

3-21-16

ORDINANCE NO. 30039

An ordinance amending Article 582, "PD 582," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code; adding an exhibits section in Section 51P-582.104.1 of Article 582; amending the pedestrian open space, maintenance of essential roadway capacity and safety, off-street parking and loading, phasing of development, traffic control installation and modification, landscaping, screening, and sidewalk regulations, and private license granted regulations in Sections 51P-582.108, 51P-582.112, 51P-582.113, 51P-582.114, 51P-582.115, 51P-582.117, and 51P-582.120 of Article 582; deleting the zoning district map in Section 51P-582.125; providing a new conceptual 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 582 as specified in this ordinance; Now, Therefore,

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

SECTION 1. That Article 582, "PD 582," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Section 51P-582.104.1, "Exhibits," to read as follows:

"SEC. 51P-582.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

Exhibit 582A: Subdistrict property descriptions.

Exhibit 582B: Conceptual plan.

Exhibit 582C: Pedestrian/open space plan.

Exhibit 582D: Reserved.

Exhibit 582E: Reserved.

Exhibit 582F: Streetscape sectional key.

Exhibit 582G: Pedestrian connections to railtran.

Exhibit 582H: Lyte Street tree planting zone.

Exhibit 582I: Victory Station access easement plan.

Exhibit 582J: Magnolia Hill landscaping plan.

Exhibit 582K: Master parking and floor area plan.

Exhibit 582K-1: Master parking and floor area plan supplement worksheet."

SECTION 2. That Subsection (a), "Minimum Amount of Pedestrian Open Space," of Section 51P-582.108, "Pedestrian Open Space," of Article 582, "PD 582," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

“(a) Minimum amount of pedestrian open space. A minimum of 5.3 acres of publicly or privately owned pedestrian open space must be provided in this district. A minimum of 0.6 acres of this open space must be provided in each of the three subdistricts. A minimum of 0.33 contiguous acres of the required open space in the South Subdistrict must be located within the area labelled “Pedestrian Open Space” on the conceptual plan. Prior to the approval by the city plan commission of a development plan for property located between North Houston Street and Victory Avenue and between Olive Street and Lamar Street, a drawing showing the exact location of the 0.33 acres of pedestrian open space must be submitted to the director. No amendment to the conceptual plan is required to identify the exact location of the 0.33 acres of pedestrian open space.”

SECTION 3. That Section 51P-582.112, “Maintenance of Essential Roadway Capacity and Safety,” of Article 582, “PD 582,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-582.112. ~~RESERVED. [MAINTENANCE OF ESSENTIAL ROADWAY CAPACITY AND SAFETY.~~

(a) The following conditions apply to Olive Street:

~~(1) Two access points are permitted on the north side of Olive Street between North Houston Street and Victory Avenue, and only one access point is permitted on the south side of Olive Street between North Houston Street and Victory Avenue. The operation of these driveways must be restricted to right turn in and right turn out movements.~~

~~(2) No mid-block traffic signals are permitted on Olive Street between North Houston Street and Victory Avenue.~~

~~(3) One mid-block pedestrian crosswalk is permitted on Olive Street between North Houston Street and Victory Avenue. The location of the mid-block pedestrian crosswalk must be approved by the director of public works and transportation.~~

~~(b) The director of public works and transportation may waive a condition in Subsection (a) if a transportation study prepared by a registered professional engineer skilled in transportation engineering shows that the waiver will not adversely affect efficient traffic flow or the safety of motorists and pedestrians.]”~~

SECTION 4. That Subsection (b), “Off-Street Parking Ratios,” of Section 51P-582.113, “Off-Street Parking and Loading Regulations,” of Article 582, “PD 582,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“(b) Off-street parking ratios. Off-street parking must be provided at the following ratios:

(1) ~~[For an alcoholic beverage establishment, one space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(2) For an entertainment complex, one space for each four seats with a minimum of 5,000 parking spaces required. ~~[Handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(2[3]) For a multifamily use, 1.25 spaces for each dwelling unit. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(3[4]) For an office use, one space for each 500 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(4[5]) For a restaurant without drive-in or drive-through service, one space for each 100 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(5[6]) For all other retail and personal service uses, one space for each 500 square feet of floor area. ~~[If more than ten off-street parking spaces are required for the use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(6[7]) For a hotel or motel:

(A) 0.5 spaces for each hotel or motel room; and

(B) one space for each 200 square feet of ballroom and meeting room floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(7[8]) For a theater, one space for each five seats. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(8[9]) For an aquarium, one space for each 500 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

(9[10]) For all other permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use.”

SECTION 5. That Subsection (h), "Off-Street Parking Reductions," of Section 51P-582.113, "Off-Street Parking and Loading Regulations," of Article 582, "PD 582," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"(h) Off-street parking reductions. The following off-street parking provisions may be used to reduce the required off-street parking requirement for a use. These are the only off-street parking reductions available to a use in this district.

(1) Transit reduction.

(A) Except as provided in this section, a 10 percent parking reduction applies to uses within 2,640-feet of a rail transit station, measured from the nearest point of the platform to the nearest public entrance of the main use along the most convenient pedestrian walkway.

(B) Entertainment complex. No transit reduction is available for an entertainment complex use.

~~(B) Office uses.~~

~~(i) The off street parking requirement for an office use may be reduced by three percent if the office use is within a walking distance of 1,200 feet from a DART commuter rail station at which DART commuter rail service is available during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).~~

~~(ii) The off street parking requirement for an office use may be reduced by ten percent if the office use is within a walking distance of 1,200 feet from a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).~~

~~(iii) The total transit reduction for an office use may not exceed 10 percent.~~

(C) All other uses. The off street parking requirement for all other uses may be reduced by ten percent if the use is within a walking distance of 1,200 feet from a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).]

(2) Bicycle parking reduction. The off-street parking requirement for a use may be reduced by one percent by providing and maintaining bicycle parking in an amount equal to one percent of that off-street parking requirement. The type and location of the bicycle parking must be approved by the director of public works and transportation prior to the issuance of a certificate of occupancy for the use.

(3) On-street parking reduction. Except as provided in this paragraph, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed use project.

(B) An on-street parking space that is not available to the public at all times of the day and night may not be included in the calculation of parking requirements.”

SECTION 6. That Section 51P-582.113, “Off-Street Parking and Loading Regulations,” of Article 582, “PD 582,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended by adding a new Subsection (k), “Bicycle Parking,” to read as follows:

“(k) Bicycle parking.

(1) Except as provided in this subsection, bicycle parking is required in accordance with Division 51A-4.330.

(2) Building sites that are developed as of September 10, 2013 are considered non-conforming as to bicycle parking. Non-conforming building sites must only provide the minimum number of guest bicycle parking spaces when the applicability standards of Section 51A-4.331 are met.

(3) The director may waive the bicycle parking requirements only upon a determination that:

(A) due to existing site constraints, meeting the requirements of this division would:

(i) interfere with the minimum requirements for pedestrian or vehicular maneuvering; or

(ii) otherwise be contrary to public safety;

(B) the building site only has access from a roadway where riding a bicycle is prohibited under Section 9-6 or 28-159 of the Dallas City Code; or

(C) the location of bicycle parking would impede pedestrian traffic between a special event or an entertainment complex and parking areas or a DART station.

(4) Required bicycle parking may be located within the right-of-way when a private license is obtained.

(5) Remote bicycle parking may be established using the master parking and floor area plan (Exhibit 582K) if approved with a development plan or minor amendment to the master parking and floor area plan. Written consent from both property owners is required to apply for remote bicycle parking.”

SECTION 7. That Section 51P-582.114, “Phasing of Development,” of Article 582, “PD 582,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-582.114. RESERVED. [PHASING OF DEVELOPMENT.

~~(a) The following thoroughfare and traffic improvements must be substantially complete prior to the issuance of a certificate of occupancy that would authorize the use of floor area that would cause the total floor area within this district to exceed 500,000 square feet:~~

~~(1) Houston Street between McKinney Avenue and Continental Avenue as a four lane divided principal arterial.~~

~~(2) North Houston Street between Continental Avenue and Hi Line Drive as a four lane northbound principal arterial couplet.~~

~~(3) Hi Line Drive from Victory Avenue to Interstate Highway 35E (IH 35E) as a four lane divided principal arterial.~~

~~(4) Victory Avenue between Continental Avenue and Lamar Street as a two-lane southbound principal arterial couplet.~~

~~(5) Victory Avenue between Lamar Street and Hi Line Drive as a four lane southbound principal arterial couplet.~~

~~(6) Continental Avenue between McKinney Avenue and North Houston Street as a three lane eastbound principal arterial couplet.~~

~~(7) Continental Avenue between North Houston Street and the Dallas Area Rapid Transit right of way as a four lane eastbound principal arterial couplet.~~

~~(8) Lamar Street between McKinney Avenue and Victory Avenue as a three-lane westbound principal arterial couplet.~~

~~(9) Lamar Street between Victory Avenue and 225 feet east of IH 35E as a three-lane westbound principal arterial couplet.~~

~~(10) Two of the four westbound lanes of Lamar Street, a principal arterial couplet, between 225 feet east of IH 35E and IH 35E.~~

~~(11) Olive Street between Field Street and North Houston Street as an eight-lane undivided collector, including auxiliary lanes.~~

~~(12) Olive Street between North Houston Street and Victory Avenue as a five-lane undivided collector with auxiliary lanes at intersection approaches.~~

~~(13) All Star Way between North Houston Street and Victory Avenue as a four-lane undivided collector.~~

~~(14) Variable lane assignments for northbound Field Street at Olive Street.~~

~~(15) Reserved.~~

~~(16) One of the following options:~~

~~(A) Option A. Substantial completion of the extension of the IH 35E southbound frontage road between Oak Lawn Avenue and Hi Line Drive.~~

~~(B) Option B. Commencement of construction of the extension of the IH 35E southbound frontage road between Oak Lawn Avenue and Hi Line Drive. For purposes of this option, "commencement of construction" means that construction of the extension has actually begun or that construction of the extension is on the Texas Department of Transportation's "Schedule for Letting."~~

~~(17) One of the following improvements:~~

~~(A) Option A.~~

~~(i) Extension of North Houston Street between Hi Line Drive and 1,400 feet north of Hi Line Drive as a four-lane undivided collector.~~

~~(ii) Extension of North Houston Street between 1,400 feet north of Hi Line Drive and Harry Hines Boulevard as a four-lane divided collector.~~

~~(B) Option B.~~

(i) ~~Maintenance of the existing, two-lane road connection between Hi Line Drive and Oak Lawn Avenue to a satisfactory standard, as approved by the director of public works and transportation.~~

(ii) ~~Southbound right turn lane on Field Street at Woodall Rodgers Freeway.~~

(18) ~~Traffic signals, traffic signal modifications, lane control signals, and pavement markings at the following intersections if those signals, modifications, and markings have been determined to be necessary in accordance with Section 51P-582.115:~~

- (A) ~~Continental Avenue at North Houston Street and Victory Avenue.~~
- (B) ~~Lamar Street at North Houston Street and Victory Avenue.~~
- (C) ~~Olive Street at Field Street, North Houston Street, and Victory Avenue.~~
- (D) ~~All Star Way at North Houston Street and Victory Avenue.~~
- (E) ~~Hi Line Drive at IH-35E frontage roads.~~
- (F) ~~North Houston Street at Harry Hines Boulevard.~~

(b) ~~No certificate of occupancy may be issued that would authorize the use of floor area that would cause the total floor area within this district to exceed 1,750,000 square feet until the following thoroughfare improvements are substantially complete:~~

(1) ~~Extension of North Houston Street between Hi Line Drive and 1,400 feet north of Hi Line Drive as a four-lane undivided collector.~~

(2) ~~Extension of North Houston Street between 1,400 feet north of Hi Line Drive and Harry Hines Boulevard as a four-lane divided collector.~~

(3) ~~Extension of the IH-35E southbound frontage road between Oak Lawn Avenue and Hi Line Drive.~~

(c) ~~No certificate of occupancy may be issued that would authorize the use of floor area that would cause the total floor area within this district to exceed 4,000,000 square feet until the following thoroughfare and traffic improvements are substantially complete:~~

(1) ~~Southbound right turn lane on Field Street at Woodall Rodgers Freeway.~~

(2) ~~Traffic signals, traffic signal modifications, lane control signals, and pavement markings at the following intersections if those signals, modifications, and markings have been determined to be necessary in accordance with Section 51P-582.115:~~

~~(A) Intersection of Continental Avenue and IH 35E.~~

~~(B) Intersection of Field Street and Woodall Rodgers Freeway.~~

~~(d) No certificate of occupancy may be issued that would authorize the use of floor area that would cause the total floor area within this district to exceed 5,000,000 square feet until the following have occurred:~~

~~(1) Substantial completion of Continental Avenue between IH 35E and the Dallas Area Rapid Transit right-of-way as a four-lane eastbound principal couplet.~~

~~(2) Substantial completion of Lamar Street between Victory Avenue and IH 35E as a four-lane westbound principal couplet with bridge constructed as shown on Exhibit 582D, or, in the alternative, governmental approval of the construction of Lamar Street between Victory Avenue and IH 35E as a four-lane westbound principal couplet with bridge constructed as shown on Exhibit 582E. For purposes of this paragraph, "governmental approval of the construction" means that: (A) governmental approval of the bridge design for Lamar Street, as shown on Exhibit 582E, has been obtained; (B) funds equal to an amount required to complete construction of Lamar Street as a four-lane westbound principal couplet with bridge as shown on Exhibit 582E has been deposited into a separate and dedicated city account; and (C) governmental approval of the construction schedule has been obtained requiring completion of Lamar Street within one year of the date of issuance of the certificate of occupancy.~~

~~(3) Installation of signals, modifications, and markings at the following intersections if those traffic signals, traffic signal modifications, lane control signals, and pavement markings have been determined to be necessary in accordance with Section 51P-582.115:~~

~~(A) Intersection of Continental Avenue and North Houston Street.~~

~~(B) Intersection of Lamar Street and IH 35E.~~

~~(e) No certificate of occupancy may be issued that would authorize the use of floor area that would cause the total floor area within this district to exceed 5,250,000 square feet until the following thoroughfare and traffic improvements are substantially complete:~~

~~(1) A TXDOT approved additional right turn lane on the IH 35E northbound frontage road at Continental Avenue as shown on Exhibit 582L.~~

~~(2) An additional left turn lane on northbound Field Street at Olive Street. If this improvement is not required by the director of public works and transportation, then this requirement is void.~~

(3) ~~Traffic signals, traffic signal modifications, lane control signals, and pavement markings at the following intersections if those signals, modifications, and markings have been determined to be necessary in accordance with Section 51P-582.115:~~

(A) ~~IH 35E northbound frontage road at Continental Avenue.~~

(B) ~~Field Street at Olive Street.~~

(f) ~~No certificate of occupancy may be issued that would authorize the use of floor area that would cause the total floor area within this district to exceed 6,000,000 square feet until there is substantial completion of Lamar Street between Victory Avenue and IH 35E as a four-lane westbound principal couplet with bridge as shown on either Exhibit 582D or 582E.~~

(g) ~~No certificate of occupancy may be issued that would authorize the use of floor area that would cause the total floor area within this district to exceed 8,000,000 square feet until:~~

(1) ~~the following thoroughfare and traffic improvements are substantially complete:~~

(A) ~~traffic signal at the intersection of Harry Hines Boulevard and Payne Street;~~

(B) ~~a TXDOT approved additional traffic lane on the westbound service road of Woodall Rodgers freeway approaching Field Street, as shown on Exhibit 582M;~~

(C) ~~a pedestrian crossing traffic signal on Victory Avenue at the DART rail station; and~~

(D) ~~traffic signals, traffic signal modifications, lane control signals, and pavement markings at the westbound service road of Woodall Rodgers Freeway approaching Field Street, if those signals, modifications, and markings have been determined to be necessary in accordance with Section 51P-582.115; and~~

(2) ~~a comprehensive updated valet parking operational plan submitted to the director of public works and transportation.~~

(h) ~~For purposes of this section, a thoroughfare and traffic improvement is substantially complete when all lanes and pedestrian facilities are open to public vehicular and pedestrian traffic. Once the director of public works and transportation has determined that a thoroughfare is substantially complete, any future modifications to that thoroughfare by a governmental entity will not detrimentally affect a property owner's ability to obtain additional certificates of occupancy.]”~~

SECTION 14. That the Continental/Lamar Bridge Improvements Alternative 1 exhibit (Exhibit 582D), Continental/Lamar Bridge Improvements Alternative 2 exhibit (Exhibit 582E), Free Right Turn Lane on IH-35 Northbound Frontage Road at Continental Avenue exhibit (Exhibit 582L), and Additional Traffic Lane and Median Extension on the westbound Service Road of Woodall Rodgers Freeway at Field Street exhibit (Exhibit 582M) are deleted.

SECTION 15. That development of this district must comply with the full-scale version of Exhibit 582B (conceptual plan) 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 16. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 17. That 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 18. 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.

30039

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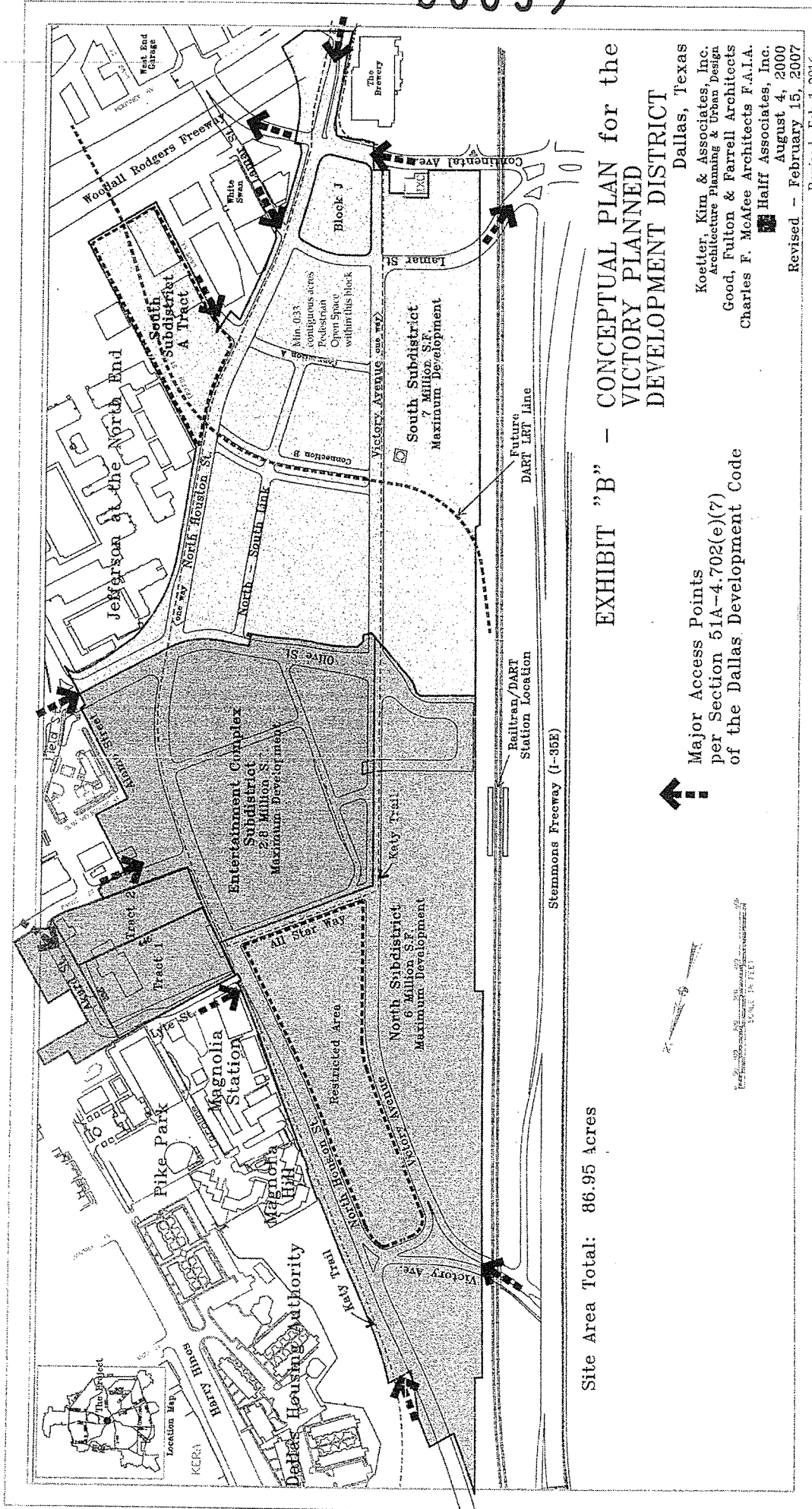
SECTION 19. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By 
Assistant City Attorney

Passed MAR 23 2016



Site Area Total: 86.95 Acres

EXHIBIT "B" - CONCEPTUAL PLAN for the VICTORY PLANNED DEVELOPMENT DISTRICT

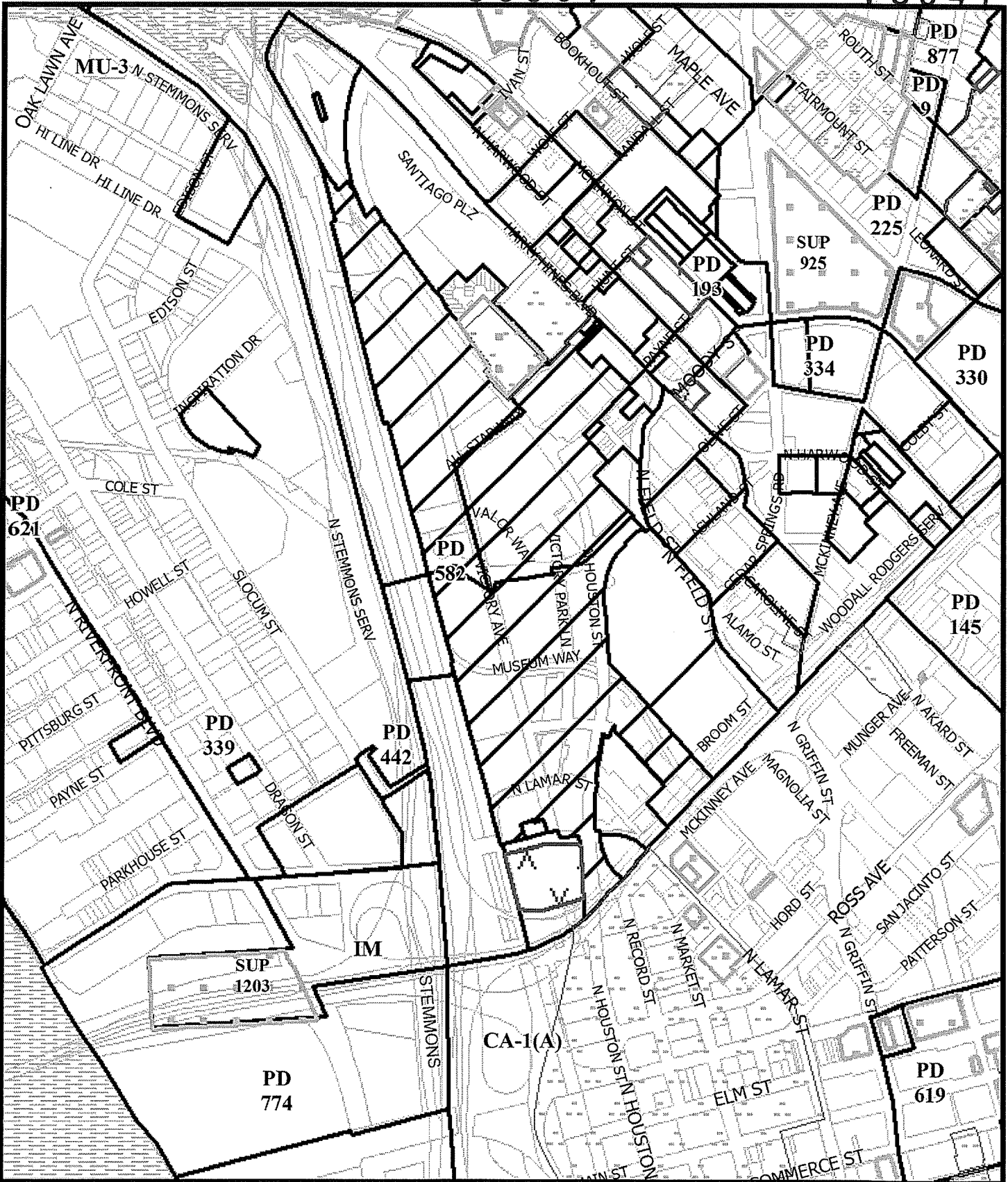
Dallas, Texas
 Koetter, Kim & Associates, Inc.
 Architecture Planning & Urban Design
 Good, Fulton & Farrell Architects
 Charles F. McAfee Architects F.A.I.A.
 Haiff Associates, Inc.
 August 4, 2000
 Revised - February 15, 2007

Major Access Points
 per Section 51A-4.702(e)(7)
 of the Dallas Development Code

Conceptual Plan (Revised)
 Exhibit 582B
 PDD No. 582

Approved
 City Plan Commission
 February 18, 2016

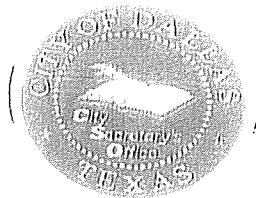
Z145-170
 Revised - Feb. 1, 2016



1:9,600

ZONING MAP

Case no: Z145-170
 Date: 1/20/2016



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 MAR 23 2016

ORDINANCE NUMBER 30039

DATE PUBLISHED MAR 26 2016

ATTESTED BY: