

2-27-07

ORDINANCE NO. 26590

An ordinance amending Historic District Overlay No. 31 (Old Parkland Hospital); amending Article 262, "PD 262," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code, as amended; amending the development plan regulations in Section 51P-262.105, the landscape plan regulations in Section 51P-262.106, the use, floor area, height, and setback regulations in Section 51P-262.108, the off-street parking regulations in Section 51P-262.109, the roadway improvement regulations in Section 51P-262.111, the preservation criteria in Section 51P-262.112, the Maple Avenue transportation center regulations in Section 51P-262.114, and the paving regulations in Section 51P-262.116 of Article 262; providing a new conceptual plan; replacing the Entry Feature Plan (Exhibit 262B) with a development plan; providing a landscape 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 this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to amend Historic District Overlay No. 31 and Article 262 as specified herein; Now, Therefore,

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

SECTION 1. That Article 262, "PD 262," of Chapter 51P, "Dallas Development Code:

Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"ARTICLE 262.

PD 262.

SEC. 51P-262.101. LEGISLATIVE HISTORY.

PD 262 was established by Ordinance No. 19432, passed by the Dallas City Council on January 7, 1987. Ordinance No. 19432 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 19432 was amended by Ordinance No. 19459, passed by the Dallas City Council on February 11, 1987, and Ordinance No. 22379, passed by the Dallas City Council on April 12, 1995.

SEC. 51P-262.102. PROPERTY LOCATION AND SIZE.

PD 262 is established on property generally located at the west corner of Maple Avenue and Oak Lawn Avenue. The size of PD 262 is approximately 8.9522 acres.

SEC. 51P-262.103. DEFINITIONS AND INTERPRETATIONS.

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

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

SEC. 51P-262.104. CONCEPTUAL PLAN.

A conceptual plan [~~including Schemes A and B and~~] dividing the Property into Tracts 1 and 2 [~~is~~] is labelled Exhibit 262A. Utilization of the Property must comply with [~~either Scheme A or B of~~] the conceptual plan.

SEC. 51P-262.105.

DEVELOPMENT PLAN.

(a) Development plan for Tract A and Tract B~~[In general]~~. Development and use of Tract A and Tract B as shown on the development plan must comply with the development plan (Exhibit 262B). Tracts A and B of the development plan encompass most of the Tract 1 and a portion of the Tract 2 shown on the conceptual plan. Tract C shown on the development plan constitutes the remainder of the Property.

(b) Development plan for Tract C. For Tract C, a[A] development plan(s) in compliance with the conceptual plan ~~[incorporating either Scheme A or Scheme B]~~ must be submitted to and approved by the city plan commission prior to the issuance of any building permit for construction on Tract C of the Property. A[The] development plan must include the site plan requisites listed in Section 51-4.803(d) ~~[and must indicate selection of Scheme A or Scheme B]~~. In deciding whether to approve or deny a [the] development plan, the city plan commission shall follow the standards set out for the director of development services in Section 51-4.803.

~~[(b) Special standards for Tract 2.]~~ In reviewing a[the] development plan~~[for Tract 2 or any portion thereof]~~, the city plan commission shall consider the following:

(1) Additional density and massing~~[in Tract 2]~~ should be distributed so as to minimize any negative impact on the historic resources in the environmental zone ~~[on the Property]~~.

(2) Any new construction ~~[on Tract 2]~~ should be so situated as to protect significant public spaces and building facades in the environmental zone.

(c) Conflict. In the event of a conflict between the text of this article and any approved development plan, the text of this article controls.

SEC. 51P-262.106.

LANDSCAPE PLAN.

(a) Landscape plan for Tract A and Tract B. Landscaping in Tract A and Tract B as shown on the landscape plan must be provided as shown on the landscape plan (Exhibit 262D).

(b) Landscape plan for Tract C. For Tract C, a[A] landscape plan in conformance with the requirements of Part I of Article 193, must be submitted with each development plan and approved by the city plan commission prior to the issuance of any building permit for construction on Tract C ~~[the Property]~~.

(c) Timing of installation. Landscaping must be installed in accordance with the approved landscape plan within six months after ~~[of]~~ the issuance of a certificate of occupancy for any structure on the portion of the Property covered by the landscape plan.

(d) Maintenance. ~~[All] P[er]lant~~ materials must be maintained in a healthy, growing condition ~~[at all times]~~.

(e) Conflict. In the event of a conflict between the text of this article and any approved landscape plan, the text of this article controls.

SEC. 51P-262.107. RESERVED [SITE PLANS].

~~[If the existing floor area on Tract 1, as shown on Scheme A, is reduced below 89,308 square feet, the Property must be developed in accordance with Scheme B. If 89,308 square feet or more of floor area is retained on Tract 1, as shown on Scheme A, then the Property must be developed in accordance with Scheme A.]~~

SEC. 51P-262.108. USES, FLOOR AREA, HEIGHT, AND SETBACKS.

(a) Tract 1 as shown on the conceptual plan.

(1) Uses. The only uses permitted are those uses permitted by right in a GR General Retail Subdistrict, as defined in ~~[the]~~ Part I of Article 193, except that:

(A) motor vehicle related uses are not permitted, and

(B) a utility or government installation other than listed use is permitted only by specific use permit.

(2) Floor area. Minimum permitted floor area is [as follows:

~~(A) Scheme A—89,308 square feet.~~

~~(B) Scheme B—]53,534 square feet.~~

(3) Height. No additional height to any portion of the existing structures is permitted.

(4) Setbacks. Setbacks for any portion of the existing structures must be maintained, except that the installation of a perimeter fence, chillers, and a screening wall on the south side of the building near the 1935 addition facing Oak Lawn Avenue are permitted as shown on the conceptual plan. The screening wall must match the first floor facade of the current adjacent structure in height and materials.

(5) Open space. The existing trees and open space must remain as indicated on the conceptual plan.

(b) Tract 2 as shown on the conceptual plan.

(1) Uses. The only uses permitted are those uses permitted by right in a GR General Retail Subdistrict, as defined in the Part I of Article 193, except that:

(A) motor vehicle related uses are not permitted, and

(B) a utility or government installation other than listed use is permitted only by specific use permit.

(2) Floor area. Maximum permitted floor area is [as follows:

(A) ~~Scheme A—861,575 square feet.~~

(B) ~~Scheme B—] 726,384 square feet.~~

(3) Height. No structure may exceed 240 feet in height, as defined in the Dallas Development Code, except that no additional height to any portion of the existing structures is permitted.

(4) Setbacks.

(A) Oak Lawn Avenue. Except for fences, and except as shown on the conceptual plan, a[A]ny new construction on Tract 2 as shown on the conceptual plan adjacent to Oak Lawn Avenue must be set back at least as far from the property line as Existing Building A as shown on the conceptual plan [conform to the existing building setback line] for that portion of Tract 2 that [which] abuts Oak Lawn Avenue. An additional setback of no less than 36 feet must be provided for that portion of a structure that exceeds 505 feet above mean sea level.

(B) Dallas North Tollway and Reagan Street. Any new structures on Tract 2 as shown on the conceptual plan must be setback from the Dallas North Tollway and Reagan Street pursuant to the provisions of Part I of Article 193 for structures in a General Retail Subdistrict.

(c) Tracts 1 and 2 as shown on the conceptual plan.

(1) Floor area ratio (FAR).

(A) Maximum permitted floor area ratio for Tracts 1 and 2 as shown on the conceptual plan combined is [as follows:

(i) ~~Scheme A—2.44.~~

(ii) ~~Scheme B—] 2.0.~~

(B) Any property dedicated for right-of-way pursuant to this article is included for purposes of computing maximum permitted floor area.

(2) Lot coverage. Maximum permitted lot coverage for Tracts 1 and 2 as shown on the conceptual plan combined is 80 percent, including above-grade parking structures.

SEC. 51P-262.109.

OFF-STREET PARKING.

Off-street parking on the Property must be provided for each use in accordance with the provisions of Part I of Article 193. The basement area is exempt from parking requirements when devoted to support uses including storage, mail room, break rooms, and workout facilities. For the purpose of this section, a basement is a story that is primarily below grade. Any reduction in the required parking provided for in Part I of Article 193 must occur in the following sequence:

(1) Contributions to the Oak Lawn Transit Management Organization Fund, for a maximum reduction of 10 percent.

(2) Implementation of a Transportation Management Plan and/or mixed use parking pursuant to a provision of the mixed use development parking chart contained in Part I of Article 193.

SEC. 51P-262.110.

RESERVED [TRANSPORTATION SYSTEMS MANAGEMENT (TSM) SCHEME A].

~~[(a) Generally. If the Property is developed pursuant to Scheme A, the owner(s) shall establish and operate a TSM program to encourage transit, carpool, vanpool, and other trip reduction alternatives consistent with the objectives of the Oak Lawn Transportation Plan adopted in October, 1983. A specific TSM action program designed to meet these trip reductions must be submitted to the city plan commission concurrently with the submission of the first development plan submitted. An annual report documenting the TSM effort and trip reduction results must be furnished to the director of public works and transportation. The TSM program must maintain trips at 2.0 FAR level.~~

~~(b) Reports. The first annual report must be submitted within two years after the issuance of the first certificate of occupancy on the Property and must be submitted annually thereafter until otherwise directed by the director of public works and transportation. The final report must be submitted two years after the issuance of the certificate of occupancy which would permit occupancy of 90 percent of the final building shown on the development plan(s).]~~

SEC. 51P-262.111.

ROADWAY IMPROVEMENTS.

~~[(a) Oak Lawn Avenue. The owner(s) must dedicate property (not to exceed 10 feet) for right-of-way, as approved by the director of public works and transportation, for an additional westbound lane on Oak Lawn Avenue from Maple Avenue to Dallas North Tollway.~~

~~(b) Right turn lane.] The owner(s) must dedicate the necessary right-of-way for a right-turn lane from southbound Maple Avenue to westbound Oak Lawn Avenue to the extent the dedication is roughly proportional to the need for the right-of-way created by the development of the Property.~~

~~[(c) Maple Avenue median. Prior to the issuance of any building permit on the Property, the owner(s) shall fund the construction of the Gateway Plan as shown on Exhibit 262B.~~

~~(d) Reimbursement for traffic control signs and markings. Prior to the issuance of any certificate of occupancy on the Property, the owner(s) shall reimburse the department of public works and transportation for the cost of installing traffic control signs and markings on adjacent streets necessitated by this development.]~~

SEC. 51P-262.112.

PRESERVATION CRITERIA.

(a) Environmental zone/protected public space. That area designated as Tract 1 [ef Scheme A] on the conceptual plan is considered the protected public space or environmental zone. All buildings and facades in this area are subject to the following preservation criteria and any changes to such buildings and facades must be approved through the certificate of appropriateness process contained in the Dallas Development Code.

(1) Surface materials.

(A) Any renovations or reconstruction of the facades must employ a brick similar in color, module size, and texture to the existing brick. Existing brick may not be painted unless the brick and mortar joints have deteriorated to a point where they must be replaced and the new brick color cannot reasonably match the old color.

(B) Any renovations or reconstruction of existing trim and detailing on protected facades must employ materials (concrete, cut stone, etc.) similar in color, module size, and texture to the existing trim and detailing. Existing masonry elements may not be painted.

(2) Fenestrations and opening.

(A) Existing window and door openings in the facades must be preserved.

(B) Reflective, mirrored, or tinted glass is not permitted in openings in the facades. Existing wooden windows should be preserved and reconditioned if at all possible. They may be replaced with metal or vinyl clad frame windows if they express previous colors, mullion patterns, window lights, and frame profile. New window openings may be created only in order to comply with health and safety code provisions.

(C) Existing door openings in facades must be preserved as door openings unless they are not part of the original design. New door openings may be created only in order to comply with health and safety code provisions. Doors must be compatible with the character of the building, and may not be made entirely of glass. Solid wood or a mixture of wood and glass doors are required.

(3) Roof.

(A) The character, configuration, and slope of the existing roofs must be maintained and preserved.

(B) No new vertical addition is allowed above the existing buildings in the environmental zone. All existing gables and parapets on the protected facades must be preserved. Mechanical equipment may be placed on the roofs if the placement, configuration, and color is reviewed and approved through the certificate of appropriateness process.

(4) Porches and balconies.

(A) Existing porches and balconies on facades in the environmental zone must be maintained and preserved. Porches and balconies may not be enclosed except by mesh screening. Canvas and other fabric awnings are permitted, within the acceptable color range.

(B) All columns or railings that are part of a porch or balcony configuration must be preserved.

(5) Embellishments and detailing. The following embellishments and detailing must be preserved and maintained. Any reconstruction, renovation, or replacement of these items, due to irreversible damage, must be as similar in composition, texture, color, and size as practicable.

(A) Window mullions.

(B) Cornices.

(C) Parapets and gables.

(D) Columns and railings.

(E) Window sills.

(F) Decorative detailing.

(6) Color.

(A) Existing brick and trim detailing must remain unpainted. Brick may be painted a compatible color only if existing brick and mortar joints are beyond repair and the new brick color cannot reasonably match the old color. The color of any additions, repairs, or alterations to the buildings must coincide as nearly as practicable to the original brick color

(B) Any cleaning of the brick and trim must follow United States Department of the Interior guidelines, as stated in the Secretary of the Interior's "Standards for Rehabilitation."

(C) Accent colors may be used on window frames, mullions, and doors, but must comply with the hue, value, and chroma content of the Munsell Color System as outlined in the Munsell Book of Color, Neighboring Hues Collection, 1973.

(7) Signs. All exterior signs and graphics must be reviewed and approved for compatibility through the certificate of appropriateness process. Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

(8) New construction.

(A) Existing front and side yard setbacks must be preserved and no new building construction is allowed in the environmental zone, except: ~~[in the courtyards adjacent to Tract 2 following approval by the landmark committee in the certificate of appropriateness process.]~~

(i) the installation of chillers.

(ii) erection of a screening wall on the south side of the building near the 1935 addition facing Oak Lawn Avenue as shown on of the conceptual plan, and

(iii) construction of a maximum six-foot-tall security fence, with vertical elements to be spaced no more than six inches apart on center, surrounding the environmental zone as shown on the development plan.

(B) The existing courtyards that face the protected public space must be preserved and maintained.

(9) Tree preservation.

(A) The existing mature tree cover must be preserved.

(B) Surface parking lots are prohibited in the protected area in order to protect the existing tree root systems. A circular drive for access to Building A as shown on the development plan may be permitted if it will not adversely affect the tree root systems; limited parking may occur along the drive. Grass or groundcover must be used throughout the environmental zone to further protect the trees. Any paving surface used to preserve the trees must be approved by the building official.

(C) Any tree listed in the inventory of existing trees (Exhibit 262C) must be replaced with one of the same variety within six months of its loss, with a four-inch minimum caliper dimension for any single tree. Replacements must be placed within the original tree canopy area.

(D) Prior to the issuance of a building permit for construction on Tract 1 as shown on the conceptual plan, a [landscape] plan for maximum protection of all the trees must be submitted to and approved by the city plan commission and filed with the landmark commission [committee].

(b) New construction on Tract 2 as shown on of the conceptual plan.

(1) New construction on Tract 2 as shown on of the conceptual plan which is physically attached to existing structures located in the environmental zone will affect [and impact] the structures located in the environmental zone. Therefore, the following items must be approved by the landmark commission in accordance with the Secretary of the Interior's Standards for Rehabilitation:

(A) Facade materials for new construction on Tract 2 which is physically attached to existing structures located in the environmental zone [~~Buildings A or B must be compatible in texture, color, and module size to the materials in the existing buildings.~~]

(B) The relationship of glass to opaque areas of new facades [~~must be compatible with the rhythm of solid to void extant on the protected structures.~~]

(C) Window articulation, [~~must respond to the existing strictures and should correspond in scale in any new construction. No continuous glass or spandrel and glass curtain walls are allowed.~~]

(D) The cornice lines articulated on existing structures located in the environmental zone [~~Buildings A and B~~] must also be reflected in any new construction fronting Reagan, Maple, or Oak Lawn Avenues and attached to the buildings located in the environmental zone.

(E) Detailing, materials, and solid-to-void relationships for any new construction that is physically attached to existing structures located in the environmental zone [~~Buildings A or B must be reviewed for compatibility by the landmark committee.~~]

(2) Any new construction on Tract 2 as shown on of the conceptual plan not a part of a structure which is physically attached to a structure located in the environmental zone is exempt from the certificates of appropriate process.

SEC. 51P-262.113. SIGNS.

All signs must comply with the provisions for business zoning districts contained in Article VII. No non-premise signs are permitted.

SEC. 51P-262.114. RESERVED [MAPLE AVENUE TRANSPORTATION CENTER].

~~[Prior to the issuance of any building permit for construction on the Property, the owner(s) must install a transportation center on Maple Avenue in accordance with the Oak Lawn Transportation Plan.]~~

SEC. 51P-262.115. GENERAL REQUIREMENTS.

Utilization of the Property must comply with the requirements of the Oak Lawn Special Purpose District (Article 193) and all other applicable ordinances, rules, and regulations of the city.

SEC. 51P-262.116. PAVING.

Except as provided in this section, all [All] paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. Alternative materials, including crushed granite, may be used for drives and parking areas in the environmental zone, subject to the approval of the director of development services as routine maintenance. The director may require a report from the city arborist and an engineering analysis to support any request for alternative materials.

SEC. 51P-262.117. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city.

SEC. 51P-262.118.

ZONING MAP.

PD 262 is located on Zoning Map No. I-7."

SECTION 2. That the conceptual plan, Exhibit 262A of Article 262, "PD 262," of Chapter 51P of the Dallas City Code, is replaced by the conceptual plan labelled Exhibit 262A and attached to this ordinance.

SECTION 3. That Exhibit 262B, "Considerations for Entry Feature Development at Oak Lawn," of Article 262, "PD 262," of Chapter 51P of the Dallas City Code is replaced with the development plan labelled Exhibit 262B and attached to this ordinance.

SECTION 4. That development of this district must comply with the full-scale versions of the conceptual plan, development plan, and landscape plan attached to this ordinance. Reduced-sized versions of these plans shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale versions of the plans.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. 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 7. 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 8. 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:

THOMAS P. PERKINS, JR., City Attorney

By *Kathy Zolich*
Assistant City Attorney

Passed FEB 28 2007

26590

TOTAL SITE AREA - APPROX. 380,000 SF OR 8.86 ACRES
TOTAL SITE P.A.R. = 21

FOR TREE SPECIES AND CALIPER REFER TO SURVEY BY COUNTY OF DALLAS, TEXAS DEPARTMENT OF PUBLIC WORKS, DATED 10/04/04.

TRACT 1: APPROX. 119,768 SF OR 2.75 ACRES
1. EXISTING BUILDING TO REMAIN.
ALTERATIONS REQUIRE LANDMARK COMMISSION APPROVAL.
2. EXISTING TREES AND OPEN SPACES TO REMAIN.
ACCESS DRIVE WITH LANDMARK COMMISSION APPROVAL.
3. NO ADDITIONAL HEIGHT.

TRACT 2: APPROX. 270,173 SF OR 6.2 ACRES
1. LANDMARK COMMISSION APPROVAL NOT REQUIRED, EXCEPT WHERE NEW CONSTRUCTION IS PHYSICALLY CONNECTED TO EXIST. STRUCTURE.
2. MIN. LOT COVERAGE: 80% OF TRACT 1 & 2, INCLUDING STRUCTURED PARKING.

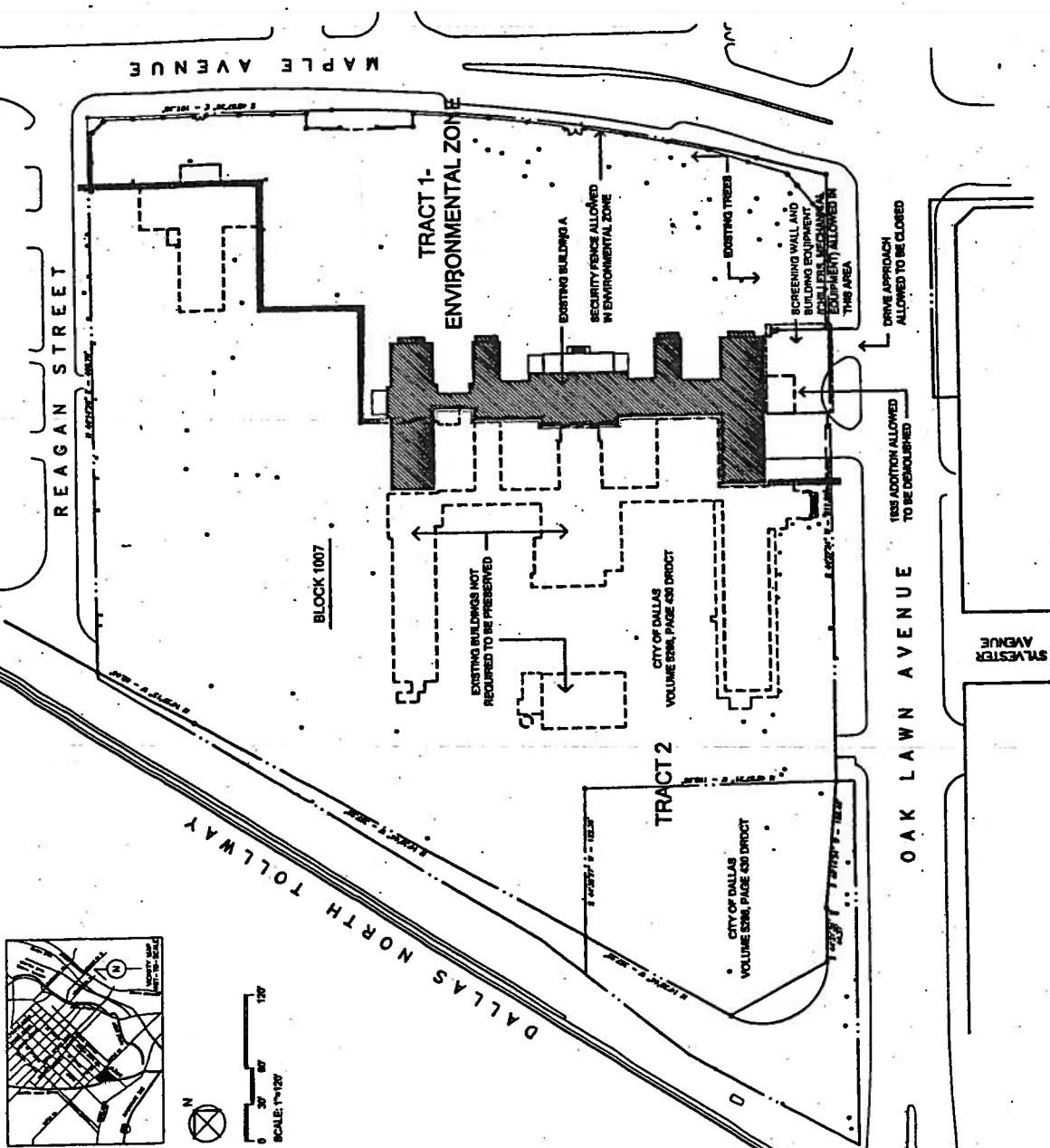


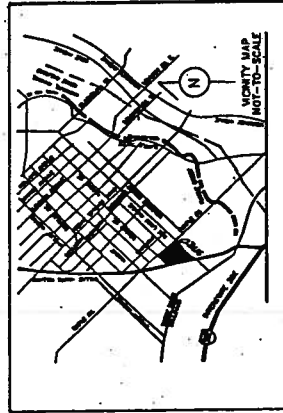
EXHIBIT 262-A
CONCEPTUAL PLAN

Planned Development
District No. 262

Approved
City Plan Commission
February 2, 2007

26590

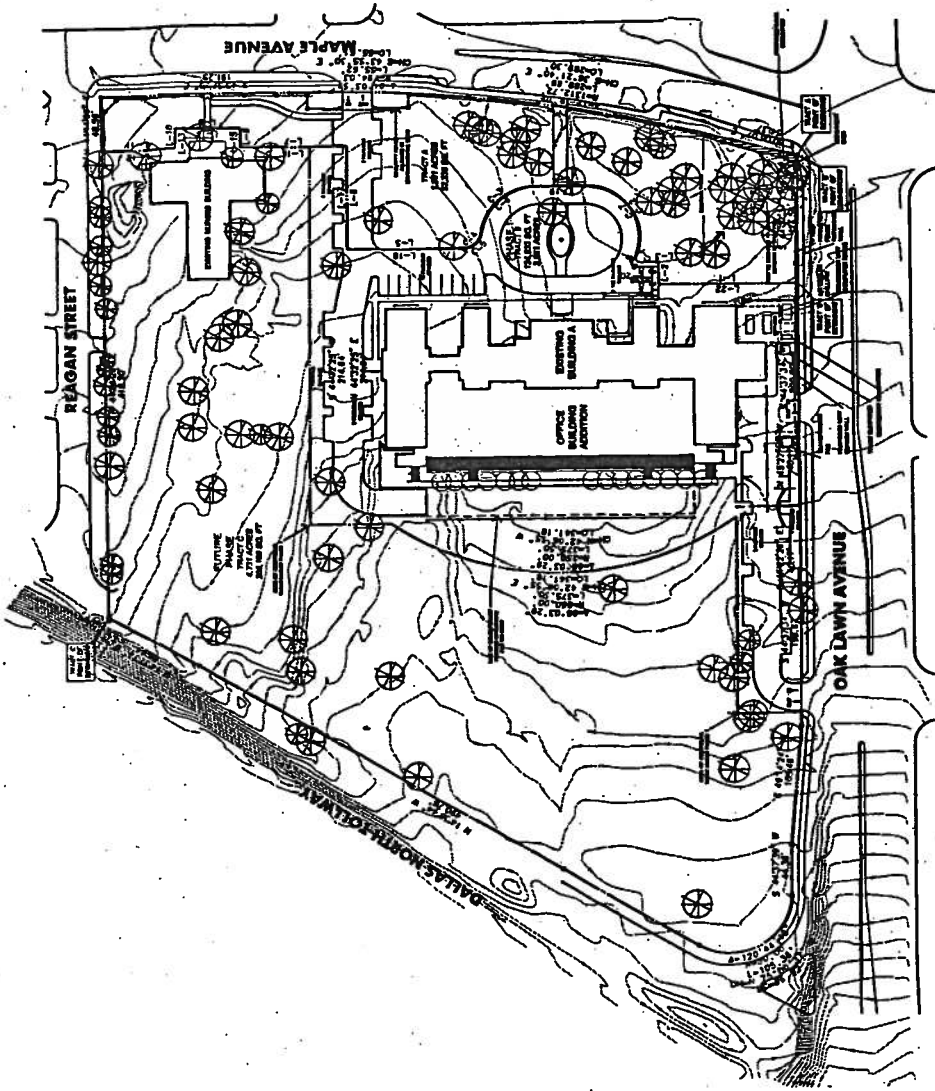
PROJECT DATA	
EXISTING BUILDING	11,304 S.F.
FIRST FLOOR	11,304 S.F.
BUILDING TOTAL	11,304 S.F.
NEW BUILDING ADDITION	
FIRST FLOOR	14,524 S.F.
SECOND FLOOR	14,524 S.F.
BUILDING TOTAL	29,048 S.F.
PARKING DATA	
SURFACE PARKING	20 SPACES
GARAGE P1	82 SPACES
GARAGE P2	48 SPACES
PARKING TOTAL	150 SPACES
LAND AREA	
TRACT A	1.2 AC
TRACT B	3.2 AC
TRACT C	4.7 AC
TRACT D	6.3 AC
TOTAL	15.4 AC
(NOT INCLUDED IN DEVELOPMENT PLAN)	
IMPERVIOUS COVER	TRACT A: 48,288 S.F.
TOTAL	TRACT B: 28,048 S.F.
	TRACT C: 36,112 S.F.
	TRACT D: 48,128 S.F.



WOODLAWN
3819 MAPLE AVENUE &
2215 OAK LAWN AVENUE
DALLAS, TEXAS

DEVELOPMENT PLAN
02/28/07 PREPARED

ZONING CASE # Z067-132



GREENFIELD FOUNDATION FOR DALLAS
1000 GREENFIELD AVENUE
DALLAS, TEXAS 75201
714.766.1111
WWW.GREENFIELDFOUNDATIONFORDALLAS.COM

Job: 02/28/07
File: 02/28/07
Date: 02/28/07
Drawn by: JLD/LMS/N

EXHIBIT 262B
DEVELOPMENT PLAN
Woodlawn
Dallas, Texas

Planned Development
District No. 262

Approved
City Plan Commission
February 2, 2007

26590

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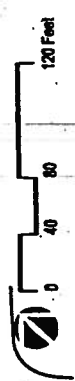
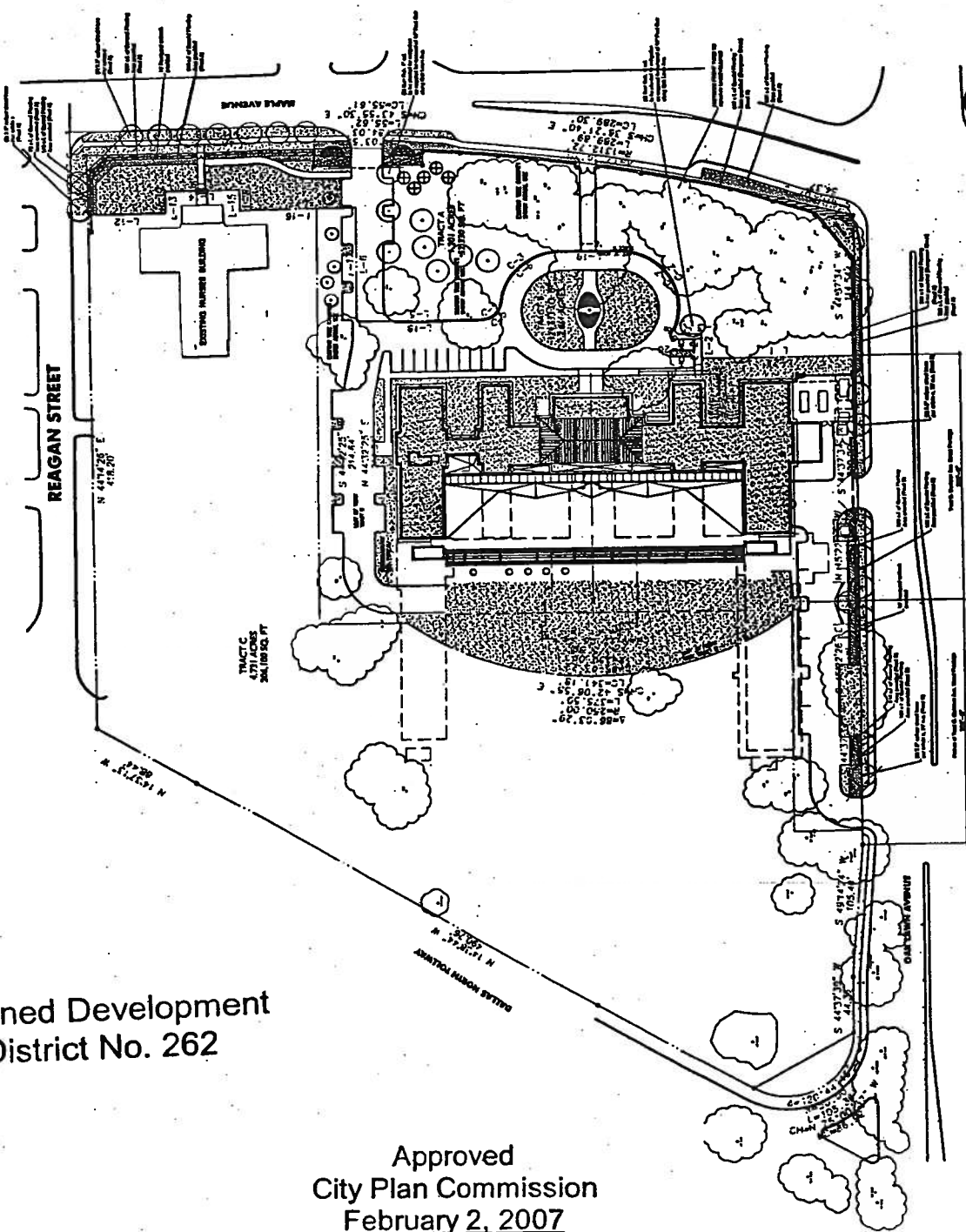
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LANDSCAPE TABLETATIONS (Sheet B)
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 PG 100 Sub-Block 100

LANDSCAPE TABLETATIONS (Sheet C)
 PG 100 Sub-Block 01
 PG 100 Sub-Block 02
 PG 100 Sub-Block 03
 PG 100 Sub-Block 04
 PG 100 Sub-Block 05
 PG 100 Sub-Block 06
 PG 100 Sub-Block 07
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 PG 100 Sub-Block 100

NOTE: IRRIGATION INSTALLED UNDER THE SLABS OF CONCRETE
 AND SHALL BE OPERATED BY AN IRRIGATION CONTROLLER.
 THESE PROCEDURES WILL BE PERFORMED WITH THE
 SUPERVISION AND DIRECTION OF A LICENSED ARBORIST

WOODLAWN
 3819 MAPLE AVENUE &
 2215 OAK LAWN AVENUE
 DALLAS, TEXAS
 EXHIBIT 262D
 LANDSCAPE PLAN
 02/16/07 PREPARED
 ZONING CASE # Z067-132



Planned Development
 District No. 262

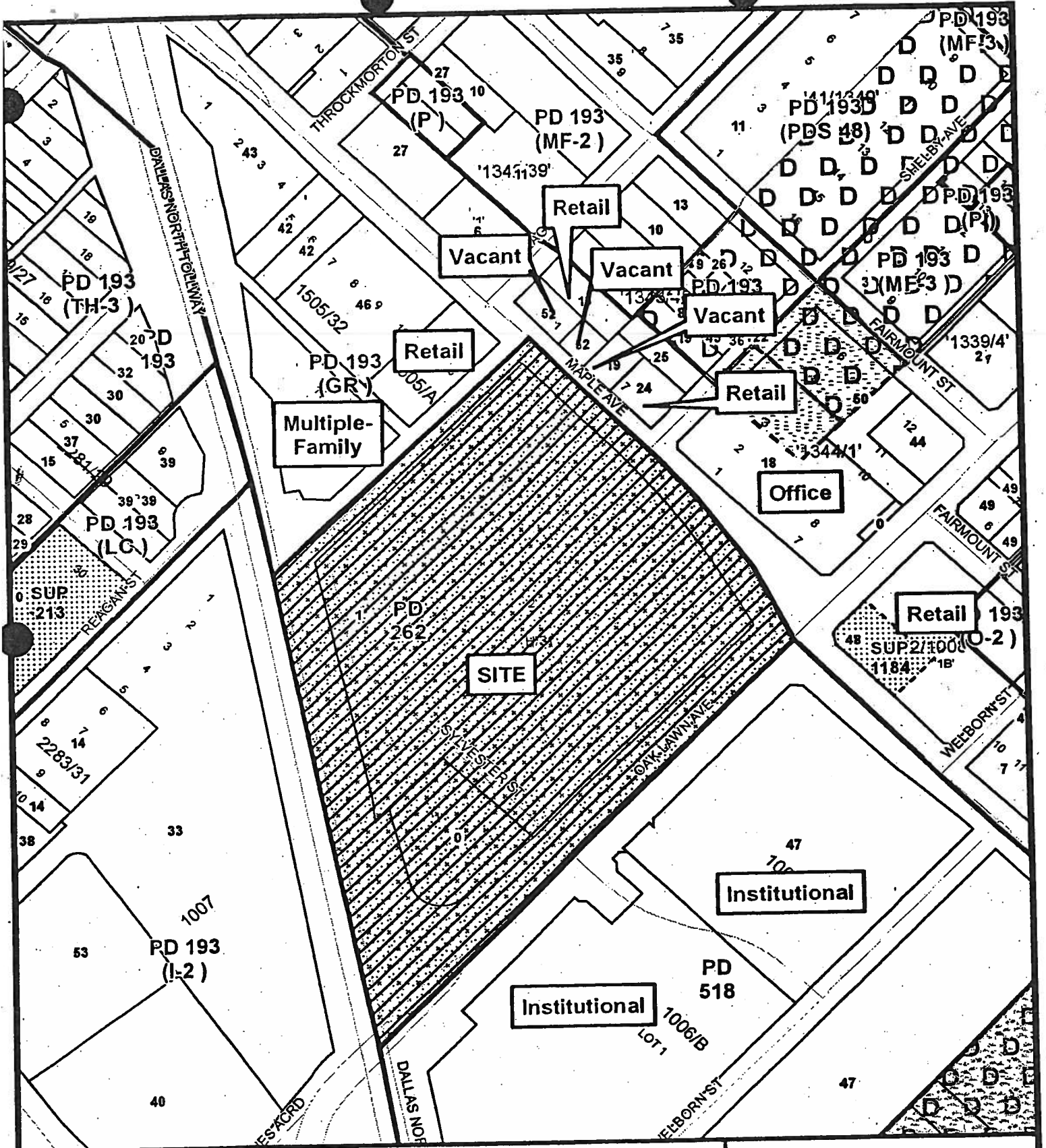
Approved
 City Plan Commission
 February 2, 2007



gff
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Job #06136100
 File Name: 06136100.dwg
 Date: 02/16/07
 Drawn by: RLO/RL/MSH

EXHIBIT 262-D
 LANDSCAPE PLAN
 Woodlawn
 Dallas, Texas



1:2,547

ZONING AND LAND USE

Map no: 1-7
 Case no: Z067-132 OTH