

8-26-15

ORDINANCE NO. 29838

An ordinance amending Division S-81, "PD Subdistrict 81," 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 exhibits and landscaping regulations in Sections S-81.104 and S-81.112 of that division; deleting the zoning map regulations in Section S-81.117, providing a new property description; providing a new conceptual plan, providing a 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 Section S-81.104, "Exhibits," of Division S-81, "PD Subdistrict 81," 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-81.104. EXHIBITS.

The following exhibits are [is] incorporated into this division:

- (1) Exhibit S-81A: Conceptual plan.
- (2) Exhibit S-81B: Landscape plan."

SECTION 2. That Paragraph (5) of Subsection (b), "Multiple-Family Uses," of Section S-81.112, "Landscaping," of Division S-81, "PD Subdistrict 81," 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:

"(5) In addition to the requirements of Part I of this ordinance, at least one existing tree must be retained in each of the hatched areas shown on the conceptual plan. Structures are prohibited in the hatched areas. For the northern hatched area, if the existing tree dies or is removed, it must be replaced with three live oak trees each with a minimum caliper of eight inches, within 30 days of notification by the building official. For the southern hatched area, a tree, of a species approved by the building official, with a minimum caliper of six inches, must be planted by December 31, 2015."

SECTION 3. That Section S-81.117, "Zoning Map," of Division S-81, "PD Subdistrict 81," 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-81.117. ZONING MAP.~~

~~PD-Subdistrict S-81 is located on Zoning Map No. I-7.]"~~

SECTION 4. That the property description in Section 1 of Ordinance No. 26929, is replaced by the property description in the Exhibit A attached to this ordinance.

SECTION 5. That the conceptual plan, Exhibit S-81A of Division S-81 of Article 193 of Chapter 51P of the Dallas City Code, is replaced by the Exhibit S-81A attached to this ordinance.

SECTION 6. That development of this district must comply with the full-scale versions of Exhibit S-81A (conceptual plan) and Exhibit S-81B (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:

WARREN M.S. ERNST, City Attorney

By  _____
Assistant City Attorney

Passed **AUG 26 2015**

Exhibit A

WHEREAS Douglas Park Partners, L.P. are the owners of a tract of land situated in the City of Dallas, Dallas county, Texas, being all of Lot 6A, Block H/1501 of Picadilly Square, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 83133, Page 4201, of the Deed Records of Dallas County, Texas, and also being a part of Lots 1, 2, and 8, Block 4-A/1501 of Craddock's Oak Lawn Addition, an Addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 1, Page 223, of the Map Records of Dallas County, Texas, and a part of G.A. Knights Oak Lawn Addition, an Addition to the City of Dallas, Texas, according to the plat recorded in Volume 1, Page 107, of the Map Records of Dallas County, Texas, same being a tract of land described in a Special Warranty Deed to ilume DP Apartments, LP as recorded in the County Clerk's Instrument Number 201100167578, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at and "X" cut in concrete found for corner in the northwest line of Douglas Avenue (a variable width right of way), said corner being S 45° 00' 00" W, a distance of 80.0 feet from the intersection of the southwest line of Hall Street (a 60-foot right of way) and the northwest line of said Douglas Avenue, same being the most southerly corner of the remainder of Block 4A described in a deed to Treeco Partners, as recorded in Volume 96240, Page 184, of said Deed Records;

THENCE in a southerly direction, along said northwest line of said Douglas Avenue, the following;

S 45°00'00" W, a distance of 155.70 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set for corner at the beginning of a curve to the right which has a central angle of 31°14'56", a radius of 539.57 feet and a chord which bears S 60°37'28" W, 290.65 feet;

Along said curve to the right, a distance of 294.28 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set;

N 75°19'14"W, a distance of 8.82 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set at the intersection of said Douglas Avenue and the northeast right of way line of Cedar Springs Road, a (variable width right of way);

THENCE in a northerly direction, along said northeast right of way line of Cedar Springs Road and the southwest line of said ilume DP Apartments, LP tract, the following;

N 46°53'39"W, a distance of 14.12 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set on the most southerly line of said 6A, Block H/1501 of Picadilly Square Addition;

S 45°00'00" W, a distance of 0.55 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set at the most southwesterly corner of said 6A, Block H/1501 of Picadilly Square Addition;

N 46°53'39" W, a distance of 381.53 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set for corner at the most southerly cut-back corner of the intersection of the said northeast right of way line of Cedar Springs Road and the southeasterly right of way line of Wycliff Avenue;

THENCE NORTH, along said right of way cut-back line, a distance of 13.69 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set at the most northerly cut-back corner of said intersection;

THENCE N 45°00'00" E, along the common northwesterly line of Picadilly Square Addition and the said southeasterly right of way line of Wycliff Avenue, a distance of 294.00 feet to a 5/8-inch capped iron rod stamped "BDD" found at the most northerly corner of said Picadilly Square Addition, said corner also being on the southwest line of Lot 6, Block H/1501 of Perry Heights Addition, as Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 2, Page 257, of said Map Records;

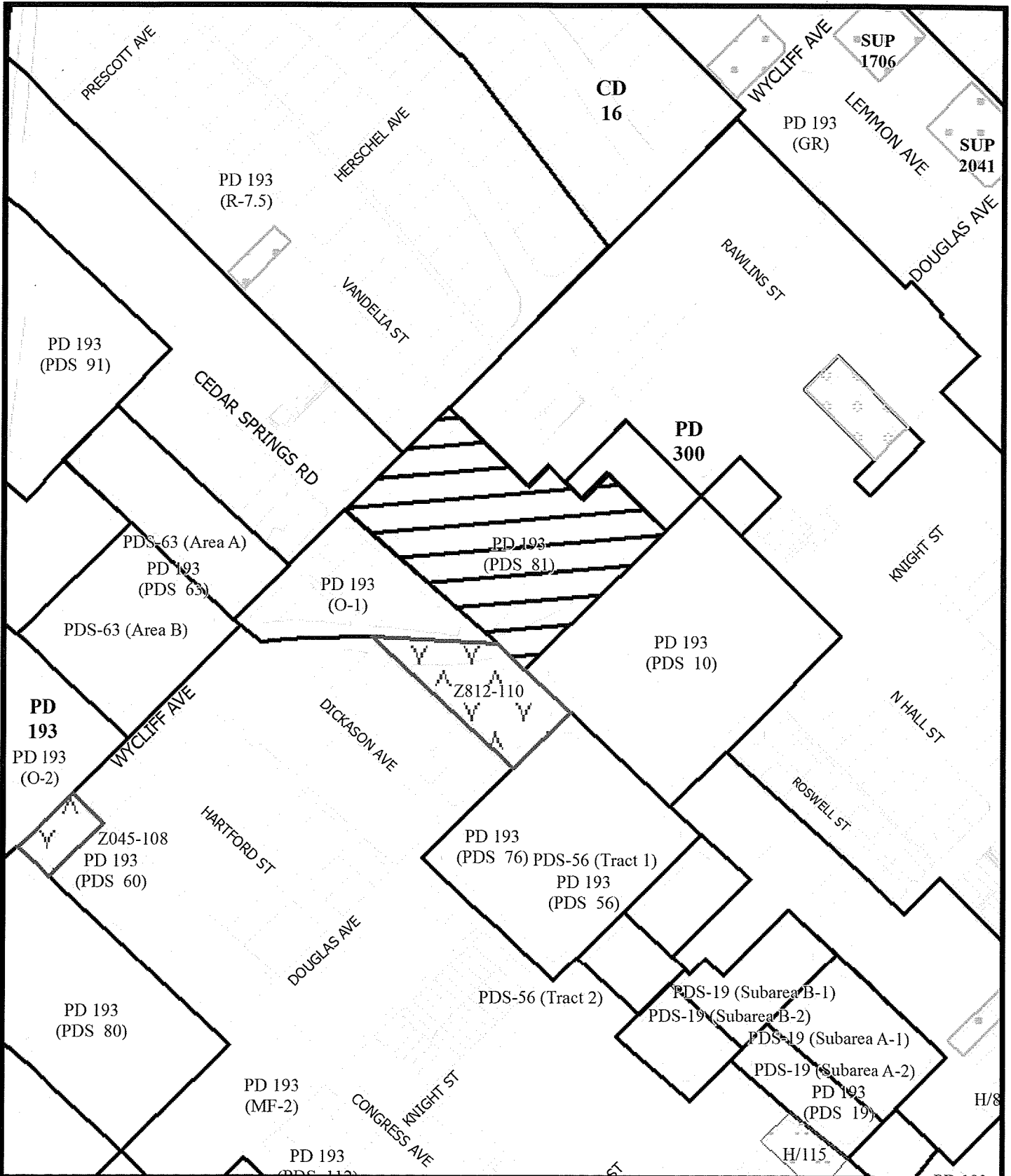
THENCE S 45°00'00" E, along said southwest line of Lot 6, block H/1501, of Perry Heights Addition, a distance of 221.00 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set at the south corner of said Lot 6, Block H/1501, of Perry Heights Addition;

THENCE N 45°00'00" E, along the southeasterly line of said Lot 6, Block H/1501, of Perry Heights Addition and along the southeasterly line of Lot 5, Block H/1501 of said Perry Heights Addition, a distance of 67.50 feet to a 3-1/2 inch metallic disk stamped "DOUGLAS PARK, BDD" set at the west corner of Lot 8, Block A/1501, of the aforementioned Craddock's Oak Lawn Addition;

THENCE S 45°00'00" E, along the southwesterly line of said Lot 8, Block A/1501 and the most southwesterly line of aforementioned Treeco Partners tract, a distance of 110.00 feet to a 5/8-inch capped iron rod stamped "BDD" found for corner;

THENCE N 45°00'00" E, along the most northerly southeasterly line of said Treeco Partners tract, a distance of 82.50 feet to an "X" cut in concrete found for an interior ell corner of said Treeco Partners tract;

THENCE S 45°00'00" E, along the most easterly southwesterly line of said Treeco Partners tract, a distance of 160.00 feet to the POINT OF BEGINNING and containing 169,278 square feet or 3.886 acres of land more or less.



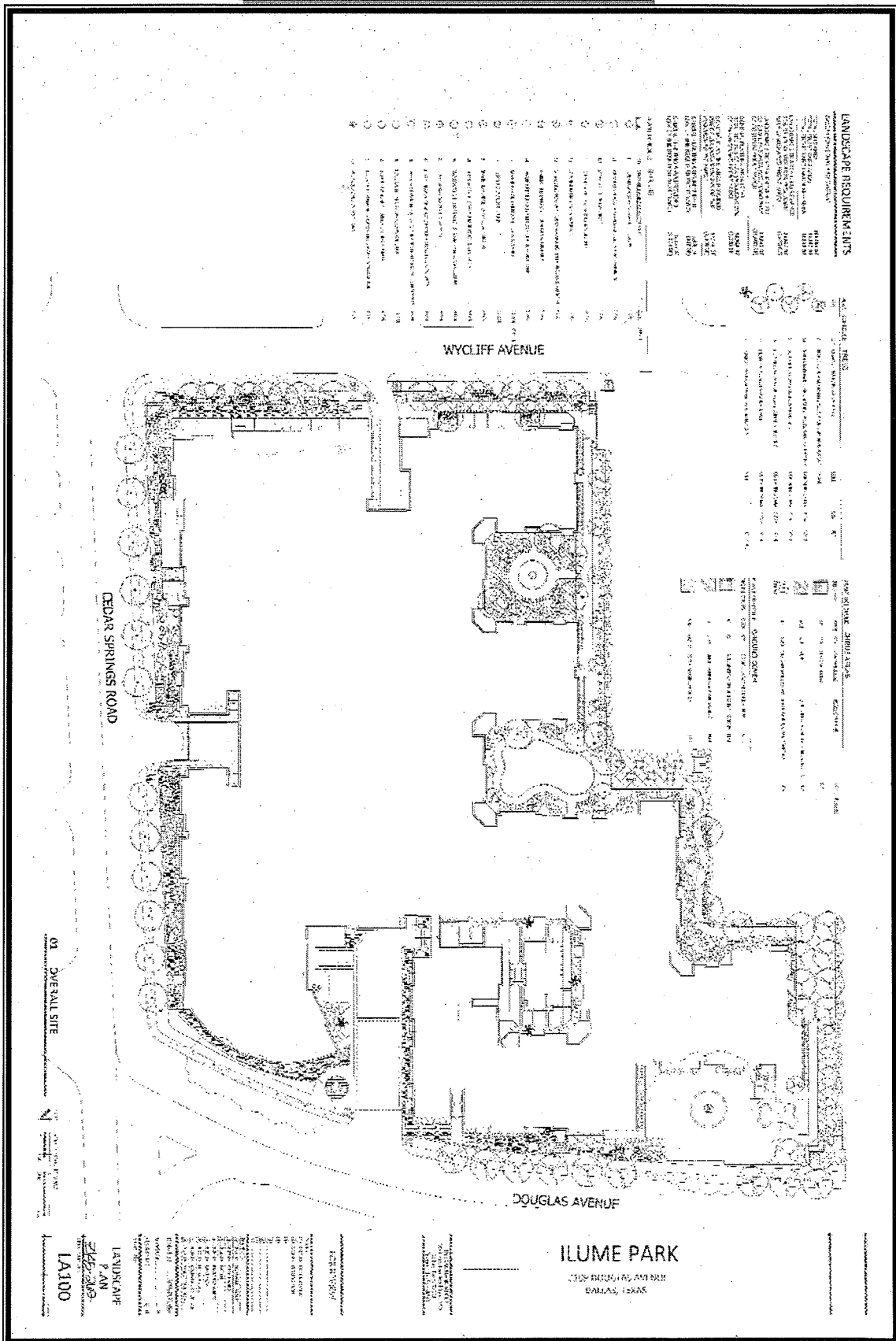
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ZONING MAP

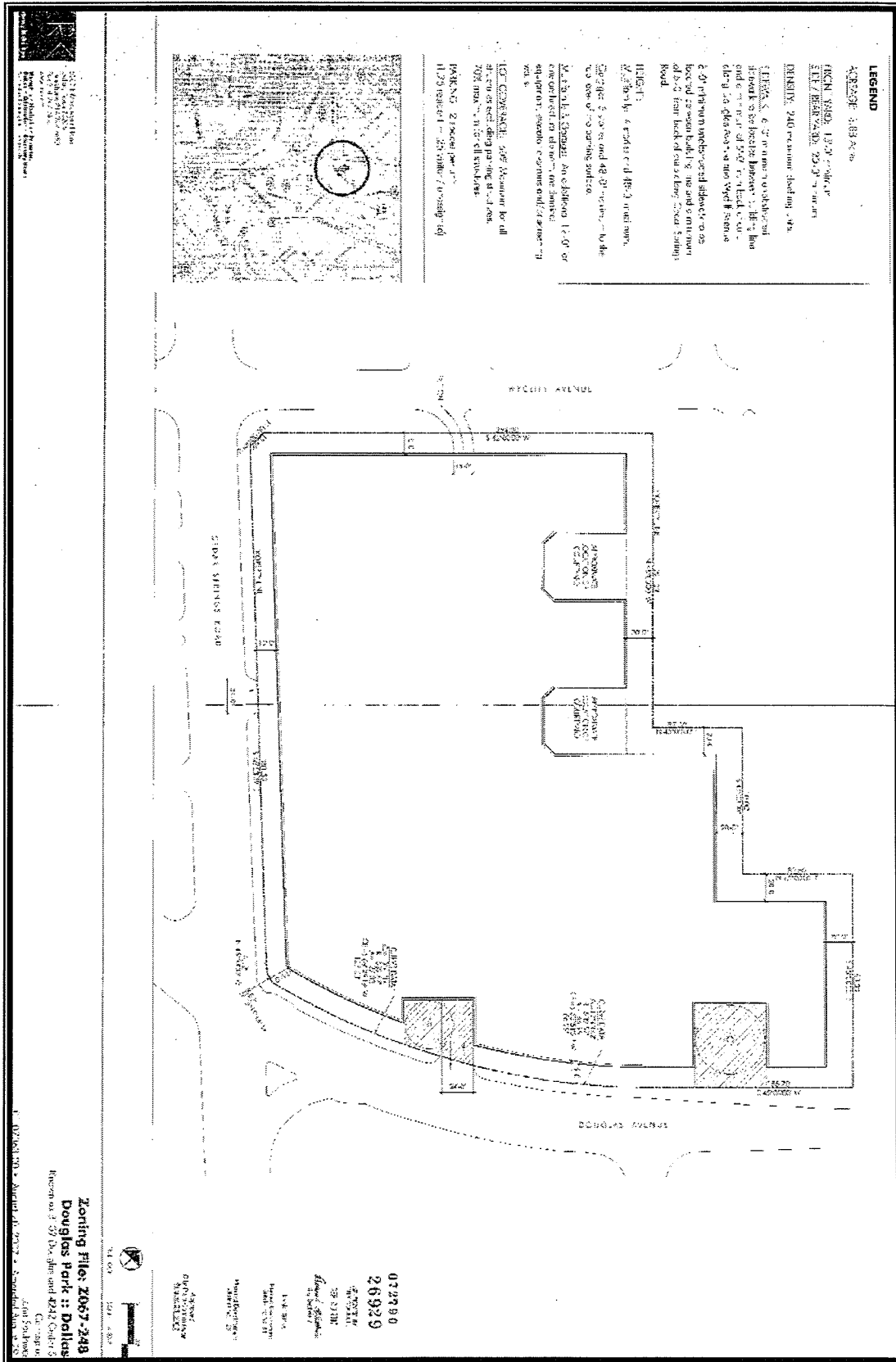
Case no: Z145-262

Date: 6/11/2015

REVISED LANDSCAPE PLAN



APPROVED CONCEPTUAL PLAN



LEGEND

APPROVED 388 A.C.

HCN 1889, 127' x 100'

ST. 1889, 200' x 100'

DENSITY 240 maximum building area

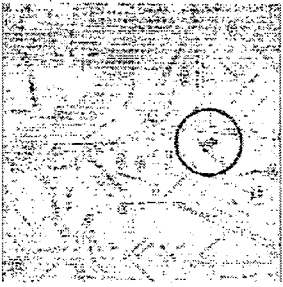
CLIMATE 6' or more to shelter on
at least one side of building. If 6' or
more on two sides of building, the
clear height shall be 10' or more.
2' or more on two sides shall be 10' or
more. 2' or more on one side shall be
10' or more. 2' or more on one side
shall be 10' or more. 2' or more on
one side shall be 10' or more.

HEIGHT
2' or more to shelter on
at least one side of building. If 6' or
more on two sides of building, the
clear height shall be 10' or more.

MAXIMUM HEIGHT: An addition 1' or
more in height shall be limited to
equipment, radio equipment and/or
antennae.

LET COMMENTS: Not required for all
sites, but required for all sites
with more than 100 sq. ft. of
parking.

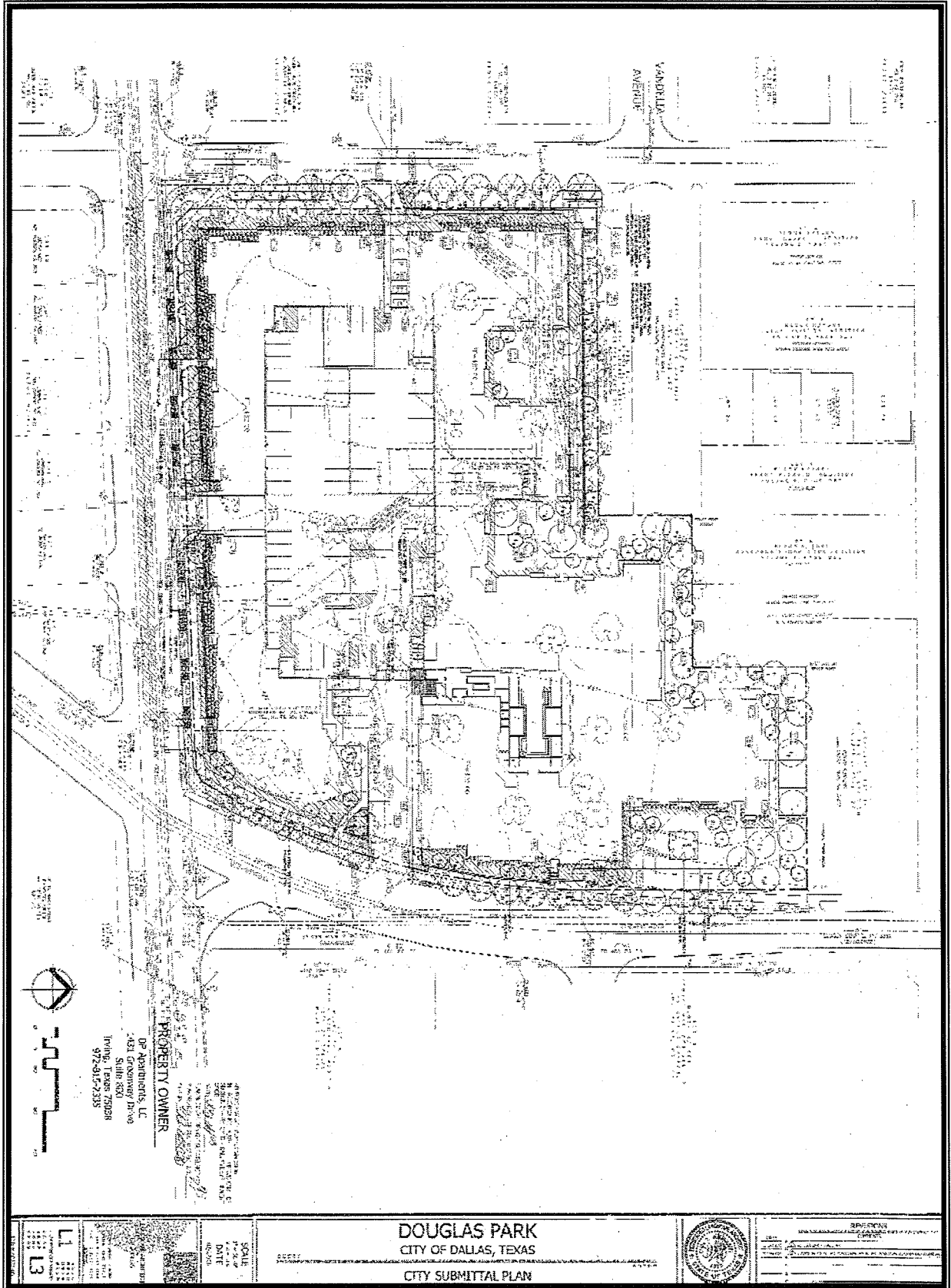
PARKING: 2 spaces per 1,000
sq. ft. of building area.

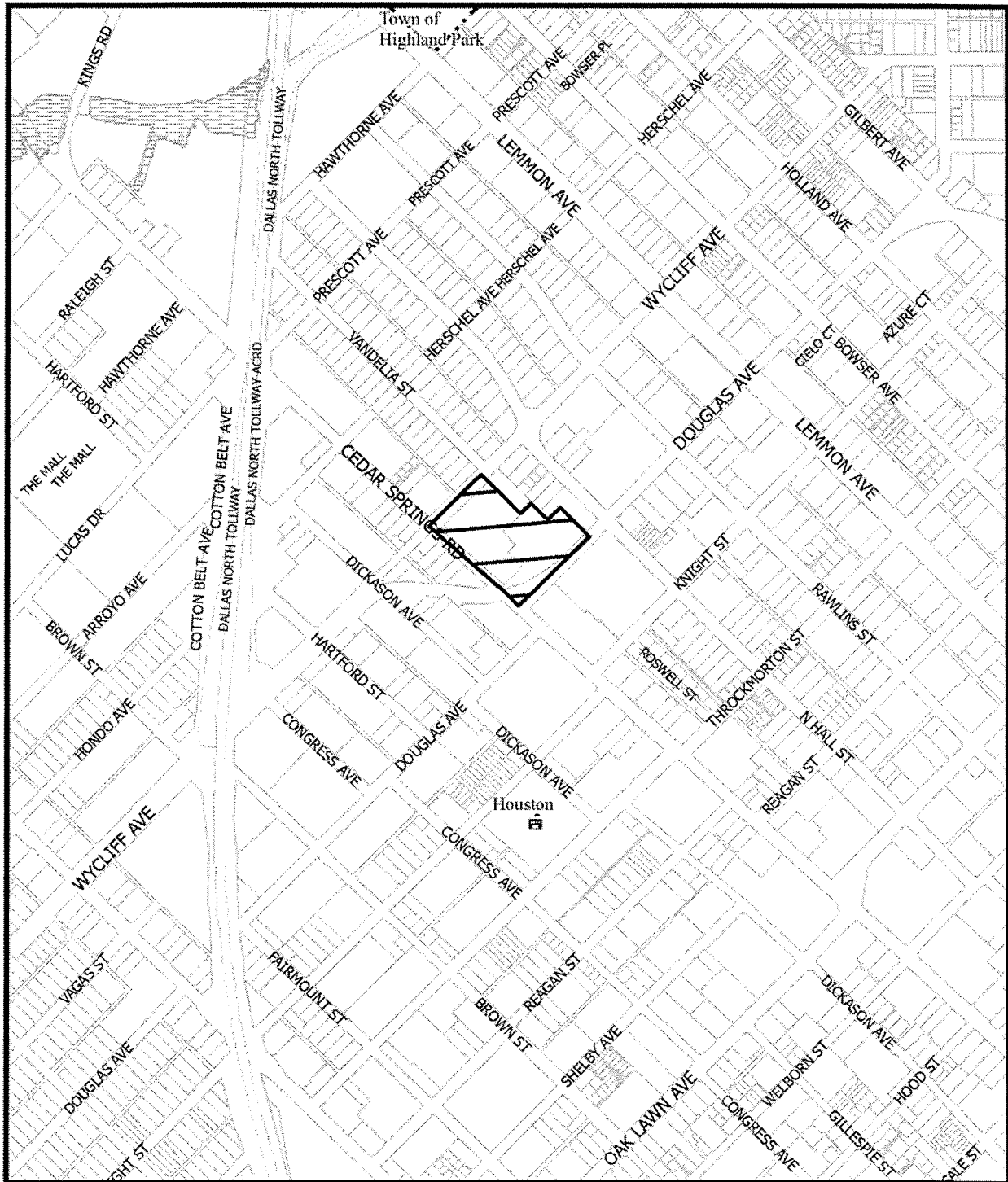


City of Dallas
Department of Planning and Economic Development
1500 Marilla Street, Suite 1000
Dallas, Texas 75201
Phone: 214-670-1234
Fax: 214-670-1235

072780
26929
Zoning File: 2067-248
Douglas Park :: Dallas
Division of Planning and Economic Development
1500 Marilla Street, Suite 1000
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APPROVED LANDSCAPE PLAN



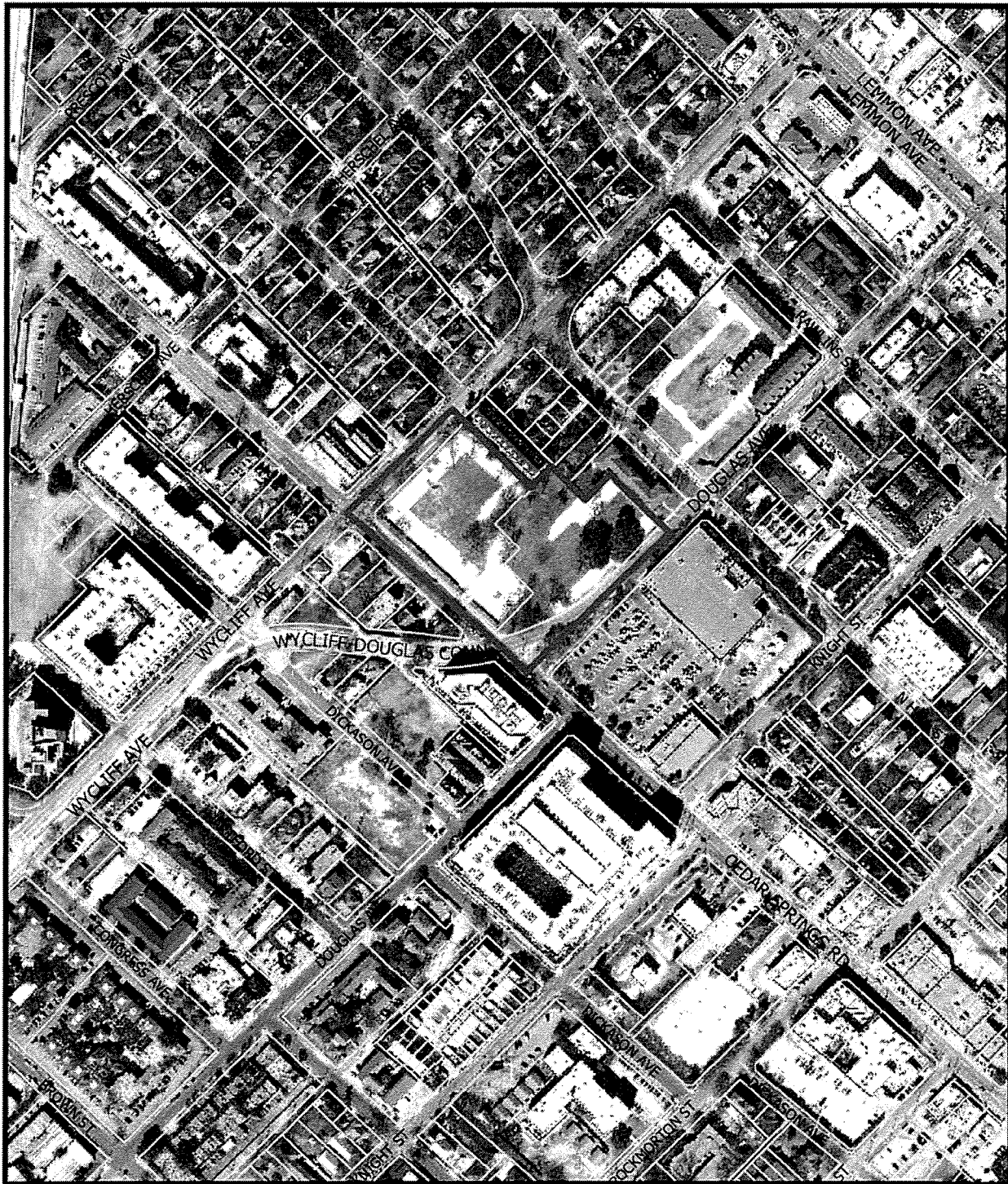


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VICINITY MAP

Case no: Z145-262

Date: 6/11/2015

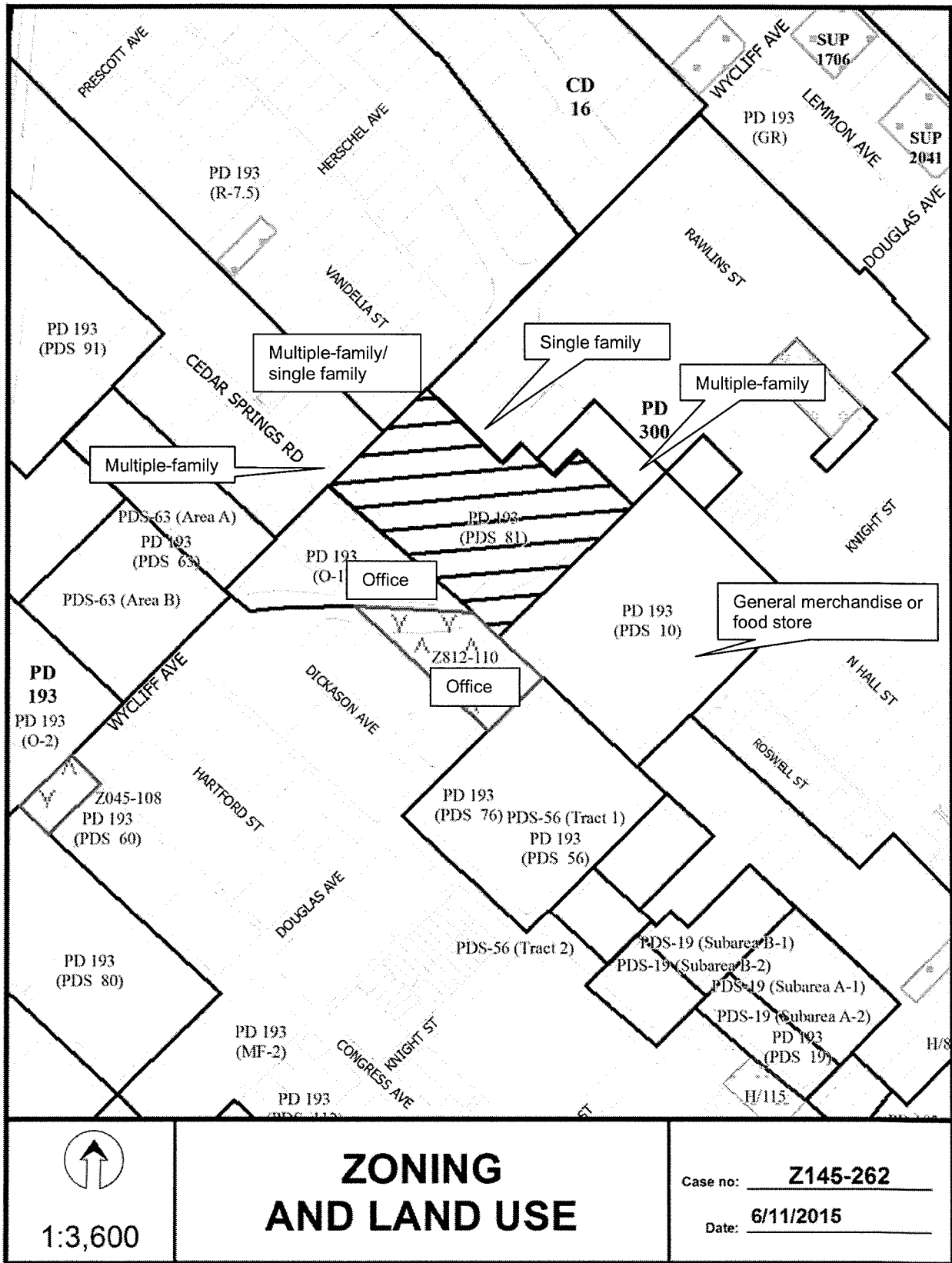


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AERIAL MAP

Case no: Z145-262

Date: 6/11/2015



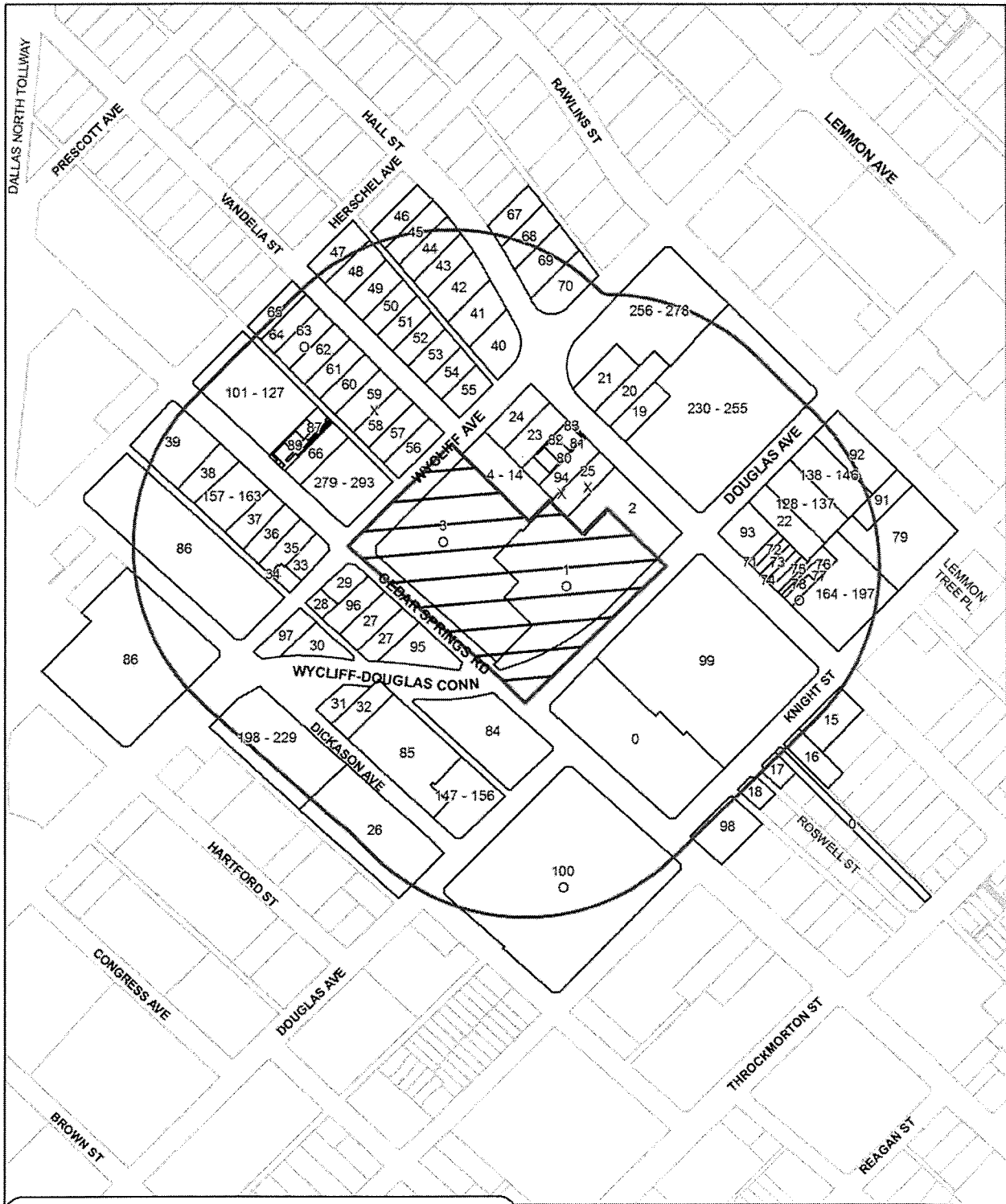
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ZONING AND LAND USE

Case no: Z145-262

Date: 6/11/2015

CPC RESPONSES



<u>293</u>	Property Owners Notified (104 parcels)
<u>5</u>	Replies in Favor (5 parcels)
<u>3</u>	Replies in Opposition (3 parcels)
<u>500'</u>	Area of Notification
<u>7/23/2015</u>	Date

Z145-262
CPC



1:3,600

