

ARTICLE 322.

PD 322.

SEC. 51P-322.101. LEGISLATIVE HISTORY.

PD 322 was established by Ordinance No. 20468, passed by the Dallas City Council on October 11, 1989. Ordinance No. 20468 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20468 was amended by Ordinance No. 21609, passed by the Dallas City Council on March 24, 1993. (Ord. Nos. 10962; 19455; 20468; 21609; 25164)

SEC. 51P-322.102. PROPERTY LOCATION AND SIZE.

PD 322 is established on property generally located at the northeast corner of LBJ Freeway and Dallas North Tollway. The size of PD 322 is approximately 42.2092 acres. (Ord. Nos. 20468; 25164)

SEC. 51P-322.103. DEFINITIONS AND INTERPRETATIONS.

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

(b) Unless otherwise stated, all references to uses, articles, divisions, or sections in this article are to uses, articles, divisions, or sections in Chapter 51A. (Ord. 25164)

SEC. 51P-322.104. DEVELOPMENT PLAN.

Development of the Property must comply with the detailed development plan (Exhibit 322A), and with any future detailed development plans approved as hereafter provided. The detailed development plan reflects the structures in existence on the Property on the date of passage of Ordinance No. 20468 (hereafter called the "existing structures"). (Ord. Nos. 20468; 25164)

SEC. 51P-322.105. CONCEPTUAL SITE PLAN.

A conceptual site plan identifying areas of the Property on which additional structures are planned is provided as Exhibit 322B. Additional structures may also be constructed in other locations on the Property, and existing structures may be altered or expanded. Any structure constructed after the date of passage of Ordinance No. 20468 (including any structural alteration or expansion of an existing structure) is hereafter called a "new structure." No building permit may be issued for any new structure unless a detailed development plan for the new structure that includes the development plan requisites in Section 51A-4.702(f) has been submitted to and approved by the city plan commission. Notwithstanding the foregoing, reconstruction of an existing structure following a fire or other casualty shall not constitute construction of a "new structure" or require detailed development plan approval if the reconstruction occurs substantially in accordance with the detailed development plan. Site plan review is not required under Division 51A-4.800. (Ord. Nos. 20468; 25164)

SEC. 51P-322.106. USES.

(a) Except as provided in this section, the only uses permitted on the Property are those permitted in the MU-3 Mixed Use District. Those uses permitted by specific use permit ("SUP") in the MU-3 district are also permitted by SUP on the Property, except:

(1) the "car wash" use is permitted by right if contained entirely within a parking garage or other structure; and

(2) the "radio, television, or microwave tower" use is permitted by right if it conforms to the height and other development standards in this article.

(b) Accessory uses are permitted in accordance with Section 51A-4.217. (Ord. Nos. 20468; 25164)

SEC. 51P-322.107. HEIGHT.

Except as otherwise provided in this section, no structure may exceed a height of 270 feet. The existing structure identified on the detailed development plan as One Galleria Tower may have a maximum elevation above mean sea level of 957 feet. The existing structure identified on the detailed development plan as Two Galleria Tower may have a maximum elevation above mean sea level of 945 feet. One structure having a height greater than 270 feet may be constructed in Expansion Area No. 1 and one structure having a height greater than 270 feet may be constructed in Expansion Area No. 2 with a maximum height in each case equal to the lesser of:

(1) 368 feet; or

(2) the elevation above mean sea level (as shown on the conceptional site plan) of the imaginary surface of the runway departure slope from the Addison Airport [a 1 foot vertical to 40 foot horizontal sloping plane along the extended Addison Airport runway centerline beginning 35 feet above the runway departure threshold (the elevation of the departure threshold is 636 feet above mean sea level)]. (Ord. Nos. 20468; 25164)

SEC. 51P-322.108. STORIES.

Except as otherwise provided in this section, maximum number of stories above grade is 20. The existing structures identified on the detailed development plan as One Galleria Tower and Two Galleria Tower may each contain a maximum of 25 stories above grade. The existing structure identified on the detailed development plan as the Galleria Westin Hotel may contain a maximum of 22 stories above grade. Any new structure in Expansion Area No. 1 or in Expansion Area No. 2 may contain a maximum of 29 stories above grade. For purposes of this section, the floors of parking garages are not considered stories. (Ord. Nos. 20468; 25164)

SEC. 51P-322.109. FLOOR AREA RATIO.

(a) Maximum floor area ratio (FAR) on the Property varies depending on whether the development is a "mixed use project" [See Subsection (b)] as follows:

Note: The first column is the base floor area ratio ("FAR"), which applies when there is no mixed use project ("MUP") as defined in Subsection (b). The second column (MUP=2/no Res) is the FAR for an

MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories. The city acknowledges that, at the time of passage of Ordinance No. 20468, the Property contains the type of MUP governed by the fourth column (an MUP with a mix of three or more use categories, none of which is "residential").

MAXIMUM FLOOR AREA RATIO

<u>Use Categories</u>	<u>Base (no MUP)</u>	<u>MUP=2 (no Res)</u>	<u>MUP=2 (with Res)</u>	<u>MUP=3 (no Res)</u>	<u>MUP=3 (with Res)</u>
Lodging	3.2	3.4	3.6	3.6	3.8
Office	3.2	3.4	3.6	3.6	3.8
Residential	3.2	---	3.8	---	3.8
Retail and personal service	2.0	2.6	3.0	3.2	3.75
TOTAL DEVELOPMENT	3.2	3.6	4.0	4.0	4.5

(b) To qualify as a "mixed use project" (MUP) for purposes of this article, a development must contain uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

<u>Use Category</u>	<u>% of Total Floor Area</u>
Lodging	10%
Office	15%
Residential	10%
Retail and personal service	5%
Wholesale, distribution, and storage	15%

(c) In this section, the term "use category" means the group of uses defined in any one of the following sections: Sections 51A-4.205, 51A-4.207, 51A-4.209, 51-4.210, and 51A-4.213. The name of the use category corresponds to the section title. For example, "Lodging" is a use category consisting of those uses defined in Section 51A-4.205, which is entitled "Lodging Uses." (Ord. Nos. 20468; 25164)

SEC. 51P-322.110. YARD, LOT, AND SPACE REGULATIONS.

(a) Front yard.

(1) Minimum front yard is 15 feet. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(2) Where the detailed development plan depicts a lesser front yard setback than that described in Paragraph (1), the lesser setback depicted on the detailed development plan applies.

(b) Side and rear yard. There are no side or rear yard requirements.

(c) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(d) Minimum lot size. There are no minimum lot size requirements.

(e) Treatment as single building site. The development standards and off-street parking and loading requirements for all buildings and structures on the Property must be calculated by treating the entire Property as a single building site. (Ord. Nos. 20468; 25164)

SEC. 51P-322.111. PARKING.

The number of off-street parking spaces required for any use on the Property is that number required for the use in Chapter 51A, or the number of spaces calculated for that use in accordance with Exhibit 322C, whichever is less. The number of spaces required will be reduced by 17 percent when a parking reduction plan submitted to and approved by the director of public works and transportation is implemented. This plan must ensure that:

(1) parking spaces available only to employees of office uses during business hours for those uses are made available to the public during the non-business hours of those uses; and

(2) movement control signs are erected that encourage the public to use those spaces when they are available. (Ord. Nos. 20468; 21609; 25164)

SEC. 51P-322.112. PARKING SURVEY.

(a) A parking survey must be conducted within three years of the date a certificate of occupancy is issued for a use housed in a building constructed after the effective date of Ordinance No. 21609 that has a floor area of more than 100,000 square feet. The purpose of the survey is to determine whether adequate parking exists as a result of the 17 percent reduction for the uses on the Property and identify appropriate mitigation measures and implementation schedules. The survey must be approved by the director of public works and transportation. Should an approved survey find that the Property has fewer off-street parking spaces than is demanded, one or more of the following measures must be used to mitigate the problem:

(1) Reconfigure the existing parking spaces in accordance with the Dallas City Code, as amended, to increase the number of off-street parking spaces.

(2) Create a parking management plan approved by the director of public works and transportation if the survey finds that an adequate number of parking spaces exists but is not being adequately used.

(3) Create a transportation management plan (including the use of car pools, vans, and public transportation) approved by the director of public works and transportation if the survey finds that an inadequate number of parking spaces exists to serve the demand.

(4) Provide the necessary number of additional parking spaces.

(b) If one of the first three measures is used, a follow-up parking study must be conducted within two years of the date that the implementation of the measure was completed. The purpose of this study is to determine the effectiveness of the measure implemented. All surveys and studies must be submitted to and approved by the director of public works and transportation. (Ord. Nos. 21609; 25164)

SEC. 51P-322.113. PARKING FEES.

Hourly and daily parking fees may be charged for up to 450 required off-street parking spaces for office uses and for up to 450 required off-street parking spaces for non-office uses. The location and number of spaces must be shown on an amended development plan approved by the city plan commission before fees may be charged. (Ord. Nos. 21609; 25164)

SEC. 51P-322.114. LOADING.

Off-street loading for all structures and uses must be provided in accordance with the Dallas Development Code, as amended. (Ord. Nos. 21609; 25164)

SEC. 51P-322.115. LANDSCAPING.

The landscaping shown on the landscape plan (Exhibit 322D) is the only landscaping required for existing structures. Landscaping for new structures must comply with Article X. Existing landscaping may be removed to the extent necessary in connection with the construction of new structures, so long as landscaping complying with this section is provided for the new structure. (Ord. Nos. 20468; 21609; 25164)

SEC. 51P-322.116. SIGNS.

Those signs identified on the detailed development plan are permitted on the Property. All other signs must conform to the regulations applicable to business zoning districts under Article VII. (Ord. Nos. 21609; 25164)

SEC. 51P-322.117. GENERAL REQUIREMENTS.

Use of the Property must comply with the requirements of all other applicable articles, rules, and regulations of the city. (Ord. Nos. 21609; 25164; 26102)

SEC. 51P-322.118. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications adopted for that purpose, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or certificate of occupancy for a use in this planned development 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. (Ord. Nos. 20468; 25164; 26102)

SEC. 51P-322.119. ZONING MAP.

PD 322 is located on Zoning Map Nos. C-7 and D-7. (Ord. Nos. 20468; 25164)