

ARTICLE 439.

PD 439.

SEC. 51P-439.101. LEGISLATIVE HISTORY.

PD 439 was established by Ordinance No. 22736, passed by the Dallas City Council on April 24, 1996. Ordinance No. 22736 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22736; 26042)

SEC. 51P-439.102. PROPERTY LOCATION AND SIZE.

PD 439 is established on property generally bounded by North Polk Street, Brooklyn Avenue, the alley midway between North Polk Street and Buckalew Street, and Pembroke Avenue. The size of PD 439 is approximately 0.86 acres. (Ord. Nos. 22736; 26042)

SEC. 51P-439.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations contained in Chapter 51A apply.
- (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. 22736; 26042)

SEC. 51P-439.104. DEVELOPMENT/LANDSCAPE PLAN.

Development and use of the Property must comply with the development/landscape plan (Exhibit 439A). 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. 22736; 26042)

SEC. 51P-439.105. MAIN USES PERMITTED.

- (a) Commercial and business service uses.
 - Technical school, limited to 1,000 square feet of floor area.
- (b) Industrial uses.
 - None permitted.
- (c) Institutional and community service uses.
 - Community service center, limited to the following activities and services:
 - (1) Cultural, social, and recreational activities.
 - (2) Education and workshops for personal advancement.

- (3) Sale of arts and crafts.
- (4) Sale of food during special events.

- (d) Miscellaneous uses.
 - Carnival or circus (temporary). *[By special authorization of the building official.]*
 - Temporary construction or sales office.

- (e) Office uses.
 - Office, limited to 2,200 square feet of floor area.

- (f) Recreation uses.
 - Private recreation center, club, or area, limited to 3,325 square feet of floor area.

- (g) Residential uses.
 - None permitted.

- (h) Retail and personal service uses.
 - General merchandise or food store, limited to 1,000 square feet of floor area.
 - Theater, limited to 3,325 square feet of floor area.

- (i) Transportation uses.
 - Transit passenger shelter.

- (j) Utility and public service uses.
 - Local utilities.

- (k) Wholesale, distribution, and storage uses.
 - Recycling drop-off container. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]*
 - Recycling drop-off for special occasion collection. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.3) are not satisfied.]*

(Ord. Nos. 22736; 26042)

SEC. 51P-439.106. 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:
 - Home occupation.
 - Private stable.

- Accessory helistop.
- Accessory medical/infectious waste incinerator.

(c) The following accessory uses are permitted on weekends and holidays only:

- Accessory outside display of merchandise.
- Accessory outside sales.

(Ord. Nos. 22736; 26042)

SEC. 51P-439.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front, side, and rear yard. Minimum front, side, and rear yard setbacks are as shown on the development/landscape plan.

(c) Density. No maximum density.

(d) Floor area. Maximum floor area for all uses combined is 10,850 square feet. This floor area limitation does not include the 400 square feet allowed for the maintenance building, as shown on the development/landscape plan.

(e) Floor area ratio. Maximum floor area ratio for all uses combined is 0.3:1.

(f) Height. Maximum structure height is 30 feet.

(g) Lot size. No minimum lot size.

(h) Stories. No maximum number of stories. (Ord. Nos. 22736; 26042)

SEC. 51P-439.108. OFF-STREET PARKING AND LOADING.

Off-street parking and loading must be provided as shown on the development/landscape plan. (Ord. Nos. 22736; 26042)

SEC. 51P-439.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22736; 26042)

SEC. 51P-439.110. INGRESS-EGRESS.

Points of ingress and egress must be located as shown on the development/landscape plan. (Ord. Nos. 22736; 26042)

SEC. 51P-439.111. LANDSCAPING.

Prior to the issuance of a certificate of occupancy on the Property, landscaping must be provided as shown on the development/landscape plan. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22736; 26042)

SEC. 51P-439.112. SIGNS.

Signs on the Property must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 22736; 26042)

SEC. 51P-439.113. SCREENING.

Screening must be provided as shown on the development/landscape plan. (Ord. Nos. 22736; 26042)

SEC. 51P-439.114. PARKING LOT LIGHTING.

Parking lot lighting must comply with Section 51A-4.301(e). Lighting must be directed away from adjacent single family residential property. Lighting must be maintained in proper working order. (Ord. Nos. 22736; 26042)

SEC. 51P-439.115. HOURS OF OPERATION.

The hours of operation for a theater, private recreation center, club, or area and a general merchandise or food store on the Property are limited to the hours between 9:00 a.m. and 11:00 p.m., Friday and Saturday. (Ord. Nos. 22736; 26042)

SEC. 51P-439.116. ADDITIONAL PROVISIONS.

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

(b) 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. 22736; 26042)

SEC. 51P-439.117. 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. 22736; 26042)

SEC. 51P-439.118.

ZONING MAP.

PD 439 is located on Zoning Map No. L-6. (Ord. Nos. 22736; 26042)