

9-9-14

ORDINANCE NO. 29470

An ordinance changing the zoning classification on the following property:

BEING a tract of land containing all of the remaining area of Lots 1, 2, 3, 4, and 5 in City Block 1/3241 and bounded by Page Avenue on the north, Tyler Street on the east, and Tyler Street/Polk Street Connection on the west; and containing approximately 1.72 acres,

from an NS(A) Neighborhood Service District to Subarea 7 within Planned Development District No. 316 (Jefferson Boulevard Area Special Purpose District); amending Article 316, "PD 316," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code to reflect the expansion of the planned development district; amending the regulations in Article 316; providing a new subarea map; providing a new perimeter property description; deleting the conceptual site plan; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property described in this ordinance and this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to change the zoning classification and amend Article 316 as specified in this ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from an NS(A) Neighborhood Service District to Subarea 7 within Planned Development District No. 316 on the property described in Exhibit E, which is attached to and made a part of this ordinance (“the Property”).

SECTION 2. That Article 316, “PD 316,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“ARTICLE 316.

PD 316.

Jefferson Area Special Purpose District

SEC. 51P-316.101. LEGISLATIVE HISTORY.

PD 316 was established by Ordinance No. 20389, passed by the Dallas City Council on July 26, 1989. Ordinance No. 20389 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 20389 was amended by Ordinance No. 21319, passed by the Dallas City Council on June 10, 1992; Ordinance No. 22202, passed by the Dallas City Council on September 28, 1994; Ordinance No. 22705, passed by the Dallas City Council on March 13, 1996; Ordinance No. 22726, passed by the Dallas City Council on April 10, 1996; Ordinance No. 23772, passed by the Dallas City Council on January 27, 1999; and Ordinance No. 25026, passed by the Dallas City Council on September 11, 2002.

SEC. 51P-316.102. PROPERTY LOCATION AND SIZE.

(a) PD 316 is established on property generally bounded by an alley between Tenth [Trenton] Street and Sunset Avenue [Street and Jefferson Boulevard] on the north, Beckley Avenue on the east, an alley between Page Avenue and Twelfth Street on the south, ~~and~~ an alley between Polk Street and Willomet Avenue on the west, and Tyler Street and Tyler Street Connection on the southwest corner. The size of PD 316 is approximately 176.41 [175.37] acres.

(b) This district is divided into eight subareas: Subareas 1, 2, 3, 4, 5, 6, 7, and 8.

SEC. 51P-316.103.

DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. ~~[(4)]~~ Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. ~~[the context clearly indicates otherwise,] I[i]~~n this article:

~~(1[A])~~ A-FRAME SIGN means a portable detached premise sign that is hinged at the top and is made of durable, rigid materials such as wood, plastic, or metal ~~[AREA means one of the areas referred to in Section 51P-316.105 of this article].~~

(2) ARTICULATION means any portion of the exterior of a structure, building facade, or facade that includes a material change, facade openings, columns, pilasters, or other architectural elements.

(3) ARTISAN AND SPECIALTY GOODS SHOP means a small scale business that manufactures artisan goods or specialty foods for sale on-premise or off-premise. This use does not include other uses that are specifically listed in 51A-4.200.

(4) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking, and for the sale of the products to the general public.

(5) ARTWORK means any pictorial or image presentation or design.

(6) AWNING SIGN means any sign that is attached to or applied to or painted on an awning.

(7) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bond, whether as an accessory use or a main use.

(8) BED AND BREAKFAST means a lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; serves no meals other than breakfast; and is a member of, or certified by, a recognized bed and breakfast association such as the National Bed and Breakfast Association (NBBA) or Historic and Hospitality Accommodation of Texas.

(9) BLADE SIGN means an attached premise sign that projects perpendicularly from a main building facade, is visible from both sides, and is made of rigid or soft fabric material.

(10) BOUTIQUE HOTEL means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.

(11) COMMERCIAL PARKING GARAGE means a multistory vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(12) COMMERCIAL PARKING LOT means an at-grade vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(13) CORNER LANDSCAPING AREA means the portion of a surface parking lot beginning at the point of intersection of two rights-of-way, measuring 12.5 percent of the length of each right-of-way to a point, then connecting all three points to form an area that can be any shape, not to exceed 225 square feet in area.

~~[(B) DIR means development impact review pursuant to Division 51A-4.800.]~~

(14) DOOR YARD means the area between the edge of the sidewalk farthest from the street and the front building facade.

(15) ISLAND LANDSCAPING AREA means an area, excluding the corner landscaping area, that is located on a surface parking lot.

~~[(C) LARGE TREE means a tree of a species which normally reaches a height of 30 feet or more upon maturity.]~~

(16) LIQUOR STORE 3,500 SQUARE FEET OR LESS means an establishment with a floor area of 3,500 square feet or less principally for the retail sale of alcoholic beverages for off-premise consumption, as defined in the Texas Alcoholic Beverage Code.

(17) LIQUOR STORE GREATER THAN 3,500 SQUARE FEET means an establishment principally for the retail sale of alcoholic beverages for off-premise consumption, as defined in the Texas Alcoholic Beverage Code with a floor area greater than 3,500 square but less than 100,000 square feet.

(18) LIQUOR STORE 100,000 SQUARE FEET OR MORE means an establishment with a floor area 100,000 square feet or more principally for the retail sale of alcoholic beverages for off-premise consumption, as defined in the Texas Alcoholic Beverage Code.

(19) LIVE/WORK UNIT means an interior space with street level access that combines residential with office or retail and personal service uses. A live/work unit is considered a nonresidential use.

(20) MARQUEE SIGN means a changeable message sign attached to, applied on, or supported by a permanent canopy projecting over a pedestrian street entrance of a building.

(21[~~D~~])MUP means a mixed use project as defined in Section 51P-316.106 of this article.

~~[(E) OWNER means the owner or owners, from time to time, of property in this district.]~~

(22) PAINTED APPLIED SIGN means a sign painted directly onto the exterior facade of a building, not including doors or windows.

~~[(F) PARAGRAPH means the first division of a subsection. Paragraphs are designated by arabic numerals in parentheses, e.g. "(1)".]~~

(23[G]) PARKWAY means that portion of the street right-of-way located between the street curb and the front lot line.

(24) PERIMETER LANDSCAPING AREA means an area on a surface parking lot three feet in width, abutting the right-of-way, and extending the length of the street frontage of a surface parking lot, excluding the corner landscaping area and openings for pedestrian and vehicular access.

(25[H]) PROJECTED STREET CURB means the future location of the street curb consistent with the city's thoroughfare plan, as determined by the director of street services [public works and transportation].

~~[(I) RAR means residential adjacency review pursuant to Division 51A-4.800.]~~

~~[(J) SECTION means a section of this article.]~~

(26) STREET FACADE means any facade that faces a lot line that abuts a public right-of-way.

~~[(K) SUBPARAGRAPH means the first division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. "(A)".]~~

~~[(L) SUBSECTION means the first division of a section. Subsections are designated by lower case letters in parentheses, e.g. "(a)".]~~

~~[(M) SUP means specific use permit.]~~

~~[(N) THIS DISTRICT means the entire PD created by Ordinance No. 20389, as amended.]~~

(27) TRANSPARENCY means the total area of window and door openings filled with glass, expressed as a percentage of the total facade area by story.

~~[(O) USE CATEGORY means the group of uses defined in any one of the following sections: Sections 51A-4.201 through 51A-4.217. The name of the use category corresponds to the section title. For example, "Retail and Personal Service" is a use category consisting of those uses defined in Section 51A-4.210, which is entitled "Retail and Personal Service Uses."]~~

(28) WINDOW SIGN means a sign painted or affixed to a window or hanging parallel within 24 inches of a window and visible from the outside.

~~[(2) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In the event of a conflict, this section controls.]~~

(b) Interpretations.

(1) Unless otherwise stated, all references to ~~[code]~~ articles, divisions, or sections in this article are [refer] to articles, divisions, or sections in Chapter 51A.

(2) Except as provided in this article, t[~~F~~]he provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans, conceptual plans, and development plans do not apply to this district.

(3) Section 51A-2.101, "Interpretations," applies to this article.

(4) The following rules apply in interpreting the use regulations in this article:

(A) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(B) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

(C) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(D) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(E) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(F) The symbol *[MUP]* appearing after a listed use means that the use is permitted only as part of a mixed use project. (For more information regarding mixed use projects generally, see Section 51P-316.106 of this article.)

SEC. 51P-316.104[103.1]. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 316A: subarea map.
- (2) Exhibit 316B: perimeter property description.
- ~~(3) Exhibit 316D: conceptual site plan.]~~

SEC. 51P-316.105[104]. NAME OF DISTRICT.

PD 316 is to be known as the Jefferson Area Special Purpose District.

~~**[SEC. 51P-316.105. CREATION OF SEPARATE AREAS AND SUBAREAS.**~~

~~This district is divided into eight areas: Areas 1, 2, 3, 4, 5, 6, 7, and 8. In addition, Area 1 contains eight subareas: Subareas 1a, 1b, 1c, 1d, 1e, 1f, 1g, and 1h; Area 2 contains two subareas: Subareas 2a and 2b; Area 4 contains one subarea: Subarea 4a; and Area 7 contains one subarea: Subarea 7a. Except for Subareas 1h and 2b, the boundaries of all areas, including the subareas in Area 1, Area 2, Area 4, and Area 7, are verbally described in Exhibit B of Ordinance No. 20389, as amended. A map showing the boundaries of the various areas, including the subareas in Area 1, Area 2, Area 4, and Area 7, is labelled Exhibit 316A. In the event of a conflict, the verbal descriptions in Exhibits A and B of Ordinance No. 20389, as amended, and the descriptions in Section 1 of the ordinances creating Subarea 2b and creating Subarea 1h control over the graphic description in Exhibit 316A. *[Note: The area and subarea map labelled Exhibit 316A is supplemented and amended by the Subarea 2b map labelled Exhibit 316B and the Subarea 1h map labelled Exhibit 316C.]*~~

SEC. 51P-316.106. MIXED USE PROJECTS (MUP).

(a) In general. Single or multiple uses may be developed on one site in this district; however, ~~[in order]~~ to encourage a mixture of uses and promote innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel, density bonuses are awarded to developments in Subareas [Areas] 1, 2, 3, 4, 6, and 8~~[, and 7]~~ that qualify as "mixed use projects" as defined in Subsection (b). If a development does not qualify as an MUP, it is limited to a "base" dwelling unit density and floor area ratio. When a development qualifies as an MUP, it earns a higher maximum dwelling unit density and floor area ratio. Additional FAR bonuses are incrementally awarded to encourage the inclusion of "residential" as part of an MUP. The exact increments of increase vary depending on the use categories mixed and the ~~[area of]~~ subarea that the MUP is in. For more information regarding the exact increments of increase, consult the yard, lot, and space regulations in this article governing the particular ~~[area of]~~ subarea of interest.

(b) Qualifying as a mixed use project. To qualify as an ~~[a MIXED USE PROJECT (MUP)]~~, a development must contain uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

SUBAREAS 1, 2, and, 8

<u>Use Category</u>	<u>Percent of Total Floor Area</u>
<u>Lodging</u>	<u>15 percent or 75 guest rooms, whichever is greater</u>
Office	15 percent
Residential	15 percent or 20 dwelling units, whichever is greater
Retail and personal service	10 percent

SUBAREA 3

<u>Use Category</u>	<u>Percent of Total Floor Area</u>
<u>Lodging</u>	<u>15 percent or 75 guest rooms [units], whichever is greater</u>
Office	15 percent

Residential	10 percent or 15 dwelling units, whichever is greater
Retail and personal service	5 percent

SUBAREA[S] [3-and] 4

<u>Use Category</u>	<u>Percent of Total Floor Area</u>
Office	15 percent
Residential	10 percent or 10 dwelling units, whichever is greater
Retail and personal service	5 percent

SUBAREA[S] 6 [and-7]

<u>Use Category</u>	<u>Percent of Total Floor Area</u>
Office, or retail and personal service, or both	20 percent
Residential	20 percent

(c) Mixed use project (MUP) regulations.

(1) If an MUP is proposed, a project plan that complies with this article must be submitted to and approved by the building official.

(2) An MUP without residential uses must have a minimum combined floor area of 20,000 square feet.

(3) If an MUP is constructed in phases:

(A) the first phase must independently qualify as an MUP under Subsection (b); and

(B) each subsequent phase combined with all previous phases already completed or under construction must also qualify as an MUP under Subsection (b).

(4[3]) An MUP may consist of two or more building sites if they are developed under a unified development plan. The plan must be:

- (A) signed by or on behalf of all of the [~~owners of the~~] property owners involved;
- (B) approved by the building official; and
- (C) filed in the deed records of the county where the property is located.

(5[4]) When an MUP consists of multiple building sites, its development standards and off-street parking and loading requirements are calculated by [~~combining the sites and~~] treating the multiple building sites [~~them~~] as one [~~a single~~] building site.

SEC. 51P-316.107. ADDITIONAL PROVISIONS APPLICABLE TO CERTAIN USES.

The "additional provisions" in Division 51A-4.200 apply to all uses in this district. The following additional provisions supplement and are cumulative of the additional provisions in that division for the specific main and accessory uses listed below:

- (1) Accessory outside display of merchandise. This use may not:
 - (A) extend more than four feet from the main structure; or
 - (B) reduce the unobstructed width of a sidewalk to less than six feet.
- (2) Accessory outside sales. This use may not:
 - (A) extend more than four feet from the main structure;
 - (B) reduce the unobstructed width of a sidewalk to less than six feet; or
 - (C) occur more than six [~~three~~] days during any given month.

(3) Surface parking use.

(A) Site plan.

(i) A site plan must be submitted to and approved by the building official in accordance with this subparagraph before a building permit may be issued. Development of the property must comply with the site plan.

(ii) The site plan must include the following:

(aa) The number of existing and proposed parking spaces on the property.

(bb) The location and dimensions of the property.

(cc) The location and dimensions of all existing and proposed off-street parking and loading areas, parking bays, aisles, driveways, pedestrian access openings, and attendant booths.

(dd) The location and type of all existing and proposed landscaping, fencing, trash receptacles, lighting, and signs.

(ee) Any other information that the building official deems necessary for site plan review.

(B) Construction.

(i) The entire surface of a surface parking use may not deviate more than seven degrees from the horizontal plane. No portion of the surface may deviate more than 12 degrees from the horizontal plane.

(ii) No more than one two-way driveway or two one-way driveways are allowed for each 300 feet, or fraction thereof, of street frontage of the surface parking use.

(iii) The use of pervious materials is encouraged.

(C) Lighting.

(i) A surface parking use must be lighted between one-half hour after sunset and 2:30 a.m. and between 6:00 a.m. and one-half hour before sunrise.

(ii) The intensity of required lighting on the surface where vehicles are parked must be:

(aa) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(bb) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average footcandle measurement for the lighted area, whichever is greater.

(iii) Light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(iv) Fixtures must be attached to buildings or mounted on permanent poles.

(v) Fixtures must be at least 20 feet above the parking surface.

(vi) If there is a conflict between the text of this subparagraph and Section 51A-4.301(e), the text of this subparagraph controls.

(D) Access openings.

(i) Access openings may not exceed:

(aa) 30 feet in width for a two-way drive; and

(bb) 20 feet in width for a one-way drive.

(ii) At least one pedestrian access opening must be provided for every 30 feet of frontage on a public right-of-way. The pedestrian access opening must be eight feet in width.

(E) Fencing. Fencing is not required. If fencing is provided it:

(i) may not exceed six feet in height;

(ii) must be located behind a corner landscaping area; and

(iii) must be made of wrought iron, bollards, post-and-cable fencing; or other fencing material that is in keeping with the intent of this subparagraph, as determined by the director.

(F) Landscaping.

(i) Corner landscaping area.

(aa) Corner landscaping areas must be planted with a combination of ground cover, shrubs, and trees.

(bb) One tree or shrub per 25 square feet of corner landscaping area is required, with a minimum of two provided.

(ii) Perimeter landscaping area.

(aa) Perimeter landscaping areas must be planted with a combination of ground cover, shrubs, and trees at an average density of one group for each 30 linear feet of the perimeter area. If parking spaces are perpendicular to the perimeter landscaping area, the width of the perimeter landscaping area must be increased by a minimum of five feet. Car bumpers may overhang the perimeter landscaping area. If six-inch curbs are not provided, wheel stops must be provided.

(bb) The combination of ground cover, shrubs, and trees must include a minimum of one large canopy tree, three shrubs, and groundcover.

(iii) Island landscaping area.

(aa) One 160 square foot island landscaping area is required for surface parking uses containing 10,000 square feet of land area or more.

(bb) For each additional 2,000 square feet in surface parking area above 10,000 square feet, a minimum of 160 square feet of island landscaping area must be provided.

(cc) Island landscaping areas may be contiguous.

(dd) Island landscaping areas must include a minimum of one large canopy tree, five shrubs, and groundcover.

(iv) Alternative landscape plan. The director may approve an alternative landscape plan only if compliance with this subparagraph is not possible, the inability to comply is not self-created, and the alternative landscape plan is in keeping with the intent of this subparagraph. An alternative landscape plan may include placement of landscaping in alternative locations. An alternative landscape plan may reduce the square footage of landscape area if additional trees or shrubs are provided.

(v) Trees. All trees provided must be recommended for local area use and approved by the director. Each tree planted must have a caliper of at least two and one-half inches.

(vi) Shrubs and groundcovers. All shrubs and groundcovers provided must be recommended for local area use and be approved by the director.

(vii) Minimum tree clearance. All portions of a tree canopy above street pavement must be at least eight feet in height.

(viii) Tree grates. Tree grates must be of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.

(G) Maintenance.

(i) Improvements must be properly maintained in a state of good repair and neat appearance at all times.

(ii) Plant materials must be maintained in a healthy, growing condition at all times.

(iii) The use of Water Wise landscaping is encouraged.

(H) Special exception.

(i) In general. Except as provided in this subparagraph, the board of adjustment may grant a special exception to any requirement of this paragraph if the board finds, after a public hearing, the special exception will not adversely affect the other properties within the subarea and strict compliance with the requirement would result in unnecessary hardship. If the board grants a special exception, it must specify the length of time the special exception is effective.

(ii) Lighting. The board shall not grant a special exception to a lighting requirement unless the board also finds, after a public hearing, that the special exception will not compromise the safety of persons using the parking lot. In determining whether to grant this special exception, the board shall consider:

(aa) the extent to which the parking will be used after dark;

(bb) the crime statistics for the area;

(cc) the extent to which adequate lighting may be provided by light sources located on adjacent property; and

(dd) the extent to which the surface parking lot will be secured by fences, gates, and chains.

(I) Off-street parking regulations. See Section 51P-316.111 for additional regulations for off-street parking.

(4) Tower/antenna for cellular communication use. This use is limited to mounted cellular antenna as defined in Section 51A-4.212(10.1)(A)(i).

(5) Vehicle display, sales, and service. This use must be contained entirely within a building.

SEC. 51P-316.108. USE REGULATIONS AND DEVELOPMENT STANDARDS.

(a) Subareas 1, 2 and 8[Area 1](Central Area).

(1) Purpose. To provide for the development of medium density retail, office, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel; to protect and maintain the characteristics of the existing urban form; and to promote pedestrian activity while providing guidelines to ensure compatible new development and renovation on Jefferson Boulevard.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production [None permitted].

(B) Commercial and business service uses.

-- Art or craft production facility. [Maximum floor area is 5,000 square feet. A maximum of two deliveries and pickups of materials are allowed per week. The art or craft production facility may not operate between 7:00 p.m. and 7:00 a.m.]

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Medical or scientific laboratory. [SUP on street level; otherwise, by right.]

-- Tool or equipment rental.

(C) Industrial uses.

~~[- Inside industrial, excluding high risk or hazardous industrial uses.]~~

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

(D) Institutional and community service uses.

- Adult day care facility. *[MUP] and [SUP]*
- Child-care facility. *[MUP] and [SUP]*
- Church.
- College, university, or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convalescent and nursing homes and related institutions. *[MUP]*
- ~~-- Institution for special education. *[SUP]*~~
- Library, art gallery, or museum.
- Public or private school. *[SUP]*

(E) Lodging uses.

- Bed and breakfast.
- Boutique hotel.
- Hotel or motel. *[Subarea 2 only; minimum of four stories required.]* ~~*[None permitted.]*~~

(F) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Temporary construction or sales office.

(G) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[See Section 51P-316.108(a)(6)(D), "Additional Provisions."]*
- Medical clinic or ambulatory surgical center. *[SUP on street level; otherwise, by right.]*
- Office. *[Bail bond office use is prohibited.]*

(H) Recreation uses.

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

(I) Residential uses.

- Duplex. *[MUP]*

- Handicapped group dwelling unit. [MUP]
- Live/work unit.
- Multifamily. [MUP]
- Retirement housing. [MUP]
- Single family. [MUP]

(J) Retail and personal service uses.

- Alcohol beverage establishments. [SUP. In Subareas 2 and 8 microbrewery, microdistillery, or winery by SUP and in Subarea 1 by right.]
- Artisan and specialty goods shop. [Auto-service center.]
- Business school.
- Commercial amusement (inside). [By right if located above the seventh story. By SUP only for an amusement center, as defined in Chapter 6A of the Dallas City Code, with a floor area of 2,500 square feet or more.]
- Commercial parking [lot or] garage. [Must include office or retail and personal service uses at street level facing Jefferson Boulevard for the first 30 feet of the building measured inward from the street-facing facade.] [MUP]
- Dry cleaning or laundry store. [MUP]
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet. [SUP] [~~In Subareas 1e and 1g only. A development plan that meets the requirements of Section 51A-4.702(f) must be submitted to and approved by the city plan commission. The director shall give notice of the commission's consideration of the plan in the official newspaper of the city at least 10 days before the date it is scheduled for action by the commission.~~]
- General merchandise or food store 100,000 square feet or more. [By SUP only in Subarea 2.]
- Home improvement center, lumber, brick or building materials sales yard. [Maximum floor area of 10,000 square feet. No outdoor display or sales allowed.]
- Household equipment and appliance repair.
- Liquor store 3,500 square feet or less.
- Liquor store greater than 3,500 square feet. [SUP]
- Liquor store 100,000 square feet or more. [By SUP only in Subarea 2.]
- Mortuary, funeral home, or commercial wedding chapel.
- Nursery, garden shop, or plant sales.
- Pawn shop.

- Personal service uses.
- Restaurant without drive-in or drive-through service.
- [~~-- In Subareas 1b and 1f only: Restaurant with drive-in or drive-through service. [DIR]~~]
- Taxidermist.
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service (inside).

(K) Transportation uses.

- Helistop. [SUP]
- [~~-- Surface parking.~~]
- Transit passenger shelter.

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation. [SUP]
- Local utilities.
- Police or fire station.
- Post office.
- Tower/antenna for cellular communications. [See Section 51P.316.107, "Additional Provisions Applicable to Certain Uses."]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Office showroom/warehouse.
- Warehouse. [Prohibited at street level; otherwise, by right.]

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific [~~types of~~] accessory uses, however, due to their unique nature, are subject to additional regulations [~~contained~~] in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(B) The following accessory uses are not permitted [~~in this area~~]:

- Accessory community center (private).
- Accessory medical/infectious waste incinerator.
- Accessory outside storage.
- Accessory pathological waste incinerator.

- Amateur communication tower.
- Day home.
- Private stable.

(C) In this area, the following accessory use is permitted by SUP only:

- Accessory helistop.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations [contained] in Division 51A-4.400. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls [~~In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.~~]).

(A) Front yard.

(i) Subareas 1 and 8.

(aa) Except as provided in this paragraph, no front yard is required, however, if a front yard is provided, it must be 10 feet, and contain a minimum of one pedestrian amenity, such as a plaza, covered walkway, fountain, open pavilion, or gazebo; a trash receptacle; and seating for a minimum of six people per 100 feet of street frontage.

(bb) If a front yard is provided, articulations may project up to 18 inches into the front yard. [~~In Subareas 1a, 1c, 1d, and 1g, maximum front yard setback is 10 feet.~~]

(ii) Subarea 2.

(aa) Except as provided in this subparagraph, minimum front yard is 10 feet.

(bb) Maximum front yard is 25 feet.

(cc) The front yard must contain a minimum of one pedestrian amenity, such as a plaza, covered walkway, fountain, open pavilion, or gazebo; a trash receptacle; and seating for a minimum of six people per 100 feet of street frontage.

(dd) Articulations may project up to 18 inches into the front yard. [~~In Subareas 1b, 1f, and 1h, minimum front yard setback is 10 feet, and maximum front yard setback is 25 feet.~~]

(iii) [~~In Subarea 1e, minimum front yard setback is 10 feet.~~]

(iii[iv])Urban form setback. In [all] S[s]ubareas 1, 2, and 8, an additional 20-foot "urban form" front yard setback is required for that portion of a structure above 30 feet in height.

(B) Side and rear yard.

(i) Except as provided in this subparagraph, n[~~N~~]o side or rear yard is required; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) If the Property is adjacent to or directly across an alley from a residential district a minimum side and rear yard of 15 feet must be provided.

(iii) An additional side and rear yard "tower spacing" setback of one foot for each two feet in height above 30 feet is required for that portion of a structure above 30 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit ("DU") density varies depending on the type of MUP as follows:

<u>MUP TYPE</u>	<u>MAXIMUM DU DENSITY (du/acre)</u>
Mix of 2 categories	50
Mix of 3 categories	60

(D) Floor area ratio. Maximum floor area ratio varies depending on whether the development is an MUP as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO

<u>Use Categories</u>	<u>Base (no MUP)</u>	<u>MUP=2 (no Res)</u>	<u>MUP=2 (with Res)</u>	<u>MUP=3 (no Res)</u>	<u>MUP=3 (with Res)</u>
Office	1.0	1.25	1.5	1.5	1.75
Residential	---	---	1.25	---	1.5
Retail and personal Service	<u>0.8</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
TOTAL DEVELOPMENT	1.0	1.7	2.0	2.0	2.25

(E) Height. [~~Maximum structure height is:~~]

(i) Subarea 1. Except as provided in this subparagraph, maximum structure height is 200 feet. If any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. [200 feet in Subarea 1a;]

(ii) Subarea 2. Maximum structure height is 135 feet. [in Subareas 1b, 1f, and 1h;]

(iii) Subarea 8. Maximum structure height is 36 feet.[90 feet in Subarea 1e;

(iv) ~~60 feet in Subareas 1d and 1g; and~~

(v) ~~90 feet in Subarea 1e, except for the area extending 137.5 feet north of the Jefferson Boulevard right-of-way line, within which area maximum structure height is 135 feet.]~~

(F) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories.

[~~(i) Maximum number of stories above grade is:~~

~~(aa) 15 in Subarea 1a;~~

~~(bb) 10 in Subareas 1b, 1f, and 1h;~~

~~(cc) seven in Subarea 1e; and~~

~~(dd) four in Subareas 1d and 1g.~~

~~(ii) Parking garages are exempt from the requirements of Subparagraph (H)(i), but must comply with the height regulations in Subparagraph (E).~~

(5) Off street parking and loading.

~~(A) Consult the use regulations (Division 51A 4.200) for the specific off street parking requirements for each use. Consult the off street parking and loading regulations (Divisions 51A 4.300 et seq.) for information regarding off street parking and loading generally.~~

~~(B) No additional off street parking or loading is required for a use that is established, converted, or expanded in a structure existing on July 26, 1989. This paragraph does not apply to expansions of a structure existing on July 26, 1989.~~

(6) Environmental performance standards. See Article VI.]

(5[7]) Landscape regulations.

~~(A) In general. Except as provided in this paragraph, l[andscaping must be provided [on all property] in accordance with Article X. [If and when Article X applies to a lot, the following subparagraphs must also be complied with.]~~

~~(B) Street trees. Street trees must be provided within 30 feet of the projected street curb. The trees must be large trees having a caliper of at least two and one-half inches. The number of trees required is one for each 100 feet of lot frontage. Any lot with more than 25 feet but less than 100 feet of lot frontage must provide one tree. It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51P-316.109 [of this article].~~

(C) Screening of off-street parking. All off-street [surface] parking [lots] and loading areas, excluding those located in Subarea 2[1e] and driveways used for ingress or egress, must be screened from the street in compliance with the provisions [contained] in Section 51A-4.301.

(D) Additional landscape regulations for Subarea 2[1e].

(i) All off-street [surface] parking [lots] and loading areas, excluding driveways used for ingress or egress, must be screened from the street by evergreen shrubs [~~or a solid masonry or concrete wall~~] at least three feet in height.

(ii) Large canopy trees must be planted at a density of one for each 30 feet of lot frontage along Jefferson Boulevard.

~~[(iii) A publicly accessible special pedestrian facility or feature such as a plaza, covered walkway, fountain, open pavilion or gazebo, or seating area must be provided on a portion of the site adjacent to Jefferson Boulevard.]~~

(6[8]) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work [~~in this area~~] if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Minimum sidewalk width. All lots must have a sidewalk along the street frontage with:

(i) a minimum average width of 10 feet; and

(ii) a minimum unobstructed width of six feet.

(C) Off-street parking restriction along Jefferson Boulevard.

~~[(i) In general.] If a lot has frontage on Jefferson Boulevard:~~

~~(i[aa]) no off-street parking is permitted within the door yard [~~on that lot unless at least 90 percent of the front 30 feet of the lot is covered by a building of at least one story~~]; and~~

~~(ii[bb]) if off-street parking is provided on that lot, vehicular access to the parking from Jefferson Boulevard, or to Jefferson Boulevard from the parking, is prohibited.~~

~~[(ii) Exception.—Off street parking is permitted on a lot not meeting the requirements set out in Subparagraph (i)(aa) of this subparagraph, if the lot is located in Subareas 1e or 1g and contains a general merchandise or food store use that is greater than 3,500 square feet, or if the lot is located in Subarea 1f, or Subarea 1h. Vehicular access to the parking from Jefferson Boulevard, or to Jefferson Boulevard from the parking, is permitted in Subarea 1f.]~~

(D) Uses with drive-in or drive-through window or service.

(i) The drive-in or drive through window or service must be located within the rear 50 percent of the lot and not visible from Jefferson Boulevard; and

(ii) ingress and egress for the drive-in or drive through window or service must be located on the rear 50 percent of the lot.

(E) Window and door openings. At least 60 [30] percent of the area of the street wall along Jefferson Boulevard for the first story must have transparency [~~consist of transparent material~~] (such as glass or plexiglass).

~~[(E) Use and development of Subarea 1h must comply with the development/landscape plan (Exhibit 316D).]~~

(b) Subarea 3[Area 2](Office/Mixed Use [High Density]).

(1) Purpose. To provide for the development of high density office and multifamily residential or limited retail uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production [~~None permitted~~].

(B) Commercial and business service uses.

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Medical or scientific laboratory. [~~HL~~] [*SUP on street level; otherwise, by right.*]

(C) Industrial uses.

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

(D) Institutional and community service uses.

- Child-care facility. [L]
- Church.
- College, university, or seminary. [SUP]
- Community service center. [L]
- Hospital. [SUP]
- ~~-- Establishment for the care of alcoholic, narcotic, and psychiatric patients. [L] or [SUP]~~
- Institution for special education. [SUP]
- Library, art gallery, or museum.
- ~~-- Private school or open enrollment charter school. [In Subarea 2b only and by SUP only.]~~
- Public or private school.

(E) Lodging uses.

- Boutique hotel.
- Hotel or motel.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center. [~~In Subarea 2a, limited to a maximum of 10 percent of the floor area of any building.~~]
- Office. [Bail bond office is prohibited]

(H) Recreation uses.

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

(I) Residential uses.

- Duplex. [MUP]
- Handicapped group dwelling unit. [MUP]
- Multifamily. [MUP]
- Live/work unit.

- Retirement housing. [MUP]
- Single family. [MUP]

(J) Retail and personal service uses.

- Alcoholic beverage establishments [SUP].
- [-- ~~Bar, lounge, or tavern. [MUP] and [SUP]~~
- Business school. [MUP]
- Car wash (limited to one automatic bay). [MUP]
- Commercial amusement (inside). [MUP] and [SUP only for an amusement center, as defined in Chapter 6A of the Dallas City Code, with a floor area of 2,500 square feet or more.]
- ~~Commercial parking lot or garage. [MUP]~~
- Dry cleaning or laundry store. [MUP]
- Furniture store 3,500 square feet or less (limited to 20 percent of the building floor area). [MUP]
- General merchandise or food store 3,500 square feet or less (limited to 20 percent of the building floor area). [MUP]
- Liquor store 3,500 square feet or less (limited to 20 percent of the building floor area). [MUP]
- Motor vehicle fueling station. [MUP]
- Nursery, garden shop, or plant sales. [MUP]
- Personal service uses. [MUP]
- Restaurant without drive-in or drive-through service. [MUP]
- Surface parking.
- Temporary retail use.
- Theater. [MUP]
- Vehicle display, sales, and service (inside).

(K) Transportation uses.

- Helistop. [SUP]
- [-- ~~Surface parking.~~
- Transit passenger shelter.

(L) Utility and public service uses.

- Commercial radio or television transmitting station. [L]
- Electrical substation. [SUP]
- [-- ~~Local utilities.~~
- Police or fire station.
- Post office. [L]
- Radio, television, or microwave tower. [SUP]

- Tower/antenna for cellular communications. [See Section 51P.316.107, "Additional Provisions Applicable to Certain Uses."]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

[–] None permitted.

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific ~~[types of]~~ accessory uses, however, due to their unique nature, are subject to additional regulations ~~[contained]~~ in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(B) The following accessory uses are not permitted ~~[in this area]~~:

- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory outside storage.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations ~~[contained]~~ in Division 51A-4.400. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls. ~~[In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.]~~)

(A) Front yard.

- (i) Minimum front yard is 15 feet.
- (ii) An additional 20-foot "urban form" front yard setback is required for that portion of a structure above 30 feet in height.

(B) Side and rear yard.

- (i) Minimum side and rear yard is:
 - (aa) 20 feet where adjacent to or directly across an alley from a residential district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) An additional side and rear yard "tower spacing" setback of one foot for each two feet in height above 30 feet is required for that portion of a structure above 30 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit ("DU") density varies depending on the type of MUP as follows:

<u>MUP TYPE</u>	<u>MAXIMUM DU DENSITY (du/acre)</u>
Mix of 2 categories	100
Mix of 3 categories	120

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is an MUP as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO

<u>Use Categories</u>	<u>Base (no MUP)</u>	<u>MUP=2 (no Res)</u>	<u>MUP=2 (with Res)</u>	<u>MUP=3 (no Res)</u>	<u>MUP=3 (with Res)</u>
Lodging	0.7	1.0	1.2	1.3	1.6
Office	2.0	2.6	3.0	3.2	3.75
Residential	---	---	2.6	---	3.2
Retail and personal service	<u>0.5</u>	<u>0.7</u>	<u>0.9</u>	<u>0.9</u>	<u>1.1</u>
TOTAL DEVELOPMENT	2.0	3.4	4.0	4.0	4.5

(E) Height. Maximum structure height is:

(i) 270 feet in the portion of Subarea 3 [~~Area 2~~] north of Twelfth Street; and

(ii) 200 feet in the portion of Subarea 3 [~~Area 2~~] south of Twelfth Street.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories.

[(i) Maximum number of stories above grade is:

(aa) ~~20 in the portion of Area 2 north of Twelfth Street;~~
and

(bb) ~~15 in the portion of Area 2 south of Twelfth Street.~~

(ii) ~~Parking garages are exempt from the requirements of Subparagraph (H)(i), but must comply with the height regulations in Subparagraph (E).~~

(5) ~~Off street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off street parking requirements for each use. Consult the off street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off street parking and loading generally.~~

(6) ~~Environmental performance standards. See Article VI.]~~

(5[7]) Landscape regulations.

(A) In general. Except as provided in this paragraph, landscaping must be provided [~~on all property~~] in accordance with Article X. [~~If and when Article X applies to a lot, the following subparagraphs must also be complied with.~~]

(B) Street trees. Street trees must be provided within 30 feet from the projected street curb. The trees must be large trees having a caliper of at least two and one-half inches. The number of trees required is one for each 25 feet of lot frontage. It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51P-316.109 [~~of this article~~].

(C) Screening of off-street parking. All off-street [~~surface~~] parking [~~lots~~] and loading areas, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(6[8]) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work [~~in this area~~] if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(c) Subarea 4[~~Areas 3 and 4~~] (Office/Mixed Use [Medium Density]).

(1) Purpose. To provide for the development of medium density office, ~~and~~ multifamily residential, commercial and business service uses, and limited retail uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production [~~None permitted~~].

(B) Commercial and business service uses.

-- Art or craft production facility. *[Maximum floor area is 5,000 square feet. A maximum of two deliveries and pickups of materials are allowed per week. The art or craft production facility may not operate between 7:00 p.m. and 7:00 a.m.]*

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Medical or scientific laboratory.

(C) Industrial uses.

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

(D) Institutional and community service uses.

-- Adult day care facility.

-- Child-care facility.

-- Church.

-- College, university, or seminary. *[SUP]*

-- Community service center.

-- Convalescent and nursing homes and related institutions.

-- Hospital. *[SUP]*

- ~~[- Institution for special education. [SUP]]~~
- Library, art gallery, or museum.
- Public or private school. [SUP]

(E) Lodging uses.

- Bed and breakfast.
- Boutique hotel.
- ~~[- None permitted.]~~

(F) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Temporary construction or sales office.

(G) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center.
- Office. *[Bail bond office is prohibited.]*

(H) Recreation uses.

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

(I) Residential uses.

- Duplex. [MUP]
- Handicapped group dwelling unit. [MUP]
- Live/work unit.
- Multifamily. [MUP]
- Retirement housing.
- Single family. [MUP]

(J) Retail and personal service uses.

- Alcoholic beverage establishments. [SUP]
- Artisan and specialty goods shop.
- ~~[- Bar, lounge, or tavern. [MUP] and [SUP]]~~
- Business school. [MUP]

- Commercial amusement (inside). [~~MUP~~ and] *[By right with a floor area less than 2,500 square feet; by SUP [only for an amusement center, as defined in Chapter 6A of the Dallas City Code,] with a floor area of 2,500 square feet or more.]*
- [-- ~~Commercial parking lot or garage. [MUP]~~
- Commercial parking garage.
- Dry cleaning or laundry store. [~~MUP~~]
- Furniture store 3,500 square feet or less (limited to 20 percent of the building floor area). [~~MUP~~]
- General merchandise or food store 3,500 square feet or less (limited to 20 percent of the building floor area). [~~MUP~~]
- Household equipment and appliance repair. [~~MUP~~]
- Liquor store 3,500 square feet or less (limited to 20 percent of the building floor area). [MUP]
- Nursery, garden shop, or plant sales. [~~MUP~~]
- Personal service uses. [~~MUP~~]
- Restaurant without drive-in or drive-through service. [~~MUP~~]
- Surface parking.
- Temporary retail use. [~~MUP~~]
- Theater. [~~MUP~~]

(K) Transportation uses.

- [-- ~~Surface parking.~~
- Transit passenger shelter.

(L) Utility and public service uses.

- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communications. [See Section 51P.316.107, "Additional Provisions Applicable to Certain Uses."]
- Utility or government installation other than listed. [~~SUP~~]

(M) Wholesale, distribution, and storage uses.

~~[-] None permitted. [Warehouse. [In Subarea 4a only. This use must be in compliance with a city plan commission approved site plan that complies with the site plan requisites of 51A-4.803. The plan must be submitted to the director of development services. The director shall review the plan and formulate a recommendation for the city plan commission within 30 calendar days of the date of its submission.]]~~

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific ~~[types of]~~ accessory uses, however, due to their unique nature, are subject to additional regulations ~~[contained]~~ in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(B) The following accessory uses are not permitted ~~[in these areas]~~:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory outside storage.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations ~~[contained]~~ in Division 51A-4.400. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls.) ~~[In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.]~~

(A) Front yard.

- (i) Minimum front yard is 15 feet.
- (ii) An additional 20-foot "urban form" front yard setback is required for that portion of a structure above 30 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from a residential district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) An additional side and rear yard "tower spacing" setback of one foot for each two feet in height above 30 feet is required for that portion of a structure above 30 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit ("DU") density varies depending on the type of MUP as follows:

<u>MUP TYPE</u>	<u>MAXIMUM DU DENSITY (du/acre)</u>
Mix of 2 categories	50
Mix of 3 categories	60

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is an MUP as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO

<u>Use Categories</u>	<u>Base (no MUP)</u>	<u>MUP=2 (no Res)</u>	<u>MUP=2 (with Res)</u>	<u>MUP=3 (no Res)</u>	<u>MUP=3 (with Res)</u>
Office	1.0	1.25	1.5	1.5	1.75
Residential	---	---	1.25	---	1.5
Retail and personal service	<u>0.8</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
[Warehouse	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>]
TOTAL DEVELOPMENT	1.0	1.7	2.0	2.0	.25

(E) Height. Except as provided in this subparagraph, maximum structure height is 90 feet. If any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. [Maximum structure height is 90 feet.]

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories. [Maximum number of stories above grade is seven. Parking garages are exempt from this requirement, but must comply with the height regulations in Subparagraph (E).]

(5) Off street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off street parking requirements for each use. Consult the off street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(5[7]) Landscape regulations.

(A) In general. Except as provided in this paragraph, l[andscaping] must be provided [on all property] in accordance with Article X. [If and when Article X applies to a lot, the following subparagraphs must also be complied with.]

(B) Street trees. Street trees must be provided within 30 feet from the projected street curb. The trees must be large trees having a caliper of at least two and one-half inches. The number of trees required is one for each 25 feet of lot frontage. It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51P-316.109 [of this article].

(C) Screening of off-street parking. All off-street [surface] parking [lots] and loading areas, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(6[8]) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work [in this area] if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(d) Subarea[Area]5 (Residential[Townhouse-]/Office).

(1) Purpose. To provide for the development and protection of low to medium density residential dwellings and low density office uses.

(2) Main uses permitted.(A) Agricultural uses.

-- Crop production [None permitted].

(B) Commercial and business service uses.

[—] None permitted.

(C) Industrial uses.

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

(D) Institutional and community service uses.

[—] Adult day care facility. *[SUP]*

-- Child-care facility. *[SUP]*

- Church.
 - ~~[- Community homes for disabled persons.~~
 - ~~- Institution for special education. [SUP]~~
 - ~~- Public or private school. [SUP]~~
- (E) Lodging uses.
- Bed and breakfast [~~None permitted~~].
- (F) Miscellaneous uses.
- Carnival or circus (temporary). [*By special authorization of the building official.*]
 - Temporary construction or sales office.
- (G) Office uses.
- Office. [Bail bond office is prohibited.]
- (H) Recreation uses.
- Public park, playground, or golf course.
- (I) Residential uses.
- Duplex.
 - Handicapped group dwelling unit.
 - Live/work unit.
 - Multifamily.
 - Single family.
- (J) Retail and personal service uses.
- ~~[-] None permitted.~~
- (K) Transportation uses.
- ~~[- Surface parking.]~~
 - Transit passenger shelter.
- (L) Utility and public service uses.
- Local utilities.
 - Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

[-] None permitted.

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific [~~types of~~] accessory uses, however, due to their unique nature, are subject to additional regulations [~~contained~~] in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(B) The following accessory uses are not permitted [~~in this area~~]:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory outside storage.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls. [~~In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.~~])

(A) Front yard. Minimum front yard setback is 15 feet.

(B) Side and rear yard. No side or rear yard is required; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. Maximum dwelling unit ("DU") density is 18[12] dwelling units per acre.

(D) Floor area ratio. Maximum floor area ratio is 0.7.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage. Maximum lot coverage is 45 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. Minimum lot size is 2,000 square feet per dwelling unit.

(H) Stories. No maximum number of stories.

(5) ~~[Off street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off street parking requirements for each use. Consult the off street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off street parking and loading generally.]~~

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations.

(A) In general. Except as provided in this paragraph, l[L]andscaping must be provided ~~[on all property]~~ in accordance with Article X. ~~[If and when Article X applies to a lot, the following subparagraphs must also be complied with.]~~

(B) Street trees. Street trees must be provided within 30 feet from the projected street curb. The trees must be large trees having a caliper of at least two and one-half inches. The number of trees required is one for each 25 feet of lot frontage. It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51P-316.109 ~~[of this article]~~.

(C) Screening of off-street parking. All off-street ~~[surface]~~ parking ~~[lots]~~ and loading areas, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(6[8]) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work ~~[in this district]~~ if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Limit on attached units. No group of attached units may exceed eight in number.

(e) Subarea 6 (Office/Mixed Use Medium Density) [~~Areas 6 and 7 (Residential/Office Mix)~~].

(1) Purpose. To provide for the development of a combination of medium density office, multifamily residential, and limited retail uses on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel. [~~To provide for the development of low to moderate density residential uses with provisions for limited office and personal service uses; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel; and to encourage adaptive reuse of existing structures as well as new development that is compatible with the existing urban form.~~]

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production [~~None permitted~~].

(B) Commercial and business service uses.

-- Art or craft production facility. [Maximum floor area is 5,000 square feet. A maximum of two deliveries and pickups of materials are allowed per week. The art or craft production facility may not operate between 7:00 p.m. and 7:00 a.m.]

-- Electronics service center.

(C) Industrial uses.

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

(D) Institutional and community service uses.

-- Adult day care facility. [*SUP*]

-- Child-care facility. [*SUP*]

-- Church.

[~~Community home for disabled persons.~~]

-- Convalescent and nursing home and related institutions.

[~~Institution for special education. [*SUP*]~~]

-- Library, art gallery, or museum.

-- Public or private school. [*SUP*]

- (E) Lodging uses.
- Bed and breakfast [None permitted].
- (F) Miscellaneous uses.
- Carnival or circus (temporary). *[By special authorization of the building official.]*
 - Temporary construction or sales office.
- (G) Office uses.
- Office. *[Bail bond office is prohibited.]*
- (H) Recreation uses.
- Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
- (I) Residential uses.
- Duplex. *[MUP]*
 - Handicapped group dwelling unit. *[MUP]*
 - Live/work unit.
 - Multifamily.
 - Retirement housing.
 - Single family. *[MUP]*
- (J) Retail and personal service uses.
- Commercial parking lot or garage.
 - Dry cleaning or laundry store. *[MUP except in Subarea 7a where no MUP is required.]*
 - General merchandise or food store 3,500 square feet or less. *[MUP]*
 - Nursery, garden shop, or plant sales. *[MUP]*
 - Personal service uses. *[MUP]*
 - Surface parking.
- (K) Transportation uses.
- ~~[- Surface parking.]~~
 - Transit passenger shelter.

(L) Utility and public service uses.

- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower.
- Tower/antenna for cellular communications. [See Section 51P.316.107, "Additional Provisions Applicable to Certain Uses."]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

[–] None permitted.

(3) Accessory uses.

(A) As a general rule [~~Generally speaking~~], an accessory use is permitted in any subarea in which the main use is permitted. Some specific [~~types of~~] accessory uses, however, due to their unique nature, are subject to additional regulations [~~contained~~] in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(B) The following accessory uses are not permitted [~~in these areas~~]:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Occasional sales (garage sales).
- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls. [~~In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.~~])

(A) Front yard. Minimum front yard setback is 15 feet.

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

(C) Dwelling unit density. Maximum dwelling unit ("DU") density varies depending on whether the development is an MUP as follows:

<u>DEVELOPMENT TYPE</u>	<u>MAXIMUM DU DENSITY (du/acre)</u>
No MUP	18
MUP	30

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is an MUP as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP/no Res) is the FAR for an MUP when no category is "residential." The third [second] column (MUP/with Res) is the FAR for an MUP with a mix of "residential" plus one or more other use categories.]

MAXIMUM FLOOR AREA RATIO

<u>Use Categories</u>	<u>Base (no MUP)</u>	<u>MUP (no Res)</u>	<u>MUP (with Res)</u>
Office	0.5	0.5	1.0
Residential	0.5	---	1.0
Retail and personal service	<u>0.5</u>	<u>0.5</u>	<u>1.0</u>
TOTAL DEVELOPMENT	0.5	0.5	1.0

(E) Height. Maximum structure height is 54 feet.[=

(i) ~~54 feet for structures containing a residential use; and~~

(ii) ~~30 feet for all other structures.]~~

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories.

(5) ~~[Off street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off street parking requirements for each use. Consult the off street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off street parking and loading generally.]~~

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations.

(A) In general. ~~Except as provided paragraph, 1[L]andscaping must be provided [on all property] in accordance with Article X. [If and when Article X applies to a lot, the following subparagraphs must also be complied with.]~~

(B) Street trees. Street trees must be provided within 30 feet from the projected street curb. The trees must be large trees having a caliper of at least two and one-half inches. The number of trees required is one for each 25 feet of lot frontage. It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51P-316.109 ~~[of this article].~~

(C) Screening of off-street parking. All off-street ~~[surfaee]~~ parking ~~[lots]~~ and loading areas, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

~~(6[8])~~ Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work ~~[in this area]~~ if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(f) Subarea 7[Area 8](Retail/Neighborhood Service).

(1) Purpose. To accommodate convenience retail shopping services and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production ~~[None permitted].~~

(B) Commercial and business service uses.

- Art or craft production facility. [Maximum floor area is 5,000 square feet. A maximum of two deliveries and pickups of materials are allowed per week. The art or craft production facility may not operate between 7:00 p.m. and 7:00 a.m.]
- Electronics service center.

(C) Industrial uses.

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

(D) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- ~~[-] Institutional for special education. [SUP]~~
- Library, art gallery, or museum.
- Public or private school. [SUP]

(E) Lodging uses.

- [-] None permitted.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center.
- Office. [Bail bond office is prohibited.]

(H) Recreation uses.

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

- Public park, playground, or golf course.
- (I) Residential uses.
 - [–] None permitted.
- (J) Retail and personal service uses.
 - Auto service center. *[SUP] [RAR]*
 - Commercial parking garage. *[MUP]*
 - Dry cleaning or laundry store.
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet. *[SUP]*
 - Home improvement center, lumber, brick or building materials sales yard. *[SUP. No outdoor display or sales allowed.]*
 - [–] ~~Motor vehicle fueling station.~~
 - Nursery, garden shop, or plant sales.
 - Personal service uses.
 - Restaurant without drive-in or drive-through service.
 - Restaurant with drive-in or drive-through service. *[DIR]*
 - Temporary retail use.
 - [–] ~~Theater.~~
- (K) Transportation uses.
 - [–] ~~Surface parking.~~
 - Transit passenger shelter.
- (L) Utility and public service uses.
 - Electrical substation. *[SUP]*
 - Local utilities. *[SUP]*
 - Police or fire station. *[SUP]*
 - Post office.
 - Radio, television, or microwave tower. *[SUP]*
 - Tower/antenna for cellular communication. *[See Section 51P.316.107, "Additional Provisions Applicable to Certain Uses."]*
 - Utility or government installation other than listed. *[SUP]*
- (M) Wholesale, distribution, and storage uses.
 - [–] None permitted.

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific [~~types of~~] accessory uses, however, due to their unique nature, are subject to additional regulations [~~contained~~] in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(B) The following accessory uses are not permitted [~~in this area~~]:

- Accessory community center (private).
- Accessory game court (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Home occupation.
- Private stable.
- [~~- Swimming pool (private).~~]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations [~~contained~~] in Division 51A-4.400. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls. [~~In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.~~])

(A) Front yard. Minimum front yard setback is 15 feet.

(B) Side and rear yard. No side and rear yard is required; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio is 0.5.

(E) Height. Maximum structure height is 54[~~30~~] feet.

(F) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories.

(5) ~~[Off street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.]~~

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations.

(A) In general. Except as provided paragraph, ~~l~~[L]andscaping must be provided ~~[on all property]~~ in accordance with Article X. ~~[If and when Article X applies to a lot, the following subparagraphs must also be complied with.]~~

(B) Street trees. Street trees must be provided within 30 feet from the projected street curb. The trees must be large trees having a caliper of at least two and one-half inches. The number of trees required is one for each 25 feet of lot frontage. It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51P-316.109 ~~[of this article]~~.

(C) Screening of off-street parking. All off-street ~~[surface]~~ parking ~~[lots]~~ and loading areas, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

~~(6[8])~~ Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work ~~[in this area]~~ if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

SEC. 51P-316.109.

LANDSCAPING IN THE PARKWAY.

(a) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with Subsection (b) of this section. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(b) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorization by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees in the public right-of-way.

SEC. 51P-316.110.**ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

SEC. 51P-316.111.**OFF-STREET PARKING AND LOADING
[REASSESSMENT CLAUSE].**(a) Off-street parking and loading.

(1) 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 parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(2) Artisan and specialty goods shop. One off-street parking space per 366 square feet of floor area is required.

(3) Art or craft production facility. One off-street parking space per 1,000 square feet of floor area is required.

(4) Bed and breakfast. Two off-street parking spaces, and one off-street parking space for each guest room or suite is required. No required off street loading.

(5) Boutique hotel. Two off-street parking spaces, and one off-street parking space for each guest room or suite is required. No required off street loading.

(6) Live/work unit. The floor area for the residential portion of a live/work unit use is not counted towards required off-street parking.

(7) Office uses. One off-street parking space per 366 square feet of floor area is required.

(8) Retail and personal service uses. Except as provided in this paragraph, one off-street parking space per 220 square feet of floor area is required.

(A) Liquor store.

(i) Liquor store 3,500 square feet or less.

(aa) Required off-street parking: One space per 200 square feet of floor area.

(bb) Required off-street loading: One space.

(ii) Liquor store greater than 3,500 square feet.

(aa) Required off-street parking: One space per 200 square feet of floor area if less than 10,000 square feet. One space per 220 square feet of floor area if 10,000 square feet or greater, but less than 40,000 square feet. One space per 250 square feet of floor area if 40,000 square feet or greater, but less than 100,000 square feet.

(bb) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
<u>0 to 60,000</u>	<u>1</u>
<u>Each additional 60,000 or fraction thereof</u>	<u>1 additional</u>

(iii) Liquor store 100,000 square feet or more.

(aa) Required off-street parking: One space per 300 square feet of floor area.

(bb) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
<u>100,000 to 150,000</u>	<u>3</u>
<u>Each additional 50,000 or fraction thereof</u>	<u>1 additional</u>

(B) Parking per Chapter 51A-4.200.

- Alcohol beverage establishments.
- Business school.
- Commercial amusement (inside).

(C) Restaurant. One off-street parking space per 125 square feet of floor area is required. If an outdoor dining area, whether covered or not, is within 20 feet of, and has direct access to a street, sidewalk, or publically accessible open space, the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked as a restaurant.

(b) Subareas 1 and 8.

(1) If a use is within a structure that existed on or before July 26, 1989 and any site plan or other documentation shows required off-street parking, only that off-street parking must be provided or retained. No additional off-street parking is required. If a use is within a structure that existed on or before July 26, 1989, and no site plan or other documentation shows required off-street parking, no off-street parking is required. If the structure that existed on or before July 26, 1989 has been expanded after July 26, 1989 and the floor area has been increase by 200 square feet or more, the expanded floor area must comply with the required off-street parking for that use.

(2) Except as provided in this paragraph, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(A) 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 reduced the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(c) Subareas 1, 2, 3, 4, 6, 7, and 8: MUP shared parking. Shared parking is required for all nonresidential uses that are part of an MUP. The following table provides the basis for calculating the required shared parking spaces. The adjusted standard off-street parking requirement for a MUP is the largest of the five "time-of-day" column sums.

Shared Parking Table
(for calculating adjusted standard parking requirement)

<u>Use Category</u>	<u>Morning</u>	<u>Noon</u>	<u>Afternoon</u>	<u>Late Afternoon</u>	<u>Evening</u>
<u>Residential uses</u>	<u>80%</u>	<u>60%</u>	<u>60%</u>	<u>70%</u>	<u>100%</u>
<u>Office uses</u>	<u>100%</u>	<u>80%</u>	<u>100%</u>	<u>85%</u>	<u>35%</u>
<u>Retail and personal service uses</u>	<u>60%</u>	<u>75%</u>	<u>70%</u>	<u>65%</u>	<u>70%</u>
<u>Alcoholic beverage establishments and restaurant uses</u>	<u>20%</u>	<u>100%</u>	<u>30%</u>	<u>30%</u>	<u>100%</u>
<u>All other uses</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>

(d) Remote parking for all subareas except 5.

(1) Except as provided in this paragraph, for nonresidential uses and mixed use projects, remote parking is permitted if the requirements of Division 51A-4.320, "Special Parking Regulations," are met, including the landscape requirements.

(2) An agreement authorizing a nonresidential use or an MUP to use remote parking for nonresidential uses may be based on a lease for the remote parking space in lieu of the remote parking agreement required in Section 51A-4.328. The lease must:

- (A) be in writing on a form obtained from the building official;
- (B) contain legal descriptions of the properties affected;
- (C) specify the special parking being provided and the hours of operation of any use involved;
- (D) be governed by the laws of the state of Texas;
- (E) be signed by all lien holders, other than taxing entities, that have an interest in or an improvement on the properties;
- (F) be for a minimum term of three years; and

(G) provide that both the owner of the lot occupied by the nonresidential use or nonresidential MUP use and the owner of the remote parking lot shall notify the building official in writing if any provision of the lease is breached or if the lease is modified or terminated.

(3) Except as provided in this paragraph, remote parking may be within a walking distance of 1,000 feet from the use served. The building official may extend the distance for remote parking to no more than 1,500 feet if a shuttle from the remote parking to the use is provided. A special parking license is required in accordance with Section 51A-4.329 for an extension of the distance beyond 1,500 feet. [The city staff shall reassess the off-street parking and loading provisions for Area 1 in this district two years after July 26, 1989, and every two years thereafter to determine how well those provisions are working and whether revisions should be made at that time.]

SEC. 51P-316.112. PARKING REDUCTIONS.

(a) In general. Except as provided in this section, consult Division 51A-4.310, "Off-Street Parking Reductions."

(b) Proximity to trolley stops and DART stations. In all subareas except 5, for uses located within one-fourth of a mile of a trolley stop or DART light-rail station, the off-street parking requirements may be reduced by 10 percent if enhanced pedestrian amenities are provided.

(c) Enhanced pedestrian amenities.

(1) In general.

(A) The enhanced pedestrian amenities must be located within the door yard, but may not be located within the unobstructed sidewalk width.

(B) Enhanced pedestrian amenities must be located at least seven feet away from a trolley stop or DART light rail station.

(C) Canopies, awning, and street lamps must have a minimum clearance above a sidewalk of eight feet.

(D) Light fixtures may not exceed 14 feet in height. Light fixtures must be cut-off type luminaries that direct lighting downward.

(2) Required off-street parking may be reduced by one space for every three of the following enhanced pedestrian amenities provided on a building site:

(A) At least one bench per 100 feet of street frontage; minimum two per building site.

(B) At least one trash receptacle per 100 feet of street frontage; minimum two per building site.

(C) At least one free-standing or wall-mounted street lamp as specified in Article XIII, "Form Districts," per 50 feet of frontage.

(D) Awnings or canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building facade along the street frontage.

(E) Enhanced sidewalk with stamped concrete or brick pavers within the door yard and along the entire building site street frontage for the entire width and length of the sidewalk.

(F) Fountain or water feature.

(G) Three bicycle racks per 100 feet for no fewer than six bicycles. (See Division 51A-4.330, "Bicycle Parking Regulations," for bicycle rack regulations. If provided adjacent to the building site, the number of bicycle spaces provided may be counted towards required bicycle parking).

SEC. 51P-316.113.

SIGNS.

(a) Purpose. The purpose of this article is to regulate both the construction of new signs and the alterations of existing signs with a view towards enhancing, preserving, and developing the unique character of this district. These sign regulations have been developed with the following objectives in mind:

(1) To protect the historical and architectural character of this district from inappropriate signs in terms of number (clutter), style, color and materials.

(2) To ensure that significant architectural features in this district or of a building within this district are not obscured.

(3) To promote the economic success of each business within this district and, in turn, the collective success of this district.

(4) To ensure that the size and orientation of signs are geared toward the high number of pedestrians in this district.

(5) To enhance the aesthetics of this district.

(6) To promote safety, communications efficiency, and landscape quality and preservation.

(b) In general.

(1) Subareas 1, 2, 3, 4, 6, 7, and 8. Signs must comply with the provisions for business zoning districts in Article VII.

(2) Subarea 5. Signs must comply with the provisions for non-business zoning districts in Article VII. Exception: Signs allowed in Subarea 5 may convey a commercial message.

(3) Conflict. If there is a conflict between this section and Division 51A-7.1400, this section controls.

(c) Sign permit requirements.

(1) No person may alter, erect, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city. This section does not apply to government signs described in Section 51A-7.207.

(2) The procedures for obtaining a sign permit is outlined in Section 51A-7.505. Section 51A-7.602 does not apply to signs in this district.

(d) General requirements for all signs.

(1) Non-premise signs. Non-premise signs are prohibited.

(2) Signs in right-of-way. Signs in this district are permitted to overhang the public right-of-way subject to city licensing requirements.

(3) Materials. Although not required, painted applied signs and enameled metal signs are encouraged.

(4) Lighting.

(A) No sign may be illuminated by an independent, external fluorescent light source.

(B) The only light sources that may be used to illuminate a sign are cold cathode tube (neon), mercury vapor bulbs, or incandescent bulbs.

(e) Attached signs.

(1) Attached signs in general.

(A) Except as provided in this paragraph and except for marquee signs, awning signs, and blade signs all attached signs must be mounted parallel to the building surface to which they are attached and may not project more than 18 inches from that building.

(B) One attached sign that projects up to four feet from a vertical building surface may be erected at a nonresidential occupancy if:

- (i) the sign does not exceed 20 square feet in effective area;
- (ii) no portion of the sign is lower than 10 feet above grade;
- (iii) there is no detached sign on the premise.

and

(C) No portion of a sign may be located less than two feet from the back of a street curb.

(D) The use of artwork on signs is encouraged.

(E) Signs may not be mounted on or project above roofs.

(2) Awning signs.

(A) The maximum size of an awning sign is 18 square feet.

(B) The maximum combined effective area for all awning signs on a building facade is 150 square feet.

(C) No awning signs are allowed above the second story.

(D) Awnings must have a minimum height of 8 feet, and a maximum height of 14 feet. Awnings height is the vertical distance between the ground or pavement directly beneath the awning and the lowest point of the awning.

(E) Awnings must be supported solely by the building to which they are attached, provided the requirements of all applicable ordinances, rules and regulations are satisfied.

(F) Signs attached to awnings over gas pumps are not considered awning signs.

(3) Blade signs.

(A) Blade signs may not be internally illuminated.

(B) There is no limit on the number of blade signs.

(C) The maximum effective area for a blade sign is 30 square feet.

(D) The lowest part of a blade sign may be located no lower than 12 feet and no higher than 25 feet above street level, measured at grade.

(E) A blade sign may not project more than three feet into the right-of-way.

(F) A blade sign may not be located closer than 15 feet to another attached sign that projects perpendicularly from a building facade.

(4) Marquee signs.

(A) No premise may have more than one marquee sign.

(B) The length of the marquee sign may not exceed two-thirds of the length of the facade to which it is attached.

(C) Marquee signs may incorporate moving patterns or bands of light, except that the use of illumination to produce apparent motion of a visual image, such as expanding or contracting shapes, rotation, or similar effects of animation, is prohibited.

(5) Window signs.

(A) A window sign may not have a painted or opaque background.

(B) The combined effective area of all signs attached to a window or glass door may not exceed 25 percent of the area of that window or glass door.

(C) Signs in the upper two-thirds of a window or glass door are prohibited.

(D) Window signs are allowed only on street level windows and doors.

(f) Detached signs.

(1) In general.

(A) Detached signs may not exceed the height of the tallest building on the premise or 30 feet, whichever is less.

(B) Detached signs may not exceed 150 square feet in effective area.

(2) A-frame signs.

(A) A-frame signs may identify a business use.

(B) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.

(C) An A-frame sign may only be displayed when the business it identifies is open.

(D) A-frame signs may be located on the sidewalk if a minimum of six feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

(E) Only one A-frame sign is permitted for each business use.

(F) A-frame signs must be separated by a minimum of 50 feet.

(G) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(3) Monument signs.

(A) Monument signs must be premise signs.

(B) Monument signs may not be internally illuminated.

(C) One monument sign is permitted per premise.

(D) Monument signs must be set back five feet from the right-of-way.

(E) The maximum height for a monument signs is four feet.

(F) The maximum effective area for a monument sign is 40 square feet.

SEC. 51P-316.114.

NONRESIDENTIAL USE TRANSPARENCY.

(a) In general. Except as provided in this section, transparency must be maintained in all nonresidential street-level uses.

(1) An unobstructed line of sight that allows a clear view through all windows and public entrance and exit doors on the street level must be maintained at all times. The unobstructed line of sight must, at a minimum, extend from three feet above the ground to at least six feet above the ground.

(2) Store windows and doors must be clear of items that would obstruct a clear view, including: signage, advertisements, shelving, merchandise, and interior and exterior window coverings.

(3) Except fire escapes, all nonresidential use public entrance and exit doors must be made of glass or another transparent material.

(b) Window and door coverings. Security bars, guards, blinds, shutters, or curtains are prohibited during the hours of operation of a use. Security bars, guards, blind, shutters, or curtains are allowed during non-business hours.

(c) Subareas 1, 2, and 8: reflective glass. Reflective glass may not be used on the first story of a facade facing Jefferson Boulevard. The reflectance of glass used on the second story may not exceed 15 percent. The reflectance of glass used on stories above the second story may not exceed 27 percent. For purposes of this subsection, REFLECTANCE is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

SEC. 51P-316.115. STREET AND SIDEWALK STANDARDS.

(a) Jefferson Boulevard.

(1) Except as provided in this subsection, a minimum 10-foot-wide sidewalk, with a minimum six-foot-wide unobstructed sidewalk must be provided.

(2) Outdoor dining areas must have a minimum depth of four feet and a minimum three-foot-high railing around the perimeter. Outdoor dining area depth is the horizontal distance between the perimeter railing and the facade of the adjacent building. A minimum six feet of open sidewalk must be maintained between an outdoor dining area and the curb.

(3) Where the existing right-of-way width does not allow for the required sidewalk width, an additional sidewalk easement must be provided at the time of platting to achieve a 10-foot-wide sidewalk.

(b) All other streets. A minimum six-foot-wide unobstructed sidewalk must be provided.

SEC. 51P-316.116. 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) Site plan exceptions.

(1) The city plan commission, whether or not a specific use permit is required, may approve a site plan that does not comply with the requirements of Sections 51P-316.108(a)(4)(A)(i)(ii), 51P-316.108(a)(4)(B)(i), 51P-316.108(a)(6)(C), 51P-316.108(b)(4)(A)(i), 51P-316.108(b)(4)(B)(i), 51P-316.108(c)(4)(A)(i), 51P-316.108(c)(4)(B)(i), 51P-316.108(d)(4)(A)(B), 51P-316.108(e)(4)(A)(B), or 51P-316.108(f)(4)(A)(B), provided that:

(A) strict compliance with the listed regulations are impractical due to site constraints or would result in substantial hardship;

(B) the site plan complies with the spirit and intent of the listed regulations;

(C) the site plan furthers the stated purpose of the listed regulations;
and

(D) the exception from the listed regulations will not adversely affect surrounding properties.

(2) The city plan commission must follow the same procedure used for approval of minor amendments to development plans and the fee for a minor amendment shall apply.

SEC. 51P-316.117[111]. COMPLIANCE WITH CONDITIONS [PAVING].

(a) All paved area, 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 [~~director of public works and transportation~~].

[SEC. 51P-316.112. COMPLIANCE WITH CONDITIONS.]

(b) The building official shall not issue a building permit or certificate of occupancy for a use on this PD 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.

[SEC. 51P-316.113. ZONING MAP.

PD 316 is located on Zoning Map Nos. L-6 and L-7.]”

SECTION 3. That the subarea map, Exhibit 316A of Article 316, "PD 316," of Chapter 51P of the Dallas City Code is replaced by the Exhibit 316A attached to this ordinance.

SECTION 4. That the property description, Exhibit 316B of Article 316, "PD 316," of Chapter 51P of the Dallas City Code, is replaced by the perimeter property description, Exhibit 316B attached to this ordinance.

SECTION 5. That the conceptual site plan, Exhibit 316D of Article 316, "PD 316," of Chapter 51P of the Dallas City Code, is deleted.

SECTION 6. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 8. That Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By  _____
Assistant City Attorney

Passed SEP 10 2014

29470

141525

Exhibit E

GIS_Approved

**Property being rezoned
NS(A) to PD 316 (Subarea 7)**

BEING all of the remaining area of Lots 1, 2, 3, 4, and 5 in City Block 1/3241 and being further described as follows:

BEGINNING at the intersection of the centerline of Tyler Street with centerline of Page Avenue;

THENCE, southerly, along the centerline of Tyler Street to the point of intersection with the centerline of the Tyler Street/Polk Street Connection;

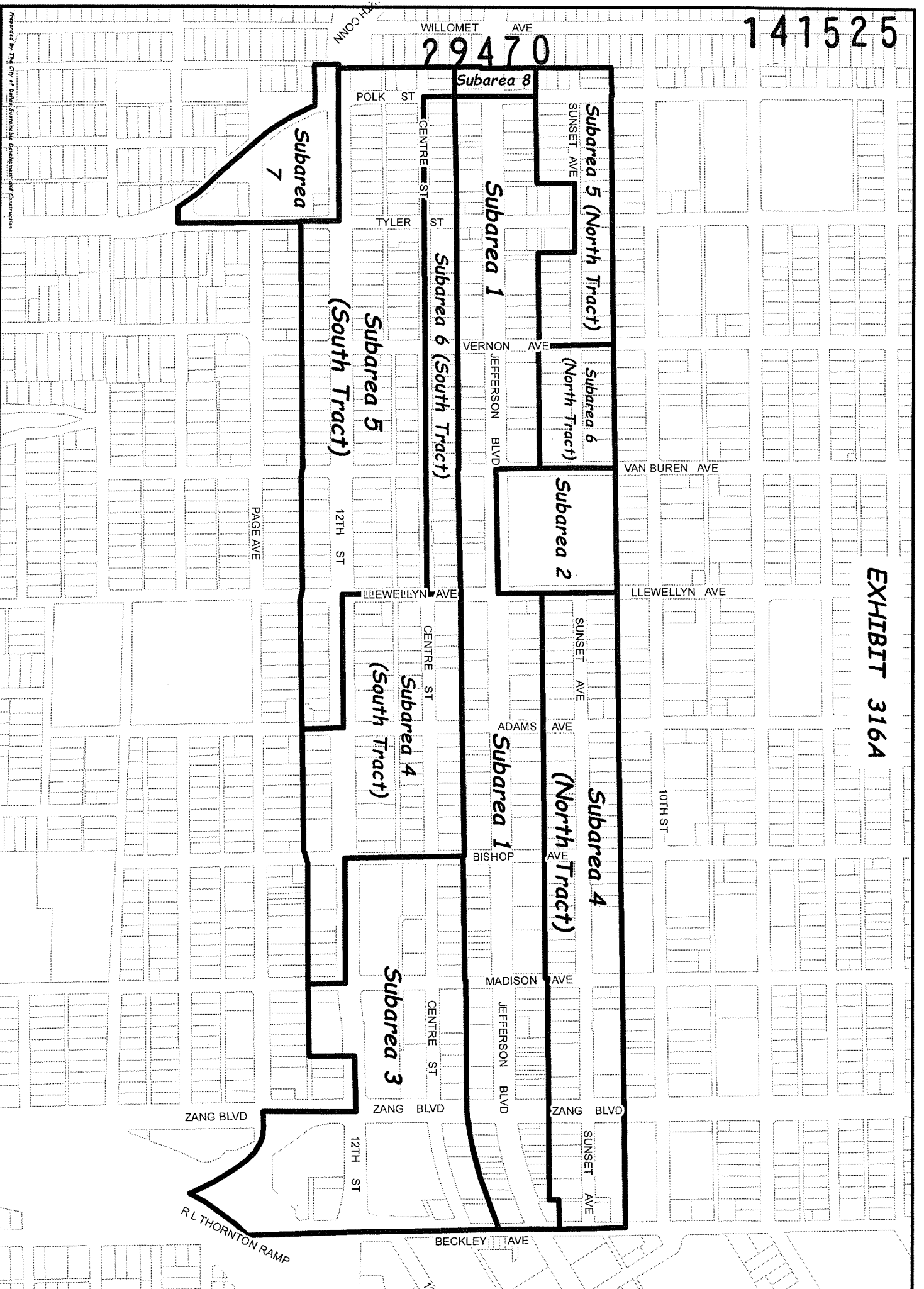
THENCE, southwesterly and northwesterly, along the centerline of the Tyler Street/Polk Street Connection to its intersection with the centerline of Page Avenue;

THENCE, easterly, along the centerline of Page Avenue to the intersection with the centerline of Tyler Street; the POINT OF BEGINNING.

141525

29470

EXHIBIT 316A



Prepared by The City of Dallas Sustainable Development and Construction



1:6,570

Tract Map for PD 316 - Jefferson Special Study Area
Subareas: 1, 2, 3, with Subareas 4, 5 and 6 each having (North and South Tracts), 7 and 8

Z112-251 (CC-Aug27, 2014)

EXHIBIT 316B**PERIMETER DESCRIPTION**

BEGINNING at a point being the centerline of the alley between Lots 11, 12 and 9, 10 in City Block 190/3249, also being the centerline of the east/west alley between W. Tenth Street and Sunset Avenue at a point along the eastern line of Lot 3 in City Block 36/3283 said point also being the common line between City Blocks 36/3283 and 190/3249;

THENCE, easterly, along the centerline of the east/west alley between W. Tenth Street and Sunset Avenue, running through City Blocks 190/3249, 177/3236, 168/3227, 155/3214 and between City Blocks 146/3205 and 145/3204, and said east/ west alley centerline continuing through City Blocks 44/3164, 43/3163, 42/3162, 41/3161 and said line crossing through Block 40/3160, projected to the centerline of South Beckley Avenue;

THENCE, southerly, along the centerline of South Beckley Avenue to the centerline of South R.L. Thornton Freeway/Exit Ramp;

THENCE, southwesterly, along the centerline of South R.L. Thornton Freeway/Exit Ramp to the centerline of the northbound South Zang Boulevard exit ramp from South R.L. Thornton Freeway;

THENCE, northwesterly, along the centerline of the northbound South Zang Boulevard exit ramp from South R.L. Thornton Freeway to the centerline of South Zang Boulevard;

THENCE, northerly, along the centerline of South Zang Boulevard to the point of intersection with the centerline of W. Twelfth Street;

THENCE, westerly, along the centerline of W. Twelfth Street to the point of intersection with the northerly prolongation of the common (platted) line between Lot 15 and Lot 14 in City Block 61/3181;

THENCE, southerly, along said common lot line and its southerly prolongation to the point of intersection with the centerline of the east/west alley between W. Twelfth Street and W. Page Avenue;

THENCE, westerly, southwesterly and northwesterly, along the centerline of the east/west alley between W. Twelfth Street and W. Page Avenue, running through City Blocks 61/3181, 62/3182, 63/3183, 64/3184, 142/3201, 159/3218 and 164/3223; said east/west alley centerline is crossing South Madison Avenue, South Bishop Avenue, South Adams Avenue, South Llewellyn Avenue, South Van Buren Avenue, South Vernon Avenue and continuing to the point of intersection with the centerline of South Tyler Street;

THENCE, southerly, along the centerline of South Tyler Street to the point of intersection with the centerline of the South Tyler Street/Polk Street Connection;

THENCE, westerly and northwesterly, along the centerline of the South Tyler Street/Polk Street Connection to its intersection with the easterly projected common line between Lot B and the north line of Lots 11 and 12 in City Block 186/3245;

THENCE, westerly, along said common Lot lines, projected to the centerline of the north/south alley between City Blocks 186/3245 and 48/3303, said alley centerline also being known as the original alignment of South Polk Street;

THENCE, northerly, along the centerline of said north/south alley (known as original alignment of Polk Street) between said City Blocks 186/3245 and 48/3303 to the centerline of Twelfth Street;

THENCE, easterly, along the centerline of Twelfth Street approximately 18 feet to the point of intersection with the southern prolongation of the common line between City Blocks 47/3290 and 187/3246, said line being between South Polk Street and South Willomet Avenue;

THENCE, northerly, continuing along the common line between City Blocks 47/3290 and both Blocks 187/3246 and 188/3247 crossing Twelfth Street and Centre Street, continuing along said northerly projected line crossing W. Jefferson Boulevard;

THENCE, continuing northerly across Lot 9A in City Block 189/3248 and along the common line between City Blocks 36/3283 and both Blocks 189/3248 and 190/3249 crossing Sunset Avenue to a point being the centerline of the alley between Lots 11, 12 and 9, 10 in City Block 190/3249, also being the centerline of the east/west alley between W. Tenth Street and Sunset Avenue at a point along the eastern line of Lot 3 in City Block 36/3283 said point also being the common line between City Blocks 36/3283 and 190/3249, the POINT OF BEGINNING.

SUBAREA BOUNDARIES

SUBAREA 1

BEGINNING at a point being the centerline of Polk Street at its point of intersection with the easterly projection of the centerline of the east/west alley between Lot 9A and 9B in Block 189/3248, between Sunset Ave and Jefferson Boulevard;

THENCE, easterly, along the centerline of said alley in Block 189/3248 crossing South Polk Street and continuing along the centerline of the east/west alley, between Lots 1-7 and 10-20 in Block 178/3237, to the point of intersection with the centerline of the north/south alley between Lots 1-6 and Lot 10 in the said same Block;

THENCE, northerly, along the centerline of the said north/south alley in said Block to the centerline of Sunset Avenue;

THENCE, easterly, along the centerline of Sunset Avenue to the centerline of the northerly projection of the north/south alley between Lots 13-14 and 18 in Block 167/3226;

THENCE, southerly, along the centerline of the north/south alley between Lots 13-14 and 18 in Block 167/3226 to the centerline of the east/west alley between Sunset Avenue and Jefferson Boulevard in same Block;

THENCE, easterly, along the centerline of the east/west alley between Sunset Avenue and Jefferson Boulevard, running through City Blocks 167/3226 and 156/3215 to the centerline of Van Buren Avenue;

THENCE, southerly, along the centerline of Van Buren Avenue to the centerline of Jefferson Boulevard;

THENCE, easterly, along the centerline of Jefferson Boulevard to the centerline of Llewellyn Avenue;

THENCE, northerly, along the centerline of Llewellyn Avenue to the centerline of the east/west alley between Sunset Avenue and Jefferson Boulevard;

THENCE, easterly, along the centerline of said east/west alley between Sunset Avenue and Jefferson Boulevard, crossing Adams Avenue and Bishop Avenue to the point of intersection with the centerline of Madison Avenue head north to the point of intersection with the westerly projection of the east/west alley centerline, continuing east crossing Madison Avenue and Zang Boulevard, to the point of intersection with the centerline of the north/south alley between Zang Boulevard and Beckley Avenue in City Block 49/3169;

THENCE, northerly, along the centerline of the north/south alley between Zang Boulevard and Beckley Avenue to the westerly projected northern line of Lot 10 in Block 49/3169;

THENCE, easterly, along the said northern line of Lot 10 in Block 49/3169 to the centerline of Beckley Avenue;

THENCE, southerly, along the centerline of Beckley Avenue to the easterly projected northern lot line of Lot 12 in Block 50/3170;

THENCE, southwesterly, along the northern lot line of Lot 12 in Block 50/3170 and continuing along the centerline of the east/west alley between Jefferson Boulevard and Centre Street, crossing Zang Boulevard, Madison Avenue, Bishop Avenue, Adams Avenue, Llewellyn Avenue, Van Buren Avenue, Vernon Ave, Tyler Street to the point of intersection with the centerline of Polk Street and the easterly projection of the east/west alley line between Lots 11, 12 and 9, 10 in Block 188/3247;

THENCE, northerly, along the centerline of Polk Street, crossing Jefferson Boulevard to the point of intersection with the easterly projection of the centerline of the alley between Sunset Ave and Jefferson Boulevard, said point also being the centerline of the east/west alley between Lot 9A and 9B in Block 189/3248, the POINT OF BEGINNING.

SUBAREA 2

BEGINNING at a point being the intersection of the centerline of Jefferson Boulevard and the centerline of Van Buren Avenue;

THENCE, northerly, along the centerline of Van Buren Avenue, passing Sunset Avenue to the westerly projected centerline of the east/west alley between City Block 145/3204 and 3146/205;

THENCE, easterly, along the centerline of said east/west alley to the centerline of Llewellyn Avenue;

THENCE, southerly, along the centerline of Llewellyn Avenue, passing Sunset Avenue to the centerline of Jefferson Boulevard;

THENCE, westerly, along the centerline of Jefferson Boulevard to the point of intersection with the centerline of Van Buren Avenue the POINT OF BEGINNING.

SUBAREA 3

BEGINNING at a point being the westerly projection of the centerline of the east/west alley between Jefferson Boulevard and Centre Street and the centerline of Bishop Avenue;

THENCE, easterly, along the centerline of said east/west alley, crossing Madison Avenue and Zang Boulevard, and continuing along the centerline of said east/west alley between Jefferson Boulevard and Centre Street and continuing along the north line of Lot 12 in City Block 50/3170 to the centerline of Beckley Avenue;

THENCE, southerly, along the centerline of Beckley Avenue to the centerline of R.L. Thornton Freeway/Exit Ramp;

THENCE, southwesterly, along the centerline of R.L. Thornton Freeway/Exit Ramp to the centerline of the northbound Zang Boulevard exit ramp from R.L. Thornton Freeway;

THENCE, northwesterly, along the centerline of the northbound Zang Boulevard exit ramp from R.L. Thornton Freeway to the centerline of Zang Boulevard;

THENCE, northerly, along the centerline of Zang Boulevard to the centerline of Twelfth Street;

THENCE, westerly, along the centerline of Twelfth Street to the point of intersection with the northerly prolongation of the common line between Lot 15 and Lot 6A (replat of Lot 14) in City Block 61/3181;

THENCE, southerly, along said common lot lines and its southerly prolongation to the point of intersection with the centerline of the east/west alley between Twelfth Street and Page Avenue;

THENCE, westerly, along the centerline of said east/west alley to the centerline of Madison Avenue;

THENCE, northerly, along the centerline of Madison Avenue to the centerline of Twelfth Street;

THENCE, westerly, along the centerline of Twelfth Street to the centerline of Bishop Avenue;

THENCE, northerly along the centerline of Bishop Avenue to the point of intersection with the westerly projected centerline of the east/west alley between Jefferson Boulevard and Centre Street the POINT OF BEGINNING.

THE BOUNDARIES OF SUBAREA 4 ARE AS FOLLOWS (IN 2 TRACTS):

SUBAREA 4 (North Tract)

BEGINNING at a point being the intersection of the centerline of Llewellyn Avenue and the centerline of an east/west alley between Sunset Avenue and Tenth Street;

THENCE, easterly, along the centerline of said east/west alley, running through City Blocks 44/3164, 43/3163, 42/3162, 41/3161 and crossing through Block 40/3160, projected to the centerline of Beckley Avenue;

THENCE, southerly, along the centerline of Beckley Avenue to the point of intersection with easterly projection of the north line of Lot 10 (as platted) in City Block 49/3169;

THENCE, westerly, along the north line of Lot 10 (as platted) in City Block 49/3169 to the centerline of the north/south alley between Beckley Avenue and Zang Boulevard;

THENCE, southerly, along the centerline of said north/south alley between Beckley Avenue and Zang Boulevard to the centerline of the east/west alley between Jefferson Boulevard and Sunset Avenue;

THENCE, westerly, along the centerline of the east/west alley between Jefferson Boulevard and Sunset Avenue running through City Blocks 49/3169, 48/3168, 47/3167, 46/3166 and 45/3165 said line crossing Zang Boulevard, Madison, Bishop and Adams Avenues, continuing west to the centerline of Llewellyn Avenue;

THENCE, northerly, along the centerline of Llewellyn Avenue to the point of intersection with the westerly projection of the centerline of the east/west alley between Sunset Avenue and Tenth Street the POINT OF BEGINNING.

SUBAREA 4 (South Tract)

BEGINNING at a point being the intersection of the centerline of Llewellyn Avenue and the westerly projection of the centerline of the east/west alley between Jefferson Boulevard and Centre Street;

THENCE, easterly, along the centerline of said east/west alley crossing Adams Avenue to the point of intersection with the centerline of Bishop Avenue;

THENCE, southerly, along the centerline of Bishop Avenue to the centerline of W. Twelfth Street;

THENCE, easterly, along the centerline of W. Twelfth Street to the centerline of Madison Avenue;

THENCE, southerly, along the centerline of Madison Avenue to the easterly projection of the centerline of the east/west alley between W. Twelfth Street and W. Page Avenue;

THENCE, westerly, along said east/west alley centerline running through City Blocks 62/3182 crossing Bishop Avenue and continue along said alley centerline running through City Block 63/3183 to the point of intersection with the centerline of Adams Avenue;

THENCE, northerly, along the centerline of Adams Avenue to the centerline of W. Twelfth Street;

THENCE, westerly, along the centerline of W. Twelfth Street to the centerline of Llewellyn Avenue;

THENCE, northerly, along the centerline of Llewellyn Avenue to the point of intersection with westerly projection of the centerline of the east/west alley between Jefferson Boulevard and Centre Street the POINT OF BEGINNING.

THE BOUNDARIES OF SUBAREA 5 ARE AS FOLLOWS (IN 2 TRACTS):

SUBAREA 5 (North Tract)

BEGINNING at a point being the centerline of the alley between Lots 11, 12 and 9, 10 in City Block 190/3249, also being the centerline of the east/west alley between W. Tenth Street and Sunset Avenue at a point along the eastern line of Lot 3 in City Block 36/3283 said point also being the common line between City Blocks 36/3283 and 190/3249;

THENCE, easterly, along the centerline of the alley between W. Tenth Street and Sunset Avenue, crossing Polk Street and Tyler Street to the centerline of Vernon Avenue;

THENCE, southerly, along the centerline of Vernon Avenue to the easterly prolongation of the centerline of the east/west alley between Sunset Avenue and Jefferson Boulevard;

THENCE, westerly along the centerline of said alley to the centerline of the north/south alley between Lots 13 and 14 and 18 in City Block 167/3226,

THENCE, northerly, along the centerline of said north/south alley centerline to the centerline of Sunset Avenue;

THENCE, westerly, along the centerline of Sunset Avenue to the centerline of the northerly projection of the north/south alley running between Lot 4-6 and 10 in City Block 178/3237;

THENCE, southerly, along the centerline of the said north/south alley to the intersection of the centerline of the east/west alley between Sunset Avenue and Jefferson Boulevard, running through City Block 178/3237;

THENCE, westerly, along the centerline of the said east/west alley between Sunset Avenue and Jefferson Boulevard to the east line of Lot 10 in City Block 36/3283;

THENCE, northerly, along the east line of Lot 10 in Block 36/3283 and continuing north along a line that is the common dividing line being the east line of Lots 7-10 in City Blocks 36/3283 and the west line of Lots 9B, 11 and 12 in City Block 189/3248 and crossing Sunset Avenue along the common dividing line between Lots 3-6 in City Block 36/3283 and the west line of Lot 9 in City Block 190/3249 to the point of intersection with the centerline of the east/west alley between Lots 11, 12 and 9, 10 in City Block 190/3249 the POINT OF BEGINNING.

SUBAREA 5 (South Tract)

BEGINNING at a point being the intersection of the east line of Lot 3 in City Block 47/3290, said line also being the common dividing line between City Blocks 47/3290 and 188/3247 and the centerline of the east/west alley between Jefferson Boulevard and Centre Street;

THENCE, easterly, along the centerline of the said east/west alley to the centerline of Polk Street;

THENCE, southerly, along the centerline of Polk Street to the centerline of Centre Street;

THENCE, easterly, along the centerline of Centre Street, crossing Tyler street, Vernon Avenue and Van Buren Avenue to the centerline of Llewellyn Avenue;

THENCE, southerly, along the centerline of Llewellyn Avenue to the centerline of W. Twelfth Street;

THENCE, easterly, along the centerline of W. Twelfth Street to the centerline of Adams Avenue;

THENCE, southerly, along the centerline of Adams Avenue to the centerline of the easterly projection of the east/west alley between W. Twelfth Street and W. Page Avenue;

THENCE, westerly, along the centerline of said east/west alley running through City Block 64/3184 and crossing Llewellyn Avenue to continue westerly along the centerline of the east/west alley running through City Blocks 142/3201, 159/3218 and 164/3223 to the point of intersection with the centerline of Tyler Street;

THENCE, northerly, along the centerline of Tyler Street to the centerline of W. Twelfth Street;

THENCE, westerly, along the centerline of W. Twelfth Street to the intersection of the southerly projected line of the common line between City Blocks 187/3246 and 47/3290, between Polk Street and Willomet Avenue;

THENCE, northerly, along said common Block lines to the centerline of the westerly projection of the east/west alley between Lots 9, 10 and Lots 11, 12 in City Block 188/3247 the POINT OF BEGINNING.

THE BOUNDARIES OF SUBAREA 6 ARE AS FOLLOWS (IN 2 TRACTS):

SUBAREA 6 (North Tract)

BEGINNING at a point of intersection of the centerline of Vernon Avenue and the centerline of the westerly projected east/west alley between Sunset Avenue and Tenth Street;

THENCE, easterly, along the centerline of said alley to the centerline of Van Buren Avenue;

THENCE, southerly, along the centerline of Van Buren Avenue to the centerline of the easterly projection of the east/west alley between Sunset Avenue and Jefferson Boulevard;

THENCE, westerly, along said centerline of said alley to the centerline of Vernon Avenue;

THENCE, northerly, along the centerline of Vernon Avenue to the point of intersection with the centerline of the westerly projected east/west alley between Sunset Avenue and Tenth Street the POINT OF BEGINNING.

SUBAREA 6 (South Tract)

BEGINNING at a point of intersection of the centerline of the westerly projection of the east/west alley between Jefferson Boulevard and Centre Street and the centerline of Polk Street;

THENCE, easterly, along the centerline of the said alley between Jefferson Boulevard and Centre Street, running through City Blocks 179/3238, 166/3225, 157/3216 and 144/3203, also crossing Tyler Street, Vernon Avenue and Van Buren Avenue to the point of intersection with the centerline of Llewellyn Avenue;

THENCE, southerly, along the centerline of Llewellyn Avenue to the centerline of Centre Street;

THENCE, westerly, along the centerline of Centre Street to the centerline of Polk Street;

THENCE, northerly, along the centerline of Polk Street to the point of intersection with the centerline of the westerly projection of the east/west alley between Jefferson Boulevard and Centre Street the POINT OF BEGINNING.

SUBAREA 7

BEGINNING at a point being the intersection of the centerline of the north/south alley between City Blocks 186/3245 and 48/3303, said alley also being known as the original alignment of South Polk Street and the centerline of Twelfth Street;

THENCE, easterly, along the centerline of Twelfth Street to the centerline of Tyler Street;

THENCE, southerly, along the centerline of Tyler Street to the point of intersection with the centerline of the Tyler Street/Polk Street Connection;

THENCE, southwesterly and northwesterly, along the centerline of the Tyler Street/Polk Street Connection to its intersection with the easterly projected common line between Lot B and the northern line of Lots 11 and 12 in City Block 186/3245;

THENCE, westerly, along said common lot lines, projected to the centerline of the north/south alley between City Blocks 186/3245 and 48/3303, said alley also being known as the original alignment of South Polk Street;

THENCE, northerly, along the centerline of said north/south alley between said City Blocks 186/3245 and 48/3303 to the point of intersection with the centerline of Twelfth Street, the POINT OF BEGINNING.

SUBAREA 8

BEGINNING at a point being the intersection of the centerline of the east/west alley between Lot 9A and 9B in Block 189/3248, between Sunset Ave and Jefferson Boulevard, said point also being on the east line of Lot 10 in Block 36/3283;

THENCE, easterly, along the centerline of said alley in Block 189/3248 to the point of intersection with the centerline of South Polk Street;

THENCE, southerly, along the centerline of South Polk Street to point of intersection with the easterly projection of the centerline of the east/west alley between Jefferson Boulevard and Centre Street in City Block 188/3247;

THENCE, southwesterly, along the centerline of said east/west alley line between Lots 11, 12 and 9, 10 in Block 188/3247, to the point of intersection with the east line of Lot 3 in City Block 47/3290, said line also the being the common dividing line between City Blocks 47/3290 and 188/3247;

THENCE, northerly, along said projected common Block line, crossing Jefferson Boulevard and crossing through Lot 9A in Block 189/3248, continuing along said line which is the common Block line between Blocks 36/32830 and 190/3249 to the point of intersection with the centerline of the alley between Sunset Ave and Jefferson Boulevard, said point also being the centerline of the east/west alley between Lot 9A and 9B in Block 189/3248, the POINT OF BEGINNING.

GIS_Approved

**Property being rezoned
NS(A) to PD 316 (Subarea 7)**

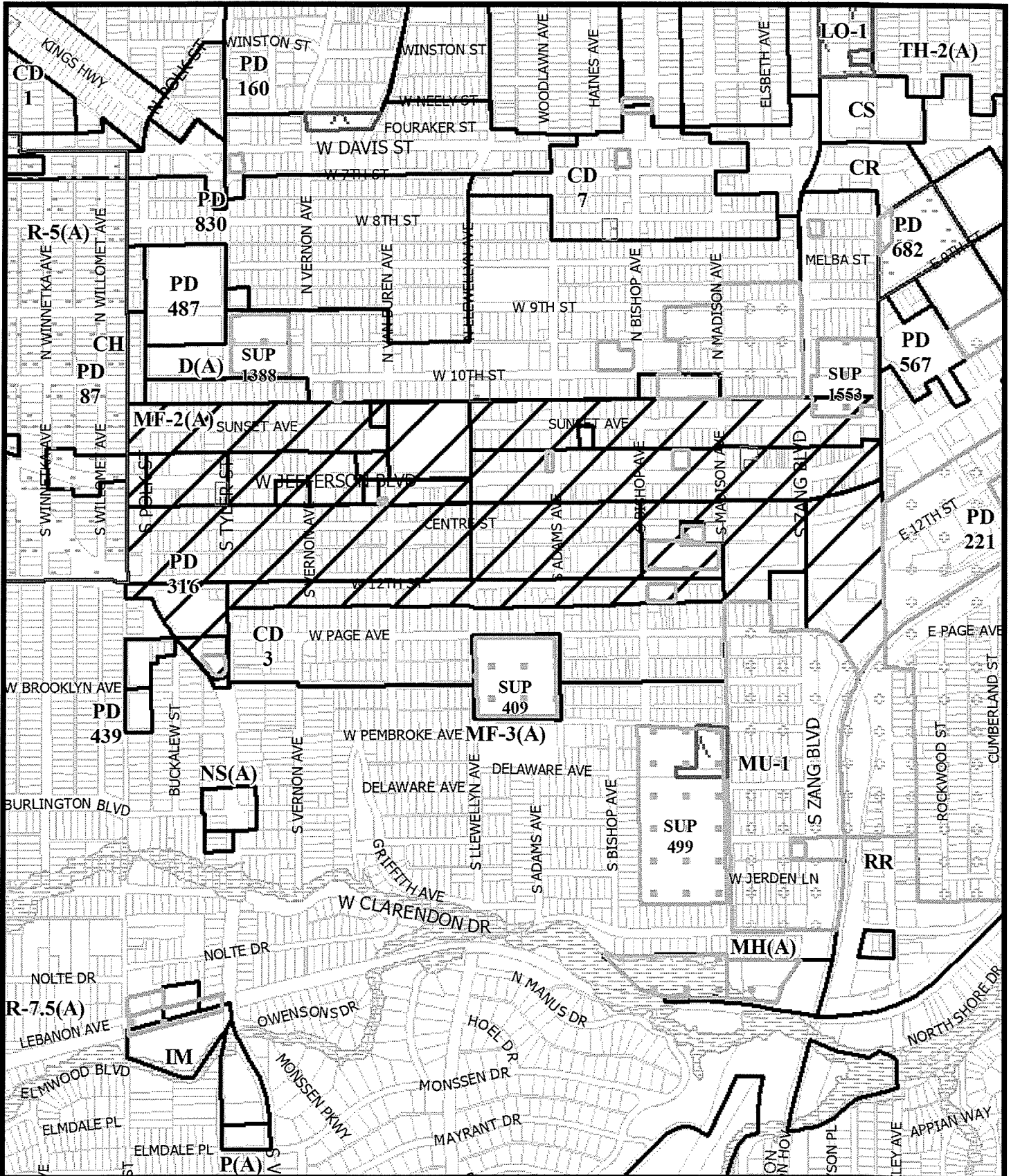
BEING all of the remaining area of Lots 1, 2, 3, 4, and 5 in City Block 1/3241 and being further described as follows:

BEGINNING at the intersection of the centerline of Tyler Street with centerline of Page Avenue;

THENCE, southerly, along the centerline of Tyler Street to the point of intersection with the centerline of the Tyler Street/Polk Street Connection;

THENCE, southwesterly and northwesterly, along the centerline of the Tyler Street/Polk Street Connection to its intersection with the centerline of Page Avenue;

THENCE, easterly, along the centerline of Page Avenue to the intersection with the centerline of Tyler Street; the POINT OF BEGINNING.

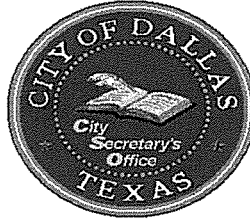


1:10,800

ZONING MAP

Case no: Z112-251

Date: 5/20/2014



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL SEP 10 2014

ORDINANCE NUMBER 29470

DATE PUBLISHED SEP 13 2014

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose C. Sims".