

ARTICLE 85.

PD 85.

SEC. 51P-85.101. LEGISLATIVE HISTORY.

PD 85 was established by Ordinance No. 14991, passed by the Dallas City Council on September 22, 1975. Ordinance No. 14991 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. 14991 was amended by Resolution No. 76-1765, passed by the Dallas City Council on July 6, 1976; Resolution No. 76-2937, passed by the Dallas City Council on November 8, 1976; Resolution No. 77-1114, passed by the Dallas City Council on April 25, 1977; Resolution No. 77-1278, passed by the Dallas City Council on May 9, 1977; Ordinance No. 15838, passed by the Dallas City Council on May 31, 1978; Resolution No. 78-1527, passed by the Dallas City Council on May 31, 1978; Resolution No. 78-1599, passed by the Dallas City Council on June 7, 1978; Resolution No. 83-0764, passed by the Dallas City Council on March 2, 1983; Resolution No. 90-1944, passed by the Dallas City Council on June 13, 1990; Ordinance No. 20855, passed by the Dallas City Council on January 9, 1991; and Ordinance No. 21536, passed by the Dallas City Council on January 13, 1993. (Ord. Nos. 10962; 14991; 15838; 20855; 21536; 25423; Res. Nos. 76-1765; 76-2937; 77-1114; 77-1278; 78-1527; 78-1599; 83-0764; 90-1944)

SEC. 51P-85.102. PROPERTY LOCATION AND SIZE.

PD 85 is established on property generally located at the northeast corner of Greenville Avenue and Pineland Drive. The size of PD 85 is approximately 28.098 acres. (Ord. Nos. 14991; 25423)

SEC. 51P-85.103. 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-85.104. CONCEPTUAL PLAN.

A conceptual plan (Exhibit 85A) indicating use districts by tracts, as approved by the city plan commission on March 9, 1978, replaces and supersedes any previously adopted conceptual plans. (Ord. Nos. 15838; 25423)

SEC. 51P-85.105. DEVELOPMENT PLAN.

(a) A detailed development plan for the area designated as Phase I on the conceptual plan must be submitted to the city plan commission within six months after the passage of Ordinance No. 14991. A plan may be submitted on either Area "A" or Area "B" or Areas "A" and "B" of Phase I. A Phase I plan must be approved by the city plan commission, signed by the director of development services, and attested by the chair of the city plan commission prior to the issuance of a building permit within the boundaries of the designated phase.

(b) A detailed development plan must also be submitted and approved by the city plan commission, signed by the director of development services and attested by the chair of the city plan commission on each subsequent phase of development prior to the issuance of a building permit within that phase.

(c) Each approved development plan must be attached to and made a part of the ordinance through resolution of the city council. Development within this PD must comply with the approved development plans.

(d) A development plan for Phase I, Area "A" is labelled Exhibit 85B. A development plan for Phase I, Area "B" is labelled Exhibit 85C. A development plan for the first phase of the retail area is labelled Exhibit 85D. A development plan for the second phase of the retail area is labelled Exhibit 85E. A development plan for the first phase of the office area is labelled Exhibit 85F. A development plan for the second phase of the office area is labelled Exhibit 85G. (Ord. Nos. 14991; 20855; 25423; 26782; Res. Nos. 76-2937; 77-1114; 77-1278; 78-1599; 83-0764)

SEC. 51P-85.106. USES.

(a) In general. Uses permitted within this PD must comply with the following provisions.

(b) Retail area. All uses permitted in the Shopping Center District of the Comprehensive General Zoning Ordinance of the city are permitted, except as noted below. Uses not permitted are as follows:

(1) Convenience or major grocery stores (specialty stores selling groceries as a side line and where the main items for sale are not groceries are permitted).

(2) Motor vehicles and related uses as referenced in Section 10-213 of the Comprehensive General Zoning Ordinance of the city.

(3) Stores where the sale of alcoholic beverages is the primary item sold (specialty stores featuring wine or cheese and stores selling alcoholic beverages as a side line are permitted subject to Paragraph (b)(4) of this section).

(4) A specific use permit is required to locate any use in this area if the sale or service of alcohol is part of the operation of the use.

(c) Office area. Except as otherwise provided in this subsection, the only main uses permitted in this area are those main uses permitted in the O-2 Office District, subject to the same conditions applicable in the O-2 Office District, as set out in Chapter 51. For example, a use permitted in the O-2 Office District only by specific use permit (SUP) is permitted in this area only by SUP; a use subject to a development impact review (DIR) in the O-2 Office District is subject to DIR in this area. The hospital and ambulatory surgical center uses are permitted by right in Phase I of the office area.

(d) Apartment area. All uses permitted within the Multiple-Family-3 District of the Comprehensive General Zoning Ordinance of the city as well as private community center uses including related recreational facilities such as swimming pools, tennis courts, club house, cabanas, etc., are permitted. (Ord. Nos. 21536; 25423; 26102; 26782)

SEC. 51P-85.107.**LANDSCAPE PLAN.**

(a) A landscape plan must be submitted along with each development plan for approval by the city plan commission, and landscaping must be provided and maintained in a healthy growing condition in accordance with the landscape plans. The landscape plan must be attached to and made a part of Ordinance No. 14991 by resolution of the city council. Detailed landscaping may be shown only in conjunction with each development plan submitted; however, any landscape plan submitted must indicate all existing trees to be retained on the entire site.

(b) A landscape plan for Phase I, Area "A" is labelled Exhibit 85H. A landscape plan for Phase I, Area "B" is labelled Exhibit 85I. A landscape plan for the first phase of the retail area is labelled Exhibit 85J. A landscape plan for the second phase of the retail area is labelled Exhibit 85K. A landscape plan for the first phase of the office area is labelled Exhibit 85L. A landscape plan for the second phase of the office area is labelled Exhibit 85M. (Ord. Nos. 14991; 20855; 25423; 26782; Res. Nos. 76-1765; 77-1114; 77-1278; 78-1527; 78-1599)

SEC. 51P-85.108.**INGRESS AND EGRESS.**

All means of ingress and egress to property within the boundaries of this PD must be approved by the traffic design section of the department of public works and transportation. (Ord. Nos. 14991; 25423)

SEC. 51P-85.109.**APARTMENT UNITS.**

Apartment development within the area designated for apartment uses are limited to a maximum of 310 units. (Ord. Nos. 14991; 25423)

SEC. 51P-85.110.**PARKING.**

Off-street parking must be provided for each use in accordance with the requirements of Section 20 of the Comprehensive Zoning Ordinance. (Ord. Nos. 14991; 25423)

SEC. 51P-85.111.**SIGNS.**

All signs in office and apartment areas must comply with the non-business category of Chapter 41 of the 1960 Revised Code of Civil and Criminal Ordinances of the city. All signs in retail areas must comply with the business category of Chapter 41 of the 1960 Revised Code of Civil and Criminal Ordinances of the city except that all detached signs are limited to a maximum effective area of 200 square feet, and that no non-premise signs are permitted. (Ord. Nos. 14991; 25423; 26102)

SEC. 51P-85.112.**SUBDIVISION PLAT.**

Prior to the issuance of a building permit for any 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. 14991; 25423)

SEC. 51P-85.113. HEIGHT.

Buildings in the office area, the retail area and the apartment area may not exceed 48 feet in height as measured from finished grade to the peak of the roof. (Ord. Nos. 15838; 25423)

SEC. 51P-85.114. RETAIL AND OFFICE DEVELOPMENT.

As indicated on the conceptual plan, all retail uses must either front toward the creek or be oriented toward the creek. Any specialty store handling liquor or food items must be located toward the middle or eastern portion of the retail area, with no frontage of these type uses permitted to front Greenville Avenue. (Ord. Nos. 14991; 25423)

SEC. 51P-85.115. GENERAL REQUIREMENTS.

(a) Development of the property must comply with the requirements of all departments of the city.

(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.

(c) 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. 14991; 25423; 26102)

SEC. 51P-85.116. FLOOD PLAIN.

Any use of property determined to be within the flood plain within this PD must meet the requirements of Section 10-1100 (Flood Plain) of the Comprehensive Zoning Ordinance prior to the issuance of a building permit for any improvements within the flood plain district. (Ord. Nos. 14991; 25423)

SEC. 51P-85.117. ZONING MAP.

PD 85 is located on Zoning Map No. F-8. (Ord. Nos. 20855; 25423)