

## **ARTICLE 610.**

### **PD 610.**

#### **SEC. 51P-610.101. LEGISLATIVE HISTORY.**

PD 610 was established by Ordinance No. 24691, passed by the Dallas City Council on August 22, 2001. (Ord. 24691)

#### **SEC. 51P-610.102. PROPERTY LOCATION AND SIZE.**

PD 610 is established on property generally located at the southwest corner of Matilda Street and Lovers Lane. The size of PD 610 is approximately 10.23 acres. (Ord. Nos. 24691; 24704)

#### **SEC. 51P-610.103. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions 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) The following rules apply in interpreting the use regulations in this article:
  - (1) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.
  - (2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.
  - (3) The symbols *[L]* and *[SUP]* appearing together after a listed use mean that the use is permitted by right as a limited use; otherwise it is permitted by specific use permit only.
  - (4) 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.)
  - (5) 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.) (Ord. 24691)

#### **SEC. 51P-610.104. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan dividing the Property into three tracts of land (Exhibit 610A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. 24691)

**SEC. 51P-610.105.****DEVELOPMENT PLAN.**

In the event Tract 1 is developed as a “food store greater than 3,500 square feet,” Tract 1 must comply with the development plan (Exhibit 610B). All amendments to the development plan must comply with the conceptual plan. No development plan is required for Tract 2 or Tract 3, or for the development of Tract 1 for any use other than a “food store greater than 3,500 square feet.” In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. (Ord. 24691)

**SEC. 51P-610.106.****MAIN USES PERMITTED.**

The following uses are the only main uses permitted in this district:

(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.  
-- Open enrollment charter school or private school. [SUP]  
-- Public school other than open enrollment charter school. [RAR]

(e) Lodging uses.

-- Hotel or motel. [RAR]  
-- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]

- (f) Miscellaneous uses.
  - Attached non-premise sign. *[SUP]*
  - 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. *[See Section 51A-4.209(b)(3).]*
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
  
- (j) Retail and personal service uses.
  - Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
  - Animal shelter or clinic without outside run. *[RAR]*
  - Auto service center. *[RAR]*
  - Business school.
  - Car wash. *[RAR]*
  - Commercial amusement (inside). *[Dance halls prohibited in Tract 1. SUP may be required for other commercial amusement (inside) uses. 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]*

- Surface parking.
- 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. *[By SUP or city council resolution. See Section 51A-4.211.]*

(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. *[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. *[See Section 51A-4.213(11).]*
- Recycling collection center. *[See Section 51A-4.213(11.1).]*
- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
- Trade center.

(Ord. Nos. 24691; 24787)

**SEC. 51P-610.107. 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 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, the following accessory use is permitted by SUP only:

- Accessory medical/infectious waste incinerator. *[See Section 51A-4.217(b)(3.1).]*

(Ord. 24691)

**SEC. 51P-610.108.**

**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 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.

(1) The minimum front yard is 15 feet.

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

(b) Side and rear yard. The minimum side and rear yard is:

(1) 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

(2) no minimum in all other cases.

(c) Tower spacing. 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 in height up to a total setback of 30 feet. This subsection does not require a total side or rear yard setback greater than 30 feet.

(d) Density. There is no maximum dwelling unit density.

(e) Floor area ratio. The 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 mixed use project (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 are “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.]

Use Category	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res)	MUP=3 (no Res)	MUP=3 (with Res)
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

(f) Height.

(1) Residential proximity slope. 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: Except for chimneys, 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. Chimneys may project through the slope to a height of 12 feet above the slope and 12 feet above the maximum structure height.

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

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

(h) Lot size. There is no minimum lot size.

(i) Stories. The maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (f). (Ord. 24691)

**SEC. 51P-610.109. OFF-STREET PARKING AND LOADING.**

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking/loading requirements for each use. Consult the off-street parking and loading regulations in Division 51A-4.300 for information regarding off-street parking and loading generally.

(b) Off-street parking for uses on Tract 3 may be provided on Tract 2 without executing and filing a special parking agreement that would otherwise be required under Section 51A-4.328. (Ord. 24691)

**SEC. 51P-610.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. 24691)

**SEC. 51P-610.111. LANDSCAPING.**

(a) Landscaping must be provided in accordance with Article X.

(b) All plant materials must be maintained in a healthy, growing condition. (Ord. 24691)

**SEC. 51P-610.112. ADDITIONAL PROVISIONS.**

(a) Development impact review. A site plan submitted and approved in accordance with the requirements of Section 51A-4.803 is required before an application is made for a permit for work in this district if the estimated trip generation for all uses in this district 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 that originates in that district. (See Section 51A-4.412.) For purposes of this subsection, 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.

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

(d) 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. 24691; 26102)

**SEC. 51P-610.113. 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 or certificate of occupancy for a use in this district until there has been full compliance with this article, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24691; 26102)

**SEC. 51P-610.114. ZONING MAP.**

PD 610 is located on Zoning Map No. G-8. (Ord. 24691)