

ARTICLE 684.

PD 684.

SEC. 51P-684.101. LEGISLATIVE HISTORY.

PD 684 was established by Ordinance No. 25608, passed by the Dallas City Council on May 26, 2004. (Ord. 25608)

SEC. 51P-684.102. PROPERTY LOCATION AND SIZE.

PD 684 is established on property located at the southeast corner of Abrams Road and Glasgow Drive. The size of PD 684 is approximately 3.464 acres. (Ord. 25608)

SEC. 51P-684.103. 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) This district is considered to be a residential zoning district.

(d) The city council has determined that the area surrounding this district is an area of historical, cultural, and architectural importance as set forth in the Texas Local Government Code Section 211.003(b), and that the regulation of building construction in this district is intended to make those buildings blend in with other buildings in the surrounding area architecturally to promote the public health, safety, morals, or general welfare, and to protect and preserve places and areas of historical, cultural, or architectural importance and significance. (Ord. 25608)

SEC. 51P-684.104. DEVELOPMENT PLAN.

(a) Development and use of the Property must comply with the attached development plan (Exhibit 684A). In the event of a conflict between the text of this article and Exhibit 684A, the text of this article controls.

(b) All existing uses or structures on the Property on May 26, 2004, are deemed legal nonconforming uses or structures, but those uses or structures are not subject to the provisions of the Dallas City Code allowing for termination of nonconforming uses. All existing uses or structures must comply with Exhibit 684A and the development standards that existed on the Property prior to May 26, 2004. In case of loss, the structures existing on the Property on May 26, 2004, may be repaired or rebuilt.

(c) Notwithstanding Subsection (b), upon the filing of the first demolition permit for removal of any existing structure on the Property on May 26, 2004, all structures must comply with Exhibit 684A and the sole permitted use is multifamily only. In addition, if the structures existing on the Property on May 26, 2004, are destroyed by the intentional act of the owner of the Property or the owner's agent, all development on the Property must comply with Exhibit 684A and the sole permitted use is multifamily only. (Ord. 25608)

SEC. 51P-684.105. MAIN USES PERMITTED.

The only main use permitted in this district is multifamily. (Ord. 25608)

SEC. 51P-684.106. ACCESSORY USES.

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 in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 25608)

SEC. 51P-684.107. 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 in Division 51A-4.400. In the event of a conflict, between this section and Division 51A-4.400, this section controls.)

(a) Front yard. Minimum front yard is as shown on Exhibit 684A. Stoops, balconies, chimneys and porches may project into the required front yard by no more than five feet.

(b) Side and rear yard. Minimum side and rear yards are as shown on Exhibit 684A. Stoops, balconies, chimneys and porches may project into the required side and rear yards by no more than five feet.

(c) Density. The maximum dwelling unit density is 17.5 units per acre.

(d) Floor area ratio. There is no maximum floor area ratio.

(e) Height. Maximum structure height is 36 feet. Residential proximity slope regulations do not apply in this district.

(f) Lot coverage. Maximum lot coverage is 60 percent.

(g) Stories. The maximum number of stories above grade for the multifamily units identified in Exhibit 684A as Nos. 10 - 41 is two. For the multifamily units identified in Exhibit 684A as Nos. 1 - 9 and 42 - 60, the maximum number of stories above grade is three. (Ord. 25608)

SEC. 51P-684.108. ARCHITECTURAL STANDARDS.

The following architectural standards apply in this district:

(a) Building massing.

(1) All building facades fronting public streets must have offsets in the plane of the facade, and no more than 75 percent of the total face area may occur in a single vertical plane (minimum 25 percent offsets required). The required offsets must consist of both projections and recesses from the primary facade. Projections in the required front yard are included in this calculation.

(2) A minimum of 20 percent of the front facade area of the building must be offset from the front plane of the main building facade. The required offsets must be a minimum of three feet in

depth and extend vertically through the plane of the entire building. No more than 40 percent of the offsets may project into the required front yard.

(3) A combination of porches and patios may occupy up to 80 percent of the recessed floor area at the first floor level.

(4) The roofs of all six buildings identified on Exhibit 684A as two-story buildings must be pitched with a minimum slope of 1:3. Rooflines must vary through the use of opposing gable, hip, and shed forms to be consistent with the Tudor-esq and Craftsman styles of the neighborhood. The three buildings identified as Nos. 10 – 25 in Exhibit 684A, including the multifamily units, must generally conform to the “Tudor Concept Elevation,” shown in Exhibit 684B. The three buildings identified in Exhibit 684A that include the multifamily units identified as Nos. 26 - 41 must generally conform to the “Craftsman Concept Elevation,” shown in Exhibit 684C.

(5) The three buildings identified on Exhibit 684A as three-story buildings may have flat or pitched roofs or a combination thereof, and must have varying rooflines through the use of gable forms, hip forms, and varying parapet design. Parapets must be utilized with any flat roof to ensure that no flat roof may be visible. The buildings must generally conform to the “Tudor Concept Elevation,” shown in Exhibit 684D.

(b) Building materials.

(1) Exterior finish materials for facades facing a public street must have at least 60 percent masonry to include brick, stone, or simulated stone, cast stone, or architectural concrete masonry. For buildings constructed in the traditional Craftsman style, cementitious siding (such as HardiPlank) may count towards the minimum required masonry requirement.

(2) Vinyl siding, metal siding, pre-cast concrete panels, and wood sheet siding are prohibited.

(c) Street-facing facades. All multifamily units fronting a dedicated street must have their primary facade with their primary entry doors or porches facing, and oriented towards, the dedicated street. For the multifamily unit identified as No. 1 on Exhibit 684A, the primary facade and front entry door must face, and be oriented towards, Glasgow Drive. For the multifamily units identified as Nos. 13, 19, 25, 30, 36, and 41 on Exhibit 684A, the primary facade and front entry door must face, and be oriented towards, Victor Avenue. (Ord. 25608)

SEC. 51P-684.109. OFF-STREET PARKING AND LOADING.

Off-street parking and loading must be provided in the locations shown in Exhibit 684A. (Ord. 25608)

SEC. 51P-684.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25608)

SEC. 51P-684.111. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Article X and must generally conform to the “Conceptual Site Plan,” Exhibit 684E, showing a row of trees on each side of the

sidewalk. No building permit may issue to authorize work on the Property until the city plan commission has approved a new landscape plan.

(b) All plant materials must be maintained in a healthy, growing condition.

(c) Private license.

(1) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owners, the tenants of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner or its agent is not required to pay any fee for this license, although a fee may be charged for issuance of a parkway landscape permit as may be required by the Dallas Building Code. The private license may not terminate at the end of any specific time period but the city council has the absolute right to terminate the license at will by ordinance if and when such termination is in the public interest. The city council shall determine when a proposed termination of the private license granted under this section is in the public interest. A license granted pursuant to this section is deemed contrary to the public interest when, in the opinion of the city council, the purpose or use of the license is inconsistent with the public use of the rights-of-way or the purpose or use of the license is, or is likely to become, a nuisance or a public safety hazard. The city council's decision to terminate a license shall be final and binding, and upon such termination, the city shall become entitled to possession of the premises without any further notice and without the necessity of legal proceedings to obtain possession. Upon termination of the license, each property owner or its agent shall remove all improvements or installations in or from the public rights-of-way.

(2) A property owner or its agent is not required to comply with any landscaping requirement if compliance is made impossible due to the revocation of a landscape permit or the revocation of the license granted under this subsection.

(3) Upon installation of landscaping and related amenities such as irrigation systems in the public rights-of-way, the property owner or its agent shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city. The policy must cover the liability assumed under the license granted under this section, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence and \$2,000,000 in annual aggregate. Coverage under this liability policy must be on an "occurrence" basis and the city must be named as additional insured. Proof of such insurance must be sent to the following address: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201. The policy must provide for a 30-day prior written notice of cancellation, expiration, non-renewal, or material change in coverage to the Office of Risk Management. All subrogation rights for loss or damage against the city are hereby waived to the extent that the same are covered by this liability insurance policy.

(4) Each property owner or its agent shall be responsible for maintaining the Property and the landscaping and related amenities in good repair and condition, and for its safe-keeping. The city is exempt from any requirement to keep the Property safe, repair, or maintain it, its landscaping, or related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner or its agent from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(d) Parkway landscape permit.

(1) The property owner or its agent is responsible for applying for and obtaining a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works and

transportation before an application for a building permit is made for any work on the Property. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting or other amenities proposed will not be inconsistent with or unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.

(3) A property owner or its agent is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner or its agent is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, its agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. 25608)

SEC. 51P-684.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 25608)

SEC. 51P-684.113. 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. 25608; 26102)

SEC. 51P-684.114. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize a use, in this district until there has been full compliance with this article, the Dallas Development Code, as amended, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25608; 26102)

SEC. 51P-684.115. ZONING MAP.

PD 684 is located on Zoning Map No. I-8. (Ord. 25608)