

ORDINANCE NO. 27562

An ordinance changing the zoning classification on the following property:

BEING all of Lots 2 and 3 of City Block 7599 and all of Lots 5 through 13 in City Block C/7598 on the north side of Wheatland Road between Mask Drive and Houston School Road, and containing approximately 6.0 acres,

from an R-7.5(A) Single Family District and an A(A) Agricultural District to Planned Development District No. 757; amending Article 757, "PD 757," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code to reflect the expansion of the planned development district; amending the property location and size, development plan regulations, landscaping regulations, open-enrollment charter school recreation areas and athletic facilities regulations, and additional provisions in Sections 51P-757.102, 51P-757.104, 51P-757.110, 51P-757.112, and 51P-757.114 of Article 757; creating Phases I and II and providing conditions for each tract; providing a new Phase I development plan, a new Phase I landscape plan, and a new traffic management plan; 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 this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to change the zoning classification and amend Article 757 as specified in this ordinance; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from an R-7.5(A) Single Family District and an A(A) Agricultural District to Planned Development District No. 757 on the following property:

BEING all of Lots 2 and 3 of City Block 7599 and all of Lots 5 through 13 in City Block C/7598 on the north side of Wheatland Road between Mask Drive and Houston School Road, and containing approximately 6.0 acres.

SECTION 2. That Section 51P-757.102, "Property Location and Size," of Article 757, "PD 757," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-757.102. PROPERTY LOCATION AND SIZE.

PD 757 is established on property located on the north side of Wheatland Road west of Houston School Road. The size of PD 757 is approximately 21.9 [~~15.9~~] acres."

SECTION 3. That Section 51P-757.104, "Development Plan," of Article 757, "PD 757," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-757.104. DEVELOPMENT PLAN.

(a) Development and use of Phase I [~~the Property~~] must comply with the Phase I development plan (Exhibit 757A). If there is a conflict between the text of this article and the Phase I development plan, the text of this article controls.

(b) A development plan for Phase II must be approved by the city plan commission before the issuance of any building permit in Phase II. If there is a conflict between the text of this article and the Phase II development plan, the text of this article controls. A 25-foot setback must be provided and shown on the Phase II development plan adjacent to all rights-of-way.

SECTION 4. That Section 51P-757.110, "Landscaping," of Article 757, "PD 757," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-757.110. LANDSCAPING.

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

(b) Open-enrollment charter school.

(1) Phase I.

(A) Landscaping must be provided as shown on the Phase I landscape plan (Exhibit 757B). If there is a conflict between the text of this article and the Phase I landscape plan, the text of this article controls.

(B[2]) Street trees must be planted within 60 feet of the projected street curb as shown on the Phase I landscape plan.

(C[3]) Evergreen plant materials (e.g. holly) at least three feet in height (at the time of planting) must be provided in the location shown on the Phase I landscape plan to screen off-street parking adjacent to Wheatland Road.

(D) Evergreen plant materials (e.g. holly) must be provided as shown on the Phase I landscape plan along the north Property line and must be capable of providing solid screen at a minimum height of nine feet within five years of planting.

(E) One site tree per 6,000 square feet of land must be provided as shown on the Phase I landscape plan.

(2) Phase II.

(A) A Phase II landscape plan must be approved by the city plan commission before the issuance of any building permit in Phase II.

(B) Landscaping must be provided before Phase II is developed with impervious cover greater than 2,000 square feet.

(C) A minimum of 24 street trees must be planted within 30 feet of the projected street curb.

(D) One site tree per 6,000 square feet of land must be provided.

(3) Mitigation. Tree mitigation for Phase I and Phase II must be completed by June 10, 2011.

(c) Protected trees. An Eastern Red Cedar is a protected tree only if it has a caliper of at least 22 [48] inches.

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

SECTION 5. That Section 51P-757.112, “Open-Enrollment Charter School Recreation Areas and Athletic Facilities,” of Article 757, “PD 757,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-757.112. OPEN-ENROLLMENT CHARTER SCHOOL RECREATION AREAS AND ATHLETIC FACILITIES.

(a) Use of athletic facilities. The athletic facilities are limited to youth recreational activities sanctioned by public or private school sanctioning bodies (for example, the University Interscholastic League or Texas Association of Private and Parochial Schools) and other non-professional events.

(b) Hours of operations. The recreation areas and athletic facilities may only operate between 8:00 a.m. and 10:30 p.m., Monday through Saturday and between 10:00 a.m. and 5:00 p.m., Sunday.

(c) Exterior lighting.

(1) Exterior lighting must be directed away from adjoining properties.

(2) Exterior lighting of athletic facilities may only be illuminated Friday, Saturday, and one additional night a week during the hours of operation.

(3) Exterior lighting of recreation areas may be illuminated during and for up to 30 minutes past the hours of operation.

(d) Outside speakers. Outside speakers may only be located inside the footprint of an athletic stadium and must be directed toward the athletic stadium’s interior.

(e) Amplified sound. Between 11:00 p.m. and 8:00 a.m., amplified sound is prohibited. Noise levels must comply with Section 51A-6.102.

(f) Height or seating capacity amendments. Before the athletic stadium height or seating capacity may be increased, the Phase I development plan must be amended in accordance with Section 51A-4.702.”

SECTION 6. That Section 51P-757.114, “Additional Provisions,” of Article 757, “PD 757,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-757.114. 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.

(c) Ingress from and egress to Mask Street is limited to emergency vehicles only.”

SECTION 7. That Exhibit 757A (development plan), Exhibit 757B (landscape plan), and Exhibit 757C (traffic management plan) of Article 757, “PD 757,” of Chapter 51P of the Dallas City Code are replaced by Exhibit 757A, Exhibit 757B, and Exhibit 757C attached to this ordinance.

SECTION 8. That development of this district must comply with the full-scale versions of Exhibit 757A (Phase I development plan) and Exhibit 757B (Phase I landscape plan) attached to this ordinance. Reduced-sized versions of these plans shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale versions of the plans.

SECTION 9. 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.

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SECTION 10. That the director of development services shall correct Zoning District Map No. P-7 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 11. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

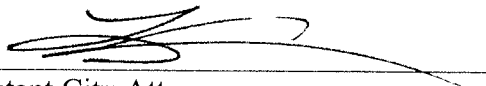
SECTION 12. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 13. 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.

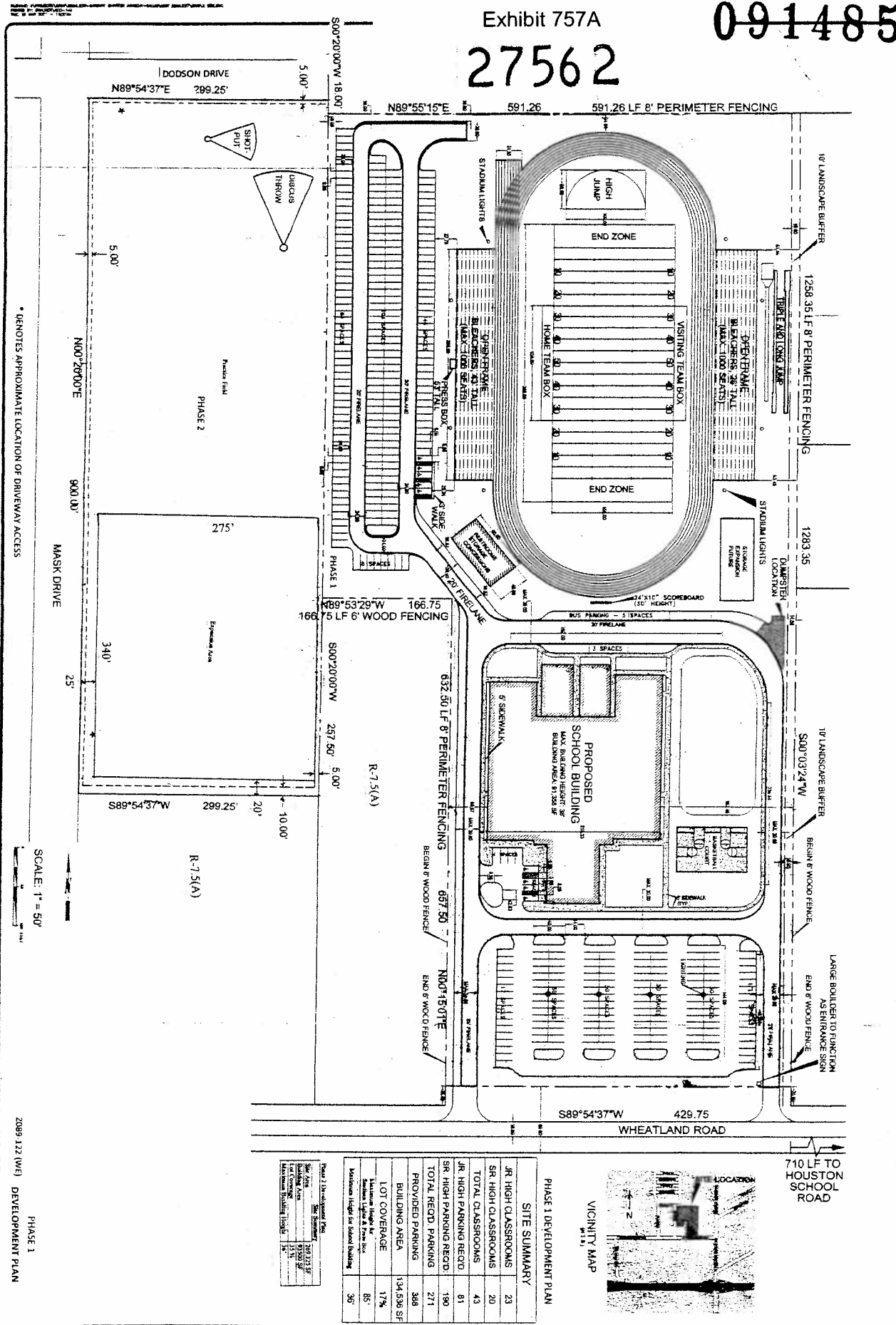
SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed JUN 10 2009

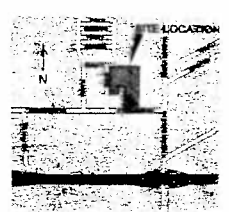


* DENOTES APPROXIMATE LOCATION OF DRIVEWAY ACCESS

SCALE: 1" = 50'

PHASE 1
2089.122 (WE) DEVELOPMENT PLAN

VICINITY MAP



PHASE 1 DEVELOPMENT PLAN
SITE SUMMARY

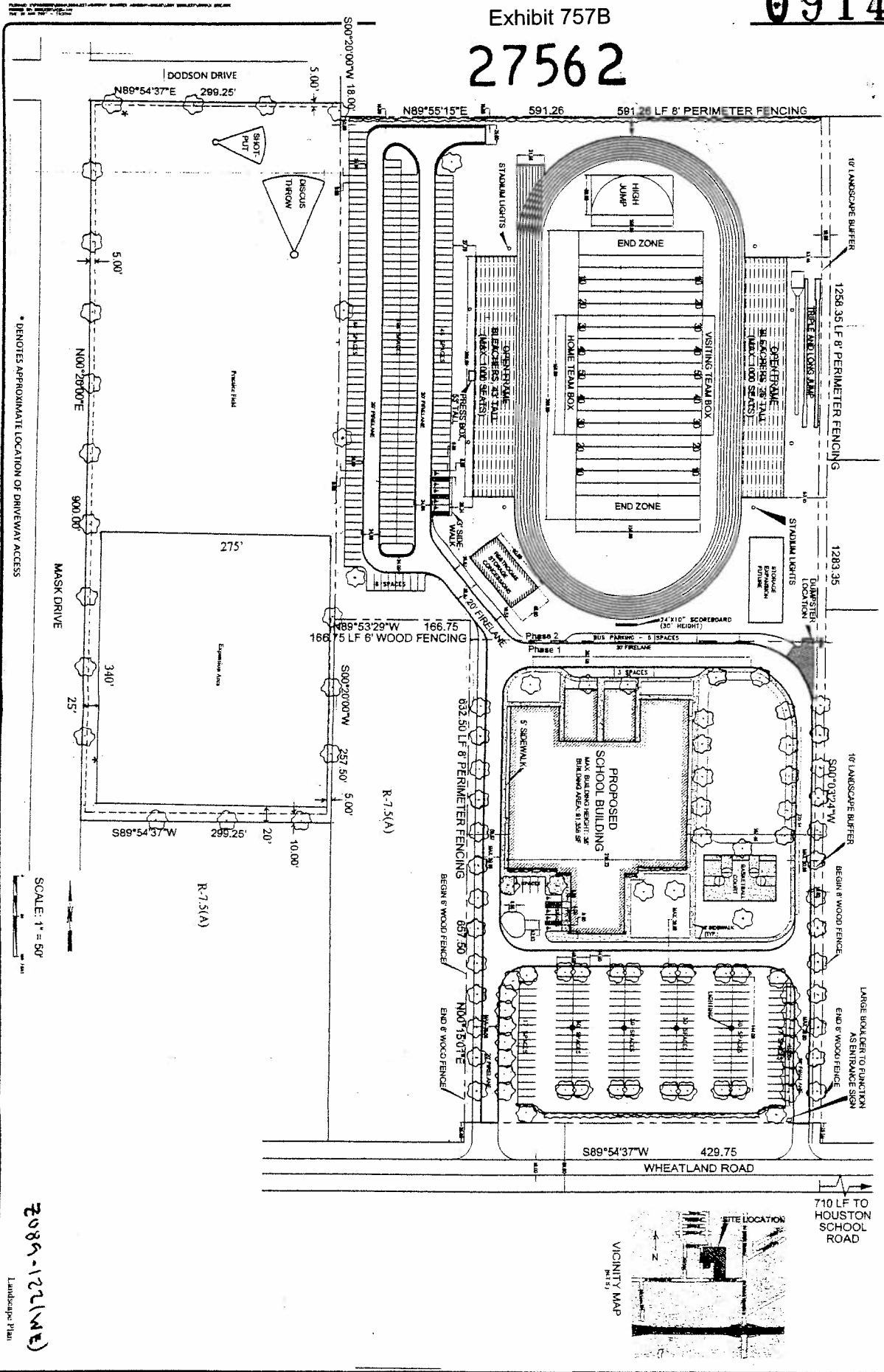
JR HIGH CLASSROOMS	23
SR HIGH CLASSROOMS	20
TOTAL CLASSROOMS	43
JR HIGH PARKING RECD.	81
SR HIGH PARKING RECD.	190
TOTAL RECD. PARKING	271
PROVIDED PARKING	388
BUILDING AREA	134,536 SF
LOT COVERAGE	17%
Maximum Height in Feet	65'
Maximum Height for School Building	36'

Phase 2 Development Plan	Site Summary
Max. Area	200,275 SF
Max. Height in Feet	55'
Max. Height for School Building	35'

Planned Development
District No. 757

Approved
City Plan Commission
April 2, 2009

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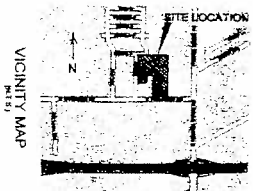


* DENOTES APPROXIMATE LOCATION OF DRIVEWAY ACCESS

SCALE: 1" = 50'

2086-1221(ME)

Landscape Plan



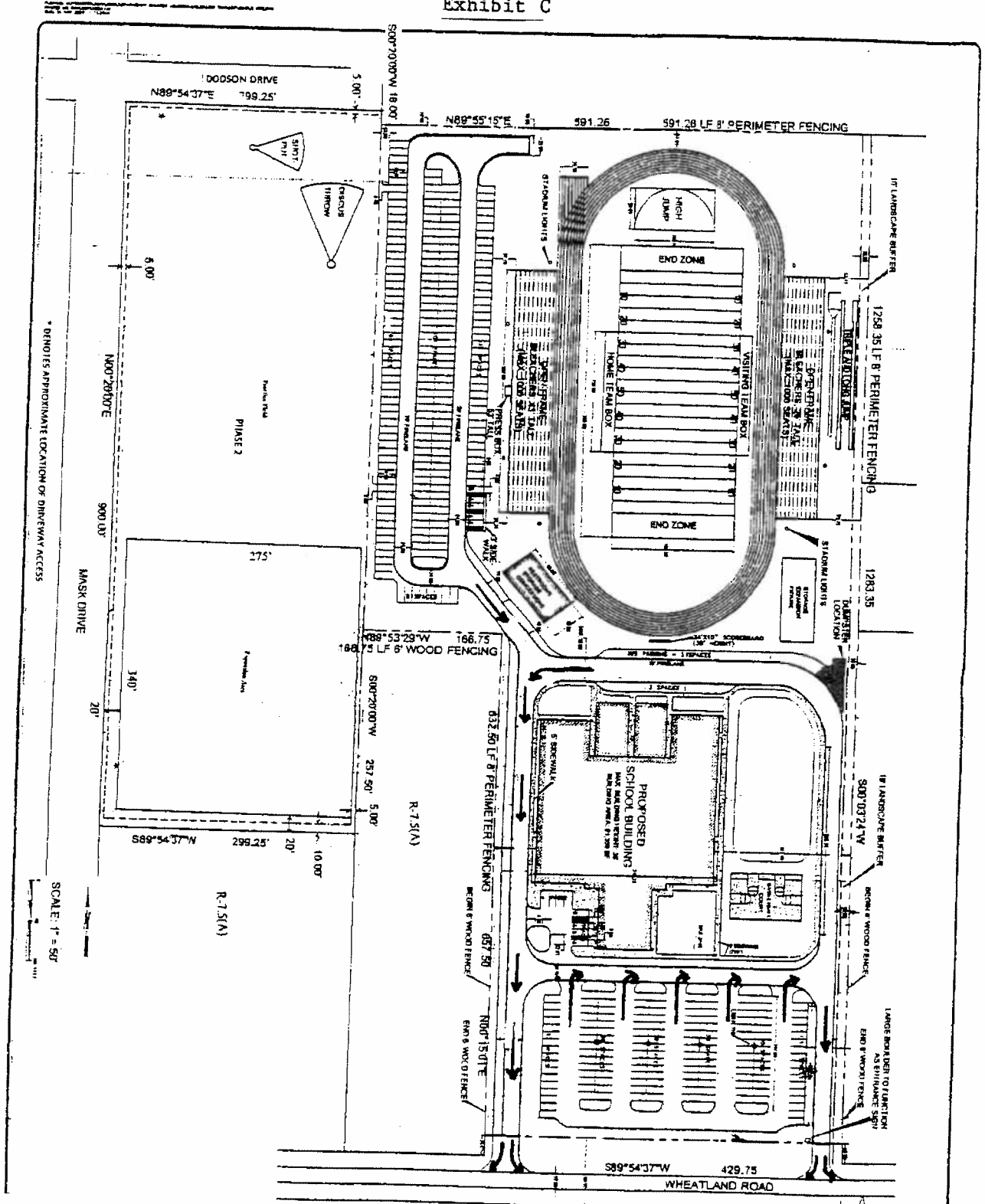
Planned Development
District No. 757

Approved
City Plan Commission
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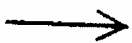
Exhibit C



* DIMENSIONS APPROXIMATE LOCATION OF DRIVEWAY ACCESS

SCALE: 1" = 50'

LEGEND



Traffic Flow



Traffic Cone

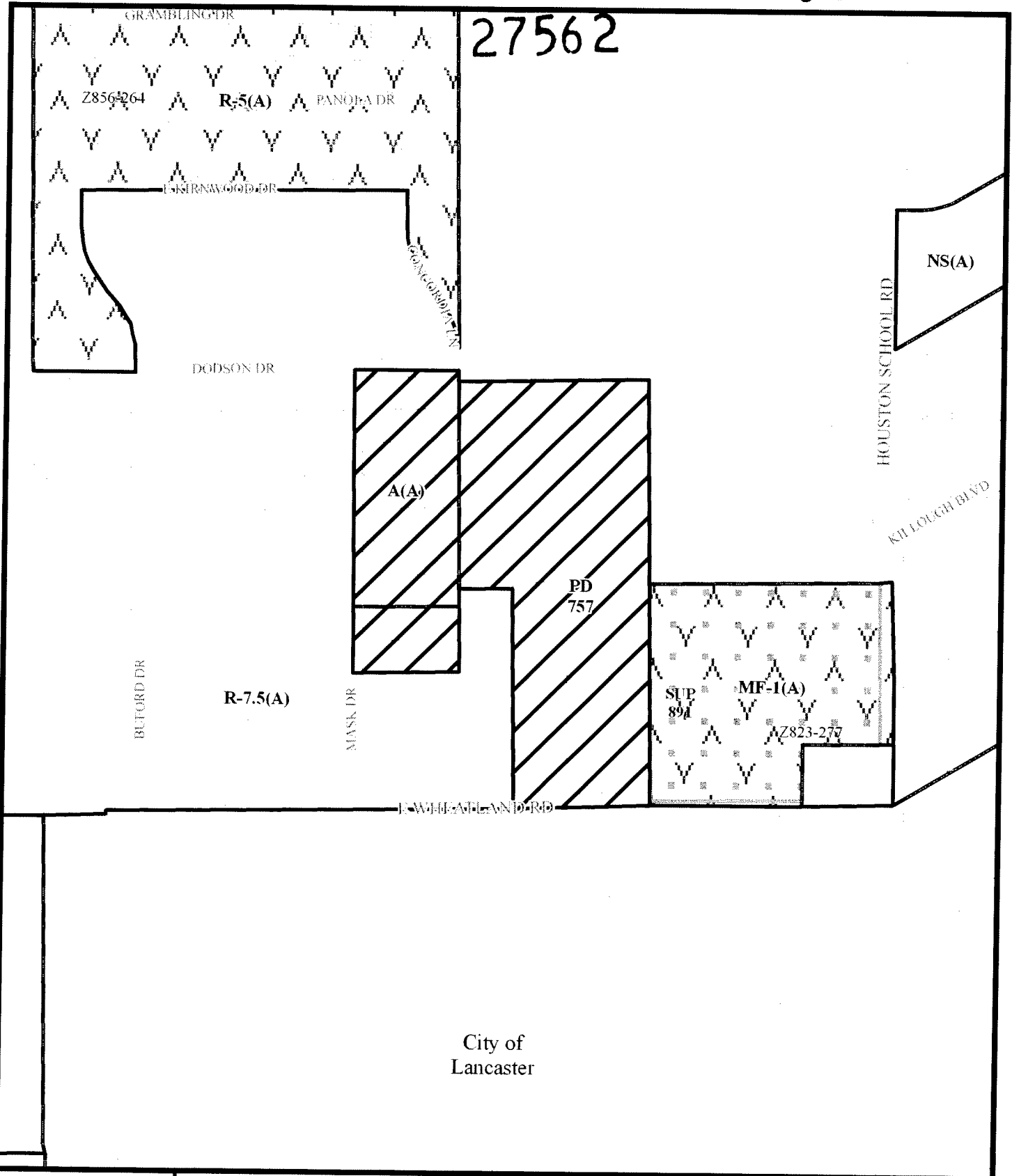
Exhibit C page 4 of 4

Exhibit 2
 Special Management
 Traffic Management Plan
 Gateway Charter School Traffic Impact Analysis

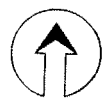


710 LF TO HOUSTON SCHOOL ROAD

27562



City of Lancaster



1:4,800

ZONING AND LAND USE

Map no: P-7

Case no: Z089-122 WE