

7-25-17

ORDINANCE NO. 30574

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Blocks 8215 and 8217; fronting approximately 785.26 feet on the southeast line of Keller Springs Road east of Bent Tree Forest Circle; and containing approximately 14.38 acres,

from an R-1ac(A) Single Family District to Planned Development District No. 992; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 992; establishing use regulations and development standards for this planned development district; 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 an R-1ac(A) Single Family District to Planned Development District No. 992 on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property").

SECTION 2. That Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Article 992 to read as follows:

"ARTICLE 992.

PD 992.

SEC. 51P-992.101. LEGISLATIVE HISTORY.

PD 992 was established by Ordinance No. _____, passed by the Dallas City Council on August 9, 2017.

SEC. 51P-992.102. PROPERTY LOCATION AND SIZE.

PD 992 is established on property located on the southeast line of Keller Springs Road, east of Bent Tree Forest Circle. The size of PD 992 is approximately 14.38 acres.

SEC. 51P-992.103. DEFINITIONS AND INTERPRETATIONS.

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

(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 residential zoning district.

SEC. 51P-992.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 992A: conceptual plan.

SEC. 51P-992.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 992A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-992.106. DEVELOPMENT PLAN.

(a) For single family and private street or alley uses, a final plat may serve as the development plan.

(b) For all other uses, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-992.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the TH-1(A) Townhouse District, subject to the same conditions applicable in the TH-1(A) Townhouse District, as set out in Chapter 51A. For example, a use permitted in the TH-1(A) Townhouse 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 TH-1(A) Townhouse District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Private street or alley.

SEC. 51P-992.108. ACCESSORY USES.

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.

SEC. 51P-992.109. 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 TH-1(A) Townhouse District apply.

(b) Density. Maximum number of dwelling units is 41.

(c) Height. Maximum structure height is 45 feet. Skylights, clerestories, chimneys, and vent stacks may project up to 12 feet above the maximum structure height.

(d) Stories. Maximum number of stories above grade is three.

SEC. 51P-992.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P-992.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-992.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

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

SEC. 51P-992.113. SIGNS.

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

SEC. 51P-992.114. 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.

(c) Single family structures must be detached.

(d) Except for visibility triangles, for single family uses, an eight-foot solid masonry screening wall is required along Keller Springs Road.

(e) To minimize the environmental impact of development to White Rock Creek, a minimum of seven acres of open space, generally surrounding the creek and inclusive of floodway and floodplain, must be provided and maintained. For single-family uses, required open space must be privately maintained and accessible to residents, as shown on the conceptual plan. A minimum

of 1,200 linear feet of walking trails are required throughout both open space areas. A minimum of one bench per 100 linear feet of walking trail is required along the walking trails.

SEC. 51P-992.115. 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 3. 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 4. That development of this district must comply with the full-scale version of Exhibit 992A (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 5. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 992 in Chapter 51P.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. 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 8. 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.

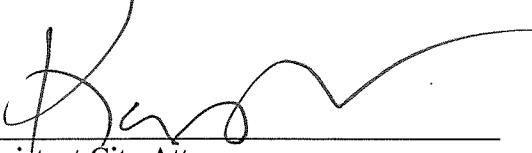
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SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By 
Assistant City Attorney

Passed AUG 9 2017

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GIS_Approved

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EXHIBIT A

BEING a portion of that tract of land conveyed by deed to Keller Springs Estates, Ltd., from Ken Marchant & Donna Marchant as recorded in Volume 2004228, Page 22, Deed Records, Dallas County, Texas, said tract being in the Robert Wilburn Survey, Abstract No. 1580, and the Edward Cook Survey, Abstract No. 327, and being more particularly described as follows:

COMMENCING at the intersection of the southeast corner of Bent Tree Forest Apartments Addition, a platted addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 97076, Page 4407, Deed Records, Dallas County, Texas, with the southwest corner of said Marchant tract;

THENCE, north $00^{\circ} 07' 56''$ east a distance of 62.47' with the east line of Bent Tree Forest Apartments to a found capped iron rod for corner, said corner being the place of beginning;

THENCE, north $00^{\circ} 07' 56''$ east a distance of 852.81' continuing with the east line of Bent Tree Forest Apartments to a point for corner, said corner being in the future south right-of-way line of Keller Springs Road (future 80' R.O.W.);

THENCE, south $89^{\circ} 54' 10''$ east a distance of 29.74' with the future south line of Keller Springs Road (future 80' R.O.W.) to a point for corner, said corner being the beginning of a curve to the left;

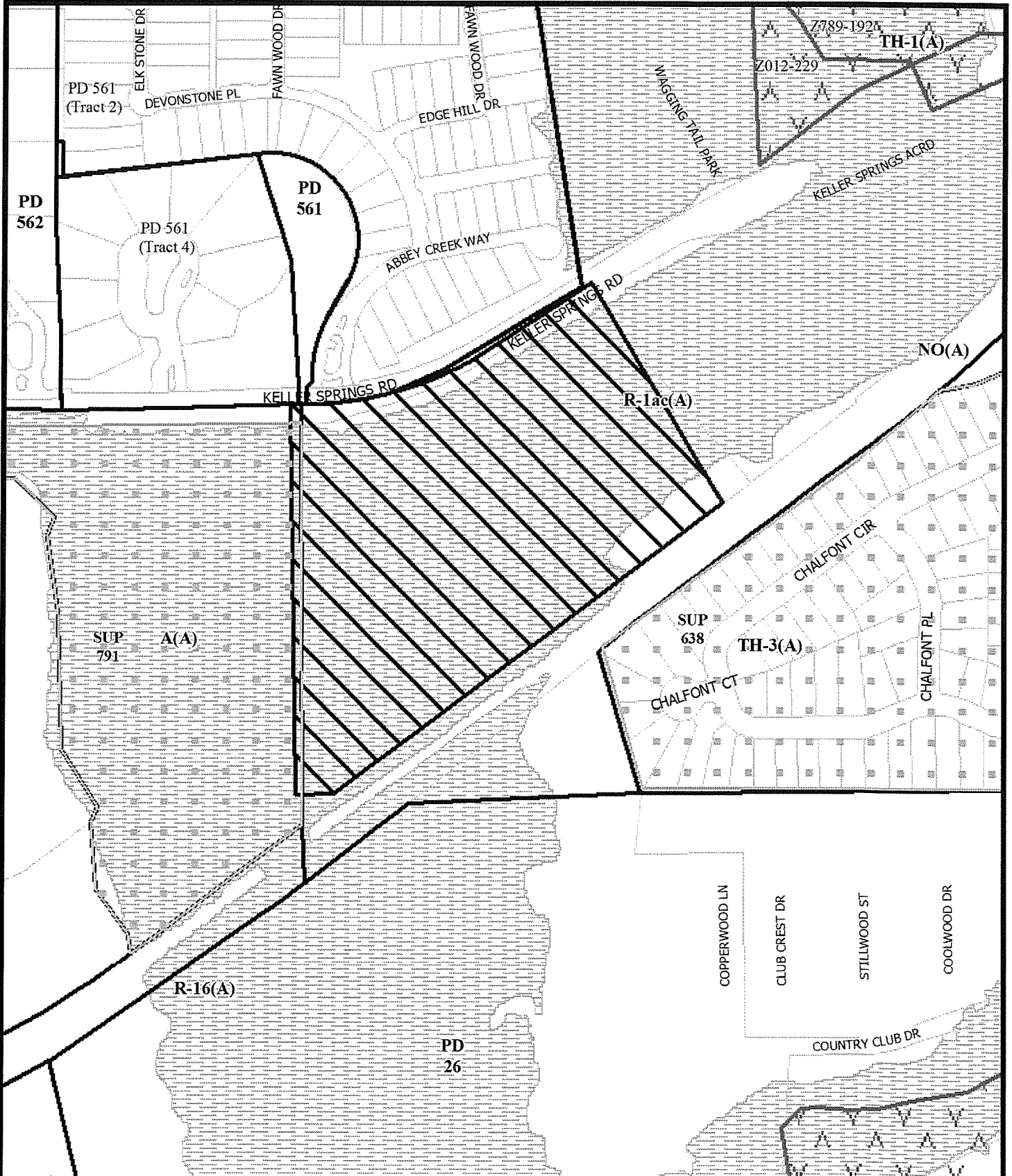
THENCE, 444.73' along the arc of said curve to the left, through a central angle of $30^{\circ} 42' 00''$, said curve having a radius of 830.00' and a long chord length of 439.43' which bears north $74^{\circ} 44' 50''$ east continuing with the future southerly line of Keller Springs Road (future 80' R.O.W.) to a point for corner;

THENCE, north $59^{\circ} 23' 50''$ east a distance of 310.79' continuing with the future southerly line of Keller Springs Road (future 80' R.O.W.) to a point for corner;

THENCE, south $29^{\circ} 55' 00''$ east a distance of 541.65' departing the future southerly line of Keller Springs Road (future 80' R.O.W.) to a found capped iron for corner, said corner being in the north line of the St. Louis & Southwestern R.R. right-of-way (100' R.O.W.);

THENCE, south $54^{\circ} 05' 00''$ west a distance of 1120.17' with the north line of the St. Louis & Southwestern R.R. right-of-way (100' R.O.W.) to a found capped iron for corner'

THENCE, due west a distance of 86.11' departing the north line of said St. Louis & Southwestern R.R. right-of-way (100' R.O.W.) back to the place of beginning and containing 14.38 acres (626,393 sq.ft.) of land, more or less.



1:3,600

ZONING MAP

Case no: Z167-258

Date: 4/19/2017

