

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

An approximately 8.7529 acre tract of land located in City Blocks 8135, 9/8135 and 8140,

from a R-7.5(A) District and a NO(A) District to Planned Development District No. _____; amending Chapter 51P for certain mixed uses, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code, as amended, by creating a new Article _____; 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 hereinafter described; 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 a R-7.5(A) District and a NO(A) District to Planned Development District No. _____ 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, as amended, is amended by adding a new Article _____ to read as follows:

"ARTICLE _____ . PD _____ .

SEC. 51P- _____ .101. _____ LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. 51P- .102. PROPERTY LOCATION AND SIZE.

PD is established on property located at the southwest corner of the intersection of Church Road and Skillman Street. The size of PD is approximately 8.7529 acres.

SEC. 51P- .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) For the purposes of signage, Tracts 1, 2 and 3 are considered to be nonresidential zoning districts.

(d) For the purposes of off-street parking, Tracts 1, 2 and 3 are all considered 1 lot.

SEC. 51P- .104. CONCEPT PLAN.

Development and use of the Property must comply with the concept plan (Exhibit B). In the event of a conflict between the text of this article and the development plan, the text of this article controls. Before development can occur on the property, a Detailed Development Plan must be approved pursuant to Section 51(A) 4.702 of the *Dallas Development Code*.

SEC. 51P- .105. MAIN USES PERMITTED.

(a) The only main uses permitted in Tract 1 are:

- a. Retirement Housing
- b. Single Family
- c. Local utilities

(b) The only main uses permitted in Tract 2 are:

- a. Retirement Housing
- b. Single Family
- c. Office
- d. Local Utilities

(c) The only main uses permitted in Tract 3 are:

- a. Retirement Housing
- b. Single Family
- c. Local utilities

SEC. 51P- .106. ACCESSORY USES.

- (a) As a general rule, an accessory uses normally associated with Retirement Housing, Office or Single Family uses are allowed in any Tract in which the main use is permitted.

SEC. 51P- .107. 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. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

- (a) Front Yard

- a. Tract 1

- i. Retirement Housing – 25 feet
 - ii. Single Family – 15 feet

- b. Tract 2

- i. Retirement Housing – 25 feet
 - ii. Single Family – 15 feet
 - iii. Office – 20 feet

- c. Tract 3

- i. Retirement Housing – 25 feet
 - ii. Single Family – 15 feet

- (b) Side Yard

- a. Tract 1

- i. Retirement Housing – 10 feet
 - ii. Single Family Attached – None
 - iii. Single Family Detached – 5 feet

- b. Tract 2

- i. Retirement Housing – 10 feet
 - ii. Single Family Attached – None
 - iii. Single Family Detached – 5 feet
 - iv. Office
 - 1. Adjacent to residential district - 20 feet
 - 2. Not adjacent to residential district – 10 feet

- c. Tract 3

- i. Retirement Housing – 10 feet
 - ii. Single Family Attached – None
 - iii. Single Family Detached – 5 feet

- (c) Rear Yard
 - a. Tract 1
 - i. Retirement Housing – 20 feet
 - ii. Single Family – 5 feet
 - b. Tract 2
 - i. Retirement Housing – 10 feet
 - ii. Single Family – 5 feet
 - iii. Office
 - 1. Adjacent to residential district - 20 feet
 - 2. Not adjacent to residential district – 10 feet
 - c. Tract 3
 - i. Retirement Housing – 10 feet
 - ii. Single Family – 10 feet
- (d) Setbacks Between Tracts
 - a. There are no setbacks required between Tract 1, Tract 2 and Tract 3.
- (e) Dwelling Unit Density
 - a. Retirement Housing
 - i. Tract 1 – Maximum 250 dwelling units or suites
 - ii. Tract 2 – 20 dwelling units per acre
 - iii. Tract 3 – 10 dwelling units per acre
 - b. Single Family
 - i. Tract 1 – 15 dwelling units per acre
 - ii. Tract 2 – 15 dwelling units per acre
 - iii. Tract 3 – 10 dwelling units per acre
- (f) Maximum Floor Area Ratio
 - a. Office – 2:1
 - b. For all other uses, no maximum floor area ratio
- (g) Minimum Lot Size
 - a. Single Family
 - i. Detached - 5,000 square feet
 - ii. Attached – 2,000 square feet
 - b. Office – None
- (h) Residential Proximity Slope
 - a. The provisions of the residential proximity slope, as outlined in Division 51A-4.000, apply to all portions of the property, except along the northwest property line where the residential proximity slope will be a 1:2 slope and measured from the existing grade of the site of origination.

- (i) Maximum Height
 - a. Tract 1
 - i. Retirement Housing – 65 feet measured from the finished floor elevation of the structure to the level of the highest eave, such highest eave not to exceed 575 feet above sea level. Habitable space is prohibited above 575 feet above sea level.
 - ii. Single Family – 36 feet measured from the finished floor elevation of the structure not to exceed 570 feet above sea level.
 - b. Tract 2
 - i. Retirement Housing – 36 feet measured from the finished floor elevation of the structure to the level of the highest eave not to exceed 575 feet above sea level
 - ii. Single Family – 36 feet measured from the finished floor elevation of the structure not to exceed 575 feet above sea level
 - iii. Office – 24 feet , measured from the finished floor elevation of the structure not to exceed 565 feet above sea level
 - c. Tract 3
 - i. Retirement Housing
 - 1. 24 feet as shown on the Conceptual Plan, not to exceed 570 feet above sea level
 - 2. 36 feet as shown on the Conceptual Plan not to exceed 575 feet above sea level
 - ii. Single Family
 - 1. 24 feet as shown on the Conceptual Plan, not to exceed 570 above sea level
 - 2. 36 feet as shown on the Conceptual Plan not to exceed 575 feet above sea level
- (j) Stories
 - a. Tract 1
 - i. Retirement Housing – 5 stories
 - ii. Single Family – 2 stories
 - b. Tract 2
 - i. Retirement Housing – 3 stories
 - ii. Single Family – 2 stories
 - iii. Office – 1 story
 - c. Tract 3
 - i. Retirement Housing
 - 1. 1 story as shown on the Conceptual Plan
 - 2. 2 stories as shown on the Conceptual Plan

ii. Single Family

1. 1 story as shown on the Conceptual Plan
2. 2 stories as shown on the Conceptual Plan

(k) Maximum Lot Coverage

- a. Tract 1 – 50 percent
- b. Tract 2 – 65 percent
- c. Tract 3 – 50 percent

SEC. 51P- .108. OFF-STREET PARKING AND LOADING.

- (a) Unless otherwise provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) Off-street parking for Retirement Housing will be parked at 1.1 spaces for each dwelling unit. At least one off-street parking space for each Retirement Housing dwelling unit or suite will be parked within an enclosed structure.
- (c) Loading areas and dumpster locations must be at least 30 feet from a property line and screened from view by a solid screening wall at least 12 feet in height and approved city the city plan commission on a Development Plan. For the purposes of this section, a retaining wall will qualify as a screening wall provided it is at least 12 feet tall and adequately screens the loading areas and dumpster location.
- (d) Deliveries can only occur between 8:00 AM and 8:00 PM, Monday through Saturday and 9:00 AM and 7:00 PM on Sundays.

SEC. 51P- .109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- .110. LANDSCAPING.

- (a) Landscaping must be provided as pursuant to Article X, except that the provision of Section 51A-10.125(5)(A) does not apply to underground or structured parking spaces.
- (b) Plant materials must be maintained in a healthy, growing condition.
- (c) All trees with a caliper greater than six-inches and located in the Tree Preservation Area, as shown on the Conceptual Plan, will be preserved as

a landscape area. Drives and parking areas can be placed in the Tree Preservation area provided the spirit and intent of the Tree Preservation area is maintained.

SEC. 51P- .111. SIGNS.

(a) Tract 1

a. Retirement Housing or Single Family project will be allowed one (1) monument or wall sign identifying the project on each street frontage. The monument sign can have a maximum height of eight feet and must be set back at least five feet from the property line along Church Road, but may be on the property line along Skillman Avenue, and all signs must comply with the visibility obstruction regulations of the Dallas Development Code. All signs must be shown on a city plan commission approved Development Plan. The maximum effective area for signs in Tract 1 is 60 square feet per side.

(b) Tract 2

a. Office uses are allowed to use the sign standards for business districts. Retirement Housing will be allowed one (1) monument sign identifying the project on each street frontage. The monument sign can have a maximum height of eight feet and does not require a setback and must comply with the visibility obstruction regulations of the Dallas Development Code. All signs must be shown on a city plan commission Development Plan. The maximum effective area for signs in Tract 2 is 60 square feet per side.

(c) Tract 3

a. No signs, except directional or street signs, are allowed in Tract 3.

SEC. 51P- .112. INGRESS AND EGRESS.

(a) Ingress/Egress to Church Road

i. Ingress/egress on Church Road is limited to right-turn in and right-turn out with on-site directional island prohibiting left turn movements from the site onto westbound Church Road, with final design and construction approved by the director of public works and transportation.

(b) Sidewalks

i. Sidewalks are required adjacent to the Property along Church Road and Skillman Avenue Road with an unobstructed width of six feet.

SEC. 51P- .113. 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.

SEC. 51P- .114. 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 director of public works and transportation.

(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, in this district 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.

SEC. 51P- .115. ZONING MAP.

PD _____ is located on Zoning Map No. F-9.

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(s) of the Detail Development Plan and Landscape Plan attached to this ordinance. (A) reduced-sized version(s) of (this/these) plan(s) shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version(s) of the plan(s).

SECTION 5. That the director of development services shall correct Zoning District Map No. F-9 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article _____ in Chapter 51P.

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:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed