

**CITY PLAN COMMISSION**

**THURSDAY, MAY 2, 2024**

**Planner: Liliana Garza**

**FILE NUMBER:** Z223-177(LG) **DATE FILED:** December 29, 2022

**LOCATION:** North line of Timberloam Road, west of South Saint Augustine Drive.

**COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** 1.086 acres **CENSUS TRACT:** 48113017102

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**REPRESENTATIVE:** Construction Concepts Inc.

**OWNER/APPLICANT:** Manuel Salcedo

**REQUEST:** An application for a CS Commercial Service District on property zoned an R-10(A) Single Family District.

**SUMMARY:** The purpose of the request is to allow a general merchandise or food store 3,500 square feet or less.

**STAFF RECOMMENDATION:** Denial.

**BACKGROUND INFORMATION:**

- The request is for an CS Commercial Service District on property zoned an R-10(A) Single Family District. The purpose of the request is to allow a general merchandise or food store of 3,500 square feet or less.
- The request site is currently developed with a metal structure on the rear of the property; however, an accessory structure is not allowed without a single family dwelling in the R-10(A) District.
- Although the applicant proposes a general merchandise store use, several other uses are permitted in the CS District which may not be appropriate adjacent to residential uses.

**Zoning History:**

There have been no zoning cases in the area in the last five years.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type         | Existing/Proposed ROW |
|---------------------|--------------|-----------------------|
| Timberloam Road     | Local Street | 60 feet               |

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request is not consistent with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.1** Create housing opportunities throughout Dallas

**URBAN DESIGN ELEMENT**

**GOAL 5.1** PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

**GOAL 5.2** STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY.

Policy 5.2.1 Maintain neighborhood scale and character.

**Comprehensive Environment and Climate Action Plan (CECAP):**

**GOAL 8:** All Dallas' communities breath clean air.

AQ4 Ensure new industries are an appropriate distance away from neighborhoods.

The proposed change does not further the goals of the Comprehensive Plan in regard to complementary building forms or appropriate development. It also does not further the environmental justice goals of CECAP by expanding commercial intensity toward residential neighborhoods.

**Area Plans**

*I-20 Freeway Corridor Land Use Plan* was adopted by City Council in March 1999. The I-20 Freeway Corridor Land Use study area is located along Interstate -20 from Houston School Road, to the west and Belt Line Road, to the east and extends approximately an eighth to a half-mile on either side of the freeway. The study has three sub-districts along I-20 covering a total of 2,934 acres. The vision of the study is the development of a land use plan that addresses future economic development, transportation, public utility, and other public/private development initiatives along the Interstate-20 freeway corridor. The study was initiated in efforts to:

1) Review land use and opportunities for redevelopment including road infrastructure, water, wastewater, and zoning;

- 2) Identify the impact of this planning effort and its resulting implementation on the study area;
- 3) Review draft recommendations to ensure that the scope of the study addresses planning issues and neighborhood concerns; and
- 4) Work with the community and other outside agencies to finalize recommendations for City Plan Commission and City Council consideration.

The site is in the residential area just west of St. Augustine Road within Subdistrict No. 2 where single family uses are encouraged. According to the plan, residential neighborhoods must be preserved and protected from incompatible uses, cut-through heavy commercial vehicle traffic, encroachment, and other negative factors. The proposed commercial zoning at this site is not consistent with the residential character as called for by this plan and which exists in reality along the block at present.

The applicant's request is not consistent with the goals and policies of the I-20 Freeway Corridor Land Use Plan. The proposed use does not fit the character, nor does it enhance the sense of the neighborhood.

#### **Land Use:**

|              | <b>Zoning</b>         | <b>Land Use</b> |
|--------------|-----------------------|-----------------|
| <b>Site</b>  | R-10(A) Single Family | Structure       |
| <b>North</b> | LBJ Freeway (I-20)    | Expressway      |
| <b>East</b>  | R-10(A) Single Family | Single family   |
| <b>South</b> | R-10(A) Single Family | Single family   |
| <b>West</b>  | R-10(A) Single Family | Single family   |

#### **Land Use Compatibility:**

The area of request is comprised of a structure on the northwest of two lots measuring approximately 1.086 acres and is currently zoned R-10(A) Single Family District. The applicant proposes to utilize the existing improvements for a general merchandise or food store less than 3500 square feet to sell roof material. This use is not permitted under the existing R-10(A) District.

The predominant zoning district in the surrounding area is R-10(A) Single Family District. This zoning district appears to have been in effect prior to the transition from Chapter 51 to Chapter 51A in the later 1980s. The site abuts LBJ Freeway (I- 20) along the north property line and the properties across it are zoned R-10(A) District. The properties

immediately adjacent to the east, west, and on the south across Timberloam Road are developed with single family.

The proposed request to CS Commercial Service District would allow a variety of uses, a lot which are not compatible within a single family neighborhood. The proposed change would have direct residential adjacency to multiple properties. The proposed and potential uses in the CS District could likely have quality of life impacts on surrounding properties. Additional commercial employment and traffic associated with commercial zoning in a space with limited transit and pedestrian infrastructure could also present significant access issues.

If outdoor storage is included, it requires a residential adjacency review as well as compliance with SEC. 51A-4.213. (9), the standards for outdoor storage, which include special landscaping, screening, and stacking height provisions.

Staff finds that the current request for an CS Commercial Service District will be detrimental to the surrounding residential properties to the south, west, and east and does not support the request.

### Development Standards

Following is a comparison of the development standards of the current R-10(A) District and the proposed CS District.

| District         | Setback                                                |                                                                                                              | Density                                  | Height        | Lot Cvrg.                                  | Special Standards                      | Primary Uses                                       |
|------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------|--------------------------------------------|----------------------------------------|----------------------------------------------------|
|                  | Front                                                  | Side/Rear                                                                                                    |                                          |               |                                            |                                        |                                                    |
| Existing R-10(A) | 30'                                                    | 6' single family<br><br>10' Side for other permitted structure<br><br>15' Rear for other permitted structure | 1 du/ 10,000 sf                          | 30'           | 45% Res. Structure<br>25% Nonres Structure |                                        | Single family                                      |
| Proposed CS      | 15' adj. expressway or thoroughfare<br>OTHER: No. min. | 20' adj. Res. District<br>OTHER: No min.                                                                     | 0.5 FAR<br>Lodging, Office, and Retail & | 45' 3 stories | 80%                                        | Proximity Slope, DIR, Visual Intrusion | Commercial & business service, supporting retail & |

|  |  |  |                                                 |  |  |  |                                 |
|--|--|--|-------------------------------------------------|--|--|--|---------------------------------|
|  |  |  | Personal<br>Service Uses<br>0.75 FAR<br>Overall |  |  |  | personal<br>service &<br>office |
|--|--|--|-------------------------------------------------|--|--|--|---------------------------------|

Per Sec. 51A-4.401(a)(6), if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement. There are lots along Timberloam Road that are zoned an R-10(A) District; therefore, the 30-foot front yard of this district would be imposed on the proposed CS District lot. Residential proximity slope would limit height on portions of the site to 26 feet from the property line on both sides to the east and west since these adjacent properties are residential.

### Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

#### LEGEND

|   |                                                       |
|---|-------------------------------------------------------|
|   | Use prohibited                                        |
| • | Use permitted by right                                |
| S | Use permitted by Specific Use Permit                  |
| D | Use permitted subject to Development Impact Review    |
| R | Use permitted subject to Residential Adjacency Review |
| ★ | Consult the use regulations in Section 51A-4.200      |

|                                                             | Existing | Proposed |
|-------------------------------------------------------------|----------|----------|
| Use                                                         | R-10(A)  | CS       |
| <b>AGRICULTURAL USES</b>                                    |          |          |
| Animal production                                           |          |          |
| Commercial stable                                           |          |          |
| Crop production                                             | •        | •        |
| Private stable                                              |          |          |
| <b>COMMERCIAL AND BUSINESS SERVICE USES</b>                 |          |          |
| Building repair and maintenance shop                        |          | R,       |
| Bus or rail transit vehicle maintenance or storage facility |          | R        |
| Catering service                                            |          | •        |
| Commercial bus station and terminal                         |          | D,S,★    |
| Commercial cleaning or laundry plant                        |          | R        |

|                                                                        | Existing | Proposed |
|------------------------------------------------------------------------|----------|----------|
| Use                                                                    | R-10(A)  | CS       |
| Custom business services                                               |          | •        |
| Custom woodworking, furniture construction, or repair                  |          | •        |
| Electronics service center                                             |          | •        |
| Job or lithographic printing                                           |          | R        |
| Labor hall                                                             |          | S        |
| Machine or welding shop                                                |          | R        |
| Machinery, heavy equipment, or truck sales and services                |          | R        |
| Medical or scientific laboratory                                       |          | •        |
| Technical school                                                       |          | •        |
| Tool or equipment rental                                               |          | •        |
| Vehicle or engine repair or maintenance                                |          | R        |
| <b>INDUSTRIAL USES</b>                                                 |          |          |
| Alcoholic beverage manufacturing                                       |          |          |
| Gas drilling and production                                            | S        | S        |
| Gas pipeline compressor station                                        |          |          |
| Industrial (inside)                                                    |          |          |
| Industrial (inside) for light manufacturing                            |          | •        |
| Industrial (outside)                                                   |          |          |
| Medical/infectious waste incinerator                                   |          |          |
| Metal salvage facility                                                 |          |          |
| Mining                                                                 |          |          |
| Municipal waste incinerator                                            |          |          |
| Organic compost recycling facility                                     |          |          |
| Outside salvage or reclamation                                         |          |          |
| Pathological waste incinerator                                         |          |          |
| Temporary crete or asphalt batching plant                              | ★        | ★        |
| <b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>                        |          |          |
| Adult day care facility                                                | S        | •        |
| Cemetery or mausoleum                                                  | S        | S        |
| Child-care facility                                                    | S        | •        |
| Church                                                                 | •        | •        |
| College, university, or seminary                                       | S        | •        |
| Community service center                                               | S        | S        |
| Convalescent and nursing homes, hospice care, and related institutions |          |          |
| Convent or monastery                                                   | S        | •        |

|                                                                      | Existing | Proposed |
|----------------------------------------------------------------------|----------|----------|
| Use                                                                  | R-10(A)  | CS       |
| Foster home                                                          | S        |          |
| Halfway house                                                        |          | S        |
| Hospital                                                             |          | R        |
| Library, art gallery, or museum                                      | S        |          |
| Open-enrollment charter school or private school                     |          | S        |
| Public school other than an open-enrollment charter school           |          | R        |
| Public or private school                                             | S        |          |
| <b>LODGING USES</b>                                                  |          |          |
| Extended stay hotel or motel                                         |          | S        |
| Hotel or motel                                                       |          | S,R, ★   |
| Lodging or boarding house                                            |          | •        |
| Overnight general purpose shelter                                    |          | ★        |
| <b>MISCELLANEOUS USES</b>                                            |          |          |
| Attached non-premise sign.                                           |          | S        |
| Carnival or circus (temporary)                                       | ★        | ★        |
| Hazardous waste management facility                                  |          |          |
| Temporary construction or sales office                               | •        | •        |
| <b>OFFICE USES</b>                                                   |          |          |
| Alternative financial establishment                                  |          | S        |
| Financial institution without drive-in window                        |          | •        |
| Financial institution with drive-in window                           |          | R        |
| Medical clinic or ambulatory surgical center                         |          | •        |
| Office                                                               |          | •        |
| <b>RECREATION USES</b>                                               |          |          |
| Country club with private membership                                 | S        | •        |
| Private recreation center, club, or area                             | S        | •        |
| Public park, playground, or golf course                              | •        | •        |
| <b>RESIDENTIAL USES</b>                                              |          |          |
| College dormitory, fraternity, or sorority house                     |          | •        |
| Duplex                                                               |          |          |
| Group residential facility                                           |          |          |
| Handicapped group dwelling unit                                      | ★        |          |
| Manufactured home park, manufactured home subdivision, or campground |          |          |
| Multifamily                                                          |          |          |
| Residential hotel                                                    |          |          |
| Retirement housing                                                   |          |          |

|                                                                         | Existing | Proposed |
|-------------------------------------------------------------------------|----------|----------|
| Use                                                                     | R-10(A)  | CS       |
| Single family                                                           | •        |          |
| <b>RETAIL AND PERSONAL SERVICE USES</b>                                 |          |          |
| Alcoholic beverage establishments.                                      |          | ★        |
| Ambulance service                                                       |          | R        |
| Animal shelter or clinic without outside runs                           |          | R        |
| Animal shelter or clinic with outside runs                              |          | S, ★     |
| Auto service center                                                     |          | R        |
| Business school                                                         |          | •        |
| Car wash                                                                |          | R        |
| Commercial amusement (inside)                                           |          | S, ★     |
| Commercial amusement (outside)                                          |          | D        |
| Commercial motor vehicle parking                                        |          | S        |
| Commercial parking lot or garage                                        |          | R        |
| Convenience store with drive-through                                    |          | S        |
| Drive-In theater                                                        |          | S        |
| 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        |          | •        |
| General merchandise or food store 100,000 square feet or more           |          | S        |
| Home improvement center, lumber, brick or building materials sales yard |          | R        |
| Household equipment and appliance repair                                |          | •        |
| Liquefied natural gas fueling station                                   |          | S        |
| Liquor store                                                            |          | •        |
| Mortuary, funeral home, or commercial wedding chapel                    |          | •        |
| Motor vehicle fueling station                                           |          | •        |
| Nursery, garden shop, or plant sales                                    |          | •        |
| Outside sales                                                           |          | S        |
| Paraphernalia shop                                                      |          | S        |
| Pawn shop                                                               |          | •        |
| Personal service use                                                    |          | •        |
| Restaurant without drive-in or drive-through service                    |          | R        |

|                                                      | Existing | Proposed |
|------------------------------------------------------|----------|----------|
| Use                                                  | R-10(A)  | CS       |
| Restaurant with drive-in or drive-through service    |          | D        |
| Surface parking                                      |          |          |
| Swap or buy shop                                     |          | S        |
| Taxidermist                                          |          | •        |
| Temporary retail use                                 |          | •        |
| Theater                                              |          | •        |
| Truck stop                                           |          | S        |
| Vehicle display, sales, and service                  |          | R        |
| <b>TRANSPORTATION USES</b>                           |          |          |
| Airport or landing field                             |          |          |
| Commercial bus station and terminal                  |          | D        |
| Heliport                                             |          | S        |
| Helistop                                             |          | S        |
| Private street or alley                              | S        |          |
| Railroad passenger station                           |          | S        |
| Railroad yard, roundhouse, or shops                  |          |          |
| STOL (short take-off or landing port)                |          |          |
| Transit passenger shelter                            | ★        | •        |
| Transit passenger station or transfer center         | S        | S, ★     |
| <b>UTILITY AND PUBLIC SERVICE USES</b>               |          |          |
| Commercial radio or television transmitting station  |          | •        |
| Electrical generating plant                          |          |          |
| Electrical substation                                | S        | •        |
| Local utilities                                      | S, R, ★  | S, R, ★  |
| Police or fire station                               | S        | •        |
| Post office                                          |          | •        |
| Radio, television, or microwave tower                | S        | R        |
| Refuse transfer station                              |          |          |
| Sanitary landfill                                    |          |          |
| Sewage treatment plant                               |          |          |
| Tower/antenna for cellular communication             | ★        | ★        |
| Utility or government installation other than listed | S        | S        |
| Water treatment plant                                |          |          |
| <b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>     |          |          |
| Auto auction                                         |          | S        |

|                                                    | Existing | Proposed |
|----------------------------------------------------|----------|----------|
| Use                                                | R-10(A)  | CS       |
| Building mover's temporary storage yard            |          | S        |
| Contractor's maintenance yard                      |          | R        |
| Freight terminal                                   |          | R        |
| Livestock auction pens or sheds                    |          |          |
| Manufactured building sales lot                    |          | R        |
| Mini-warehouse                                     |          | •        |
| Office showroom/warehouse                          |          | •        |
| Outside storage                                    |          | R        |
| Petroleum product storage and wholesale            |          | S        |
| Recycling buy-back center                          |          | ★        |
| Recycling collection center                        |          | ★        |
| Recycling drop-off container                       | ★        | ★        |
| Recycling drop-off for special occasion collection | ★        | ★        |
| Sand, gravel, or earth sales and storage           |          | S        |
| Trade center                                       |          | •        |
| Vehicle storage lot                                |          | S        |
| Warehouse                                          |          | R        |

**Landscaping:**

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

**Parking:**

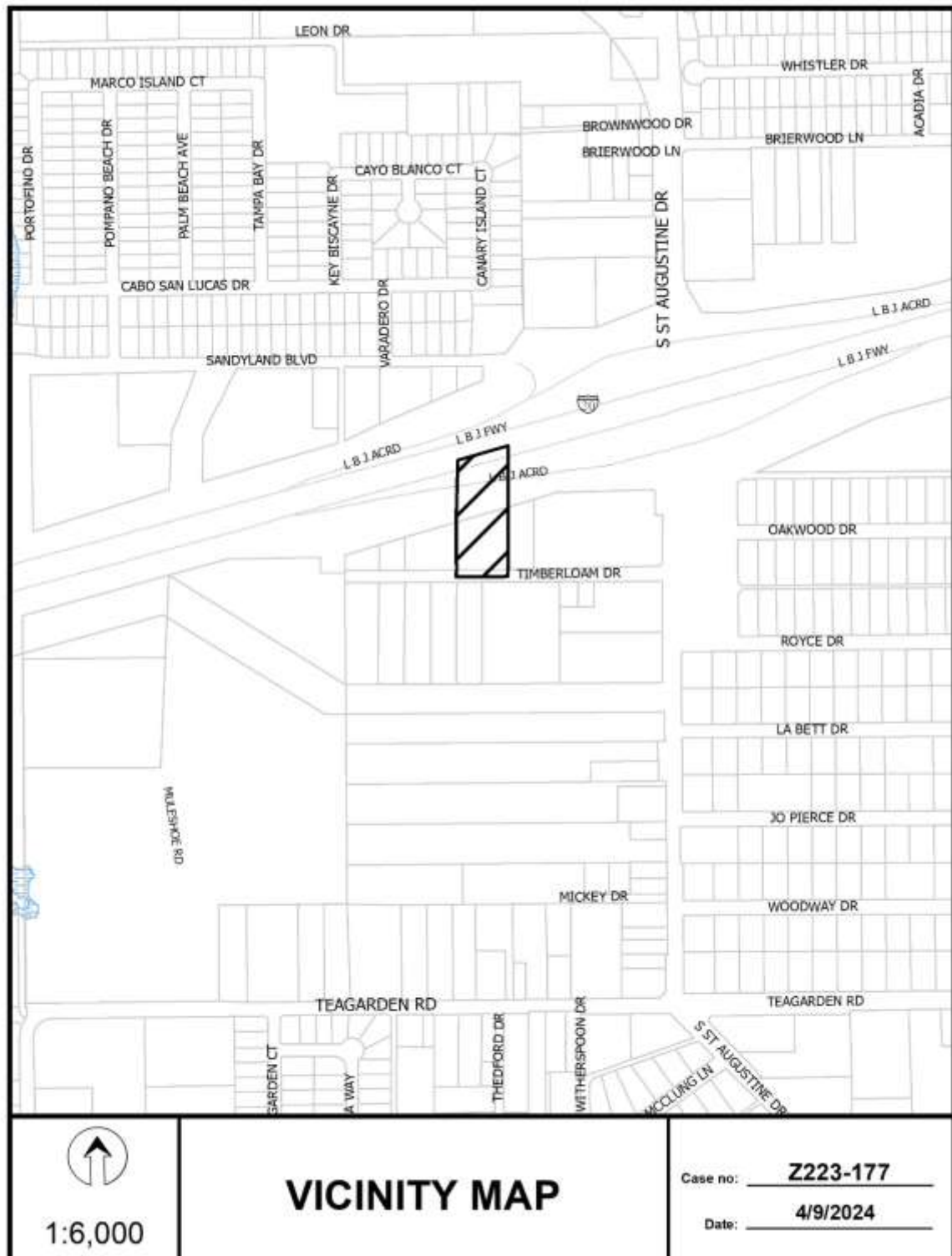
Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness.

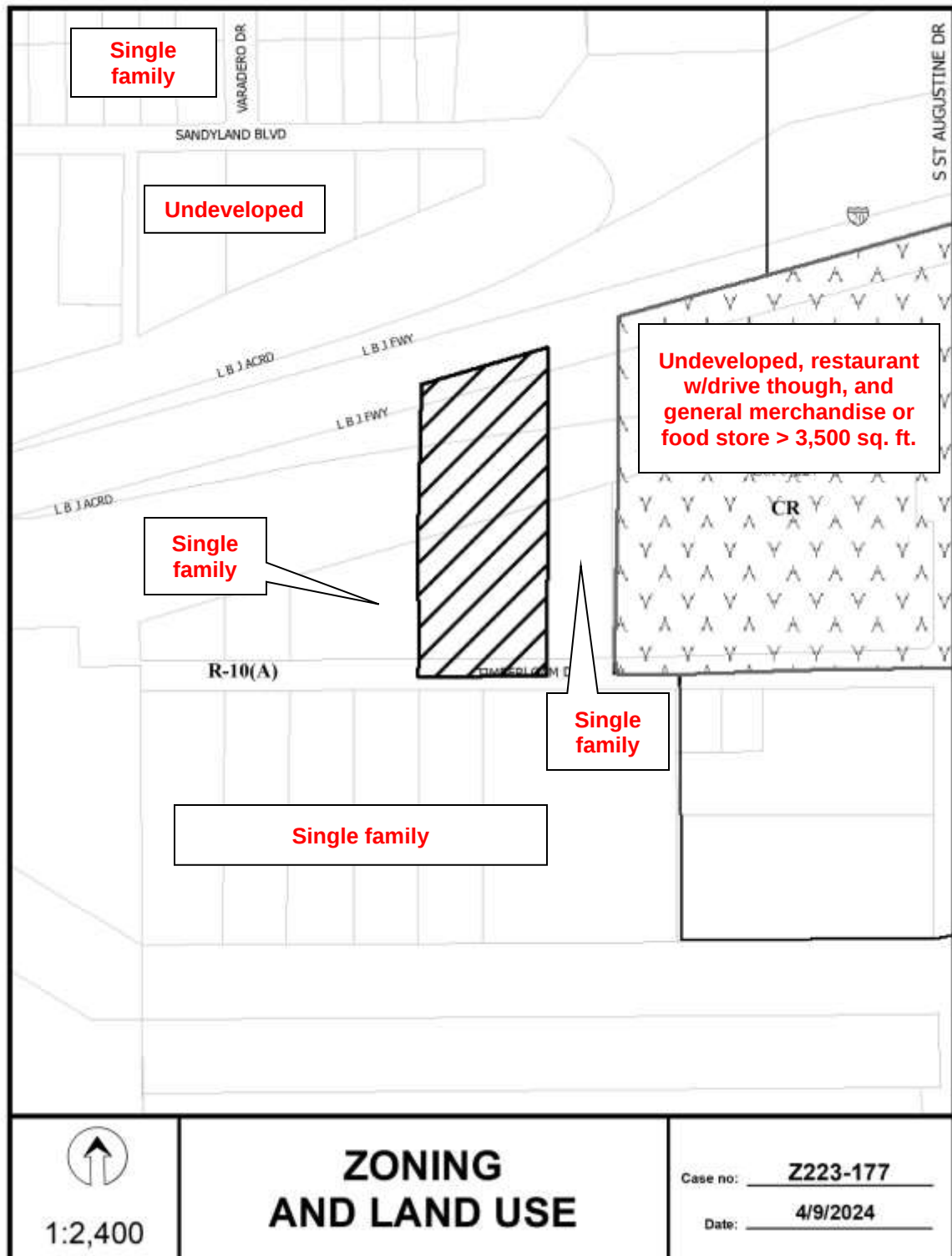
Z223-177(LG)

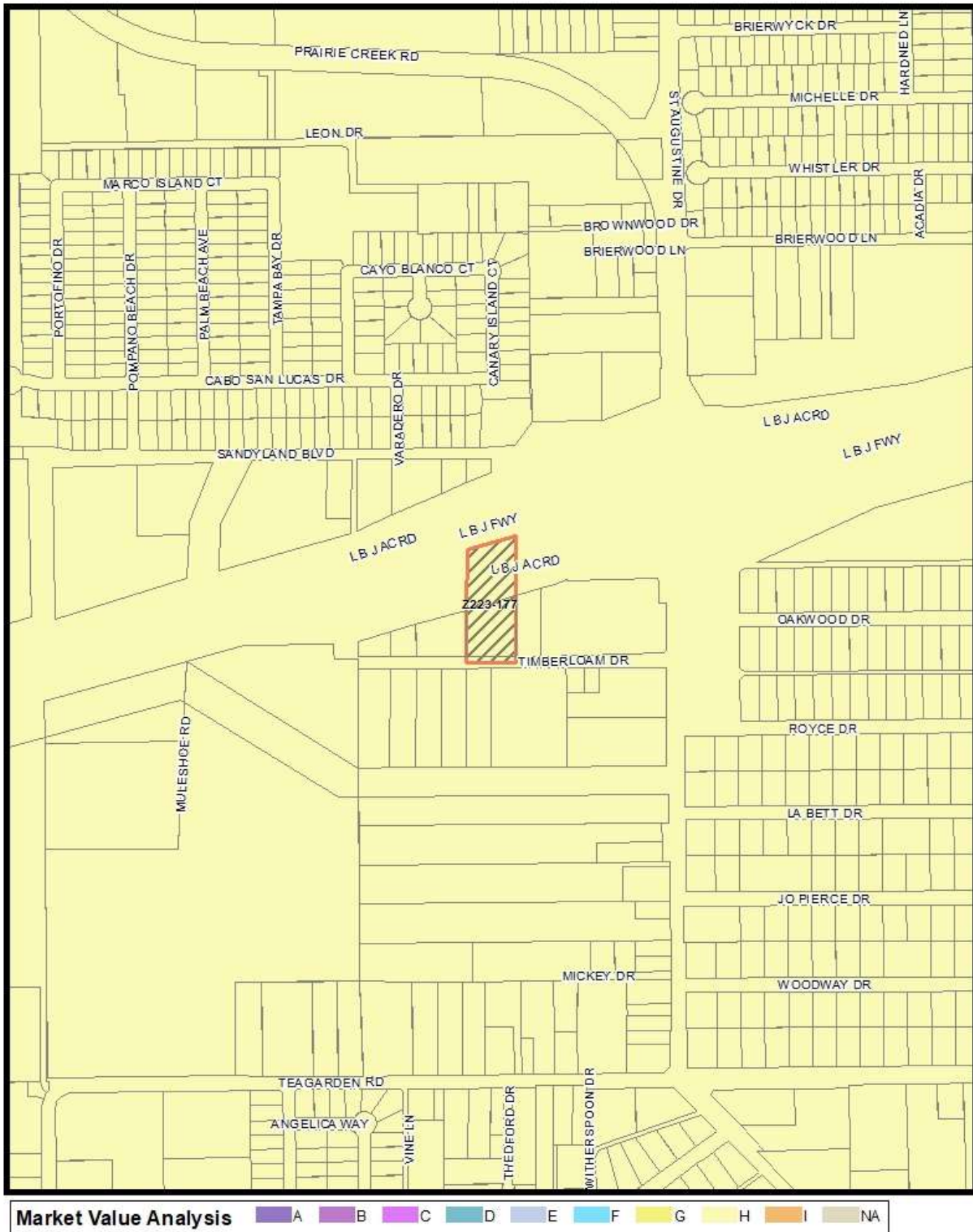
As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is currently not within an “H” MVA area.



Z223-177(LG)



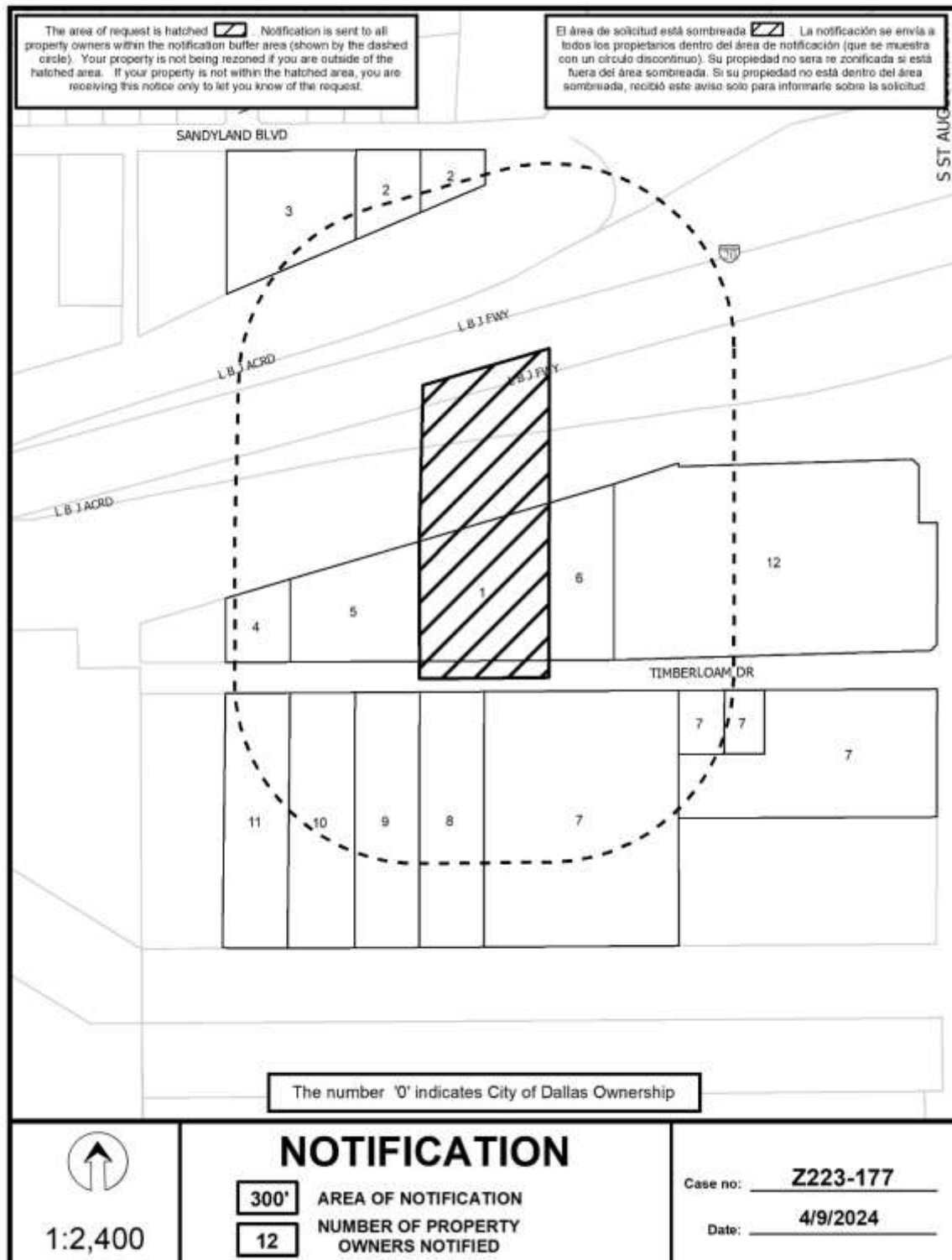




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## Market Value Analysis

Printed Date: 4/9/2024



04/09/2024

## ***Notification List of Property Owners***

***Z223-177***

***12 Property Owners Notified***

| <b><i>Label #</i></b> | <b><i>Address</i></b>  | <b><i>Owner</i></b>           |
|-----------------------|------------------------|-------------------------------|
| 1                     | 9435 TIMBERLOAM DR     | SALCEDO MANUEL                |
| 2                     | 9480 SANDYLAND BLVD    | IRWOOD INVESTMENT LLC         |
| 3                     | 9450 SANDYLAND BLVD    | OBREGON JOSE MANUEL MENDOZA   |
| 4                     | 9417 TIMBERLOAM DR     | LARA LUIS                     |
| 5                     | 9421 TIMBERLOAM DR     | MALDONADO JOSE LUIS RAMIREZ & |
| 6                     | 9519 TIMBERLOAM DR     | SALCEDO CHRISTINA CANTU       |
| 7                     | 9524 TIMBERLOAM DR     | ARSHAD MUHAMMAD               |
| 8                     | 9436 TIMBERLOAM DR     | PARRA JORGE &                 |
| 9                     | 9430 TIMBERLOAM DR     | AGUILAR JESUS                 |
| 10                    | 9428 TIMBERLOAM DR     | ONTIVEROS FLORENTINO          |
| 11                    | 9420 TIMBERLOAM DR     | HUERTA STEFFI                 |
| 12                    | 1739 S ST AUGUSTINE RD | SALDENA PROPERTIES LP         |