

ARTICLE 708.

PD 708.

SEC. 51P-708.101. LEGISLATIVE HISTORY.

PD 708, the Dallas Arts District Extension Area, was established by Ordinance No. 25916, passed by the Dallas City Council on March 9, 2005. (Ord. 25916)

SEC. 51P-708.102. PROPERTY LOCATION AND SIZE.

PD 708 is established on property generally bounded by Routh Street, Central Expressway, Ross Avenue, and Woodall Rodgers Freeway. The size of PD 708 is approximately 17.4 acres. (Ord 25916)

SEC. 51P-708.103. 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 nonresidential zoning district.

(d) FLORA STREET CENTERLINE means the centerline of the projected 50-foot-wide Flora Street right-of-way shown on the map (Exhibit 708A).

(e) FLORA STREET FRONTAGE AREA means the area of each building site within 25 feet of the projected 50-foot-wide Flora Street right-of-way shown on Exhibit 708A. The projected 50-foot wide Flora Street right-of-way does not include the conditionally abandoned portion of Flora Street described in Exhibit 708B.

(f) MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes mobile food preparation vehicles and pushcarts. (Ord. Nos. 25916; 25931; 28188)

SEC. 51P-708.104. DEVELOPMENT STANDARDS.

(a) Sasaki plan. The Dallas Arts District Design Plan prepared by Sasaki Associates, Inc. in August, 1982 (“Sasaki Plan”) (Exhibit 145A to Article 145 of Chapter 51P) shall serve as a guideline for development in this district.

(b) Uses permitted in all parts of this district other than the Flora Street frontage area. The following uses are the only main uses permitted in all parts of this district other than in the Flora Street frontage area:

- (1) Agricultural uses.
 - None permitted.
- (2) Commercial and business services uses.
 - Catering service.
 - Custom business services.
 - Custom woodworking, furniture construction, or repair.
 - Job or lithographic printing.
- (3) Industrial uses.
 - None permitted.
- (4) Institutional and community service uses.
 - Child-care facility.
 - Church.
 - College, university, or seminary.
 - Community service center. [SUP]
 - Convent or monastery.
 - Library, art gallery, or museum.
 - Open-enrollment charter school. [SUP]
 - Private school. [SUP]
 - Public school other than an open-enrollment charter school.
- (5) Lodging uses.
 - Hotel or motel.
- (6) Miscellaneous uses.
 - Carnival or circus (temporary). [*By special authorization of the building official.*]
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Multifamily.
 - Retirement housing.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
- Business school.
- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
- Commercial parking lot or garage.
- 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.
- Liquor store.
- Mobil food establishment.
- Mortuary, funeral home, or commercial wedding chapel.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Commercial bus station and terminal. [DIR]
- Heliport. [SUP]
- Helistop. [SUP]
- Railroad passenger station.
- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Local utilities.
- Post office.

(13) Wholesale, distribution, and storage uses.

- Office showroom/warehouse.

(c) Accessory uses permitted in all parts of this district other than the Flora Street frontage area. 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.

(1) In this part of the district, an accessory helistop is permitted by SUP only.

(2) In this part of the district, an SUP may be required for an accessory medical/infectious waste incinerator. See Section 51A-4.217(b)(3.1).

(3) In this part of the district, a parking garage is considered to be accessory to a main use on the same lot if it is used primarily by owners and occupants and their invitees of the main use during business hours, even if it is used by patrons of other businesses that are not part of the main use on that lot after business hours for a fee.

(d) Uses prohibited in all parts of this district other than the Flora Street frontage area. In this part of the district, the following uses are prohibited, even as accessory uses:

- Feed store, as defined in Chapter 51.
- Pawn shop.
- Home improvement center, lumber, brick or building materials sales center.
- Swimming pool sales and supply, as defined in Chapter 51.

(e) Uses permitted in the Flora Street frontage area. The following uses are the only main uses permitted in the Flora Street frontage area:

(1) Agricultural uses.

- None permitted.

(2) Commercial and business services uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Job or lithographic printing.

(3) Industrial uses.

- None permitted.

(4) Institutional and community service uses.

- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Library, art gallery, or museum.
- Open-enrollment charter school. *[SUP]*
- Private school. *[SUP]*
- Public school other than an open-enrollment charter school.

(5) Lodging uses.

- Hotel or motel.

(6) Miscellaneous uses.

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

(7) Office uses.

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

- Office [*Subject to the following restrictions: on the ground floor of each building site, no more than 25 percent of the linear frontage along Flora Street, and no more than 25 percent of the ground floor area within the Flora Street frontage area may be occupied by office uses.*]

(8) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- Multifamily.
- Retirement housing.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [*See Section 51A-4.210(b)(4).*]
- Business school.
- Commercial amusement (inside). [*SUP may be required. See Section 51A-4.210(b)(7)(B).*]
- Commercial parking lot or garage.
- 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.
- Liquor store.
- Mobil food establishment.
- Mortuary, funeral home, or commercial wedding chapel.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Railroad passenger station.
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- Commercial radio or television transmitting station.
- Local utilities.
- Post office.

(13) Wholesale, distribution, and storage uses.

- Office showroom/warehouse.
- Trade center.

(f) Accessory uses permitted in the Flora Street frontage area. 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.

(1) In this part of the district, an accessory helistop is permitted by SUP only.

(2) In this part of the district, an SUP may be required for an accessory medical/infectious waste incinerator. See Section 51A-4.217(b)(3.1).

(3) In this part of the district, a parking garage is considered to be accessory to a main use on the same lot if it is used primarily by owners and occupants and their invitees of the main use during business hours, even if it is used by patrons of other businesses that are not part of the main use on that lot after business hours for a fee.

(g) Uses prohibited in the Flora Street frontage area. In this part of the district, the following uses are prohibited, even as accessory uses:

- Feed store, as defined in Chapter 51.
- Pawn shop.
- Home improvement center, lumber, brick or building materials sales center.
- Swimming pool sales and supply, as defined in Chapter 51.

(h) Height restrictions in the Flora Street frontage area. Within the Flora Street frontage area, maximum structure height is 50 feet.

(i) Construction design in the Flora Street frontage area. On each building site in the Flora Street frontage area:

(1) at least 50 percent of the linear frontage along Flora Street and at least 50 percent of the Flora Street frontage area must be covered by a structure of at least two stories; and

(2) at least 50 percent of the area of the first two stories the street wall along Flora Street and at least 50 percent of the area of the ground floor of the street wall along Flora Street must be of transparent material and used for display or merchandising. For the first two stories of the street wall along the portion of Flora Street that is farther than 660 feet from a regulated highway, and therefore not subject to the Highway Beautification Act, the display may consist of artwork or district activity signs in addition to any other permitted display or merchandising.

(j) Woodall Rodgers Freeway service road sidewalk requirements. All sidewalks fronting the Woodall Rodgers Freeway service road must have a minimum width of 10 feet.

(k) Parking. All permanent parking within the Flora Street frontage area must be either underground or concealed within a building with a facade that is similar in appearance to the facades of non-parking buildings, except that at-grade (not underground or within a building) parking is permitted for up to a maximum of 10 percent of the total parking provided on a building site if allocated by lease or specific signage for retail and personal service uses, handicapped parking, or visitor parking. Surface parking in other locations must be located to the rear of the main structure and screened in accordance with Section 51A-4.602, except that up to a maximum of 10 percent of the total parking provided on a building site may be located in front of the main structure and unscreened if allocated by lease or specific signage for retail and personal service uses, handicapped parking, or visitor parking.

(l) Loading. Off-street loading and maneuvering areas must be screened in accordance with Section 51A-4.602(b). Vehicular ingress or egress to a loading facility is not permitted from Flora Street. Off-street loading is not permitted at ground level in any location that is adjacent to and visible from Flora Street.

(m) Residential use requirements. The yard, lot, and space regulations for residential uses in this district are the same as for other permitted nonresidential uses in this district.

(n) Central Area-1 District standards. Unless otherwise provided in this article, all regulations applicable to the CA-1(A) Central Area District apply within this district.

(o) Flora Street sidewalk requirements. All sidewalks fronting on Flora Street must have a minimum width of seven feet extending from the property line into the right-of-way, with a single row of street trees between the sidewalk and the back of the street curb in minimum 16 square foot planting areas with tree grates, in any configuration ranging from two feet by eight feet to four feet by four feet.

(p) Mobile food establishments.

(1) A mobile food establishment is permitted only on private property or as part of a special event permit.

(2) A mobile food establishment must comply with all of the requirements of Chapter 17, "Food Establishments," of the Dallas City Code. (Ord. Nos. 25916; 28188)

SEC. 51P-708.105.

BUILDING PERMIT REVIEW.

(a) A person desiring to develop property in this district shall consult with the director to discuss whether the project is consistent with the Sasaki plan and the requirements of this article. The consultation shall occur at the schematic plan stage.

(b) Upon receipt of an application for a building permit for the construction of, or modification to, any building or structure in this district, the building official shall refer the permit application and plans to the director for review to determine whether the project complies with the requirements of Section 51P-708.104(b) through (p) of this article. The director shall conduct this review so that the director's decision on issuance of the permit can be made within 30 days from the date the completed application is submitted to the building official.

(c) If the director determines that the project complies with the requirements of Section 51P-708.104(b) through (p) of this article, the director shall refer the permit application and plans back to the building official, who shall issue the permit if all requirements of the construction codes and all other applicable ordinances have been met.

(d) If the director determines that the project does not comply with the requirements of Section 51P-708.104(b) through (p) of this article, the director shall direct the building official to deny the permit. (Ord Nos. 25916; 28188)

SEC. 51P-708.106.

BOARD OF ADJUSTMENT.

(a) The board of adjustment may grant a special exception to the following requirement of this article if the special exception will not adversely affect appropriate development of this district: the Flora Street frontage area height restrictions in Section 51P-708.104(h), but only if the portion of the building exceeding the maximum height permitted in that section is occupied exclusively by multifamily uses.

(b) The board of adjustment may not provide a termination date for a nonconforming use in the Dallas Arts District Extension Area under Section 51A-4.704(a)(1) unless there has been a change in ownership of the property since March 9, 2005. (Ord. 25916)

SEC. 51P-708.107.

APPLICABILITY OF SECTION 51A-4.702.

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. 25916)

SEC. 51P-708.108.

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. 25916)

SEC. 51P-708.109.

COMPLIANCE WITH CONDITIONS.

(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 to authorize work, or a certificate of occupancy to authorize the operation of a use, in this district until there has been full compliance with the requirements of this article, and with the construction codes and all other ordinances, rules, and regulations of the city. (Ord. 25916)