

ORDINANCE NO. 28247

An ordinance changing the zoning classification on the following property:

BEING Lots 1 through 3 in City Block 1033 at the southeast corner of Cedar Springs Road and Welborn Street; fronting approximately 208 feet on the south line of Cedar Spring Road; fronting approximately 176.5 feet on the east line of Welborn Street; and containing approximately 0.875 acres,

from an O-2 Office Subdistrict with a D Liquor Control Overlay within Planned Development District No. 193 (the Oak Lawn Special Purpose District) to Planned Development Subdistrict No. 92 within Planned Development District No. 193 with retention of the D Liquor Control Overlay; amending Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Division S-92; establishing use regulations and development standards for this planned development subdistrict; 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 subdistrict; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from an O-2 Office Subdistrict with a D Liquor Control Overlay within Planned Development District No. 193 to Planned Development Subdistrict No. 92 within Planned Development District No. 193 with retention of the D Liquor Control Overlay on the following property ("the Property"):

BEING Lots 1 through 3 in City Block 1033 at the southeast corner of Cedar Springs Road and Welborn Street; fronting approximately 208 feet on the south line of Cedar Spring Road; fronting approximately 176.5 feet on the east line of Welborn Street; and containing approximately 0.875 acres.

SECTION 2. That Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Division S-92 to read as follows:

"Division S-92. PD Subdistrict 92.

SEC. S-92.101. LEGISLATIVE HISTORY.

PD Subdistrict 92 was established by Ordinance No. _____, passed by the Dallas City Council on June 22, 2011.

SEC. S-92.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 92 is established on property located at the southeast corner of Cedar Springs Road and Welborn Street. The size of PD Subdistrict 92 is 0.875 acres.

SEC. S-92.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

(1) HORTICULTURAL CENTER means a structure, such as a greenhouse, managed and maintained by an individual or a group to grow and harvest food crops or ornamental crops for personal or group use, consumption, or donation, but not for retail sales.

(2) SUBDISTRICT means a subdistrict of PD 193.

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

(d) This subdistrict is considered to be a nonresidential zoning district.

SEC. S-92.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-92A: conceptual plan.

SEC. S-92.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit S-92A). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

SEC. S-92.106. DEVELOPMENT PLAN.

(a) Except as provided in this section, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

(b) For a horticultural center, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this division and an approved development plan, the text of this division controls.

SEC. S-92.107. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

(1) Those main uses permitted in the O-2 Office Subdistrict, subject to the same conditions applicable in the O-2 Office Subdistrict, as set out in Part I of this article. For example, a use permitted in the O-2 Office Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the O-2 Office Subdistrict is subject to DIR in this subdistrict.

(2) Horticultural center.

SEC. S-92.108.**ACCESSORY USES.**

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-92.109.**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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) Except as provided in this section, the yard, lot, and space regulations for the O-2 Office Subdistrict apply.

(b) Height. For a horticultural center, maximum structure height is 20 feet.

(c) Floor area. For a horticultural center, maximum floor area is 4,000 square feet.

SEC. S-92.110.**OFF-STREET PARKING AND LOADING.**

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For a horticultural center, off-street parking and loading spaces are not required.

SEC. S-92.111.**ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

SEC. S-92.112.**LANDSCAPING.**

(a) Landscaping and screening must be provided in accordance with Part I of this article.

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

SEC. S-92.113. SIGNS.

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

SEC. S-92.114. LIGHTING.

For a horticultural center use, exterior light fixtures must comply with Paragraph (2), "Other Off-Street Parking," of Subsection (e), "Lighting Provisions for Off-Street Parking," of Section 51P-193.113, "Off-Street Parking Regulations."

SEC. S-92.115. 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) Development and use of the Property must comply with Part I of this article.

SEC. S-92.116. 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, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city."

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 subdistrict must comply with the full-scale version of Exhibit S-92A (conceptual 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 city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Division S-92 in Chapter 51P.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. 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 8. 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 9. 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 22 2011

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28247

EXISTING PROPERTY OF
OAK LAWN UNITED
METHODIST CHURCH

CEDAR SPRINGS ROAD

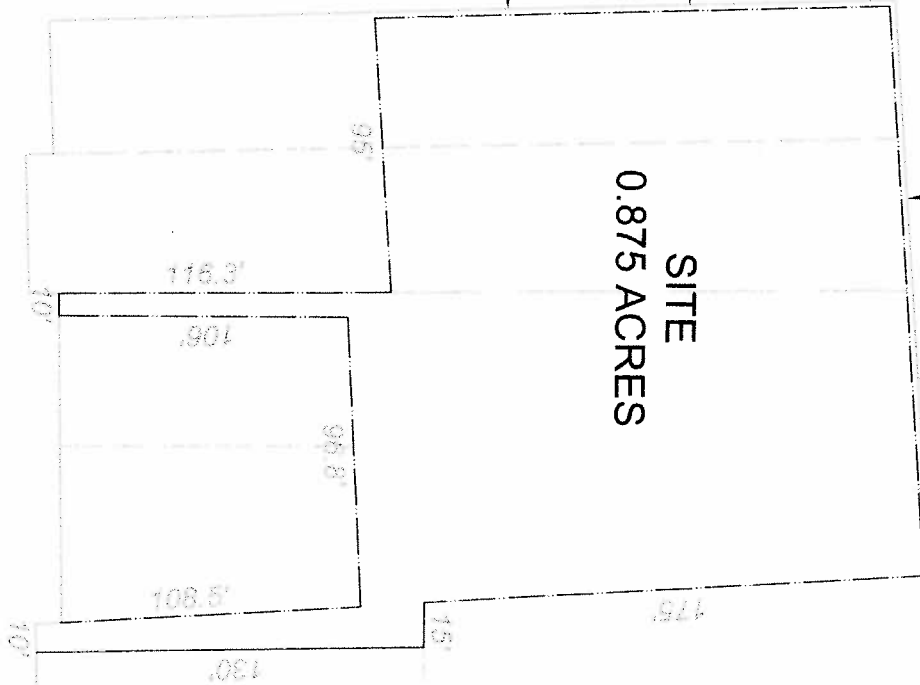
WELBORN STREET

DICKASON AVENUE

MAJOR
ENTRY
POINT
176.5'

MAJOR ENTRY
POINT
193'

SITE
0.875 ACRES



Vicinity Map NTS



CONCEPTUAL PLAN

OAK LAWN UNITED METHODIST CHURCH

PROPOSAL: PD 193 Subdistrict for O-2 Dry District Use & Greenhouse

SITE: 0.875 Acres

USES: PD 193 Office - 2 Dry District Uses & Greenhouse;
DEVELOPMENT GUIDELINES: PD 193 O-2 Dry District
PARKING: PD 193 Guidelines
LANDSCAPE: PD 193 Guidelines

Planned Development
Subdistrict No. 92

Planned Development
District No. 193

Approved
City Plan Commission
May 19, 2011

1

Site Plan

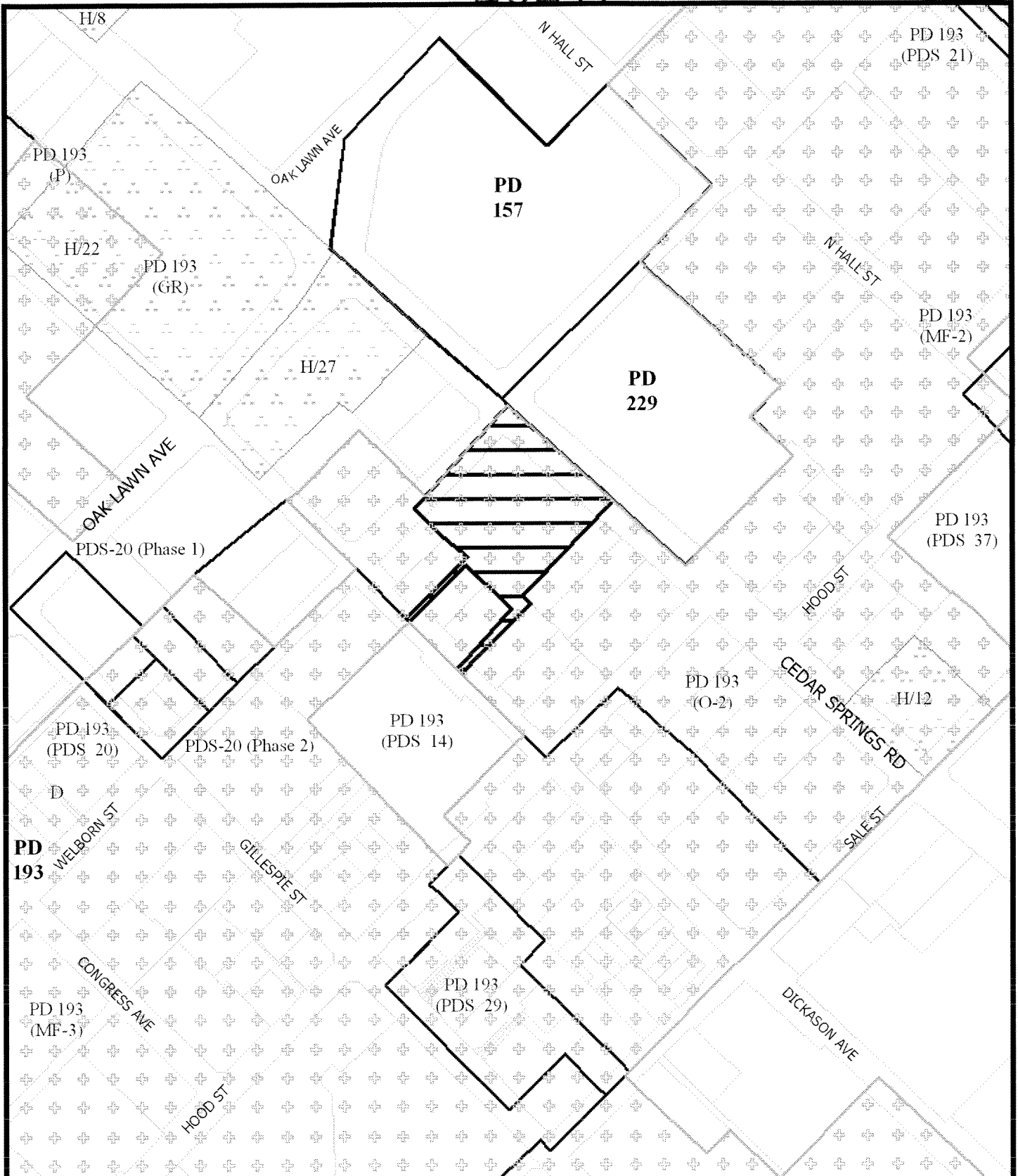
SCALE: 1" = 20'-0"

Proposed Oak Lawn United Methodist Church Greenhouse

Dallas, Texas

28247

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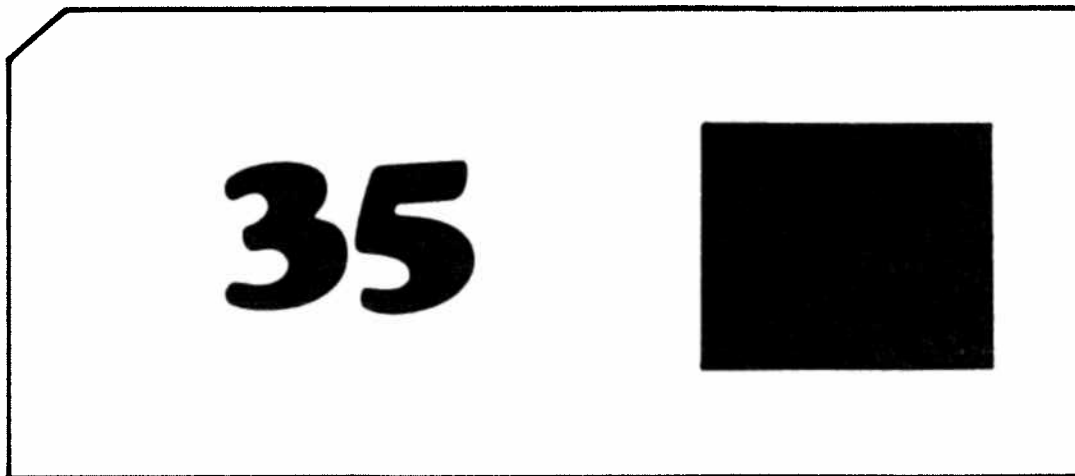
1:2,400

ZONING AND LAND USE

Map no: I-7
Case no: Z090-223

DATE: April 21, 2011

NOTICE



THIS FILE INCLUDES ONE OR MORE 35MM APERTURE CARDS