

ARTICLE 24.

PD 24.

SEC. 51P-24.101. LEGISLATIVE HISTORY.

PD 24 was established by Ordinance No. 11338, passed by the Dallas City Council on January 17, 1966. Ordinance No. 11338 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas, as amended. Ordinance No. 11338 was amended by Ordinance No. 11489, passed by the Dallas City Council on June 20, 1966; Ordinance No. 11756, passed by the Dallas City Council on March 13, 1967; Ordinance No. 15168, passed by the Dallas City Council on May 3, 1976; and Ordinance No. 23664, passed by the Dallas City Council on September 23, 1998. (Ord. Nos. 10962; 11338; 11489; 11756; 15168; 23664; 25423)

SEC. 51P-24.102. PROPERTY LOCATION AND SIZE.

PD 24 is established on property generally located east and west of Waterfall Way, south of Rolling Hills Drive. The size of PD 24 is approximately 57.88 acres. (Ord. Nos. 11098; 11489; 25423)

SEC. 51P-24.103. 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. 25423)

SEC. 51P-24.104. DEVELOPMENT PLAN.

In connection with this PD, a development plan (Exhibit 24A) indicates the approved development for the five designated tracts (Tracts A, B, C, C-1, and D). These five tracts must be developed as follows: Tract A with townhouses, Tract B with apartments, and Tracts C, C-1, and D with a public school use. All development must conform with the development plan except that the area of Tract B may be subdivided at any time into any number of lots upon city plan commission approval of a revised subdivision plat indicating such division. (Ord. Nos. 23664; 25423)

SEC. 51P-24.105. SITE/LANDSCAPE PLAN.

In addition to compliance with the development plan, development and use of Tracts C and C-1 must also comply with the site/landscape plan for Tracts C and C-1 (Exhibit 24B). (Ord. Nos. 23664; 25423)

SEC. 51P-24.106. SUBDIVISION.

Before the issuance of any building permit, a subdivision plat of the entire development must be approved by the city plan commission and filed for record in the office of the County Clerk, Dallas County, Texas. (Ord. Nos. 11756; 25423)

SEC. 51P-24.107.

PERMITTED USES.

Except as provided in Section 51P-24.111, the only permitted uses are as follows:

- (1) Tract A. No main use other than single-family attached dwellings and the specified community facilities indicated on the development plan are permitted. Accessory or incidental uses allowed in the 2F-2 district as described in Chapter 51 are also permitted in combination with said main uses.
- (2) Tract B. No main use or accessory use other than those permitted in the MF-2 district, as described in Chapter 51, are permitted.
- (3) Tract C. No main use other than a public school is permitted.
- (4) Tract C-1. No main use other than surface parking for a public school is permitted.
- (5) Tract D. No main use other than a public school is permitted. (Ord. Nos. 23664; 25423)

SEC. 51P-24.108.

MAINTENANCE RESPONSIBILITY.

(a) The property owner or owners of the area of Tract A of the development shall be responsible for the development and maintenance of all common facilities and easements shown on the development plan.

(b) To insure the continuance of adequate maintenance of the area of Tract A, as shown on the development plan, the owner or owners of the property shall, before the passage of Ordinance No. 11756 (March 13, 1967), file for record with the County Clerk's Office, Dallas County, Texas, an agreement containing the following provisions:

(1) Should all or any portion of this tract, as described in Subsection (b), be sold, all of the common facilities and easements indicated on the development plan must be placed in the ownership of a Property Owners' Association. The structure of the association must be approved by both the city plan commission and the city attorney, and must provide for the following:

(A) Proper evidence of the creation of the Property Owners' Association.

(B) Each owner of property within the tract must be a member of the Property Owners' Association and must have rights to the use of all common facilities and easements within the area of this tract.

(C) The Property Owners' Association is responsible for the operation and continuing maintenance of all common facilities and easements within the area of this tract as shown on the development plan.

(D) The Property Owners' Association is responsible for the maintenance and continuance of any existing easement within the area of this tract.

(E) Continuous maintenance of these areas of responsibility must be financed by assessments levied against each property owner within the area of the tract. The assessments must be of sufficient amounts to insure adequate maintenance.

(2) This agreement must constitute a covenant binding on each property owner within this described area, their heirs or successors in title, and must run with the land. (Ord. Nos. 11756; 25423)

SEC. 51P-24.109. GENERAL REGULATIONS.

The regulations for minimum front yards, side yards, rear yards, lot width, lot depth, lot area, off-street parking, maximum lot coverage, building height, building location and spacing, and signs must comply with the requirements of Chapter 51 as set forth for the specified zoning districts and in accordance with the following additional requirements here listed for the five designated tracts:

(1) Tract A. The regulations of the 2F-2 district apply; except that:

(A) a minimum side yard of five feet is permitted adjacent to a side street where indicated on the development plan;

(B) a minimum lot width of 25 feet is required;

(C) a minimum of two off-street parking spaces is required for each dwelling unit;

(D) the maximum building height is two stories for all structures; and

(E) dwelling units may vary in size and shape so long as they do not violate the indicated setback requirements.

(2) Tract B. The regulations of the MF-2 district apply.

(3) Tract C, C-1, and D. Except as provided in this paragraph, the regulations of the R-7.5 district apply. The required front yard setback on Tract C-1 is 15 feet. The required side and rear yard setback on Tracts C and C-1 is 10 feet. Off-street parking on Tracts C and C-1 is permitted within the required setbacks as shown on the site/landscape plan. (Ord. Nos. 23664; 25423)

SEC. 51P-24.110. ACCESS/PAVING REQUIREMENTS.

All streets, alleys, and/or access easements must be paved and drainage structures layed to the standards of the department of public works and transportation; all dedicated streets, as indicated on the approved development plan, shall have 50 feet right-of-ways with 36 feet of pavement. All lots are to be served by 20-foot easements for access, utilities, and garbage collection; the dedication of the total width of any one portion of said easement is required prior to the issuance of a building permit along such a portion. All designated parking areas must have a minimum surfacing of six inches compacted gravel and two coats of penetration asphalt. All units are to be served by a continuous concrete frontage walk. (Ord. Nos. 11765; 25423)

SEC. 51P-24.111. FIRE LANE REQUIREMENTS.

Fire lanes must be provided and maintained in accordance with the requirements of the Dallas Fire Department. (Ord. Nos. 11765; 25423)

SEC. 51P-24.112.**DAY NURSERY.**

Lots 10, 11, and 12 in City Block D/7757 on property commonly known as 13869, 13871, and 13873 Brookgreen Drive are hereby designated for the additional use of a day nursery, upon the following express conditions:

- (1) Site plan. Use of the property for a day nursery must conform with the site plan (Exhibit 24C).
- (2) Parking. Off-street parking must be provided at the ratio of one space per each 10 children allowed plus one space per employee position. The minimum number is established as shown on the plan.
- (3) Paving. All driveways, entrances, and parking must have a minimum surfacing of six inches of compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary.
- (4) Ingress-egress. Off-street loading and unloading of children must be provided as shown on the site plan.
- (5) Indoor area. A minimum of 50 square feet of indoor area must be provided for each child in attendance.
- (6) Outdoor play area. A minimum of 100 square feet of outdoor area must be provided for each child in the play area at one time, and located as shown on the site plan.
- (7) Fencing. The outdoor play area must be totally enclosed with a minimum four-foot-high fence as shown on the site plan.
- (8) Time limit. This use is permitted for a period of two years from the date of issuance of the certificate of occupancy.
- (9) Maintenance. The entire premises must be properly maintained in a state of good repair and neat appearance at all times.
- (10) Signs. All signs must follow the non-business category (Article IV) of Chapter 41, "Sign Standards," of the Dallas City Code.
- (11) General requirements. The day nursery operation must comply with all additional requirements of the various departments of the city.
- (12) Fire department requirements. Rooms used for day care purposes must not be located above the first story of the building as required by Section 16-147 of the Dallas Fire Code.
- (13) Number of children. This day nursery is permitted a maximum of 50 children. (Ord. Nos. 15168; 25423; 26102)

SEC. 51P-24.113.**LANDSCAPING.**

Prior to the issuance of any certificate of occupancy on Tracts C or C-1, landscaping for Tracts C and C-1 must be provided as shown on the site/landscape plan. Plant material must be maintained in a healthy, growing condition. (Ord. Nos. 23664; 25423)

SEC. 51P-24.114.**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) No certificate of occupancy shall be issued by the building official until there has been full compliance with this article, the Dallas Development Code, and the Dallas Building Codes. (Ord. Nos. 11338; 25423; 26102)

SEC. 51P-24.115.**ZONING MAP.**

PD 24 is located on Zoning Map No. C-8. (Ord. Nos. 23664; 25423)