

ARTICLE 28.

PD 28.

SEC. 51P-28.101. LEGISLATIVE HISTORY.

PD 28 was established by Ordinance No. 11554, passed by the Dallas City Council on August 22, 1966. Ordinance No. 11554 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 11554 was amended by Ordinance No. 12675, passed by the Dallas City Council on September 2, 1969; Ordinance No. 18133, passed by the Dallas City Council on January 18, 1984; and Ordinance No. 19813, passed by the Dallas City Council on January 6, 1988. (Ord. Nos. 10962; 11554; 12675; 18133; 19813; 25423)

SEC. 51P-28.102. PROPERTY LOCATION AND SIZE.

PD 28 is established on property located at the southwest corner of Mockingbird Lane and McMillan Avenue. The size of PD 28 is approximately 10.33 acres. (Ord. Nos. 11554; 25423)

SEC. 51P-28.103. DEFINITIONS AND INTERPRETATIONS.

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

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. 25423)

SEC. 51P-28.104. DEVELOPMENT PLAN.

Use of the Property must comply with the development plan (Exhibit 28A). (Ord. Nos. 19813; 25423)

SEC. 51P-28.105. USES.

Development on the Property is limited as follows:

(1) The following uses, as defined in the Dallas Development Code, as amended, are the only uses permitted in the areas designated on the development plan as “retail” and “second level”:

(A) All uses permitted in the SC Shopping Center District, except that the following uses are prohibited:

(i) Inside commercial amusement where 25 percent or more of the public floor area is devoted to coin-operated amusement devices and their public use.

(ii) Massage establishments. For purposes of this article, a massage establishment is defined as 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, with or without the use of mechanical, therapeutic,

or bathing devices. This use includes Turkish bathhouses, but does not include duly licensed beauty parlors or barbershops, or a place where a registered physical therapist treats only patients recommended by a licensed physician under the direction of that physician.

(iii) Motor vehicle related uses, except that the following specific motor vehicle related uses are permitted: automobile or motorcycle display, sales, and service (inside display); and auto parts sales (inside only).

(2) Bar and restaurant uses are limited to 8,000 square feet of floor area. Office uses are limited to 30,340 square feet of floor area. The maximum permitted floor area for all nonresidential uses on the Property is 80,300 square feet.

(3) Only those uses permitted in a D Duplex District, as defined in the Dallas Development Code, as amended, are permitted in the areas designated on the development plan as “duplex.” Duplex uses are limited to a maximum of 15 lots. (Ord. Nos. 18133; 19813; 25423)

SEC. 51P-28.106. MAXIMUM HEIGHT.

The height of all buildings and structures on the Property must not exceed 44 feet, with building heights limited as illustrated on the elevation drawing (Exhibit 28B). (Ord. Nos. 18133; 25423)

SEC. 51P-28.107. PARKING.

A minimum of 441 parking spaces must be provided for the nonresidential portion of the Property as shown on the development plan. Both nonresidential and residential parking must be provided as required in Division 51-4.200, “Use Regulations.” (Ord. Nos. 19813; 25423)

SEC. 51P-28.108. PAVING.

(a) All parking spaces, aisles, maneuvering areas and driveway connections to streets or alleys, whether enclosed or unenclosed, must be surfaced with non-combustible materials such as asphaltic paving materials or concrete. Minimum requirements for the surface are a compacted subgrade covered by: (1) concrete paving; (2) hot mix asphaltic paving consisting of a binder course and a surface course; or (3) an approved equivalent. The surface must be maintained as a continuous, hard, and dustless surface suitable for use under all weather conditions.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 11554; 18133; 25423; 26102)

SEC. 51P-28.109. LIGHTING.

Lighting for the parking lot on the south side of Winton Street must be of the low intensity, mercury vapor type, with a mushroom fixture. The number of fixtures must not exceed four, and the height of the fixtures must not exceed seven feet above finish grade. The lighting must be arranged so as to not shine directly into the adjoining residential district. (Ord. Nos. 18133; 25423)

SEC. 51P-28.110. SIGNS.

All signs within areas designated for SC Shopping Center District uses must comply with the provisions for business zoning districts contained in Article VII. All signs within the areas designated on the development plan as “duplex,” including the parking lot on the south side of Winton Street, must comply with the provisions for non-business zoning districts in that same article. (Ord. Nos. 18133; 25423)

SEC. 51P-28.111. SCREENING AND LANDSCAPING.

Landscaping and screening must be provided as shown on the landscape plan. (Ord. Nos. 18133; 25423)

SEC. 51P-28.112. GENERAL REQUIREMENTS.

Development of the Property must comply with the requirements of all departments of the city. (Ord. Nos. 18133; 25423; 26102)

SEC. 51P-28.113. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy for a use in this district until there has been full compliance with this article and with the construction codes and all other applicable ordinances of the city. (Ord. Nos. 18133; 25423; 26102)

SEC. 51P-28.114. ZONING MAP.

PD 28 is located on Zoning Map No. H-8. (Ord. Nos. 18133; 25423)