

ARTICLE 429.

PD 429.

SEC. 51P-429.101. LEGISLATIVE HISTORY.

PD 429 was established by Ordinance No. 22624, passed by the Dallas City Council on December 13, 1995. Ordinance No. 22624 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22624; 26042)

SEC. 51P-429.102. PROPERTY LOCATION AND SIZE.

PD 429 is established on property generally located along the south line of Forest Lane, west of the west line of Cromwell Drive. The size of PD 429 is approximately 17.365 acres. (Ord. Nos. 22624; 26042)

SEC. 51P-429.103. 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) Tracts I and II are considered to be residential zoning districts. Tracts III and IV are considered to be nonresidential zoning districts. (Ord. Nos. 22624; 26042)

SEC. 51P-429.104. CONCEPTUAL PLAN.

Development and use of Tract IV must comply with the conceptual plan (Exhibit 429A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 22624; 26042)

SEC. 51P-429.105. DEVELOPMENT PLAN.

(a) Tract I. Development and use of the Property must comply with the development plan (Exhibit 429B). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) Tract II. Development and use of the Property must comply with the development plan. In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(c) Tract III. Development and use of the Property must comply with the development plan. In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(d) Tract IV. A development plan must be approved by the city plan commission before 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. (Ord. Nos. 22624; 26042)

SEC. 51P-429.106. MAIN USES PERMITTED.

(a) Tract I. The only use permitted is retirement housing.

(b) Tract II. The only use permitted is an assisted living facility. An assisted living facility is defined as a permanent residential facility which furnishes (in single or multiple facilities) food, shelter, laundry, and other assistance in activities of daily living to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment. Food is prepared in a central kitchen. Assisted living facilities must be licensed as Personal Care Facilities under Chapter 247 of the Texas Health and Safety Code. Assisted living facilities do not include other licensed health facilities under Subtitle B, "Licensing of Health Facilities," of Title 4, "Health Facilities," of the Texas Health and Safety Code, specifically nursing homes.

(c) Tract III. The only use permitted is a mini-warehouse. Outside storage is not permitted. Electrical outlets installed in the individual compartmentalized storage units are not permitted.

(d) Tract IV. The only uses permitted are:

(1) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Medical laboratory. [*Scientific laboratory is not permitted.*]

(2) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- Library, art gallery, or museum.

(3) Lodging uses.

- Hotel or motel with a minimum of 80 rooms, and kitchen facilities, including a sink, refrigerator, and stove in each room.

(4) Miscellaneous uses.

- Temporary construction or sales office.

(5) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(6) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Business school.
- Children's amusement (outside).
- 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.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.

(7) Utility and public service uses.

- Local utilities.
- Police or fire station.
- Post office.

(Ord. Nos. 22624; 26042)

SEC. 51P-429.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted on any tract 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. 22624; 26042)

SEC. 51P-429.108. YARD, LOT, AND SPACE REGULATIONS.

(a) Front yard.

- (1) Tract I. Minimum front yard is 80 feet.
- (2) Tract II. Minimum front yard is 80 feet.
- (3) Tract III. Minimum front yard is 15 feet.
- (4) Tract IV. Minimum front yard is 15 feet.

(b) Side and rear yard.

- (1) Tract I. Minimum side yard is 15 feet. Minimum rear yard is 100 feet.
- (2) Tract II. Minimum side yard is 15 feet. Minimum rear yard is 100 feet.
- (3) Tract III. No minimum side yard. Minimum rear yard is 70 feet.
- (4) Tract IV. No minimum side yard. No minimum rear yard.

(c) Density.

- (1) Tract I. Maximum number of dwelling units or suites is 117.
- (2) Tract II. Maximum number of units or suites is 88.

(d) Floor area.

- (1) Tract I. Maximum floor area is 128,000 square feet.
- (2) Tract II. Maximum floor area is 65,000 square feet.
- (3) Tract III. Maximum floor area for mini-warehouse uses (including caretaker's quarters) is 66,000 square feet.
- (4) Tract IV. Maximum floor area for all uses is 106,000 square feet, except retail and personal service uses combined may not exceed 50,000 square feet.

(e) Height.

- (1) Tract I. Maximum structure height is 47 feet, except:
 - (A) maximum height for any structure within 240 feet of the southern Property line is 30 feet; and
 - (B) maximum height for structures labelled as four-plex on the development plan is 20 feet.
- (2) Tract II. Maximum height is 30 feet, except that the maximum height for structures labelled as four-plex on the development plan is 20 feet.
- (3) Tract III. Maximum height is 20 feet.
- (4) Tract IV. Maximum height is 42 feet.
- (5) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion of the structure may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(f) Lot coverage.

- (1) Tract I. Maximum lot coverage is 25 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Tract II. Maximum lot coverage is 20 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(3) Tract III. Maximum lot coverage is 35 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(4) Tract IV. 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) Tract I. Maximum number of stories above grade is three, except:

(A) maximum number of stories above grade for any structure within 240 feet of the southern Property line is two; and

(B) maximum number of stories above grade for structures labelled as four-plex on the development plan is one.

(2) Tract II. Maximum number of stories above grade is two, except that maximum number of stories above grade for structures labelled as four-plex on the development plan is one.

(3) Tract III. Maximum number of stories above grade is one.

(4) Tract IV. Maximum number of stories above grade for retail and personal service uses is two. For all other uses, maximum number of stories above grade is three. (Ord. Nos. 22624; 26042)

SEC. 51P-429.109. 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 (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally. (Ord. Nos. 22624; 26042)

SEC. 51P-429.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22624; 26042)

SEC. 51P-429.111. LIGHTING.

(a) Tract I.

(1) Detached lighting must be indirect, diffused, or covered by shielded-type fixtures and be installed on standards a maximum of 10 feet above grade.

(2) The intensity of spillover light on neighboring residential lots, measured at a point five feet inside the residential lot line and five feet above the ground, may not exceed 0.1 footcandle.

(b) Tract II.

(1) Detached lighting must be indirect, diffused, or covered by shielded-type fixtures and be installed on standards a maximum of 10 feet above grade.

(2) The intensity of spillover light on neighboring residential lots, measured at a point five feet inside the residential lot line and five feet above the ground, may not exceed 0.1 footcandle.

(c) Tract III.

(1) Attached lighting must be indirect, diffused, or covered by shielded-type fixtures and be installed at a maximum of seven feet, six inches above grade.

(2) The intensity of spillover light on neighboring residential lots, measured at a point five feet inside the residential lot line and five feet above the ground, may not exceed 0.1 footcandle.

(d) Tract IV.

(1) Detached lighting must be indirect, diffused, or covered by shielded-type fixtures and be installed at a maximum of 10 feet above grade.

(2) The intensity of spillover light on neighboring residential lots, measured at a point five feet inside the residential lot line and five feet above the ground, may not exceed 0.1 footcandle. (Ord. Nos. 22624; 26042)

SEC. 51P-429.112. LANDSCAPING.

(a) Tract I. Landscaping must be provided as shown on the landscape plan (Exhibit 429C). Landscaping must be installed in accordance with Article X. Any dead landscaping must be replaced within 45 days of notice from the city. Plant materials must be maintained in a healthy, growing condition.

(b) Tract II. Landscaping must be provided as shown on the landscape plan. Landscaping must be installed in accordance with Article X. Any dead landscaping must be replaced within 45 days of notice from the city. Plant materials must be maintained in a healthy, growing condition.

(c) Tract III. Landscaping must be provided as shown on the landscape plan. Landscaping must be installed in accordance with Article X. Any dead landscaping must be replaced within 45 days of notice from the city. Plant materials must be maintained in a healthy, growing condition.

(d) Tract IV. Landscaping must be provided in accordance with Article X. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22624; 26042)

SEC. 51P-429.113. SIGNS.

(a) Tract I. Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(b) Tract II. Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(c) Tract III. The only sign permitted is one monument sign with a maximum effective area of 84 square feet and maximum dimensions of seven feet high and 12 feet long in the location shown on the development plan. This sign may be externally illuminated or have internal lighting of individual letters.

(d) Tract IV. Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 22624; 26042)

SEC. 51P-429.114. ADDITIONAL PROVISIONS.

(a) The existing brick wall along the eastern, southern, and western Property lines must be maintained in a state of good repair and neat appearance, and if necessary, repaired with like materials.

(b) For Tracts I and II, dumpsters and trash receptacles must be located a minimum of 150 feet from the southern Property line.

(c) For Tract III, air conditioning units must be located at grade and enclosed with solid screening material.

(d) For Tract III, hours of operation are limited to 6:00 a.m. to 10:00 p.m. daily.

(e) Vehicular access to the Property across the southern Property line is not permitted.

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

(g) 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. 22624; 26042)

SEC. 51P-429.115. PAVING.

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. (Ord. Nos. 22624; 26042)

SEC. 51P-429.116. COMPLIANCE WITH CONDITIONS.

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. 22624; 26042)

SEC. 51P-429.117. ZONING MAP.

PD 429 is located on Zoning Map No. D-5. (Ord. Nos. 22624; 26042)