

ARTICLE 381.

PD 381.

SEC. 51P-381.101. LEGISLATIVE HISTORY.

PD 381 was established by Ordinance No. 21584, passed by the Dallas City Council on February 24, 1993. Ordinance No. 21584 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 21584 was amended by Ordinance No. 21645, passed by the Dallas City Council on May 12, 1993, Ordinance No. 21780, passed by the Dallas City Council on August 25, 1993, Ordinance No. 23007, passed by the Dallas City Council on January 22, 1997, and Ordinance No. 23172, passed by the Dallas City Council on June 11, 1997. (Ord. Nos. 19455; 21584; 21645; 21780; 23007; 23172; 25164)

SEC. 51P-381.102. PROPERTY LOCATION AND SIZE.

PD 381 is established on property generally located at the northeast corner of Hillcrest Road and Forest Lane. The size of PD 381 is approximately 177.193 acres. (Ord. Nos. 21584; 25164)

SEC. 51P-381.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. In the event of a conflict, this section controls. In this article:

(1) **BUSINESS SCHOOL** means a facility offering instruction and training in a service or the arts such as secretarial, barber, commercial artist, computer software, and similar training to no more than 250 students per day.

(2) **CATERING SERVICE 3,500 SQUARE FEET OR LESS** means a facility with a floor area of 3,500 square feet or less for the preparation and storage of food and food utensils for off-premise consumption and service.

(3) **CITY** means City of Dallas.

(4) **COALITION REVIEW COMMITTEE** means a committee of no more than six people selected by area homeowners' associations that represent homeowners within 500 feet of the Property, which committee is registered with the department of development services.

(5) **CUSTOM BUSINESS SERVICES 3,500 SQUARE FEET OR LESS** means a facility with a floor area of 3,500 square feet or less providing custom services and activities which are performed according to a personal order and require individualized treatment of items. Typical custom business services include etching, engraving, laminating, binding, or the assembly, repair, and sale of such items as trophies, books, and documents. This use does not include the assembly, repair, or sale of window shades or venetian blinds.

(6) **COMPUTER SERVICE CENTER 3,500 SQUARE FEET OR LESS** means a facility with a floor area of 3,500 square feet or less for the service and repair of computers and computer equipment.

(7) CONVALESCENT AND NURSING HOMES, AND HOSPICE CARE means an establishment with a maximum of 220 beds (in single or multiple facilities) which furnishes food and shelter to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment and, in addition, provides minor treatment under the direction and supervision of a physician, or services which meet some need beyond the basic provision of food, shelter, and laundry. Kitchen facilities are not allowed in individual suites in conjunction with this use.

(8) HIGH-DENSITY RESIDENTIAL USES means “convalescent and nursing homes, and hospice care” and “retirement housing” uses.

(9) JOB OR LITHOGRAPHIC PRINTING 2,000 SQUARE FEET OR LESS means a facility with a floor area of 2,000 square feet or less for the commercial reproduction, cutting, printing, or binding of written materials, drawings, or labels on a bulk basis using lithography, offset printing, blueprinting, and similar methods.

(10) MONUMENT SIGN means a sign that rests on or near the ground on a base or foundation.

(11) NURSERY, GARDEN SHOP, OR PLANT SALES 3,500 SQUARE FEET OR LESS means a facility with a floor area of 3,500 square feet or less for the indoor growing, display, or sale of plant stock, seeds, or other horticultural items.

(12) PUBLIC RECREATION CENTER means a municipal facility providing recreational facilities such as meeting rooms, indoor game courts, and indoor swimming pools.

(13) RESIDENTIAL USES means “convalescent and nursing homes, and hospice care,” “handicapped group dwelling unit,” “retirement housing,” and “single family” uses.

(14) RETIREMENT HOUSING means a facility with a maximum of 250 suites that is principally designed for persons 55 years of age or older. Kitchen facilities are not allowed in individual suites in conjunction with this use. This use does not include a “convalescent and nursing homes, hospice care, and related institutions” use, as defined in Chapter 51A, nor a “convalescent and nursing homes, and hospice care” use, as defined in this article.

(15) THEATER means a facility for staging theatrical performances to an audience inside an enclosed structure. This use does not include a movie theater.

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

(c) The interpretations in Chapter 51A, including Section 51A-2.101, “Interpretations,” applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(e) If there is a conflict between the provisions contained in this article and the provisions contained in Chapter 51A, this article controls.

(f) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a residential zoning district.

(g) For applicable regulations not addressed in this article, the following 51A district regulations apply:

<u>Subdistrict</u>	<u>Applicable 51A District Regulations</u>
A	R-7.5(A) Single Family District
A1	R-10(A) Single Family District
A2	R-7.5(A) Single Family District
B	TH-2(A) Townhouse District 2
C (residential)	TH-2(A) Townhouse District 2
C (nonresidential)	MU-3 Mixed Use District 3.

(Ord. Nos. 23172; 25164)

SEC. 51P-381.104. CONCEPTUAL PLAN.

Development of the Property must comply with the conceptual plan (Exhibit 381A). (Ord. Nos. 23172; 25164)

SEC. 51P-381.105. DEVELOPMENT PLANS.

A development plan for each phase of development must be submitted to and approved by the city plan commission prior to the issuance of a building permit for development within that phase. Development must comply with approved development plans. No time limit exists for the submission of the development plan for any phase of development. An amendment to a development plan, other than minor amendments authorized by the director, only requires the approval of the commission. All development plans and their amendments must comply with the conceptual plan and this article. If the commission disapproves a development plan or an amendment to a development plan, the applicant may appeal the decision to the city council. Each development plan submission must provide a cumulative floor area for:

- (1) commercial and business service uses;
- (2) lodging uses;
- (3) office uses;
- (4) retail and personal service uses; and
- (5) these uses combined.

(Ord. Nos. 23172; 25164)

SEC. 51P-381.106.

EXTERIOR CONSTRUCTION ACTIVITY.

It is the intent of the city council to minimize construction traffic in residential neighborhoods. Thus, the following regulations apply:

- (1) Exterior construction activity within this district may occur only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 8:30 a.m. and 6:00 p.m. on Saturdays.
- (2) No exterior construction activity is permitted on Sundays.
- (3) Upon the submission of an application for a building permit, the applicant must submit a document defining the hours of proposed exterior construction and the proposed routes for construction traffic. (Ord. Nos. 23172; 25164)

SEC. 51P-381.107.

SPECIAL NOTIFICATION.

In addition to notice required by state law and Chapter 51A, the director shall notify all residents within the original area of notification of this planned development district upon the submission of a request for a specific use permit to locate a use within this district or an amendment to the district regulations. Upon the submission of a development plan or an amendment to a development plan, including minor amendments to be approved or disapproved by the director, the applicant shall demonstrate that the Coalition Review Committee and the Equitable Life Assurance Society, so long as it holds an ownership interest in the Park Central Property which is located east of this district, have received notification of the submission. (Ord. Nos. 23172; 25164)

SEC. 51P-381.108.

CREATION OF SUBDISTRICTS.

This district is divided into eight subdistricts: Subdistricts A, A1, A2, B, C, D, D1, and D2. The boundaries of all subdistricts are shown on the conceptual plan. (Ord. Nos. 23172; 25164)

SEC. 51P-381.109.

SUBDISTRICT REGULATIONS.

- (a) Subdistricts A and A1.
 - (1) Main uses permitted.
 - (A) Miscellaneous uses.
 - Temporary construction or sales office.
 - (B) Recreation uses.
 - Country club with private membership.
 - Private recreation center, club, or area.
 - (C) Residential uses.
 - Handicapped group dwelling unit.
 - Single family.

(D) Transportation uses.

- Private street or alley.
- Transit passenger shelter.

(E) Utility and public service uses.

- Electrical substation. *[SUP]*
- Local utilities.

(2) Accessory uses. For information regarding accessory uses, consult Section 51A-4.217. Some specific types of accessory uses, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. The following accessory uses are the only accessory uses permitted in these subdistricts:

- Accessory game court (private).
- Accessory outside storage.
- Amateur communication tower.
- Garage. *[When accessory to a residential use.]*
- Home occupation.
- Occasional sales (garage sales).
- Swimming pool (private).
- Those uses permitted as main uses in these subdistricts.

(3) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, this paragraph controls.)

(A) Front yard. Minimum front yard is:

- (i) 15 feet in Subdistrict A; and
- (ii) 15 feet in Subdistrict A1.

(B) Side and rear yard.

(i) Minimum side yard for single family and handicapped group dwelling unit structures is one foot on one side yard and nine feet on the other side yard in Subdistrict A, and one foot on one side yard and 11 feet on the other side yard in Subdistrict A1.

(ii) Minimum rear yard for single family and handicapped group dwelling unit structures is five feet in Subdistrict A, and six feet in Subdistrict A1.

(iii) Minimum side yard for other permitted structures is 10 feet.

(iv) Minimum rear yard for other permitted structures is 15 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Except as otherwise provided, maximum structure height is 30 feet. Maximum structure height for structures housing residential uses located on lots equal to or greater than one-half acre is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is 60 percent for residential structures and 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot size for Subdistrict A is 7,500 square feet.

(ii) Minimum lot size for Subdistrict A1 is 10,000 square feet.

(H) Stories. No maximum number of stories.

(4) Electrical service for residential uses. In these subdistricts, a lot for a residential use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in either of these subdistricts when, in the opinion of the board, the special exception will:

(A) not be contrary to the public interest;

(B) not adversely affect neighboring properties; and

(C) not be used to conduct a use not permitted in these subdistricts.

(b) Subdistrict A2.

(1) Main uses permitted.

(A) Miscellaneous uses.

-- Temporary construction or sales office.

(B) Recreation uses.

-- Country club with private membership.

-- Private recreation center, club, or area.

-- Public recreation center.

(C) Residential uses.

-- Handicapped group dwelling unit.

-- Single family.

(D) Transportation uses.

- Private street or alley.
- Transit passenger shelter.

(E) Utility and public service uses.

- Electrical substation. *[SUP]*
- Local utilities.

(2) Accessory uses. For information regarding accessory uses, consult Section 51A-4.217. Some specific types of accessory uses, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. The following accessory uses are the only accessory uses permitted in this subdistrict:

- Accessory game court (private).
- Accessory outside storage.
- Amateur communication tower.
- Garage. *[When accessory to a residential use.]*
- Home occupation.
- Occasional sales (garage sales).
- Swimming pool (private).
- Those uses permitted as main uses in this subdistrict.

(3) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, this paragraph controls.)

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) Minimum side yard for residential structures is one foot on one side yard and nine feet on the other side yard.

(ii) Minimum side yard for other permitted structures is 10 feet.

(iii) Minimum rear yard for residential structures is five feet.

(iv) Minimum rear yard for other permitted structures is 15 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Except as otherwise provided, maximum structure height is 30 feet. Maximum structure height for structures housing residential uses located on lots equal to or greater than one-half acre is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is 60 percent for residential structures and 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size. Minimum lot size is 7,500 square feet.

(H) Stories. No maximum number of stories.

(4) Electrical service for residential uses. In this subdistrict, a lot for a residential use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this subdistrict when, in the opinion of the board, the special exception will:

(A) not be contrary to the public interest;

(B) not adversely affect neighboring properties; and

(C) not be used to conduct a use not permitted in this subdistrict.

(c) Subdistrict B.

(1) Main uses permitted.

(A) Institutional and community service uses.

-- None permitted.

(B) Miscellaneous uses.

-- Temporary construction or sales office.

(C) Recreation uses.

-- Country club with private membership.

-- Private recreation center, club, or area.

(D) Residential uses.

-- Handicapped group dwelling unit.

-- Single family.

(E) Transportation uses.

-- Private street or alley.

-- Transit passenger shelter.

(F) Utility and public service uses.

- Electrical substation. [SUP]
- Police or fire station. [SUP]
- Radio, television, or microwave tower. [SUP]
- Post office. [SUP]
- Local utilities.

(2) Accessory uses. For information regarding accessory uses, consult Section 51A-4.217. Some specific types of accessory uses, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. The following accessory uses are the only accessory uses permitted in this subdistrict:

- Accessory game court (private).
- Accessory outside storage.
- Amateur communication tower.
- Garage. [*When accessory to a residential use.*]
- Home occupation.
- Occasional sales (garage sales).
- Swimming pool (private).
- Those uses permitted as main uses in this subdistrict.

(3) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, this paragraph controls.)

(A) Front yard. No minimum front yard.

(B) Side and rear yard.

- (i) No minimum side and rear yard for residential structures.
- (ii) Minimum side and rear yard for other permitted structures is 10

feet.

(iii) If this subdistrict abuts a district or subdistrict that requires a greater side yard, the side yard of the more restrictive district or subdistrict applies to the abutting side yard in this subdistrict.

(C) Dwelling unit density. Nine dwelling units per gross acre.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is 60 percent for residential structures and 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(iii) In this subdistrict, 80 percent of an individual lot may be covered by structures if the coverage for the total project does not exceed 60 percent and at least 40 percent is reserved for open space.

(G) Lot size. Minimum lot area for residential use is 2,000 square feet.

(H) Stories. No maximum number of stories.

(4) Single family structure spacing. In this subdistrict, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(5) Electrical service for residential uses. In this subdistrict, a lot for a residential use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this subdistrict when, in the opinion of the board, the special exception will:

(A) not be contrary to the public interest;

(B) not adversely affect neighboring properties; and

(C) not be used to conduct a use not permitted in this subdistrict.

(d) Subdistrict C.

(1) Main uses permitted.

(A) Commercial and business service uses.

- Catering service 3,500 square feet or less.
- Custom business services 3,500 square feet or less.
- Computer service center 3,500 square feet or less.
- Job or lithographic printing 2,000 square feet or less.
- Medical or scientific laboratory.

(B) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Convalescent and nursing homes, and hospice care.
- Library, art gallery, or museum.

(C) Lodging uses.

- Hotel.

(D) Miscellaneous uses.

- Temporary construction or sales office.

- (E) Office uses.
 - Financial institution with drive-in window.
 - Financial institution without drive-in window.
 - Medical clinic.
 - Office.

- (F) Recreation uses.
 - Country club with private membership.
 - Private recreation center, club, or area.

- (G) Residential uses.
 - Handicapped group dwelling unit.
 - Retirement housing.
 - Single family.

- (H) Retail and personal service uses.
 - Business school.
 - Dry cleaning or laundry store.
 - General merchandise or food store 3,500 square feet or less.
 - Nursery, garden shop, or plant sales 3,500 square feet or less.
 - Personal service uses.
 - Restaurant without drive-in or drive-through service.
 - Theater.

- (I) Transportation uses.
 - Private street or alley.
 - Transit passenger shelter.

- (J) Utility and public service uses.
 - Electrical substation.
 - Local utilities.
 - Police or fire station.
 - Post office.
 - Radio, television, or microwave tower.

(2) Accessory uses. For information regarding accessory uses, consult Section 51A-4.217. Some specific types of accessory uses, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. The following accessory uses are the only accessory uses permitted in this subdistrict:

- Accessory private recreation center, club, or area.
- Accessory game court.
- Accessory outside storage. *[Visual screening required when accessory to a nonresidential use.]*
- Amateur communication tower.
- Garage.
- Home occupation.

- Motor vehicle fueling station. *[When accessory to an office use.]*
- Occasional sales (garage sales).
- Swimming pool (private).
- Those uses permitted as main uses in this subdistrict.

(3) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, this paragraph controls.)

(A) Front yard.

(i) No minimum front yard for handicapped group dwelling unit or single family structures.

(ii) Minimum front yard for other residential structures is 10 feet.

(iii) Minimum front yard for nonresidential structures is 15 feet.

(B) Side and rear yard. No minimum side and rear yard.

(C) Dwelling unit density. Maximum dwelling unit density is nine dwelling units per gross acre for handicapped group dwelling unit and single family uses.

(D) Floor area ratio. No maximum floor area ratio.

(E) Floor area.

(i) Commercial and business service uses and retail and personal service uses.

(aa) With the exception of those uses permitted as limited uses, the combined floor area for these uses must not exceed 50,000 square feet.

(bb) No more than a total of 25,000 square feet may be constructed on one building site, or on any two contiguous building sites.

(cc) A lot with a floor area of at least 25,000 square feet of these uses combined must not be located closer than 200 feet to another such lot.

(dd) Development of these uses must not exceed one square foot for every 15 square feet of other nonresidential and high-density residential uses for which a certificate of occupancy has been issued in this subdistrict. This does not include existing structures.

(ii) High-density residential and nonresidential uses. The combined floor area for high-density residential and all nonresidential uses must not exceed 450,000 square feet, or 450,000 square feet of office floor area equivalents, as calculated in accordance with Section 381.118 of this article, whichever is less.

(F) Height. Unless conflicting with the provisions contained in Section 51A-4.408, maximum structure height is 120 feet.

(G) Lot coverage.

(i) Maximum lot coverage is 60 percent for residential structures and 80 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(H) Lot size.

(i) Minimum lot area for handicapped group dwelling unit and single family uses is 2,000 square feet.

(ii) Minimum lot area for other residential uses is 6,000 square feet.

(iii) No minimum lot area for nonresidential uses.

(I) Stories. Maximum number of stories is eight.

(J) Additional provisions.

(i) With the exception of residential structures and police or fire stations, no exterior building illumination is permitted after 11:00 p.m.

(ii) Illumination permitted after 11:00 p.m. must not produce glare or direct illumination across a property line of an intensity that creates a nuisance or detracts from the use or enjoyment of adjacent property.

(iii) Glass or building facades must not exceed 27 percent reflectivity.

(e) Subdistrict D.

(1) The only uses permitted in this subdistrict are private outdoor recreation uses, such as a golf course, tennis courts, or ball fields; public or private streets or alleys; and local utilities.

(2) Except as provided in Paragraph (3) below, no lighting or buildings are permitted in conjunction with outdoor recreation uses.

(3) Low level lights, a maximum of three feet in height, are permitted to illuminate walking or jogging trails. Walking or jogging trail illumination must be shielded from the surrounding property.

(f) Subdistrict D1.

(a) Except as otherwise provided in this subsection, this subdistrict is reserved as open space. Private recreation activities, including walking and jogging along illuminated trails, are permitted; however, no facilities, other than paved, illuminated walking or jogging trails and park benches, may be constructed for this purpose. Walking or jogging trail illumination must be shielded from the surrounding property and must not exceed three feet in height.

(b) Public or private streets or alleys, local utilities, and a temporary construction or sales office are permitted.

(g) Subdistrict D2. Except as otherwise provided in this subsection, this subdistrict is reserved as open space. Private recreation activities, including walking and jogging along illuminated trails, are permitted; however, no facilities, other than paved, illuminated walking or jogging trails and park benches, may be constructed for this purpose. Walking or jogging trail illumination must be shielded from the surrounding property and must not exceed three feet in height. (Ord. Nos. 23172; 25164)

SEC. 51P-381.110. SPECIFIC USE REGULATIONS.

(a) To protect the peace and general welfare of this district and its surrounding areas, the following specific use regulations apply:

(1) High-density residential uses.

(A) To prevent congestion and lessen the traffic impact on the area, no more than one of each high-density residential use is permitted in this district.

(B) High-density residential uses are encouraged to have continuity in architectural style.

(2) Restaurant without drive-in or drive-through service.

(A) The following provisions apply to a restaurant without drive-in or drive-through service use when it is operated as a free standing main use:

(i) No more than two are permitted in this district.

(ii) The use may not exceed 8,000 square feet in size.

(B) Except when operated in conjunction with a hotel use, the following provisions apply to any restaurant without drive-in or drive-through service use located in this district:

(i) No outside service of food or beverages is permitted.

(ii) No dance floor is permitted in conjunction with the use.

(iii) The bar floor area must not exceed 20 percent of the gross floor area, excluding kitchen floor area.

(iv) Operation of the use is prohibited between the hours of 2:00 a.m. and 6:00 a.m. (Ord. Nos. 23172; 25164)

SEC. 51P-381.111. OFF-STREET PARKING AND LOADING.

Off-street parking and loading must comply with the off-street parking and loading regulations contained in the Dallas Development Code. The following uses must comply with the off-street parking and loading regulations contained in the Dallas Development Code for the corresponding uses listed below:

	<u>Use</u>	<u>Corresponding use</u>
(1)	Business school.	Business school.
(2)	Catering service 3,500 square feet or less.	Catering service.
(3)	Custom business services 3,500 square feet or less.	Custom business services.
(4)	Computer service center 3,500 square feet or less.	Electronics service center.
(5)	Convalescent and nursing homes, and hospice care.	Convalescent and nursing homes, hospice care, and related institutions.
(6)	Job or lithographic printing 2,000 square feet or less.	Job or lithographic printing.
(7)	Nursery, garden shop, or plant sales 3,500 square feet or less.	Nursery, garden shop, or plant sales.
(8)	Public recreation center.	Private recreation center, club, or area.

(Ord. Nos. 23172; 25164)

SEC. 51P-381.112. NONCONFORMING USES.

(a) Nonconforming uses located in this district are not subject to the provisions contained in Section 51A-4.704(a).

(b) Nonconforming uses located in this district must be brought into compliance with the regulations of this district no later than 10 years from February 24, 1993, the date of passage of Ordinance No. 21584. (Ord. Nos. 23172; 25164)

SEC. 51P-381.113. DEVELOPMENT IMPACT REVIEW.

Division 51A-4.800, "Development Impact Review," is not applicable to this planned development district. (Ord. Nos. 23172; 25164)

SEC. 51P-381.114. RESIDENTIAL PROXIMITY SLOPE.

The residential proximity slope defined in Section 51A-4.412 does not govern development in this district. (Ord. Nos. 23172; 25164)

SEC. 51P-381.115. COMMUNITY UNIT DEVELOPMENT.

The community unit development provisions contained in Section 51A-8.510 are not applicable to property located in this district. (Ord. Nos. 23172; 25164)

SEC. 51P-381.116.

ACCESS.

(a) Except for driveways serving platted handicapped group dwelling unit and single family lots to and from Churchill Way, access to and from the Property is permitted only from the commercial and residential access points indicated on the conceptual plan. Access points may be developed as driveways into the site or as intersections of internal roadways with peripheral streets.

(b) Commercial and business service, lodging, office, and retail and personal service uses may not be developed to provide direct access to or from Churchill Way.

(c) Nonresidential uses should be developed in such a way as to discourage traffic to and from these uses from circulating through residential access points.

(d) Emergency access from Subdistrict C to Hillcrest Road must be provided at all times. (Ord. Nos. 23172; 25164)

SEC. 51P-381.117.

DEVELOPMENT PHASING.

(a) Transportation improvements. Except for development located in Subdistrict A2, no final inspection approval may be granted for any structure located on the Property until:

(1) two left turn lanes (one in each direction) to facilitate U-turns are provided at the existing median opening on Forest Lane west of El Hara Circle;

(2) one westbound right-turn-only lane is provided on Forest Lane at its intersection with Hillcrest Road;

(3) a median opening is provided on Hillcrest Road at the “exit only” access point to Subdistrict A; and

(4) a median opening with a left turn lane for southbound Hillcrest Road is provided at the main entrance/exit to Subdistrict A. If the director of public works and transportation determines that a traffic signal is warranted at this median opening, final inspection approvals may only be granted for a nine month period from the date of the director’s determination unless the traffic signal is provided.

(b) Additional requirements. Prior to approval of a final plat for each phase of development in Subdistricts A or A1, updated storm water run-off coefficient figures must be submitted to the director of public works and transportation for his approval. These figures must reflect the maximum lot coverage of 60 percent permitted in Section 51P-381.109(a)(3)(F). (Ord. Nos. 23172; 25164)

SEC. 51P-381.118.

FLOOR AREA.

(a) Maximum permitted floor area.

(1) Excluding handicapped group dwelling unit, public recreation center, and single family uses and the floor area of uses located in Subdistrict A2, development in this planned development district must not exceed 450,000 square feet, or 450,000 square feet of office floor area equivalents as calculated in accordance with this section, whichever is less.

(2) Main retail and personal service and commercial and business service uses combined may not exceed a total of 50,000 square feet. An additional 10,000 square feet is permitted for accessory uses only.

(b) Office floor area equivalents. When applicable under the regulations contained in this article, office floor area equivalents will be used to calculate maximum permitted floor area. In determining office floor area equivalents, each of the following is equivalent to 1,000 square feet of office floor area:

- (1) 3,500 square feet of convalescent and nursing homes, and hospice care uses;
- (2) 159 square feet of restaurant use;
- (3) 253 square feet of retail use;
- (4) 2.4 hotel rooms; and
- (5) 4.4 retirement housing dwelling units. (Ord. Nos. 23172; 25164)

SEC. 51P-381.119. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23172; 25164)

SEC. 51P-381.120. LANDSCAPING.

Landscaping must comply with Article X and the following:

(1) Landscape plan. A landscape plan for each phase of development must be submitted to and approved by the city plan commission along with the development plan for that phase prior to the issuance of a building permit for that phase. A landscape plan of the buffer area which includes the design of the jogging trail must be submitted along with the submission of the first development plan. Each submission must include a tree survey listing all trees that are a caliper of at least six inches, and identifying each tree that is to be removed.

(2) Tree replacement.

(A) Thirty-five percent of the number of trees removed with a caliper of at least six inches must be replaced.

(B) Trees with a caliper of more than 30 inches that are removed must be replaced with one or more trees that cumulatively measure at least 35 percent of the caliper of the trees removed.

(C) At least 50 percent of all replacement trees must have a caliper of at least six inches. The remaining replacement trees must have a caliper of at least three inches.

(D) Replacement tree types must be suitable for local climate and soil conditions, and must be planted on the Property within 750 feet of the removed tree.

(E) No person may remove a replacement tree within five years of its installation unless a tree equaling its original caliper is planted within six months of its removal.

(F) Replacement trees must be installed in accordance with a planting plan approved by the director.

(G) Replacement trees installed on the Property in compliance with this section count toward the minimum number of points required by Article X, and toward any tree replacements required by Article V.

(3) Buffer zones.

(A) Buffer areas adjacent to Subdistricts A, A1, and A2, as shown on the conceptual plan, must be landscaped with:

(i) one four-inch caliper canopy tree and one eight to ten-foot ornamental tree for every 1,200 square feet of buffer area or portion thereof;

(ii) turf or ground cover; and

(iii) intermittent three to four-foot berm, in Subdistricts A and A-2, a minimum six-foot-wide jogging trail or sidewalk.

(B) Buffer areas adjacent to Subdistricts D and D1, as shown on the conceptual plan, must be landscaped with:

(i) one canopy and one ornamental tree for every 5,000 square feet of buffer area or portion thereof;

(ii) turf or ground cover; and

(iii) a minimum six-foot-wide jogging trail.

(C) Trees installed in buffer areas in compliance with this section count toward the minimum number of points required by Article X and toward the tree replacement requirements of this section, when in compliance with all applicable provisions.

(D) Existing sidewalks may be replaced or substituted with a jogging trail.

(E) The provision of a jogging trail with widths as set forth in Subparagraphs (3)(A) and (3)(B) above satisfies the requirement contained in the Dallas City Code concerning the provision of a sidewalk.

(F) Except for access openings along Forest Lane, Hillcrest Road, Churchill Way, and Subdistrict A-1, the jogging trail must be continuous.

(4) Ponds. Ponds created for compensatory storage must be designed with plant materials to enhance the area for wildlife habitation.

(5) Irrigation. Landscaping must be served by an underground irrigation system.

(6) Completion. Except as otherwise provided, landscaping must be completed in accordance with the provisions contained in Article X.

(A) Required landscaping within the medians along Forest Lane and Hillcrest Road, and at each entrance to the Property must be completed congruent with the completion of adjacent entrances and the acceptance of connected improvements by the city.

(B) Landscaping, including berms and jogging trails, within the buffer area must be completed within six months of the earlier of:

(i) commencement of construction under any three-party agreement with the city, except when concerning the transportation improvements contained in Section 381.117 of this article; or

(ii) commencement of construction under a building permit for new construction.

(7) Maintenance.

(A) Required landscaping must be maintained in a healthy growing condition at all times. The property owner or a property owners' association is responsible for the proper maintenance of all landscaping, including berms, sidewalks, and jogging trails.

(B) Any damage to utility lines resulting from the negligence of the property owner's association, or the property owner, his agents, or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If the city or a public utility damages or disturbs a landscaped area, it shall preserve materials and return the landscaped area to its appropriate state of repair.

(8) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway and median landscaping requirements of this section. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(9) Parkway and median landscaping.

(A) It is the responsibility of the property owner or property owner's association to apply for and obtain a landscape permit before locating trees, landscaping, or pavement in the parkway or median. An application for a landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director of public works and transportation and accompanied by plans or drawings showing the area of the median or parkway affected and the construction and planting proposed.

(B) Upon receipt of an application to locate trees, landscaping, or pavement in the parkway or the median, and any required fees, the director of public works and transportation shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a landscape permit to the property owner or property owner's association; otherwise, the director shall deny the permit.

(C) A property owner or property owner's association is not required to comply with any parkway or median landscaping requirement of this section if compliance is made impossible due to the director of public works and transportation's denial of a landscape permit.

(D) A landscape permit issued by the director of public works and transportation is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner or property owner's association is not required to comply with any parkway or median landscaping requirement of this section if compliance is made impossible due to the director's revocation of a landscape permit.

(E) The issuance of a landscape permit under this section does not excuse the property owner's association, or the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 23172; 25164)

SEC. 51P-381.121. VISUAL OBSTRUCTION REGULATIONS.

A property owner or property owners' association is not required to comply with the landscaping requirements of this article to the extent that they conflict with the visual obstruction regulations contained in Section 51A-4.602(d). In the event of a conflict between this section and the visual obstruction regulations, the visual obstruction regulations control. (Ord. Nos. 23172; 25164)

SEC. 51P-381.122. SCREENING.

(a) An eight-foot-high wall, as measured from the foundation, must be installed prior to the issuance of a building permit for development in the adjacent area. The location of the wall must be as shown on the conceptual plan. Except as otherwise provided, design of the wall shall be established when the first residential development occurs in Subdistricts A or A2.

(b) The wall may be constructed with a combination of laid-in-place brick, stone, and metal rods; however, no more than 50 percent of the surface area may be constructed of metal material.

(c) An eight-foot-high solid wall constructed of laid-in-place brick or stone must be constructed along the east property line of Lot 1-A, City Block A/7463 prior to the issuance of a building permit for adjacent residential development. This wall does not set the standard for future walls around the planned development district. (Ord. Nos. 23172; 25164)

SEC. 51P-381.123. ALTERATION OF THE FLOOD PLAIN.

Prior to any alteration of the flood plain, a flood plain fill permit must be obtained. Floodplain Fill Permit FP 78-20 shall be superseded when a new floodplain fill permit is approved by the city. (Ord. Nos. 23172; 25164; 26102)

SEC. 51P-381.124. OBSTRUCTION OF "HIKE OR BIKE" TRAILS.

Bicycle and pedestrian access along "hike or bike" trails located within city owned park land must remain unobstructed at all times. (Ord. Nos. 23172; 25164)

SEC. 51P-381.125. SIGNS.

(a) Except as otherwise provided, signs located in Subdistricts A, A1, A2, B, D, D1, and D2 must comply with the provisions for non-business zoning districts contained in Article VII.

(1) One non-premise monument sign identifying an occupant or development within this district is permitted at each commercial entrance, as shown on the conceptual plan.

(2) Non-premise monument signs must not exceed seven feet in height.

(3) Internal lighting sources for non-premise monument signs must be totally contained within the sign.

(4) External lighting sources for non-premise monument signs must be shielded and directed toward the sign, and away from residential areas.

(b) Except as otherwise provided, signs located in Subdistrict C must comply with the provisions for business zoning districts contained in Article VII. Non-premise signs are prohibited. (Ord. Nos. 23172; 25164)

SEC. 51P-381.126. SIDEWALKS.

Sidewalks are only required along one side of residential streets located within the district. (Ord. Nos. 23172; 25164)

SEC. 51P-381.127. 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 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. 23172; 25164; 26102)

SEC. 51P-381.128. ZONING MAP.

PD 381 is located on Zoning Map Nos. D-7 and D-8. (Ord. Nos. 23172; 25164)