

ORDINANCE NO. 29019

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block 18/2006; fronting approximately 690 feet on the east line of North Central Expressway; fronting approximately 870 feet on the south line of Carroll Avenue; and containing approximately 16.158 acres,

from a GO(A) General Office District, an MU-3(SAH) Mixed Use District, and Subdistrict E within Planned Development District 305 to Planned Development District No. 889; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 889; establishing use regulations and development standards for this planned development district; providing a new property description for Tract B of Planned Development District No. 305; 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 a GO(A) General Office District, an MU-3(SAH) Mixed Use District, and Subdistrict E within Planned Development District 305 to Planned Development District No. 889 on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property").

SECTION 2. That Section 51P-305.102, "Property Location and Size," of Article 305, "PD 305, Cityplace," of CHAPTER 51P, "DALLAS DEVELOPMENT CODE: PLANNED DEVELOPMENT DISTRICT REGULATIONS," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 51P-305.102. PROPERTY LOCATION AND SIZE.

PD 305 is established on property generally located on both sides of North Central Expressway between the area south of Carroll Avenue on the north and Thomas Avenue on the south. The size of PD 305 is approximately 175.89 [~~160.9862~~] acres."

SECTION 3. That Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Article 889 to read as follows:

"ARTICLE 889.

PD 889.

SEC. 51P-889.101. LEGISLATIVE HISTORY.

PD 889 was established by Ordinance No. _____, passed by the Dallas City Council on May 22, 2013.

SEC. 51P-889.102. PROPERTY LOCATION AND SIZE.

PD 889 is established on property located on the southeast corner of Carroll Avenue and North Central Expressway. The size of PD 889 is approximately 16.158 acres.

SEC. 51P-889.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) BAIL BOND OFFICE means an office or other establishment any part of which consists of the issuance, brokerage, or procurement of bail bonds.

(2) TATOO OR BODY-PIERCING STUDIO means an establishment in which tattooing is performed, or body piercing for the purpose of wearing jewelry in the pierced body part (for any body part other than earlobes) is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(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-889.104. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit 889A: conceptual plan.

SEC. 51P-889.105. CONCEPTUAL PLAN.

(a) Development and use of the Property must comply with the conceptual plan (Exhibit 889A), except that the director may approve alternate locations for ingress/egress if the Texas Department of Transportation does not approve the locations indicated on the conceptual plan. The conceptual plan shows the approximate location of main driveways to be located within the Property and the proposed ingress/egress points; the final location of the ingress/egress points and main driveways to be constructed within the Property must be shown on the development plan.

(b) If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-889.106. DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district, except that a development plan is not required before the issuance of a building permit for grading, drainage, demolition, tree removal, or utility work.

SEC. 51P-889.107.**MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use 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 MU-3 Mixed Use District is subject to DIR in this district; etc.

(b) The following additional uses are permitted on the Property:

- General merchandise or food store 100,000 square feet or more.
- Home improvement center, lumber, brick or building materials sales yard. *[Outside storage is limited to a maximum of 10,000 square feet.]*

(c) The following uses are prohibited on the Property:

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Labor hall.

(3) Industrial uses.

- Temporary concrete or asphalt batching plant.

(4) Institutional and community service uses.

- Cemetery or mausoleum.
- College, university, or seminary
- Community service center.
- Convent or monastery.
- Halfway house.
- Open enrollment charter school.
- Private school.

(5) Lodging uses.

- Overnight general purpose shelter.

(6) Miscellaneous uses.

- Attached non-premise sign.
- Carnival or circus (temporary).

(7) Office uses.

- Alternative financial establishment.
- Bail bond office.

(8) Recreation uses.

- Country club with private membership.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Car wash.
- Commercial parking lot or garage.
- Convenience store with drive-through.
- Mortuary, funeral home, or commercial wedding chapel.
- Swap or buy shop.
- Tattoo or body-piercing studio.

(11) Transportation uses

- Heliport.
- Railroad passenger station.
- Transit passenger station or transfer center.

(12) Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Recycling buy-back center.

SEC. 51P-889.108.**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 not permitted:

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

SEC. 51P-889.109. 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 Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MU-3 District apply.

(b) Carroll Avenue and North Central Expressway landscape buffer. The minimum landscape buffer along Carroll Avenue and North Central Expressway is 20 feet. Except for signs, and as provided in this subsection, no structures or parking are allowed in this landscape buffer. The buffer may be provided in accordance with Section 51P-889.114(c) and must contain large and small trees, a minimum six-foot-wide pedestrian trail, and the following pedestrian amenities:

- (1) Benches at a minimum of one per 200 feet of pedestrian trail frontage;
- (2) Trash receptacles at a minimum of one per 200 feet of pedestrian trail frontage;
- (3) Bicycle parking at a minimum of one five-bicycle rack per 200 feet of pedestrian trail frontage; and
- (4) Pedestrian lighting at a minimum of one per 75 feet of pedestrian trail frontage.

(c) Buildings existing on May 22, 2013, the date of creation of this district, shall be considered to be conforming with respect to building setbacks. Any expansion of an existing building must comply with the yard, lot, and space regulations of this district.

SEC. 51P-889.110.

MULTIFAMILY DESIGN STANDARD

(a) Purpose. Continuous facades along pedestrian-oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. These design standards apply to multifamily uses and are intended to ensure that continuous facades that are located along well-traveled pedestrian ways are compatible with the surrounding area and mitigate the negative impact of continuous facades, while allowing creativity, flexibility, and variety in design.

(b) Facade walls. Facade walls facing a public right-of-way must incorporate at least two of the design elements listed in this subsection. The cumulative length of these design elements must extend for at least 60 percent of the facade wall's horizontal length.

(1) A repeating pattern of wall recesses and projections, such as bays, offsets, reveals, or projecting ribs, that have a relief of at least eight inches.

(2) Trim, molding, or accent elements using decorative contrasting colors on at least five percent of the area of the facade wall.

(3) At least three of the following design elements at the primary entrance, so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

(A) Architectural details such as arches, friezes, tile work, murals, or moldings.

(B) Integral planters or wing walls that incorporate landscaping or seating.

(C) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(D) Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.

(E) Awnings or lintels.

(F) A repeating pattern of pilasters projecting from the facade wall by minimum of eight inches or architectural or decorative columns.

(G) Display windows, faux windows, or decorative windows.

(H) Arcades, awnings, canopies, covered walkways, or porticos.

(I) Any other comparable design elements approved by the building official.

(c) Facade wall changes. Facade walls must have one or more of the following:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(2) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(d) Materials. The exterior facade walls, exclusive of fenestration, must be constructed of at least 80 percent masonry. Masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, Exterior Finish Insulations System (EFIS) materials are not considered masonry. Textured painted tilt wall may be used on no more than 20 percent of the area of the facade walls.

(e) Garage facades.

(1) When adjacent to or visible from a public right-of-way, exterior parking structure facades must be similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations.

(2) Except as provided in this paragraph, openings in the exterior parking structure facade may not exceed 50 percent of the total parking structure facade area. Openings in parking structure facades that are visible from an adjacent public right-of-way may not exceed 45 percent of the total parking structure, excluding garage entrances and exits.

(f) Roofs.

(1) Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they are not visible from a point five-feet six-inches above grade at the property line. Screening materials must be compatible with the materials and colors used on the main building. Chain-link fences may not be used as a screening material.

(2) Roofs must have at least one of the following design elements:

(A) Parapets having a rhythmic pattern and detailing such as cornices, moldings, trim, or variations in brick coursing.

(B) Sloping roofs with the following design elements:

(i) Slope of at least 5:12.

(ii) Two or more slope planes.

(iii) Asphalt composition shingles, metal standing seam, clay tiles, concrete tiles, or similar materials.

(iv) Overhanging eaves extending at least two feet beyond the supporting wall.

SEC. 51P-889.111.

NON-RESIDENTIAL DESIGN STANDARDS.

(a) In general. These design standards apply to all non-residential uses. These design standards are in lieu of the design standards for large retail uses in Section 51A-4.605, even if the use is 100,000 square feet or more.

(b) Relationship to Article X. The landscape requirements of these design standards may be used to satisfy any landscaping required by Article X.

(c) Conflict. If this section conflicts with any other requirements in this article, the other requirements control.

(d) Definitions. The following definitions apply to this section:

(1) COVERED MALL BUILDING means a single building enclosing 10 or more retail, personal service, and office uses that have access into a climate-controlled common pedestrian area.

(2) FACADE WALL means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building that encloses usable space. Where separate faces are oriented in the same direction, or in directions within 45 degrees of one another, they are considered as part of a single facade wall.

(3) FRONT PARKING AREA means, for developments with a single use, the area in front of a line parallel to and extending outward from the primary facade wall to the Property lines, and means for developments with multiple uses, the area between two lines at the corners of the primary facade wall and perpendicular to the primary facade wall and extending to the Property line.

(4) PRIMARY FACADE WALL means the facade wall containing the primary entrance. If two or more facades walls have entrances of equal significance, each facade wall will be considered a primary facade wall.

(5) REAR FACADE WALL means the facade wall containing service areas.

(6) SIDE FACADE WALL means any facade wall that is not a primary facade wall or a rear facade wall.

(7) **SERVICE AREA** means any area for loading docks, outdoor storage (other than an outdoor display, sales, and storage area), trash collection or compaction, truck parking, or other similar functions.

(e) Facade walls. Primary, side, and rear facade walls must incorporate at least three of the following design elements. The cumulative length of these design elements must extend for at least 60 percent of the facade wall's horizontal length.

(1) A repeating pattern of wall recesses and projections, such as bays, offsets, reveals, or projecting ribs, that have a relief of at least eight inches.

(2) At least three of the following design elements at the primary entrance, so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

(A) Architectural details such as arches, friezes, tile work, murals, or moldings.

(B) Integral planters or wing walls that incorporate landscaping or seating.

(C) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(D) Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.

(E) A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

(F) Arcades, awnings, canopies, covered walkways, or porticos.

(G) Display windows, faux windows, or decorative windows.

(H) Trim or accent elements using decorative contrasting colors or decorative neon lighting on at least 10 percent of the area of the facade wall exclusive of fenestration.

(f) Facade wall changes. Facade walls must have one or more of the following changes:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(2) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(g) Materials and colors.

(1) No more than 75 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color. Textured painted tilt wall may be used on no more than 25 percent of the area of the primary facade walls and 50 percent of the side facade walls.

(2) The primary facade wall and side facade walls, excluding fenestration, must have a minimum of 75 percent brick, stone, masonry, simulated brick, stucco, or stone materials.

(h) Roofs.

(1) Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they are not visible from a point five-feet six-inches above grade at the property line. Screening materials must be compatible with the materials and colors used on the main building. Chain-link fences may not be used as a screening material.

(2) Roofs must have at least one of the following design elements:

(A) Parapets with horizontal tops having height changes of at least one foot occurring horizontally no less than every 100 feet. Parapets that do not have horizontal tops must have pitched or rounded tops with a pattern that repeats or varies no less than every 100 feet. All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.

(B) Sloping roofs with at least two of the following design elements:

(i) Slope of at least 5:12.

(ii) Two or more slope planes.

(iii) Overhanging eaves extending at least three feet beyond the supporting wall.

(3) All sloping roofs, if provided, must be either metal standing seam, clay tiles, concrete tiles, or similar materials.

(i) Parking lots and landscaping.

(1) Landscaped islands of a minimum of 160 square feet per row of cars must be placed at both ends of each grouping of parking rows. Additional landscape islands of a minimum of 160 square feet are required for every 30 parking spaces located in a parking row. Landscaped islands must have ground cover and trees or shrubs. This provision does not apply to structured or below grade parking.

(2) Parking lots must be divided into sections containing no more than 120 parking spaces. Parking lot sections must be divided by landscaped dividers with a minimum width of five feet. Landscaped dividers must have trees spaced at a maximum of 30 feet on center and ground cover or shrubs. Parking lot sections may contain up to 150 parking spaces if, in addition to the landscaped divider, each grouping of parking rows is divided by a landscape island of a minimum of 20 square feet per row of cars. Landscaped islands must have ground cover and trees or shrubs. This provision does not apply to structured or below grade parking.

(3) No more than two-thirds of the off-street parking spaces may be located in the front parking area. If more than 50 percent of a parking space is within the front parking area, then that parking space shall be counted as being within the front parking area. The two-thirds limitation on off-street parking within the front parking area may be exceeded if one additional tree beyond the requirements of these design standards is provided within the front parking area for every 15 off-street additional parking spaces or fraction thereof located within the front parking area.

(4) Parking lots must have a pedestrian pathway system distinguished from the parking and driving surface by landscape barriers or a change in surface materials such as pavers or patterned concrete. Pedestrian pathways may be distinguished by paint alone. Pedestrian pathways must be a minimum of six feet wide. Pedestrian pathways must connect mass transit stops, parking areas, public sidewalks, and public rights-of-way to the primary entrance.

(5) A landscaped buffer strip with a minimum width of 20 feet must be located between any parking area and any public right-of-way other than alleys. The landscape buffer may be interrupted by vehicular and pedestrian access areas. The landscape buffer strip may be located in whole or in part in the public right-of-way if the requirements of Chapter 43 of the Dallas City Code are met. The landscape buffer strip must have trees and a berm with a minimum height of three feet. If the topography prevents installation of a berm, an evergreen hedge with a minimum height of three feet may be substituted. If the evergreen hedge is substituted, the hedge must reach three feet in height within 36 months of planting. The number of trees required for the landscape buffer shall be determined by dividing the length of street frontage by 30. The trees in the landscape buffer may be grouped to create "natural" stands. These trees may be spaced at a maximum of 50 feet on center and a minimum of 25 feet on center. A landscape buffer tree shall also count as a street tree. Parking lots that must be screened from Carroll Avenue and North Central Expressway may be screened with a solid hedge capable of reaching a height of three feet within three years of planting, a three-foot-high solid wall, or berm.

(6) Trees spaced at a maximum of 30 feet on center must be provided within 20 feet of the primary facade wall and one side facade wall for at least 50 percent of the length of each side facade wall. Trees may be located in the public right-of-way if the requirements of Chapter 43 of the Dallas City Code are met. Trees must be planted in a landscape strip with a minimum width of five feet or in tree wells with minimum dimensions of five feet by five feet.

(7) Shopping cart storage areas in surface parking lots must be screened with landscaping along the length of the shopping cart storage area facing any public right-of-way.

(j) Additional design standards.

(1) Service areas must be oriented so that they are not visible from a point five-feet six-inches above grade from abutting public rights-of-way or residential zoning districts, or must be screened from abutting public rights-of-way or residential zoning districts by solid masonry screening with a minimum height of eight feet extending the entire length of the service area.

(2) Automotive service bays must be oriented away from any public right-of-way or residential zoning district, unless screened from view with solid masonry screening or solid evergreen landscape screening with a minimum height of eight feet extending the entire length of the automotive service bays.

(3) Mechanical equipment on the ground must be screened using materials matching the materials and colors used on the main building. Chain-link fence may not be used as a screening material.

(4) Except for seasonal displays for a use with less than 100,000 square feet relating to national holidays or the four seasons, merchandise may not be displayed or stored in parking areas or on sidewalks adjacent to facade walls, except in screened outdoor display, sales, and storage areas.

(5) Outdoor display, sales, and storage areas, such as nursery departments, must be enclosed by screening with a solid base with a minimum height of three feet surmounted by a wrought iron or tubular steel fence with a minimum height of five feet. The screening must be surmounted with a minimum of two feet of fascia with materials and colors matching the main building. No merchandise other than trees may be visible above the screening.

(6) Shopping cart storage areas adjacent to facade walls (not in parking lots) must be screened with landscaping or materials matching the materials of the primary facade wall. No more than two shopping cart storage areas (one on each side of an entrance) may be provided on any facade wall. Shopping cart storage areas may not exceed 30 feet in length.

(7) If the use is within 300 feet of a single family residential zoning district containing a residential use, other than this district, the following restrictions apply. For purposes of this provision, measurements are made in a straight line, without regard to intervening structures or objects, from the nearest boundary of the lot where the use is conducted to the nearest boundary of the zoning district in issue.

(A) External speakers are prohibited.

(B) Staging, loading, or idling of commercial vehicles in a service area is prohibited between the hours of 10:00 p.m. and 7:00 a.m. Signs prohibiting staging, loading, or idling of commercial vehicles between the hours of 10:00 p.m. and 7:00 a.m. must be posted every 100 feet adjacent to the service area.

(C) An external lighting plan demonstrating compliance with all city ordinances must be submitted to and approved by the building official prior to the issuance of a building permit for new construction, a building permit to expand to 100,000 square feet or more, or a certificate of occupancy.

(8) The following driveway enhancements must be provided:

(A) Ingress/egress points to the Property must have a change in surface materials such as pavers, bricks, or patterned concrete with color. This special paving must have a minimum length of 20 feet, starting at the Property line, and must span the entire width of the driveway throat (from edge of gutter to edge of gutter). Stained concrete does not comply with this provision.

(B) The intersections of main driveways must have enhanced paving such as concrete pavers, patterned concrete with color, brick, stone, landscape islands, or similar feature or materials.

(C) Main driveways must have one tree for every 30 linear feet of driveway. Trees must be a minimum two and one-half caliper inches at the time of planting and may be planted in naturalized clusters along the driveway. All trees must be located within 35 feet of the paved driveway.

(D) Main driveways must have a minimum six-foot-wide sidewalk on one side of the drive within 20 feet of the driveway pavement. Benches, at a minimum of one (1) per 75 linear feet of driveway length, must be located along the sidewalk.

(E) Pedestrian lighting with decorative fixtures must be installed along both sides of the main driveways, and located within 25 feet of the driveway pavement.

(9) Throughout the Property, all pedestrian walkways that cross vehicular circulation routes must be clearly marked with enhanced paving and signage or other traffic calming devices such as speed bumps. Stained concrete does not comply with this provision.

(10) Awnings, canopies, arcades, or similar features must be provided at all main building entrances of buildings located on the Property. If the main building entrance is located within a parking structure this provision does not apply.

(11) Sidewalks with a minimum width of six feet must be provided along the primary facade wall of all structures with air-conditioned space.

(k) Variations and exceptions. The city plan commission, whether or not a specific use permit is required, may approve a development plan that does not comply with the requirements of these design standards provided that the city plan commission finds that:

(1) strict compliance with these design standards is impractical due to site constraints or would result in substantial hardship;

(2) the development plan complies with the spirit and intent of these design standards;

(3) the development plan furthers the purpose of design standards as stated in Paragraph 51A-4.605(a)(1); and

(4) the variation or exception from these design standards will not adversely affect surrounding properties.

(l) The city plan commission shall follow the same procedure used for approval of minor amendments to development plans and the fee for a minor amendment shall apply.

SEC. 51P-889.112. 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. Consult Division 51A-4.300 for information regarding off-street parking and loading generally. For parking purposes the entire district is considered as one lot.

(b) No more than two rows of surface parking are allowed between a structure with air-conditioned floor area and North Central Expressway if the structure is within 100 feet of North Central Expressway.

SEC. 51P-889.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-889.114.**LANDSCAPING.**

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) All plant materials must be maintained in a healthy, growing condition.
- (c) The number of street trees required for the Property is determined by dividing the length of street frontage by 30. Street trees must be planted within 25 feet of the street curb and must have a minimum caliper inch of four inches. If this 25-foot-area falls entirely within the right-of-way, the trees must be placed within the landscape buffer area. Street trees must be spaced at a maximum of 50 feet apart on center and a minimum of 25 feet apart on center, except when ingress or egress points or visibility triangles prohibit trees. A street tree may also be a landscape buffer tree.
- (d) All parking lots within 100 feet of public streets must be screened by a three-foot-high vegetative screen, berm, or solid wall. Plant material must be spaced in a manner, and be planted at a size large enough, to fulfill this requirement within three years of planting.
- (e) Plant materials may not be installed until a landscape irrigation system has been installed and is operating with 100 percent coverage of the proposed landscape areas.
- (f) The parking lot tree requirements in Section 51A-10.125(b)(5) do not apply to parking spaces located within a parking structure.
- (g) The parking lot and landscaping requirements in Section 51P-889.111(i) do not apply to parking structures.

SEC. 51P-889.115.**TREE MITIGATION.**

- (a) To preserve existing tree canopies, existing large trees with a caliper of 20 inches or greater may reduce the number of replacement inches by a factor of 1.5. For example, a tree with a caliper of 20 inches that is preserved reduces the tree replacement requirement by 30 caliper inches. Trees must be protected prior to and during construction with the minimum standards approved by Article X. Any credits are subject to inspection by the arborist. To qualify for a reduction in the number of replacement trees, the Building Official must determine that the tree protection requirements in Article X have been met.
- (b) If the Property owner provides the building official with a performance bond or a letter of credit in the amount of the total cost of purchasing and planting replacement trees, the building official may permit the Property owner up to 36 months to plant the replacement trees.
- (c) Tree mitigation is not required for trees within 10 feet of a building wall.

SEC. 51P-889.116. SIGNS.

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

SEC. 51P-889.117. 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-889.118. 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 city.

(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.”

SECTION 4. 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 5. That the Tract B property description of the Exhibit A attached to Ordinance No. 23905, as amended, is replaced with the Tract B property description (Exhibit B) attached to this ordinance.

SECTION 6. That development of this district must comply with the full-scale version of Exhibit 889A 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 7. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 889 in Chapter 51P.

SECTION 8. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 9. 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 10. 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 11. 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

MAY 22 2013

Passed _____

DESCRIPTION, of a 16.158 acre tract of land situated in the John Grigsby Survey Abstract No. 495, Dallas County, Texas; said tract of land being all of that tract described as Tract "A" in Special Warranty Deed from American General Life Insurance Company to Affiliated Computer Services, Inc. recorded in Volume 95159, Page 237 of the Deed Records of Dallas County, Texas, said tract also being all of Lot 1, and part of Lot 2, Block 18/2006 of Affiliated Computer Services Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 2002047, Page 255 of said Deed Records, and also being part of that tract described in Special Warranty deed to Affiliated Computer Services, Inc. recorded in Volume 20000141, Page 472 of said Deed Records; and part of a 15-foot wide alley across Block 18/2006; said 16.158 acre tract being more particularly described as follows;

BEGINNING, at a "+" cut in concrete found for corner; said point being the southwest end of a right-of-way corner clip at the intersection of a southeast right-of-way line of Central Expressway (U.S. Highway 75, a variable width right-of-way) and a southwest right-of-way line of Carroll Avenue (a variable width right-of-way);

THENCE, North 68 degrees, 41 minutes, 09 seconds East, along the said corner clip, a distance of 28.30 feet to a "+" cut in concrete found for corner in said southwest line of Carroll Avenue (75-foot wide right-of-way at this point);

THENCE, South 66 degrees, 10 minutes, 34 seconds East, along said southwest line of Carroll Avenue, a distance of 657.91 feet to a 3/4-inch iron pipe found at an angle point;

THENCE, South 44 degrees, 20 minutes, 45 seconds East, continuing along the said southwest line of Carroll Avenue, a distance of 209.07 feet to a 1/2-inch iron rod found at the beginning of a curve to the right; said point also being the northern most end of a circular right-of-way corner clip;

THENCE, in a southerly direction, departing said southwest line of Carroll Avenue and along said circular corner clip, having a central angle of 89 degrees, 49 minutes, 20 seconds, a radius of 30.00 feet, on a chord bearing and distance of South 00 degrees, 33 minutes, 55 seconds West, 42.36 feet, an arc distance of 47.03 feet to a 1/2-inch iron rod found in the northwest line of Atoka Street (a 50-foot wide right-of-way);

THENCE, South 45 degrees, 28 minutes, 35 seconds West, along said northwest line of Atoka Street, a distance of 150.00 feet to a 5/8-inch iron rod found for corner; said point being the southwest corner of the terminus of said Atoka Street; from said point a 1/2-inch iron pipe found bears South 45 degrees 28 minutes West, a distance of 0.1 feet;

THENCE, South 44 degrees, 20 minutes, 45 seconds East, along the terminus of said Atoka Street, passing at a distance of 50.00 feet the southeast corner of said Atoka Street and the west corner of Lot 3, Block H/2005, Resubdivision of Belmont Park Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 8, page 126 of the Map Records of Dallas County, Texas, continuing along the southwest line of said Lot 3 for a total distance of 157.50 feet to a 1/2-inch iron pipe found for corner in the northwest line of a 20 foot wide alley;

THENCE, South 45 degrees, 28 minutes, 35 seconds West, along the northeast line of said 20-foot wide alley, at a distance of 576.07 feet passing the easterly line of said 15-foot wide alley and the westerly line

of said Lot 1, passing at a distance of 591.07 feet the easterly line of said Lot 2 and the westerly line of said 15-foot wide alley and continuing for a total distance of 695.79 feet to a "+" cut in concrete set for corner;

THENCE, in a northwesterly direction, the following three (3) calls;

North 44 degrees, 31 minutes, 25 seconds West, a distance of 439.96 feet to PK Nail set for corner;

North 23 degrees, 44 minutes, 38 seconds East, a distance of 94.40 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner;

North 66 degrees, 15 minutes, 22 seconds West, a distance of 310.71 feet to an "+" cut in concrete set for corner, said point being in the southeast line of North Central Expressway, and the of a non-tangent curve to right;

THENCE, in a northeasterly direction and along the said southeast line of North Central Expressway, the following three (3) calls;

In a northerly direction along said non-tangent curve to the right, having a central angle of 02 degrees, 11 minutes, 06 seconds, a radius of 2734.00 feet, a chord bearing and distance of North 22 degrees, 34 minutes, 36 seconds East, 104.25 feet, an arc distance of 104.26 feet, to a 1/2-inch iron rod with "PACHECO KOCH" cap found at the end of said curve;

North 23 degrees, 47 minutes, 34 seconds East, a distance of 29.49 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner;

North 23 degrees, 44 minutes, 38 seconds East, a distance of 65.63 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being the southwest corner of a tract of land described in Quit Claim deed to the City of Dallas as recorded in Volume 96063, Page 1958 of said Deed Records;

THENCE, South 66 degrees, 15 minutes, 22 seconds East, along the south line of said City of Dallas tract, a distance of 5.00 feet to a "+" cut in concrete found for corner at the southeast corner of said City of Dallas tract;

THENCE, North 23 degrees, 44 minutes, 38 seconds East, along the east line of said City of Dallas tract, a distance of 40.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at the northeast corner of said City of Dallas tract;

THENCE, North 66 degrees, 15 minutes, 22 seconds West, the north line of said City of Dallas tract, a distance of 5.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at the northwest corner of said City of Dallas tract;

THENCE, North 23 degrees, 44 minutes, 38 seconds East, along the said southeast line of North Central Expressway, a distance of 445.63 feet to the POINT OF BEGINNING;

CONTAINING, 703,826 square feet or 16.158 acres of land, more or less.

29019

Exhibit B**PD 305 TRACT B****(East side of Central Expressway)**

BEING a tract or parcel of land situated in the John Grisby Survey, Abstract 495, City of Dallas, Dallas County, Texas, and being all or parts of City Blocks 10/2006, 18/2006, 11/606, 1/611, 2/612, 5/614, A/618, A/621, E/622, C/623, D/623, A/624, B/624, E/624, A/659, B/659, C/659, 661, A/661, G/662, K/662, A/663 and B/663 being more particularly described as follows:

BEGINNING at an "+" cut in concrete set for corner in the easterly right-of-way line of North Central Expressway, U.S. Highway 75 (a variable width right-of-way), at its intersection with the northerly line of Haskell Avenue (a variable width right-of-way), said point also being the most southwesterly corner of City Block 18/2006;

THENCE along the easterly line of North Central Expressway, N 08°08'01" E, 106.10 feet to a "+" cut in concrete set for the beginning of a non-tangent curve to the right;

THENCE along said easterly line of North Central Expressway, a curve to the right having a central angle of 6°31'38", a radius of 2,090.00 feet, an arc distance of 238.10 feet, a chord bearing of N10°06'12"E, and a chord distance of 237.97 feet to a point for corner at the beginning of a compound curve to the right;

THENCE continuing along said easterly line of North Central Expressway in a northerly direction along said compound curve to the right, having a central angle of 08°07'22", a radius of 2,734.00 feet, a chord bearing and distance of N17°25'42" E, 387.27 feet, an arc distance of 387.59 feet, to a "+" cut in concrete for corner at the end of said curve;

THENCE departing said easterly right-of-way line of North Central Expressway, S 66°15'22" E, a distance of 310.71 feet to a point for corner;

THENCE S 23°44'38" W, a distance of 94.40 feet to a point for corner;

THENCE S 44°31'25" E, a distance of 439.96 feet to a point for corner;

THENCE N 45°28'35" E, a distance of 119.64 feet to a "+" cut in concrete set for corner, in the westerly line of a 15-foot wide alley;

THENCE S 44°50'32" E, a distance of 149.63 feet to a point for corner in the centerline of Peak Street (a variable width right-of-way); said point being the southeast corner of

the northern most corner of City Block A/663 Lot 2, Cityplace Northeast Section One-Revised (S023-152), an addition to the City of Dallas, Texas according to the plat recorded in Volume 95051, page 1321 of the Dallas County Deed Records;

THENCE S 45°16'15" W, along the said southwesterly line of Peak Street, a distance of 25.00 feet, to a point in the southwesterly line of Peak Street, said point also being the on the north line of City Block A/663 Lot 2;

THENCE S 44°49'44" E, along the southwesterly line of Peak Street, crossing the right-of-way of Weldon Street (50' R.O.W.), 700.00 feet to its intersection with the westerly line of Capitol Avenue (50' R.O.W.);

THENCE S 45°05'16" W along the westerly line of Capitol Avenue 248.74 feet to a corner;

THENCE departing the westerly line of Capitol Avenue, S 44°49'17" E, 282.49 feet to a point for corner at the west line of City Block 661;

THENCE S 24°24'57" W along the west line of City Block 661, 148.72 feet to a point for corner;

THENCE S 66°12'27" E, 204.49 feet to a point for corner, in the easterly line of Office Parkway (50' R.O.W.);

THENCE N 23°00'42" E along the easterly line of Office Parkway, 319.99 feet to a point for corner, said point also being the point of curvature of a curve to the right;

THENCE continuing along the easterly line of Office Parkway, a curve to the right having a central angle of 19°26'23", a radius of 223.27 feet, an arc distance of 75.75 feet to a point for corner, said point also being the point of reverse curvature, chord bears N 32°48'25" E, 75.39 feet;

THENCE continuing along the easterly line of Office Parkway, a curve to the left having an angle of 151°56'24", a radius of 52.59 feet, a chord bears N 23°45'58" E;

THENCE continuing along the south line of Block 661 and the north line of C/662 Lot 5A N 34°14'15" E, 179.23 feet easterly line of Office Parkway, to a point for corner in the north line of City Block G/662 Lot 5A;

THENCE S 57°44'34" E, 10.74 feet to a point for corner;

29019

THENCE N 45°59'05" E, 81.86 feet to a point for corner;

THENCE S 44°26'35" E, 95.00 feet to a point for corner;

THENCE N 46°05' 18" E, 2.47 feet to a point for a corner in the southerly line of Ashby Street (50' R.O. W.);

THENCE S 44°21'15" E, continuing along the southerly line of Ashby Street, 25.72 feet to a point for a corner;

THENCE S 38°30'01" W, continuing along the southerly line of Ashby Street, 6.28 feet to a point for a corner;

THENCE S 43°54'55" E, continuing along the southerly line of Ashby Street, 167.23 feet to a point for a corner at its intersection with the westerly line of Deere Street (50' R.O.W.);

THENCE S 46°51'05" W along the westerly line of Deere Street, 410.00 feet to a point for a corner in the southerly line of Peak Street (60' R.O.W.);

THENCE S 44°22'41" E along the southerly line of Peak Street, 247.81 feet to a point for a corner,

THENCE departing the southerly line of Peak Street, S 05°52'50" W, 118.28 feet to a point for a corner said point also being the most northeasterly corner of City Block C/659, and in the southerly line of Lemmon Avenue (60' R.O.W.), said point also being the point of curvature of a curve to the right;

THENCE along the southerly line of Lemmon Avenue, a curve to the right having a central angle of 38°53'13", a radius of 395.63 feet, an arc distance of 268.52 feet to an iron rod found in the southerly line of Peak Street (50' R.O.W.) at its intersection with the westerly line of a 15 foot alley, chord bears S 65°12'57" E, 263.39 feet;

THENCE S 44°48'58" E, crossing said 15 foot alley, 15.00 feet to a point for a corner at the intersections of the southerly line of Peak Street with the easterly line of said 15 foot alley for a corner;

THENCE S 44°39'08" E, continuing along the southerly line of Peak Street, 200.10 feet to a point for a corner at its intersection with the easterly line of Lafayette Street (50' R.O.W.);

290 19

THENCE S 44°42'34" E, continuing along the southerly line of Peak Street, 157.99 feet to a point for a corner at its intersection with the westerly line of a 10 foot dirt alley;

THENCE S 46°36'44" W along the westerly line of said dirt alley, 645.40 feet to a point for a corner at the northerly line of Haskell Avenue;

THENCE N 44°56'55" W along the northerly line of Haskell Avenue, 418.35 feet to a point for corner on the common line between Lots 2 and 3 in City Block B/659;

THENCE N 46°08'18" E along said common lot line and its northeastward prolongation, a distance of approximately 142.52 feet to a point for corner on the centerline of a 15 foot alley;

THENCE N 44°56'55" W along the centerline of said alley, a distance of approximately 103.00 feet to a point for corner on the southeasterly line of Cabell Drive;

THENCE N 46°08'36" E along the southeasterly line of Cabell Drive, a distance of 50.70 feet to a point for corner on the common line between Lots 25 and 26 City Block B/659;

THENCE S 44°26'39" E along said common lot line and its northeastward prolongation, a distance of approximately 157.46 feet to a point for corner on the centerline of a 15 foot alley;

THENCE in a N 46°08'36" E direction along the centerline of said alley, a distance of approximately 50.00 feet to a point for corner on a line, said line being the southeastward prolongation of the common line between Lots 17A and 25 in City Block B/659;

THENCE in a N 44°56'55" W direction along said line, and continuing along said common lot line and its northwestward prolongation, a distance of approximately 177.01 feet to a point for corner on the centerline of Cabell Drive (50' R.O.W.);

THENCE S 46°16'46" W along the centerline of Cabell Drive, 100.00 feet to a point for a corner at its intersection with the southeasterly projection of the centerline of a 15 foot alley;

THENCE N 44°53'01" W along the centerline of said 15 foot alley, 179.90 feet to a point for corner on the east line of City Block A/661;

290 19

THENCE S 23°24'20" W along the east line of City Block A/661, 226.36 feet to a point for a corner in the centerline of Haskell Avenue, said point also being the point of curvature of a curve to the right;

THENCE along the centerline of Haskell Avenue, a curve to the right having a central angle of 26°07'05", a radius of 170.55 feet, an arc distance of 77.75 feet to an iron rod found for a corner, chord bears S 65°07'02" E, 77.07 feet;

THENCE S 44°53'01" E, continuing along the centerline of Haskell Avenue, approximately 376.82 feet to a point for a corner at its intersection with the northeasterly projection of the centerline of Lafayette Street (50' R.O.W.);

THENCE S 44°48'15" W along the centerline of Lafayette Street approximately 636.41, crossing the right-of-way of Lucille Street (50' R.O.W.) to the centerline of Caddo Street;

THENCE S 43°56'00" E along the centerline of Caddo Street, approximately 191.18 feet to a point for a corner at its intersection of the centerline of Cochran Street (50' R.O.W.);

THENCE S 44°53'20" W along the centerline of Cochran Street, approximately 400.00 feet to a point for a corner at its intersection with the centerline of Washington Avenue (50' R.O.W.);

THENCE N 45°11'32" W, along the centerline of Washington Avenue, 700.24 feet to a point for a corner at its intersection with the northeasterly projection of the south line of City Block A/624 Lot 1A;

THENCE S 44°57'49" W, crossing the right-of-way of Washington Avenue, approximately 30 feet to a point for a corner in the southerly line of Washington Avenue and the southeast corner of City Block A/624 Lot 1A;

THENCE departing said southerly line of Washington Avenue, and the southeast corner of City Block A/624 Lot 1A and going across said Lot the following calls:

S 44°57'49" W, 164.82 feet to a point for a corner

N 45°14'02" W, 118.00 feet to a point for a corner

S 44°57'49" W, 300.00 feet to a point for a corner

S 45°14'02" E, 120.00 feet to a point for a corner

S 44°57'49" W, 300.04 feet to a point for corner

THENCE N 45°14'02" W along the westerly line of City Block A/624 Lot 1A, 145.00 feet to a point for a corner in the centerline of Thomas Avenue;

29019

THENCE S 46°22'25" W along the centerline of Thomas Avenue approximately 241 feet to the centerline of North Central Expressway, U.S. Highway 75, to a point for a corner;

THENCE in a northwesterly direction (N 01°32'40" W) along the center line of North Central Expressway, U.S. Highway 75 approximately 1382.90 feet to the point of intersection with the southwesterly projection of the (former south line of Weldon Street) at its intersection with the centerline of Lemmon Avenue to a point for corner;

THENCE in a southeasterly direction (S 63°06'20" E) along the centerline of Lemmon Avenue, approximately 287.91 feet to the point of intersection with the southwesterly projection of the south line of City Block 1/620 Lot 1A to a point for corner;

THENCE departing said centerline of Lemmon Avenue and following around the City Block 1/620 Lot 1A the following calls:

THENCE N 46°11'29" E, 162.72 feet to a point for a corner

THENCE N 45°42'52" W, 207.86 feet to a point for a corner

THENCE S 45°22'01" W, 92.45 feet to a point for a corner on the north line of the service road of North Central Expressway, U.S. Highway 75;

THENCE N 71°43'48" W, 53.76 feet to the centerline of the service road of North Central Expressway, U.S. Highway 75 to a point for corner;

THENCE N 02°55'06" W, 122.26 feet along the centerline of the service road of North Central Expressway, U.S. Highway 75 the point of intersection with the southwesterly projection of the centerline of Weldon to a point for corner;

THENCE N 88°24'39" E, 130.12 feet along the centerline of Weldon Street, to a point for a corner in the centerline of said Weldon Street;

THENCE N 45°50'52" E, 860.88 feet continuing along the centerline of Weldon Street to the point of intersection with the southwest line of Lot1A, Block A/663 at the northeasterly line of Haskell Avenue to a point for corner;

THENCE N 44°27'56" W, 440.95 feet, along the northeasterly line of Haskell Avenue and the southwest line of Lot1A, Block A/663 to the point of intersection with the southeast corner of Lot 2, Block 18/2006, to a point for a corner;

THENCE, North 44 degrees, 53 minutes, 56 seconds West, along said northeast line of North Haskell Avenue, a distance of 229.93 feet to a "+" cut in brick found at the beginning of a curve to the left;

290 19

THENCE, in a northwesterly direction along the northeast line of N. Haskell Avenue and said curve to the left, having a central angle of 33 degrees, 27 minutes, 38 seconds, a radius of 511.50 feet, a chord bearing and distance of North 61 degrees, 37 minutes, 45 seconds West, 294.49 feet, an arc distance of 298.71 feet to a "+" cut in concrete set for corner at the end of said curve; said point being in the east right-of-way line of North Central Expressway (a variable width right-of-way) to return to the POINT OF BEGINNING and containing approximately 93.936 acres of land, more or less.

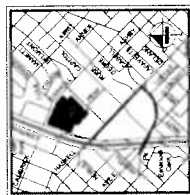
NO.	DATE	DESCRIPTION
1	10/1/12	PRELIMINARY
2	10/1/12	REVISION
3	10/1/12	REVISION
4	10/1/12	REVISION
5	10/1/12	REVISION
6	10/1/12	REVISION
7	10/1/12	REVISION
8	10/1/12	REVISION
9	10/1/12	REVISION
10	10/1/12	REVISION

CONCEPTUAL PLAN
Z112-265(MW)

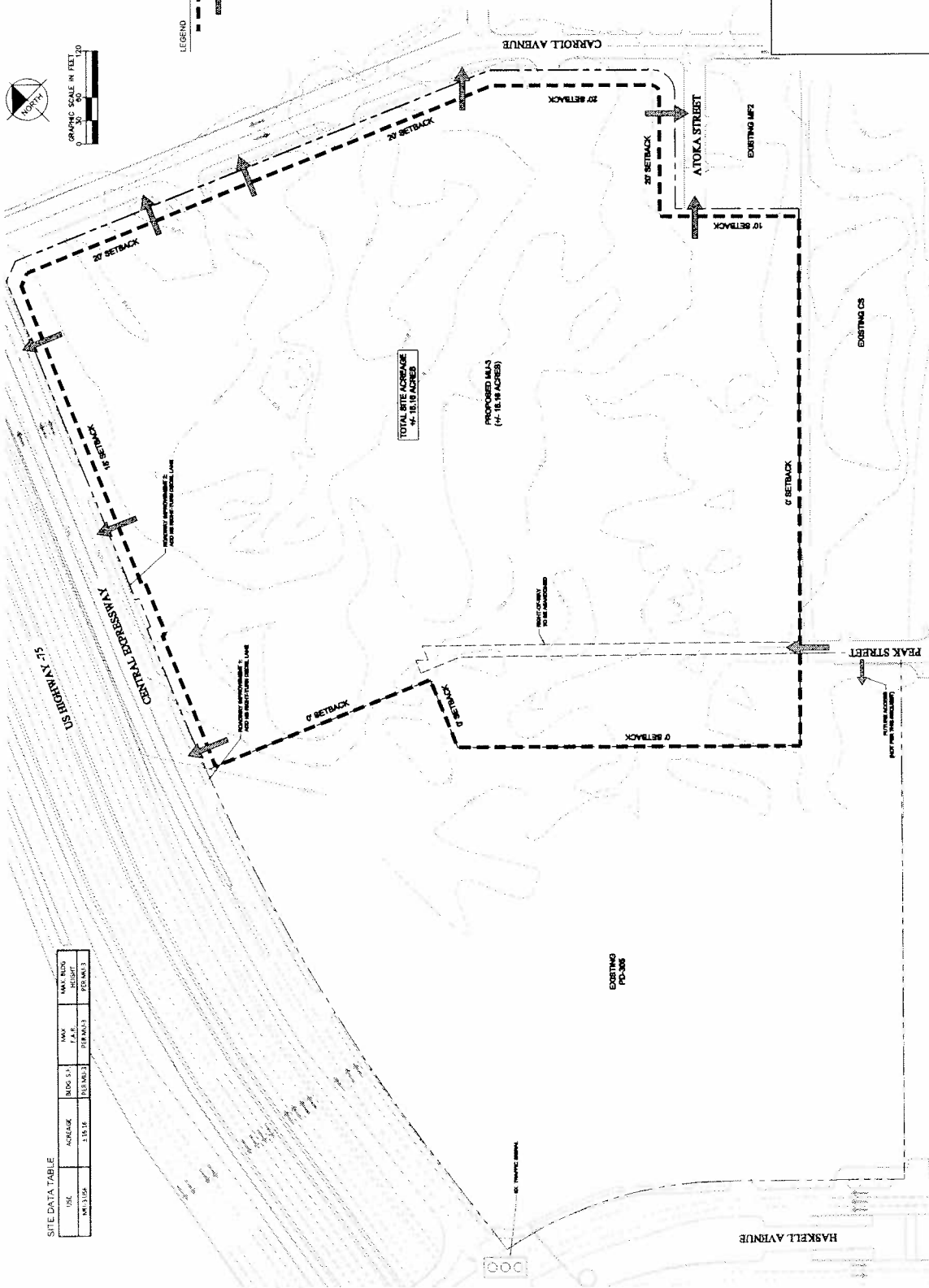
Exhibit 889A

Kimley-Horn
and Associates, Inc.

29019



PROPOSED LOT LINES
APPROXIMATE LOT LINES
APPROXIMATE LOT LINES ONLY



SITE DATA TABLE

NO.	DATE	DESCRIPTION
1	10/1/12	PRELIMINARY
2	10/1/12	REVISION
3	10/1/12	REVISION
4	10/1/12	REVISION
5	10/1/12	REVISION
6	10/1/12	REVISION
7	10/1/12	REVISION
8	10/1/12	REVISION
9	10/1/12	REVISION
10	10/1/12	REVISION

Planned Development
District No. 889

Approved
City Plan Commission
May 2, 2013