

Division S-49. PD Subdistrict 49.

SEC. S-49.101. LEGISLATIVE HISTORY.

PD Subdistrict 49 was established by Ordinance No. 25396, passed by the Dallas City Council on October 8, 2003. Ordinance No. 25396 amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. (Ord. 25396)

SEC. S-49.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 49 is established on property located on the northeast corner of Thomas Avenue and Leonard Street. The size of PD Subdistrict 49 is approximately 1.63 acres of land. (Ord. 25396)

SEC. S-49.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51 and in Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division, SUBDISTRICT means a subdistrict of PD 193.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(c) This subdistrict is considered to be a nonresidential zoning district. (Ord. 25396)

SEC. S-49.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-49A). In the event of a conflict between the provisions of this division and the development plan, the provisions of this division control. (Ord. 25396)

SEC. S-49.105. MAIN USES PERMITTED.

(a) Except as provided below, the only uses permitted in this subdistrict are those uses permitted in the HC Heavy Commercial Subdistrict, subject to the same conditions applicable in the HC Heavy Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted only by specific use permit (SUP) in the HC Heavy Commercial Subdistrict in PD 193 is permitted only by SUP in this subdistrict; a use subject to development impact review (DIR) in the HC Heavy Commercial Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following uses are not permitted in this subdistrict:

- Utility and Service uses.
- Transportation uses.
- Motor Vehicle Related uses.
- Commercial uses.
- Storage and Waste Disposal uses.

- Animal Related uses.
- Industrial and Manufacturing uses.
- Pawn Shop.
- Liquor Store.

(Ord. 25396)

SEC. S-49.106. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any PD subdistrict 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 Part I of this article. For more information regarding accessory uses, consult PD 193. (Ord. 25396)

SEC. S-49.107. 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 PD 193. In the event of a conflict between this section and PD 193, this section controls.)

(a) Except as provided below, the yard, lot, and space regulations for the HC Heavy Commercial Subdistrict of PD 193 apply.

(b) Front yard. Minimum front yard for a hotel and motel use in Phase I and a multiple-family use in Phase II is as shown on the development plan (Exhibit S-49A), except that the wall-mounted water feature/fountain shown on the development plan (Exhibit S-49A) may extend up to 2-1/2 feet into the required setback.

(c) Side and rear yard. Minimum side and rear yards for a hotel and motel use in Phase I and a multiple-family use in Phase II are as shown on the development plan (Exhibit S-49A).

(d) Lot area per dwelling unit. No minimum lot area per dwelling unit.

(e) Lot coverage.

(1) Maximum lot coverage is 75 percent. For the purpose of calculating lot coverage, all of this subdistrict is considered to be one lot.

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

(f) Height. Maximum structure height for a multiple-family use in Phase II as shown on the development plan (Exhibit S-49A) is 77 feet.

(g) Stories. Maximum number of stories above grade for a multiple-family use in Phase II as shown on the development plan (Exhibit S-49A) is six. (Ord. 25396)

SEC. S-49.108. OFF-STREET PARKING AND LOADING.

Consult Part I of this article for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations of PD 193 for information about off-street parking and loading generally. (Ord. 25396)

SEC. S-49.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25396)

SEC. S-49.110. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided as required in Part I of this article.

(b) For a hotel and motel use in Phase I or a multiple-family use in Phase II as shown on the landscape plan (Exhibit S-49B):

(1) Landscaping must be provided as shown on the landscape plan (Exhibit S-49B) prior to the issuance of a certificate of occupancy.

(2) Street trees along Thomas Avenue must be installed as shown on the landscape plan (Exhibit S-49B) and must be lighted.

(3) A wall-mounted water feature/fountain must be provided in the location shown on the development plan (Exhibit S-49A).

(c) Plant materials must be maintained in a healthy, growing condition. (Ord. 25396)

SEC. S-49.111. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. 25396)

SEC. S-49.112. 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.

(c) Except as otherwise provided in this division, or as shown on the development plan (Exhibit S-49A) or landscape plan (S-49B), development and use of the Property must comply with Part I of this article.

(d) Prior to an issuance of a certificate of occupancy for a hotel and motel use in Phase I or a multiple-family use in Phase II as shown on the development plan (Exhibit S-49A), the existing overhead utility lines that are adjacent to Thomas Avenue must be placed underground.

(e) Ingress and egress for a multiple-family use in Phase II is as shown on the development plan (Exhibit S-49A). (Ord. Nos. 25396; 26102)

SEC. S-49.113. 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. 25396; 26102)

SEC. S-49.114. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy to authorize the operation of a use in this planned development subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25396; 26102)

SEC. S-49.115. ZONING MAP.

PD Subdistrict 49 is located on Zoning Map No. J-7. (Ord. 25396)