

## **ARTICLE 425.**

### **PD 425.**

#### **SEC. 51P-425.101. LEGISLATIVE HISTORY.**

PD 425 was established by Ordinance No. 22526, passed by the Dallas City Council on August 23, 1995. Ordinance No. 22526 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22526; 26042)

#### **SEC. 51P-425.102. PROPERTY LOCATION AND SIZE.**

PD 425 is established on property generally located on the southeast line of Preston Road, southwest of the southwesterly line of a corner clip at the southeast corner of Frankford Road and Preston Road. The size of PD 425 is approximately 5.787 acres. (Ord. Nos. 22526; 26042)

#### **SEC. 51P-425.103. 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.

(d) This district is divided into four separate tracts: Tracts 1, 2, 3(a), and 3(b). All tracts are specifically delineated on the conceptual plan (Exhibit 425A). (Ord. Nos. 22526; 26042)

#### **SEC. 51P-425.104. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan. In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 22526; 26042)

#### **SEC. 51P-425.105. DEVELOPMENT PLAN.**

A development plan must be approved by the city plan commission prior to the issuance of any building permit. Development and use of the Property must comply with the approved development plan. The development plan and any amendments must comply with the conceptual plan and this article. The owner of the Property shall provide the North Dallas Neighborhood Alliance, or its designee, a copy of the proposed development plan prior to submission of the proposed development plan to the city plan commission. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.106.**

**MAIN USES PERMITTED.**

(a) Except as provided in Subsection (b) below, the only uses permitted on the Property 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.

(b) On Tracts 3(a) and 3(b), a mini-warehouse use is permitted by right. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.107.**

**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 accessory helistop use is permitted by SUP only.

(d) The rental of moving trucks is a permitted accessory use to a general merchandise store which specializes in retail sale of storage and moving supplies. In no event, however, may the accessory use exceed five percent of the area of the lot containing the main use, and no more than five rental trucks may be stored or located on Tract 3(b) regardless of the size of the lot. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.108.**

**YARD, LOT, AND SPACE REGULATIONS.**

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

(b) Side and rear yard.

(1) Except as provided in Paragraph (2) below, no minimum side and rear yard.

(2) Along the southern property line of Tract 3(b), minimum side and rear yard is as shown on the conceptual plan.

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

(A) 54 feet on Tracts 1, 2, and 3(a); and

(B) 24 feet on Tract 3(b). For Tract 3(b), height is measured from grade to the bottom of the roof eave.

(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. No minimum lot size.

(h) Stories.

(1) On Tracts 1, 2, and 3(a), maximum number of stories above grade is four.

(2) On Tract 3(b), maximum number of stories above grade is two.

(3) Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e). (Ord. Nos. 22526; 26042)

**SEC. 51P-425.109. 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. 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. 22526; 26042)

**SEC. 51P-425.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.111. ACCESS.**

Prior to the submission of an application for a certificate of occupancy for any use on the Property, a left-turn pocket must be constructed on westbound Frankford Road at the existing median opening north of the Property. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.112. LANDSCAPING.**

(a) On Tract 3(b), the landscape buffer strip must, at a minimum, average 10 feet in width.

(b) Except as provided in Subparagraph (1), landscaping must comply with Article X, and the following:

(1) Landscape plan. A landscape plan must be submitted with the development plan and must be approved by the city plan commission prior to the issuance of a building permit.

(2) Preston and Frankford Road frontages. Five-gallon evergreen shrubs must be planted at an average of every three linear feet along the Preston Road and Frankford Road frontages. These evergreen shrubs are in addition to the street trees required in Article X.

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

(4) Maintenance. All plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.113. LIGHTING.**

On Tract 3(b), light fixtures must be attached to buildings or mounted on walls. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.114. TREE PRESERVATION.**

The regulations contained in Division 51A-10.310, "Tree preservation," apply to this PD. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.115. SCREENING.**

Screening must comply with Article X. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.116. SIGNS.**

(a) Except as provided in Subsections (b) and (c) below, all signs must comply with the provisions for business zoning districts contained in Article VII.

(b) No more than four 100-square-foot detached premise signs, limited to 10 feet in height, are permitted on the Property, as shown on the conceptual plan.

(c) Pole signs are prohibited on the Property. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.117. DRAINAGE EASEMENT.**

No building may be constructed in the area located on the Property adjacent to the floodplain and identified on the conceptual plan as a drainage easement. (Ord. Nos. 22526; 26042)

**SEC. 51P-425.118.****ADDITIONAL PROVISIONS.**

(a) Except for the early release program, all proposed infrastructure, including paving, drainage, and appurtenances, must be approved by the director of public works and transportation prior to issuance of a building permit on the Property.

(b) 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 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.

(c) 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.

(d) Other than in exceptional or emergency circumstances, the hours of operation for a mini-warehouse use are limited to the hours between 7:00 a.m. and 10:00 p.m.

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

(f) 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. 22526; 26042)

**SEC. 51P-425.119.****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. 22526; 26042)

**SEC. 51P-425.120.****ZONING MAP.**

PD 425 is located on Zoning Map No. AA-7. (Ord. Nos. 22526; 26042)