

ARTICLE 408.

PD 408.

SEC. 51P-408.101. LEGISLATIVE HISTORY.

PD 408 was established by Ordinance No. 22435, passed by the Dallas City Council on May 24, 1995. Ordinance No. 22435 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22435; 26042)

SEC. 51P-408.102. PROPERTY LOCATION AND SIZE.

PD 408 is established on property generally located along the east line of North Central Expressway, south of the south line of Lovers Lane. The size of PD 408 is approximately 2.126 acres. (Ord. Nos. 22435; 26042)

SEC. 51P-408.103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In the event of a conflict, this section controls. In this article:

(1) KISS-AND-RIDE PARKING SPACES means standard off-street parking spaces provided for purposes of passenger loading and unloading.

(2) LONG-TERM BICYCLE PARKING means facilities provided for the parking of bicycles that are located in a locker or a monitored area.

(3) SHORT-TERM BICYCLE PARKING means facilities provided for the parking of bicycles that consist of stationary devices that allow for user-provided cables and locks.

(b) Interpretations.

(1) Unless otherwise stated, all references to code articles, divisions, or sections in this article refer to articles, divisions, or sections in Chapter 51A.

(2) Section 51A-2.101, "Interpretations," applies to this article.

(3) The following rules apply in interpreting the use regulations in this article.

(A) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(B) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(C) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(D) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(4) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district. (Ord. Nos. 22435; 26042)

SEC. 51P-408.104. DEVELOPMENT PLAN.

Development and use of the Property for a transit passenger station or transfer center must comply with the development plan (Exhibit 408A). *[Note: The development plan is incorrectly stamped with Ordinance No. 22438, rather than Ordinance No. 22435.]* (Ord. Nos. 22435; 26042)

SEC. 51P-408.105. MAIN USES PERMITTED.

(a) Agricultural uses.

-- Crop production.

(b) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.
-- Labor hall. *[SUP]*
-- Medical or scientific laboratory.
-- Tool or equipment rental.

(c) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(d) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
-- Convent or monastery.
-- Foster home.
-- Halfway house. *[SUP]*
-- Hospital. *[RAR]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

- (e) Lodging uses.
 - Hotel or motel. *[RAR]*
 - Overnight general purpose shelter for 20 or less overnight guests. *[SUP]*
 - Residential hotel.

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

- (g) Office uses.
 - Ambulatory surgical center.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window. *[DIR]*
 - Medical clinic.
 - Office.

- (h) Recreation uses.
 - Country club with private membership.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.

- (i) Residential uses.
 - College dormitory, fraternity or sorority house.
 - Duplex.
 - Group residential facility. *[SUP required if located within 1000 feet of another group residential facility or a handicapped group dwelling unit.]*
 - Multifamily.
 - Retirement housing.

- (j) Retail and personal service uses.
 - Animal shelter or clinic without outside runs. *[RAR]*
 - Auto service center. *[RAR]*
 - Bar, lounge, or tavern. *[SUP]*
 - Business school.
 - Car wash. *[RAR]*
 - Commercial amusement (inside). *[As permitted in the MU-3 district, see Section 51A-4.210(b)(7)(B).]*
 - Commercial amusement (outside). *[SUP]*
 - Commercial parking lot or garage. *[RAR]*
 - 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.
 - Household equipment and appliance repair.
 - Liquor store.
 - Mortuary, funeral home, or commercial wedding chapel.
 - Motor vehicle fueling station.

- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Swap or buy shop. *[SUP]*
- Temporary retail use.
- Theater.

(k) Transportation uses.

- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Railroad passenger station. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center.

(l) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[As permitted in the MU-3 district, see Section 51A-4.212(10.1).]*
- Utility or government installation other than listed. *[SUP]*

(m) Wholesale, distribution, and storage uses.

- Mini-warehouse. *[SUP]*
- Office showroom/warehouse.
- Recycling buy-back center. *[As permitted in the MU-3 district, see Section 51A-4.213(11).]*
- Recycling collection center. *[As permitted in the MU-3 district, see Section 51A-4.213(11.1).]*
- 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.]*
- Trade center.

(Ord. Nos. 22435; 26042)

SEC. 51P-408.106. 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 use is not permitted in this district:

-- Private stable.

(c) In this district, an SUP is required for the following accessory use if it is used to incinerate more than 225 pounds of waste per hour:

-- Accessory medical/infectious waste incinerator.

(Ord. Nos. 22435; 26042)

SEC. 51P-408.107. 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 yard. No minimum front yard.

(b) Side and rear yard.

(1) Minimum side and rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(B) no minimum in all other cases.

(2) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This paragraph does not require a total side or rear yard setback greater than 30 feet.

(c) Dwelling unit density. No maximum dwelling unit density.

(d) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a “mixed use project” as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is “residential.” The third column (MUP=2/with Res) is the FAR for an MUP with a mix of “residential” plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is “residential.” The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of “residential” plus two or more other use categories.]

Maximum Floor Area Ratio

<u>Use Categories</u>	<u>Base (no MUP)</u>	<u>MUP=2 (no Res)</u>	<u>MUP=2 (w/Res)</u>	<u>MUP=3 (no Res)</u>	<u>MUP=3 (w/Res)</u>
Lodging	3.2	3.4	3.6	3.6	3.8
Office	3.2	3.4	3.6	3.6	3.8
Residential	3.2	----	3.8	----	3.8
Retail and Personal Service	2.0	2.6	3.0	3.2	3.75

Total Development	3.2	3.6	4.0	4.0	4.5

(e) Height.

(1) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(2) Maximum height. Unless further restricted under Paragraph (1), maximum structure height is 270 feet.

(f) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e). (Ord. Nos. 22435; 26042)

SEC. 51P-408.108. OFF-STREET PARKING AND LOADING.

(a) Transit passenger station or transfer center.

(1) Eleven kiss-and-ride parking spaces must be provided as shown on the development plan prior to the issuance of a certificate of occupancy.

(2) At the end of the 12th month of operation, the owner must provide for, at the owner's expense, an independent study to analyze the adequacy of the off-street parking regulations contained in this article. The study must be arranged for through city staff and the results of the study must be provided to the director.

(b) All other uses. Consult the use regulations of Division 51A-4.200 for the specific off-street parking requirements for each use.

(c) For all uses. Consult the off-street parking and loading regulations of Chapter 51A (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. (Ord. Nos. 22435; 26042)

SEC. 51P-408.109. BICYCLE PARKING.

(a) Transit passenger station or transfer center.

- (1) Eight long-term bicycle parking spaces must be provided on the Property.
- (2) Eight short-term bicycle parking spaces must be provided on the Property.

(b) All other uses. Consult the use regulations of Division 51A-4.200 for the specific bicycle parking requirements for each use, if any. (Ord. Nos. 22435; 26042)

SEC. 51P-408.110. STREET AND INFRASTRUCTURE IMPROVEMENTS.

Prior to the issuance of a certificate of occupancy for a transit passenger station or transfer center, the following improvements are required:

- (1) A traffic signal must be installed and interconnected at the intersection of Greenville Avenue and Milton Street in accordance with the provisions of the Interlocal Agreement.
- (2) The curb return radii at the northwest and southwest corners of Milton Street and Greenville must be increased to a minimum of 30 feet.
- (3) To promote safety and direct traffic into the site, enhanced pavement markings or signs must be provided at the Greenville Avenue entrance into the bus unloading and kiss-and-ride area off Milton Street. (Ord. Nos. 22435; 26042)

SEC. 51P-408.111. PEDESTRIAN FACILITIES.

Prior to the issuance of a certificate of occupancy for a transit passenger station or transfer center, the following pedestrian improvements are required:

- (1) Marked pedestrian crosswalks must be provided as shown on the development plan.
- (2) A sidewalk must be provided within the rail right-of-way from the southern boundary of the station site to Daniels Avenue.
- (3) A four-foot-high fence must be provided from Daniels Avenue to the retaining wall, as shown on the development plan.
- (4) All sidewalks must be handicapped accessible. (Ord. Nos. 22435; 26042)

SEC. 51P-408.112. STOPPING OR STANDING, AND LOADING OR UNLOADING.

- (a) No stopping or standing of buses is permitted on Milton Street.
- (b) Loading and unloading of buses is permitted only in designated bus bays located on the Property and shown on the development plan. (Ord. Nos. 22435; 26042)

SEC. 51P-408.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22435; 26042)

SEC. 51P-408.114. LANDSCAPING.

Landscaping for the transit passenger station or transfer center use must be provided as shown on the development plan. Landscaping for all other uses must be provided in accordance with Article X. All landscaping must be installed in accordance with Article X. All plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22435; 26042)

SEC. 51P-408.115. DEVELOPMENT IMPACT REVIEW.

For all uses except a transit passenger station or transfer center, a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 22435; 26042)

SEC. 51P-408.116. VISUAL INTRUSION.

No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this section, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use. (Ord. Nos. 22435; 26042)

SEC. 51P-408.117. MAINTENANCE.

The Property must be properly maintained in a state of good repair and neat appearance. (Ord. Nos. 22435; 26042)

SEC. 51P-408.118. GENERAL REQUIREMENTS.

(a) Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(b) 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.

(c) 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 applicable ordinances, rules, and regulations of the city. (Ord. Nos. 22435; 26042)

SEC. 51P-408.119.

ZONING MAP.

PD 408 is located on Zoning Map No. G-8. (Ord. Nos. 22435; 26042)