

ARTICLE 691.

PD 691.

SEC. 51P-691.101. LEGISLATIVE HISTORY.

PD 691 was established by Ordinance No. 25726, passed by the Dallas City Council on August 25, 2004. (Ord. 25726)

SEC. 51P-691.102. PROPERTY LOCATION AND SIZE.

PD 691 is established on property located northwest of Greenville Avenue and north of Lewis Street. The size of PD 691 is approximately 3.6801 acres. (Ord. 25726)

SEC. 51P-691.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) This district is considered to be a residential zoning district.

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

(e) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed nail salons, beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage practiced by nail salons, beauty parlors, or barbershops duly licensed by the state of Texas.

(f) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. (Ord. 25726)

SEC. 51P-691.104. CONCEPTUAL PLAN.

(a) Development and use of the Property must comply with the conceptual plan (Exhibit 691A).

(b) The general location of Subdistricts 1, 2, 3, and 4 is shown on the conceptual plan. The boundary lines of the subdistricts may move in any direction up to two feet between Subdistricts 1 and 2, up to five feet between Subdistricts 2 and 3, and up to five feet between Subdistricts 2 and 4 without overlap or gaps. After a development plan has been approved, Subdistricts 1, 2, 3, and 4 will be shown on the development plan.

(c) In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 25726)

SEC. 51P-691.105. DEVELOPMENT PLAN.

(a) A development plan must be submitted to the city plan commission by July 11, 2006. Final approval of a development plan must be obtained from the city plan commission by August 11, 2006. A development plan approved by the city plan commission subject to conditions shall be deemed denied until a revised development plan meeting the conditions is approved by the city plan commission.

(b) The director shall notify the city plan commission if a development plan is not submitted or finally approved by the deadlines in Subsection (a). Upon receiving such notice from the director, the city plan commission shall authorize a public hearing to determine proper zoning.

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

(d) In the event of a conflict between the text of this article and the development plan, the text of this article controls. (Ord. 25726)

SEC. 51P-691.106. MAIN USES PERMITTED.

(a) In general. No use may have a drive-through facility.

(b) Subdistrict 1.

(1) Nonresidential uses are limited to the ground floor.

(2) The following listed uses are the only main uses permitted in Subdistrict 1.

(A) Commercial and business service uses.

-- Custom business services.

(B) Institutional and community service uses.

-- Adult day care facility.

-- Child-care facility.

-- Church.

-- Library, art gallery, or museum.

(C) Office uses.

-- Financial institution without drive-in window. *[Bail bond offices are not allowed.]*

-- Medical clinic or ambulatory surgical center.

-- Office. *[Bail bond offices are not allowed.]*

(D) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
- Multifamily.
- Single family.

(E) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Liquor store.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishments and tattoo studios are not allowed.]*
- Restaurant without drive-in or drive through. *[Limited to one main use not to exceed 3,000 square feet in floor area, except outdoor patio area is not included in the limitation on floor area. This main use may only operate between 5:00 a.m. and 4:00 p.m. Outdoor tables and chairs for this main use must be secured to prevent their use when the restaurant is closed.]*
[In addition to the main use, limited to one use accessory to a nonresidential use, subject to restrictions listed in Section 51P-691.107, "Accessory Uses."]
- Surface parking.
- Swap or buy shop.
- Taxidermist.

(F) Utility and public service uses.

- Local utilities.

(c) Subdistrict 2. The following listed uses are the only main uses permitted in Subdistrict 2.

(1) Residential uses.

- Multifamily.

(2) Utility and public service uses.

- Local utilities.

(d) Subdistrict 3. The following listed uses are the only main uses permitted in Subdistrict 3.

(1) Residential uses.

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
- Single family.

(2) Utility and public service uses.

- Local utilities.

(e) Subdistrict 4. The following listed uses are the only main uses permitted in Subdistrict 4.

(1) Retail and personal service uses.

- Commercial parking lot or garage. *[Limited to a maximum of three levels of parking above grade.]*

(2) Utility and public service uses.

- Local utilities.

(Ord. 25726)

SEC. 51P-691.107. ACCESSORY USES.

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

(b) In Subdistrict 1, the one restaurant accessory to a nonresidential use may not:

- (1) exceed 750 square feet in floor area or 25 percent of the floor area of the main use, whichever is less;
- (2) have an entrance separate from the entrance to the main use;
- (3) operate earlier than 5:00 a.m.;
- (4) operate later than 11:00 p.m. or the closing time of the main use, whichever is earlier; or
- (5) have outdoor tables and chairs. (Ord. 25726)

SEC. 51P-691.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general.

(1) Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply in Subdistricts 1, 2, and 4.

(2) Except as provided in this section, the yard, lot, and space regulations for the TH-3(A) Townhouse District apply in Subdistrict 3.

(b) Maximum coverage for the district. Maximum coverage for all subdistricts combined is 65 percent. For purposes of this provision, “coverage” means the percentage of private property, excluding private streets and alleys, covered by a roof, floor, or other structure, except that roof eaves up to 24 inches and other ordinary building projections up to 12 inches are excluded.

(c) Subdistrict 1.

(1) Setbacks.

(A) Minimum setback from Greenville Avenue for the 80 southernmost feet of the Property is 30 feet. Minimum setback from Greenville Avenue for the remainder of the subdistrict is 15 feet.

(B) Minimum setback from Lewis Street is 15 feet.

(C) Balconies may project up to six inches into the required setback from Greenville Avenue.

(D) Bay windows and awnings may project up to three feet into required setbacks.

(2) Density. Maximum number of dwelling units in Subdistricts 1 and 2 combined is 128 units.

(3) Floor area. Maximum floor area for all nonresidential uses combined is 15,000 square feet.

(4) Height. Maximum structure height is 40 feet, measured to the midpoint of the roof.

(5) Stories. Maximum number of stories above grade is three.

(d) Subdistrict 2.

(1) Setbacks.

(A) Minimum setback from any private drive is five feet.

(B) Minimum setback from Alta Street is 15 feet.

(C) Minimum setback from Lewis Street is 15 feet.

(D) Bay windows and awnings may project up to three feet into required setbacks.

(2) Density. Maximum number of dwelling units in Subdistricts 1 and 2 combined is 128 units.

(3) Height. Maximum structure height is 36 feet, measured to the midpoint of the roof.

(4) Stories. Maximum number of stories above grade is three.

(e) Subdistrict 3.

(1) Setbacks.

(A) No minimum setback from any private drive.

(B) Minimum setback from any public drive is 15 feet.

(C) Bay windows and awnings may project up to three feet into required setbacks.

(2) Density. Maximum number of dwelling units is 12. Single family structures may be attached, with no more than four single family structures attached together to create no more than three separate buildings.

(3) Height. Maximum structure height is 30 feet, measured to the midpoint of the roof.

(4) Lot coverage. Maximum lot coverage is 60 percent.

(5) Stories. Maximum number of stories above grade is two.

(f) Subdistrict 4.

(1) Setbacks.

(A) Minimum setback from any public street is 15 feet.

(B) Awnings may project up to three feet into required setbacks.

(2) Height. Maximum structure height is 40 feet, measured to the apex of the building. (Ord. 25726)

SEC. 51P-691.109. OFF-STREET PARKING AND LOADING.

(a) In general.

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

(2) Parking in this district may not be used as required parking for any use not located within this district.

(3) In determining the required number of parking spaces, fractional spaces are counted to the nearest whole number, with one-half counted as an additional space.

(4) Non-required parking may be rented on a long or short term basis, but no charge may be made for required parking.

(5) Special parking may not be used to provide required off-street parking for any use located within this district.

(6) The structured parking shown on the conceptual plan must be surrounded by the multifamily structure so that it is not visible above the multifamily structure from street level, except for the portion of the garage adjacent to the landscape screening area shown on the conceptual plan, and a maximum of two driveways through Subdistrict 2 shown on the conceptual plan.

(7) Any openings in the top two levels on that side of the structured parking facing the landscape screening area, as shown on the conceptual plan, that are visible from Alta Street must have awnings covering a minimum of 50 percent of the total length of all such openings. For purposes of this provision, “openings” are those areas through which the area outside the garage can be seen from inside the garage.

(b) Subdistrict 1.

(1) For a restaurant use, a minimum of one parking space must be provided for each 100 square feet of floor area. Any patio area used as seating for the restaurant must be included in the floor area when calculating the required parking.

(2) Required parking for multifamily uses must be secured and separate. For purposes of this provision, “secured” means that access is controlled to prevent unauthorized entry. For purposes of this provision, “separate” means that the parking is physically separated from parking for other uses.

(c) Subdistrict 2. Required parking for multifamily uses must be secured and separate. For purposes of this provision, “secured” means that access is controlled to prevent unauthorized entry. For purposes of this provision, “separate” means that the parking is physically separated from parking for other uses.

(d) Subdistrict 3.

(1) A minimum of six parking spaces for single family uses, in addition to any required parking, must be provided within Subdistrict 3.

(2) Vehicular access to single family uses is permissible only from a private drive.
(Ord. 25726)

SEC. 51P-691.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25726)

SEC. 51P-691.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X, and in accordance with any additional requirements as shown on the conceptual plan.

(b) The side of the structured parking facing the landscape screening area, as shown on the conceptual plan, must be screened with evergreen trees with a minimum caliper of six inches and a minimum height of 16 feet when planted, planted 12 to 15 feet on center depending on the optimal spacing for the variety as determined by the building official.

- (c) All plant materials must be maintained in a healthy, growing condition. (Ord. 25726)

SEC. 51P-691.112. SIGNS.

(a) In general. Except as otherwise provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Detached signs. Detached signs are prohibited.

(c) Subdistrict 1.

(1) Signs are not subject to the provisions of Section 51A-7.404, "Attached Signs."

(2) Signs must be premise signs or convey a noncommercial message.

(3) The maximum number of signs is one per facade per occupant of the premise.

(4) Words consisting of characters less than four inches high may be used without limit, and shall not be considered in computing the effective area.

(5) Signs may not have more than eight words consisting of characters in excess of four inches in height.

(6) The maximum effective area of signs is 40 square feet, except that signs for nonresidential uses on the ground floor may not exceed three feet in height and may not exceed 38 feet or 75 percent of the length of the facade of the premise of the advertiser, whichever is greater. Signs for nonresidential uses on the ground floor may not have moving or flashing parts and may not have illumination exceeding 200 foot lamberts.

(7) Signs must be mounted parallel to the building surface.

(8) Signs may not project more than 18 inches from the surface to which they are attached, except that one blade sign is permitted to be attached to the Greenville Avenue facade of a building in Subdistrict 1. This blade sign may not exceed 20 square feet in effective area per side, may project up to four feet from the surface of the building, may not project above the roof of the facade to which it is attached, must be at least 10 feet above grade, and may be illuminated up to 200 foot lamberts. For purposes of this provision, "blade sign" means a sign projecting perpendicularly from the building facade and legible from both sides.

(9) Signs may not be mounted on roofs.

(10) Signs may not project above roofs.

(11) Signs, other than the blade sign, are not permitted above the ground floor of the building. (Ord. 25726)

SEC. 51P-691.113. ADDITIONAL PROVISIONS.

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

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

(c) Corrugated metal may not be used as a screening material or as an exterior finish material.

(d) Trash compactors in Subdistricts 1, 2, and 4 must be accessed for trash removal from Lewis Street only, and must be visually screened on all sides by a fence or wall constructed of solid metal, wood, or masonry. The required screening may not have more than 10 square inches of openings in any given square foot of surface. Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in actual use.

(e) Dumpsters are prohibited.

(f) The private drive in Subdistrict 3 must be gated at each street intersection.

(g) Prior to the issuance of a certificate of occupancy, the director of public works and transportation shall restripe eastbound Lewis Street at its intersection with Greenville Avenue to provide a left-turn approach lane and a through/right-turn approach lane. The cost of restriping shall be paid by the Property owner to the extent that the need for the restriping is roughly proportional to the need created by development of the Property.

(h) Prior to the issuance of a certificate of occupancy, the director of public works and transportation shall install signs prohibiting right turns between 9 p.m. and 4 a.m. from Lewis Street north onto Summit Street and from Lewis Street north onto Euclid Street. (Ord. 25726)

SEC. 51P-691.114. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 25726)

SEC. 51P-691.115. ZONING MAP.

PD 691 is located on Zoning Map No. I-8. (Ord. 25726)