

ARTICLE 369.

PD 369.

SEC. 51P-369.101. LEGISLATIVE HISTORY.

PD 369 was established by Ordinance No. 21386, passed by the Dallas City Council on August 26, 1992. Ordinance No. 21386 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 21386 was amended by Ordinance No. 23366, passed by the Dallas City Council on December 10, 1997. (Ord. Nos. 19455; 21386; 23366; 25850)

SEC. 51P-369.102. PROPERTY LOCATION AND SIZE.

PD 369 is established on property generally located along the southeast line of Second Avenue, southeast of the southeast line of the Southern Pacific Railroad right-of-way. The size of PD 369 is approximately 89.2108 acres. (Ord. Nos. 21386; 25850)

SEC. 51P-369.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to code articles, divisions, or sections in this article refer to articles, divisions, or sections in Chapter 51A.
- (c) Section 51A-2.101, "Interpretations," applies to this article.
- (d) The following rules apply in interpreting the use regulations in this article:
 - (1) The absence of a symbol appearing after a listed use means that the use is permitted by right.
 - (2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.
 - (3) 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.)
 - (4) 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.)
- (e) 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. 23366; 25850)

SEC. 51P-369.104. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 369A). (Ord. Nos. 23366; 25850)

SEC. 51P-369.105. DEVELOPMENT PLAN.

Prior to application for a building permit for development on the Property, a development plan must be submitted to and approved by the city plan commission. (Ord. Nos. 23366; 25850)

SEC. 51P-369.106. MAIN USES PERMITTED.

(a) Agricultural uses.

- Crop production.

(b) Commercial and business service uses.

- Building repair and maintenance shop. [RAR]
- Bus or rail transit vehicle maintenance or storage facility. [RAR]
- Catering service.
- Commercial cleaning or laundry plant. [RAR]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Labor hall. [SUP required if spacing component of Section 51A-4.202(8.1) is not met.]
- Machine or welding shop. [RAR]
- Machinery, heavy equipment, or truck sales and services. [RAR]
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

(c) Industrial uses.

- Inside Industrial. [RAR]
- Medical/infectious waste incinerator. [SUP]
- Municipal waste incinerator. [SUP]
- Outside industrial. [SUP]
- Outside salvage or reclamation. [See Section 51P-369.108 of this article.]
- Pathological waste incinerator. [SUP]
- 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.
- Hospital. *[RAR]*
- Public or private school. *[SUP]*

(e) Lodging uses.

- Hotel or motel. *[RAR]*
- Lodging or boarding house.
- Overnight general purpose shelter. *[SUP]*

(f) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Hazardous waste management facility. *[Except when operated as a hazardous waste incinerator.]*
- Temporary construction or sales office.

(g) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[RAR]*
- Medical clinic or ambulatory surgical center.
- Office.

(h) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(i) Residential uses.

- None permitted.

(j) Retail and personal service uses.

- Auto service center. *[RAR]*
- Bar, lounge, or tavern. *[RAR]*
- Car wash. *[RAR]*
- Commercial amusement (inside). *[SUP required when operated as an amusement center, as defined in Chapter 6A of the Dallas City Code, as amended, with a floor area of 2,500 square feet or more, and located within 300 feet of a residential district; or a Class E dance hall, as defined in Chapter 14 of the Dallas City Code, as amended, and located within 300 feet of a residential district.]*
- Commercial parking lot or garage. *[RAR]*
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
- Household equipment and appliance repair.

- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. *[RAR]*

(k) Transportation uses.

- Airport or landing field. *[SUP]*
- Commercial bus station and terminal. *[RAR]*
- Heliport. *[RAR]*
- Helistop. *[RAR]*
- Railroad passenger station. *[SUP]*
- STOL (short takeoff or landing) port. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(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. *[RAR]*
- Tower/antenna for cellular communication. *[See Section 51P-369.109 of this article.]*
- Utility or government installation other than listed. *[SUP]*
- Water treatment plant. *[SUP]*

(m) Wholesale, distribution, and storage uses.

- Auto auction. *[See Section 51P-369.107 of this article.]*
- Freight terminal. *[RAR]*
- Manufactured building sales lot. *[RAR]*
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). *[RAR]*
- Recycling buy-back center. *[By right with RAR for the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics; otherwise by SUP.]*
- Recycling collection center. *[By right with RAR for the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics; otherwise by SUP.]*
- 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.
- Vehicle storage lot.
- Warehouse. *[RAR]* (Ord. Nos. 23366; 25850)

SEC. 51P-369.107.

AUTO AUCTION.

- (a) Except as otherwise provided, the auto auction use must be operated in compliance with Section 51A-4.213(1).
- (b) Only those vehicles stored in conjunction with the vehicle storage lot use located on the Property may be auctioned.
- (c) No external speakers may be used in conjunction with the auto auction use.
- (d) The hours of operation are limited to the hours between 9 a.m. and 5 p.m.
- (e) All off-street parking for the auto auction use must be located within the boundaries of the PD and in a location separate from parking for any other permitted use on the Property, as shown on the conceptual plan. (Ord. Nos. 23366; 25850)

SEC. 51P-369.108.

OUTSIDE SALVAGE OR RECLAMATION.

- (a) Except as otherwise provided, the outside salvage or reclamation use must be operated in compliance with Section 51A-4.203(5).
- (b) The visual screen required by Subparagraph (E)(i) of Section 51A-4.203(5) is required only where shown on the conceptual plan.
- (c) Objects may be stacked up to 16 feet high within 40 feet of the visual screen.
- (d) Stacking must not exceed 16 feet in height at any location on the Property.
- (e) The distance requirement contained in Subparagraph (E)(iv) of Section 51A-4.203(5) does not apply to an outside salvage or reclamation use located in this district. (Ord. Nos. 23366; 25850)

SEC. 51P-369.109.

TOWER/ANTENNA FOR CELLULAR COMMUNICATION.

- (a) Mounted cellular antennas, as defined in Section 51A-4.212(10.1), are permitted by right in this district.
- (b) Monopole cellular towers, as defined in Section 51A-4.212(10.1), are permitted by right with RAR required.
- (c) Other cellular communication towers/antennas, as defined in Section 51A-4.212(10.1), are permitted by right. (Ord. Nos. 23366; 25850)

SEC. 51P-369.110.

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 uses are not permitted in this district:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

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

- Accessory medical/infectious waste incinerator. (Ord. Nos. 23366; 25850)

SEC. 51P-369.111. 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. Minimum front yard is 15 feet.
- (b) Side and rear yard. Minimum side and rear yard is:
 - (1) 10 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 side and rear yard required in all other cases.
- (c) Dwelling unit density. No maximum dwelling unit density.
- (d) Floor area ratio. Maximum floor area ratio is:
 - (1) 0.5 for retail and personal service uses;
 - (2) 0.75 for any combination of lodging, office, and retail and personal service uses;
 - (3) 2.0 for all uses combined.
- (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 200 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 15. Parking garages are exempt from this requirement, but must comply with the height regulations contained in Subsection (e) of this section. (Ord. Nos. 23366; 25850)

SEC. 51P-369.112. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Except as provided in this section, consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(b) The surface of a parking space, maneuvering area for parking or a driveway for a vehicle storage lot, an outside salvage or reclamation use, or an auto auction use is permitted to consist of compacted crushed rock if this surface allows the delivery and release of vehicles in all weather conditions. (Ord. Nos. 23366; 25850)

SEC. 51P-369.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23366; 25850)

SEC. 51P-369.114. LANDSCAPING.

Landscaping must be provided as shown on the conceptual plan. (Ord. Nos. 23366; 25850)

SEC. 51P-369.115. SIGNS.

Except as provided in this section, signs must comply with the provisions for business zoning districts contained in Article VII. For premise signs, only one detached sign, which complies with the setback and size requirements for business zoning district rules, is permitted and must be located as shown on the conceptual plan. The detached premise sign must be a pole sign. Attached signs on the Property combined are limited to a maximum of twelve words which contain any character of a height equal to or exceeding four inches. In this district, premise means the Property. (Ord. Nos. 23366; 25850)

SEC. 51P-369.116. 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-2, or MF-2(A) 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. 23366; 25850)

SEC. 51P-369.117. GENERAL REQUIREMENTS.

Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 23366; 25850)

SEC. 51P-369.118. 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. 21386; 25850)

SEC. 51P-369.119. 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 applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21386; 25850)

SEC. 51P-369.120. ZONING MAP.

PD 369 is located on Zoning Map Nos. K-9 and L-9. (Ord. Nos. 21386; 25850)