

ARTICLE 749.

PD 749.

Baylor University Medical Center Special Purpose District

SEC. 51P-749.101. LEGISLATIVE HISTORY.

PD 749 was established by Ordinance No. 26387, passed by the Dallas City Council on June 28, 2006. (Ord. 26387)

SEC. 51P-749.102. PROPERTY LOCATION AND SIZE.

PD 749 is established on property generally bounded by Gaston Avenue, Hall Street, Nussbaumer Street, Exposition Avenue, Main Street, Washington Avenue, Simpson Street, Haskell Avenue, Junius Street, and Washington Avenue. The size of PD 749 is approximately 79.3894 acres. (Ord. 26387)

SEC. 51P-749.103. SUBDISTRICTS ESTABLISHED.

This district is divided into three subdistricts: Subdistrict A, Subdistrict B-1, and Subdistrict B-2 as shown on the conceptual plan (Exhibit 749A). (Ord. 26387)

SEC. 51P-749.104. DEFINITIONS AND INTERPRETATIONS.

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

(1) **BAYLOR EXPANDED DISTRICT** means the Property in this district and in Subareas 10A, 11A, and 12A of PD 298.

(2) **CHILD-CARE FACILITY** means a facility that provides care, training, education, custody, treatment, or supervision for persons under 12 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility.

(3) **DISTRICT** or **THIS DISTRICT** means Planned Development District No. 749, the Baylor University Medical Center Special Purpose District.

(4) **PEDESTRIAN LINKAGE STREETS** means Worth Street, Junius Street, Crutcher Street, and Simpson Street within Subdistricts B-1 and B-2.

(5) **PROPERTY OWNER** means the Baylor University Medical Center or its successors.

(6) **PUBLIC STREET** means any street dedicated to the city with a right-of-way width of 35 feet or more.

(7) **SHORT-TERM PARKING** means, in connection with a child-care facility, an off-street parking space located on the building site, in close proximity to the main entrance of the use, and limited to use for a period of not more than 30 minutes.

(8) STUDENT HOUSING means a residential housing facility for college students operated and controlled by an institution of higher learning.

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

(c) This district is considered to be a nonresidential zoning district.

(d) In the event of a conflict between the text of this article and any exhibit, the text of this article controls. (Ord. 26387)

SEC. 51P-749.105. CONCEPTUAL PLAN.

(a) Except as provided in this section, development and use of the Property must comply with the conceptual plan.

(b) The conceptual plan must be amended if pedestrian linkage streets are abandoned. Other public streets may be modified, abandoned, or added without amending the conceptual plan.

(c) In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 26387)

SEC. 51P-749.106. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, and development schedule do not apply. (Ord. 26387)

SEC. 51P-749.107. CONFORMING USES AND STRUCTURES.

(a) All legally existing uses in this district as of June 28, 2006, are deemed legal, conforming uses.

(b) Except as provided in this subsection, all structures existing as of June 28, 2006, are deemed legal, conforming structures and may be renovated, remodeled, repaired, or rebuilt. These structures may be enlarged if the work complies with the yard, lot, and space regulations in Section 51P-749.110. (Ord. 26387)

SEC. 51P-749.108. MAIN USES PERMITTED.

(a) Subdistrict A.

(1) Except as provided in this subsection, the only main uses permitted in Subdistrict A are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in Subdistrict A only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in Subdistrict A; etc.

(2) The following main uses are permitted by right:

- Ambulance service.
- Community service center.
- Extended stay hotel or motel.
- Helistop.
- Hotel or motel.
- Open enrollment charter school or private school.
- Surface parking.
- Transit passenger shelter.

(3) The following main uses are prohibited:

- Alcoholic beverage establishments.
- Liquor store.

(b) Subdistricts B-1 and B-2.

(1) The following are the only main uses permitted:

(A) Agricultural uses.

- Crop production.

(B) Commercial and business service uses.

- Catering service.
- Medical or scientific laboratory. *[SUP]*

(C) Industrial uses.

- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(D) Institutional and community service uses.

- Adult day care facility. *[SUP]*
- Child-care facility. *[L] [SUP only if enrollment exceeds 250 children.] [Vehicular drop-off/stacking spaces must be located on the building site. Stacking spaces must be provided at a ratio of one space per 15 children enrolled in the facility. A stacking space must be a minimum of 18 feet in length. See Exhibit 749B for an illustration of these requirements. In addition, short-term parking spaces must be provided on the building site at a ratio of one space per 10 children enrolled in the facility.]*
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
- Convent or monastery.
- Hospital. *[SUP] [This use is limited to 200 beds.]*
- Library, art gallery, or museum.

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]
- Hotel or motel. [SUP]

(F) Miscellaneous uses.

- Attached non-premise sign. [SUP]
- Temporary construction or sales office.

(G) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP]
- Medical clinic or ambulatory surgical center. [Emergency rooms or overnight stays prohibited.]
- Office.

(H) Recreation uses.

- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(I) Residential uses.

- Duplex.
- Multifamily.
- Residential hotel. [SUP]
- Retirement housing. [SUP]
- Single family.
- Student housing.

(J) Retail and personal service uses.

- Business school. [SUP]
- Commercial parking lot or garage.
- General merchandise or food store 30,000 square feet or less.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Surface parking.

(K) Transportation uses.

- Transit passenger shelter.

(L) Utility and public service uses.

- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Fire station. [SUP]
- Post office. [SUP]

(M) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. [See Section 51-4.213(11.2).]

(Ord. 26387)

SEC. 51P-749.109. ACCESSORY USES.

(a) Except as provided in this section, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) In Subdistricts B-1 and B-2, the following accessory uses are prohibited:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Private stable.

(Ord. 26387)

SEC. 51P-749.110. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Subdistrict A. Except as provided in this subsection, the yard, lot, and space regulations for the MU-3 Mixed Use District apply.

(1) Front yard. No minimum front yard.

(2) Floor area. Maximum floor area is 6,443,037 square feet.

(3) Lot coverage. Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(b) Subdistricts B-1 and B-2. Except as provided in this subsection, the yard, lot, and space regulations for the LO-3(A) Limited Office District apply.

(1) Front yard.

(A) For lots fronting on public streets, the minimum front yard setback is five feet, and the maximum front yard setback is 15 feet. If a lot fronts on two pedestrian linkage streets, the maximum front yard setback applies to the main building and the parking garage and to only one of the two pedestrian linkage streets.

(B) No minimum front yard setback is required for lots fronting on Simpson Street and Crutcher Street.

(C) Awnings, canopies, porches, stoops, or similar overhangs may project a maximum of five feet into the required minimum front yard setback.

(2) Floor area ratio. Maximum floor area ratio is 2:1.

(3) Height. Except as provided in this paragraph, maximum structure height is 60 feet.

(A) Maximum structure height in any area within 300 feet of Washington Avenue is 130 feet.

(B) Maximum structure height in any area within 150 feet of Haskell Avenue is 36 feet. (Ord. 26387)

SEC. 51P-749.111. TRAFFIC MANAGEMENT PLAN.

(a) Traffic Management Plan (TMP) in general.

(1) Instead of requiring a TMP prior to the passage of this ordinance, the property owner must submit a TMP for review by the director by June 28, 2007.

(2) No building permit may be issued that will result in the total floor area in the Baylor expanded district exceeding 4,068,964 square feet until the property owner submits a revised TMP for review by the director. Thereafter, a revised TMP must be submitted with each additional 500,000 square feet in total floor area. The building official shall determine if a revised TMP is required by using the cumulative floor area calculation for the Baylor expanded district as shown on the last approved supplement to the Master Parking and Floor Area Plan.

(3) The preparation and submission of the TMP and its revisions are the responsibility of the property owner. The TMP and its revisions must be:

(A) prepared by a registered professional engineer skilled in transportation engineering; and

(B) approved by the director.

(b) Contents of the TMP. The TMP and its revisions must be in writing and must report on the following:

(1) The planned and actual operations of the street system within and in the immediate vicinity of the Baylor expanded district, describing traffic controls, lane operations, signal timing patterns, signage, dedicated lanes, crosswalks in the right-of-way, the impact of public transportation, and traffic control personnel including security personnel directing traffic.

(2) The planned and scheduled construction of the street system within and in the immediate vicinity of the Baylor expanded district during the construction of roadways and buildings.

(3) The planned and actual maintenance and management of traffic within and in the immediate vicinity of the Baylor expanded district during the construction of roadways and buildings.

(4) Development and occupancy levels within the Baylor expanded district.

(5) Vehicular congestion and pedestrian safety concerns at locations within and in the immediate vicinity of the Baylor expanded district together with an analysis of and recommendations for appropriate mitigation measures.

(c) Approval by the director. The director shall review and approve the TMP and its revisions following the procedures and standards in Subsection 51A-4.803(e) through (k) regarding site plan review. (Ord. 26387)

SEC. 51P-749.112. OFF-STREET PARKING AND LOADING.

(a) Off-street parking and loading requirements generally.

(1) Except as provided in this section, the off-street parking and loading regulations in Division 51A-4.300 apply in this district.

(2) Consult the use regulations in Division 51A-4.200 for specific off-street loading requirements for each use and for off-street parking requirements for all uses other than Baylor-related uses.

(3) All uses within the Baylor expanded district must comply with the Master Parking and Floor Area supplement requirements in Subsection (b)(7) of this section.

(b) Baylor-related use special parking regulations.

(1) Master Parking and Floor Area Plan purpose. Because off-street parking requirements for Baylor-related uses may be provided in remote locations throughout the Baylor expanded district, the Master Parking and Floor Area Plan (Exhibit 749C) identifies available off-street parking, determines the amount of required off-street parking, and ensures that each Baylor-related use within the Baylor expanded district meets the off-street parking requirements. To maintain adequate required off-street parking for all uses within the Baylor expanded district, the Master Parking and Floor Area Plan must be updated when floor area is added or removed from a building (Exhibit 749C-1).

(2) Definitions. In this section:

(A) BAYLOR-RELATED USE means any of the following uses within the Baylor expanded district:

- Adult day care facility.
- Ambulance service.
- Child-care facility.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Day home.
- Extended stay hotel or motel.
- Helistop.
- Hospital.
- Hotel or motel.
- Medical clinic or ambulatory surgical center.

- Medical or scientific laboratory.
- Office.
- Residential hotel.

(B) BAYLOR-RELATED USE SPECIAL PARKING means parking spaces located within the Baylor expanded district and available for use by Baylor-related uses.

(C) BAYLOR SHUTTLE means a private shuttle bus service that connects Baylor-related uses to Baylor-related use special parking spaces.

(D) MASTER PARKING AND FLOOR AREA PLAN means the Master Parking and Floor Area Plan shown on Exhibit 749C, and as revised and supplemented in accordance with this article.

(E) REQUIRED BAYLOR-RELATED USE SPECIAL PARKING means the total number of required parking spaces for all Baylor-related uses that satisfy their off-street parking requirements with Baylor-related use special parking.

(3) Application. Off-street parking requirements for Baylor-related uses may be satisfied with Baylor-related use special parking as shown on the Master Parking and Floor Area Plan and subject to the requirements in this subsection. Except for uses existing on June 28, 2006, the off-street parking requirements for uses located in Subdistricts B-1 and B-2 may not be satisfied with Baylor-related use special parking.

(4) Number of spaces available and required. The number of Baylor-related use special parking spaces existing on June 28, 2006, is 8,755. The number of required Baylor-related use special parking spaces existing on June 28, 2006, is 7,089. Reductions in floor area from the floor area existing on June 28, 2006, will result in adjustments to the number of Baylor-related use special parking spaces required as follows: one parking space per bed for hospital use, and one space per 200 square feet of floor area for any other Baylor-related use.

(5) Baylor shuttle.

(A) The Baylor shuttle service must be available for use from 5:30 am to 8 pm Monday through Friday with service to all stops at intervals of not more than 20 minutes for all occupants, employees, and guests of Baylor-related uses that satisfy their off-street parking requirements with Baylor-related use special parking.

(B) The Baylor shuttle service must stop within 300 feet of the nearest entrance to a Baylor-related use and within 300 feet of each parking lot providing Baylor-related use special parking.

(C) In this subsection, distance is measured from the shuttle stop to the nearest entrance of the main use or from the nearest pedestrian access to the parking lot to the shuttle stop, measured along the most convenient pedestrian walkway.

(D) The building official may extend the distance to a maximum of 600 feet unless the extension would:

- (i) significantly discourage use of the Baylor-related use special parking,
- (ii) unreasonably endanger the safety of persons or property, or

(iii) not otherwise be in the public interest.

(6) Agreement required.

(A) No written agreement is required if the fee simple owner of the real property on which the Baylor-related use is located is the same as the fee simple owner of the real property on which the Baylor-related use special parking is provided. Otherwise, a written agreement is required in accordance with this paragraph.

(B) The written agreement must comply with the special parking agreement requisites in Section 51A-4.328.

(C) A copy of the written agreement must be provided to the building official at the time application is made for a building permit or certificate of occupancy that modifies the parking requirements.

(7) Master Parking and Floor Area Plan supplements.

(A) A Master Parking and Floor Area Plan supplement must be submitted to and approved by the building official (see Exhibit 749C-1) if an application is made for:

(i) a building permit, demolition permit, or a certificate of occupancy that modifies the parking requirements for any use satisfying all or part its off-street parking requirement with Baylor-related use special parking;

(ii) approval of a parking agreement for any use or parking within the Baylor expanded district; or

(iii) a building permit, demolition permit, or certificate of occupancy that modifies the parking requirements in connection with additions to or reductions in floor area that have occurred since the last supplement that are not described in this paragraph, such as destruction of a building by fire or expiration or withdrawal of a building permit application.

(B) A Master Parking and Floor Area Plan supplement must include:

(i) the number assigned to each Baylor-related use special parking lot,

(ii) the boundaries of each Baylor-related use special parking lot,

(iii) any changes to the number of Baylor-related use special parking spaces since the last approved supplement,

(iv) a corresponding table indicating:

(aa) the number of parking spaces available in each Baylor-related use special parking lot;

(bb) the number of parking spaces designated for Baylor-related use special parking;

(cc) the number of parking spaces designated as on-site required parking for each Baylor-related use;

(dd) the number of spaces designated as remote parking subject to a parking agreement (citing the recording information of the parking agreement and the location of the use); and

(ee) the number of spaces that are not available as Baylor-related use special parking.

(v) a revised floor area tabulation for the Baylor expanded district in the form shown on Exhibit 749C-2, and

(vi) a revised Master Parking and Floor Area Plan that shows:

(aa) the floor area being added or removed; and

(bb) other changes to the Master Parking and Floor Area Plan since the last update, including changes to the floor area of existing buildings; new buildings; demolished buildings; changes to parking areas; and revisions to streets, alleys, or private drives.

(C) The building official shall maintain a copy of each approved Master Parking and Floor Area Plan supplement.

(D) A property owner may charge a fee to use required off-street parking for Baylor-related uses in the Baylor expanded district. (Ord. 26387)

SEC. 51P-749.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 26387)

SEC. 51P-749.114. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X. Plant materials must be maintained in a healthy, growing condition.

(b) Definitions. In this section, PARKWAY means that portion of a right-of-way between the projected street curb and the lot line.

(c) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners, or, with the written consent of the owner, to the tenants (“license holder”) of all property in this district for the exclusive purpose of authorizing compliance with the street tree requirements of this section. A license holder is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with the Dallas Building Code, or Subsection (d) of this section. This private license does not terminate at the end of any specific time period; however, the city council reserves the right to terminate this private license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each license holder shall remove all

improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation. A property is not required to comply with the street tree requirements of this section if compliance is made impossible by revocation of the private license.

(2) Upon installation of street trees in the right-of-way, the license holder shall procure, pay for and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, \$2,000,000 annual aggregate. Coverage under this liability policy must be on an "occurrence" basis and the city shall be named as additional insured. Proof of the insurance required by this subsection must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy must provide for 30 days prior written notice to the office of risk management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent it is covered by this liability insurance policy.

(3) At no expense to the city, each license holder issued the private license shall be responsible for maintaining the street trees in good condition and repair, keeping the licensed area safe, and refraining from any act or omission that would cause the licensed area to deteriorate in value or condition. The city shall be exempt from any requirement to make repairs or to maintain the street trees.

(4) Granting a license under this subsection for street trees does not release the license holder from liability relating to the installation or maintenance of trees, landscaping, and related irrigation in the right-of-way.

(d) Parkway landscape permit.

(1) The license holder shall apply for and obtain a parkway landscape permit before locating street trees in the parkway. A parkway landscape permit application must be submitted to the director before a building permit application is submitted. The parkway landscape permit application must be in writing on a form approved by the director and must include plans or drawings indicating the parkway area affected, and the plant materials and irrigation proposed.

(2) If the director determines the application is complete and all required fees are paid, the director shall accept the application and route it to all affected departments. If the director determines that the proposed landscaping is consistent with and will not unreasonably impair the use of the right-of-way, the director shall issue the parkway landscape permit.

(3) A license holder is not required to comply with the street tree requirements of this section if compliance is made impossible by denial of a parkway landscape permit.

(4) A parkway landscape permit may be revoked upon written notice if the director determines that the parkway use authorized by the permit is not consistent with or unreasonably impairs the use of the right-of-way. Upon revocation of the parkway landscape permit, the license holder shall remove all parkway landscape improvements from the right-of-way and restore the right-of-way to the director's satisfaction.

(5) Granting a parkway landscape permit under this section for street trees does not release the license holder from liability relating to the installation or maintenance of trees, landscaping, and related irrigation in the right-of-way.

(e) Special landscaping provisions for pedestrian linkage streets in Subdistricts B-1 and B-2 (see Exhibit 749D).

(1) Application. This subsection applies only to building sites fronting on pedestrian linkage streets in Subdistricts B-1 and B-2.

(2) Definition. In this subsection, TREE PLANTING ZONE means that portion of a building site parallel to the street between two-and-one-half feet and eight feet from the back of the projected street curb.

(3) Landscape plan. A landscape plan is required for any new development. All landscape plans must be approved by the city arborist prior to installation.

(4) Street trees.

(A) Number required. The number of street trees required for building sites abutting public streets is calculated by dividing the number of feet of lot frontage by 30. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(B) Species required. All required street trees must be recommended for local area use by the director of parks and recreation and must be large trees as defined in Article X.

(C) Location. Each building site must have at least one street tree located within the tree planting zone. A street tree is not located within the tree planting zone unless its trunk is entirely within the tree planting zone at the time of planting.

(D) Size. Minimum height of each required street tree is 15 feet. The minimum clearance of each required street tree is eight feet above grade at the lowest branch. The minimum caliper of each required street tree is four inches.

(E) Spacing. Required street trees for a building site must be spaced as uniformly as possible. The center of a trunk of a required street tree for a building site, measured at grade, must be a maximum of 60 feet from the center of the trunk of another required street tree for a building site, measured at grade.

(5) Tree grates. Tree grates must be provided for any tree located within a public sidewalk. Tree grates must comply with city standards and specifications and be large enough to permit healthy tree growth.

(6) Sidewalks. The minimum sidewalk width is eight feet and may extend into private property. Sidewalks must be located between the tree planting zone and the minimum front yard setback line.

(7) Pedestrian lighting. Pedestrian lighting must be provided. Light fixtures may not exceed 12 feet in height. Fixtures must be shielded so that the light is directed downward to prevent light from spilling over the property line. A sufficient number of light fixtures must be provided to maintain a minimum of 0.3 footcandle on the surface of sidewalks.

(8) Street furniture. The building official shall not issue a certificate of occupancy for new construction that exceeds 10,000 square feet in floor area on a building site until benches and trash receptacles are installed on the same blockface. The benches and trash receptacles may be installed in the required front yard. In this paragraph, trash receptacles do not include dumpsters.

(f) Surface parking lots (see Exhibit 749E).

(1) Surface parking lots that abut a public street must be screened by a solid hedge or berm with a minimum height of three-and-one-half feet or a wall with a maximum height of four-and-one-half feet.

(2) Each parking space must be located within 45 feet of a large tree as defined in Chapter 51A with a minimum caliper of four inches. Each row of parking spaces must have a large tree planted a minimum of every 45 feet.

(3) Landscape islands with a minimum of 315 square feet must be placed at both ends of an undivided row of 20 or more parking spaces. A large tree must be located within each landscape island, unless another large tree is located within 30 feet of the landscape island. Each landscape island must also include shrubs and ground cover.

(4) Surface parking lots must be divided into sections containing no more than 60 parking spaces. Landscaped dividers with a minimum width of eight feet must separate parking lot sections. Large trees must be located within the landscape dividers. The number of large trees required in the landscape divider is calculated by dividing the length of the island divider by 45. Tree wells must have a minimum width of eight feet.

(5) Parking lot lighting fixtures may not exceed 16 feet in height. Fixtures must be shielded so that the light is directed downward to prevent light from spilling over the property line. A sufficient number of light fixtures must be provided to maintain a minimum of 0.3 footcandle on the surface of the parking lot.

(6) A continuous and direct pedestrian connection along Worth Street between the DART station on Exposition Street and Haskell Avenue must be provided by the property owner within one year after the opening of the DART station (see Exhibits 749F, 749G, and 749H).

(g) Special exception. The board of adjustment may grant a special exception to the landscaping requirements in this section if it finds that:

(1) strict compliance with the requirements of this section will unreasonably burden the use of the Property;

(2) the special exception will not adversely affect neighboring property; and

(3) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

(h) Maintenance. All plant materials must be maintained in a healthy, growing condition. (Ord. 26387)

SEC. 51P-749.115.

SPECIAL PROVISIONS FOR BUILDINGS IN SUBDISTRICTS B-1 AND B-2.

(a) Design standards generally. Large institutional and mixed use districts often have negative impacts on surrounding residential areas, community aesthetics, the environment, mass transit, pedestrian circulation, the scale and rhythm of streetscapes, and traffic. These design standards are intended to ensure that the uses within this district are compatible with the surrounding area, while still allowing creativity, flexibility, and variety in design.

(b) Definitions. In this section:

- (1) BLOCK means an area bounded by streets on all sides.
- (2) BLOCKFACE means lots located on one side of a block.
- (3) FACADE WALL means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building that encloses or covers usable space. When separate faces of a building face the same direction or are within 45 degrees of one another, those faces are part of a single facade wall.
- (4) PRIMARY FACADE WALL means the facade wall containing the primary entrance whether vehicular or pedestrian. If two or more facade walls have primary entrances, each facade wall is a primary facade wall.
- (5) REAR FACADE WALL means the facade wall containing service areas.
- (6) SERVICE AREA means an area including loading docks, trash collection, or compaction, truck parking, or other similar functions.
- (7) SIDE FACADE WALL means a facade wall that is not a primary facade wall or rear facade wall.
- (8) SOLID WALL means a wall that contains no fenestration.

(c) Facade walls.

(1) Pedestrian entrances and windows facing a street and located at the ground level of a primary facade wall or a side facade wall must include awnings, canopies, trellises, or similar features.

(2) Primary facade walls and side facade walls must incorporate at least three of the design elements listed in this paragraph. Rear facade walls facing a street must incorporate at least one of the design elements listed in this paragraph. The cumulative length of the chosen design elements combined must extend across a minimum of 60 percent of the facade wall's horizontal length. The board of adjustment may grant a special exception to this paragraph if it finds that the special exception will not adversely affect neighboring property and will not be contrary to the public interest.

(A) A repeating pattern of wall recesses and projections, including bays or offsets that have a relief of at least 16 inches.

(B) Architectural details such as arches, friezes, tile work, murals, reveals, projecting ribs, or moldings.

(C) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(D) Prominent three-dimensional features such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.

(E) A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural decorative columns.

(3) Exterior insulation finish systems (EIFS), vinyl, aluminum siding, masonite, corrugated metal, and wood sheet siding are prohibited. Precast concrete is permitted if the surface has ribs, texture, color, patterns, or a similar treatment.

(4) Highly reflective glass may not be used as an exterior building material on any building or structure. In this paragraph, highly reflective glass means glass with exterior visible reflectance in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of glass. (The higher the percentage, the more visible light is reflected and the more mirror-like the surface appears.)

(5) Facade walls facing parks or other open space amenities must have windows.

(6) Solid walls that block views of adjacent parks or other open space amenities along pedestrian linkage streets are prohibited.

(7) Building exterior light shelves, awnings, verandas, recessed windows, or other architectural elements that improve building interior lighting are permitted if they comply with the yard, lot, and space regulations.

(8) A pedestrian entrance located on a primary facade wall and set back from a public street must include a pedestrian path leading directly to a public street.

(9) Except structures used for medical or scientific laboratories and parking structures with ground-level parking along the front facade, ground-level facade walls fronting on a pedestrian linkage street must be constructed of no less than 20 percent and no more than 65 percent glass.

(d) Provisions for aboveground parking structures.

(1) The following uses are the only uses permitted on the ground level of an aboveground parking structure along the facade wall facing a public street:

(A) Commercial and business service uses.

- Catering service.
- Medical or scientific laboratory. *[SUP]*

(B) Institutional and community service uses.

- Adult day care facility. *[SUP]*
- Child-care facility. *[L] [SUP only if enrollment exceeds 250 children.] [Vehicular drop-off/stacking spaces must be located on the building site. Stacking spaces must be provided at a rate of one space per 15 children enrolled in the facility. A stacking space must be a minimum of 18 feet in length. See Exhibit 749B for an illustration of these requirements. In addition, short-term parking spaces must be provided on the building site at a ratio of one space per 10 children enrolled in the facility.]*
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*

-- Library, art gallery, or museum.

(C) Lodging uses.

-- Extended stay hotel or motel. [SUP]

-- Hotel or motel. [SUP]

(D) Office uses.

-- Financial institution without drive-in window.

-- Financial institution with drive-in window. [SUP]

-- Medical clinic or ambulatory surgical center. [Emergency rooms or overnight stays prohibited.]

-- Office.

(E) Recreation uses.

-- Private recreation center, club, or area. [SUP]

(F) Residential uses.

-- Multifamily.

-- Residential hotel. [SUP]

-- Retirement housing. [SUP]

-- Student housing.

(G) Retail and personal service uses.

-- Business school. [SUP]

-- General merchandise or food store less than 30,000 square feet or less.

-- Personal service uses.

-- Restaurant without drive-in or drive-through service.

-- Restaurant with drive-in or drive-through service. [SUP]

(2) Facade walls for aboveground parking structures.

(A) Any facade wall facing a public street must have a design similar to the main structure and include materials compatible with the main structure.

(B) Parking on the ground level must be screened by a solid hedge, wall, or berm with a minimum height of three-and-one-half feet. Hedge screening must reach three-and-one-half feet within three years of planting.

(C) Vehicles located in the parking structure above the ground level must be screened from all public streets by a wall or other solid screening that is a minimum height of three-and-one-half feet.

(D) The following enhanced facade design elements apply to aboveground parking structure facade walls facing Worth Street, Junius Street, Crutcher Street, Washington Street, or Simpson Street. Compliance with these provisions must not prevent open-air ventilation sufficient enough to meet building code requirements without requiring a mechanical ventilation system.

(i) Openings in the facade wall above the required vehicular screening must be similar in appearance to an open window, with architectural details including arches, sills, lentils, or tubular steel mullions.

(ii) Facade walls must include brick, pre-cast architectural concrete, stone, decorative concrete masonry materials, stucco on lath, cast stone, or materials similar in appearance.

(iii) Towers or similar architectural elements must extend above the roof or parapet wall at the corners of the structure.

(3) Junius Street and Worth Street. The following provisions apply to aboveground parking structures fronting on Junius Street or Worth Street.

(A) The portion of the ground level of any parking structure that faces Junius Street and Worth Street must include one or more uses other than parking with a minimum depth of 20 feet. At least 25 percent of the building frontage must be non-residential uses.

(B) Vehicular access drives opening onto Junius Street or Worth Street are prohibited.

(C) Any facade wall facing Junius Street or Worth Street must be parallel to the street and extend a distance equal to 70 percent of the property width.

(4) Haskell Avenue. The following provisions apply to aboveground parking structures fronting on Haskell Avenue (see Exhibit 749I).

(A) The portion of the parking structure that faces Haskell Avenue must include one or more uses other than parking with a minimum depth of 20 feet on all levels of the parking structure.

(B) Vehicular access drives in facade walls facing Haskell Avenue may not exceed 40 feet in width.

(C) Any facade wall facing Haskell Avenue must be parallel to the street and extend a distance equal to 70 percent of the property width.

(5) Washington Street. The following provisions apply to aboveground parking structures fronting on Washington Street.

(A) The portion of the ground level of any parking structure that faces Washington Street must include one or more uses other than parking with a minimum depth of 20 feet, or, in the alternative, the facade wall facing Washington Street must have enhanced facade design elements on all levels of the parking structure (see Section 51P-749.115(d)(2)(D)).

(B) Vehicular access drives in facades facing Washington Street may not exceed 40 feet in width.

(6) Crutcher Street. The following provisions apply to aboveground parking structures fronting on Crutcher Street.

(A) The portion of the ground level of any parking structure facing Crutcher Street must include one or more uses other than parking with a minimum depth of 20 feet.

(B) Vehicular access drives in facades facing Crutcher Street may not exceed 40 feet in width. A maximum of four vehicular access drives may open onto Crutcher Street. The board of adjustment may grant a special exception to this provision if the board finds that the special exception will not adversely affect neighboring property and will not be contrary to the public interest.

(C) Any facade wall facing Crutcher Street must be parallel to the street and extend a distance equal to 70 percent of the property width.

(7) Simpson Street. The following provisions apply to aboveground parking structures fronting on Simpson Street.

(A) The portion of the ground level of any parking structure fronting Simpson Street must include one or more uses other than parking with a minimum depth of 20 feet or, in the alternative, the facade wall facing Simpson Street must have enhanced facade design elements on all levels of the parking structure (see Section 51P-749.115(d)(2)(D)).

(B) Vehicular access drives in facades facing Simpson Street may not exceed 40 feet in width. (Ord. 26387)

SEC. 51P-749.116. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. 26387)

SEC. 51P-749.117. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 26387)

SEC. 51P-749.118. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this 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. 26387)

SEC. 51P-749.119. ZONING MAP.

PD 749 is located on Zoning Map Nos. J-7 and J-8. (Ord. 26387)