

FILE NUMBER: Z234-255(MB) **DATE FILED:** June 3, 2024
LOCATION: West line of South Saint Augustine Drive, south of Labett Street
COUNCIL DISTRICT: 8
SIZE OF REQUEST: Approx. 4.37 acres **CENSUS TRACT:** 48113017102

OWNER/APPLICANT: Margarito Hernandez and Maria del Rocio

REPRESENTATIVE: Audra Buckley

REQUEST: An application for a Planned Development District for agricultural and retail uses on property zoned an R-10(A) Single Family District.

SUMMARY: The purpose of the request is to allow for modifications primarily related to allowable uses, parking, and landscaping requirements.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-10(A) Single Family District.
- The applicant wishes to develop the property with a mix of retail and agricultural uses, including equine veterinary care, the sale of equestrian goods, and crop production limited to an urban garden.
- In order to accomplish this, they request a new Planned Development District.
- On November 7, 2024, City Plan Commission moved to recommend approval of the case, subject to a development plan and conditions.

Zoning History:

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

1. **Z223-177:** On May 2, 2023, the City Plan Commission recommended **denial** of an application for a CS Commercial Service District on property zoned an R-10(A) Single Family District on the north line of Timberloam Road, west of South Saint Augustine Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Saint Augustine Drive	Minor Arterial	60'

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:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Land Use:

	Zoning	Land Use
Site	R-10(A) Single Family	Single family
North	R-10(A) Single Family, CR Community Retail	GMFS < 3500 sqft, vehicle / engine repair
East	R-10(A) Single Family	Single family
South	R-10(A) Single Family, NS(A) Neighborhood Service	Single family, GMFS < 3500 sqft
West	R-10(A) Single Family	Undeveloped, Commercial stable

Necessity for a Planned Development District:

According to Sec. 4.702, the purpose of a planned development district is to provide flexibility in the planning and construction of development projects by allowing a combination of land uses developed under a uniform plan that protects contiguous land uses and preserves significant natural features.

Planned development districts are appropriate where the existing code may not accommodate a use or a development within the bounds of a conventional zoning district, or where unique site characteristics may necessitate relief or modification of certain base code provisions.

Applicant's proposed planned development district is intended to combine various uses that would typically not be able to be provisioned within any single conventional zoning district. While a CR Community Retail District would allow for a general merchandise and food store > 3,500 square feet as well as an animal shelter or clinic, it would not allow for commercial stables, which are only permitted in A(A) Agricultural Districts. While the

applicant does not intend to provide overnight boarding except for horses under veterinary supervision, the renting of horses for rider training would fall under the commercial stable use. Additionally, private stables are only permitted in residential districts.

The proposed PD would allow for these uses and also limit the more intensive retail uses that would be permitted under a CR District. As such, staff supports the request for a planned development district.

Land Use Compatibility:

The area of request is currently developed with a single family home. The surrounding area is primarily residential and rural in character, with a mix of neighborhood-serving uses including general merchandise or food stores to the north and south. To the west is a commercial stable.

The intended use of the site is to provide equestrian veterinary services as well as horse feed, tack, and other goods for horses and horse owners. The site would also be used for crop production limited to an urban garden, and for rider training. Overnight boarding of horses will only be for horses requiring overnight care and supervision, with the exception of horses owned by the property owner.

Given the small-town character of the surrounding area, staff finds that the requested use is compatible with the surrounding area.

Landscaping:

Landscaping must be provided in accordance with Article X, with the additional provision of a 10-foot wide landscape buffer adjacent to single-family zoning districts.

Parking:

The proposed parking ratios are as follows:

- Eight parking spaces for the equine stable use; a minimum of four spaces must measure at least 12 feet by 60 feet to accommodate vehicles with trailers.
- Feed store: one space per 300 square feet of floor area.
- Office: one space per 400 square feet of floor area.

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 located within an “H” MVA area.

CPC Action

November 7, 2024

Motion: It was moved to recommend **approval** of a Planned Development District for agricultural and retail uses, subject to a development plan and conditions, as briefed, on property zoned an R-10(A) Single Family District, on the west line of South Saint Augustine Drive, south of Labett Street.

Maker: Blair
Second: Housewright
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth,
Shidid, Carpenter, Wheeler-Reagan, Blair,
Sleeper, Housewright, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 1 - Eppler
Vacancy: 0

Notices:	Area: 500	Mailed: 49
Replies:	For: 1	Against: 0

CPC RECOMMENDED CONDITIONS

Article ____

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____, 2024.

SEC. 51P-____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located on the west side of Saint Augustine Road and is approximately 4.3725 acres.

SEC. 51P-____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

1. EQUINE STABLE means a use consisting of enclosures, corrals, paddocks, hay barns, horse pens, horse washing or shoeing stations, and therapy ponds and exercise rings used for the rehabilitation or general care of horses and rider training.
2. VETERINARIANS QUARTERS means a temporary caretaker's quarters for a veterinarian who is licensed by the State of Texas.
3. FEED STORE – means an establishment engaged in the retail sale of food, merchandise, veterinarian and other items directly related to the care of animals but does not include machinery.

(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 **non-residential** zoning district.

SEC. 51P-____.104. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P-____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-____.106. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

- Animal shelter or clinic.
- Church.
- Crop production limited to an urban garden.
- Equine stable.
- General merchandise or food store greater than 3500 square feet
[limited to a feed store].
- Handicapped group dwelling unit. [See Section 51A-4.209 (3.1).]
- Local utilities.
- Office.
- Temporary construction or sales office.

SEC. 51P-____.107. ACCESSORY USES.

(a) The following accessory uses are permitted in this district.

- Veterinarian's quarters. *[May not be used as a permanent residence. May be a maximum of 10% of floor area of the main use.]*

(b) The following accessory uses are not permitted:

- Sales, auction, or similar trading activity.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

The yard, lot, and space regulations for the R-10(A) Single-Family District apply.

SEC. 51P-____.109. OFF-STREET PARKING AND LOADING.

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

(b) Animal shelter or clinic. No off-street parking is required.

(c) Crop production. No off-street parking is required.

(d) Equine stable. A minimum of eight spaces must be provided. A minimum of four of the required spaces must measure a minimum of 12 feet by 60 feet to accommodate vehicles with travel trailers.

(e) Feed Store. One space per 300 square feet of floor area must be provided.

(f) Office. One space per 400 square feet of floor area must be provided.

(e) Materials. Off-street parking, maneuvering areas, and driveways may be constructed of permeable materials, such as engineered alternate paving systems, grass and manufactured block combinations, other type of ground cover and manufactured block combinations, or crushed aggregate.

SEC. 51P-____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. Except as provided in this section, see Article VI.

(b) Equine stable.

(1) Manure management.

(A) The stables shall be kept in a clean and sanitary condition by the daily removal of manure to a manure management area from all usable horse areas to prevent the accumulation of flies, the spread of disease, or offensive odor.

(B) Manure shall be kept in a manure management area in a covered or enclosed bin. Manure shall be removed from the Property a minimum of twice per week.

(2) Insect control.

(A) Areas containing feed, standing water (water troughs), and other items attractive to insects must be cleared and cleaned daily.

(B) Equine therapy ponds must be treated to prevent insect infestations in one or more of the following ways:

- (i) Drained daily.
- (ii) Stocked with mosquito fish.
- (iii) Contain a pump system.

SEC. 51P-____.111. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) A 10-foot-wide landscape buffer must be provided adjacent to single-family zoning districts.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.112. ADDITIONAL PROVISIONS FOR AN EQUINE STABLE.

(a) Equine stable enclosure areas are limited to a maximum of 10 horses. Individual enclosures must be a minimum of 14 feet by 15 feet.

(b) Overnight boarding is permitted only as required for veterinary treatment, except that horses owned by the Property owner may remain overnight at any time. Commercial boarding of horses not affiliated with veterinary use is not permitted.

(c) Hay must be stored in an enclosed building or a covered area.

(d) A minimum six-foot-high board-on-board fence must be provided in the areas shown on the development plan.

(e) Enclosure for chickens must be a minimum of 200 square feet. Roosters are prohibited.

SEC. 51P-____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

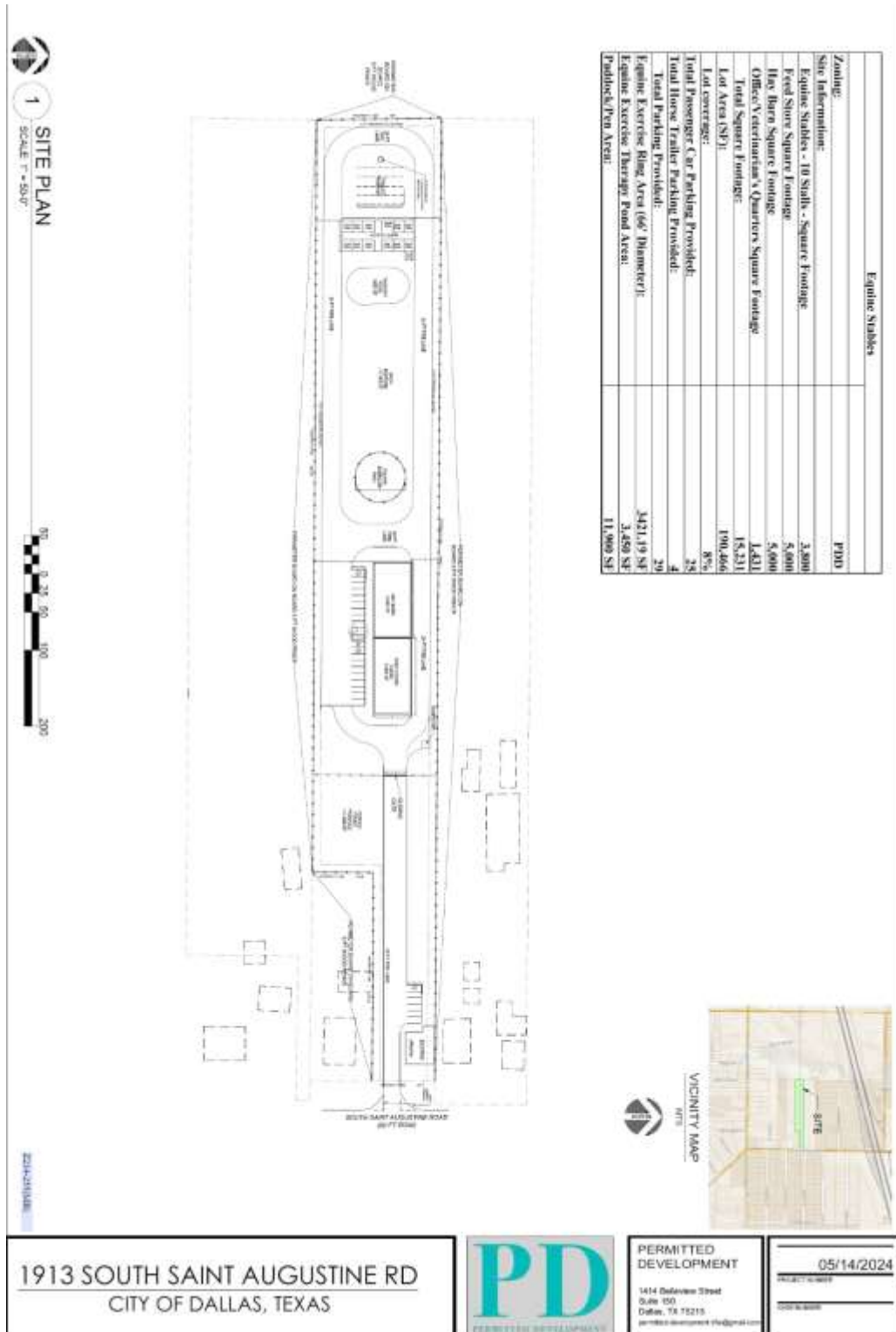
SEC. 51P-____.114. ADDITIONAL PROVISIONS.

- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) 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.

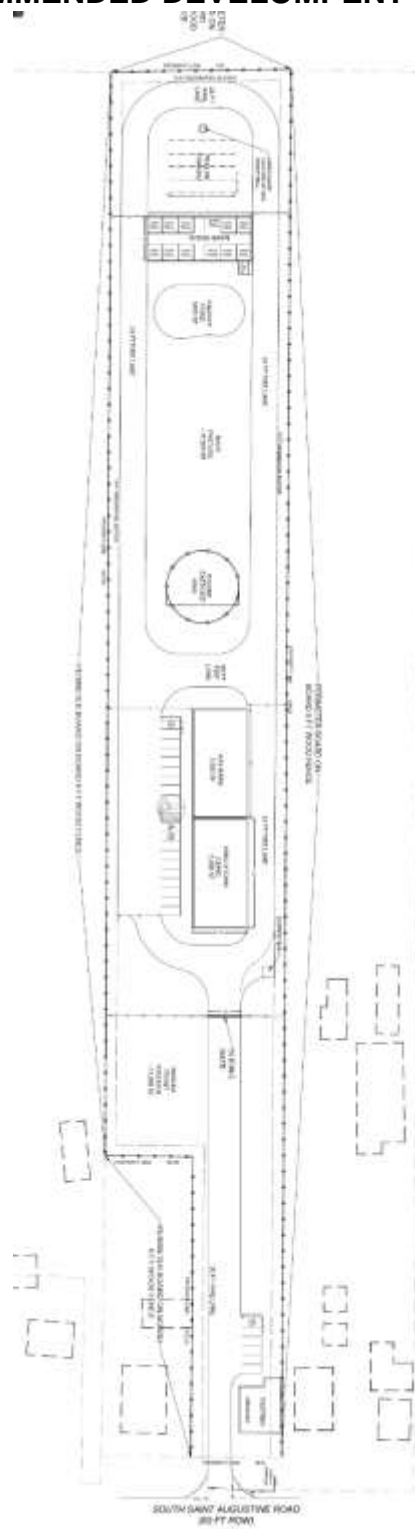
SEC. 51P-____.115. COMPLIANCE WITH CONDITIONS.

- (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 city.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

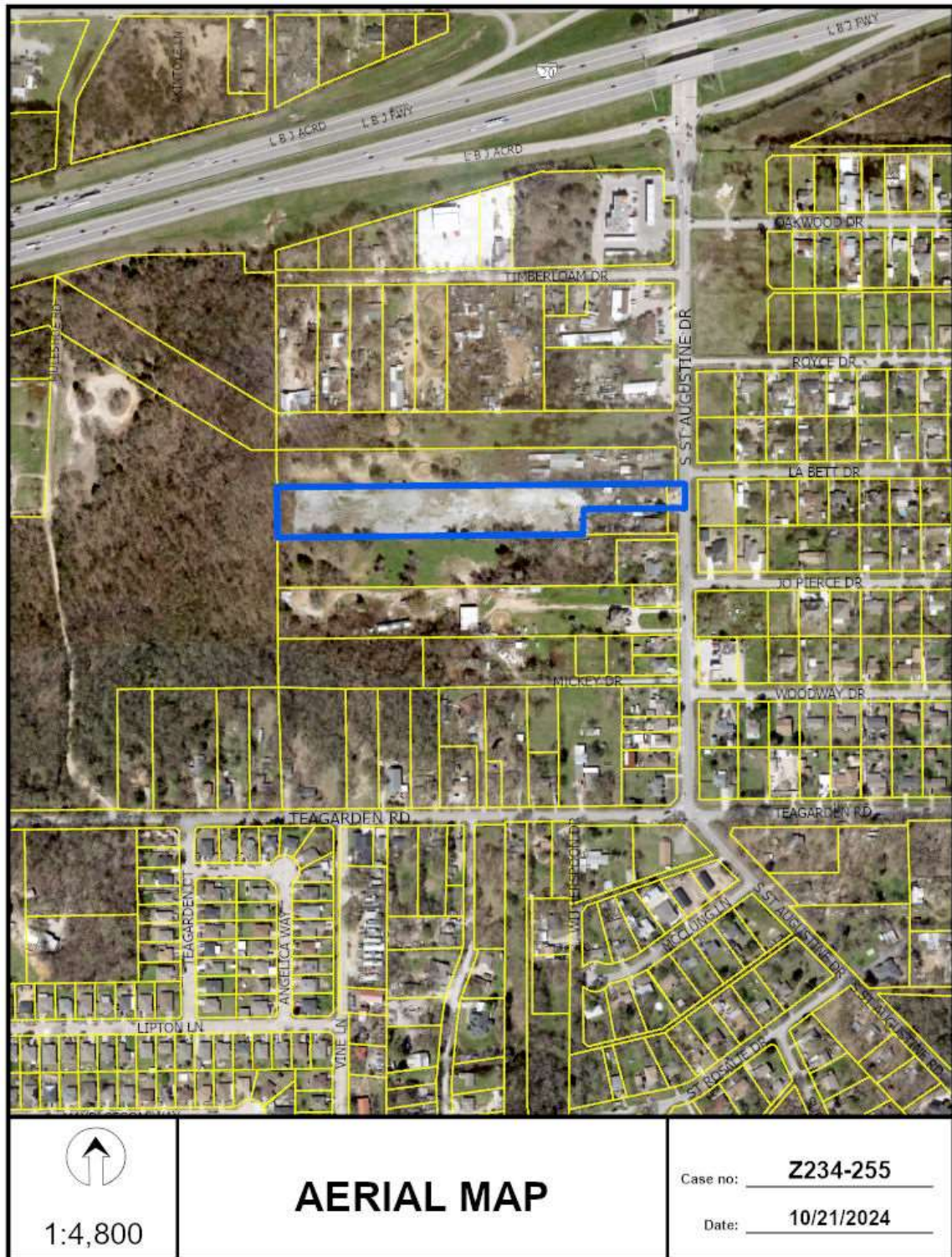
CPC RECOMMENDED DEVELOPMENT PLAN

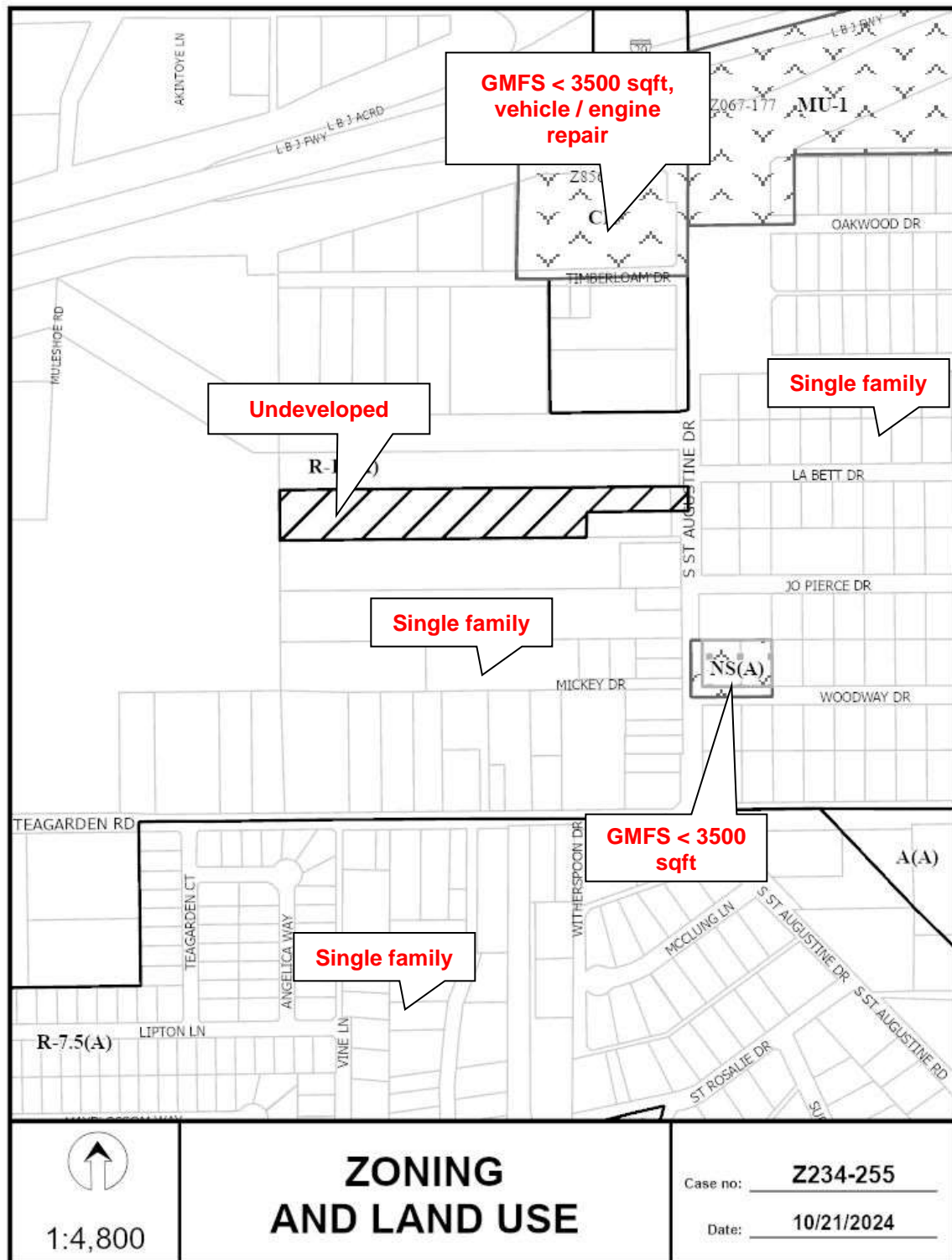


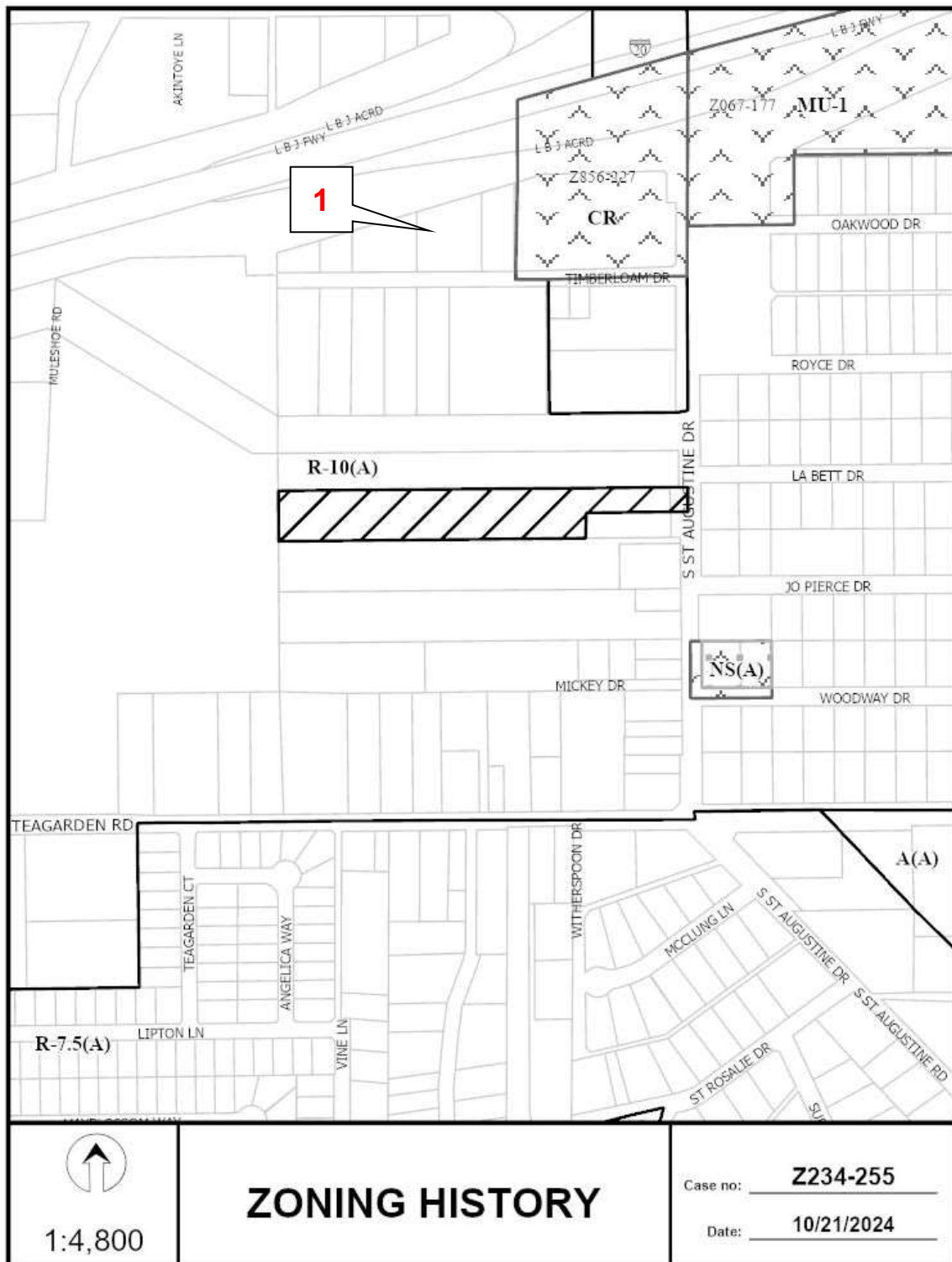
CPC RECOMMENDED DEVELOPMENT PLAN (DETAIL)

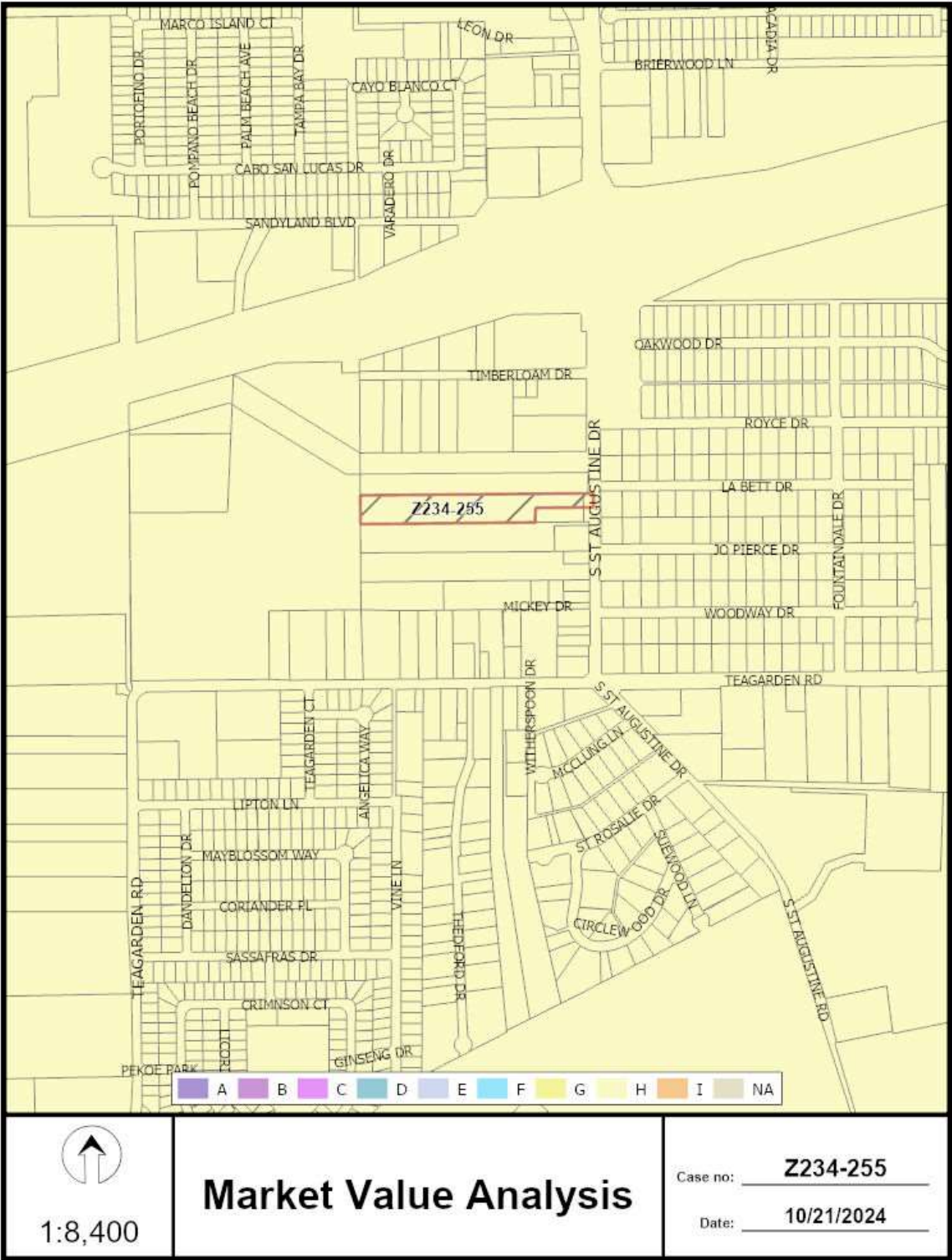


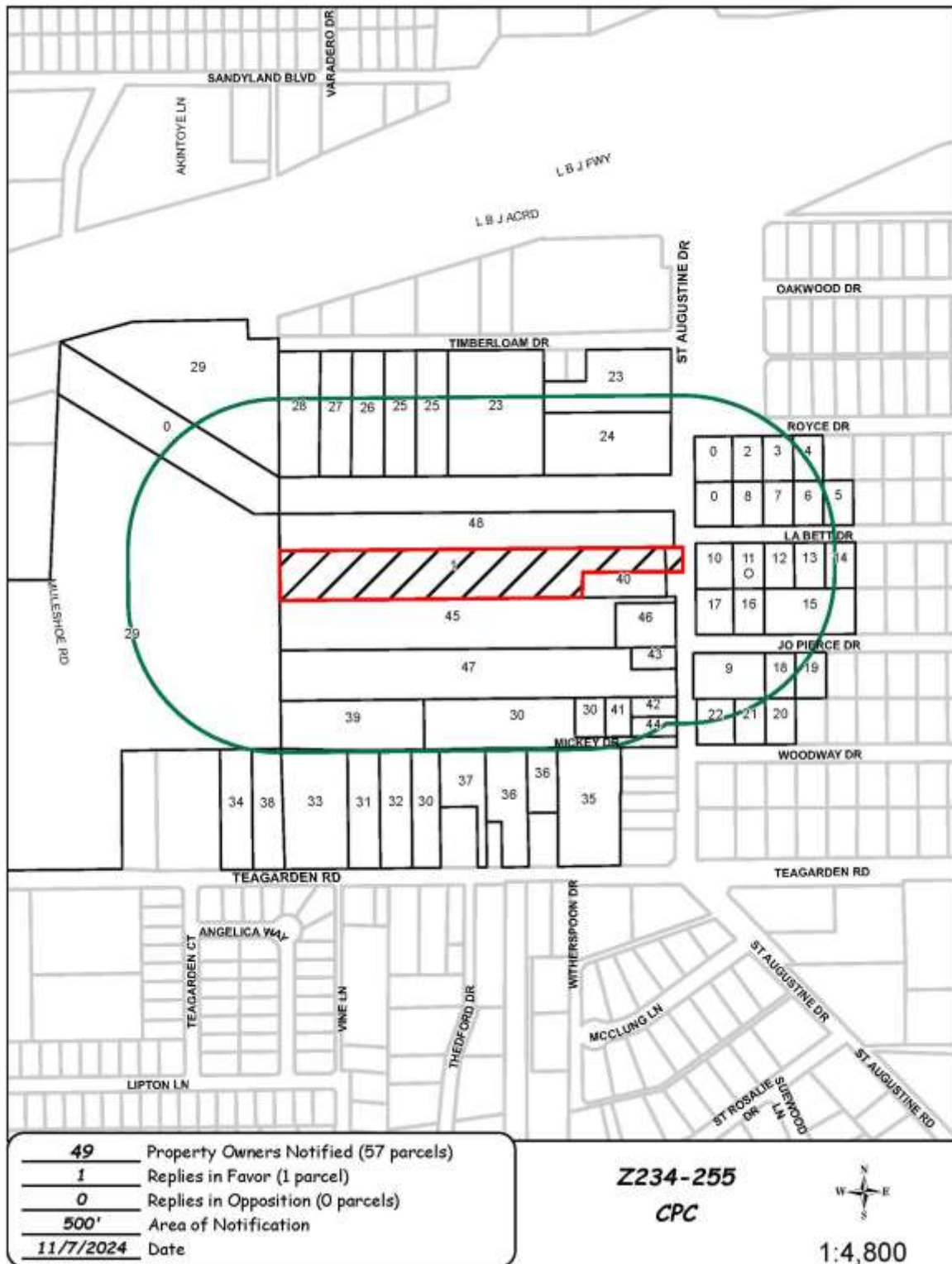












11/06/2024

Reply List of Property Owners

Z234-255

48 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1913 ST AUGUSTINE RD	HERNANDEZ MARGARITO &
	2	9616 ROYCE DR	CASTELAN REYNA MARTINEZ
	3	9624 ROYCE DR	CABALLERO OCTAVIO MEZA &
	4	9632 ROYCE DR	GARCIA SANTIAGO E & MAYRA
	5	9707 LA BETT DR	MOLINAR MARIO ELIAS MACIAS
	6	9633 LA BETT DR	RODRIGUEZ ANDRES G &
	7	9625 LA BETT DR	BARBOSA TERESO MORALES &
	8	9617 LA BETT DR	MONDRAGON MIGUEL A &
	9	1922 ST AUGUSTINE RD	BUSBY EUGENE
	10	9608 LA BETT DR	LIMON PEDRO & FRANCISCA
O	11	9616 LA BETT DR	NAJERA YESSANIA
	12	9624 LA BETT DR	BOWLING DOUG S JR & MARCIA
	13	9632 LA BETT DR	SANDOVAL FAUSTO & PABLA
	14	9708 LA BETT DR	SOSA MANUEL ANTONIO
	15	9633 JO PIERCE	SOSA MANUEL
	16	9617 JO PIERCE	LIMON SUSANNA
	17	9607 JO PIERCE	LIMON SERGIO
	18	9624 JO PIERCE	ROLAND QUENTIN E III
	19	9634 JO PIERCE	URIBE JOSE MAURICIO &
	20	9623 WOODWAY DR	FUENTESOLIVAS GONZALO &
	21	9611 WOODWAY DR	SAI R & R ENTERPRISE INC
	22	1926 S ST AUGUSTINE RD	SAI R & R ENTERPRISE INC
	23	1821 S ST AUGUSTINE RD	ARSHAD MUHAMMAD
	24	1901 S ST AUGUSTINE RD	RODRIGUEZ JOSE G &
	25	9436 TIMBERLOAM DR	HIGAREDA JUANA
	26	9428 TIMBERLOAM DR	ONTIVEROS FLORENTINO

11/06/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	9420 TIMBERLOAM DR	HUERTA STEFFI
	28	9410 TIMBERLOAM DR	DURAN HUMBERTO SUAREZ &
	29	1862 MULESHOE RD	LEE CHUN KOO & YOUNG SOOK
	30	9527 TEAGARDEN RD	HASTINGS BEVERLY
	31	9501 TEAGARDEN RD	LUCERO LUIS A
	32	9515 TEAGARDEN RD	BAEZ ARTEMIO IBARRA
	33	9469 TEAGARDEN RD	MIHLAN CHARLES PAUL &
	34	9447 TEAGARDEN RD	BECERRA JUAN A
	35	9575 TEAGARDEN RD	GONZALES BENNY &
	36	9555 TEAGARDEN RD	CISNEROS OSCAR LUIS
	37	9551 TEAGARDEN RD	GARIBAY ANTONIO F & MARIA
	38	9465 TEAGARDEN RD	GREEN LEWIS E EST OF
	39	9515 MICKEY DR	HOLMES CHARLES A & CAROL A
	40	1915 S ST AUGUSTINE RD	NEGRETE MARIO R &
	41	1925 S ST AUGUSTINE RD	FLORES MIGUEL
	42	1923 S ST AUGUSTINE RD	LOZANO ANGELICA MARIA
	43	1921 S ST AUGUSTINE RD	Taxpayer at
	44	1925 S ST AUGUSTINE RD	LUSTER RASHERNEKE &
	45	1919 S ST AUGUSTINE RD	GUZMAN MARIA ET AL
	46	1919 S ST AUGUSTINE RD	DAVILA EUSEVIO &
	47	1921 S ST AUGUSTINE RD	LICEA ROBERTO C
	48	1909 ST AUGUSTINE RD	MUNOZ JUAN JOSE &