

DRAFT PEPPER SQUARE PD CONDITIONS

ARTICLE _____.

PD _____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the east side of Preston Road and the southwest side of Belt Line Road. The size of PD _____ is approximately 23.18 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A 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 51A.
- (c) This district is considered to be a nonresidential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: conceptual plan.

SEC. 51P- _____.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit XXXXA). In the event of a conflict between the text of this article and the conceptual plan, the text of this article control.

SEC. 51P- _____.106. DEVELOPMENT PLAN.

(a) Prior to the issuance of a building permit for work other than renovation, remodel, or repair of existing structures, demolition and grading, the installation of fencing or other structures for security purposes, work associated with permitted temporary uses, or work intended to provide for the irrigation or maintenance of landscaping, a development plan must be approved by the city plan commission.

(b) A development plan is not required for permitted retail and personal service uses which are not located in a mixed-use project.

(b) A development plan is not required to include all phases of development if separate phases are proposed. If separate phases are proposed, however, a development plan for each phase must be approved by the city plan commission before the issuance of a building permit to authorize work in that phase of development.

(c) For purposes of compliance with yard, lot, and space regulations, the Property shall be considered one lot.

(d) In the event of a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- _____.107. MAIN USES PERMITTED.

(a) Tract 1. The only main uses permitted are those main uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable in 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 this district only by SUP; a use subject to development impact review (DIR) in the MU-2 Mixed Use District is subject to DIR in this district; etc.

(b) Tract 2. The only main uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this district; etc.

SEC. 51P- _____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district 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.

SEC. 51P-____.109. 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) Tract 1. Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply. Tract 1 is considered one lot for the purposes of this section.

(1) Front yard. Minimum front yard is 10 feet. Encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, and unenclosed porches are allowed into the required front yard and do not need to be shown on the development plan.

(b) Tract 2. Except as provided in this section, the yard, lot, and space regulations for the MU-3 Mixed Use District apply. Tract 2 is considered one lot for the purpose of this section.

(1) Front yard. Minimum front yard is 10 feet. Encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, and unenclosed porches are allowed into the required front yard and do not need to be shown on the development plan.

SEC. 51P-____.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(1) Retirement housing. One-quarter space per dwelling unit is required, or per the requirements of Division 51A-4.200 or a successor ordinance, whichever requires fewer spaces.

(b) Aboveground parking structures. Aboveground parking structures must be screened or wrapped in accordance with this subsection. If an aboveground parking structure is facing a public street, the aboveground parking structure must be wrapped in accordance with this subsection.

(1) Screening of parking structures. Except for openings for vehicular access, openings in aboveground parking structure facades must provide solid screening with a painted, stained, or masonry-like finish a minimum of 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights.

(2) Wrapping of parking structures. Except for openings for vehicular access, aboveground parking structures must be wrapped with a use other than parking, to a minimum depth of 25 feet of the building measured inward from the exterior facing structure facade.

(c) Bike parking. Bike parking for at least 10 percent of the dwelling units must be provided in the parking garages, in a secure location near the building entrance.

SEC. 51P- _____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.112. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Except as provided in this section, prior to the issuance of a building permit for work other than renovation, remodel, or repair of existing structures, demolition and grading, the installation of fencing or other structures for security purposes, work associated with permitted temporary uses, or work intended to provide for the irrigation or maintenance of landscaping, a landscape plan must be submitted with the development plan and approved by the city plan commission before issuance of a building permit to authorize work in this district.

(c) A landscape plan is not required for permitted retail and personal service uses which are not located in a mixed-use project.

(d) A landscape plan is not required to include all phases of development if separate phases are proposed. If separate phases are proposed, however, a landscape plan for each phase must be approved by the city plan commission landscaping must be provided in accordance with Article X and the conditions of this section.

(e) Perimeter landscape buffer.

(1) A 15-foot enhanced landscape buffer is required along all public streets.

(2) Sidewalks may be located within required perimeter landscape buffer.

(f) Street trees. One large canopy tree, minimum of four-inch caliper, is required for each 35 feet of street frontage and must be shown on each landscape plan phase.

(g) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.113. OPEN SPACE.

(a) A minimum of 10 percent of each building site must be reserved as unrestricted open space for activity such as active or passive recreation, community gathering space, or landscaping, and must be located between the exterior structure facade and the property line.

(b) Open space requirements. All open space must comply with the following provisions.

(1) Structures that are not fully enclosed such as pergolas and gazebos and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed to be located within open space.

(2) Open space must contain primarily grass, vegetation, or pedestrian areas.

(3) Parking spaces, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

(4) Except for emergency and grounds maintenance vehicles, operation, or parking of vehicles within open space is prohibited.

(5) Landscape areas that fulfil the requirements of Article X may also fulfil these requirements if all conditions of this section and Article X are met.

(6) Open space must be properly maintained in a state of good repair and neat appearance.

SEC. 51P-____.114. SIDEWALKS.

(a) Except as provided in this section, a minimum unobstructed six-foot-wide sidewalk and a minimum four-foot-wide parkway must be provided along all public streets.

(b) Enhanced pavement is required at vehicular drop-offs and motor courts.

(c) At least one bench and one trash receptacle must be provided for every 300 linear feet of street frontage for each development plan phase.

(d) Tree grates do not count toward the minimum unobstructed sidewalk width.

SEC. 51P- ____ .115. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____ .116. ADDITIONAL PROVISIONS.

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

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

SEC. 51P-____.117. COMPLIANCE WITH CONDITIONS.

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

(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, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.