

ARTICLE 413.

PD 413.

SEC. 51P-413.101. LEGISLATIVE HISTORY.

PD 413 was established by Ordinance No. 22375, passed by the Dallas City Council on April 12, 1995. Ordinance No. 22375 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22375; 26042)

SEC. 51P-413.102. PROPERTY LOCATION AND SIZE.

PD 413 is established on property generally fronting on the east line of St. Augustine Road, south of the westward prolongation of the south line of Military Parkway. The size of PD 413 is approximately 1.5152 acres. (Ord. Nos. 22375; 26042)

SEC. 51P-413.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 22375; 26042)

SEC. 51P-413.104. DEVELOPMENT/LANDSCAPE PLAN.

Development and use of the Property must comply with the development/landscape plan (Exhibit 413A). In the event of a conflict between the provisions of this article and the development/landscape plan, the provisions of this article control. (Ord. Nos. 22375; 26042)

SEC. 51P-413.105. MAIN USES PERMITTED.

The main uses allowed in this PD are those uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in the Dallas Development Code. For example, except where noted in Subsection (b), a use permitted in the CR Community Retail District by specific use permit (SUP) only is permitted in this PD by SUP. A use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this PD, etc. (Ord. Nos. 22375; 26042)

SEC. 51P-413.106. D OVERLAY.

The D Overlay established by map on March 29, 1965, is retained. Therefore, in this district, a person shall not sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises. (Ord. Nos. 22375; 26042)

SEC. 51P-413.107.**ACCESSORY USES.**

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

(b) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory medical/infectious waste incinerator.
- Home occupation.
- Private stable.

(c) The following accessory use is permitted by SUP only:

- Accessory helistop.

(Ord. Nos. 22375; 26042)

SEC. 51P-413.108.**YARD, LOT, AND SPACE REGULATIONS.**

(a) Front yard. Minimum front yard is 15 feet.

(b) Side and rear yard. Minimum side and rear yard is 15 feet.

(c) Dwelling unit density. No maximum dwelling unit density.

(d) Floor area ratio. Maximum floor area ratio is:

- (1) 0.5 for office uses; and
- (2) 0.75 for all uses combined.

(e) Height.

(1) Utility or government installation other than listed. Maximum structure height for the use “utility or government installation other than listed” for an elevated water storage tank is 125 feet. A utility or government installation other than listed for an elevated water storage tower is not subject to the residential proximity slope.

(2) Maximum structure height in general. Unless further restricted under Paragraph (3), maximum structure height for all other uses is 54 feet.

(3) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion of a structure 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.

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

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e). (Ord. Nos. 22375; 26042)

SEC. 51P-413.109. OFF-STREET PARKING AND LOADING.

Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. (Ord. Nos. 22375; 26042)

SEC. 51P-413.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22375; 26042)

SEC. 51P-413.111. LANDSCAPING.

(a) In general. Landscaping must be provided as shown on the development/landscape plan. Landscaping must be installed in accordance with Article X and the following.

(b) Landscaped buffer strip. A minimum of one large evergreen shrub must be provided in the landscaped buffer strip for each three linear feet.

(c) Irrigation. Landscaping must be served by an automatic underground irrigation system.

(d) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22375; 26042)

SEC. 51P-413.112. SCREENING.

A minimum six-foot-high solid screening fence must be installed as shown on the development/landscape plan. (Ord. Nos. 22375; 26042)

SEC. 51P-413.113. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 22375; 26042)

SEC. 51P-413.114. ADDITIONAL PROVISIONS.

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

(b) Visual intrusion. Except the use “utility or government installation other than listed” for an elevated water storage tank, no portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this subsection, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(c) General maintenance. The entire Property must be properly maintained in the state of good repair and neat appearance.

(d) Compliance with laws. 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. (Ord. Nos. 22375; 26042)

SEC. 51P-413.115. GENERAL REQUIREMENTS.

(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 or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 22375; 26042)

SEC. 51P-413.116. ZONING MAP.

PD 413 is located on Zoning Map No. K-11. (Ord. Nos. 22375; 26042)