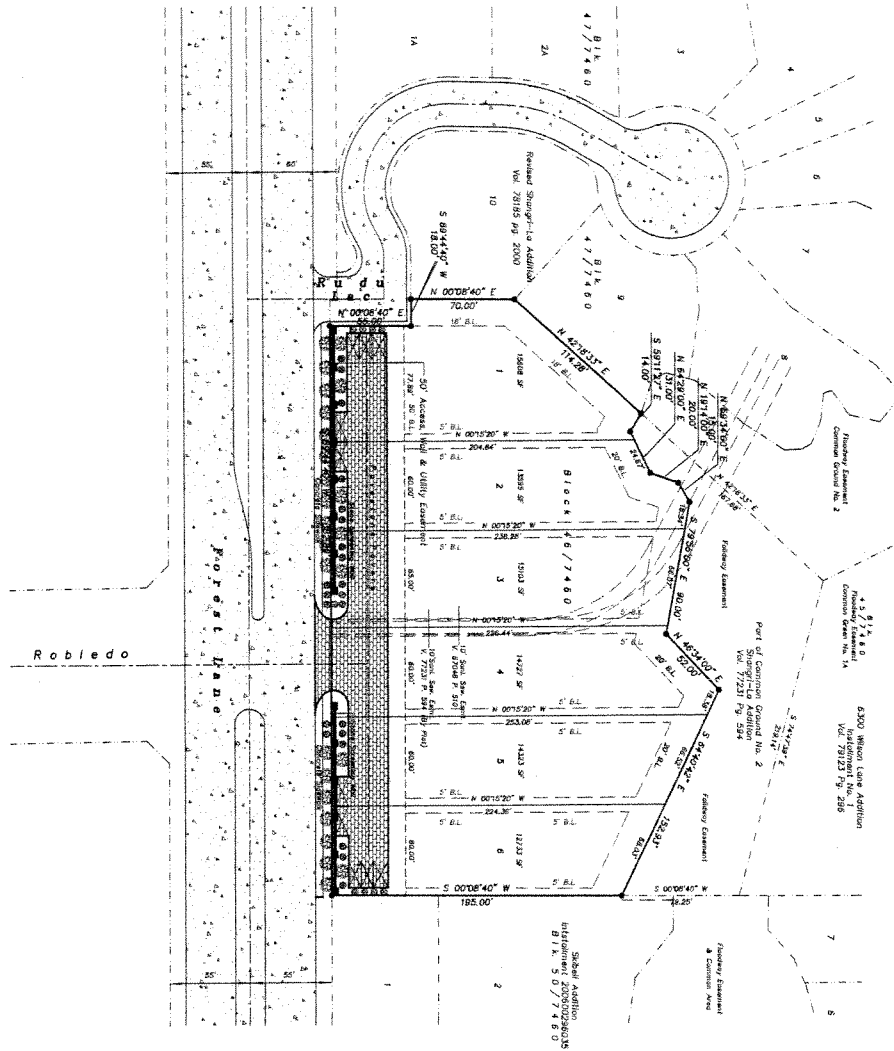
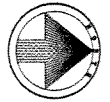
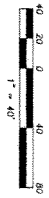
Subarea B



1:2,000

PD 71 TRACT MAP
Contains 2 Subareas

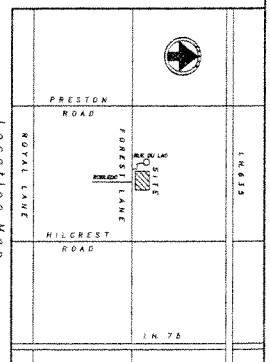
Z078-278



Note:
Second story windows on the west side of lot 1 must be obscure glass or translucent windows.

Planned Development
District No. 71

Approved
City Plan Commission
October 16, 2008



DEVELOPMENT PLAN

WATERVIEW

LOTS 1-8 BLOCK 46/7460

BEING A 1.978 ACRE TRACT OF LAND SITUATED
IN THE THOMAS DYKES SURVEY ABSTRACT NO. 409
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE # 5

PREPARED BY:
CAMARQUE INVESTMENTS
P.O. BOX 798037
DALLAS, TEXAS 75279
TOMMY N. CAMARQUE
469-686-0224

SUBMITTED BY:
MADDOX SURVEYING & MAPPING
3015 W. WOODWAY
MCKINNEY, TEXAS 75069
BRANT J. MADDOX, R.P.L.S.
469-726-0245

OCTOBER 21, 2008 1"-40'

2078-278