

## **ARTICLE 268.**

### **PD 268.**

#### **SEC. 51P-268.101. LEGISLATIVE HISTORY.**

PD 268 was established by Ordinance No. 19593, passed by the Dallas City Council on July 15, 1987. Ordinance No. 19593 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. (Ord. Nos. 10962; 19593; 25711)

#### **SEC. 51P-268.102. PROPERTY LOCATION AND SIZE.**

PD 268 is established on property generally located at the northeast corner of Frankford Road and Preston Road. The size of PD 268 is approximately 29.073 acres. (Ord. Nos. 19593; 25711)

#### **SEC. 51P-268.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 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 51. (Ord. 25711)

#### **SEC. 51P-268.104. CONCEPTUAL SITE PLAN.**

A site plan dividing the Property into four tracts is labelled Exhibit 268A. Use of the Property must comply with the site plan. (Ord. Nos. 19593; 25711)

#### **SEC. 51P-268.105. DEVELOPMENT PLAN.**

A development plan for each tract or portion thereof must be submitted to and approved by the city plan commission prior to the issuance of any building permits for construction on the respective tract or portion thereof. The development plan must include the site plan requisites listed in Section 51-4.803(d). In deciding whether to approve or deny the development plan, the city plan commission shall follow the standards set out for the director of development services in Section 51-4.803. All development must conform with the approved development plans. (Ord. Nos. 19593; 25711)

#### **SEC. 51P-268.106. LANDSCAPE PLAN.**

At the time of the submission of each development plan, a landscape plan for that portion of the Property must be submitted to the city plan commission for approval. The landscape plan must be approved prior to the issuance of any building permit for construction on that portion of the Property. All landscaping must be installed in conformance with the approved landscaping plan within six months of the issuance of a certificate of occupancy for any use on that portion of the Property. All landscaping must be maintained in a healthy, growing condition at all times. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.107. PERMITTED USES.**

(a) Generally. The only uses permitted on the Property are those uses permitted in an SC Shopping Center District, as shown on Exhibit 268B.

(b) Special use restrictions.

(1) No hotel or motel use is allowed on Tract D, although accessory uses and parking for hotel or motel uses are permitted.

(2) No retail uses are permitted within 90 feet of Davenport Road, beginning 300 feet north of the intersection of Frankford Road and Davenport Road, except that parking for retail uses is permitted in this area. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.108. FLOOR AREA.**

Development for all tracts on the Property combined may not exceed a total of 1,266,420 square feet of floor area. This limitation does not include parking structures. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.109. MAXIMUM HEIGHT.**

Height limitations are as follows:

(1) Tract A. One structure that is 186 feet in height is permitted. No other structure may exceed 162.5 feet in height.

(2) Tract B. No structure may exceed 162.5 feet in height.

(3) Tract C. No structure may exceed 125 feet in height.

(4) Tract D.

(A) Nonresidential structures within 90 feet of Davenport Road, as shown on the site plan, may not exceed 24 feet in height.

(B) Residential structures within 90 feet of Davenport, as shown on the site plan, may not exceed 30 feet in height.

(C) Nonresidential structures located between 90 and 160 feet from Davenport Road, as shown on the site plan, may not exceed 36 feet in height.

(D) Other structures on Tract D may not exceed 90 feet in height. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.110. MAXIMUM LOT COVERAGE.**

Maximum permitted lot coverage is 40 percent, excluding parking structures. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.111. SETBACKS.**

Setbacks must conform to the site plan. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.112. OFF-STREET PARKING.**

Parking must be provided for each use, except church uses, in accordance with the requirements of Chapter 51. For a church use, parking must be provided at the ratio of one space for each three fixed seats, if fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this section. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 21 square feet of floor area. All required parking for church uses on the Property must be on the same lot as the main use. The provisions of Section 51-4.301(c)(6) (the mixed use parking reduction bonus) may be used, if applicable, to calculate the minimum number of spaces required. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.113. ACCESS.**

Major access to the Property must be provided in accordance with the arrows on the site plan. Any additional access to the Property must be approved by the director of public works and transportation. Direct access across the Property from Davenport Road is prohibited. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.114. CONSTRUCTION TRAFFIC.**

Any vehicles used for construction on the Property are prohibited on those portions of Davenport Road adjacent to the Property during construction on the Property. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.115. RIGHT-OF-WAY DEDICATION.**

Easements for street purposes must be provided along Frankford Road and Davenport Road as shown on the site plan. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.116. REFLECTIVE GLASS.**

Highly reflective glass may not be used as an exterior building material on any building or structure on the Property. For purposes of this section, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.) (Ord. Nos. 19593; 25711)

**SEC. 51P-268.117. SIGNS.**

(a) Except as provided in this section, all signs must comply with the provisions for an SC Shopping Center District in Chapter 51. For purposes of this section, “premise” is defined as the entire Property.

(b) Detached premise signs are permitted in the locations shown on the detached premise sign plan (Exhibit 268C). Maximum effective area and maximum sign height for each detached premise sign is as shown on the detached premise sign plan.

(c) Detached premise sign landscaping must be provided as shown on the detached premise sign landscape plan (Exhibit 268D). Detached premise signs existing on January 14, 2009 must comply with the detached premise sign landscape plan by April 14, 2009. New detached premise signs must comply with the detached premise sign landscape plan before the final inspection on that new sign. Detached premise sign landscaping must be maintained in a healthy, growing condition. (Ord. Nos. 19593; 25711; 27454)

**SEC. 51P-287.118. GENERAL REQUIREMENTS.**

Development of the Property must comply with the requirements of all ordinances, rules, and regulations of the city. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.119. PAVING.**

(a) All streets, driveways, parking spaces, and maneuvering areas for parking must comply with the requirements of the Dallas Development Code.

(b) 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. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.120. COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 19593; 25711)

**SEC. 51P-268.121. ZONING MAP.**

PD 268 is located on Zoning Map No. AA-7. (Ord. Nos. 19593; 25711)