

ARTICLE 424.

PD 424.

SEC. 51P-424.101. LEGISLATIVE HISTORY.

PD 424 was established by Ordinance No. 22555, passed by the Dallas City Council on September 13, 1995. Ordinance No. 22555 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 22555 was amended by Ordinance No. 23514, passed by the Dallas City Council on May 13, 1998. (Ord. Nos. 19455; 22555; 23514; 26042)

SEC. 51P-424.102. PROPERTY LOCATION AND SIZE.

PD 424 is established on property generally located at the northwest corner of Carroll Avenue and Cole Manor Place. The size of PD 424 is approximately 6.090 acres. (Ord. Nos. 22555; 26042)

SEC. 51P-424.103. 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 articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 23514; 26042)

SEC. 51P-424.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 424A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. (Ord. Nos. 23514; 26042)

SEC. 51P-424.105. MAIN USES PERMITTED.

(a) Multifamily uses.

(b) Retirement housing uses. For purposes of this use, kitchen facilities are permitted in a suite.

(c) Those uses permitted in the GO(A) General Office District, subject to the same conditions applicable in the GO(A) General Office District, as set out in the Dallas Development Code. For example, a use permitted in the GO(A) General Office District by specific use permit (SUP) only is permitted in this PD by SUP. A use subject to development impact review (DIR) in the GO(A) General Office District is subject to DIR in this PD, etc. Multifamily uses, however, are not subject to the five percent floor area limitation contained in the GO(A) General Office District. (Ord. Nos. 23514; 26042)

SEC. 51P-424.106.

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 medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(Ord. Nos. 23514; 26042)

SEC. 51P-424.107.

YARD, LOT, AND SPACE REGULATIONS.

(a) Front yard.

(1) In general. Minimum front yard is 15 feet.

(2) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(b) Side and rear yard.

(1) Multifamily and retirement housing uses. For multifamily and retirement housing uses, setbacks are as follows:

(A) Minimum side and rear yard setbacks for structures enclosing or covering off-street parking spaces are as shown on the development plan.

(B) Minimum side and rear yards for all other multifamily structures are 10 feet and 15 feet, respectively.

(2) Other structures. Except as provided in Paragraph (3) below, minimum side and rear yard for all other structures is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(B) no minimum in all other cases.

(3) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This paragraph does not require a total side or rear yard setback greater than 30 feet.

(c) Density. No more than 170 dwelling units are permitted on the Property.

(d) Floor area ratio. Maximum floor area ratio is 4.0.

(e) Height.

(1) In general. Unless further restricted under Paragraph (2), maximum structure heights are:

- (A) 36 feet for multifamily and retirement housing uses; and
- (B) 270 feet for all other permitted uses.

(2) 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 lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size.

(1) For multifamily and retirement housing uses, minimum lot area per dwelling unit or suite is as follows:

<u>Type of Structure</u>	<u>Minimum Lot Area per Dwelling Unit or Suite</u>
No separate bedroom	800 sq. ft.
One bedroom	1,000 sq. ft.
Two bedrooms	1,200 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	150 sq. ft.

(2) For all other permitted uses, no minimum lot size.

(h) Stories.

(1) For multifamily and retirement housing uses, maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e).

(2) For all other permitted uses, maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e). (Ord. Nos. 23514; 26042)

SEC. 51P-424.108. OFF-STREET PARKING AND LOADING.

Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq) for information regarding off-street parking and loading generally. (Ord. Nos. 23514; 26042)

SEC. 51P-424.109. INGRESS AND EGRESS.

(a) Points of ingress and egress will be limited to one point of access on Carroll Avenue and two points of access on Kirby Street.

(b) Prior to the issuance of any building permits, design plans for location of driveways must be approved by the director of public works and transportation. (Ord. Nos. 23514; 26042)

SEC. 51P-424.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23514; 26042)

SEC. 51P-424.111. LANDSCAPING.

Landscaping must be provided in accordance with Article X. (Ord. Nos. 23514; 26042)

SEC. 51P-424.112. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 23514; 26042)

SEC. 51P-424.113. ADDITIONAL PROVISIONS.

(a) Additional provisions for GO(A) General Office District uses. The following additional provisions apply to uses permitted in the GO(A) General Office District. If the Property is developed solely with multifamily and retirement housing uses, the following additional provisions do not apply.

(1) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 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.

(2) Visual intrusion. 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 paragraph, 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.

(3) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a PD restricted to single family and/or duplex uses.

(4) Screening/fencing.

(A) Screening surface parking lots from street. In this district, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(B) Screening side and rear yards from residential districts. In this district, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or

MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(C) Construction required. Screening and fencing must be constructed prior to the issuance of a certificate of occupancy.

(5) Retail and personal service use restrictions. In this district, a retail and personal service use:

(A) must be contained entirely within a building; and

(B) may not have a floor area that, in combination with the floor areas of other retail and personal service uses in the building, exceeds 10 percent of the total area of the building.

(b) Additional provisions for multifamily and retirement housing uses. For retirement housing uses or multifamily uses, a minimum eight-foot-high solid screening fence must be maintained along the first 500 feet of the eastern boundary of the Property, beginning from the northeast corner of the Property. A minimum six-foot-high fence must be maintained along the remainder of the eastern boundary.

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

(d) Compliance with other 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. 23514; 26042)

SEC. 51P-424.114.

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 ordinances, rules, and regulations of the city. (Ord. Nos. 22555; 26042)

SEC. 51P-424.115.

ZONING MAP.

PD 424 is located on Zoning Map No. I-7. (Ord. Nos. 22555; 26042)