

## **ARTICLE 750.**

### **PD 750.**

#### **SEC. 51P-750.101. LEGISLATIVE HISTORY.**

PD 750 was established by Ordinance No. 26510, passed by the Dallas City Council on November 8, 2006. (Ord. 26510)

#### **SEC. 51P-750.102. PROPERTY LOCATION AND SIZE.**

PD 750 is established on property located at the northwest corner of North Central Expressway and Walnut Hill Lane. The size of PD 750 is approximately 42.148 acres. (Ord. 26510)

#### **SEC. 51P-750.103. VISION STATEMENT.**

(a) This district is conceived as a vision of true urban fabric, encompassing a mix of low and high density uses, and creating a vibrant, vertically integrated mixed use core where human scaled plazas, together with tree-lined streetscapes, foster a pedestrian-friendly urban character.

Architecture in this district should be generally consistent with mixed urban use developments that include residential, commercial, and hotel or motel uses. Because retail tenants desire different storefronts and certain hotel or motels require unique facades, it is contemplated that this district will appear as a village of buildings, where diverse styles of architecture will be designed to work together in a compatible urban context. Streets, sidewalks, and landscape architecture should be scaled to the end user to encourage pedestrian traffic and ultimate enjoyment of the environment. This district endeavors to use the existing mature trees as much as practicable to enhance the quality and scale of the architecture. A large open space with additional connected open spaces and water features will be created to engage the community.

(c) The residential components should be designed as neighborhoods that engage the commercial areas of this district to encourage pedestrian traffic. A network of landscaped public and private open spaces, including streets, sidewalks, parks, plazas, and courtyards, should be developed to create a socially active and environmentally-responsive development. An inviting pedestrian streetscape will play an important role in creating an integrated landscape, pedestrian, and community framework for this district. Quality exterior materials consisting of brick and stone should be used in concert with other materials, including plaster and metals, to create a pleasing palette of urban architecture.

(d) Exhibits 750J: residential guideline images, 750K: retail guideline images, and 750L: site plan are illustrations of the tenor and tone of the development envisioned for this district. These exhibits are included for illustration purposes only and are not binding in any way on development of this district. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.104.**

**DEFINITIONS AND INTERPRETATIONS.**

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

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds.

(2) DEDICATED RETAIL ANCHOR AREA means the area identified on the conceptual plan (Exhibit 750B) as the dedicated retail anchor area.

(3) EAST-WEST STREET means a street generally parallel to Walnut Hill Lane and intersecting Central Expressway in the area between 300 and 600 feet north of the south property line of this district and is a minimum of 450 linear feet in length and extends at least 50 feet west of the north-south street.

(4) ENTRANCE means an area adjacent to a street with an entrance to this district, with aesthetic features such as enhanced landscaping, walls, fences, or decorative structures other than buildings.

(5) FACADE means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate building faces are oriented in the same direction, or in directions within 45 degrees of one another, they are to be considered as part of a single facade.

(6) FLATS mean dwelling units stacked on top of each other.

(7) HARDSCAPE AREA means an area serving as a lighted pathway within the large open space, or a pedestrian bridge, plaza, fountain, or similar feature.

(8) HEALTH CLUB means a personal service use with any combination of the following facilities and services: exercise equipment, weights, workout rooms, fitness instruction (such as classes in aerobics and yoga), locker rooms with showers, restrooms, whirlpools, saunas, steam rooms, snack bars, game courts, swimming pools, therapeutic massages, and facials.

(9) LANDSCAPE AREA means an area 100 percent of which is covered by:

(A) grass, ground cover, or other plant materials;

(B) water features; or

(C) hardscape area.

(10) LARGE OPEN SPACE means the area identified on the conceptual plan as large open space.

(11) LARGE RETAIL USE means a retail and personal service use that meets the requirements of Section 51P-750.111(c)(3)(B)(iii).

(12) MAJOR RETAIL USE means a retail or personal service use that meets the requirements of Section 51P-750.111(c)(3)(B)(ii).

(13) NEW CONSTRUCTION means a structure built after November 8, 2006, the date of creation of this district. Any increase in floor area of a structure existing on November 8, 2006 is also considered to be new construction.

(14) NORTH-SOUTH STREET means a street generally perpendicular to and intersecting Walnut Hill Lane provided in the area between 500 and 800 feet east of the west property line of this district and is a minimum of 450 linear feet in length.

(15) NORTHEAST STREET means a street that runs along the northeast property line of this district between Meadow Park Road/Stone Canyon Road and North Central Expressway.

(16) RESIDENTIAL OPEN SPACE means a green or open space on which residential units may front.

(17) STOOP means a small porch leading to the entrance of a residence.

(18) SUBDIVISION SIGN means a sign that identifies a single family, multifamily, duplex, or townhouse residential neighborhood.

(19) TATTOO PARLOR OR BODY PIERCING SALON means an establishment in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(20) THIS DISTRICT means all of the property in PD 750.

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

(c) Residential and nonresidential tracts. Tract A is considered to be a residential zoning district. All other tracts are considered to be nonresidential districts.

(d) Conflicts.

(1) In the event of a conflict between the text of this article and the exhibits, the text of this article controls.

(2) In the event of a conflict between the standards for streets and sidewalks in this article and Article VIII, the standards in this article control. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.104.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 750A1: Tract A detailed development plan.
- (2) Exhibit 750A2: Tract A landscape plan.
- (3) Exhibit 750B: conceptual plan.
- (4) Exhibit 750C: street plan.
- (5) Exhibit 750D: retail street section.
- (6) Exhibit 750D-1: mixed-use street section.
- (7) Exhibit 750D-2: buildings both sides; parallel parking on 1 side street section.
- (8) Exhibit 750D-3: buildings on one side; parallel parking on 2 sides street section.
- (9) Exhibit 750D-4: buildings on both sides; no-parallel parking street section.
- (10) Exhibit 750D-5: building on one side; Walnut Hill frontage street section.
- (11) Exhibit 750D-6: building on one side; no-parallel parking street section.
- (12) Exhibit 750D-7: building on one side; no-parallel parking; wider pedestrian zone street section.
- (13) Exhibit 750D-8: building on one side; parallel parking on 1 side street section.
- (14) Exhibit 750D-9: building on two sides; parallel parking on 2 sides street section.
- (15) Exhibit 750D-10: building on two sides; tandem parking on 1 side and parallel parking on 1 side street section.
- (16) Exhibit 750D-11: building on two sides; planter area on both sides for garage access street section.
- (17) Exhibit 750D-11A: building on one side; green area on the other section.
- (18) Exhibit 750D-11B: flats on one side; townhouse on the other section.

- (19) Exhibit 750D-12: building on one side with 90 degree parking on both sides street section.
- (20) Exhibit 750D-13: building on one side with 90 degree parking on 1 side street section.
- (21) Exhibit 750D-14: building on one side with one way traffic street section.
- (22) Exhibit 750E: residential guidelines.
- (23) Exhibit 750F: residential guideline images.
- (24) Exhibit 750G: retail guideline images.
- (25) Exhibit 750H: site plan.
- (26) Exhibit 750I: mixed use development parking chart.
- (27) Exhibit 750J-1: conceptual Walnut Hill traffic and pedestrian improvements street section.
- (28) Exhibit 750J-2: conceptual Walnut Hill traffic and pedestrian improvements street section.
- (29) Exhibit 750K: Central Expressway street section.
- (30) Exhibit 750L: Stone Canyon at Meadow Park Drive street section. (Ord. 30476)

**SEC. 51P-750.105. CREATION OF TRACTS.**

(a) This district is divided into eight tracts, Tracts A, C, C-1, D, E-1, E-2, F, and G, as shown on the conceptual plan (Exhibit 750B). *[Note: There is no Exhibit 750A, and there is no Tract B.]*

(b) The subdivision of each tract by platting is permissible. (Ord. 26510)

**SEC. 51P-750.106. CONCEPTUAL PLAN.**

Development and use of this district must comply with the conceptual plan, except that the locations of access points shown on the conceptual plan are approximate only. (Ord. 26510)

**SEC. 51P-750.107. STREET PLAN AND SECTIONS.**

(a) In general. Development and use of streets in this district must comply with the following exhibits:

- (1) Exhibit 750D: retail street section.
- (2) Exhibit 750D-1: mixed-use street section.
- (3) Exhibit 750D-2: buildings both sides; parallel parking on one side street section.
- (4) Exhibit 750D-3: buildings on one side; parallel parking on two sides street section.
- (5) Exhibit 750D-4: buildings on both sides; no-parallel parking street section.
- (6) Exhibit 750D-5: building on one side; Walnut Hill frontage street section.
- (7) Exhibit 750D-6: building on one side; no-parallel parking street section.
- (8) Exhibit 750D-7: building on one side; no-parallel parking; wider pedestrian zone street section.
- (9) Exhibit 750D-8: building on one side; parallel parking on one side street section.
- (10) Exhibit 750D-9: building on two sides; parallel parking on two sides street section.
- (11) Exhibit 750D-10: building on two sides; tandem parking on one side and parallel parking on 1 side street section.
- (12) Exhibit 750D-11: building on two sides; planter area on both sides for garage access street section.
- (13) Exhibit 750D-11A: building on one side; green area on the other section.
- (14) Exhibit 750D-11B: flats on one side and townhouse on the other section.
- (15) Exhibit 750D-12: building on one side with 90 degree parking on both sides street section.
- (16) Exhibit 750D-13: building on one side with 90 degree parking on one side street section.
- (17) Exhibit 750D-14: building on one side with one way traffic street section.

(b) Street plan.

(1) The street plan (Exhibit 750C) shows the approximate location of access points to, and the streets to be located within, this district.

(2) The actual location of the access points and streets must be shown on development plans. Development plans for this district may include additional streets not shown on the street plan. The number of access points may not be increased. Streets within Tract A must be private and gated at access points shown on the development plan. The only access permitted from Tract A to Walnut Hill Lane is flats and single family access and egress only onto Walnut Hill Lane. Any street marked as optional on the street plan may be constructed only if shown on a development plan.

(c) Additional right-of-way and amenities are permitted. For all street sections, the following are allowed:

(1) the street, pedestrian areas, and landscape areas may be wider than the width shown on the exhibit to accommodate parallel, head-in parking, or meandering streets and drives;

(2) the pedestrian areas or landscape areas may have additional landscaping;

(3) bridges, medians, and other right-of-way enhancements may be provided;  
and

(4) required parking may be provided in the street (unless otherwise expressly prohibited in this article), but only in the parking areas shown on the applicable street section exhibit, only in compliance with Section 51P-750.112(a)(3), and only if no additional street parking is allowed.

(d) Method of determining applicable street section.

(1) The development plan must identify which streetscape exhibit the street will comply with on a blockface by blockface basis.

(2) If any use on a blockface facing Walnut Hill Lane or North Central Expressway is a retail or personal service use, then the adjacent street along the length of that blockface is considered to be a street with a retail and personal service use.

(3) If no use on a blockface facing Walnut Hill Lane or North Central Expressway is a retail and personal service use, then the adjacent street along the length of that blockface is considered to be a street that does not have retail and personal service uses.

(4) If the street has already been built and it is not built to at least the standard of a street with a retail and personal service use along a specific blockface, then a certificate of occupancy may not be issued for a retail and personal service use along that blockface.

(5) If a street along a blockface is designated on a development plan as a street that does not have retail and personal service uses, no certificate of occupancy may be issued for a retail and personal service use on that blockface.

(e) Walnut Hill pedestrian street section.

(1) The Walnut Hill pedestrian street section must comply with Exhibits 750J-1 and 750J-2 if approved by the director of mobility and street services.

(2) The Walnut Hill pedestrian street section must be completed within two years of a final certificate of occupancy for a minimum of 500 dwelling units if approved by the director of mobility and street services.

(f) Alternate street sections.

(1) To deviate from the street sections, an alternate street section must be approved by the city plan commission along with the development plan.

(2) To be approved, an alternate street section must provide a street width that is designed to reduce vehicle speed and promote a pedestrian-friendly environment.

(g) Visual obstruction regulations. Except as provided in this subsection, the visual obstruction regulations in Section 51A-4.602 apply. In this district VISIBILITY TRIANGLE means the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(h) Pedestrian circulation pathways. A pedestrian circulation pathway with a minimum four feet average width must be provided within 100 feet of the primary ground floor entrance of a restaurant. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.108. DEVELOPMENT PLAN.**

(a) A development plan for any area in which new construction is requested must be approved by the city plan commission prior to the application for any building permit for that new construction. The development plan may cover only the building site and adjacent streets; the plan is not required to cover the entire tract, except as necessary to comply with the mixed use project requirements in Subsection (d).

(b) All development plans and any amendments must comply with the conceptual plan and this article. All streets shown on a development plan must be labeled to indicate what type of street it is and which street section it complies with. Development plans may include additional internal streets not shown on the conceptual plan.

(c) Development and use of the Property must comply with the approved development plans.

(d) The following uses must be shown on the development plan for the tract:

(1) At least 20 percent of the uses within Tracts C and C-1 combined must be residential (excluding lodging).

(2) At least 20 percent of the uses within Tracts E-1, E-2, and G combined must be residential (excluding lodging).



(3) All development plans covering Tracts C and C-1 considered together as one tract; Tract D; Tracts E-1, E-2, and G considered together as one tract; and Tract F must show a mixed use project unless the tract (or combination of tracts) is 100 percent residential. For a tract (or combination of tracts) to qualify as a mixed use project for purposes of this paragraph:

(A) the tract (or combination of tracts) must contain uses in two or more of the following categories; and

(B) the combined floor areas of the uses in each applicable category must equal or exceed the following percentages of the total floor area of that tract (or combination of tracts):

<u>Use Category</u>	<u>Percentage of Total Floor Area</u>
Office	15%
Residential and lodging (hotel or motel)	20%
Retail and personal service	15% for Tracts C and C-1 combined; 8 % for Tracts E-1, E-2, and G combined 3% for Tract D 3% for Tract F

(e) All development plans and any amendments must provide a table showing:

(1) the existing and proposed combined number of dwelling units, retirement housing dwelling units or suites, and hotel or motel guest rooms within this district (as determined by building permits issued and not revoked or expired); and

(2) the existing and proposed lot coverage within this district (as determined by building permits issued and not revoked or expired).

(f) For development plans in Tract A, in addition to the requirements in Subsection (e), the table must also include:

(1) the total number of existing and proposed dwelling units on Tract A;

(2) the average size in square feet of air-conditioned space for existing and proposed dwelling units on Tract A;

(3) streets, sidewalks, street parking, common drives, alleys, easements, parks, common open space, building sites, and the potential building area for each platted lot;

(4) the location of buildings which must comply with the residential guidelines (Exhibit 750I) for building sites within 60 feet of the western property line of this district;

(5) all required and provided off-street parking; and

(6) all Tract A required and provided visitor parking.

(g) For development plans in all tracts other than Tract A, in addition to the requirements in Subsection (e), the table must also include:

- (1) the existing and proposed floor area for all nonresidential uses;
- (2) the mixed use project calculations required by Paragraph (d)(3) or a notation that the tract or combination of tracts is 100 percent residential;
- (3) existing and proposed floor area for all retail and personal service uses prior to new construction on Tract G;
- (4) existing and proposed floor area for all retail and personal service uses after new construction on Tract G;
- (5) number of large retail uses;
- (6) cumulative floor area for all large retail uses;
- (7) cumulative floor area for a major retail use and large retail uses;
- (8) number of retail and personal service uses whose aggregate floor area exceeds 100,000 square feet;
- (9) number of retail and personal service uses whose aggregate floor area exceeds 125,000 square feet;
- (10) number of retail and personal service uses whose aggregate floor area exceeds 150,000 square feet;
- (11) percentage of total floor area for all retail and personal service uses less than or equal to 150,000 square feet that is located in the dedicated retail anchor area;
- (12) cumulative restaurant floor area and outdoor seating area;
- (13) outdoor seating floor area that exceeds 20 percent or 7,000 square feet whichever is less, of all restaurant indoor seating area;
- (14) number of restaurants containing greater than 7,500 square feet of floor area;
- (15) cumulative ground floor area for all hotel and motel uses;
- (16) cumulative floor area greater than 5,000 square feet of floor area (excluding areas for kitchens, banquet halls, health clubs, and uses exclusively for hotel or motel guests) for all accessory retail and personal service uses in all hotels or motels, combined; and
- (17) cumulative floor area greater than 15,000 square feet for all outdoor seating area for restaurants (including accessory to a main use), accessory retail and personal service uses in a hotel or motel (excluding kitchens, banquet halls, and meeting rooms), and

health clubs used exclusively by occupants of the district (excluding health clubs used exclusively by residents of the district).

(18) existing and proposed floor area for office uses.

(h) For any development plans in Tracts C, C-1, E-1, E-2, and G, in addition to the requirements in Subsections (e) and (g), the table must also include the percentage of uses in Tracts C and C-1 combined or E-1, E-2, and G combined that are residential (minimum 20 percent).

(i) For Tract A, final lot lines will be determined at time of plat. An amendment to the development plan is not required if the plat provides fewer lots than shown on the development plan. (Ord. Nos. 26510; 30476)

#### **SEC. 51P-750.109. APPLICATION PROCESS.**

(a) Notice.

(1) At least 30 days prior to filing any of the following applications, the applicant must provide a copy of the application and any plan to the entities listed in Paragraph (2):

(A) Change in zoning district classification or boundary.

(B) Development plan.

(C) Landscape plan.

(D) Amendment, including minor amendment, to an approved development plan or landscape plan.

(E) Variance or special exception.

(2) The following entities must be notified of the applications listed in Paragraph (1):

(A) The Neighborhood Coalition, which consists of the following entities (each must receive individual notice):

(i) Glen Lakes Homeowners Association, 4 Glenchester Court, Dallas, Texas 75225.

(ii) Meadows Neighborhood Association (c/o Eric Anderson), P.O. Box 12858, Dallas, Texas 75225-0858.

(iii) Windsor Park Homeowners Association (c/o Jerome J. Bradley), 7273 Ashington, Dallas, Texas 75225.

(B) Paridiso Condo Homeowners Association (c/o Gina Bender, BDMI), P.O. Box 595249, Dallas, TX 75359.

(3) Addresses for the preceding entities may be revised by written notice to the director from that entity.

(b) Hearing. The city plan commission must hold a public hearing to consider the applications listed in Subparagraphs (a)(1)(A)-(D), and shall allow, along with other speakers, the owners of the Property, the applicant, and members of the Neighborhood Coalition and the Paridiso Condo Homeowners Association (or their representatives) to speak.

(c) Minor amendments to development plans. Any amendment that does not qualify as a minor amendment must be processed as a zoning amendment under Section 51A-4.701. The city plan commission shall, after a public hearing, authorize minor changes in a development plan that otherwise comply with this article and do not:

(1) alter the basic relationship of the proposed development to property adjacent to this district;

(2) increase a height shown on the original development plan by more than 10 percent or 12 feet, whichever is less, provided there is no increase in the number of habitable stories or parking levels above grade;

(3) decrease the amount of required off-street parking shown on the original development plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking;

(4) reduce setbacks at the external property lines of the district as shown by a specified building line on the original development plan; or

(5) exceed any maximum provision or provide less than any minimum provision in this article.

For purposes of this subsection, “original development plan” means the earliest approved development plan for that new construction. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process. To determine whether an amendment to a development plan is minor, the cumulative effect of all previous changes to the development plan must be considered and compared to the original development plan.

(d) Minor amendments to landscape plans. Any amendment that does not qualify as a minor amendment must be processed as a zoning amendment under Section 51A-4.701. The city plan commission shall, after a public hearing, authorize minor changes in a landscape plan that otherwise comply with this article and do not:

(1) reduce the perimeter landscape buffer strip shown on the original landscape plan;

(2) detrimentally affect to any material extent the aesthetic function of the original landscape plan relative to adjacent public right-of-way or property adjacent to the property included in the applicable landscape plan; or

(3) detrimentally affect to any material extent the screening or buffering function of the original landscape plan.

For purposes of this subsection, “original landscape plan” means the earliest approved landscape plan for that new construction. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process. To determine whether an amendment to a landscape plan is minor, the cumulative effect of all previous changes to the landscape plan must be considered and compared to the original landscape plan. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.110. USES PERMITTED.**

(a) Residential tract: Tract A.

(1) Permitted uses.

(A) Except as provided in this subsection, the only main uses permitted in Tract A are those uses permitted in the TH(A) Townhouse Districts, subject to the same conditions applicable in the TH(A) Townhouse Districts, as set out in Chapter 51A. For example, a use permitted in the TH(A) Townhouse Districts only by specific use permit (SUP) is permitted in Tract A only by SUP; a use subject to development impact review (DIR) in the TH(A) Townhouse Districts is subject to DIR in Tract A; etc.

(B) The following additional main uses are permitted by right:

- Flats. (*Maximum of three dwelling units on top of each other. The air conditioned living area of an individual flat must be on a single story. Exterior building facades not facing the large open space must have a facade that is similar in appearance to the facade of the other buildings in Tract A. The roof pitch must be similar to the roof pitch of other buildings in Tract A.*)
- Private street or alley.

(2) Prohibited uses. Except as provided in this paragraph, the following uses are prohibited:

(A) Agricultural uses.

- Crop production.

(B) Industrial uses.

- Temporary concrete or asphalt batching plant.

(C) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum.
- Child-care facility.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home.
- Hospital.
- Library, art gallery, or museum.
- Public or private school.

(D) Lodging uses.

- Lodging or boarding house.

(E) Office uses.

- Alternative financial establishment.

(F) Recreation uses.

- Country club with private membership.

(G) Residential uses.

- College dormitory, fraternity, or sorority house.
- Duplex.
- Retirement housing.

(H) Transportation uses.

- Transit passenger station or transfer center.

(I) Utility and public service uses.

- Electrical substation.
- Police or fire station.
- Radio, television, or microwave tower.
- Utility or government installation other than listed.

(J) Wholesale, distribution, and storage uses.

- Recycling buy-back center.
- Recycling collection center.

- Recycling drop-off container.
- Recycling drop-off for special occasion collection.

(3) Accessory uses in Tract A.

(A) As a general rule, an accessory use is permitted in any tract 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) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Accessory outside display or sale of merchandise.
- Amateur communication tower.
- Day home.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(C) An accessory community center (private) located in Tract A may serve the residents of Tract A. An accessory community center (private) may include a health club for the use of residents of Tract A.

(b) Mixed use tracts: Tracts C, C-1, D, E-1, E-2, F, and G.

(1) Permitted uses.

(A) Except as provided in this subsection, the only main uses permitted in Tracts C, C-1, D, E-1, E-2, F, and G are those uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable to the MU-2 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-2 Mixed Use District only by specific use permit (SUP) is permitted in these tracts only by SUP; and a use subject to development impact review (DIR) in the MU-2 Mixed Use District is subject to DIR in these tracts; etc.

(B) Private streets and private alleys are permitted by right in these tracts.

(C) Single family uses are permitted by right in these tracts. Handicapped group dwelling unit uses are permitted by right in these tracts subject to the spacing and specific use permit requirements in Section 51A-4.209(b)(3.1) for single family districts.

(D) Health clubs are permitted by right in these tracts.

(E) For Tracts C and C-1 combined, Tract D, Tracts E-1, E-2, and G combined, and Tract F certain main uses must be provided. See Subsection 51P-750.108(d).

(2) Prohibited uses in certain parts of Tracts C and C-1. No retail and personal service use is permitted in Tract C or C-1 if the use is both within 150 feet of Walnut Hill Lane and within 500 feet of the west property line of this district.

(3) Prohibited uses. Except as provided in this paragraph, the following uses are prohibited:

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Labor hall.

-- Technical school. *[Culinary schools are allowed.]*

-- Tool or equipment rental. *[Industrial tool or equipment rental is prohibited; other types of tool or equipment rentals are allowed.]*

-- Medical or scientific laboratory. *[Laboratory of 5,000 square feet or more is prohibited; a smaller laboratory is allowed.]*

(C) Industrial uses.

-- Temporary concrete or asphalt batching plant.

(D) Institutional and community service uses.

-- Child-care facility. *[A child-care facility that is provided by a commercial occupant within a nonresidential use and is used solely by its employees, or that is a limited use in a nonresidential structure, is allowed.]*

-- Cemetery or mausoleum.

-- College, university, or seminary.

-- Community service center.

-- Convent or monastery.

-- Foster home.

-- Halfway house.

-- Public or private school.

-- Hospital.

(E) Lodging uses.

-- Lodging or boarding house.

-- Overnight general purpose shelter.

(F) Miscellaneous uses.

-- Attached non-premise sign.



-- Carnival or circus (temporary). *[Activities permitted by Section 51P-750.116(g) are allowed.]*

(G) Recreation uses.

-- Country club with private membership.

(H) Residential uses.

-- College dormitory, fraternity, or sorority house.

-- Group residential facility.

(I) Retail and personal service uses.

-- Alcoholic beverage establishments. *[An alcoholic beverage establishment that is accessory to a hotel or motel use is allowed. In all of Tracts C, C-1, D, E-1, E-2, F, and G combined, one alcoholic beverage establishment is allowed as a main use if it is less than 3,500 square feet and is not a dance hall as defined by Chapter 14 of the Dallas City Code.]*

-- Animal shelter or clinic.

-- Auto service center.

-- Billiard hall. *[As defined by Chapter 9A of the Dallas City Code.]*

-- Bingo parlor.

-- Bowling alley. *[Bowling alleys in combination with food service or other entertainment uses are allowed. Standalone bowling alleys are prohibited.]*

-- Business school.

-- Car wash. *[Car wash when accessory to an existing building or use is allowed.]*

-- Commercial amusement (inside). *[An accessory commercial amusement (inside) use is allowed.]*

-- Commercial amusement (outside).

-- Commercial parking lot or garage.

-- Household equipment and appliance repair. *[A use exceeding 3,000 square feet is prohibited; a use that is 3,000 square feet or less is allowed.]*

-- Liquor store. *[Allowed as a limited use only. May not exceed 25 percent of the floor area of the building.]*

-- Mortuary, funeral home, or commercial wedding chapel.

-- Motor vehicle fueling station.

-- Pawn shop.

-- Swap or buy shop.

-- Restaurant with drive-in or drive-through service.

-- Skating rink. *[Seasonal outdoor skating rinks are allowed.]*

-- Theater. *[Any number of accessory theater uses are allowed. Seasonal outdoor viewing theaters in any open*

*space are allowed. One theater as a main use is allowed if it has a maximum of 850 seats, a maximum of eight screens, a maximum of 450 seats per screening room and is located within the Tracts E-2 and G.]*

(J) Transportation uses.

- Heliport.
- Helistop.
- Railroad passenger station.
- Transit passenger station or transfer center.

(K) Utility and public service uses.

- Electrical substation.
- Police or fire station. *[In all of Tracts C, C-1, D, E-1, E-2, F, and G combined one police station that does not handle bookings or contain an overnight holding facility is allowed.]*
- Radio, television, or microwave tower. *[A radio, television, or microwave tower mounted on the roof of a building is allowed.]*
- Tower/antenna for cellular communication. *[A tower/antenna for cellular communication mounted on the roof of a building is allowed.]*
- Utility or government installation other than listed.

(L) Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Office showroom/warehouse.
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.
- Trade center.

(4) Accessory uses.

(A) As a general rule, an accessory use is permitted in any tract 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) The following accessory uses are not permitted:

- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.

- Motor vehicle fueling station. [Electric vehicle charging stations are allowed.]
- Private stable.

(c) Additional prohibited uses. The following uses (both as main uses and accessory uses) are prohibited in this district:

- Bail bond office.
- Tattoo parlor or body-piercing salon.

(Ord. Nos. 26510; 30476)

## **SEC. 51P-750.111. 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. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) All tracts. The following regulations apply to all tracts:

(1) Density. No more than 1,310 dwelling units, retirement housing dwelling units or suites, and hotel or motel guest rooms combined are allowed in this district.

(2) Floor area.

(A) Office uses. Maximum floor area for all office uses combined is 325,000 square feet.

(B) Retail and personal service uses.

(i) Except as provided in this subparagraph, maximum floor area for all retail and personal services uses combined is 125,000 square feet.

(ii) For all retail and personal service uses including a movie theatre that sells more than concessions, the maximum floor area is 150,000 square feet.

(3) Lot coverage.

(A) No maximum lot coverage for individual lots.

(B) Maximum lot coverage for the district is 80 percent. This district is considered to be one lot for the purpose of the maximum lot coverage calculation.

(4) Lot size. No minimum lot size.

(5) Stories. No maximum number of stories.

(6) Projections. Building overhangs, balconies, eaves, cornices, blade signs, awnings, landscape walls, steps, and stoops are allowed in the required setbacks.

(b) Residential tract: Tract A. Except as provided in this subsection, the following regulations apply in Tract A.

(1) Front, side, and rear yards.

(A) In general. The only required yards are the setbacks in this subsection, which apply only to external property lines of this district. No setbacks are required internal to this district or between tracts or lots.

(B) Western property line setback. Minimum setback from the western property line of Tract A is 20 feet. Parking and streets may not be located within the required setback from the western property line.

(C) Meadow Park Drive setback. Minimum setback from Meadow Park Drive is 20 feet. Building sites with frontage on Meadow Park Drive may have frontage on two opposite sides. Parking and streets may not be located within the required setback from Meadow Park Drive, except that portions of the following streets are permitted within this setback where those streets connect to Meadow Park Drive as shown on the street plan:

(i) A street that is perpendicular to Meadow Park Drive.

(ii) The northeast street.

(D) Northeast property line setback. Minimum setback from the northeast property line of Tract A is 20 feet. An alternate street section may be located within the required setback in Tract A if it is approved on a development plan.

(E) Walnut Hill Lane setback. Minimum setback from Walnut Hill Lane is 22 feet.

(F) Roof slope setbacks and building facade setbacks within 60 feet of the western property line. All residential building facades and roofs within 60 feet of the west property line of this district must comply with the residential guidelines (Exhibit 750F), except that chimneys may project up to 12 feet above the slope shown on the residential guidelines. If the residential building has a third story, the windows on the western facade may be no closer to the third floor than six feet. In addition, no balconies may be constructed along the western facade. If there is a balcony on the third story there must be a western wall along the entire length of the balcony.

(2) Density.

(A) In general. Maximum number of dwelling units in Tract A is 122 [140]. See Paragraph 51P-750.111(a)(1) for district-wide limits on density.

(B) Flats. Maximum number of units on a lot is 45.

(3) Floor area.

(A) Maximum floor area. No maximum floor area.

(B) Minimum floor area. Minimum floor area for each dwelling unit in Tract A is 2,000 square feet of air-conditioned space. Minimum average floor area of dwelling units in Tract A is 2,200 square feet of air-conditioned space. The floor area of garages is excluded from the calculation of the minimum and average floor area for dwelling units.

(4) Height.

(A) Except as provided in Subparagraph (B):

(i) Within 550 feet of the southern property line, the roof ridge may not exceed 622 feet above mean sea level and within 200 feet of the western property line the top of the roof ridge line of any building may not exceed 35 feet, or whichever is less.

(ii) Within 551 feet and 950 feet of the southern property line, the roof ridge may not exceed 627 feet above mean sea level and within 200 feet of the western property line the top of the roof ridge line of any building may not exceed 35 feet, or whichever is less.

(iii) Within 951 and 1,350 feet of the southern property line, the roof ridge may not exceed 620 feet above mean sea level and within 200 feet of the western property line the top of the roof ridge line of any building may not exceed 35 feet, or whichever is less.

(iv) Within 1,351 feet of the northern property line, the roof ridge may not exceed 625 feet above mean sea level and within 200 feet of the western property line the top of the roof ridge line of any building may not exceed 35 feet, or whichever is less.

(B) Chimneys may project to a height not to exceed 12 feet above the maximum structure height.

(5) Platted lots. Except for flats, each dwelling unit in Tract A must be on a separately platted lot. Each lot must comply with Article VIII, except that platted lots may have frontage on two opposite sides. Frontage may be on open space, a street, or a residential open space. Shared access developments may have any number of lots served by a shared access area and any number of shared access points, except that the city plan commission may deny a shared access development plat if it finds that adequate water, police, fire, transportation, or other public services or infrastructure cannot be provided.

(c) Mixed use tracts: Tracts C, C-1, D, E-1, E-2, F, and G. Except as otherwise provided in this subsection, the following regulations apply in Tracts C, C-1, D, E-1, E-2, F, and G.

(1) Front, side, and rear yards.

(A) In general. The only required yards are the setbacks in this subsection, which apply only to external property lines of this district. No setbacks are required internal to this district or between tracts or lots, except as provided in this subsection.

(B) Walnut Hill Lane setback.

(i) Minimum and maximum setbacks from Walnut Hill Lane.

Except as provided in Subparagraph (B)(ii), in Tracts C, C-1, E-1, E-2, and G:

(aa) Minimum setback for structures is 49 feet, and maximum setback is 106 feet.

(bb) Maximum setback from Walnut Hill Lane does not apply to any structure north of the east-west street, or to a structure located behind another structure that is closer to Walnut Hill Lane if the length of the further structure's facade facing Walnut Hill Lane extends no more than 30 percent beyond the closer structure's facade facing Walnut Hill Lane, as measured by perpendicular lines extending from the ends of the two facades to Walnut Hill Lane.

(cc) The further structure may be built before the closer structure, provided that:

[1] the location of the further structure and closer structure, as shown on the approved development plan, complies with Subparagraph (B);

[2] the area where the closer structure will be located and landscaping shown on the approved development plan may not be used for parking other than construction staging; and

[3] the portion of the further structure visible from Walnut Hill Lane is complementary in design, building materials, and appearance to the closest existing structures shown on the approved development plan.

(ii) Items permitted within the setback from Walnut Hill Lane.

(aa) Movement control signs consistent with Section 51A-7.205(e), driveway access to the street, and required acceleration and deceleration lanes are allowed within the required setback from Walnut Hill Lane.

(bb) Monument signs are allowed in that portion of the required setback area that is at least 10 feet away from Walnut Hill Lane if they do not exceed six feet in height, and have a maximum effective area of 50 square feet.

(cc) Parking, maneuvering lanes, and all other permitted signs are allowed in that portion of the required setback area that is at least 20 feet away from Walnut Hill Lane.

(C) Building separation along the north-south street.

(i) If parallel parking is provided along the north-south street, the east-west separation between the buildings fronting on the opposite sides of the north-south street must be at least 80 feet.

(ii) If there is any head-in parking on either side of the north-south street, the east-west separation between the buildings fronting on the opposite sides of the north-south street must be at least 100 feet.

(iii) Building overhangs, balconies, eaves, and cornices may extend into the required building separation area.

(D) North Central Expressway setback.

(i) Minimum setback from North Central Expressway. Except as provided in Subparagraph (D[~~B~~])(ii), in Tracts E-2, F, and G, minimum setback from North Central Expressway is:

(aa) 50 feet if a street between the structures facing North Central Expressway and North Central Expressway (the North Central Expressway slip street) is constructed with no parking;

(bb) 82 feet if street level parking is provided on one side of the North Central Expressway slip street;

(cc) 100 feet if street level parking is provided on both sides of the North Central Expressway slip street; and

(dd) 20 feet in all other cases.

(ii) Items permitted within the setback from North Central Expressway.

(aa) Movement control signs consistent with Section 51A-7.205(e), driveway access to North Central Expressway, and required acceleration and deceleration lanes are allowed within the required setback from North Central Expressway.

(bb) Monument signs are allowed within the required setback from North Central Expressway to the extent allowed in business zoning districts in Article VII.

(cc) Parking, maneuvering lanes, and all other permitted signs are allowed in that portion of the required setback area that is at least 20 feet away from North Central Expressway.

(dd) Blade signs, awnings, building overhangs, balconies, eaves, cornices, landscape walls, steps, and stoops are allowed in the required setback from North Central Expressway.

(E) Northeast property line setback in Tract D. Minimum setback in Tract D from the northeast property line of Tract D is 20 feet. The northeast street and required and excess surface parking may be located within the required 20-foot setback.

(F) Northeast boundary setback in Tract F. Minimum setback in Tract F from the northeast property line of Tract F is 20 feet. The northeast street and required and excess surface parking may be located within the required 20-foot setback.

(2) Density. A maximum of 210 hotel or motel guest rooms are permitted in Tracts C, C-1, D, E-1, E-2, F, and G combined. See Paragraph 51P-750.111(a)(1) for district-wide limits on density.

(3) Floor area.

(A) Nonresidential floor area. Except as provided in Paragraph (3), maximum floor area for nonresidential uses in Tracts C, C-1, D, E-1, E-2, F, and G combined is 475,000 square feet. All accessory nonresidential uses are included in this calculation unless otherwise provided in Paragraph (3).

(B) Retail and personal service uses.

(i) All accessory retail and personal service uses are included in these totals unless otherwise provided in Paragraph (3).

(ii) A major retail use is a single-occupant retail or personal service use with a floor area of more than 34,000 square feet.

(aa) One major retail use is permitted in this district, but only in the dedicated retail anchor area.

(bb) The public entrance to the major retail use may not face either Walnut Hill Lane or North Central Expressway.

(cc) Maximum ground-level floor area for a major retail use is 50,000 square feet. Maximum floor area for a major retail use that occupies two stories or a main story and a mezzanine is 66,000 square feet. A mezzanine is an intermediate level between the floor and ceiling of any story with a floor area of less than one-third of the floor area of the story in which it is located.

(iii) A large retail use is a single-occupant retail and personal services use with a floor area that exceeds 15,000 square feet, up to a maximum of 34,000 square feet.

(aa) Except as permitted in Subparagraph (B)(iii)(bb), a maximum of two large retail uses are permitted in Tracts C, C-1, D, E-1, E-2, F, and G, up to a maximum combined floor area of 54,000 square feet. The two large retail uses must be located in any of the following:

[1] the dedicated retail anchor area;

[2] Tract C, Tract C-1, and/or Tract E-1, provided the large retail use has a facade facing the north-south street and a facade facing Walnut Hill Lane; or



[3] at least partly in Tract G, provided the large retail use has a facade facing North Central Expressway and a facade facing Walnut Hill Lane.

For the purpose of this subparagraph, a facade facing a specific street means that there must be no intervening structure between the large retail use and the specific street for the width of the facade of the large retail use.

(bb) In addition to the two large retail uses described in Subparagraph (B)(iii)(aa), if there is no major retail use in the district, additional large retail uses may be located in the dedicated retail anchor area. Maximum ground-level floor area of the additional large retail uses combined is 50,000 square feet. Maximum floor area of the additional large retail uses combined that occupy two stories or a main story and a mezzanine is 66,000 square feet.

(cc) A maximum of two of the large retail uses permitted by Subparagraphs (B)(iii)(aa) and (B)(iii)(bb) may have a public entrance facing Walnut Hill Lane.

(iv) Maximum floor area for a major retail use and all large retail uses combined is 100,000 square feet.

(v) Except as provided in Subparagraphs (B)(ii) and (B)(iii), no single-occupant retail and personal service use may exceed 15,000 square feet.

(vi) One of the objectives of this district is to have several smaller retail and personal service uses in place before any large retail uses or a major retail use is installed. To ensure that this objective is met, retail and personal service uses must comply with the following provisions:

(aa) A minimum of nine different retail or personal service uses must exist in this district before a certificate of occupancy may be issued for a retail or personal service use if the combined floor area of the existing and proposed retail and personal service uses exceeds 100,000 square feet.

(bb) A minimum of 12 different retail or personal service uses must exist in this district before a certificate of occupancy may be issued for a retail or personal service use if the combined floor area of the existing and proposed retail and personal service uses exceeds 125,000 square feet.

(cc) A minimum of 15 different retail or personal service uses must exist in this district before a certificate of occupancy may be issued for a retail or personal service use if the combined floor area of the existing and proposed retail and personal service uses exceeds 150,000 square feet.

(dd) Prior to issuance of a certificate of occupancy that would result in more than 150,000 square feet of cumulative floor area for certificates of occupancy for all retail and personal service uses in this district combined, at least 40 percent of the floor area for all certificates of occupancy for retail and personal service uses in this district

(including the floor area for which the certificate of occupancy is requested) must be in the dedicated retail anchor area.

(vii) If any health club is used solely by residents of this district, and there are no outside memberships, then that health club shall not be counted towards any applicable floor area limitation in Subparagraph (B), or towards the total maximum floor area restrictions of Paragraph (3).

(C) Restaurant uses. Any floor area for outdoor seating for all restaurants combined that exceeds 20 percent of the total indoor seating area for all restaurants counts toward the maximum floor area restrictions of Paragraph (3). Outdoor seating floor area for restaurants is measured by calculating the area within a perimeter that includes all tables, designated waiting areas, and service areas that are outdoor, regardless of whether the area is covered, and regardless of whether the restaurant is a main use or an accessory use.

(D) Office uses. Maximum total floor area in Tracts C, C-1, D, E-1, E-2, F, and G combined, for all office uses combined is 325,000 square feet.

(E) Hotel or motel.

(i) Maximum ground floor area of all hotel or motel uses (whether main or accessory) is 50,000 square feet.

(ii) Limited or accessory uses within a hotel or motel are not subject to the floor area limitations for limited or accessory uses in Chapter 51A.

(iii) Hotel or motel uses will not be counted for the purpose of the floor area limitations of Paragraph (3), except as provided in Subparagraph (E).

(iv) Any floor area in excess of 5,000 square feet of all accessory retail and personal service uses within all hotel or motels combined, excluding areas used as kitchens, banquet halls, health clubs used exclusively by hotel or motel guests, and meeting rooms, counts toward the maximum floor area limitations of Paragraph (3).

(4) Height.

(A) Maximum height. Except as further restricted in Paragraph (B) maximum structure height in each tract is as follows:

(i) Tract C: 60 feet.

(ii) Tract C-1: 72 feet.

(iii) Tracts D and E-1: 96 feet.

(iv) Tracts E-2 and G: 160 feet.

(v) Tract F: 140 feet.

(B) Residential proximity slope. No portion of a structure may be located above a residential proximity slope. The site of origination for the residential proximity slope shall be as determined by Section 51A-4.412, except that no residential proximity slope shall originate within this district to restrict height of a structure within this district. For residential proximity slope purposes, this district shall be considered a single building site. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.112. PARKING AND LOADING.**

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking requirements for each use. Consult the off-street loading regulations in Division 51A-4.300 for information regarding off-street loading generally. The off-street parking provisions for nonresidential districts, Section 51A-4.301(c), apply in this district.

(1) Except for residential uses, required off-street parking may be located anywhere on the Property, except Tract A.

(2) Except as provided in this subsection, on-street parking may be used to satisfy the parking requirements of any use, whether the use is adjacent to the parking space or not. Required parking may be provided in a street only in the parking areas shown on the applicable street section exhibit. No additional on-street parking is allowed. An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project. To count as required parking, on-street parking must be available for use at all times except during outside activities permitted in Section 51P-750.116(g).

(3) Except as provided in this paragraph, a parking space in an enclosed structure must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space faces upon or can be entered directly from the street or alley. A parking space in an enclosed structure may be within 20 feet of the right-of-way line adjacent to a street or alley if:

(A) the garage door has a remote automatic control installed that is maintained in working condition; and

(B) no portion of the garage door encroaches into the public right-of-way when it opens or closes.

(b) Parking requirements.

(1) For a flats use, 1.5 parking spaces are required for each dwelling unit.

(2) For a general merchandise or food store 3,500 square feet or less use, and for a general merchandise or food store greater than 3,500 square feet use, one parking space is required for every 200 square feet of floor area.

(3) For an office use as set forth in Section 51A-4.207(5), three parking spaces are required for every 1,000 square feet of floor area.

(4) For restaurant uses, one parking space is required for every 100 square feet of floor area.

(c) Accessory retail and personal service uses. If the floor area for all accessory retail and personal service uses within all hotel or motel uses combined (excluding areas used as kitchens, banquet halls, and meeting rooms) exceeds 5,000 square feet, that portion of the floor area exceeding 5,000 square feet is considered a main use for determining required parking.

(d) Visitor parking. Visitor parking must be provided for residential uses in Tract A at a ratio of one parking space for every two dwelling units and must be located within Tract A.

(e) Parking structure. If any portion of a parking structure is visible from Walnut Hill Lane, all openings in the facade that are visible from Walnut Hill Lane, other than openings for ingress or egress, must be constructed so as to screen vehicle headlights from shining into the airspace above Walnut Hill Lane.

(f) Parking near Walnut Hill Lane and North Central Expressway.

(1) Except for structured parking in Tracts C, C-1, D, E-1, E-2, F, and G, parking within 100 feet of either Walnut Hill Lane or North Central Expressway is limited to no more than two rows of parking of any kind.

(2) Two rows of angle parking that is less than 90 degrees, or parallel parking, is permitted on a one-way street within 100 feet of either Walnut Hill Lane or North Central Expressway.

(g) Retail and personal service uses. Parking for retail or personal service uses is not allowed on Tract A.

(h) Mixed use development parking reduction.

(1) In general.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development (MUD) parking chart (Exhibit 750I).

(B) For purposes of this section, mixed use development means a tract with more than one main use.

(C) This reduction may be used in combination with other parking reductions, except that the required parking for a mixed use development may not be reduced by more than 30 percent.

(2) Calculation of adjusted standard off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(A) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(B) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(C) Finally, the “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(3) Minimum parking requirement. If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(i) Parking structures. Underground parking structures may project to the lot line.

(j) Special exception. The board of adjustment may grant a parking special exception as specified in Chapter 51A prior or subsequent to the approval of a development plan. (Ord. Nos. 26510; 30476)

### **SEC. 51P-750.113. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. 26510)

### **SEC. 51P-750.114. LANDSCAPING AND SCREENING.**

(a) Any development plan for each phase of new construction that is submitted to the city plan commission for approval must be accompanied by a landscape plan for the same area. Landscape plans must be consistent with this section and with the tree replacement requirements in Article X, as modified by this section. Landscaping must be provided as shown on the approved landscape plans. Landscaping must be installed within six months after the issuance of a certificate of occupancy to authorize the operation of any use within the area covered by the landscape plan.

(b) All development plans and any amendments must provide a table showing:

(1) the existing and proposed square feet of landscape area (including the allowable one and one-half acres of hardscape area);

(2) percentage of landscape area in the district;

(3) percentage of landscape area and square feet of landscape area within the Large Open Space area;

(4) percentage of landscape area other than in Tract A and within the Large Open Space area;

(5) percentage of hardscape area in the district; and

(6) cumulative planter area within a public or private street right-of-way on the side of the street immediately adjacent to a required landscape area.

(c) Protected trees with a caliper of eight inches or greater that are preserved may be used to reduce the number of replacement tree inches by a factor of 1.5. For example, a 14 caliper inch protected tree that is preserved will satisfy 21 caliper inches of required replacement trees.

(d) The number of street trees required in Tracts A, C, C-1, E-1, E-2, F, and G along Walnut Hill Lane and North Central Expressway shall be determined by dividing the length of street frontage by 30 feet. Street trees must be planted within 20 feet of the back of the curb and must have a minimum caliper of four inches. Street trees must be planted within 60 feet of another street tree except when ingress points or visibility triangles prohibit tree planting.

(e) A continuous screening wall at least three-and-one-half feet in height (the “south wall”) must be constructed between 17 feet and 22 feet north of, and along the entire length of, the south property line of this district, excluding any areas used for streets, driveways, visibility triangles, and entrances [as defined in 51P-750.104(a)(4)]. The south wall must be constructed prior to the application for a certificate of occupancy for any use located in Tracts C, C-1, D, E-1, E-2 or F.

(f) Prior to the application for a building permit for any new construction on Tract A, a wall that is at least eight feet in height must be provided along the west property line of this district. The lower six feet of the wall (measured from the ground) must be made of solid building materials. The top two feet of the wall is not required to be solid.

(g) Evergreen trees, spaced no more than 40 feet apart, must be planted within 20 feet of the west property line of this district in the required setback area. The distance may be extended to 70 feet apart and can be planted within 30 feet of the west property line of this district if there is a conflict with utilities. The trees within 20 feet of the west property line, must be planted within two years of the final certificate of occupancy for a minimum of 500 dwelling units. The number of trees to be planted is determined by dividing the length of the west property line of this district by 30 feet. These trees must have a minimum caliper of four inches.

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

(i) At least 20 percent of this district must be landscape area (required landscape area). Landscape areas must be labeled “Required Landscape Area” on the landscape plan in order to be counted as part of this 20 percent minimum landscape area.

(1) Hardscape areas are permitted anywhere within this district, including areas that have optional landscaping, but only a maximum of one-and-one-half acres of hardscape area will be counted as part of this required landscape area.

(2) Each portion of the required landscape area must have a minimum size of 26 square feet.

(3) No more than 50 percent of the required landscape area may be located within the large open space.

(4) At least 25 percent of the required landscape area must be located in areas other than Tract A and the large open space.

(5) A minimum of three acres of the required landscape area must be provided and maintained within the large open space area generally shown on the conceptual plan. Final location of large open space must be shown on a development plan. Other uses are permitted in the large open space area so long as at least three acres are maintained as landscape area. This minimum three-acre area must meet all of the following requirements to be counted as part of the minimum three acres within the large open space:

(A) It must be connected by meandering (i.e. serpentine rather than straight) lighted pathways, including a lighted pathway to Tract A. These pathways may cross streets.

(B) It must have a minimum width of 25 feet.

(C) It must be contiguous except where separated by street right-of-way.

(D) Landscape areas must be labeled "Required Landscape Area/Minimum Three Acres within Large Open Space" on the landscape plan in order to be counted as part of this three-acre minimum open space.

(E) A maximum of 8,000 square feet of planter area that is within a street right-of-way on the side of the street immediately adjacent to the required landscape area within the large open space may be counted towards the three acre minimum. In order to be counted towards the three acres, all portions of the area within the street planter area being counted must be adjacent to the area designated on the landscape plan as "Required Landscape Area/Minimum Three Acres within Large Open Space," and must be labeled as "Street Section Planter Area Counted as Part of Required Landscape Area/Minimum Three Acres within Large Open Space."

(F) Open space shown on the conceptual plan must contain trees, dog parks, pedestrian lighting, paths, benches, and open shelters.

(G) The large open space must be completed within two years of the final certificate of occupancy for a minimum of 500 dwelling units.

- (j) A minimum of two water features are required.
- (k) A minimum of 0.25 acres of open space must be located in Tract E2 or G.
- (l) Within 60 days after demolition of any structure in Tract A, the area previously occupied by the structure must be seeded with grass.
- (m) Planting replacement trees at public schools, libraries, parks, and public rights-of-way within two miles of this district may be used as an alternative method of compliance with tree replacement requirements, subject to acceptance of the trees by the owner of the property where the replacement trees are to be planted. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.115. SIGNS.**

- (a) Except as provided in this subsection, signs must comply with the provisions for business zoning districts in Article VII.
- (b) Signs in Tract A must comply with the provisions for non-business zoning districts in Article VII. (Ord. Nos. 26510; 30476)

**SEC. 51P-750.116. ADDITIONAL PROVISIONS.**

- (a) In general.
  - (1) The Property must be properly maintained in a state of good repair and neat appearance.
  - (2) 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.
- (b) Outside storage. Except during construction, no outside storage is allowed in Tracts C, C-1, D, E-1, E-2, F, and G.
- (c) Loading docks. All loading dock areas must be screened from Walnut Hill Lane and North Central Expressway by solid masonry screening with a minimum height of eight feet extending the entire length of the loading dock area.
- (d) Construction phasing.
  - (1) A minimum of 40 percent of the maximum allowed dwelling units (49 dwelling units) in Tract A must be completed and able to be occupied according to the Dallas Building Code by May 24, 2020. A minimum of 28 of those units must be constructed in the southern portion of the Property.
  - (2) Civil engineering for Tract A, including platting and paving of the primary street as labeled on Exhibit 750C must be completed by May 24, 2020.



(3) After completion of the 49 dwelling units, any undeveloped lot in Tract A must be seeded, irrigated, and maintained in accordance with stormwater pollution prevention plan standards.

(4) The property owner shall complete the northeast street by May 24, 2020.

(e) Time restriction on construction. Demolition and new construction, except for interior finish-out, may only occur from 7:00 a.m. through 7:00 p.m., Monday through Friday, and 9:00 a.m. through 6:00 p.m. on Saturday.

(f) Lighting standards.

(1) Parking lot lights may not exceed 20 feet in height if located within 150 feet of Walnut Hill Lane, North Central Expressway, Meadow Park Road, or the west property line of this district, and must be fitted with a shield type directional fixture to direct light into the district and away from adjacent properties that are not in this district.

(2) Parking lot lights may not exceed 26 feet in height.

(g) Outside sales, street festivals, and arts and crafts fairs.

(1) All outside sale or display of merchandise must be on the private sidewalks or common areas (subject to consent of the owner of the common area) located adjacent to the main entry to the retail use. Outside sale or display of merchandise is not permitted in any [~~parking areas or in any~~] public right-of-way.

(2) Except in Tract A, street festivals, arts and craft fairs, and similar special events that include the outside sale or display of merchandise are permitted.

(h) Highly reflective glass. The use of highly reflective glass is prohibited. For purposes of this subsection, highly reflective glass means glass with an exterior visible reflectance percentage in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(i) Private refuse collection. In Tract A, private refuse collection may only occur between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 8:30 a.m. and 5:00 p.m., Saturday and Sunday. All trash dumpsters and compactors must be completely screened with a masonry or decorative concrete wall at least eight feet in height, except for one side, which must have a gate approximately equal in height to the screening wall. Trash dumpsters and compactors may not be located within 175 feet of the west property line of this district.

(j) Frontage.

(1) Lots are not required to front upon a dedicated public or private street or drive, if adequate access is provided by an access easement.

(2) Frontage may be on a public or private street or drive, access easement, or a residential open space.

(3) More than four lots may share a public or private street or drive, access easement, or residential open space.

(4) Lots may have frontage on two opposite sides.

(k) Traffic control measures.

(1) A trained individual or traffic control device must be located at Access Point "B" to direct traffic to the northeast street to the north exit of the project Monday through Friday, during PM peak traffic times.

(2) Additional traffic measures must be placed near the north exit of the project to direct people towards Meadow Road, subject to approval of the director of mobility and street services.

(3) For special events, a trained individual must be present to direct the flow of traffic.

(l) Nonconforming uses. All existing uses within this district as of November 8, 2006, the date of creation of this district, are not subject to Section 51A-4.704(a)(1), which authorizes the establishment of compliance dates for nonconforming uses.

(m) Private drives may be provided in the locations shown on the development plan or plat.

(n) Residential open space may not be counted towards large open space requirements. (Ord. Nos. 26510; 30476)

#### **SEC. 51P-750.117. COMPLIANCE WITH CONDITIONS.**

(a) Except as provided in Section 51P-750.107, 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 for that use with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 26510)