

## **ARTICLE 134.**

### **PD 134.**

#### **SEC. 51P-134.101. LEGISLATIVE HISTORY.**

PD 134 was established by Ordinance No. 17271, passed by the Dallas City Council on January 27, 1982. Ordinance No. 17271 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 17271 was amended by Ordinance No. 17424, passed by the Dallas City Council on May 26, 1982; Ordinance No. 17704, passed by the Dallas City Council on February 16, 1983; Ordinance No. 18054, passed by the Dallas City Council on November 23, 1983; Ordinance No. 19745, passed by the Dallas City Council on October 28, 1987; Ordinance No. 21815, passed by the Dallas City Council on September 22, 1993; and Ordinance Nos. 23256 and 23257, passed by the Dallas City Council on September 10, 1997. Ordinance No. 21815 changed the zoning on a portion of the Property from PD 134 to a CR Community Retail District. Ordinance No. 23256 changed the zoning on a portion of the Property from PD 134 to a CS Commercial Service District. (Ord. Nos. 10962; 17271; 17424; 17704; 18054; 19745; 21815; 23256; 23257; 25508; 28462)

#### **SEC. 51P-134.102. PROPERTY LOCATION AND SIZE.**

PD 134 is established on property generally bounded by G.C. & S.F. Railroad, Cristler Avenue, East Grand Avenue, Philip Avenue, Fairview Avenue, Gurley Avenue, East R.L. Thornton Freeway, and Carroll Avenue. The size of PD 134 is approximately 313.7504 acres. (Ord. Nos. 17271; 23257; 25508; 28462; 28851)

#### **SEC. 51P-134.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 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 51. (Ord. Nos. 25508; 28462)

#### **SEC. 51P-134.103.1. CREATION OF SUBAREAS.**

This district is divided into Subareas A, A-1, B, B-1, and C, as shown on the subarea map (Exhibit 134C). (Ord. Nos. 28462; 29192)

#### **SEC. 51P-134.103.2. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 134A: land use map.
- (2) Exhibit 134B: development plan for Subarea A-1.
- (3) Exhibit 134C: subarea map. (Ord. 28462)

**SEC. 51P-134.103.3. DEVELOPMENT PLAN.**

(a) For Subarea A-1, development and use of the Property must comply with the development plan (Exhibit 134B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For Subareas A, B, B-1, and C, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. Nos. 28462; 29192)

**SEC. 51P-134.104. LAND USE MAP.**

A map defining existing land uses within the boundaries of this PD is labelled Exhibit 134A. (Ord. Nos. 17271; 23257; 25508; 28462)

**SEC. 51P-134.105. USES.**

(a) In general.

(1) Uses in Subarea A are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection (b).

(2) Uses in Subarea B are limited to all uses permitted in the GR-D General Retail-Dry District. Residential uses are limited to the uses permitted in Paragraph (1).

(3) Uses in Subarea B-1 are limited to all uses permitted in the GR-D-1 General Retail District with a D-1 Liquor Control Overlay. Residential uses are limited to the uses permitted in Paragraph (1).

(4) Uses in Subarea C are limited to all uses permitted in the NS Neighborhood Service District. Residential uses are limited to the uses permitted in Paragraph (1).

(5) Except as provided in this paragraph, uses in Subarea A-1 are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection (b). The surface parking use shown on the development plan is only permitted in conjunction with the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

(b) Nonconformity and other use regulations.

(1) All existing uses, as shown on the land use map, and structures within this PD are legal conforming uses and structures under this article. With the exception of Lot 7 in City Block 6/1614 at 1110 Mt. Auburn Avenue, which may contain a duplex dwelling unit, no residentially developed lot in this PD may contain more dwelling units than the number indicated on the land use map. Any structure now being used as a single-family dwelling which was originally built as a duplex or which has been used as a duplex at any time may be converted back to a duplex.

(2) Nonresidential uses, which were existing as of July 1, 1981, and not identified on the land use map, that are conducted on the same lot with a residential use will be considered as legal conforming uses, so long as the nonresidential use is conducted by an occupant of the residence and the scale of operation of such use is not enlarged in any way. No advertisement, sign, or display is permitted on the premises. The use may not generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(3) All signs must comply with the provisions of Article VII.

(4) All uses in Tract 1-B that sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises on January 27, 1982, will be considered as legal nonconforming uses.

(c) Lots in Subarea A. Any lot in Subarea A on which a nonresidential structure has been officially condemned by the city or has been intentionally removed or demolished may be redeveloped with the use and structure standards (including off-street parking provided) existing on the lot on January 27, 1982, or with the residential standards defined in Section 51P-134.106.

(d) Application of Section 51P-134.106(a). The development standards defined in Section 51P-134.106(a) apply to the following uses:

(1) All lots in Subarea A that are vacant on January 27, 1982.

(2) Any residential structure in the PD that is to be enlarged as long as the number of dwelling units does not increase.

(3) Any lot in Subareas B, B-1, or C that are to be developed or redeveloped with a residential use. (Ord. Nos. 17271; 17424; 17704; 25508; 26102; 28462; 29192)

## **SEC. 51P-134.106. DEVELOPMENT STANDARDS.**

(a) The following development standards apply to single-family detached and duplex dwellings.

(1) Minimum lot area per structure is 7,250 square feet.

(2) Minimum front yard setback for all lots is 10 feet beginning from the front property line. Except in Subarea A-1, any setbacks on interior lots are the same as, or between, the setbacks of the closest adjacent structures. Except in Subarea A-1, any structure to be located on a vacant corner lot must conform to a setback that is within five percent of the setback of the closest adjacent structure within the same block.

(3) Minimum lot width is 50 feet.

(4) Standards for development must be in accordance with all other provisions of the R -7.5 Single-Family District.

(b) The following development standards apply in Subarea A-1.

(1) Light fixtures including base, pole, and fixture may not exceed eight feet in height. All lighting must be directed downward and away from residential uses.

(2) Off-street parking must comply with the development plan.

(3) The off-street parking spaces shown on the development plan may only be used by the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

(c) The following development standards apply in Subarea B.

(1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D General Retail-Dry District.

(d) The following development standards apply to Subarea B-1.

(1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D-1 General Retail District with a D-1 Liquor Overlay.

(e) The following development standards apply in Subarea C.

(1) Standards for development must be in accordance with all other provisions of the NS Neighborhood Service District Regulations. (Ord. Nos. 17271; 17424; 25508; 28462; 29192)

#### **SEC. 51P-134.107.**

#### **GENERAL REQUIREMENTS.**

(a) The filing fee and area of notification for any amendment to this PD must be based on the amount of land area involved in the proposed amendment in accordance with the fee schedule and area of notification established for zoning change requests under the heading "All Other Applications."

(b) The board of adjustment shall have the authority to hear appeals and grant variances from the terms of Ordinance No. 17271, as amended, in accordance with regulations and procedures specified in Section 51-3.102.

(c) 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.

(d) The building official shall not issue a certificate of occupancy until there has been full compliance with this article together with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 17271; 25508; 26102; 28462)