

8-8-12

ORDINANCE NO. **28731**

An ordinance amending Division S-82, "PD Subdistrict 82," of 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, as amended; amending the uses, yard, lot, and space, and off-street parking and loading regulations in Sections S-82.107, S-82.109, and S-82.110 of that division; deleting the zoning map regulations in Section S-82.116 of that division; providing a new development plan; providing a new landscape 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 this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to amend Article 193 as specified in this ordinance; Now, Therefore,

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

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SECTION 1. That Section S-82.107, “Main Uses Permitted,” of Division S-82, “PD Subdistrict 82,” of 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 to read as follows:

“SEC. S-82.107. MAIN USES PERMITTED.

(a) Except as provided in this section, t[F]he only main uses permitted in this subdistrict are 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; etc.

(b) Community center (private). [Only as a limited use for a special residential project.]”

SECTION 2. That Section S-82.109, “Yard, Lot, and Space Regulations,” of Division S-82, “PD Subdistrict 82,” of 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 to read as follows:

“SEC. S-82.109. 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) In general. Except as provided in this section, the yard, lot, and space regulations for the O-2 Office Subdistrict apply.

(b) Front, side, and rear yard.

(1) Except as provided in this subsection, f[F]or a special residential project, that portion of a structure over 240 feet in height must have additional minimum setbacks as shown on the development plan.

(2) Balconies on the Enid Street frontage, with a height at least 22 feet above grade, may extend five feet into the setback.

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(3) For a special residential project, retaining walls and fences are permitted in the front yard in the locations shown on the development plan.

(c) Density. For a special residential project, maximum number of dwelling units is 100.

(d) Floor area. For a special residential project, maximum floor area is 330,000 [297,000] square feet.

(e) Height.

(1) Except as provided in this subsection, maximum structure height is 240 feet.

(2) Except as provided in this paragraph, for a special residential project, maximum structure height is 285 feet. The following structures may project up to 10 [five] feet above the maximum structure height:

- (A) chimneys;
- (B) clerestories;
- (C) communication towers;
- (D) cooling towers;
- (E) elevator penthouses or bulkheads;
- (F) mechanical equipment rooms;
- (G) plaza or terrace structures;
- (H) pool structures;
- (I) skylights;
- (J) vent stacks; and
- (K) visual screens that surround mechanical equipment.

(f) Lot coverage.

(1) Except as provided in this subsection, maximum lot coverage is 75 percent.

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(2) For a special residential project, any portion of a building that is above 54 feet in height may not have a floor plate greater than 45 percent of the lot area.

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

SECTION 3. That Section S-82.110, “Off-Street Parking and Loading,” of Division S-82, “PD Subdistrict 82,” of 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 to read as follows:

“SEC. S-82.110. OFF-STREET PARKING AND LOADING.

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

(b) For a special residential project, all parking must be located underground.

(c) For a special residential project, parking for a community center (private) is one space per each 1,000 square feet of floor area.”

SECTION 4. That Section S-82.116, “Zoning Map,” of Division S-82, “PD Subdistrict 82,” of 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 deleted as follows:

~~“[SEC. S-82.116. ZONING MAP.~~

~~PD Subdistrict 82 is located on Zoning Map I-7.]”~~

SECTION 5. That the development plan, Exhibit S-82A, and the landscape plan, Exhibit S-82B, of Division S-82 of Article 193 of Chapter 51P of the Dallas City Code, are replaced by Exhibit S-82A and Exhibit S-82B attached to this ordinance.

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SECTION 6. That development of this district must comply with the full-scale versions of Exhibit S-82A (development plan) and Exhibit S-82B (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 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.

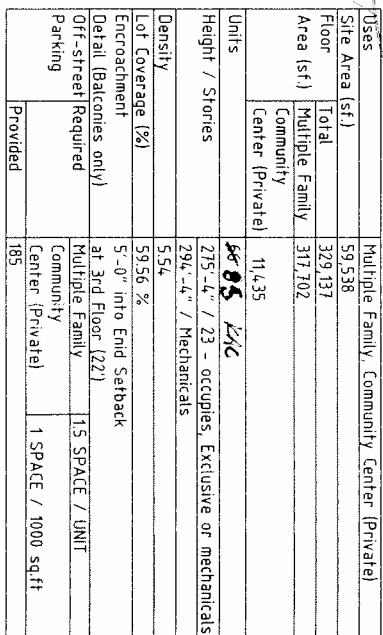
APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By


Assistant City Attorney

Passed AUG 08 2012



DEVELOPMENT PLAN
SCALE 1'-0" = 1/16"

Planned Development
Subdistrict No. 82Planned Development
District No. 193

A1.01
Z112 - 153 (RB)

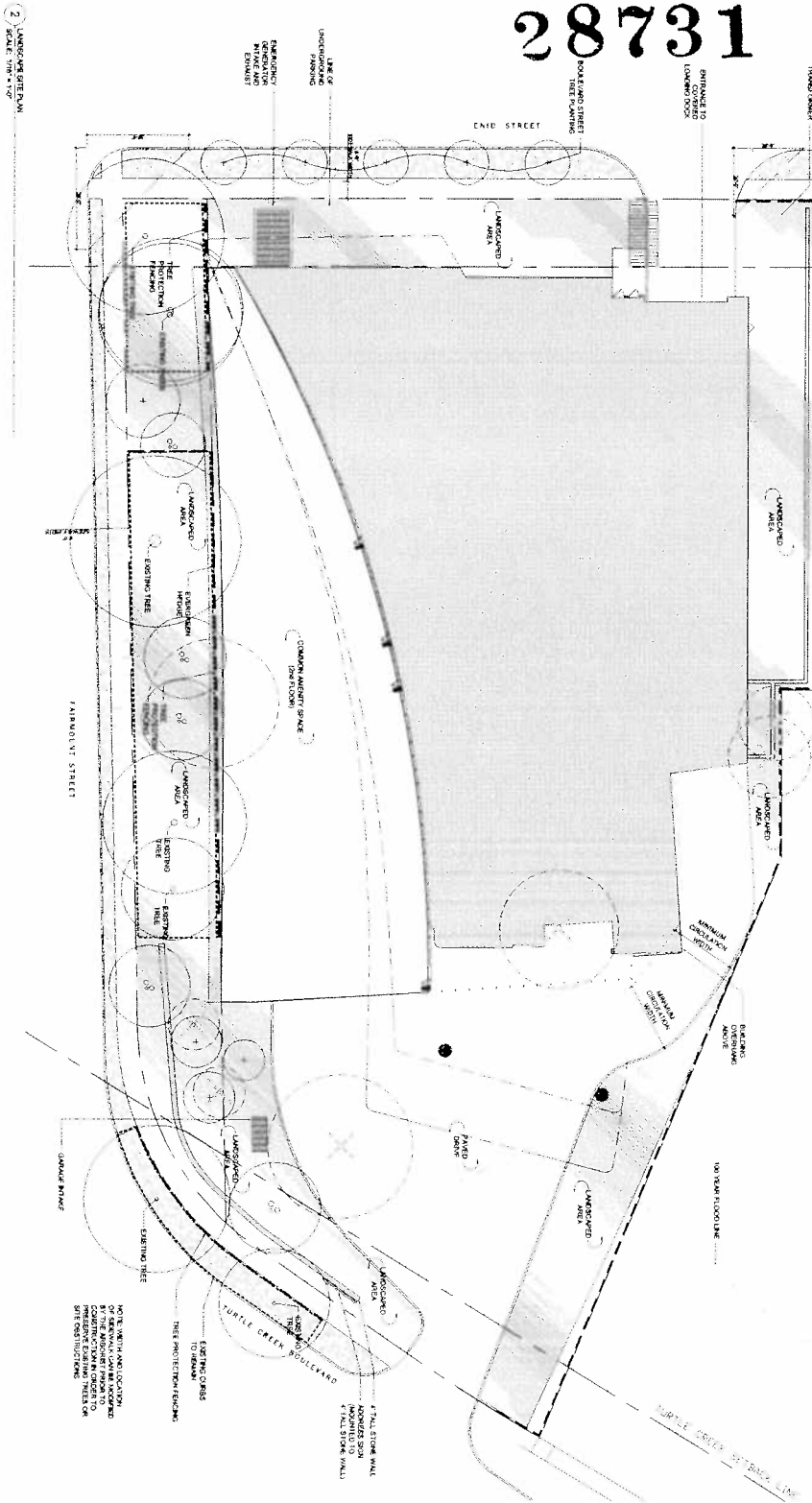
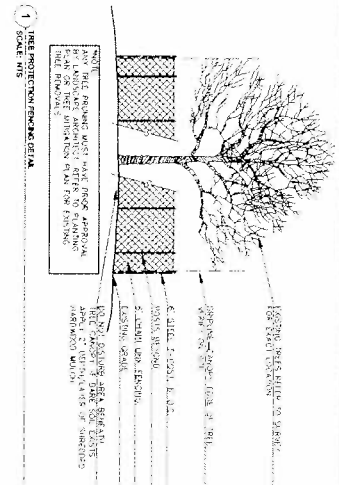
2806 Turtle Creek Blvd
OGH Development, LLC
Lot 1A, Block 127018
OGH 18

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12. Assuming that the 100,000 units of inventory are sold at the market price of \$100 per unit, the gross profit on the sale of the inventory is \$10,000,000. The gross profit on the sale of the inventory is \$10,000,000. The gross profit on the sale of the inventory is \$10,000,000.

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Planned Development
District No. 193

LS100

121 956



ZONING AND LAND USE

Case no: **Z112-153**

Date: 1/19/2012