

6-23-14

ORDINANCE NO. 29391

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Blocks 8264 and 8266 generally located at the northwest corner of L.B.J. Freeway and J. J. Lemmon Road; and containing approximately 96.76 acres, from an A(A) Agricultural District and an LI Light Industrial District to Planned Development District No. 761 (the Dallas Logistics Port Special Purpose District); amending Article 761, "PD 761," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code to reflect the expansion of the planned development district; providing a new Section 51P-761.104.1; providing conditions for the new tract; deleting Section 51P-761.121; providing a new subdistrict map; providing a Logistics Industrial Area 1 (LI-A-1) Subdistrict enhanced preservation buffer/tree preservation areas 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 761 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 A(A) Agricultural District and an LI Light Industrial District to Planned Development District No. 761 on the property described in Exhibit A, which is attached to and made a part of this ordinance.

SECTION 2. That Section 51P-761.102, "Property Location and Size," of Article 761, "PD 761," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

**"SEC. 51P-761.102. PROPERTY LOCATION AND SIZE.**

PD 761 is established on property bounded by Interstate Highway 20, J. J. Lemmon Road, Wintergreen Road, and Bonnie View Road. The size of PD 761 is approximately 1,415.76 [~~1,319~~] acres."

SECTION 3. That Section 51P-761.103, "Creation of Subdistricts," of Article 761, "PD 761," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

**"SEC. 51P-761.103. CREATION OF SUBDISTRICTS.**

This special purpose district is divided into the Logistics Industrial (LI), Logistics Industrial Area 1 (LI-A-1), and Logistics Retail (LR) Subdistricts. Exhibit 761A shows the boundaries of each subdistrict."

SECTION 4. That Article 761, "PD 761," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Section 51P-761.104.1, "Exhibits," to read as follows:

**"SEC. 51P-761.104.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 761A: subdistrict map.
- (2) Exhibit 761B: Logistics Industrial Area 1 (LI-A-1) Subdistrict enhanced perimeter buffer/tree preservation areas plan."

SECTION 5. That Subsection (a), “Logistics Industrial (LI) Subdistrict,” of Section 51P-761.107, “Main Uses Permitted,” of Article 761, “PD 761,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is retitled as Subsection (a), “Logistics Industrial (LI) and Logistics Industrial Area 1 (LI-A-1) Subdistricts.”

SECTION 6. That Subsection (b), “Logistics Industrial (LI) Subdistrict,” of Section 51P-761.108, “Accessory Uses,” of Article 761, “PD 761,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is retitled as Subdistrict (b), “Logistics Industrial (LI) and Logistics Industrial Area 1 (LI-A-1) Subdistricts,” and amended to read as follows:

“(b) Logistics Industrial (LI) and Logistics Industrial Area 1 (LI-A-1) Subdistricts. The following accessory uses are not permitted in these [this] subdistricts:

- Accessory community center (private).
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.”

SECTION 7. That Subsection (a), “Logistics Industrial (LI) Subdistrict,” of Section 51P-761.109, “Yard, Lot, and Space Regulations,” of Article 761, “PD 761,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is retitled as Subsection (a), “Logistics Industrial (LI) and Logistics Industrial Area 1 (LI-A-1) Subdistricts.”

SECTION 8. That Paragraph (3), “Parking Lot Buffer,” of Subsection (c), “Buffers,” of Section 51P-761.113, “Landscaping,” of Article 761, “PD 761,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“(3) Parking lot buffer.

(A) Except as provided in this subsection [~~paragraph (1)~~], a 20-foot-wide landscape buffer must be provided between a parking lot and an adjacent divided thoroughfare.

(B) Except as provided in this subsection [~~paragraph (1)~~], a ten-foot-wide landscape buffer must be provided between a parking lot and an adjacent undivided street.

(C) A parking lot landscape buffer must consist of large shrubs placed a maximum of 36 inches on center over the entire length of the buffer. The large shrubs must be maintained at a minimum height of three feet and must be capable of providing a solid appearance within three years.

(D) The parking lot buffer may be within the street-yard.

(E) Trees required for street-yard landscaping may be provided within a parking lot buffer if the parking lot buffer is located within a street-yard.

(F) In the Logistics Industrial Area 1 (LI-A-1) Subdistrict, the required parking lot buffer area along J. J. Lemmon Road must be provided as shown on the Logistics Industrial Area 1 (LI-A-1) Subdistrict enhanced perimeter buffer/tree preservation areas plan (Exhibit 761B).”

SECTION 9. That Section 51P-761.114, “Tree Preservation,” of Article 761, “PD 761,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended by adding a new Subsection (j), “Logistics Industrial Area 1 (LI-A-1) Subdistrict,” to read as follows:

“(j) Logistics Industrial Area 1 (LI-A-1) Subdistrict. Trees located in the preservation areas shown on the Logistics Industrial Area 1 (LI-A-1) Subdistrict enhanced perimeter buffer/tree preservation areas plan may not be removed.”

SECTION 10. That Section 51P-761.121, “Zoning Map,” of Article 761, “PD 761,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is deleted as follows:

“~~[SEC. 51P-761.121. ZONING MAP.~~

~~PD 761 is located on Zoning Map Nos. P-8, P-9, Q-8, Q-9, R-8, and R-9.]”~~

SECTION 11. That the subdistrict map, Exhibit 761A of Article 761, "PD 761," of Chapter 51P of the Dallas City Code is replaced with the Exhibit 761A attached to this ordinance.

SECTION 12. That development of the Logistics Industrial Area 1 (LI-A-1) Subdistrict must comply with the full-scale version of Exhibit 761B (Logistics Industrial Area 1 (LI-A-1) Subdistrict enhanced perimeter buffer/tree preservation areas plan) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued on information provided on the full-scale version of the plan.

SECTION 13. 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 14. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.


SECTION 15. 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 16. 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 17. 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:

WARREN M.S. ERNST, City Attorney

By   
Assistant City Attorney

Passed JUN 25 2014

## LEGAL DESCRIPTION

BEING a tract of land situated in the Levi Dixon League Survey, Abstract No. 380, and the Ulrich Wuthrick Survey, Abstract No. 1518 in the City of Dallas, Dallas County, Texas, and being part of City of Dallas Block Numbers 8264 and 8266, and being all of a tract of land described in General Warranty Deed to The Dallas Morning News, L.P. recorded in Volume 99062, Page 04489, and to The Dallas Morning News of Texas, Inc., recorded in Volume 99062, Page 04510, both of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being more particularly described as follows:

BEGINNING at a point for the southeast corner of said Dallas Morning News tract, said point being at the intersection of the southwest right-of-way line of J. J. Lemmon Road (variable width right-of-way, 60-foot wide at this point) with the north right-of-way line of Interstate Highway No. 635 (Lyndon B. Johnson Freeway) (a variable width right-of-way), from which a found concrete monument bears North 55 degrees 45 minutes 11 seconds East, a distance of 0.8 feet;

THENCE South 55 degrees 45 minutes 11 seconds West, with said north right-of-way line of Interstate Highway No. 635, a distance of 1,018.11 feet to a point for corner, from which a 1/2-inch found iron rod bears North 55 degrees 45 minutes 11 seconds East a distance of 0.6 feet and a found concrete monument bears South 70 degrees 57 minutes 07 seconds West, a distance of 1.0 feet;

THENCE South 70 degrees 57 minutes 07 seconds West, continuing with said north right-of-way line of Interstate Highway No. 635, a distance of 904.65 feet to a point for corner, from which a 1/2-inch found iron rod with illegible cap bears North 70 degrees 57 minutes 07 seconds East a distance of 0.6 feet and a 1/2-inch found iron rod bears North 08 degrees West, a distance of 0.4 feet;

THENCE South 77 degrees 14 minutes 24 seconds West, continuing with said north right-of-way line of Interstate Highway No. 635, a distance of 1,158.42 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap");

THENCE South 81 degrees 03 minutes 00 seconds West, continuing with said north right-of-way line of Interstate Highway No. 635, a distance of 470.08 feet to a 1/2-inch set iron rod with cap for the southwest corner of said Dallas Morning News tract, said corner being at the intersection of said north right-of-way line of Interstate Highway No. 635 with the east right-of-way line of the Burlington Northern Santa Fe (BNSF) railroad (100-foot wide right-of-way);

THENCE North 01 degree 42 minutes 36 seconds East, departing said north right-of-way line of Interstate Highway No. 635 and with the common said east right-of-way line of the BNSF railroad and the west line of said Dallas Morning News tract, a distance of 1,286.07 feet to a 1/2-inch found iron rod for the most westerly northwest corner of said

Dallas Morning News tract and the southwest corner of that tract of land described in deed to Don Gholston, as recorded in Volume 84180, Page 3262, D.R.D.C.T.;

THENCE North 58 degrees 48 minutes 03 seconds East, departing said east right-of-way line of the BNSF railroad and with the northwest line of said Dallas Morning News tract and with the southeast line of said Gholston tract, a distance of 704.61 feet to a 1/2-inch found iron rod with a "RPLS3688" cap for corner on the south right-of-way line of said J.J. Lemmon Road, from which a 5/8-inch found iron rod with "GONZALEZ&SCHNEERBERG" cap bears North 69 West, a distance of 0.5 feet;

THENCE South 83 degrees 22 minutes 57 seconds East, departing said southeast line of said Gholston tract and with the common said south right-of-way line of J. J. Lemmon Road and the north line of said Dallas Morning News tract, a distance of 15.82 feet to a 1/2-inch found iron rod for corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 286.48 feet and a chord that bears North 79 degrees 13 minutes 07 seconds East, a distance of 171.33 feet, from which a 5/8-inch found iron rod with "GONZALEZ&SCHNEERBERG" cap bears North 57 West, a distance of 0.5 feet;

THENCE Easterly, continuing with said common line and with said curve, through a central angle of 34 degrees 47 minutes 52 seconds, an arc distance of 173.99 feet to a 1/2-inch found iron rod with red "RPLS3688" cap for the point of tangency;

THENCE North 61 degrees 49 minutes 11 seconds East, continuing with said common line, a distance of 212.89 feet to a 1/2-inch found iron rod for corner;

THENCE North 69 degrees 57 minutes 12 seconds East, continuing with said common line, a distance of 142.93 feet to a 1/2-inch found iron rod for corner, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 828.00 feet, chord that bears North 84 degrees 52 minutes 06 seconds East, a distance of 89.51 feet;

THENCE Easterly, continuing with said common line and with said curve, through a central angle of 06 degrees 11 minutes 49 seconds, an arc distance of 89.55 feet to a 1/2-inch found iron rod for the point of tangency;

THENCE North 87 degrees 58 minutes 01 second East, continuing with said common line, a distance of 1,276.77 feet to a 1/2-inch found iron rod for the point of curvature of a tangent circular curve to the right having a radius of 638.00 feet, chord that bears South 60 degrees 29 minutes 32 seconds East, a distance of 667.48 feet;

THENCE Southeasterly, continuing with said common line and with said curve, through a central angle of 63 degrees 04 minutes 54 seconds, an arc distance of 702.43 feet to a 1/2-inch found iron rod with red "RPLS3688" cap for the point of tangency;



29391

Exhibit A

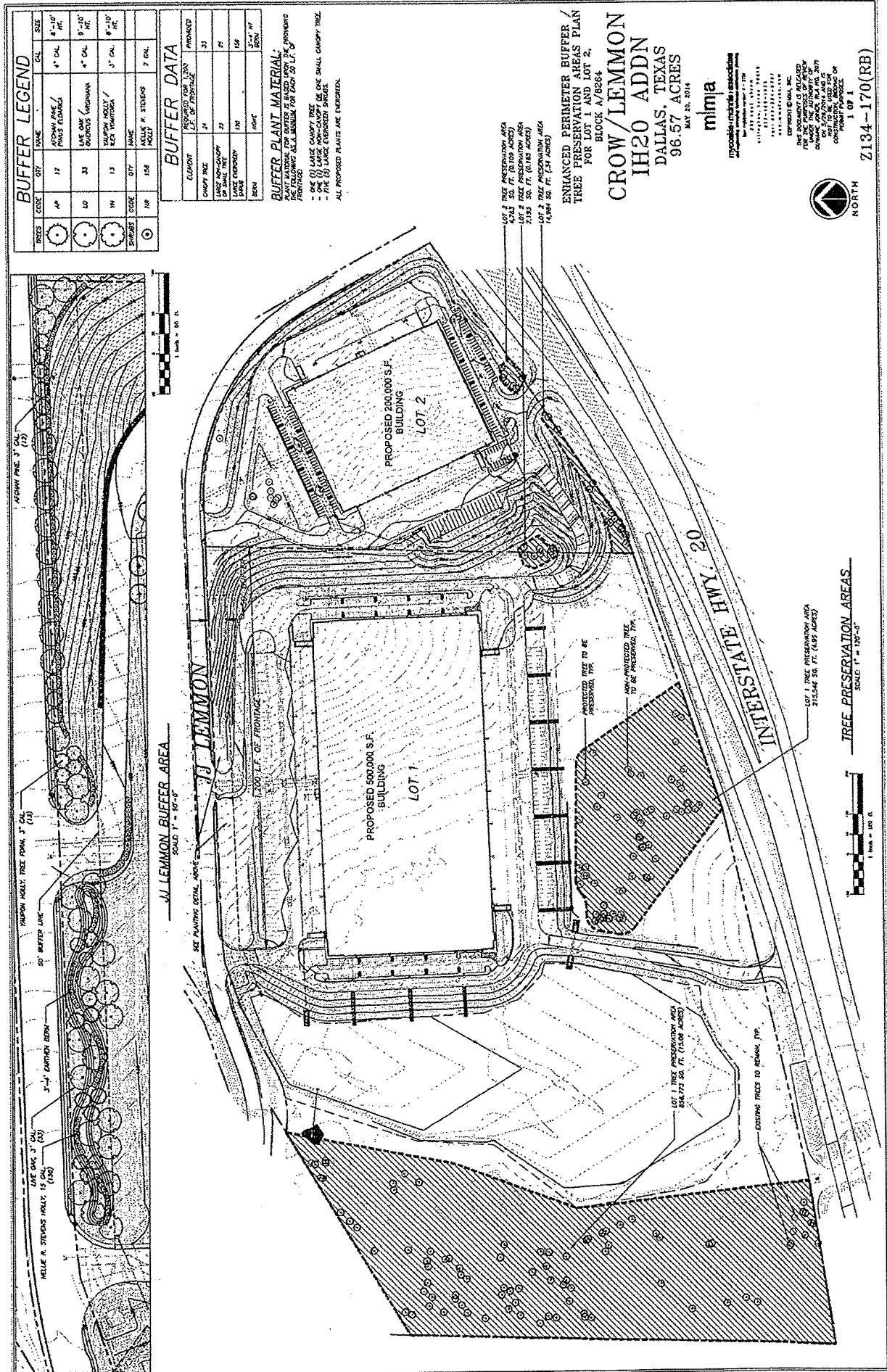
141069

GIS\_Approved

THENCE South 28 degrees 57 minutes 05 seconds East, continuing with said common line, a distance of 408.68 feet to the POINT OF BEGINNING AND CONTAINING 4,214,724 square feet, or 96.76 acres of land, more or less.

Approved  
City Plan Commission  
June 5, 2014

LI-A-1 Buffer/Preservation Plan  
Exhibit 761B  
Planned Development No. 761



**BUFFER LEGEND**

| BUSINESS CODE | QTY | NAME                             | COL.    | SIZE       |
|---------------|-----|----------------------------------|---------|------------|
| AP            | 11  | ASHWAY PINE / PINUS FLORIDENSIS  | 9" COL. | 8'-10" HT. |
| LO            | 33  | SHADY OAK / QUERCUS LAEVOGARDA   | 9" COL. | 9'-10" HT. |
| WM            | 13  | WALNUT HOLEY / JUGLANS FLORIDANA | 3" COL. | 8'-10" HT. |
| NR            | 158 | HELLA H. STODDARD HOLLY          | 7" COL. |            |

**BUFFER DATA**

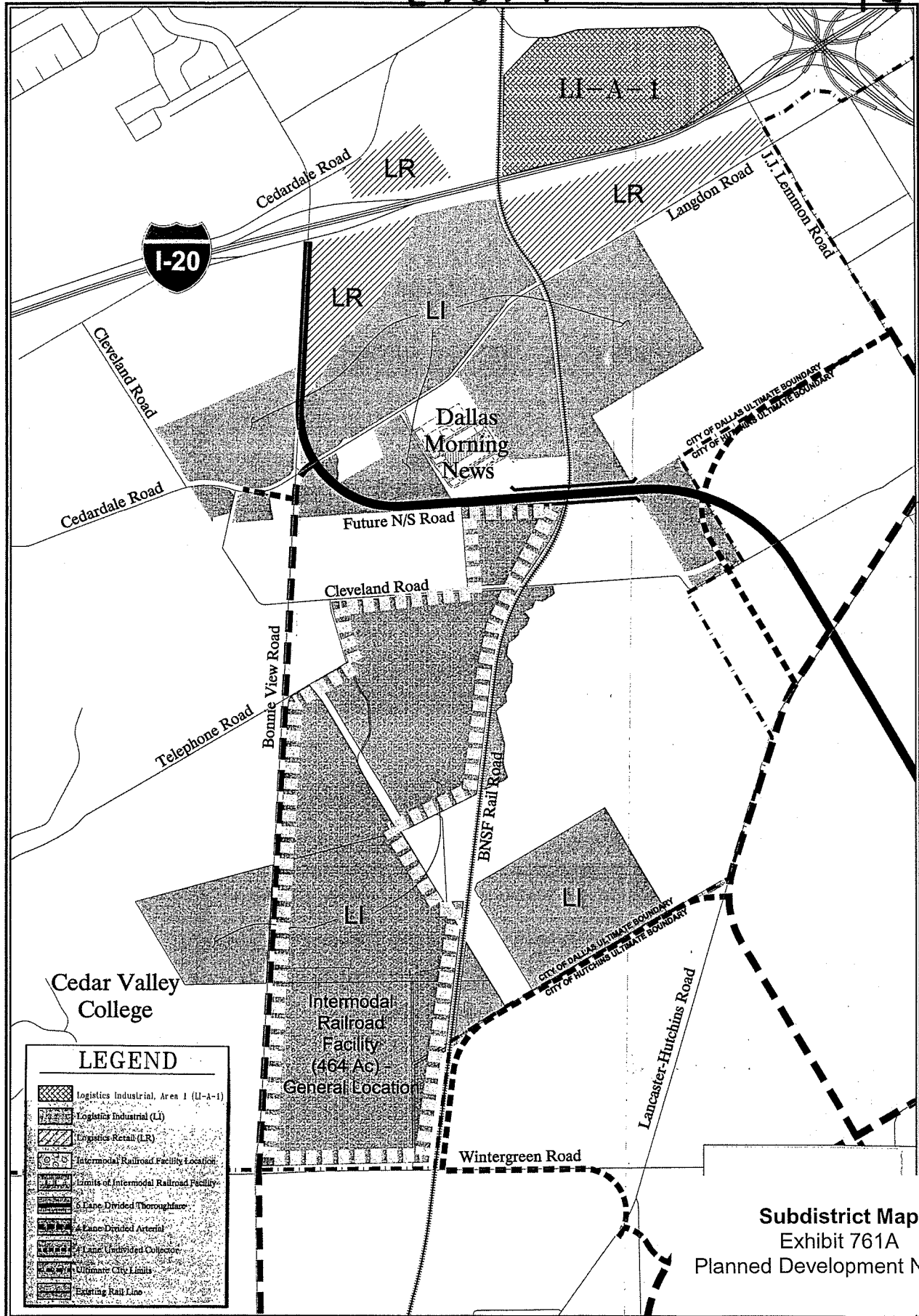
| ELEMENT                 | NO. OF PLANTS | PROVIDED |
|-------------------------|---------------|----------|
| CAMPY PINE              | 51            | 33       |
| WALNUT HOLEY            | 13            | 13       |
| HELLA H. STODDARD HOLLY | 158           | 158      |
| TOTAL                   | 222           | 222      |

**BUFFER PLANT MATERIAL:**  
THE FOLLOWING ARE A MINIMUM FOR EACH 25' L.F. OF FRONTAGE:  
- ONE (1) LARGE CAMPY PINE  
- ONE (1) LARGE WOOD-CROFT OR ONE SMALL CAMPY PINE  
- ONE (1) LARGE HELLA H. STODDARD HOLLY  
- ONE (1) LARGE ENHANCED SHRUB  
ALL PROPOSED PLANTS ARE ENHANCED.

**ENHANCED PERIMETER BUFFER / TREE PRESERVATION AREAS PLAN FOR LOT 1 AND LOT 2, BLOCK A / 6284**  
**CROW/LEMMON IH20 ADDN**  
DALLAS, TEXAS  
96.57 ACRES  
MAY 20, 2014  
mimja

**Tree Preservation Areas**  
Scale 1" = 100'-0"  
NORTH

1 OF 1  
Z134-170(RB)



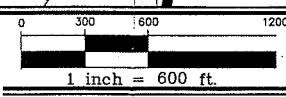
**LEGEND**

|  |  |
|--|--|
|  | Logistics Industrial, Area 1 (LI-A-1)  |
|  | Logistics Industrial (LI)              |
|  | Logistics Retail (LR)                  |
|  | Intermodal Railroad Facility Location  |
|  | Limits of Intermodal Railroad Facility |
|  | 4 Lane Divided Thoroughfare            |
|  | 4 Lane Divided Arterial                |
|  | 4 Lane Undivided Collector             |
|  | Ultimate City Limits                   |
|  | Existing Rail Line                     |

**Subdistrict Map**  
 Exhibit 761A  
 Planned Development No. 761

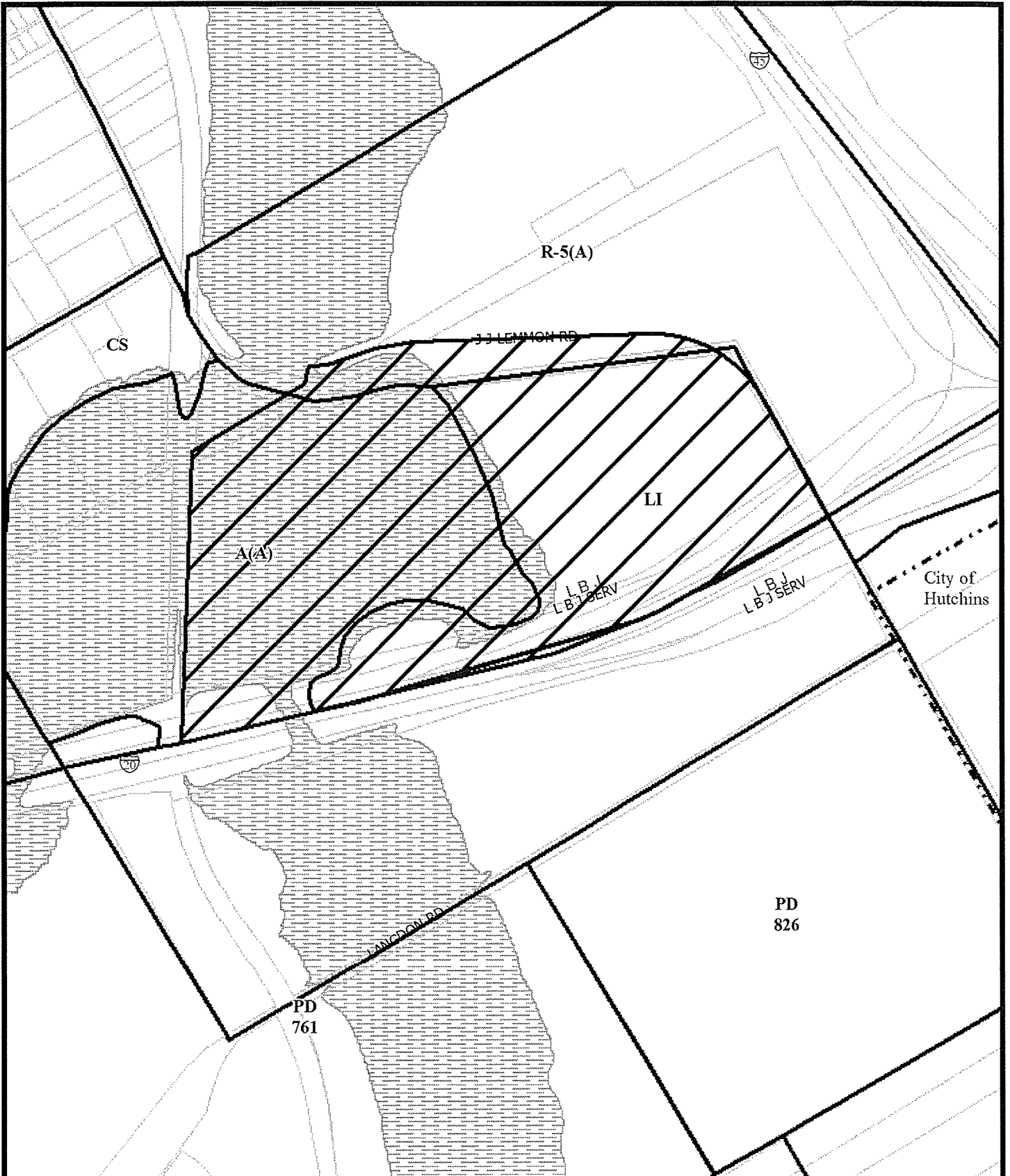
**Subdist**

Approved  
 City Plan Commission  
 June 5, 2014



**Zoning Case:**  
 Z134-170(RB)  
 June 2014



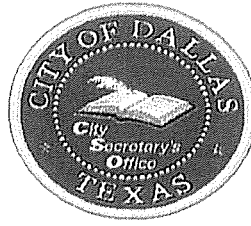


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# ZONING MAP

Case no: Z134-170

Date: 5/20/2014



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL JUN 25 2014

ORDINANCE NUMBER 29391

DATE PUBLISHED JUN 28 2014

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose A. Liss".