

8-25-15

29837

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Division S-67, "PD Subdistrict 67," 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 yard, lot, and space and landscaping regulations in Section S-67.108 and Section S-67.112 of that division; adding exhibits in S-67.103.1 of that division, deleting the zoning map regulations in S-67.116 of that division, providing a new property description; providing a Tract E development plan; providing a Tract E 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:

SECTION 1. That Division S-67, "PD Subdistrict 67," 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 by adding a new Section S-67.103.1, "Exhibits," to read as follows:

**"SEC. 51P-S-67.103.1. EXHIBITS.**

The following exhibits are incorporated into this division:

- (1) Exhibit S-67A: conceptual plan.
- (2) Exhibit S-67B: Tract E development plan.
- (3) Exhibit S-67C: Tract E landscape plan."

SECTION 2. That Section S-67.105, "Development Plan," of Division S-67, "PD Subdistrict 67," 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-67.105. DEVELOPMENT PLAN.**

(a) Except as provided in this section, a [A] development plan and landscape plan must be approved by the city plan commission before issuance of a building permit to authorize work in this subdistrict other than repair of existing structures, demolition and grading, the installation of fencing or other structures for security purposes, work associated with permitted temporary uses, or work intended to provide for the irrigation or maintenance of landscaping.

(b) For Tract E, development and use of the Property must comply with the Tract E development plan (Exhibit S-67B).

(c) In the event of a conflict between the text of this division and a development plan, the text of this division controls."

SECTION 3. That Subsection (a), “Front, Side and Rear Yard,” of Section S-67.108, “Yard, Lot, and Space Regulations,” of Division S-67, “PD, Subdistrict 67,” 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:

“(a) Front, side and rear yard.

(1) Tracts A, D, E, and F. Minimum front, side, and rear yard is as shown on the conceptual plan.

(2) Tracts B, C, G, and H. Minimum front, side, and rear yard is 15 feet.

(3) Steps and stoops. Stoops and stairs not exceeding eight feet in width, four feet in height from grade to the top of the stairs, and two-and-one-half feet in height from grade to the top landing of the stoop may extend up to five feet into a required front yard.

(4) Tract E. Planter boxes, retaining walls, stairs, and entry stoops/decks are permitted in required front yards as shown on the development plan and landscape plan. Listed improvements other than railing elements may not extend more than eight inches above the finished ground level of the building to which they are attached.”

SECTION 4. That Section S-67.108, “Landscaping,” of Division S-67, “PD Subdistrict 67,” 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-67.112. LANDSCAPING.**

(a) Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) Landscaped open spaces adjacent to the public right-of-way must be provided as shown on the conceptual plan. In addition to the open space areas shown on the conceptual plan, the location of a landscaped open space a minimum 3,000 square feet in area adjacent to the public right-of-way must be identified on Tract F at the time of development plan approval. The following provisions apply to these landscaped open spaces:

(1) Except for the open space on Tract D, the location of a landscaped open space may be modified by the city plan commission at the time of development plan approval provided that the relocated open space is the same overall size as shown on the conceptual plan and has street frontage.

(2) Impervious surface for internal sidewalks, fountains, benches, and related uses must not exceed 35 percent. Required sidewalks adjacent to the street are not included in the calculation of impervious surface.

(3) The minimum planting requirements for a special planting area, as defined in Section 51P-193.126(b)(1)(D)(iii), apply.

(c) Front yard privacy fencing not exceeding eight feet in height is permitted in Tract A adjacent to Dorothy Avenue provided that the height of the main buildings adjacent to the fence on the same lot do not exceed 39 feet. The front yard privacy fencing must meet the following requirements:

(1) A minimum setback of 10 feet and a minimum average setback of 11 feet from the property line must be provided.

(2) An offset of at least 18 inches must be provided no less than every 55 feet.

(3) The total length may not exceed 150 feet without an intervening landscape area at least 15 feet in length.

(4) The fence must be constructed of masonry, except that decorative metal may be used to span landscape areas.

(5) One tree must be provided between the sidewalk and the fence for every 25 feet of fence length.

(d) When a phasing plan is approved as part of a development plan for a tract, landscaping may be installed by phase. Individual units, including individual buildings in a residential development tract, may qualify for a final inspection prior to the completion of the landscaping installation for the remainder of the development plan.

(e) At the time of landscape plan approval, the city plan commission may approve alternative locations for required trees provided that it finds the alternative placement meets the spirit and intent of Section 51P-193.126.

(f) At the time of landscape plan approval, the city plan commission may approve sidewalk locations, widths, and designs that vary from the requirements of this subsection and Section 51P-193.126(b)(4) when necessary to preserve existing trees.

(g) In Tracts A and B, a minimum 10-foot-wide landscape buffer must be provided adjacent to properties not included in this subdistrict as shown on the conceptual plan. Fences are permitted to cross the landscape buffer.

(h) For Tract E, landscaping must be provided in accordance with the Tract E landscape plan (Exhibit S-67C).

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

SECTION 5. That Section S-67.116, “Zoning Map,” of Division S-67, “PD Subdistrict 67,” 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-67.116. ZONING MAP.~~

~~PD Subdistrict 67 is located on Zoning Map No. H-7.]”~~

SECTION 6. That the Exhibit A (property description) attached to Ordinance No. 26226, is replaced by the Exhibit A (property description) attached to this ordinance.

SECTION 7. That development of this district must comply with the full-scale versions of Exhibit S-67B (Tract E development plan) and Exhibit S-67C (Tract E 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 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:

WARREN M.S. ERNST, City Attorney

By  \_\_\_\_\_  
Assistant City Attorney

**AUG 26 2015**

Passed \_\_\_\_\_

29837

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**EXHIBIT A**

**TRACT A**

Lots 1-5 of City Block 4/2475 (all of Block 4/2475 save and except Lot 6) and all of City Block 2/2463 (Lots 1-12)

**TRACT B**

Lots 1-17 of City Block 4/2465 (all of Block 4/2465 "Save and Except" Lot 18A)

**TRACT C**

All of City Block 5/2466 (Lots 1-24)

**TRACT D**

All of City Block 9/2470 (Lots 1c24)

**TRACT E**

All of City Block 8/2469

**TRACT F**

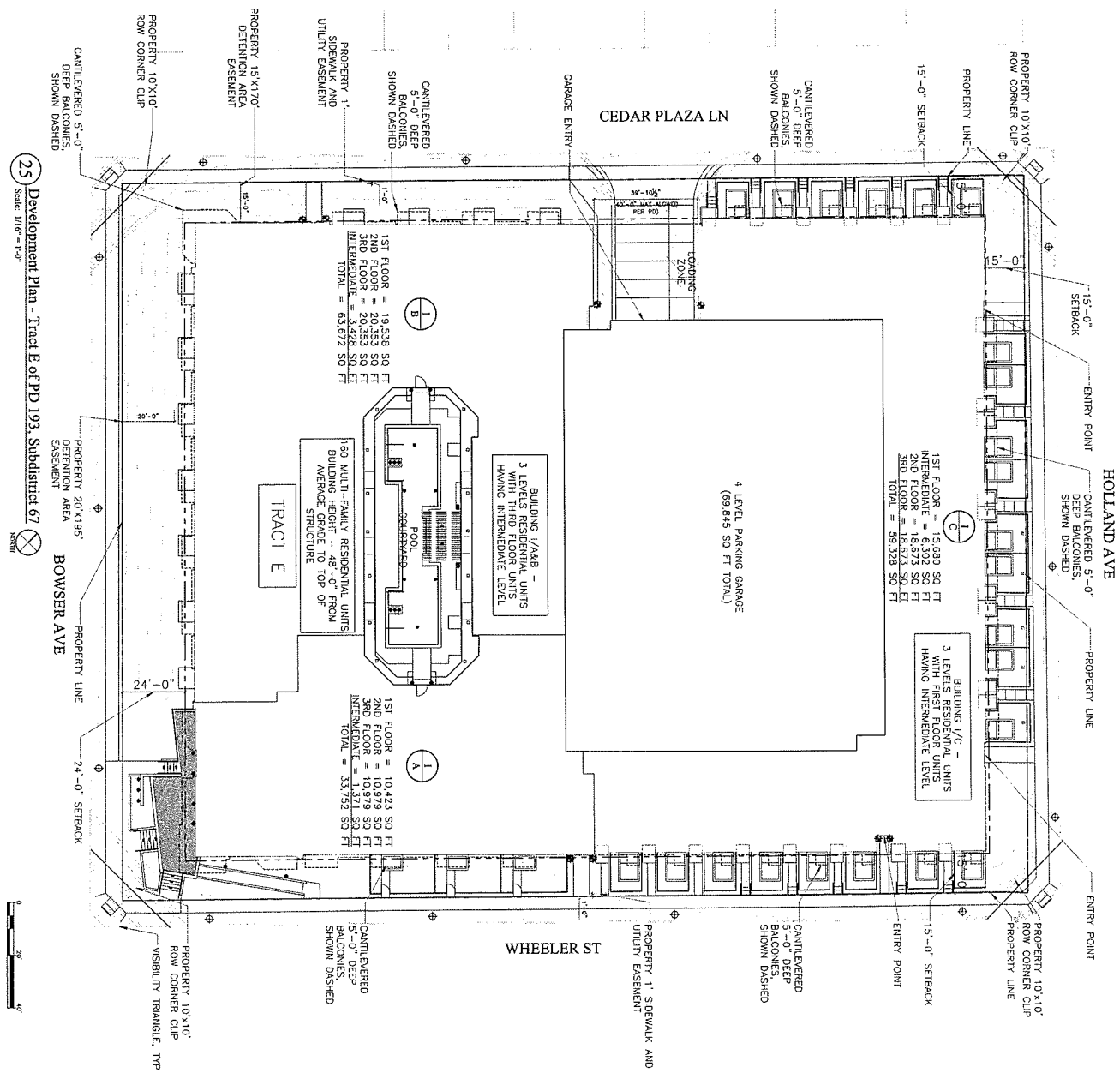
All of City Block 10/2471 and all of City Block 5/2459

**TRACT G**

All of City Block 11/2472 (Lots 1-12) and all of City Block 6/2460 (Lots 1-12)

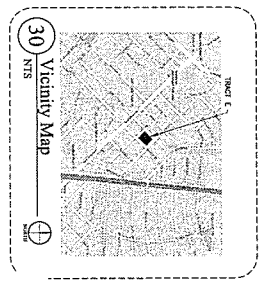
**TRACT H**

All of City Block 12/2473 (Lots 1-12) and Lots 3-12 along with the northwest 25 feet of Lot 2 of City Block 7/2461 (all of Block 7/2461 "Save and Except" Lot 1 and the southeast 25 feet of Lot 2)



25 Development Plan - Tract E of PDD 193, Subdistrict 67  
 Scale: 1/16" = 1'-0"

PLAN DEVELOPMENT SUBDISTRICT NO. 67	
MUNICIPAL SUBDISTRICT NO. 14	
MUNICIPAL DISTRICT NO. 193	
SITE LOCATION DALLAS, TEXAS 75209	
DEVELOPMENT STATISTICS	
TOTAL ACRES	2.15 AC (93,524 SF)
TOTAL UNITS	161 DU
TOTAL DENSITY	74.89 DU/AC
RESIDENTIAL BUILDING	45,641 SF
GARAGE	19,930 SF
TOTAL SQR.	65,571 SF
LOT COVERAGE	95.571 SF
LOT COVERAGE PERCENTAGE ALLOWED	75.00%
LOT COVERAGE PERCENTAGE PROVIDED	70.14%
FAR ALLOWED: 210,429 SF MAX (2.25 FAR)	
FAR PROVIDED: 156,752 SF (1.68 FAR)	
PARKING REQUIRED	
LIVABLE SQ-FT	# UNITS # SPACES
ONE BEDROOM UNITS 4560 SF	140 (140 X 1.12) = 157
ONE BEDROOM UNITS 2980 SF	14 (14 X 1.5) = 21
TWO BEDROOM UNITS	7 (7 X 1.12/BEDROOM) = 16
TOTAL SPACES NEEDED	194 SPACES
PARKING PROVIDED ON SITE	203 SPACES
VISITOR SPACES REQUIRED (INCLUDED IN # PROVIDED ABOVE)	40 MINIMUM
*CHECK OUT DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL CONSTRUCTION REQUIREMENTS.	
APPLICANT:	LENNA
NAME:	JOHN ALLUM
ADDRESS:	1100 W. BOWSER PLACE BLVD, SUITE 205 IRVING, TEXAS 75063
TEL. NO.:	469-587-5329



**Development Plan (Revised)**  
 Exhibit S-67B  
 PDD No. 193, PDS No. 67,  
 Tract E  
**Z145-251(W/E)**

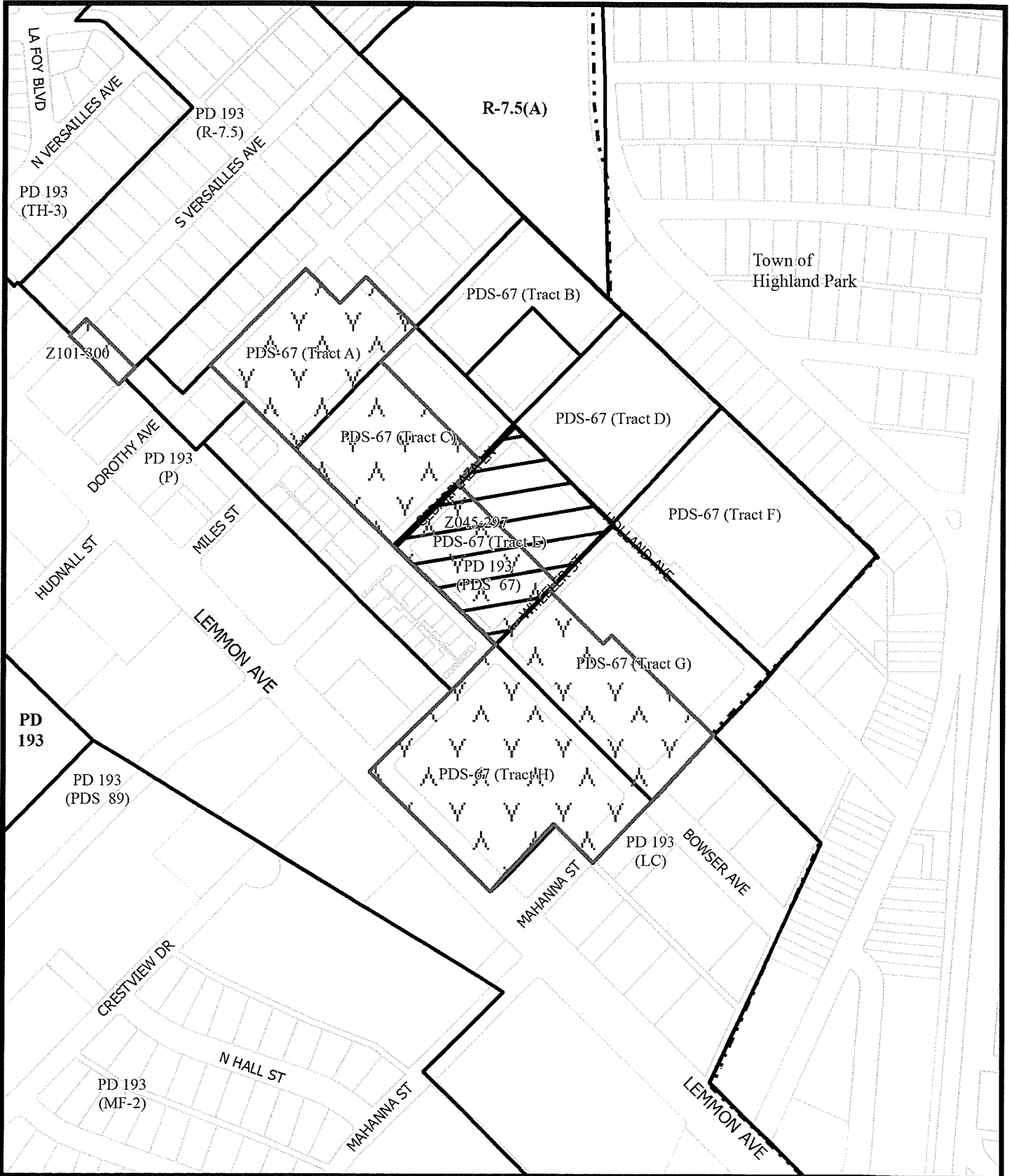
[BUILDING TYPE 1 - DEVELOPMENT PLAN - TRACT E OF PDD 193]

Approved  
 City Plan Commission  
 July 23, 2015

Crest at Oak Park  
 Dallas, Texas

**JHP**  
 JHP Architects/Planners/Engineers  
 1000 West Loop West, Suite 1000  
 Dallas, Texas 75201  
 Telephone: 214-751-7321  
 Fax: 214-751-7322  
 07.01.2015



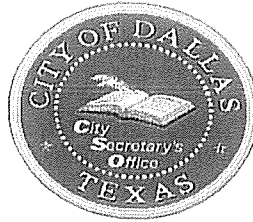


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# ZONING MAP

Case no:           Z145-251            
 Date:           5/7/2015

151596



## 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 AUG 26 2015

ORDINANCE NUMBER 29837

DATE PUBLISHED AUG 29 2015

ATTESTED BY:

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