

CITY PLAN COMMISSION

THURSDAY, MARCH 23, 2023

Planner: Ryan Mulkey, AICP

FILE NUMBER: Z212-350(RM) **DATE FILED:** September 22, 2022

LOCATION: Northeast corner of North Hampton Road and West Jefferson Boulevard

COUNCIL DISTRICT: 1

SIZE OF REQUEST: Approx. 0.47 acre **CENSUS TRACT:** 48113004500

REPRESENTATIVE: Andrew Ruegg, Masterplan

OWNER/APPLICANT: Line 5 Holdings LP

REQUEST: An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District.

SUMMARY: The purpose of the request is to allow a motor vehicle fueling station on the site. [7-Eleven]

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District. The site is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station.
- Under the current zoning, the general merchandise or food store is permitted by right if it has 50,000 square feet of floor area or less. The square footage of this use is 2,426 square feet, so it is permitted by right. The motor vehicle fueling station is permitted by Specific Use Permit only.
- On August 8, 2012, City Council approved Subdistrict 6A within PD No. 830. Whereas a motor vehicle fueling station was previously prohibited on the property, this zoning change allowed the use subject to an SUP.
- At this time, City Council also approved SUP No. 1971 for a motor vehicle fueling station for a ten-year period with eligibility for automatic renewal for additional ten-year periods.
- SUP No. 1971 expired on August 8, 2022. The applicant did not file an application to automatically renew the SUP, which would have been due after the 180th day (February 9, 2022) but before the 120th day (April 10, 2022) before the expiration of the SUP. They also did not file an application for a regular renewal of the SUP before its expiration date. Therefore, the applicant is required to request a new SUP to continue the use of the property as a motor vehicle fueling station.
- With this request for a new SUP, the applicant proposes the same conditions and site plan as the original SUP No. 1971. This includes the original time limit of ten years with eligibility for automatic renewal for additional ten-year periods.

Zoning History:

There has been one zoning case in the area in the last five years.

1. **Z190-196:** On June 24, 2020, City Council approved an amendment to Planned Development District No. 409 for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school with H/144 Historic Overlay No. 144 at the southeast corner of West Jefferson Boulevard and Tennant Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Hampton Road	Principal Arterial	100 feet
West Jefferson Boulevard	Principal Arterial	100 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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:**Land Use:**

	Zoning	Land Use
Site	Subdistrict 6A within PD No. 830 with a D-1 Overlay	General merchandise or food store 3,500 square feet or less, motor vehicle fueling station
North	Subdistrict 6 within PD No. 830 with a D Overlay	Auto service center
East	R-7.5(A)	Single family
South	R-7.5(A)	Single family
West	Subdistrict 6 within PD No. 830 with a D-1 Overlay and SUP No. 1919 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet	General merchandise or food store greater than 3,500 square feet, alcohol sales

Land Use Compatibility:

The area of request is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station. North and west of the request area are commercial uses including auto service center and general merchandise or food store greater than 3,500 square feet. To the east and south are single family uses. Staff finds the requested motor vehicle fueling station to be compatible with surrounding uses in the area.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the applicant's request and finds that the continued use of the site as a motor vehicle fueling station will not be detrimental to surrounding properties. Staff also supports the applicant's requested time limit of ten years with eligibility for automatic renewal for additional ten-year periods, which was the time limit approved with the previous SUP No. 1971.

Landscaping:

Any new development on the property will require landscaping in accordance with the landscaping requirements in Article X, as amended. No new development or expansion is proposed; therefore, no additional landscaping is required.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a motor vehicle fueling station is two spaces. The parking requirement for a general merchandise or food store 3,500 square feet or less is one space per 200 square feet of floor area.

The area of the general merchandise or food store is 2,400 square feet, which requires a minimum of 12 parking spaces. Combined with the two spaces required of the motor vehicle fueling station, a minimum of 14 parking spaces are required. As demonstrated on the proposed site plan, 14 parking spaces are provided on the site.

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. 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 not currently in an MVA cluster but abuts a “C” MVA cluster to the east. There is also a “D” MVA cluster to the south.

List of Officers

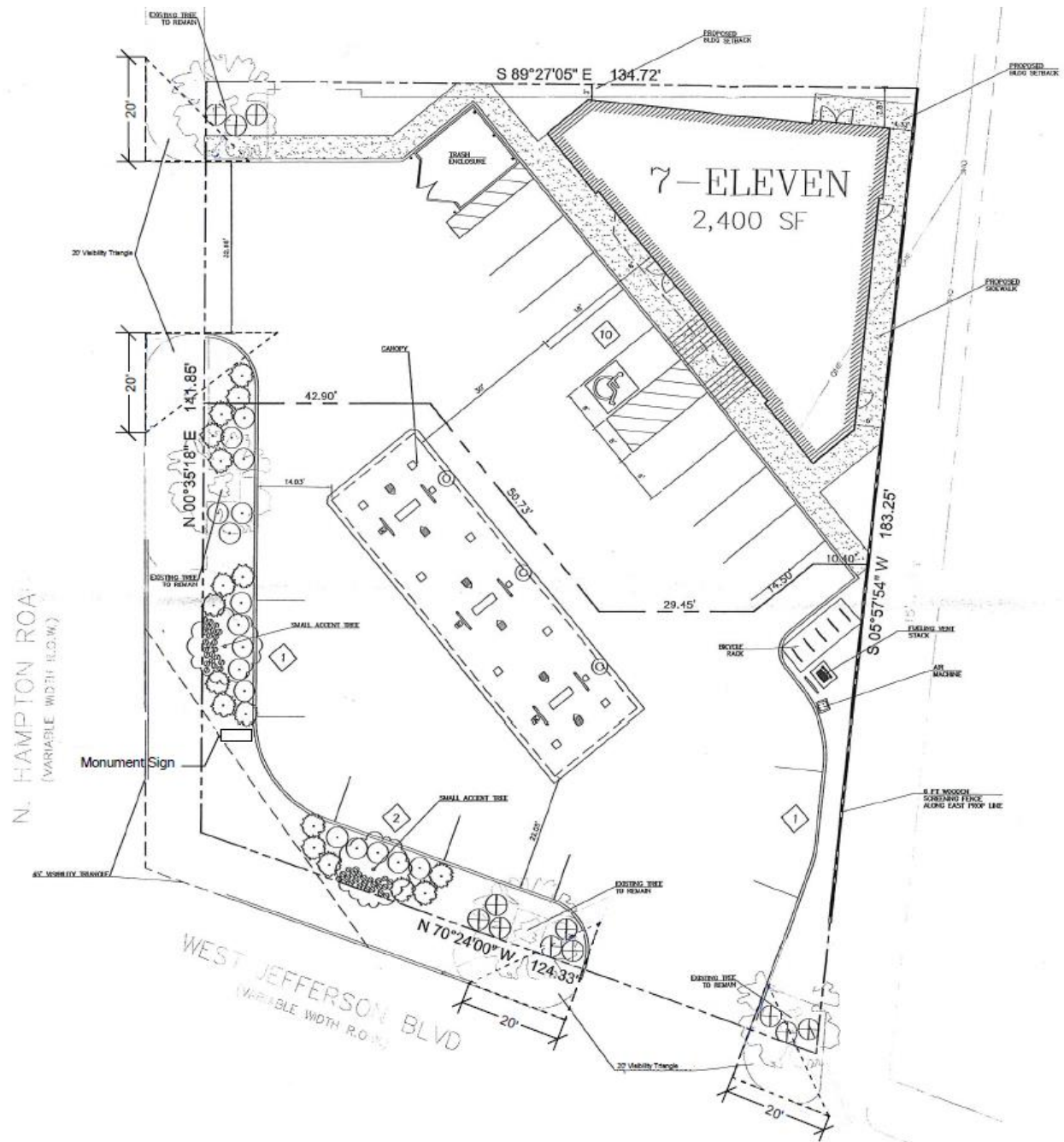
Line 5 Holdings LP

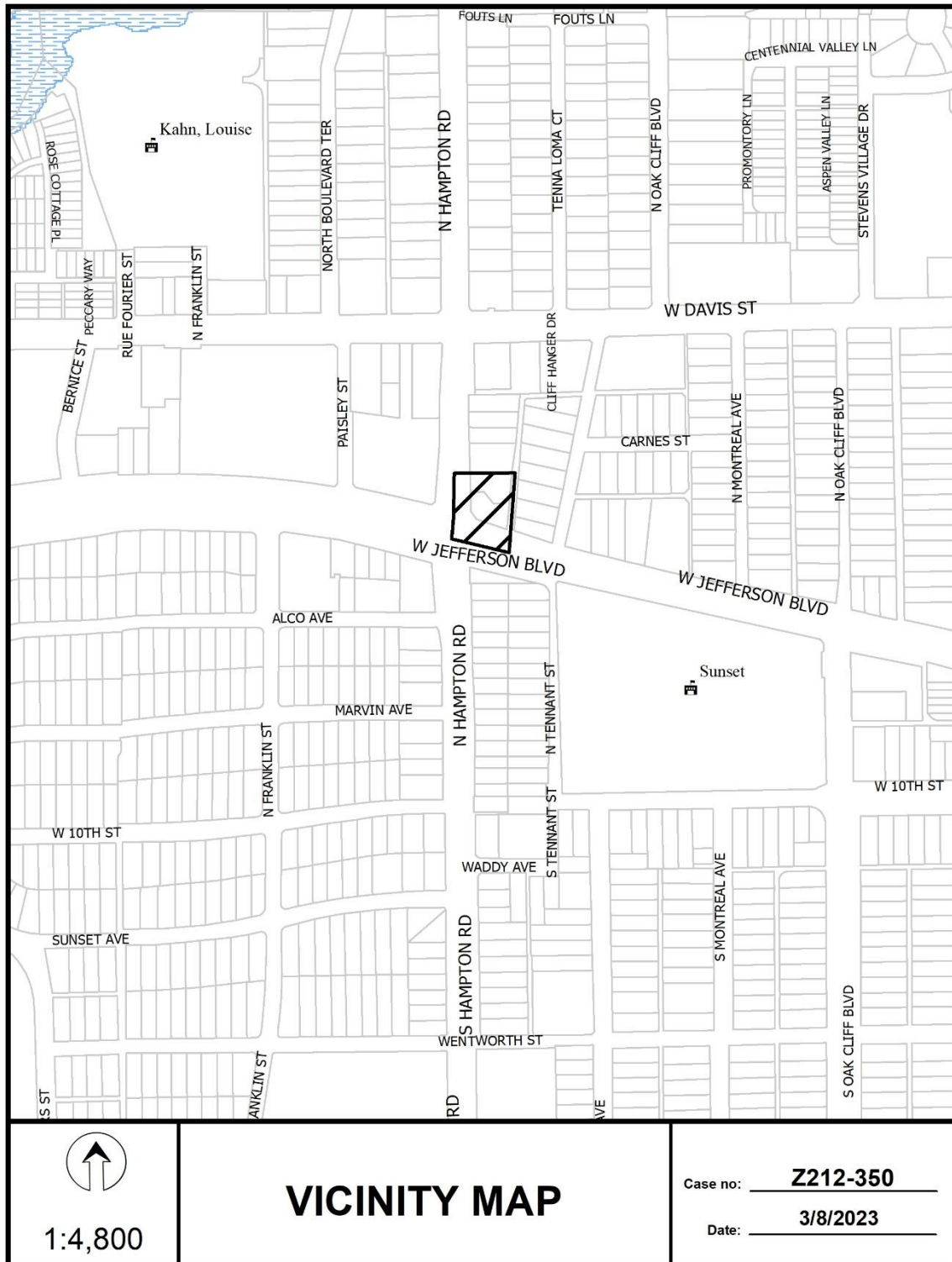
Benny Boyd, General Partner
Ronald Berlin, Manager

PROPOSED CONDITIONS

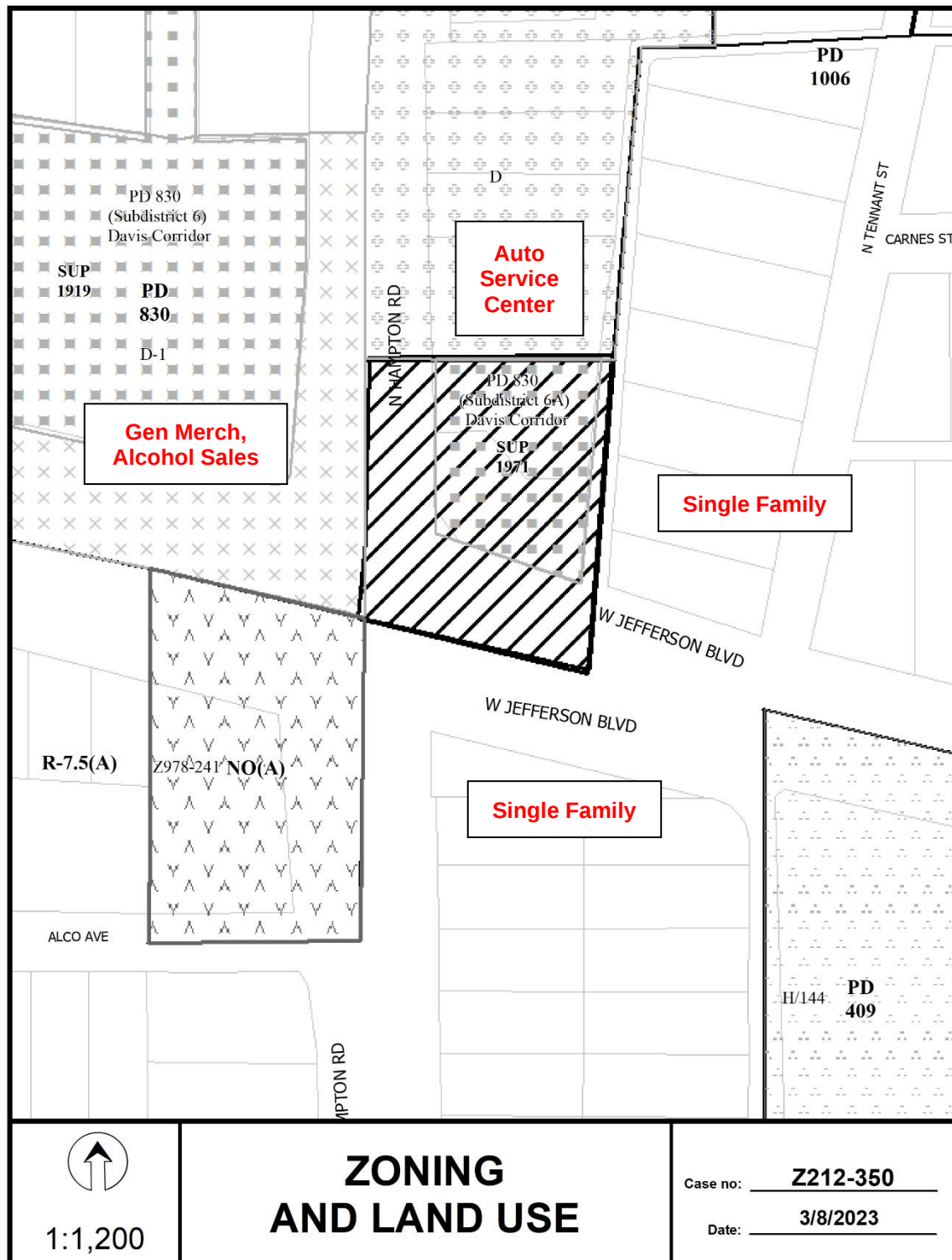
1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.
2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit expires on (ten years from the passage of this ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided as shown on the attached site/landscape plan.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site/landscape plan. No other ingress or egress is permitted.
6. PARKING: Parking must be located as shown on the attached site/landscape plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

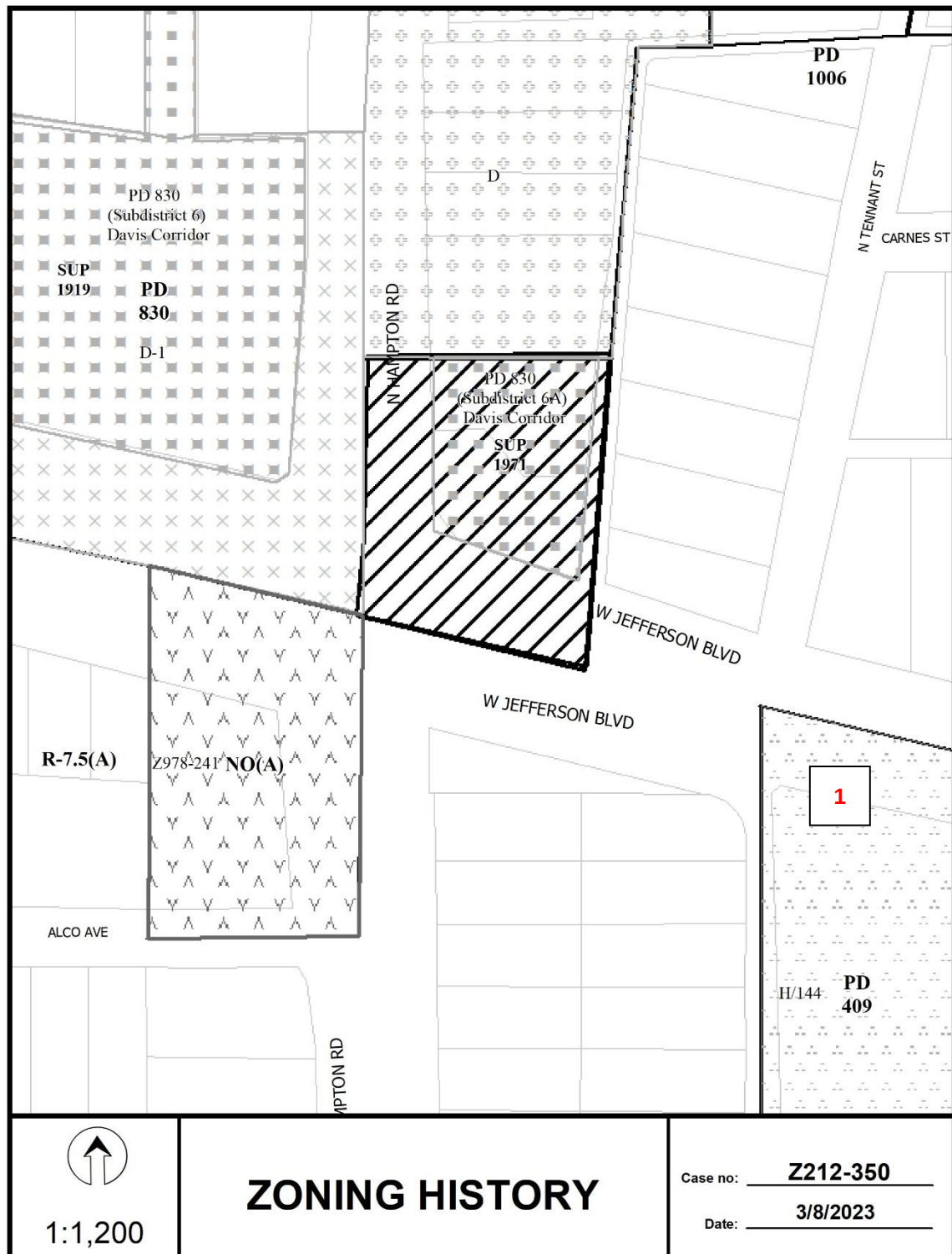
PROPOSED SITE PLAN (ENLARGED)

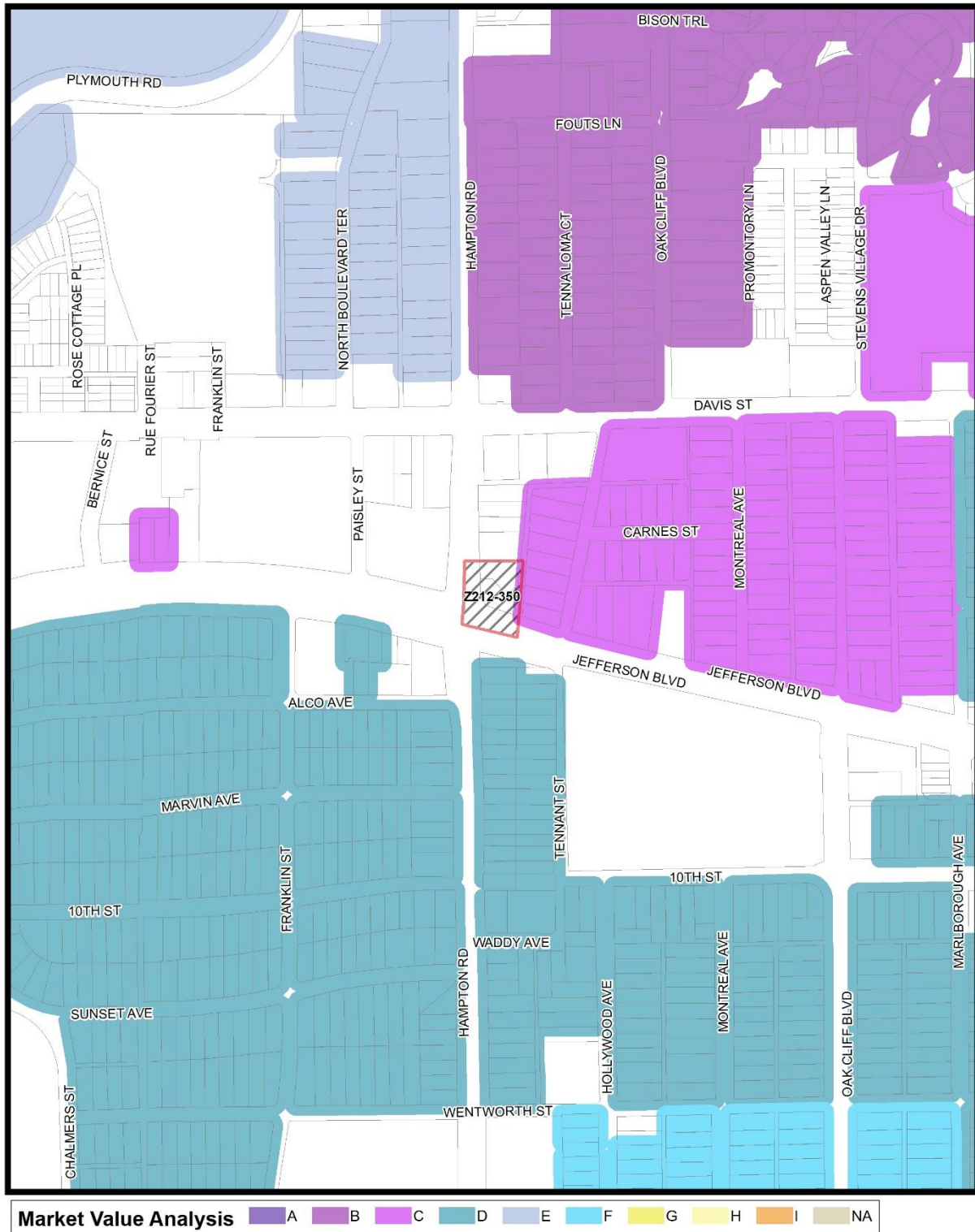




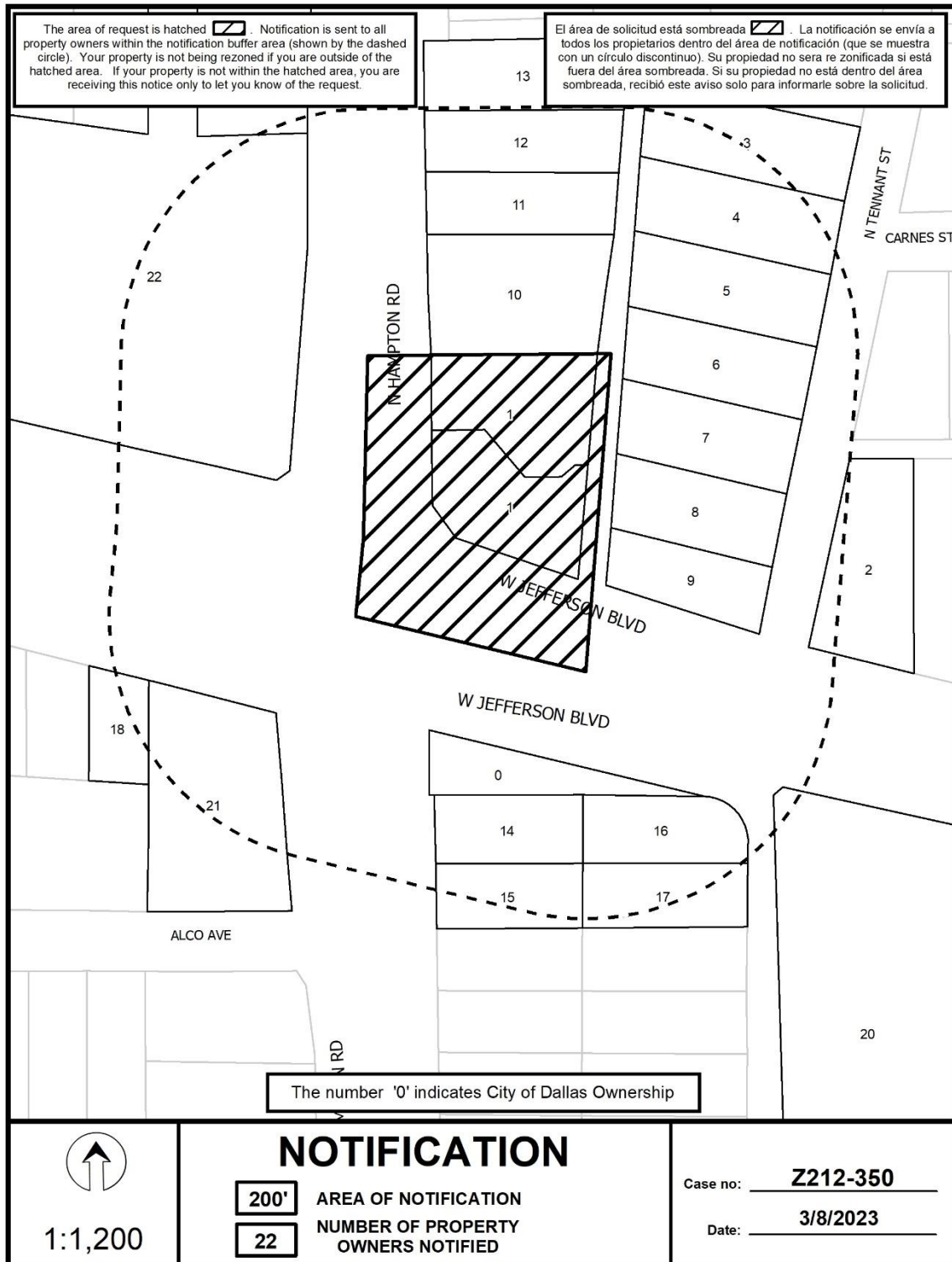








Market Value Analysis



03/08/2023

Notification List of Property Owners***Z212-350******22 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	408 N HAMPTON RD	LINE 5 HOLDINGS LP
2	2241 W JEFFERSON BLVD	LUGO DELIA M
3	503 N TENNANT ST	THOMPSON CASEY W
4	423 N TENNANT ST	PUENTE GLORIA & ERNESTO
5	419 N TENNANT ST	VILLANUEVA MAGDALENA
6	415 N TENNANT ST	ONTIVEROS MIGUEL G &
7	411 N TENNANT ST	CHANDLER CATHY EST OF
8	407 N TENNANT ST	CASTILLO MARIA
9	403 N TENNANT ST	TIMMONS ERNEST LEE
10	414 N HAMPTON RD	HALLE PROPERTIES LLC
11	422 N HAMPTON RD	VLADIKOVICH ARTUR
12	426 N HAMPTON RD	426 NORTH HAMPTON LAND TRUST THE
13	502 N HAMPTON RD	MITCHELL LEE L & YANKO L
14	302 N HAMPTON RD	CERVANTES RICHARD F
15	222 N HAMPTON RD	GREENFIELD VIRGINIA
16	331 N TENNANT ST	CERVANTES MARY F
17	327 N TENNANT ST	IBARRA KEZIA KEREN &
18	2414 W JEFFERSON BLVD	DORWARD JAMES CALVIN
19	509 N HAMPTON RD	GPM RE LLC
20	2120 W JEFFERSON BLVD	Dallas ISD
21	2409 ALCO AVE	2409 ALCO AVENUE LLC
22	2427 W JEFFERSON BLVD	DALLAS YANKEES LLC