

ARTICLE 143.

PD 143.

SEC. 51P-143.101. LEGISLATIVE HISTORY.

PD 143 was established by Ordinance No. 17685, passed by the Dallas City Council on February 2, 1983. Ordinance No. 17685 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 17685 was amended by Ordinance No. 19483, passed by the Dallas City Council on February 25, 1987. (Ord. Nos. 10962; 17685; 19483; 25508; 26137)

SEC. 51P-143.102. PROPERTY LOCATION AND SIZE.

PD 143 is established on property generally located at the northwest corner of the Lyndon B. Johnson Freeway and Valley View Lane. The size of PD 143 is approximately 18.10 acres. (Ord. Nos. 17685; 25508; 26137)

SEC. 51P-143.103. DEFINITIONS.

(a) For the purpose of this article:

(1) COVENANT DRIVE means that portion of Valley View Lane that is proposed to be reconfigured and renamed as Covenant Drive as shown on Conceptual Plan B.

(2) LBJ FREEWAY means Lyndon Baines Johnson Freeway.

(3) MECHANICAL PENTHOUSE means a floor or a structure on top of a building used as a mechanical equipment room.

(4) PLANT NURSERY means the following:

(A) Garden shop, plant sales, or greenhouse, and florist store.

(B) A facility for the display and retail sale of outdoor, patio, and garden furniture, lighting, swimming pools, and pool supplies.

(C) Display and sale of gifts, antiques, art objects, and garden ornaments.

(D) Offices and storage facilities for a landscaping, architecture, landscape architecture, and interior design business.

(5) RETAIL USES means those uses listed in Section 51-4.211.

(6) STORY means that portion of a building between any two successive floors, excluding mechanical penthouses.

(b) Unless otherwise indicated, all definitions in Chapter 51 apply to this article. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.104. INTERPRETATIONS.

- (a) Unless otherwise stated, the 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. Nos. 25508; 26137)

SEC. 51P-143.105. CONCEPTUAL PLAN.

- (a) For all uses other than a private school, use and development of the Property must comply with Conceptual Plan A (dividing the Property into three zones) (Exhibit 143A).
- (b) For a private school, use and development of the Property must comply with Conceptual Plan B (Exhibit 143C). The hike and bike trail shown on Conceptual Plan B may be relocated off the Property and this area may be developed as indicated in General Note 1 on Conceptual Plan B.
- (c) The Property has frontage on the north line of the LBJ Freeway westbound service road. If the Texas Department of Transportation acquires land for highway improvements along LBJ Freeway in the shaded area shown on Conceptual Plan B, required setbacks will be measured from the amended property line. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.106. PHASE I, EXISTING DEVELOPMENT.

For all uses other than a private school, the following regulations apply. The existing plant nursery, as shown on the site plan (Exhibit 143B) is recognized as Phase I of PD 143. The existing plant nursery has a floor area of 69,887 square feet. This existing floor area should not be counted toward maximum permitted floor area under this article. If any of the existing floor area ceases to be used as a plant nursery, as defined in this article, any replacement of such floor area must be counted toward maximum permitted floor area. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.107. DEVELOPMENT PLAN.

No building permit for construction on any portion of the Property may be issued until a detailed development plan for that portion of the Property is submitted to and approved by the city plan commission. The detailed development plan must include the site plan requisites listed in Section 51-4.803(d). In deciding whether to approve or deny the development plan, the city plan commission shall follow the standards set out for the director of development services in Section 51-4.803. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.108. LANDSCAPE PLAN.

- (a) For all uses other than a private school, the following landscape regulations apply:
 - (1) A landscape plan in conformance with Article X must be submitted with each detailed development plan and approved by the city plan commission prior to issuance of a certificate of occupancy for any use on that portion of the Property.
 - (2) The first landscape plan submitted must include landscaping for all portions of the landscape easement, as shown on Conceptual Plan A. The landscape easement must be planted with

grass, evergreen shrubbery, and trees to provide a visual barrier. This visual barrier must screen Valley View Lane from any automobiles and parking structures in the area designated as setback area on Conceptual Plan A. Landscaping for the landscape easement must be installed prior to the issuance of a certificate of occupancy for any use on the Property. All other landscaping must be installed in accordance with the landscape plan prior to the issuance of a certificate of occupancy for any use on the portion of the Property covered by the landscape plan.

(3) All plant materials must be maintained in a healthy, growing condition at all times.

(b) For a private school, the following landscape regulations apply:

(1) Except as provided in this subsection, a landscape plan that complies with the provisions of Article X must be approved by the city plan commission prior to the issuance of a certificate of occupancy.

(2) A minimum 25-foot-wide landscape buffer must be provided along the Valley View Lane frontage, north of its intersection with Thistle Lane, as shown on Conceptual Plan B. The landscape buffer must include plant materials that will obtain a solid appearance within three years.

(3) A solid screening wall, maintained at a minimum height of six feet, must be located behind the landscape buffer as shown on Conceptual Plan B.

(4) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.109. USES, FLOOR AREA, HEIGHT, AND SETBACKS.

(a) The entire Property must be developed with any single use or combination of uses as outlined in Subsection (b) or a private school, but not a combination of a single use or combination of uses outlined in Subsection (b) and a private school.

(b) For all uses other than a private school, the following regulations apply:

(1) Zone 1.

(A) Uses.

(i) The only uses permitted are the following:

(aa) Those uses permitted by right, those uses permitted as limited uses by right, and those uses permitted as retail-related uses by right in a GO General Office District.

(bb) Plant nursery.

(ii) Single-family, duplex, and multiple-family uses are prohibited.

(B) Floor area. Maximum permitted floor area is 130,000 square feet.

(C) Heights. No structure may exceed 60 feet in height.

(D) Stories. No structure may exceed four stories.

(E) Special buffer zone. A 200-foot-wide buffer zone, as shown on Conceptual Plan A, must be provided along the south right-of-way line of Valley View Lane. The only structures permitted in this buffer zone are those structures shown on the site plan and parking structures that do not exceed a height elevation greater than the highest elevation of the portion of the Valley View Lane roadway adjacent to the buffer zone.

(F) Setbacks. Minimum setback for structures on Zone 1 is 25 feet.

(2) Zone 2.

(A) Uses.

(i) The only permitted uses are the following:

(aa) Those uses permitted by right, those uses permitted as limited uses by right, and those uses permitted as retail-related uses by right in a GO General Office District.

(bb) Plant nursery.

(ii) Single-family, duplex, and multiple-family uses are prohibited.

(B) Floor area. Maximum permitted floor area is 260,000 square feet.

(C) Height. No structure may exceed 90 feet in height.

(D) Stories. No structure may exceed six stories.

(E) Special buffer zone. A 100-foot-wide buffer zone, as shown on Conceptual Plan A, must be provided along the west right-of-way line of Valley View Lane. The only structures permitted in this buffer zone are those structures shown on the site plan and parking structures that do not exceed a height elevation greater than the highest elevation of the portion of the Valley View Lane roadway adjacent to the buffer zone.

(F) Setbacks. Minimum setback for structures on Zone 2 is 25 feet.

(3) Zone 3.

(A) Uses.

(i) The only permitted uses are the following:

(aa) Those uses permitted in an SC Shopping Center District and a GO General Office District.

(bb) Plant nursery.

(ii) Single-family, duplex, and multiple-family uses are prohibited.

(B) Floor area. Maximum permitted floor area is 650,000 square feet.

- (C) Height. No structure may exceed 120 feet in height.
- (D) Stories. No structure may exceed eight stories.
- (E) Setbacks. Minimum setback for structures on Zone 3 is 25 feet.

(c) For a private school, the following regulations apply:

- (1) Floor area. Maximum permitted floor area is 200,000 square feet.
- (2) Height. No structure may exceed 60 feet in height.
- (3) Stories. No structure may exceed four stories.
- (4) Setbacks.

(A) Front yard. Minimum front yard is 25 feet. In addition, no structures may be located within:

(i) the 200-foot-wide setback along the southern line of Valley View Lane as shown on Conceptual Plan B; or

(ii) the 100-foot-wide setback along the western line of Valley View Lane as shown on Conceptual Plan B.

(B) Side and rear yard. Minimum side and rear yard is 25 feet.

(5) Lighting. Security lighting is permitted throughout the Property. Security lighting shall not exceed 30 feet in height, shall be limited to hooded and shielded light fixtures directed vertically downward, and shall be solely for the purpose of security and not for the purpose of illuminating athletic events or practices.

(6) Bell towers. Bell towers or any other tower which emits bell-type tones are prohibited.

(7) Outdoor sound. Loudspeakers, public address systems, school bells, and buzzers (other than fire warning systems) may only be sounded internally within the structures on the Property.

(8) Existing pond. The existing pond shown on Conceptual Plan B will be retained on the Property in the location generally shown on Conceptual Plan B. In accordance with federal, state and local regulations, improvements to the pond may be made to its configuration, size, and location, but in no event shall the minimum surface area of the pond be less than 24,428 square feet. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.110. COVERAGE.

(a) For all uses other than a private school, no more than 513,000 square feet of the Property may be covered by a roof, floor, or other structure, including above-grade parking structures, except that roof eaves up to 24 inches and other ordinary building projections up to 12 inches are excluded.

(b) For a private school, maximum lot coverage is 40 percent. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.111.

SPECIAL FLOOR AREA RESTRICTIONS.

(a) For all uses other than a private school:

(1) Maximum permitted floor area for all uses on the Property is 400,000 square feet until the Park Central Extension is constructed as shown on Conceptual Plan A and approved by the director of public works and transportation.

(2) Maximum permitted floor area in Zones 1 and 2 combined is 260,000 square feet.

(3) Maximum permitted floor area in Zones 1, 2, and 3 combined is 650,000 square feet.

(4) Maximum permitted floor area on the Property for all bar and restaurant uses and retail uses combined is 40,000 square feet.

(b) For a private school, maximum floor area is 200,000 square feet. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.112.

BAR AND RESTAURANT USES AND RETAIL USES.

All bar and restaurant uses, professional, personal service, and custom craft uses, and retail uses, excluding the existing plant nursery, must be located in a building containing office uses that collectively comprise at least 10 percent of the total floor area of the building. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.113.

DEVELOPMENT/STREET IMPROVEMENT STAGING.

(a) For all uses other than a private school, no certificate of occupancy may be issued for any use on the Property until the following improvements are completed.

(1) A right-turn lane must be constructed as part of the westbound LBJ Freeway service road at Hillcrest Road.

(2) The intersection of Valley View Lane and Thistle Lane must be reconfigured as shown on Conceptual Plan A.

(3) A public access easement and flood emergency access gates must be approved by the director of public works and transportation and provided as shown on Conceptual Plan A. Vehicular access between Valley View Lane and the Property is prohibited except through the approved access gates during flood conditions.

(b) For a private school, prior to the issuance of a certificate of occupancy, the following improvements must be provided, with final design and construction approved by the director of public works and transportation.

(1) A right turn deceleration lane must be provided at the location of Proposed Access Point A as shown on Conceptual Plan B.

(2) The intersection of Valley View Lane and Thistle Lane (including the terminus of Covenant Drive) must be reconfigured as shown on Conceptual Plan B, unless the city refuses to allow

such reconfiguration. It is proposed that the southern portion of Valley View Lane will be reconfigured and renamed as Covenant Drive.

(3) A public access easement and flood emergency access gates approved by the director of public works and transportation must be provided as shown on Conceptual Plan B. Vehicular and pedestrian access between Valley View Lane and the Property is prohibited except as set forth in this paragraph. Prior to the completion of a westbound service road of LBJ Freeway which will be elevated across White Rock Creek and which will be accessible from southbound Covenant Drive, vehicular access through the flood emergency access gates is limited to periods when flood conditions preclude the use of Proposed Access Point A as shown on Conceptual Plan B, and to emergency vehicles. After completion of such a westbound service road, access through the flood emergency access gates is limited to emergency vehicles. Notwithstanding the foregoing, the Proposed Emergency Gated Access Points as shown on Conceptual Plan B may be used for pedestrian access between Valley View Lane and the Property by supervised school groups.

(c) The Park Central Extension located on the Property and the street improvements in Subsections (a) and (b) must be provided by the owner of the Property at no cost to the city if the construction is necessitated by and attributable to the new development on the Property.

(d) The owner of the Property will not be responsible for or required to construct, pay for, or make improvements to Park Central Drive south of the Property. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.114. THISTLE LANE.

Thistle Lane may not be extended from its present intersection with Valley View Lane directly to Hillcrest Road. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.115. ACCESS.

(a) For all uses other than a private school, the number and location of driveways, deceleration lanes, and acceleration lanes on the westbound LBJ Freeway service road, Lambert Park Drive, and Park Central Extension must be approved by the director of public works and transportation. The locations must be approved as part of the detailed development plans for Zone 3.

(b) For a private school, ingress and egress must be provided only in the general locations shown on Conceptual Plan B. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.116. PRIVATE SCHOOL CLASSROOM HOURS OF OPERATION.

Hours of classroom operation for a private school are limited to the following:

(1) For Grades K through 6, between 8:00 a.m. and 3:00 p.m., Monday through Friday.

(2) For Grades 7 through 12, between 7:45 a.m. and 3:15 p.m., Monday through Friday. (Ord. 26137)

SEC. 51P-143.117.

ATHLETIC FIELDS.

(a) For athletic fields for a private school located within Zone A as shown on Conceptual Plan B, the following restrictions apply:

- (1) Athletic field lighting standards, scoreboards, outdoor amplified sound systems, and press boxes are not permitted.
- (2) Bleachers, not to exceed five feet in height, are permitted.
- (3) Hours of operation are as follows (and no field activity is permitted other than the times listed below):
 - (i) Between 8:00 a.m. and 8:00 p.m., Monday through Friday.
 - (ii) Between 9:00 a.m. and 5:00 p.m. on Saturday.
 - (iii) Use of the fields is not permitted on Sunday.
- (4) Third-party use of the fields is prohibited.
- (5) No outdoor band practice is permitted.

(b) For athletic fields for a private school located within Zone B as shown on Conceptual Plan B, the following restrictions apply:

- (1) Hours of operation are as follows (and no field activity is permitted other than the times listed below):
 - (i) Between 8:00 a.m. and 9:00 p.m., Monday through Saturday.
 - (ii) Use of the fields is not permitted on Sunday.
- (2) Bleachers are permitted, but are limited to a maximum height of 12 feet to the top of the highest bleacher seat, and must not face either Valley View Lane or Covenant Drive. Seating capacity of the bleachers may not exceed 1,000. In addition, bleachers must be set back a minimum of 75 feet from Covenant Drive.
- (3) A pressbox is permitted, but it is limited to a maximum height of 24 feet and must not face either Valley View Lane or Covenant Drive. In addition, the pressbox must be set back a minimum of 75 feet from Covenant Drive.
- (4) Outdoor amplified sound systems are not permitted.
- (5) Athletic field lighting is not permitted.
- (6) A maximum of one lighted scoreboard is permitted, not to exceed 18 feet in height or 22 feet in width.
- (7) Third-party use of the athletic fields is prohibited, except that the athletic fields may be used by other private schools.

(8) Outdoor band practices are restricted to the period from 9:00 a.m. to 5:00 p.m., and to a maximum of three hours per day. (Ord. 26137)

SEC. 51P-143.118. PRIVATE SCHOOL PICK-UP/DROP-OFF.

(a) The development plan approved for a private school must include an on-site pick-up and drop-off area approved by the director of development services that complies with the provisions outlined in the Traffic Circulation Study (Exhibit 143D).

(b) School personnel must be provided in a minimum of two locations in the designated area for pick-up and drop-off, as located on an approved development plan, between the hours of 7:45 a.m. and 8:15 a.m., and between 2:45 p.m. and 3:30 p.m., Monday through Friday, while school is in session, to facilitate traffic circulation and student loading/unloading. Additionally, pavement markings directing the flow of traffic must be provided as shown on an approved development plan.

(c) Student loading and unloading must be provided on-site in a location as shown on an approved development plan.

(d) Student loading and unloading on public streets is prohibited. (Ord. Nos. 26137; 26770)

SEC. 51P-143.119. SUBDIVISION PLAT.

Prior to the issuance of a building permit for any construction which requires a new certificate of occupancy on any portion of the Property, a subdivision plat for that portion of the Property must be approved by the city plan commission. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.120. OFF-STREET PARKING.

The existing plant nursery must have 150 parking spaces. Parking for any expansion of the plant nursery use must be approved as part of the detailed development plan for the expansion. Off-street parking for all other uses must be provided in accordance with the provisions of Chapter 51. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.121. FENCE.

Prior to the issuance of a certificate of occupancy for a private school, the minimum six-foot-high solid brick, stone, stucco, or other masonry product wall as shown on Conceptual Plan B must be installed. A fence or wall with a minimum height of six feet must be installed from the southern end of this wall to as close to the northern curb line of the driveway entering the Property from Proposed Access Point B, as shown on Conceptual Plan B, as is permitted by the city's visibility triangle and/or sightline regulations. Other perimeter fencing and entry gates must be identified on the approved development plan, and may not exceed eight feet in height (excluding netting and/or backstops in conjunction with athletic fields which must not exceed 60 feet in height) in the required front yards along Covenant Drive and the LBJ Freeway service road. (Ord. 26137)

SEC. 51P-143.122. SIGNS.

(a) For all uses other than a private school, signs to be located on the Property must comply with the following provisions:

(1) Zones 1 and 2. Signs must comply with the provisions for non-business zoning districts contained in Chapter 51.

(2) Zone 3. Signs must comply with the provisions for business zoning districts contained in Chapter 51.

(3) Zones 1, 2, and 3. Non-premise signs are prohibited.

(b) For a private school, signs must comply with the provisions for business zoning districts in Chapter 51. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.123. CONSTRUCTION TRAFFIC.

Any vehicles used for construction on the Property are prohibited on those portions of Valley View Lane and Covenant Drive adjacent to the Property during construction on any portion of the Property. (Ord. Nos. 19483; 25508; 26137)

SEC. 51P-143.124. PAVING.

(a) All streets, driveways, parking spaces, and maneuvering areas for parking must be constructed to meet the requirements of Chapter 51.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 17685; 19483; 25508; 26102; 26137)

SEC. 51P-143.125. GENERAL REQUIREMENTS.

(a) Utilization of the Property must conform with all requirements, plans, contracts, and ordinances and all other applicable codes, rules, and regulations of the city.

(b) At least thirty days prior to the filing with the city of any application for a zoning change with respect to all or any part of the Property, any application for a minor amendment to the approved development plan or landscape plan for the Property pursuant to Sections 51A-4.702(h) or (i), as amended, or any application to the Board of Adjustment for a variance or special exception with respect to any portion of the Property, the applicant shall submit a copy of said application to the Valley View Homeowners Association at the address on the city's early notification list. (Ord. Nos. 19483; 25508; 26102; 26137)

SEC. 51P-143.126. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy until there is full compliance with this article, together with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 17685; 25508; 26137)

SEC. 51P-143.127.

ZONING MAP.

PD 143 is located on Zoning Map No. D-8. (Ord. Nos. 17685; 25508; 26137)