

ARTICLE 323.

PD 323.

Urbandale Area Special Purpose District

SEC. 51P-323.101. LEGISLATIVE HISTORY.

PD 323 was established by Ordinance No. 20485, passed by the Dallas City Council on October 25, 1989. Ordinance No. 20485 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 20485 was amended by Ordinance No. 23402, passed by the Dallas City Council on January 14, 1998. (Ord. Nos. 19455; 20485; 23402; 25850)

SEC. 51P-323.102. PROPERTY LOCATION AND SIZE.

PD 323 is established on property generally bounded by Forney Road on the north, Lawnview Avenue on the east, Hunnicut Road and the T&P Railroad ROW on the south, and Parkdale Drive on the west. The size of PD 323 is approximately 63.1012 acres. (Ord. Nos. 20485; 25850; 29089)

SEC. 51P-323.103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions.

(1) Unless the context clearly indicates otherwise, in this article:

(A) AREA 1 means an area described as being all of Lot 1 in City Block A/5802 and all of Lots 2 and 3 in City Block B/5802 in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, said lots fronting 692.54 feet on the northeast line of Military Parkway, beginning at its intersection with the northwest line of Crest Hill Road, and containing approximately 7.19 acres of land. A map showing the boundaries of Area 1 is labelled Exhibit 323A. In the event of a conflict, the verbal description contained in Exhibit A of Ordinance No. 20485, as amended, controls over the graphic description in Exhibit 323A.

(B) AREA 2 means an area described as being all of Lot 2 in City Block A/5802 of the Millcrest Park Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 72172, Page 2506, of the Map Records of Dallas County, Texas.

(C) PARAGRAPH means the first division of a subsection. Paragraphs are designated by arabic numerals in parentheses, e.g. "(1)."

(D) SECTION means a section of this article.

(E) SUBPARAGRAPH means the first division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. "(A)." Divisions of a subparagraph are also called subparagraphs.

(F) SUBSECTION means the first divisions of a section. Subsections are designated by lower case letters in parentheses, e.g. "(a)."

(G) THIS DISTRICT means the entire PD created by Ordinance No. 20485.

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

(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) In Area 2, development and use of the Property must comply with the development plan (Exhibit 323B). If there is a conflict between this article and the development plan, the text of this article controls. In the rest of the district, 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.

(3) Section 51A-2.101, “Interpretations,” applies to this article.

(4) 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 *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

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

(D) 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.)

(E) 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.)

(F) 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.”

(G) For purposes of interpreting Article VI, “Environmental Performance Standards,” and Article X, “Landscape Regulations,” this district is considered to be a CS Commercial Service District. (Ord. Nos. 20485; 23402; 25850; 26775)

SEC. 51P-323.104. NAME OF DISTRICT.

PD 323 is to be known as the Urbandale Area Special Purpose District. (Ord. Nos. 20485; 25850)

SEC. 51P-323.105.

USE REGULATIONS AND DEVELOPMENT STANDARDS.

(a) Purpose. To provide for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is designed to be compatible with adjacent residential development.

(b) Main use permitted.

(1) Agricultural uses.

-- Crop production.

(2) 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]
- 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. [RAR]

(3) Industrial uses.

- Industrial (inside) for light manufacturing. [Area 1 only.]
- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Convent or monastery.
- Establishment for the care of alcoholic, narcotic, and psychiatric patients. [SUP]
- Group home or shelter for disabled, indigent, or abused persons. [SUP]
- Halfway house. [SUP]
- Hospital. [RAR]
- Institution for special education.
- Library, art gallery, or museum.
- Public or private school. [RAR]

- (5) Lodging uses.
- Hotel or motel. *[RAR]*
 - Lodging or boarding house.
- (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.
 - Financial institution with drive-in window. *[RAR]*
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
- Country club with private membership.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.
- (9) Residential uses.
- College dormitory, fraternity, or sorority house.
- (10) Retail and personal service uses.
- Ambulance service. *[RAR]*
 - Animal shelter or clinic without outside run. *[RAR]*
 - Animal shelter or clinic with outside run. *[SUP]*
 - Auto service center. *[RAR]*
 - Business school.
 - Car wash. *[RAR]*
 - Commercial amusement (inside).
 - Commercial amusement (outside). *[DIR]*
 - Commercial parking lot or garage. *[RAR]*
 - Drive-in theater. *[SUP]*
 - 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.
 - Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
 - Household equipment and appliance repair.
 - Mortuary, funeral home, or commercial wedding chapel.
 - Motor vehicle fueling station.
 - Nursery, garden shop, or plant sales.
 - Outside sales. *[SUP]*
 - Pawn shop.
 - Personal service uses.

- Restaurant with drive-in or drive-through service. *[DIR]*
- Restaurant without drive-in or drive-through service. *[DIR]*
- Taxidermist.
- Temporary retail use.
- Theater.

(11) Transportation uses.

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

(12) 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. *[Area 2 only.]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Auto auction. *[SUP]*
- Building mover's temporary storage yard. *[SUP]*
- Contractor's maintenance yard. *[RAR]*
- Freight terminal. *[RAR]*
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). *[SUP]*
- Petroleum product storage and wholesale. *[SUP]*
- Recycling collection center. *[RAR]*
- Trade center.
- Vehicle storage lot. *[SUP]*
- Warehouse. *[RAR]*

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any area 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.

(2) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Private stable.

(3) In this district, the following accessory use is permitted by SUP only:

-- Accessory helistop.

(d) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection 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 subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(1) Front yard. Minimum front yard is:

(A) 15 feet where adjacent to an expressway or a major or secondary thoroughfare; and

(B) no minimum in all other cases.

(2) Side and rear yard. 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 side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(3) Dwelling unit density. Not applicable.

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

(A) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(B) 1.0 for all uses combined.

(5) Height.

(A) 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 in Subparagraph (B), or 12 feet above the slope, whichever is less.

(B) Maximum height. Except as provided in Subsection (h) and unless further restricted under Subparagraph (A), maximum structure height is 45 feet.

(6) 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.

(7) Lot size. No minimum lot size.

(8) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(e) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(f) Environmental performance standards. Article VI applies in this district.

(g) Landscape regulations. Article X applies in this district.

(h) Additional provisions.

(1) Development impact review. 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.

(2) 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 paragraph, 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.

(3) Tower/antenna for cellular communication in Area 2. A tower/antenna for cellular communication:

(A) may not exceed 100 feet in height;

(B) must be constructed to support the antenna arrays for at least two other wireless communications carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms; and

(C) must have an eight-foot-high solid wood fence around a tower/antenna for cellular communication and any related equipment. (Ord. Nos. 20485; 23402; 25850; 26775)

SEC. 51P-323.106. NONCONFORMING USES AND STRUCTURES.

The provisions of Section 51A-4.704 relating to nonconforming uses and structures apply to all uses and structures in this district, except that nonconforming uses are not subject to amortization by the board of adjustment. (Ord. Nos. 20485; 25850)

SEC. 51P-323.107. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy for a use on the Property until there has been full compliance with this article and with the construction codes and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 20485; 25850)

SEC. 51P-323.108. ZONING MAP.

PD 323 is located on Zoning Map No. J-9. (Ord. Nos. 20485; 25850)