

**ARTICLE 414.**

**PD 414.**

**Kiest Boulevard/Marvin D. Love Freeway Special Purpose District**

**SEC. 51P-414.101. LEGISLATIVE HISTORY.**

PD 414 was established by Ordinance No. 22378, passed by the Dallas City Council on April 12, 1995. Ordinance No. 22378 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 22378 was amended by Ordinance No. 24597, passed by the Dallas City Council on May 9, 2001, and Ordinance No. 25816, passed by the Dallas City Council on December 8, 2004. (Ord. Nos. 19455; 22378; 24597; 25816; 26042)

**SEC. 51P-414.102. PROPERTY LOCATION AND SIZE.**

PD 414 is established on property generally located on both sides of a D.P.&L. easement south of Kiest Boulevard and east of Marvin D. Love Freeway. The size of PD 414 is approximately 65.163 acres. (Ord. Nos. 22378; 24597; 25816; 26042)

**SEC. 51P-414.103. 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. (Ord. Nos. 22378; 26042)

**SEC. 51P-414.104. CONCEPTUAL/DEVELOPMENT PLAN.**

The provisions contained in Section 51A-4.702(c)(2) through (i) do not apply to this district. (Ord. Nos. 22378; 26042)

**SEC. 51P-414.105. CREATION OF SUBDISTRICTS.**

This district is divided into three subdistricts: Subdistricts 1, 1A, and 2. The boundaries of Subdistricts 1 and 1A are the boundaries for Tract I, which is described in Section 1 of Ordinance No. 24597. The boundaries of Subdistrict 2 are the boundaries of Tract II, which is also described in Section 1 of Ordinance No. 24597. The boundaries of Subdistricts 1, 1A, and 2 are graphically shown on the subdistrict map (Exhibit 414A). (Ord. Nos. 24597; 25816; 26042)

**SEC. 51P-414.106. SUBDISTRICT REGULATIONS.**

(a) Subdistrict 1.

(1) Main uses permitted.

(A) Those uses permitted in the RR Regional Retail District, subject to the same conditions applicable in the RR Regional Retail District, as set out in the Dallas Development Code. For example, except as provided in Subparagraph (1)(B), a use permitted in the RR Regional Retail District by specific use permit (SUP) only is permitted in this special purpose district by SUP; a use subject to development impact review (DIR) in the RR Regional Retail District is subject to DIR in this special purpose district, etc.

(B) Multifamily.

(2) D Overlay. The D Overlay established by map on March 29, 1965, for that portion of the subdistrict described on attached Exhibit A of Ordinance No. 22378 is retained. In that portion of the subdistrict, a person shall not sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises.

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any 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 Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).
- Accessory medical/infectious waste incinerator.
- Home occupation.
- Private stable.

(C) The following accessory use is permitted by SUP only:

- Accessory helistop.

(4) Yard, lot, and space regulations for multifamily uses. Multifamily uses are subject to the yard, lot, and space regulations contained in Section 51(A)-4.116(b)(4).

(5) Yard, lot, and space regulations for all other uses.

(A) Front yard. Minimum front yard is 15 feet.

(B) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(C) Side and rear yard. Minimum side and rear yard is:

(i) 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

(ii) no minimum in all other cases.

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

(E) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for office uses; and

(ii) 1.5 for all uses combined.

(F) Height.

(i) Maximum height. Unless further restricted under Subparagraph (F)(ii), maximum structure height is 70 feet.

(ii) Residential proximity slope. Except as otherwise provided, if any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope. 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.

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

(H) Lot size. No minimum lot size.

(I) Stories. Maximum number of stories above grade is five. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (F).

(6) Off-street parking and loading.

(A) Except as provided in Subparagraph (B), consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(B) Required off-street parking for “College, university, or seminary” uses is one space per 300 square feet of floor area. If more than 10 off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.

(7) Environmental performance standards. See Article VI.

(8) Landscaping. Landscaping must comply with Article X.

(9) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Division 51A-4.803 before an application is made for a permit for work in this subdistrict 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.

(B) 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 subparagraph, 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.

(b) Subdistrict 1A.

(1) Main uses permitted.

- Catering service.
- Child-care facility.
- Church.
- College, university, or seminary.
- Public or private school.
- Office.
- Private recreation center, club, or area.
- Public park, playground, or golf course.
- College dormitory, fraternity or sorority house.
- Warehouse (maximum of 5,000 square feet of floor area and limited to Subdistrict 1A only).

(2) Accessory uses.

(A) As a general rule, an accessory use is permitted in any 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 Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(C) The accessory helistop use is permitted by SUP only.

(3) Yard, lot, and space regulations for college, university, or seminary uses.

College, university, or seminary uses are subject to the yard, lot, and space regulations contained in Section 51A-4.122(c)(4).

(4) Yard, lot, and space regulations for all other uses.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

- (i) No minimum side and rear yard for single family structures.
- (ii) Minimum side yard for duplex structures is five feet.
- (iii) Minimum side yard for other permitted uses is 10 feet.
- (iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CS-2(A), I-1, I-2, I-3, U, IR, IM, mixed use, or multiple commercial district.

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

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Maximum height. Unless further restricted under Subparagraph (b)(4)(E)(ii), maximum structure height is 36 feet.

(ii) Residential proximity slope. Except as otherwise provided, if any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope. 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.

(F) Lot coverage. Maximum lot coverage is 60 percent for residential structures and 50 percent for nonresidential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. Minimum lot area per dwelling unit is as follows:

<u>TYPE OF STRUCTURE</u>	<u>MINIMUM LOT AREA PER DWELLING UNIT</u>
Single family	1,000 square feet
Duplex	3,000 square feet
Multifamily:	
No separate bedroom	800 square feet
One bedroom	1,000 square feet
Two bedrooms	1,200 square feet
More than two bedrooms	1,200 + 150 square feet for each bedroom over two

(H) Stories. No maximum number of stories above grade.

(5) Off-street parking and loading.

(A) Except as provided in Subparagraph (b)(5)(B), consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(B) Required off-street parking for the use “college, university, or seminary” is one space per 300 square feet of floor area. If more than 10 off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.

(6) Environmental performance standards. See Article VI.

(7) Landscaping. Landscaping must comply with Article X.

(8) Single family structure spacing. In this subdistrict, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(c) Subdistrict 2.

(1) Main uses permitted.

(A) Institutional and community service uses.

- Child-care facility.
- Church.
- College, university, or seminary.
- Library, art gallery, or museum.
- Public or private school.

(B) Recreation uses.

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

(C) Residential uses.

- College dormitory, fraternity, or sorority house.
- Duplex.
- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
- Single family.

(2) Accessory uses.

(A) As a general rule, an accessory use is permitted in any 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 Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(C) The accessory helistop use is permitted by SUP only.

(3) Yard, lot, and space regulations for college, university, or seminary uses. College, university, or seminary uses are subject to the yard, lot, and space regulations contained in Section 51(A)-4.122(c)(4).

(4) Yard, lot, and space regulations for all other uses.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

- (i) No minimum side and rear yard for single family structures.
- (ii) Minimum side yard for duplex structures is five feet.
- (iii) Minimum side yard for other permitted structures is 10 feet.
- (iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

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

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Maximum height. Unless further restricted under Subparagraph (c)(3)(E)(ii), maximum structure height is 36 feet.

(ii) Residential proximity slope. Except as otherwise provided, if any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope. 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.

(F) Lot coverage. Maximum lot coverage is 60 percent for residential structures and 50 percent for nonresidential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. Minimum lot area per dwelling unit is as follows:

<u>TYPE OF STRUCTURE</u>	<u>MINIMUM LOT AREA PER DWELLING UNIT</u>
Single Family	1,000 square feet
Duplex	3,000 square feet
Multifamily	
No separate bedroom	800 square feet
One bedroom	1,000 square feet
Two bedrooms	1,200 square feet
More than two bedroom	1,200 + 150 square feet for each bedroom over two

(H) Stories. No maximum number of stories above grade.

(5) Off-street parking and loading.

(A) Except as provided in Subparagraph (c)(5)(B), consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(B) Required off-street parking for the use “college, university, or seminary” is one space per 300 square feet of floor area. If more than 10 off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.

(6) Environmental performance standards. See Article VI.

(7) Landscaping. Landscaping must comply with Article X.

(8) Single family structure spacing. In this subdistrict, a minimum of 15 feet between each group of eight single family structures must be provided by plat. (Ord. Nos. 22378; 24597; 25816; 26042)

**SEC. 51P-414.107. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 22378; 26042)

**SEC. 51P-414.108. ADDITIONAL PROVISIONS.**

(a) A parking demand and supply study must be performed at the property owner’s expense by a professional engineer and submitted to the director of the department of development services no later than five years from April 12, 1995. If the director determines, based on the results of the study, that spillover parking or traffic problems are caused in the area, additional spaces identified by the study up to a maximum of one space per 200 square feet of floor area must be provided for the “College, university, or seminary” use. The director shall give written notice of his or her determination to the property owner by depositing the notice, properly addressed and postage paid, in the U.S. mail. Additional parking must be supplied within 120 days of the notice by the director.

(b) The entire Property must be properly maintained in a state of good repair and neat appearance.

(c) 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. 22378; 26042)

**SEC. 51P-414.109. 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. 22378; 26042)

**SEC. 51P-414.110. COMPLIANCE WITH CONDITIONS.**

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 ordinances, rules, and regulations of the city. (Ord. Nos. 22378; 26042)

**SEC. 51P-414.111.**

**ZONING MAP.**

PD 414 is located on Zoning Map No. N-6. (Ord. Nos. 22378; 26042)