

ARTICLE 281.

PD 281.

Lakewood Special Purpose District

SEC. 51P-281.101. LEGISLATIVE HISTORY.

PD 281 was established by Ordinance No. 20062, passed by the Dallas City Council on September 14, 1988. Ordinance No. 20062 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 20062 was amended by Ordinance No. 23498, passed by the Dallas City Council on April 22, 1998, and Ordinance No. 24381, passed by the Dallas City Council on September 13, 2000. (Ord. Nos. 10962; 19455; 20062; 23498; 24381; 25711)

SEC. 51P-281.102. PROPERTY LOCATION AND SIZE.

PD 281 is established on property generally located on both sides of Abrams Parkway, between Junius Street and Goliad Avenue. The size of PD 281 is approximately 44.17 acres. (Ord. Nos. 20062; 25711)

SEC. 51P-281.103. PURPOSE.

State law authorizes the city to regulate and restrict the construction, reconstruction, alteration, or razing of buildings and other structures in "places and areas of historic, cultural, or architectural importance and significance." These provisions are established for the Lakewood Special Purpose District for the purpose of providing a means of conserving the area's distinctive atmosphere or character by protecting or enhancing its significant architectural or cultural attributes. (Ord. Nos. 20062; 25711)

SEC. 51P-281.104. CREATION OF AREA AND SUBDISTRICTS.

(a) In general. The following areas and subdistricts are hereby established within the Lakewood Center SPD. A map showing the boundaries of the four areas and the 27 subdistricts of the Lakewood Center SPD is labelled Exhibit 281A.

(b) The Center Core area. The Center Core area consists of Subdistricts A, B, C, D, E-F, G, H, I, J, K, L, M/a, M/b, N, O, P, Q, R, S, and T on properties more particularly described in Exhibit B of Ordinance No. 20062, as amended.

(c) The North Abrams area. The North Abrams area consists of Subdistricts A, A-1, and B on properties more particularly described in Exhibit C of Ordinance No. 20062, as amended.

(d) The Abrams/Richmond/Gaston area. The Abrams/Richmond/Gaston area consists of Subdistricts A and B on properties more particularly described in Exhibit D of Ordinance No. 20062, as amended.

(e) The Paulus Avenue area. The Paulus Avenue area consists of Subdistricts A and B on properties more particularly described in Exhibit E of Ordinance No. 20062, as amended. (Ord. Nos. 20062; 25711; 26523)

SEC. 51P-281.105.

RECONCILIATION WITH OTHER ORDINANCES.

(a) The definitions and other provisions of Chapter 51A apply to the Lakewood Center SPD unless expressly modified by this article or unless a specific reference is made in this article to Chapter 51.

(b) The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," do not apply to the Lakewood Center SPD. (Ord. Nos. 20062; 25711)

SEC. 51P-281.106.

INTERPRETATIONS.

Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. (Ord. 25711)

SEC. 51P-281.107.

GENERAL PROVISIONS APPLICABLE TO THE LAKEWOOD CENTER SPD.

(a) Definitions. Unless the context clearly indicates otherwise, the following definitions apply in the Lakewood Center SPD:

(1) **ABRAMS PARKWAY (OLD ABRAMS ROAD)** means the right-of-way between Prospect Avenue and Junius Street previously known as Abrams Road before the construction of the bypass roadway to the east.

(2) **ABRAMS PARKWAY PARKING MALL** means the parking areas and circulation aisles within the Abrams Parkway right-of-way between Prospect Avenue and Abrams Road.

(3) **ABRAMS ROAD (BYPASS)** means the roadway constructed to the east of the Old Abrams Road right-of-way between Richmond Avenue and a point in Abrams Road south of Junius Street.

(4) **ART GALLERY USE** means a privately-owned facility for the display or retail sale of art.

(5) **AVERAGE SIDEWALK WIDTH** means the total sidewalk area divided by the length of its lot frontage.

(6) **BLOCKFACE** means all of the lots on one side of a block.

(7) **BUFFER ZONE** means a setback corridor along street frontages providing a landscaped separation between uses in the SPD and adjacent residential uses.

(8) **BUSINESS SUPPLY STORE USE** means a facility for the sale of supplies used in business, including desk, computer, and mailing supplies.

(9) **CALIPER** means the diameter of a tree trunk measured 12 inches above the root ball. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

(10) **COMMERCIAL PARKING LOT OR GARAGE** means a surface or below-grade vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(11) COURT OR PLAZA means a pedestrian area covered with a permeable or nonpermeable surface paving material.

(12) COVERED WALKWAY means a pedestrian passageway with a paved surface and a roof structure.

(13) CUSTOM FURNITURE REPAIR OR UPHOLSTERY USE means a facility for repairing or reupholstering furniture on a single-item basis.

(14) DESIGNATED RETAIL STREET means the portion of a street which has been designated for restaurant, food, and drink service uses, and retail and service uses, and where special landscape improvements are required.

(15) DEVELOPMENT IMPACT REVIEW ("DIR") means "development impact review" as provided in the Dallas Development Code.

(16) DEVELOPMENT RIGHTS mean the maximum permissible floor area of structures permitted on a building site, expressed as maximum floor area ratio for the site.

(17) FENCE means a structure or hedgerow that provides a physical barrier.

(18) FLOOR AREA means the total square feet of floor space in a building measured to the outside faces of exterior walls or to the omitted wall lines, whichever produces the larger area. Parking structures are not included in the calculation of floor area.

(19) FLOOR AREA RATIO means the ratio of floor area of a structure, other than a parking structure, to lot area.

(20) FRONT FACADE means the wall of a building that faces an adjoining street.

(21) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and the main building and lines parallel to and extending outward from the front facade of the main building.

(22) GAME COURT CENTER (INDOOR) USE means an indoor facility that contains a court for engaging in tennis, handball, racquetball, or similar physical activities.

(23) GROUND COVER means natural plants, of species which normally reach a height of less than three feet upon maturity, that form a continuous cover over the ground.

(24) JEWELRY STORE OR GIFT SHOP USE means a facility for the retail sale of jewelry, novelties, or other small manufactured articles intended mainly for personal or household adornment.

(25) LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

(26) LARGE TREE means a tree of a species that normally reaches a height of 30 feet or more upon maturity.

(27) LOBBY means an enclosed hall or foyer connected with a series of rooms and used as a passageway or waiting room.

(28) MAILING CENTER USE means a facility for handling bulk mailings of small parcels such as letters, advertisements, newspapers, and magazines, including public or private delivery services.

(29) MASONRY PAVER means a solid brick or block of masonry material used as a paving material.

(30) MEDICAL CLINIC USE means a facility for examination, testing, analyzing, and treatment of medical, dental, or optical patients.

(31) MEDIUM TREE means a tree of a species which normally reaches a height of 20 feet or more upon maturity.

(32) MINIMUM FRONT YARD means that portion of a lot that abuts a street and extends across the width of the lot between the street and the setback line.

(33) MOTORCYCLE DISPLAY, SALES, AND SERVICE (INSIDE DISPLAY) USE means a facility for the display, service, and retail sale of new or used motorcycles and motor scooters.

(34) MOUNTED CELLULAR ANTENNA means a cellular antenna that is attached to an existing structure, that does not exceed 12 feet above the structure to which it is attached (whip antennas are excluded from this calculation), that has a cross sectional area less than or equal to 25 square inches, and that is part of a cellular system authorized by the Federal Communications Commission. An auxiliary building housing electronic and communication equipment is permitted as part of this use.

(35) NONPERMEABLE COVERAGE means coverage with nonpermeable pavement.

(36) OFF-STREET PARKING means code-required parking, parking in excess of code requirements, and related circulation areas other than access to and from the adjoining street.

(37) PARKING LOT OR GARAGE USE means a surface or below-grade vehicle parking facility.

(38) PARKWAY means the portion of right-of-way located between the street curb and the property line of an adjoining lot.

(39) PARKWAY LANDSCAPE PERMIT means a permit issued by the director of public works and transportation that allows landscaping within the parkway, subject to certain conditions.

(40) PEDESTRIAN PAVEMENT means pavement for pedestrian foot traffic and not for vehicular traffic.

(41) PROJECTED STREET CURB means the future location of the street curb pursuant to the city thoroughfare plan, as determined by the director of public works and transportation. If the existing street curb is indicated on the city thoroughfare plan, the projected street curb means the existing street curb.

(42) RESIDENTIAL ADJACENCY REVIEW ("RAR") means "residential adjacency review," as provided in the Dallas Development Code.

(43) RESTAURANT WITH ALCOHOLIC BEVERAGE USE means an establishment for the sale and service of food and alcoholic and non-alcoholic beverages on the premises.

(44) RESTAURANT WITH ALCOHOLIC BEVERAGES AND ENTERTAINMENT USE means an establishment for the sale and service of food and alcoholic and non-alcoholic beverages and facilities for entertainment and dancing may be provided under this use.

(45) RESTAURANT WITH DRIVE-THROUGH SERVICE means an establishment principally for the sale and consumption of food which has direct window service allowing customers in motor vehicles to pick up food for off-premise consumption.

(46) ROOF SLOPE means the degree and direction of roof slope in terms of a specified amount of rise in inches for a specified amount of horizontal distance. (Example: A 2:1 roof slope means two inches of rise for each one inch of horizontal distance.)

(47) SERVICE AREA means an off-street occupancy support service area, including but not limited to areas for delivery, loading, and trash storage and removal.

(48) SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard.

(49) SMALL SHRUB means a shrub of a species which normally reaches a height of less than three feet upon maturity.

(50) SMALL TREE means a tree of a species which normally reaches a height of less than 20 feet upon maturity.

(51) SPD means special purpose district.

(52) SPECIAL AMENITIES ZONE means a portion of the parkway, in the form of a corridor area along the street curb, that is designated for landscape improvements and pedestrian facilities.

(53) STORY means the portion of a structure between two successive floors or between the floor and the ceiling of a structure.

(54) STREET FRONTAGE means the length of the portion of a lot abutting a public street.

(55) STREETScape means the landscape improvements and pedestrian amenities located within or adjacent to the parkway.

(56) STREET TREE means a tree within the parkway.

(57) SUBDISTRICT means a designated tract within the Lakewood Center SPD that is governed by unique use regulations and development standards.

(58) "SUP" means "specific use permit" as provided in the Dallas Development Code.

(59) TOOL AND EQUIPMENT AND APPLIANCE RENTAL, SALES, AND SERVICE (INSIDE) USE means a facility for renting, selling, and servicing tools, equipment, or appliances.

(60) TOY STORE USE means a facility for the sale of items with which a child can play for amusement, entertainment, or education.

(61) UNDERGROUND STRUCTURE means a structure with a roof located below-grade. For example, a building basement or an underground parking garage is an underground structure.

(62) UNOBSTRUCTED SIDEWALK WIDTH means the portion of a public sidewalk that is maintained without impediments to the free movement of pedestrians.

(63) VIDEO AND MOVIE STORE USE means a facility for the rental or sale of video tapes or devices.

(64) VOCATIONAL AND TECHNICAL SCHOOL USE means a business enterprise offering instruction and training in a trade such as welding, bricklaying, machinery operation, and other similar trades or crafts.

(65) WATER FEATURE means a pool or fountain.

(b) Development impact review. Before making application for a building permit, a site plan must be submitted in accordance with Division 51A-4.800 if:

(1) the work to be permitted will create a floor area ratio equal to or greater than one to one on the lot; or

(2) the work to be permitted will increase the building floor area by more than 20,000 square feet.

(c) General landscape and streetscape regulations.

(1) Introduction.

(A) The submission of a landscape plan is required with building permit applications that come under the applicability section below. Each property owner is required to provide landscaping and pedestrian facilities in the minimum front yard or the adjacent parkway. Points may be earned by providing landscaping and trees; enhanced pavement; various pedestrian facilities including covered walkways, courts or plazas, amenities areas, and seating areas; street trees; or pedestrian-scale lighting. Points are earned only if the landscaping and facilities provided occupy a specified amount of area, called an increment, and if they are not required by other provisions in this subsection. Credit is also given for retention of existing trees if they comply with all of the applicable criteria.

(B) In addition to the general landscape regulations, a streetscape amenities zone is required in some areas for building sites with frontage on a designated retail street or for building sites with frontage on a buffer zone. (See area regulations for more information.) Street trees and pedestrian-scale lighting are required in a streetscape amenities zone.

(C) General regulations are provided that require screening of parking, loading, and service areas, as well as those that govern the installation of landscaping, including acceptable landscape materials, soil requirements, protection barriers, and irrigation requirements. Provisions are also provided to regulate when landscaping must be completed and how it must be maintained.

(D) A private license is granted to authorize use of the public parkway for the required landscaping as long as a parkway landscape permit is obtained in accordance with the procedure outlined.

(2) Applicability.

(A) This subsection and the landscape regulations for the areas of this SPD contained in Sections 51P-281.108 through 51P-281.111 only become applicable to a lot when an application is made for a building permit for construction work that:

- (i) increases the number of stories in a building on the lot;
- (ii) increases by more than 10 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot; or
- (iii) increases by more than 10 percent or 2,000 square feet, whichever is less, the nonpermeable coverage on the lot.

(B) When this subsection becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(C) Paragraphs (3), (4), and (5) of this subsection do not apply to Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with the development plan/landscape plan for Subdistrict A-1 of the North Abrams area (Exhibit 281E), and elevations (Exhibits 281C and 281D), with any minor amendments authorized in accordance with Section 51A-4.702.

(3) Landscape plan and point requirement. A landscape plan is required for all building sites in this SPD. All landscape plans must earn a minimum of 15 points.

(4) Design standards. In order to earn points under this subsection, landscape areas and pedestrian facilities must be placed in the minimum front yard of a building site or in the adjacent parkway. For building sites with more than one front yard, each front yard or the adjacent parkway must earn 15 points. The following provisions apply to all building sites in all areas, unless more restrictive provisions are stated elsewhere in this subsection.

(A) Front yard area landscaping.

(i) Points for landscape area increments. Five points are awarded for the first landscape area increment, and one point is awarded for each additional landscape area increment, to a maximum under this provision of eight points. A landscape area increment is one square foot times the total length (in feet) of the lot's street frontage. Credits for earning the square foot increment requirements are listed below.

(ii) Square foot landscape area credits. The following is a menu of plant materials for which landscape area credit can be earned. Landscape area (square foot) credits for trees or shrubs must be equal to the landscape area increment requirements specified in Subparagraph (A)(i).

(aa) One large canopy tree earns a 100 square foot landscape area credit.

landscape area credit. (bb) One medium canopy tree earns a 50 square foot

landscape area credit. (cc) One small tree or one large shrub earns a 30 square foot

landscape area credit. (dd) One small shrub earns a 15 square foot landscape area

credit. (iii) Ground coverage requirement. The soil beneath trees and shrubs must be planted with ground cover in order to obtain landscape area credit.

(iv) Existing tree credits. Existing healthy trees retained in or relocated to the front yard of a building site or to the parkway may be credited toward meeting the landscape increments if they have a caliper equal to or greater than that required in this paragraph or Subsection (c)(5)(A).

(B) Pavement enhancement.

(i) Five points are awarded when an increment of at least 50 percent of all outdoor pavement area, both vehicular and pedestrian, within the front yard and the adjoining parkway of a lot, consists of enhanced pavement. One-half of a point is awarded for each additional enhanced pavement increment which represents an additional 10 percent of the total front yard of a lot and the adjoining parkway pavement, to a maximum under this provision of seven and one-half points.

(ii) All vehicular pavement must comply with the applicable construction and maintenance provisions in the Dallas Development Code.

(iii) The material and design for all pedestrian pavement within the public right-of-way, or elsewhere if required as a public pedestrianway, must be approved by the director of public works and transportation.

(C) Pedestrian facilities and amenities.

(i) Covered walkways. Three points are awarded for the first 25 percent covered walkway increment, and one point is awarded for each additional 25 percent increment. The covered walkway increment is expressed as a percentage of the total length of the allowable front facade for the lot occupied by a covered walkway with a depth of at least five feet.

(ii) Courts or plazas. Three points are awarded for the first on-site court or plaza area increment equal to three square feet times the length (in feet) of the lot's street frontage. One point is awarded for each additional on-site court or plaza area increment equal to .5 square feet times the length (in feet) of the lot's street frontage. The maximum number of points available under this provision is five points. Court or plaza areas must be covered with a pedestrian paving surface. Vehicle parking or traffic is not permitted on the court or plaza pavement.

(iii) Amenities areas. Three points are awarded for the first amenities area increment, and one point is awarded for each additional amenities area increment, up to a maximum under this provision of five points. An amenities area is that area occupied by fountains, pools, or sculpture. An amenities area increment is equal to .5 square feet times the total length (in feet) of the lot's street frontage.

(iv) Seating areas. Three points are awarded for the first seating area increment equal to 25 percent of the length (in feet) of the lot's street frontage. One point is awarded for each additional 25 percent seating area increment. The maximum number of points available under this provision is five points. The seating area must have at least a 16-inch width or depth.

(D) Street trees outside of streetscape amenities zone. This paragraph applies to all building sites where the designation of a streetscape amenities zone is not required. A building site under this provision is awarded six points for street trees that meet the standards listed in Paragraph (5)(A).

(E) Pedestrian-scale lighting. This paragraph applies to all building sites where the designation of a streetscape amenities zone is not required. A building site which qualifies under this provision is awarded three points for pedestrian-scale lighting that meets the standards listed in Paragraph (5)(C).

(5) Mandatory provisions.

(A) Street trees within streetscape amenities zone. The following provisions apply to building sites in any area where the designation of a streetscape amenities zone is a requirement.

(i) Location, number, and type of trees required.

(aa) Each building site must have a minimum number of trees located within the streetscape amenities zone pursuant to Subparagraph (bb). A tree is not considered located within the streetscape amenities zone unless its trunk is entirely within that zone. If a property owner cannot obtain a parkway landscape permit in accordance with provisions of Paragraph (10), the trees must be located in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a parkway landscape permit to locate a required tree in the parkway, the property owner need not provide that required tree.

(bb) The minimum number of trees required is one or the number calculated by dividing the length (in feet) of the lot's street frontage by 25, whichever is greater. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(cc) All required trees must be recommended for local area use by the director of the park and recreation department.

(ii) Minimum tree height and trunk caliper. Required trees must have a minimum height of 12 feet, and a minimum trunk caliper of two and one-half inches measured at a point 12 inches above the root ball.

(iii) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The center of the trunk of a required tree, measured at grade, must be within 50 feet of the center of the trunk of another required tree, measured at grade.

(iv) Minimum clearance above pavement. All required trees must be maintained to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(aa) Thirteen and one-half feet above street pavement.

(bb) Seven and one-half feet above public sidewalks and any other sidewalk required by this article.

(v) Tree grates required near sidewalks. Tree grates must be provided for large and medium size trees with trunks within 18 inches of public sidewalks or any other sidewalk required by this article. The grates must:

(aa) conform to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons; and

(bb) be large enough to permit healthy tree growth.

(B) Screening of off-street parking spaces, loading spaces, and service areas.

(i) Screening required in this paragraph must comply with the standards set forth in Section 51A-4.602.

(ii) Off-street parking spaces and related vehicular circulation areas must be screened by a three-foot-high fence or hedge from public streets, and by a six-foot-high fence or hedge from all residentially zoned abutting property or residentially zoned property located directly across an alley or easement from the parking.

(iii) Off-street loading spaces and service areas, including related vehicular circulation areas, must be screened by a six-foot-high fence or hedge from public streets and from abutting residentially zoned property or residentially zoned property located directly across an alley or easement from the loading or service area.

(C) Pedestrian-scale lighting. At least one pedestrian-scale light must be provided for each building site located in an area where the designation of a streetscape amenities zone is required. The design and placement of the standards and fixtures must be approved by the director of public works and transportation. Each property owner is responsible for the cost of installation, operation, and maintenance of pedestrian-scale lighting on his property or in the public right-of-way adjacent to his property. To qualify as pedestrian scale lighting, lighting must:

(i) be mounted at a height no greater than 14 feet above the grade of the sidewalk; and

(ii) provide a minimum maintained average illumination level of 1.5 footcandles on the designated public sidewalk.

(6) Installation standards for landscaping.

(A) Acceptable landscape materials. No artificial plant materials may be used to satisfy the requirements of this section. The plant materials used to satisfy the requirements of this section must comply with the following minimum size requirements at the time of installation.

(i) Large trees must have a minimum caliper of five inches and a minimum height of 18 feet.

(ii) Medium trees must have a minimum caliper of two and one-half inches and a minimum height of 12 feet.

(iii) Small trees must have a minimum caliper of one inch and a minimum height of six feet.

(iv) Large shrubs must be installed from at least five gallon containers and have a minimum height of four feet.

(v) Small shrubs must be installed from at least three gallon containers and have a minimum height of two feet.

(B) Measurement of height. For purposes of this subparagraph, "height" is measured from a point 12 inches above the top of the root ball or, if the plant is in a container, from the soil level in the container.

(C) Plant materials recommended. In satisfying the landscaping requirements of this section, the use of high-quality, hardy, and drought-tolerant plant materials is recommended.

(D) Soil requirements.

(i) Landscape planting areas must have the following soil depths and dimensions. (The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depth and dimensions are sufficient to support the health and vigorous growth of the plant materials.)

(ii) For each small shrub installed, a minimum of 16 inches of soil depth and four square feet of surface area (totalling five cubic feet) is required. For each small shrub installed above an underground structure, a minimum of 18 inches of soil depth and nine square feet of surface area, totalling 13.5 cubic feet, is required.

(iii) For each large shrub or small tree installed, a minimum of 24 inches of soil depth and 12 square feet of surface area (totalling 24 cubic feet) is required. For each large shrub or small tree installed above an underground structure, a minimum of 30 inches of soil depth and 16 square feet of surface area, totalling 40 cubic feet, is required.

(iv) For each medium tree installed, a minimum of 36 inches of soil depth and 25 square feet of surface area (totalling 75 cubic feet) is required. For each medium tree installed above an underground structure, a minimum of 42 inches of soil depth and 36 square feet of surface area (totalling 126 cubic feet) is required.

(v) For each large tree installed, a minimum of 48 inches of soil depth and 49 square feet of surface area (totalling 196 cubic feet) is required. For each large tree installed above an underground structure, a minimum of 54 inches of soil depth and 64 square feet of surface area (totalling 288 cubic feet) is required.

(E) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic by concrete curbs, wheel stops, or other permanent barriers.

(F) Irrigation requirements. Required plant materials must be located within 100 feet of a verifiable water supply. Proposed water sources must be:

(i) shown on the landscape plan; and

(ii) adequate to maintain the plant materials in a healthy, growing condition at all times.

(7) When landscaping must be completed.

(A) Except as otherwise provided in this paragraph, all landscaping must be completed in accordance with the approved landscape plant before a certificate of occupancy may be issued for any use on the lot.

(B) If the property owner provides the building official with satisfactory documentation showing that the landscaping will be completed within six months, the building official may issue one six-month temporary certificate of occupancy and permit the property owner to complete his landscaping during the six-month period. For purposes of this subsection, "documented assurance" means:

(i) a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period; or

(ii) a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period. The deed restrictions must:

(aa) expressly provide that they may be enforced by the city;

(bb) be approved as to form by the city attorney; and

(cc) be filed in the deed records of the county in which the land is located.

(iii) If a temporary certificate of occupancy is issued under this paragraph and if, at the end of the six-month period, no permanent certificate of occupancy has been issued because the landscaping has not been installed in accordance with the landscape plan, the owner of the property is liable to the city for a civil penalty in the amount of \$2,000 a day for each calendar day thereafter until the landscaping is properly installed. The building official shall give written notice to the property owner of the amount owed to the city in civil penalties, and shall notify the city attorney of any unpaid civil penalty. The city attorney shall collect unpaid civil penalties in a suit on the city's behalf.

(iv) The civil penalty provided for in Subparagraph (B)(iii) is in addition to any other enforcement remedies the city may have under city ordinances and state law.

(8) General maintenance.

(A) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(B) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

(9) Private license granted. The city council hereby grants a private license to the owners of all property in the Lakewood Center SPD for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. 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 Subparagraph (10)(B). 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 the purpose or use of this license is likely to become a nuisance.

(10) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement other than for the sidewalk required under this article 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 of public works and transportation and accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

(B) Upon receipt of the application and any required fees, the director of public works and transportation 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 of public works and transportation 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.

(C) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director of public works and transportation's denial of a parkway landscape permit.

(D) A parkway landscape permit issued by the director of public works and transportation is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized 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.

(E) 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, landscaping, or pavement in the public right-of-way.

(d) Lakewood Center SPD general plan review.

(1) Except as otherwise provided, prior to applying for a building permit, a person desiring to develop property in the Lakewood Center SPD shall consult with the director or his designated representative to discuss whether the project is consistent with the general plan for the area and the requirements of this article. The director shall determine if the project complies with this article generally, and shall advise the applicant of any landscape review, residential adjacency review, development impact review, or any other review which may be necessary prior to the issuance of a building permit. The director shall forward a written copy of his determination to the building official.

(2) Paragraph (1) of this subsection does not apply in Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with Exhibits 281C, 281D, and 281E, with minor amendments authorized in accordance with Section 51A-4.702.

(e) Nonconforming uses and structures. Section 51A-4.704, relating to nonconforming uses and structures, applies in the Lakewood Center SPD.

(f) Parking structures (above-grade) prohibited. Above-grade parking structures are prohibited in this district.

(g) Use group categories applicable to the Lakewood Center SPD. The uses listed in the following use group categories are the only uses permitted in the Lakewood Center SPD. If "[SUP]" follows a use, a specific use permit is required for that use. If "[RAR]" follows a use, residential adjacency review is required for that use. If "[DIR]" follows a use, development impact review is required for that use. Unless expressly modified by this article, the definitions of uses contained in Chapter 51 apply in this district.

(1) Office uses.

- Bank or savings and loan office (without drive-in windows).
- Bank or savings and loan (with drive-in window). *[DIR required except in Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with Exhibits 281C, 281D, and 281E, with any minor amendments authorized in accordance with Section 51A-4.702.]*
- Broadcasting or recording studio.
- Medical clinic.
- Office.
- Veterinarian's office.
- Safe deposit boxes.
- Travel bureau.

(2) Public service, utility, and institutional uses.

- Amateur communication tower.
- Bus passenger shelter.
- Church.
- Electrical substation. *[SUP]*
- Establishments of a religious, charitable, or philanthropic nature. *[SUP]*
- Local utilities.
- Parking lot or garage.
- Public or private school. *[SUP]*
- Public park or playground.
- Radio, television, or microwave tower. *[SUP]*
- Sewage pumping station. *[SUP]*
- Telephone exchange, switching, and transmitting equipment. *[SUP]*
- Temporary construction or sales office.
- Utility or governmental installation other than listed. *[SUP]*
- Water reservoir, well, or pumping station. *[SUP]*

(3) Residential uses.

- Multiple-family.
- Residence home for the aged.
- Single-family.

- The following residential accessory uses: game court (private); home occupation; occasional sales (garage sales); open storage; and swimming pool (private).

(4) Restaurant, food, and drink service uses.

- Bakery or confectionery shop.
- Private club. [SUP]
- Catering service.
- Restaurant with alcoholic beverages.
- Restaurant with alcoholic beverages and entertainment. [SUP]
- Restaurant with drive-through service. [RAR]

(5) Restricted Paulus Avenue Subdistrict A uses.

(A) Residential uses.

- Single-family.
- Duplex.

(B) Office-related uses.

- All office uses listed in Paragraph (1).

(C) Retail uses (2,000 square feet or less).

- Art gallery.
- Antique shop.
- Book and stationery store.
- Camera shop.
- Florist store.
- Jewelry store or gift shop.
- Photography studio.
- Travel bureau.

(6) Restricted Paulus Avenue Subdistrict B uses.

(A) Residential uses.

- Single-family.
- Duplex.

(B) Office-related uses.

- All office uses listed in Paragraph (1).

(C) Retail uses (3,500 square feet or less).

- Antique shop.
- Appliance fix-it shop.
- Art gallery.
- Book and stationery store.
- Business school.

- Business supply store.
- Camera shop.
- Cigar, tobacco, and candy store.
- Clothing store.
- Computer service center.
- Custom print shop.
- Custom commercial engraving.
- Duplication shop.
- Florist store.
- Furniture store.
- Game court center (indoor).
- Handcraft bookbinding.
- Handcrafted art work studio.
- Hardware or sporting goods store.
- Hobby and art supplies store.
- Home improvement center.
- Instructional arts studio.
- Jewelry store or gift shop.
- Key shop.
- Mailing center.
- Medical appliance fitting and sales.
- Optical shop.
- Paint and wallpaper store.
- Pet shop.
- Photography studio.
- Retail or service uses similar to those listed in this group category.
- Safe deposit boxes.
- Shoe repair.
- Tailor, custom sewing, and millinery shop.
- Toy store.
- Travel bureau.
- Venetian blind or window shade repair, assembly, and sales.
- Video and movie store.
- Vocational and technical school.

(7) Retail and service uses.

- Aluminum collection center. *[SUP]*
- Ambulatory surgical center.
- Animal clinic without outside run.
- Antique shop.
- Appliance fix-it shop.
- Auto glass, muffler, or seat cover shop. *[RAR]*
- Auto parts sales (inside only).
- Auto repair garage (inside). *[RAR]*
- Barber and beauty shop.
- Beverage store.
- Book and stationery store.
- Business school.
- Camera shop.
- Car wash. *[SUP]*
- Cigar, tobacco, and candy store.

-- Clothing store.
-- Commercial parking lot or garage.
-- Community, welfare, or health center. *[SUP]*
-- Computer service center.
-- Custom commercial engraving.
-- Custom furniture repair or upholstery.
-- Custom print shop.
-- Custom cleaning shop.
-- Day care center.
-- Diamond and precious stone sales (wholesale only).
-- Drug store.
-- Duplication shop.
-- Feed store.
-- Florist store.
-- Furniture store.
-- Game court center.
-- Garden shop, plant sales, or greenhouse.
-- Handcraft bookbinding.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Library, art gallery, or museum.
-- Medical appliance fitting and sales.
-- Mortuary or funeral home.
-- Motorcycle display, sales, and service (inside display).
-- Optical shop.
-- Outside commercial amusement. *[SUP]*
-- Paint and wallpaper store.
-- Passenger bus station and terminal. *[RAR]*
-- Pet shop.
-- Photography studio.
-- Plumbing, electrical, air conditioning, and heating shops. *[RAR]*
-- Post office.
-- Private recreation club or area. *[SUP]*
-- Retail and personal service uses similar to those listed in this group category.
-- Retail food store. *[RAR]*
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station. *[RAR]*
-- Shoe repair.
-- Swimming pool sales and supply.
-- Tailor, custom sewing, and millinery.
-- Theatre.
-- Tool and equipment and appliance rental, sales, and service (inside).
-- Travel bureau.

- Venetian blind or window shade repair, assembly, and sales.
- Wax museum.

(h) Use restrictions. The following use restrictions apply in the Lakewood Center SPD.

- (1) Business supply store use. The sale of heavy equipment is prohibited in this use.
- (2) Medical clinic use. This use may only be conducted between 7 a.m. through 7 p.m., Monday through Saturday. This use is limited to office space for no more than three doctors.
- (3) Motorcycle display, sales, and service (inside display) use. Only display, sales, and service conducted within a structure are permitted in this use.
- (4) Restaurant with alcoholic beverage use. The on-premise sale of alcoholic beverages may comprise no more than 75 percent of this use's gross revenue.
- (5) Restaurant with alcoholic beverages and entertainment use. The on-premise sale of alcoholic beverages may comprise no more than 75 percent of this use's gross revenue.
- (6) Tool and equipment and appliance rental, sales, and service (inside) use. Only rental, sales, and service conducted within a structure are permitted in this use. (Ord. Nos. 20062; 23498; 25711; 26523)

SEC. 51P-281.108. DEVELOPMENT STANDARDS FOR THE CENTER CORE AREA.

(a) Height and story standards in the center core area.

(1) Residential proximity slope applies. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exceptions:

(A) Structures on building sites located in Subdistricts G and H are not required to observe any proximity slope emanating from the Lakewood Country Club property.

(B) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height or 12 feet above the slope, whichever is less.

(2) Height and stories. Unless further restricted under Paragraph (1), maximum height and number of stories allowed in all subdistricts of the center core area are as follows:

<u>Subdistrict</u>	<u>Maximum Height (In feet)</u>	<u>Maximum Number of Stories</u>
A, B, E-F, G, and M/a	75	5
C	125	9
D and Q	60	4
H, I, M/b, O, P, R, S, and T	50	3
J and N	36	2
K	75	5
L	90	7

(b) Landscaping in the center core area.

(1) Additional regulations. General landscape regulations applicable to the Lakewood Center SPD are listed in Section 51P-281.107(c) of this article. The following landscaping regulations must be satisfied in addition to the regulations in Section 51P-281.107(c).

(2) Buffer zone. All building sites with frontage on Abrams Road (Bypass) between Abrams Parkway and Gaston Avenue must designate the area between a line 25 feet back of and parallel to the Abrams Road Street curb and the street curb as a buffer zone. Use of the buffer zone area is restricted to landscaping, pedestrian walkways and facilities, and vehicular driveways to and from the street. The buffer zone area must contain a streetscape amenities zone.

(3) Streetscape amenities zone. All building sites with frontage on either a designated retail street or a buffer zone must designate the area between a line three feet back from the designated retail street curb, and a line six feet back and parallel to the curb, as a streetscape amenities zone. Use of a streetscape amenities zone is restricted to vehicular driveways to and from the street, street trees, pedestrian-scale lights, and other pedestrian amenities approved by the director of public works and transportation. The installation of street trees and pedestrian-scale lights is mandatory and must be completed before a certificate of occupancy is issued for any use located on these building sites.

(c) Lot coverage in the center core area. Maximum lot coverage for building sites in all subdistricts of the center core area is as follows:

<u>Subdistrict</u>	<u>Maximum Lot Coverage (in percent)</u>
A, B, C, E-F, G, I K, M/a, Q, and S	80
D, H, M/b, N, O, P, R, and T	70
J	40
L	60

(d) Lot size in the center core area. There are no lot size requirements in the center core area.

(e) Maximum floor area ratios in the center core area.

(1) General standards. Maximum floor area ratios for building sites in all subdistricts of the center core area are as follows:

<u>Subdistrict</u>	<u>Maximum Floor Area Ratio</u>
A, B, G, and K	2.0
C	2.5
D, E-F, L, Q, and S	1.5
H, I, M/b, N, O, P, R, and T	1.0
J	0.8
M/a	1.5

(2) Special provisions.

(A) Retail and service use bonus.

(i) Maximum floor area ratios provided in Paragraph (1) may be increased in Subdistricts A, B, E-F, G, H, I, K, M/a, Q, and R if:

(aa) the amount of floor area designated for retail and service uses exceeds that required in the ground floor use requirement contained in Subsection (k)(2); and

(bb) an exterior entrance accessible from a city sidewalk is provided for all retail and service uses in excess of the ground floor use requirement. An exterior entrance that requires passage through a lobby serving multiple uses does not satisfy this requirement.

(ii) The floor area available under this bonus is calculated by subtracting the amount of floor area of retail and service uses required under the ground floor use requirement from the total amount of floor area designated for retail and service uses and multiplying the difference by two.

(iii) A development plan designating all retail and service uses must be submitted to the building official at the time application is made for a building permit. A deed restriction instrument must be filed with the building official concurrently with the development plan which contains a covenant limiting the relevant portion of the property to retail and service use. This instrument must expressly provide that the restrictions may be enforced by the city; must be approved as to form by the city attorney's office; and must be filed in the deed records of Dallas County.

(iv) An amendment to this article is required to permit any use other than one within the retail and service use group in space designated for retail and service use pursuant to this subparagraph. At least 30 days before filing an application for such an amendment with the city, the owner of the property subject to the amendment must mail notices of intent to amend this article to all owners of lots or land within 500 feet of the subject property and to the designated representative of the following neighborhood groups:

- (aa) Abrams Brookside Neighborhood Association.
- (bb) Lakewood Heights Neighborhood Association.
- (cc) Edgemont Park Residents Association.

- (dd) Lakewood Homeowners Association.
- (ee) Junius Heights Homeowners Association.
- (ff) Gastonwood/Coronado Hills Association.
- (gg) Lakewood Country Club Estates Association.
- (hh) Swiss Avenue Historic District Association.

(B) Transfer of development rights from Subdistrict J.

(i) Introduction. The following provisions permit a one-time transfer of floor area from the building sites where the Lakewood Theater and the former city library structures are located to other specified subdistricts in the center core area. A review procedure is provided to insure proper documentation of the transfer. The listed information must be provided on a document that must be filed in county deed records. The consequences of the transfer to the property from which the transfer is made would be to tie the future development of that property to the elevation drawings filed in deed records. The purpose of this provision is to provide an incentive to conserve and protect the Lakewood Theater and the former city library structures pursuant to state law authority to regulate places and areas of historical, cultural, or architectural importance and significance.

(ii) Transfer allowed. If the Lakewood Theater and the former city library structures are preserved in accordance with this subparagraph, square footage reflecting up to a floor area ratio of 1.2 may be transferred from each of the building sites where those structures are located to building sites in Subdistricts A, B, E-F, G, H, I, K, M/a, Q, or R.

(iii) Transfer process.

(aa) An owner who wishes to transfer development rights shall submit to the director the following information on a form approved by the director and suitable for filing in the county deed records:

-- Names and addresses of the owners of the development rights.

-- Street address, lot, and block number, and legal description of the property from which the development rights are to be transferred.

-- Street address, lot, and block number, and legal description of the property to which the development rights are to be transferred.

-- The floor area of the structure on the property from which the development rights are to be transferred (Lakewood Theater or former city library) and the lot area of the building site where the structure involved is located.

-- The amount of development rights to be transferred.

(bb) The applicant shall also provide to the director elevation drawings of the structure (Lakewood Theater or former city library structure) on the property from which the development rights are to be transferred. These elevations must indicate facade materials, roof form

and materials, door and window openings, entry covers, and signage spaces, including the theater marquee.

(cc) The director shall check the information supplied on the form and sign the form if the applicant has complied with the requirements of this section.

(dd) When the director has signed the form, the applicant shall file the form in the county deed records, and shall supply the director and the building official with a copy of the filed document.

(ee) When a person applies for a building permit to use the transferred development rights, the building official shall forward the building permit application and the form transferring the development rights to the director. The director shall review the application and verify that the development rights have been properly transferred and may be used.

(iv) Consequences of transfer. If development rights are transferred in accordance with this subparagraph, all development of the building sites where the Lakewood Theater or the former city library structure are located must comply with the elevation drawings of those structures required in this subparagraph. If the Lakewood Theater or former city library structure is destroyed after the transfer of development rights, any new structure on those building sites must comply with the elevation drawings.

(C) Maximum floor area ratio under special provisions. Maximum floor area ratios attainable under Subparagraphs (A) and (B) are as follows:

<u>Subdistrict</u>	<u>Maximum Bonus Floor Area Ratio</u>
A, B, G, and K	.5
E-F, M/a, and Q	.375
H, I, and R	.25

(D) Transfer bonus from Subdistricts M/b and N.

(i) The following provisions permit a one-time transfer of floor area from Subdistricts M/b and N to Subdistrict M/a. The transfer must occur when an application for a building permit is made which would involve the use of the additional floor area in Subdistrict M/a. Before the building permit application may be accepted as complete, the applicant must submit deed restrictions in accordance with the following provisions that limit the maximum floor area in Subdistrict M/b or N to reflect the amount transferred to Subdistrict M/a. The purpose of this provision is to permit flexibility in the development of Subdistricts M/a, M/b, and N, and to provide an incentive for lessening the intensity of development in Subdistricts M/b and N due to their proximity to residential uses and for increasing the intensity of development in Subdistrict M/a, which is further from residential uses and good accessibility to major area roadways.

(ii) The floor area in Subdistrict M/a may be increased by a transfer of the amount of floor area not used in Subdistricts M/b or N if deed restrictions are filed in accordance with Subparagraphs (D)(iii) at the time application is made for a building permit involving the use of the additional floor area in Subdistrict M/a.

(iii) A set of deed restrictions must be filed in deed records of Dallas County that contains a covenant limiting the floor area to that existing or reserved for Subdistricts M/b or N after the transfer to Subdistrict M/a. The formula for calculating the amount of floor area for Subdistricts M/b or N after the transfer to Subdistrict M/a is as follows:

$$A - B = C$$

where A represents the maximum floor area permitted under this article in Subdistricts M/b or N, B represents the amount of floor area transferred to Subdistrict M/a, and C is the maximum amount of floor area permitted in Subdistricts M/b or N after the transfer. These restrictions must expressly provide that they may be enforced by the city, and must be approved as to form by the city attorney.

(f) Off-street parking in the center core area.

(1) Minimum number of spaces required.

(A) Uses in the public service, utility, and institutional use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(B) Except as provided in Subparagraph (D), uses in the retail and service use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(C) Except as provided in Subparagraph (D), uses in the restaurant, food, and drink service use group must provide one off-street parking space for each 100 square feet of floor area.

(D) Uses in the retail and service, and restaurant, food, and drink service use groups located on building sites in Subdistricts A, B, E-F, G, I, and J with frontage on the Abrams Parkway Parking Mall must provide off-street parking at the ratio of 65 percent of the requirement indicated in Division 51-4.200 of Chapter 51.

(E) Uses in the office use group must provide one off-street parking space for each 333 square feet of floor area.

(F) Uses in the residential use group must provide one off-street parking space for each dwelling unit.

(2) Location of off-street parking. No off-street parking is permitted in the front yard. Required off-street parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(g) Other regulations applicable to the center core area.

(1) Outside speaker and intercom system use restrictions.

(A) The use of an outside public address or paging speaker is prohibited.

(B) The use of an outside speaker as a part of an intercom system is prohibited within 150 feet of a residential zoning district unless its use is approved through the residential adjacency review procedure.

(2) Alley use restriction. If a nonresidential use adjoins an alley that is within or abuts a residential zoning district, truck delivery and garbage or trash pickup is prohibited between the hours of 10 p.m. and 7 a.m. The board of adjustment may grant a special exception to the alley use restriction in accordance with the provisions of Section 51A-4.301(h)(2).

(h) Setbacks in the center core area.

(1) Setbacks in subdistricts. The setbacks required in the subdistricts of the center core area are as follows. All street frontages are treated as front yards, and there is no distinction between side and rear yard setbacks.

<u>Subdistrict</u>	<u>Front Yard Setback</u>	<u>Side and Rear Yard Setback</u>
A, B, C, D, E-F, G, H, I, J, K, M/a, O, P, Q, R, and S	0	0
L and T	10	10
M/b and N	15	0

(2) Other setback requirements in the center core area.

(A) Residential adjacency setbacks. The following setbacks apply to building sites adjacent to a residential zoning district.

(i) A 10-foot front yard setback must be provided on a building site located across an adjoining street from a residential zoning district or on a building site located within the same blockface as a residential zoning district.

(ii) A 10-foot side and rear yard setback must be provided on a building site that adjoins or is across a public alley or easement from a residential district.

(B) Designated retail street setbacks.

(i) Designation. The designated retail streets in this area are Abrams Parkway between Abrams Road (Bypass) and Prospect Avenue; Abrams Road between Gaston Avenue and Richmond Avenue; Gaston Avenue between Paulus Avenue and Abrams Road (Bypass); La Vista Drive between Alderson Street and Gaston Avenue; and Paulus Avenue between Gaston Avenue and La Vista Drive. The following setbacks apply to building sites with frontage on a designated retail street.

(ii) Minimum front yard setback. Structures on a building site with frontage on a designated retail street must have a minimum setback of five feet from the front property line and 15 feet from the projected street curb.

(iii) Exception to the minimum front yard setback. Trellises, screens, stairs, awnings, and canopies may encroach into the minimum front yard of a building site with frontage on a designated retail street if at least a seven-foot unobstructed sidewalk width is maintained between these improvements and the projected street curb.

(iv) Maximum front yard setback. Structures on a building site with frontage on a designated retail street may not have a setback greater than 15 feet from the front property line, or 25 feet from the projected street curb.

(C) Buffer zone setback. A minimum setback of 25 feet must be provided for all structures on a building site with frontage on Abrams Road (Bypass) between Abrams Parkway and Gaston Avenue. This buffer zone setback area may not be used for vehicular parking or vehicular circulation except for access to and from the street.

(D) Urban form setback. If any portion of a structure located in this area is over 36 feet in height, an additional front yard setback of 15 feet must be provided for that portion of the structure.

(E) Setback from Lakewood Theater required. Any structure located in Subdistrict K that is more than 36 feet in height must provide a setback from the Lakewood Theater structure of at least one foot of horizontal distance for each one foot of height over 36 feet.

(i) Sidewalks in the center core area.

(1) Sidewalks required. Before the issuance of a certificate of occupancy, owners of building sites in the center core area must construct and maintain a minimum average seven-foot sidewalk width generally parallel to the back curb of any adjoining street. Five feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining two feet may be used as authorized by this article or the Dallas City Code, as amended.

(2) Special sidewalk width standards. Before the issuance of a certificate of occupancy, all owners of building sites in the center core area with frontage on a designated retail street, as defined in Subsection (h)(2)(B), must construct and maintain a minimum average 10-foot sidewalk width generally parallel to the back curb of any adjoining designated retail street. Seven feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining three feet may be used as authorized by this article or the Dallas City Code, as amended.

(3) Sidewalk easement required in some cases. If any portion of the sidewalk is to be located in the front yard of the building site, the owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway.

(j) Sign in the center core area.

(1) Except as otherwise provided in Paragraphs (2) and (3), attached and detached signs are permitted in the center core area in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(2) In Subdistricts L, M/b, N, O, and T, attached and detached signs must comply with the provisions for non-business zoning districts contained in the Dallas Development Code.

(3) Signs in the front yard of a building site in Subdistricts D and P with frontage on Prospect Street, Alderson Street, or Oram Street must comply with provisions for non-business zoning districts contained in the Dallas Development Code.

(k) Uses in the center core area.

(1) Subdistrict uses. Only the uses within the listed use groups are permitted in the following subdistricts of the center core area.

(A) Subdistricts A, B, C, E-F, G, H, I, K, M/a, Q, and R.

(i) Office use group.

(ii) Public service, utility, and institutional use group.

(iii) Residential use group, providing that residential uses do not exceed 50 percent of the total developed floor area of any structure.

- (iv) Restaurant, food, and drink service use group.
- (v) Retail and service use group.
- (vi) Mounted cellular antenna. *[Permitted in Subarea C only.]*

(B) Subdistrict J.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Restaurant, food, and drink service use group.
- (iv) Retail and service use group.

(C) Subdistrict M/b.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Residential use group, except that the southerly 50 feet of this subdistrict is limited to only those uses allowed in the Restricted Paulus Avenue Subdistrict B use group.
- (iv) Restaurant, food, and drink service use group.
- (v) Retail and service use group.

(D) Subdistrict P.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Residential use group.
- (iv) Retail and service use group, with the condition that access to any retail use is limited to the Kidwell Street frontage.

(E) Subdistrict S.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Residential use group.
- (iv) Retail and service use group.

(F) Subdistricts D, N, O, and T.

- (i) Office use group.

(ii) Public service, utility, and institutional use group.

(iii) Residential use group.

(G) Subdistrict L.

(i) Mounted cellular antenna.

(ii) Office use group.

(iii) Public service, utility, and institutional use group.

(iv) Residential use group, providing that residential uses do not exceed 50 percent of the total developed floor area of any structure.

(2) Ground floor use requirement.

(A) The ground floor use requirement set forth in Subparagraph (B) applies to all new construction and additions that increase floor area. The ground floor use requirement does not apply to existing structures or to remodeling or additions that do not increase floor area.

(B) At least 75 percent of the floor area of all uses on the ground floor of structures in Subdistricts A, B, E-F, G, I, K, Q, and R must be devoted to those uses listed in the retail and service, or restaurant, food, and drink service use groups.

(1) Width in the center core area.

(1) The minimum building width regulations in this subsection apply only to that portion of a building site in Subdistricts A, B, C, D, E-F, G, I, K, M/a, Q, and R that has frontage on a designated retail street.

(2) All structures must have a front building wall that extends through the setback corridor along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus any required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line minus required setback lines at either end})$. The setback corridor is a ten-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to 15 feet in height. (Ord. Nos. 20062; 23498; 24381; 25711)

SEC. 51P-281.109. DEVELOPMENT STANDARDS FOR THE NORTH ABRAMS AREA.

(a) Height and story standards in the North Abrams area.

(1) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height or 12 feet above the slope, whichever is less.

(2) Height and stories. Unless further restricted under Paragraph (1), a maximum of 36 feet in height and two stories are permitted in this area.

(b) Landscaping in the North Abrams area.

(1) Subdistricts A and B.

(A) General regulations applicable to the Lakewood Center SPD are listed in Section 51P-281.107(c) of this article. The following requirements must be satisfied in addition to the regulations in Section 51P-281.107(c).

(B) All building sites with frontage on a designated retail street must designate the area between a line three feet back from the special retail street curb and a line six feet back from and parallel to the curb as a streetscape amenities zone.

(C) Use of a streetscape amenities zone is restricted to vehicular driveways to and from the street, street trees, and pedestrian-scale lights and other pedestrian amenities approved by the director of public works and transportation.

(D) The installation of street trees and pedestrian-scale lights is mandatory and must be completed before a certificate of occupancy is issued for any use located on these building sites.

(2) Subdistrict A-1. Landscaping in Subdistrict A-1 must comply with the requirements of Subsection (m)(4).

(c) Lot coverage in the North Abrams area. Maximum lot coverage for building sites in this area is 80 percent.

(d) Lot size in the North Abrams area. There are no lot size requirements in the North Abrams area.

(e) Maximum floor area ratios in the North Abrams area.

(1) General standards. Maximum floor area ratio in this area is .75.

(2) Special provisions.

(A) Retail and service use bonus.

(i) Additional floor area may be provided for a particular building site in this area if:

(aa) the amount of floor area designated for retail and service uses on the site exceeds that required in the ground floor use requirement contained in Subsection (k)(3); and

(bb) an exterior entrance accessible from a city sidewalk is provided for all retail and service uses in excess of the ground floor use requirement. An exterior entrance that requires passage through a lobby serving multiple uses does not satisfy this requirement.

(ii) The floor area available under this bonus is calculated by subtracting the amount of floor area of retail and service uses required under the ground floor use

requirement from the total amount of floor area designated for retail and service uses and multiplying the difference by two.

(iii) A development plan designating all retail and service uses must be submitted to the building official at the time application is made for a building permit. A deed restriction instrument must be filed with the building official concurrently with the development plan which contains a covenant limiting the relevant portion of the property to retail and service use. This instrument must expressly provide that the restrictions may be enforced by the city; must be approved as to form by the city attorney's office; and must be filed in the deed records of Dallas County.

(iv) An amendment to this article is required to permit any use other than one within the retail and service use group in space designated for retail and service use pursuant to this subparagraph. At least 30 days before filing an application for such an amendment with the city, the owner of the property subject to the amendment must mail notices of intent to amend this article to all owners of lots or land within 500 feet of the subject property and to all designated representatives of the following neighborhood groups:

- (aa) Abrams Brookside Neighborhood Association.
- (bb) Lakewood Heights Neighborhood Association.
- (cc) Edgemont Park Residents Association
- (dd) Lakewood Homeowners Association.
- (ee) Junius Heights Homeowners Association.
- (ff) Gastonwood/Coronado Hills Association.
- (gg) Lakewood Country Club Estates Association.
- (hh) Swiss Avenue Historic District Association.

(B) Maximum floor area ratio under special density provision. Maximum bonus floor area ratio available under Subparagraph (A) is .188.

(f) Off-street parking in the North Abrams area.

(1) Minimum number of spaces required.

(A) Uses in the public service, utility, and institutional use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(B) Uses in the retail and service use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(C) Uses in the restaurant, food, and drink service use group must provide one off-street parking space for each 100 square feet of floor area.

(D) Uses in the office use group must provide one off-street parking space for each 333 square feet of floor area.

(E) Uses in the residential use group must provide one off-street parking space for each dwelling unit.

(2) Location of off-street parking. No off-street parking is permitted in the front yard. Required off-street parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(g) Other regulations applicable to the North Abrams area.

(1) Outside speaker and intercom system use restrictions.

(A) The use of an outside public address or paging speaker is prohibited in this area.

(B) Except as provided in Subparagraph (m)(3)(D), the use of an outside speaker as a part of an intercom system is prohibited in this area within 150 feet of a residential zoning district unless its use is approved through the residential adjacency review procedure.

(2) Alley use restriction. If a nonresidential use adjoins an alley that is within or abuts a residential zoning district, truck delivery and garbage or trash pickup is prohibited between the hours of 10 p.m. and 7 a.m. The board of adjustment may grant a special exception to the alley use restriction in accordance with the provisions of Section 51A-4.301(h)(2).

(h) Setbacks in the North Abrams area.

(1) Setbacks in subdistricts. Except as provided in Subparagraph (m)(3)(C) and Paragraph (2) of this subsection, there are no front, side, or rear yard setback requirements in the North Abrams area. All street frontages are treated as front yards, and there is no distinction between side and rear yard setbacks.

(2) Other setback requirements.

(A) Residential adjacency setbacks. Except as provided in Subparagraph (m)(3)(C), the following setbacks apply to building sites adjacent to a residential zoning district.

(i) A 10-foot front yard setback must be provided on a building site located across an adjoining street from residential zoning district, or on a building site located within the same blockface as a residential zoning district.

(ii) A 10-foot side and rear yard setback must be provided on a building site that adjoins or is across a public alley or easement from a residential zoning district.

(B) Designated retail street setbacks.

(i) Designation. The designated retail street in this area is Abrams Road, between Goliad Avenue and Richmond Avenue. Except as provided in Subparagraph (m)(3)(C), the following setbacks apply to building sites with frontage on a designated retail street.

(ii) Minimum front yard setback. Structures with frontage on a designated retail street must have a minimum setback of five feet from the front property line, and 15 feet from the projected street curb.

(iii) Exception to the minimum front yard setback. Trellises, screens, stairs, awnings, and canopies may encroach into the minimum front yard if at least a seven-foot unobstructed sidewalk width is maintained between those improvements and the projected street curb.

(iv) Maximum front yard setback. Structures on a building site with frontage on a designated retail street may not have a setback greater than 15 feet from the front property line, or 25 feet from the projected street curb.

(i) Sidewalks in the North Abrams area.

(1) Sidewalks. Before the issuance of a certificate of occupancy, owners of building sites in the North Abrams area must construct and maintain a minimum average seven-foot sidewalk width generally parallel to the back curb of any adjoining street. Five feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining two feet may be used as authorized by this article or the Dallas City Code, as amended.

(2) Special sidewalk width standards. Before the issuance of a certificate of occupancy, owners of building sites in this area with frontage on a designated retail street, as defined in Subsection (h)(2)(B), must construct and maintain a minimum average 10-foot sidewalk width generally parallel to the back curb of any adjoining designated retail street. Seven feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining three feet may be used as authorized by this article or the Dallas City Code, as amended.

(3) Sidewalk easement required in some cases. If any portion of the sidewalk is to be located in the front yard of the building site, the owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway.

(j) Signs in the North Abrams area. Attached and detached signs are permitted in the North Abrams area in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(k) Uses in the North Abrams area.

(1) Subdistrict uses. Only those uses in the following use groups are permitted in the North Abrams area.

(A) Public service, utility, and institutional use group.

(B) Retail and service use group.

(C) Restaurant, food, and drink service use group.

(D) Office use group.

(E) Residential use group.

(2) Limitation on residential uses. The cumulative floor area of residential uses in a structure may not exceed 50 percent of the total floor area of the structure.

(3) Ground floor use requirement.

(A) The ground floor use requirement set forth in Subparagraph (B) applies to all new construction and additions that increase floor area. The ground floor use requirement does not apply to existing structures or to remodeling or additions that do not increase floor area.

(B) Except as provided in Paragraph (m)(6), at least 75 percent of the floor area of all uses on the ground floor of structures in this area must be devoted to those uses listed in the retail and service, or restaurant, food, and drink service use groups.

(l) Width in the North Abrams area.

(1) Minimum building width regulations in this subsection apply only to that portion of a building site in this area with frontage on a designated retail street.

(2) All structures must have a front building wall that extends through the setback corridor along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus any required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line minus required setback lines at either end})$. The setback corridor is a 10-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to 15 feet in height.

(m) Development standards for Subdistrict A-1.

(1) In general. Except as provided in this subsection, the development standards for the North Abrams area apply in this subdistrict. This subsection applies to any new construction in this subdistrict. In the event of a conflict between this subsection and the rest of this article, this subsection controls.

(2) Definition. New construction means any building permit application made after demolition of any structure, or portion of a structure, in this subdistrict.

(3) Development plan.

(A) Development and use of the Property in this subdistrict must comply with Exhibit 281E. In the event of a conflict between the text of this article and Exhibit 281E, the text of this article controls.

(B) Minor amendments to Exhibit 281E may be authorized in accordance with Section 51A-4.702.

(C) Setbacks must be provided as shown on Exhibit 281E.

(D) For a bank or savings and loan (with drive-in window), drive-through outdoor loudspeakers are permitted within 150 feet of a residential zoning district, but only up to a maximum sound pressure level of 75 dB(A) measured instantaneously at a distance of four feet from the speaker, and only in the location shown on Exhibit 281E.

(E) For a bank and saving and loan (with drive-in window), stacking spaces must be provided in the location shown on Exhibit 281E.

(F) The structures identified as “existing structure” and “existing canopy” on Exhibit 281E must be preserved. New construction may only be attached to the rear of the existing

structure. In the event of any damage to, or destruction of, the existing structure or existing canopy, they must be rebuilt as shown in the photographs in Exhibit 281F.

(G) Parking on Abrams Road, and within the required setback from Abrams Road shown on Exhibit 281E, is permitted in compliance with Exhibit 281E, and is subject to the authority of the director of public works and transportation to prohibit or limit the Abrams Road parking as necessary for public safety.

(4) Landscape plan.

(A) Landscaping, streetscape amenities, and any other features indicated on Exhibit 281E must be provided as shown on Exhibit 281E.

(B) Minor amendments to Exhibit 281E may be authorized in accordance with Section 51A-4.702.

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

(5) Elevations. The east elevation for buildings must be consistent with the Abrams Road elevations (Exhibits 281C and 281D).

(6) Floor area use requirements. At least 75 percent of the floor area of all uses on the ground floor of structures must be devoted to those uses listed in the retail and service use group; the restaurant, food, and drink service use group; a bank or savings and loan office (without drive-in windows); or a bank or savings and loan (with drive-in window). A bank or savings or loan office (without drive-in windows) use and a bank and savings and loan (with drive-in window) use is limited to 4,000 square feet of floor area on the ground floor. (Ord. Nos. 20062; 25711; 26523)

SEC. 51P-281.110. DEVELOPMENT STANDARDS FOR THE ABRAMS/RICHMOND/GASTON AREA.

(a) Height and story standards in the Abrams/Richmond/Gaston area.

(1) Residential proximity slope applies. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exceptions:

(A) Structures on building sites fronting Gaston Avenue in this area are not required to observe the proximity slope emanating from the Lakewood Country Club property.

(B) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(2) Height and stories.

(A) Subdistrict A. Unless further restricted under Paragraph (1), no more than 60 feet in height and four stories are permitted in Subdistrict A.

(B) Subdistrict B. Unless further restricted under Paragraph (1), no more than 36 feet in height and two stories are permitted in Subdistrict B.

(b) Landscaping in the Abrams/Richmond/Gaston area.

(1) Additional regulations. General regulations applicable to the Lakewood Center SPD are listed in Section 51P-281.107(c) of this article. The following landscape standards must be satisfied in addition to the regulations in Section 51P-281.107(c).

(2) Buffer zone. The owners of all building sites with frontage on Gaston Avenue, between Abrams Road (Bypass) and Richmond Avenue must designate the area between a line 25 feet back of and parallel to the Gaston Avenue street right-of-way line and the street right-of-way line as a buffer zone. Use of the buffer zone area is restricted to landscaping, pedestrian walkways and facilities, and vehicular driveways to and from the street. The buffer zone area must contain a streetscape amenities zone.

(3) Streetscape amenities zone. The owners of all building sites with frontage on a special retail street or a buffer zone must designate the area between a line three feet back of the special retail street curb and a line six feet back from and parallel to the curb as a special amenities zone. Use of an amenities zone is restricted to vehicular driveways to and from the street, street trees, pedestrian-scale lights, and other pedestrian amenities approved by the director of public works and transportation. The installation of street trees and pedestrian-scale lights is mandatory and must be completed before a certificate of occupancy may be issued for any use located on these building sites.

(c) Lot coverage in the Abrams/Richmond/Gaston area. Maximum lot coverage in Subdistrict A is 70 percent and maximum lot coverage in Subdistrict B is 60 percent.

(d) Lot size in the Abrams/Richmond/Gaston area. There are no lot size requirements in the Abrams/Richmond/Gaston district.

(e) Maximum floor area ratios in the Abrams/Richmond/Gaston area.

(1) General standards. Maximum floor area ratios are 1.5 in Subdistrict A and 0.75 in Subdistrict B.

(2) Retail and service use bonus.

(A) Maximum floor area ratios provided in Paragraph (1) may be increased in Subdistrict A if:

(i) the amount of floor area designated for retail and service uses exceeds that required in the ground floor use requirement contained in Subsection (k)(2); and

(ii) an exterior entrance accessible from a city sidewalk is provided for all retail and service uses in excess of the ground floor use requirement. An exterior entrance that requires passage through a lobby serving multiple uses does not satisfy this requirement.

(B) The floor area ratio available under this bonus is calculated by subtracting the amount of floor area ratio of retail and service uses required under the ground floor use requirement from the total amount of floor area ratio designated for retail and service uses, and multiplying the difference by two.

(C) A development plan designating all retail and service uses must be submitted to the building official at the time application is made for a building permit. A deed restriction instrument must be filed with the building official concurrently with the development plan which contains a covenant limiting the relevant portion of the property to retail and service use. This instrument must expressly provide that the restrictions may be enforced by the city; must be approved as to form by the city attorney's office; and must be filed in the deed records of Dallas County.

(D) Maximum floor area ratio attainable on Subdistrict A under this subparagraph is .375.

(E) An amendment to this article is required to permit any use other than one within the retail and service use group in space designated for retail and service use pursuant to this subparagraph. At least 30 days before filing an application for such an amendment with the city, the owner of property subject to the amendment must mail notices of intent to amend this article to all owners of lots or land within 500 feet of the subject property and to the designated representative of the following neighborhood groups:

- (i) Abrams Brookside Neighborhood Association.
- (ii) Lakewood Heights Neighborhood Association.
- (iii) Edgemont Park Residents Association.
- (iv) Lakewood Homeowners Association.
- (v) Junius Heights Homeowners Association.
- (vi) Gastonwood/Coronado Hills Homeowners Association.
- (vii) Lakewood Country Club Estates Homeowners Association.
- (viii) Swiss Avenue Historic District Association.

(f) Off-street parking in the Abrams/Richmond/Gaston area.

(1) Minimum number of spaces required.

(A) Uses in the public service, utility, and institutional use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(B) Uses in the retail and service use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(C) Uses in the restaurant, food, or drink service use group must provide one off-street parking space for each 100 square feet of floor area.

(D) Uses in the office use group must provide one off-street parking space for each 333 square feet of floor area.

(E) Uses in the residential use group must provide one off-street parking space for each dwelling unit.

(2) Location of off-street parking. No off-street parking is permitted in the front yard. Required off-street parking must be provided on the lot occupied by the main use or in compliance with the special parking regulations of the Dallas Development Code.

(g) Outside speaker and intercom system use restrictions applicable to the Abrams/Richmond/Gaston area.

(1) The use of an outside public address or paging speaker is prohibited.

(2) The use of an outside speaker as a part of an intercom system is prohibited within 150 feet of a residential zoning district unless its use is approved through the residential adjacency review procedure.

(h) Setbacks in the Abrams/Richmond/Gaston area.

(1) Setbacks in subdistricts. There is no side or rear yard setback requirement in this area. Except as provided in Paragraph (2), there is no front yard setback requirement in this area. All street frontages are treated as front yards, and there is no distinction between side and rear yard setbacks.

(2) Other setback requirements.

(A) Residential adjacency setbacks. A 10-foot front yard setback must be provided on a building site located across an adjoining street from a residential zoning district, or on a building site located within the same blockface as a residential zoning district.

(B) Designated retail street setbacks.

(i) Designation. The designated retail street in this area is Abrams Road, between Richmond Avenue and Gaston Avenue. The following setbacks apply to building sites with frontage on a designated retail street.

(ii) Minimum front yard setback. Structures on a building site with frontage on a designated retail street must have a minimum setback of five feet from the front property line, and 15 feet from the projected street curb.

(iii) Exception to the minimum front yard setback. Trellises, screens, stairs, awnings, and canopies may encroach into the minimum front yard, if at least a seven-foot unobstructed sidewalk width is maintained between these improvements and the projected street curb.

(iv) Maximum front yard setback. All structures within a site with frontage on a designated retail street may not have a setback greater than 15 feet from the front property line, or 25 feet from the projected street curb.

(C) Buffer zone setback. A minimum setback of 25 feet must be provided for all structures on a building site with frontage on Gaston Avenue between Abrams Road (Bypass) and Richmond Avenue. This buffer zone setback area may not be used for vehicular parking or vehicular circulation except for access to and from the street.

(D) Urban form setback. If any portion of a structure is over 36 feet in height, an additional front setback of 15 feet must be provided for that portion of the structure.

(i) Sidewalks in the Abrams/Richmond/Gaston area.

(1) Sidewalk required. Before the issuance of a certificate of occupancy, owners of building sites in the Abrams/Richmond/Gaston area are required to construct and maintain a minimum average seven-foot sidewalk width generally parallel to the back curb of any adjoining street. Five feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining two feet may be used as authorized by this article or the Dallas City Code, as amended.

(2) Special sidewalk width standards. Before the issuance of a certificate of occupancy, owners of building sites in this area with frontage on a designated retail street, as defined in Subsection (h)(2)(B), must construct and maintain a minimum average 10-foot sidewalk width generally

parallel to the back curb of any adjoining designated retail street. Seven feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining three feet may be used as authorized by this article or the Dallas City Code, as amended.

(3) Sidewalk easement required in some cases. If any portion of the sidewalk is to be located in the front yard of the building site, the owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway.

(j) Signs in the Abrams/Richmond/Gaston area. Attached and detached signs are permitted in the Abrams/Richmond/Gaston area in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(k) Uses in the Abrams/Richmond/Gaston area.

(1) Subdistrict uses. Only the uses within the listed use groups are permitted in the following subdistricts of the Abrams/Richmond/Gaston area.

(A) Subdistrict A.

(i) Office use group.

(ii) Residential use group, providing that residential uses do not exceed 50 percent of the total developed floor area of any structure.

(iii) Restaurant, food, and drink service use group.

(iv) Retail and service use group.

(v) Public service, utility, and institutional use group.

(B) Subdistrict B.

(i) Office use group.

(ii) Retail and service use group.

(iii) Public service, utility, and institutional use group.

(2) Ground floor use requirement.

(A) The ground floor use requirement set forth in Subparagraph (B) applies to all new construction and additions that increase floor area. The ground floor use requirement does not apply to existing structures or to remodeling or additions that do not increase floor area.

(B) At least 75 percent of the floor area of all uses on the ground floor of structures in Subdistrict A must be devoted to those uses listed in the retail and service, or restaurant, food, and drink service use groups.

(l) Width in the Abrams/Richmond/Gaston area.

(1) Minimum building width regulations in this subsection apply only to that portion of a building site in this area with frontage on a designated retail street.

(2) All structures must have a front building wall that extends through the setback corridor along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus any required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line minus required setback lines at either end})$. The setback corridor is a 10-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to 15 feet in height. (Ord. Nos. 20062; 25711)

SEC. 51P-281.111. DEVELOPMENT STANDARDS FOR THE PAULUS AVENUE AREA.

(a) Elevations applicable to the Paulus Avenue area. Development of the Paulus Avenue area must comply with the:

- (1) general style and character shown on the elevation drawings (Exhibit 281B); and
- (2) express requirements noted on the elevation drawings.

(b) Height and story standards in the Paulus Avenue area.

(1) Residential proximity slope applies. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: 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.

(2) Height and stories. Unless further restricted under Paragraph (1), a maximum of 36 feet in height and two stories are permitted in this area.

(c) Landscaping in the Paulus Avenue area.

(1) Additional regulations. General landscaping regulations in the Lakewood Center SPD are listed in Section 51P-281.107(c) of this article. The following landscaping requirements must be satisfied in addition to the regulations in Section 51P-281.107(c).

(2) Front yard landscape area. At least 50 percent of the required front yard of any building site must be designated as landscape area. Only landscaping and pedestrian surfacing are permitted in a designated landscape area.

(d) Lot coverage in the Paulus Avenue area. Maximum lot coverage of 40 percent is permitted in this area.

(e) Lot size in the Paulus Avenue area.

(1) A minimum lot area of 6,000 square feet is required and a maximum lot area of 8,500 square feet is permitted in Subdistrict A.

(2) A minimum lot area of 7,000 square feet is required in Subdistrict B. No maximum lot area requirement for Subdistrict B.

(f) Maximum floor area ratio in the Paulus Avenue area. Maximum floor area ratio of .75 is permitted in this area.

(g) Off-street parking in the Paulus Avenue area.

(1) Minimum number of spaces required.

(A) Uses in the public service, utility, and institutional use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(B) Restricted Paulus Avenue Subdistrict A and Restricted Paulus Avenue Subdistrict B use groups must provide minimum off-street parking as follows:

(i) Uses in the retail and service use group must provide parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(ii) Uses in the office use group must provide parking at a ratio of one off-street parking space for each 333 square feet of floor area.

(iii) Uses in the residential use group must provide parking at a ratio of one off-street parking space for each dwelling unit.

(2) Location of off-street parking.

(A) Subdistrict A. All required off-street parking must be located a minimum of five feet from the Abrams Road right-of-way, and a minimum of 40 feet from the Paulus Avenue right-of-way except that required off-street parking on Lot 8 and the northwest 10 feet of Lot 7 in the City Block 6/1884-1/2 must be located a minimum of 10 feet from the Paulus Avenue right-of-way. The parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(B) Subdistrict B. All required off-street parking must be located a minimum of 25 feet from the Paulus Avenue right-of-way and a minimum of 10 feet from the Junius Street right-of-way. The parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(h) Other regulations applicable to the Paulus Avenue area.

(1) Outside speaker and intercom system use restrictions.

(A) The use of an outside public address or paging speaker is prohibited in this area.

(B) The use of an outside speaker as a part of an intercom system in this area is prohibited within 150 feet of a residential zoning district unless its use is approved through the residential adjacency review procedure.

(2) Alley use restriction. If a nonresidential use adjoins an alley that is within or any portion abuts a residential zoning district, truck delivery and garbage or trash pickup is prohibited between the hours of 10 p.m. and 7 a.m. The board of adjustment may grant a special exception to the alley use restriction in accordance with the provisions of Section 51A-4.301(h)(2).

(i) Setbacks in the Paulus Avenue area.

(1) The following setback requirements apply in Subdistrict A:

(A) A 40-foot-minimum front yard setback must be provided on the Paulus Avenue frontage.

(B) A five-foot-minimum side yard setback must be provided, including the Abrams Road frontage in the subdistrict.

(C) There is no rear yard setback requirement.

(2) The following setback requirements apply in Subdistrict B.

(A) A 25-foot-minimum front yard setback must be provided on the Paulus Avenue frontage.

(B) A 10-foot-minimum side yard setback must be provided on the Junius Street frontage.

(C) A 10-foot-minimum rear yard setback must be provided.

(j) Sidewalks in the Paulus Avenue area.

(1) Sidewalk required. Before the issuance of a certificate of occupancy, owners must construct and maintain a minimum average four-foot unobstructed sidewalk width generally parallel to the back curb.

(2) Sidewalk easement required in some cases. If any portion of the sidewalk is to be located in the front yard of the building site, the owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway.

(k) Signs in the Paulus Avenue area.

(1) Except as provided in Paragraph (2), attached and detached signs are permitted in the Paulus Avenue area in accordance with the provisions for non-business zoning districts contained in the Dallas Development Code.

(2) The following restrictions apply to building sites in Subdistrict A:

(A) Only one detached sign is permitted in the required yards of any building site. This sign may not exceed a total of nine square feet.

(B) A detached sign may not exceed five feet in height. A minimum setback of five feet must be provided for detached signs.

(l) Uses in the Paulus Avenue area.

(1) The uses allowed in the Restricted Paulus Avenue Subdistrict A use group and the public service, utility, and institutional use group are permitted on Subdistrict A.

(2) The uses allowed in the Restricted Paulus Avenue Subdistrict B use group and the public service, utility, and institutional use group are permitted on Subdistrict B.

(m) Width in the Paulus Avenue area. In Subdistrict A, all structures must have a front building wall that extends through the setback corridor along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line minus required setback lines at either end})$. The setback corridor is a 10-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to nine feet in height. (Ord. Nos. 20062; 25711)

SEC. 51P-281.112. SPECIAL PENALTY PROVISIONS.

(a) General. A person violating a provision of this article, upon conviction, is punishable by a fine not to exceed \$2,000. A person commits an offense if the person is criminally responsible for a violation of the use regulations or development standards of this article. A person is criminally responsible for a violation if the person:

- (1) commits or assists in the commission of an act in violation; or
- (2) owns part or all of the land or a structure on the land where a violation exists.

(b) Additional penalty. In addition to punishment by fine, the city may institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land in the Lakewood Center SPD. (Ord. Nos. 20062; 25711)

SEC. 51P-281.113. ZONING MAP.

PD 281 is located on Zoning Map No. I-8. (Ord. Nos. 20062; 25711)