

## **ARTICLE 79.**

### **PD 79.**

#### **SEC. 51P-79.101. LEGISLATIVE HISTORY.**

PD 79 was established by Ordinance No. 14898, passed by the Dallas City Council on May 27, 1975. Ordinance No. 14898 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. 14898 was amended by Resolution No. 75-3651, passed by the Dallas City Council on December 15, 1975, and Resolution No. 76-1178, passed by the Dallas City Council on May 3, 1976. (Ord. Nos. 10962; 14898; 25423; Res. Nos. 75-3651; 76-1178)

#### **SEC. 51P-79.102. PROPERTY LOCATION AND SIZE.**

PD 79 is established on property generally located at the southeast corner of Mockingbird Lane and Abrams Road. The size of PD 79 is approximately 10.2 acres. (Ord. Nos. 14898; 25423)

#### **SEC. 51P-79.103. 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-79.104. SITE PLAN.**

Development of the property must generally conform with a city plan commission approved site plan which must be attached to and made a part of Ordinance No. 14898 (Exhibit 79A). (Ord. Nos. 14898; 25423; Res. 76-1178)

#### **SEC. 51P-79.105. SUBDIVISION PLAT.**

Before the issuance of any building permit for construction within the boundaries of this PD, a subdivision plat must be approved by the city plan commission and filed for record with the County Clerk's Office. (Ord. Nos. 14898; 25423)

#### **SEC. 51P-79.106. STREET DEDICATION.**

In conjunction with the platting of the property, as provided for in Section 51P-79.105, 60 feet of right-of-way must be dedicated to the city for the extension of Hillside Drive between Mockingbird Lane and Winton Street. Necessary property must also be dedicated to provide for sufficient right-of-way (50 feet) from the centerline of Mockingbird Lane and Abrams Road to the new property line. (Ord. Nos. 14898; 25423; 26102)

**SEC. 51P-79.107.**

**USES ALLOWED.**

Usage of the property is limited to those uses allowed by right in the Shopping Center District, except that no residential uses are allowed. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.108.**

**LANDSCAPING.**

(a) Landscaping must be provided as shown on the approved site plan and in accordance with the following conditions.

(b) The parkway along Mockingbird Lane must extend inside the north property line a minimum of three feet and must be landscaped with a minimum of 15 trees, consisting of a combination of six to eight-foot-high Cherry Laurels and 12 to 14-foot-high Cedar Elms that are three inches in caliper.

(c) The parkway along Abrams Road must extend inside the west property line a minimum of three feet and must be landscaped with a minimum of eight trees consisting of a combination of six to eight-foot-high Cherry Laurels and 12 to 14-foot-high Cedar Elms that are three inches in caliper. Twenty-two three-inch caliper Cedar Elms planted 40 feet on center, 12 to 14 feet in height at the time of planting, must be planted along the southern property line with a hardy ground cover such as Asiatic Jasmine, Hedera Helix or Mondo Japonica Dwarf.

(d) Landscaping along Hillside Drive must be provided as follows:

(1) A minimum of eight, six to eight-foot-high Cherry Laurels or 12 to 14-foot-high Cedar Elms must be planted along and between the screening wall and the east property line.

(2) A minimum of six, six to eight-foot-high Cherry Laurels or 12 to 14-foot-high Cedar Elms must be planted along the west side of the screening wall.

(3) Planting as specified in Paragraphs (1) and (2) above must be supplemented with numerous shrubs and ornamentals along both sides of the screening wall.

(e) Twenty landscaped islands, each a minimum of 54 square feet and containing 2 1/2 to 3-inch-caliper Quercus Virginiana 12 to 14-feet-high and a hardy ground cover, must be provided at the locations shown on the approved site plan.

(f) A minimum of four landscaped islands, each at least 36 square feet in area and containing a minimum of one 2 1/2 to 3-inch-caliper Quercus Virginiana 12 to 14-feet-high and a hardy ground cover, must be provided along the head-in parking spaces in front of the stores as shown on the approved site plan.

(g) A detailed landscape plan for property around the building designated on the approved site plan as a "savings and loan" use must be approved by the city plan commission and approved by resolution of the city council and attached to and made a part of Ordinance No. 14898 prior to the issuance of a building permit for this building. A certificate of occupancy may not be issued for this building until all of the landscaping is in place as shown on the approved landscape plan. The detailed landscape plan for the property is provided as Exhibit 79B.

(h) Except as provided for in Subsection (g) above, all landscaping must be in place prior to the issuance of a certificate of occupancy for any building on this property.

(i) No trees, shrubs, or ornamentals may be planted within any public rights-of-way.

(j) All landscaped areas must be properly maintained and kept in a healthy, growing condition at all times. Any plant which dies must be replaced with a plant of similar size and variety. (Ord. Nos. 14898; 25423; Res. 75-3651)

**SEC. 51P-79.109. PARKING.**

Off-street parking must be provided, based on the use of the building, in accordance with provisions of the Comprehensive Zoning Ordinance. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.110. HEIGHT.**

No building in this PD may exceed 24 feet in height. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.111. SETBACKS.**

Building setbacks must be provided as shown on the city plan commission approved site plan. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.112. SIGNS.**

All signs must conform with the “Business” category of Chapter 41 of the 1960 Revised Code of Civil and Criminal Ordinances of the city. (Ord. Nos. 14898; 25423; 26102)

**SEC. 51P-79.113. SCREENING.**

Screening walls must be provided and continuously maintained as follows:

(1) A six-foot-high solid masonry screening wall must be constructed three feet west of the east property line parallel to Hillside Drive.

(2) An eight-foot-high solid masonry screening wall must be constructed along the entire southern property line.

(3) The required screening walls must be in place before the issuance of any building permit for any building on the property. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.114. LIGHTING.**

Exterior lighting must be directed toward the interior of the property and must not reflect onto any adjoining residentially zoned property. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.115. ACCESS.**

(a) Vehicular access to and from this property must be provided as follows:

- (1) one means of access on Hillside Drive;
- (2) three means of access on Mockingbird Lane; and
- (3) two means of access on Abrams Road.

(b) All access must be provided in accordance with the approved site plan. No median openings are permitted in Abrams Road for access to this site. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.116. FIRE LANE.**

Fire lanes must be provided as specified in Section 16-61 of the city Fire Code. (Ord. Nos. 14898; 25423; 26102)

**SEC. 51P-79.117. PAVING.**

(a) All driveways, entrances, and parking areas must have a minimum surfacing of six inches of compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost of all improvements, including curb and drainage structures that may be necessary.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications adopted for such purpose to the satisfaction of the director of public works and transportation. (Ord. Nos. 14898; 25423; 26102)

**SEC. 51P-79.118. GENERAL REQUIREMENTS.**

Development of this property must comply with the requirements of all departments of the city. (Ord. Nos. 14898; 25423; 26102)

**SEC. 51P-79.119. COMPLIANCE WITH CONDITIONS.**

No certificate of occupancy shall be issued by the building official until there has been full compliance with this article in accordance with the requirements of the building for which the certificate is issued, and any applicable provisions of the zoning ordinance and the building codes. (Ord. Nos. 14898; 25423)

**SEC. 51P-79.120. ZONING MAP.**

PD 79 is located on Zoning Map No. H-8. (Ord. 25423)