

FILE NUMBER: Z234-328(TB) **DATE FILED:** August 28, 2024

LOCATION: Northeast corner of Spangler Road and Mañana Drive

COUNCIL DISTRICT: 6

SIZE OF REQUEST: 4.35 acres **CENSUS TRACT:** 48113009900

REPRESENTATIVE: Brandon Johnson - J Imperium LLC

OWNER: OSI 2001 Manana Dr. LLC

APPLICANT: J Imperium LLC

REQUEST: An application for **(1)** an IM Industrial Manufacturing District, and **(2)** a Specific Use Permit for a potentially incompatible industrial (outside) use, limited to asphalt or concrete batching on property zoned IR Industrial Research District.

SUMMARY: The purpose of the request is to allow concrete or asphalt batching by Specific Use Permit only.

CPC RECOMMENDATION: **Denial.**

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned IR Industrial Research District which does not permit a permanent potentially incompatible industrial (outside) uses of asphalt or concrete batching. IR Industrial Research District only permits a temporary concrete or asphalt batching plant by SUP only.
- The purpose of this request is to rezone the property to allow for the operation of a permanent industrial (outside) potentially incompatible industrial use limited to concrete or asphalt batching. This use is only permitted by SUP in an IM Industrial Manufacturing District.
- Geographically located in Southeast Dallas, approx. 14 miles from downtown.
- This lot has frontage only on Manana Drive and Spangler Road

Zoning History:

There have been zero zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Manana Drive	Minor Arterial	
Spangler Street	C - Community Collector	S-4-U 44' pavement, 60' ROW

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

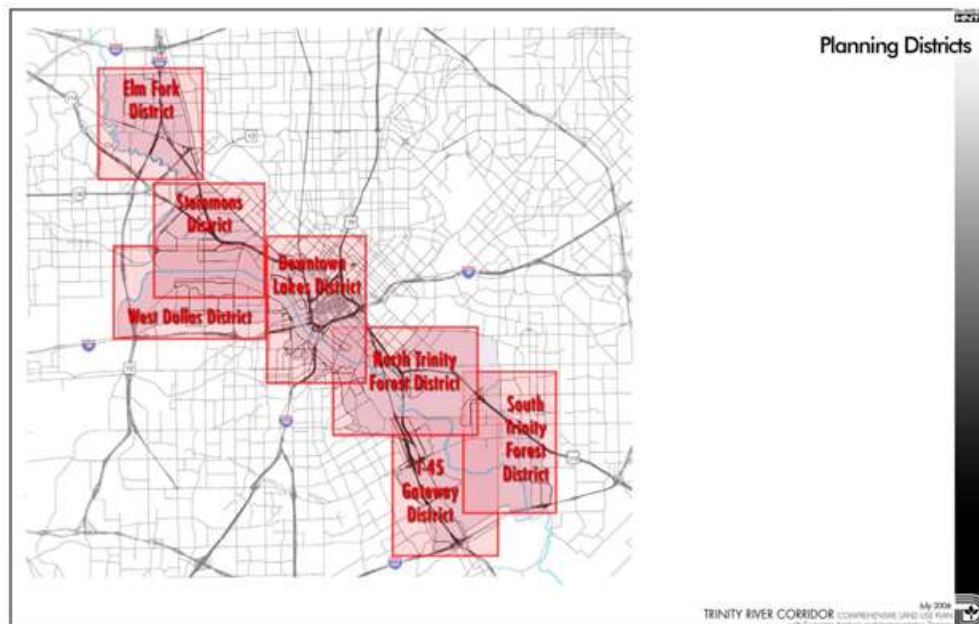
GOAL 2.1 PROMOTE BALANCED GROWTH

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

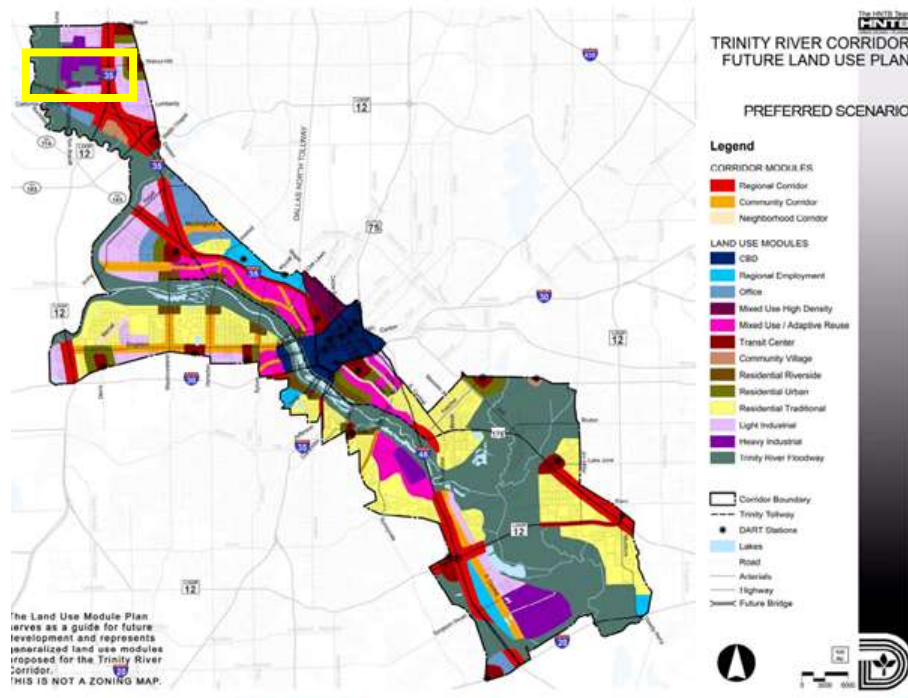
Trinity River Corridor Comprehensive Land Use Plan:

The site is within the Elm Fork District of the plan, which emphasizes that industrial uses should be located on and around this site to make use of freight rail and highway infrastructure.

The site more specifically is located south of Study Area 22, Luna Road / Walnut Hill, which generally calls for light and heavy industrial uses. Elm Fork District Study addresses the concern of growth for heavy industrial uses by stating these uses should be allowed to remain and expand in these areas



The site is highlighted in yellow in the northwest most portion of this image.



CECAP:

Approval with staff's recommended conditions would advance CECAP by meeting the following measures:

Goal 6: Dallas protects and enhances its ecosystems and green spaces that in turn improve public health.

EG3 - Increase tree canopy in both private and public realm to complete implementation of recommendations from the Urban Forest Masterplan

Goal 8: All Dallas' communities breathe clean air.

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

Land Use:

	Zoning	Land Use
Site	IR Industrial Research District	Vacant lot
North	IM Industrial Manufacturing District	Industrial (outside), Vehicle Display, Sales and Service & Public Park
East	IM Industrial Manufacturing District	SUP 1653 -Industrial (outside) potentially incompatible-limited to wood and lumber processing

South	IM Industrial Manufacturing District	SUP 817 Industrial (outside) potentially incompatible industrial use limited to concrete or asphalt batching.
West	IR Industrial Research District	Industrial (inside) & Alcoholic beverage establishment

Land Use Compatibility:

The area of request is currently zoned IR Industrial Research District and located on a vacant lot previously used as a temporary construction office (approx. 3.31 acres in total size), located on northeast corner of Spangler Road and Manana Drive.

To the north of the property is an Industrial (outside) and Public Park use. To the east of the property is a specific use permit 1653 -Industrial (outside) potentially incompatible-limited to wood and lumber processing use. To the south of the property is a specific use permit 817-Industrial (outside) potentially incompatible industrial use limited to concrete or asphalt batching use. To the east of the property is an Industrial (inside) and Alcoholic beverage establishment use.

With the immediate area being mostly heavy industrial, staff finds the applicant's requested zoning change to an IM Industrial Manufacturing District to allow an industrial (outside) potentially incompatible industrial use limited to concrete or asphalt batching by SUP compatible with the surrounding properties provided staff's recommended conditions are approved.

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 finds that each of these criteria are met by the proposed SUP.

The recommended five-year period would allow for establishment of the new use, while allowing another opportunity for review. The additional landscaping buffer yard, screening and material storage screening conditions of the SUP in conjunction with applicable TCEQ regulations will help migrate and control the transfer of dust and improve air quality onto adjacent properties.

Staff supports the applicant's request and finds the proposed rezoning to be appropriate for this area as it would not be detrimental to surrounding uses. This compatibility is further reflected in the development standards comparison table below

Development Standards:

The following is a comparison chart of the development standards for the current IR Industrial Research District and the proposed IM Industrial Manufacturing District.

District	Setback		Density	Height	Lot Cvrgr	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: IR	15'	30' adjacent to res OTHER: No min.	2.0 FAR overall 0.75 office/retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed: IM	15' adj. to expressw ay, thoroughf are OTHER: No min.	30' adj. to Res. OTHER: No min.	2.0 FAR overall 0.75 lodging, office, retail, & personal service use 0.5 retail & personal service use	110' 8 stories	80%	Proximity Slope, Visual Intrusion	Industrial* wholesale distribution & storage, supporting office & retail

* A "potentially incompatible industrial use" listed in this subsection is permitted by SUP only in the IM district.

- Asphalt or concrete batching

Land Use Comparison

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

LEGEND

	Use prohibited, highlighted row = use prohibited by deed restrictions
•	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, 51A-4.213

	Existing	Proposed
Use	IR	IM
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop	R	R
Bus or rail transit vehicle maintenance or storage facility	R	R
Catering service	•	•
Commercial cleaning or laundry plant	R	R
Custom business services	•	•
Custom woodworking, furniture construction, or repair	•	•
Electronics service center	•	•
Job or lithographic printing	R	R
Labor hall	S, ★	S, ★
Machine or welding shop	R	R
Machinery, heavy equipment, or truck sales and services	R	R
Medical or scientific laboratory	•	•
Technical school	•	•
Tool or equipment rental	•	•
Vehicle or engine repair or maintenance	•	R
INDUSTRIAL USES		
Alcoholic beverage manufacturing	R	R

	Existing	Proposed
Use	IR	IM
Gas drilling and production	S	S
Gas pipeline compressor station		S
Industrial (inside)	★	S,R, ★
Industrial (inside) for light manufacturing	•	•
Industrial (outside)	★	S, R, ★
Medical/infectious waste incinerator	S	S
Metal salvage facility		S
Mining		S
Municipal waste incinerator	S	S
Organic compost recycling facility	S	R
Outside salvage or reclamation		S
Pathological waste incinerator	S	S
Temporary concrete or asphalt batching plant	★	★
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	•	•
Cemetery or mausoleum	S	S
Child-care facility	•	•
Church	•	•
College, university, or seminary	•	•
Community service center	•	
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery		
Foster home		
Halfway house		
Hospital	R	S
Library, art gallery, or museum		
Open-enrollment charter school or private school		
Public school other than an open-enrollment charter school		
Public or private school	S	S
LODGING USES		
Extended stay hotel or motel	S	S
Hotel or motel	R	R
Lodging or boarding house	•	S
Overnight general purpose shelter	★	
MISCELLANEOUS USES		
Attached non-premise sign.	S	S

	Existing	Proposed
Use	IR	IM
Carnival or circus (temporary)	★	★
Hazardous waste management facility	★	•
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment	S	S
Financial institution without drive-in window	•	•
Financial institution with drive-in window	R	R
Medical clinic or ambulatory surgical center	•	•
Office	•	•
RECREATION USES		
Country club with private membership	•	•
Private recreation center, club, or area	•	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
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		
Single family		
RETAIL AND PERSONAL SERVICE USES		
Alcoholic beverage establishments.	★	★
Ambulance service		
Animal shelter or clinic without outside runs	•	•
Animal shelter or clinic with outside runs	S, ★	S, ★
Auto service center	R	R
Business school	•	•
Car wash	R	R
Commercial amusement (inside)	S, ★	S, ★
Commercial amusement (outside)		
Commercial motor vehicle parking	S	S
Commercial parking lot or garage	R	R
Convenience store with drive-through	S	S
Drive-In theater		S
Dry cleaning or laundry store	•	•

	Existing	Proposed
Use	IR	IM
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		
Home improvement center, lumber, brick or building materials sales yard	R	R
Household equipment and appliance repair	•	•
Liquefied natural gas fueling station	S	S
Liquor store		
Mortuary, funeral home, or commercial wedding chapel		
Motor vehicle fueling station	•	•
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop	S	S
Pawn shop	•	•
Personal service use	•	•
Restaurant without drive-in or drive-through service	R	R
Restaurant with drive-in or drive-through service	D	D
Surface parking		
Swap or buy shop		
Taxidermist	•	•
Temporary retail use	•	•
Theater	•	•
Truck stop	S	S
Vehicle display, sales, and service	R	R
TRANSPORTATION USES		
Airport or landing field	S	S
Commercial bus station and terminal	R	R
Heliport	R	R
Helistop	R	R
Private street or alley		
Railroad passenger station	S	S
Railroad yard, roundhouse, or shops		S
STOL (short take-off or landing port)		S

	Existing	Proposed
Use	IR	IM
Transit passenger shelter	•	•
Transit passenger station or transfer center	S, ★	S, ★
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station	•	•
Electrical generating plant		S
Electrical substation	•	•
Local utilities	S, R, ★	S, R, ★
Police or fire station	•	•
Post office	•	•
Radio, television, or microwave tower	R	R
Refuse transfer station		S
Sanitary landfill		S
Sewage treatment plant		S
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant	S	R
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		S
Building mover's temporary storage yard		S
Contractor's maintenance yard		R
Freight terminal	R	R
Livestock auction pens or sheds		S
Manufactured building sales lot	R	R
Mini-warehouse	•	•
Office showroom/warehouse	•	•
Outside storage	R	R
Petroleum product storage and wholesale		R
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		R
Trade center	•	•
Vehicle storage lot		•
Warehouse	R	R

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended and the additional landscape buffer requirements as called out in the SUP conditions as listed below.

BUFFER YARD. A minimum 10-foot-wide buffer yard landscape area must be provided along Spangler Road and Manana Drive as shown on the attached site plan. No buildings, structures (other than buffer walls or buffer fences), storage of materials, or parking may be located within the buffer yard. This buffer yard must contain the following elements:

- A. The buffer yard must contain tree plant materials from the Approved Tree List, but additional plants may be approved by the director.
- B. One large canopy tree must be provided for every 25 linear feet of frontage, arranged in double staggered rows. These canopy trees may not be placed closer than 20 feet apart.

Parking:

Parking must be provided in accordance with Chapter 51A. For an industrial (outside) use, the applicant must provide one space per 600 square feet of floor area, plus one space per 600 square feet of outside manufacturing area. The use does include existing trailers which requires one space per 600 square feet of floor area of indoor space. Depending upon the amount of outdoor manufacturing area, one space per 600 square feet of outside manufacturing area is also required but given the large size of the site meeting the standard parking requirements seems feasible.

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 target intervention strategies more precisely 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 in an "F" MVA area. The site is surrounded by the "F" MVA area in all directions immediately adjacent to the site.

Z234-328(TB)

List of Officers

OSI 2001 Manana Dr. LLC
Andrew Smith - CEO

CPC ACTION
February 20, 2025

Motion: It was moved to recommend **denial** of an application for 1) an IM Industrial Manufacturing District, and 2) a specific use permit for an industrial outside potentially incompatible industrial use limited to concrete or asphalt batching, on northeast corner of Spangler Road and Mañana Drive.

Maker: Carpenter
Second: Hampton
Result: Carried: 13 to 1

For: 13 - Chernock, Hampton, Herbert, Forsyth,
Shidid, Carpenter, Franklin, Sleeper,
Housewright, Nightengale, Hall, Kingston,
Rubin

Against: 1 - Wheeler-Reagan
Absent: 0
Vacancy: 0
Conflict: 1 - Haqq*

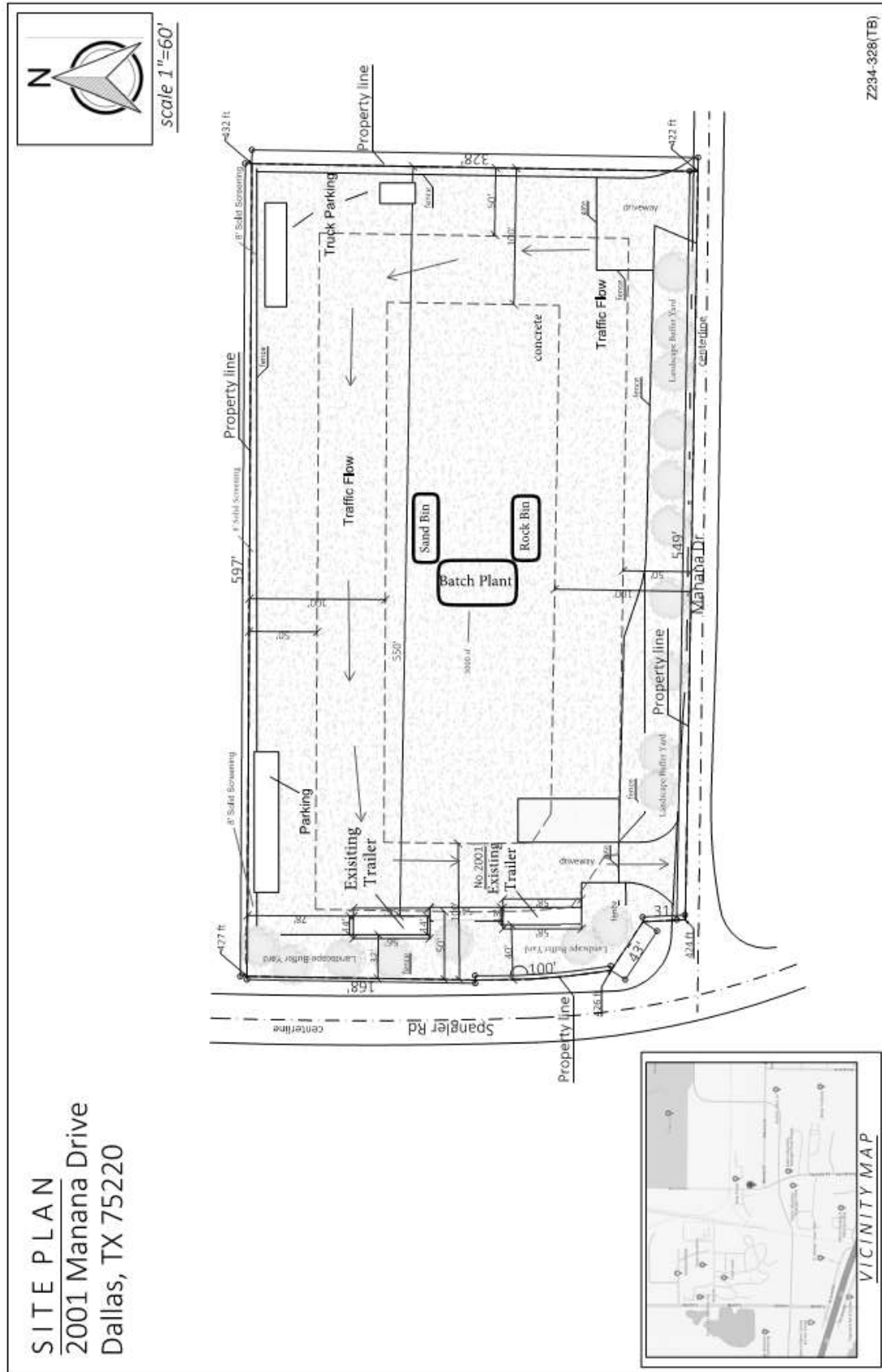
*out of room when vote was taken

Notices:	Area: 300	Mailed: 11
Replies:	For: 0	Against: 0

Speakers: For: None

Against: Tim Dickey, 3134 Lockmoore Ln., Dallas, TX, 75220
Rudy Karimi, 6214 Goliad Ave., Dallas, TX, 75214
Garrett Boone, 2417 Loving Ave., Dallas, TX, 75214

Proposed SUP Site Plan



Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete or asphalt batch plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance)
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. BUFFER YARD. A minimum 10-foot-wide buffer yard landscape area must be provided along Spangler Road and Manana Drive as shown on the attached site plan. No buildings, structures (other than buffer walls or buffer fences), storage of materials, or parking may be located within the buffer yard. This buffer yard must contain the following elements:
 - A. The buffer yard must contain tree plant materials from the Approved Tree List, but additional plants may be approved by the director.
 - B. One large canopy tree must be provided for every 25 linear feet of frontage, arranged in double staggered rows. These canopy trees may not be placed closer than 20 feet apart.
6. DUST CONTROL:
 - (A) The following conditions must be met on an ongoing basis:
 - (1) Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions.
 - (2) All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
 - (3) The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate dust emissions.
 - (4) During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

(5) The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.

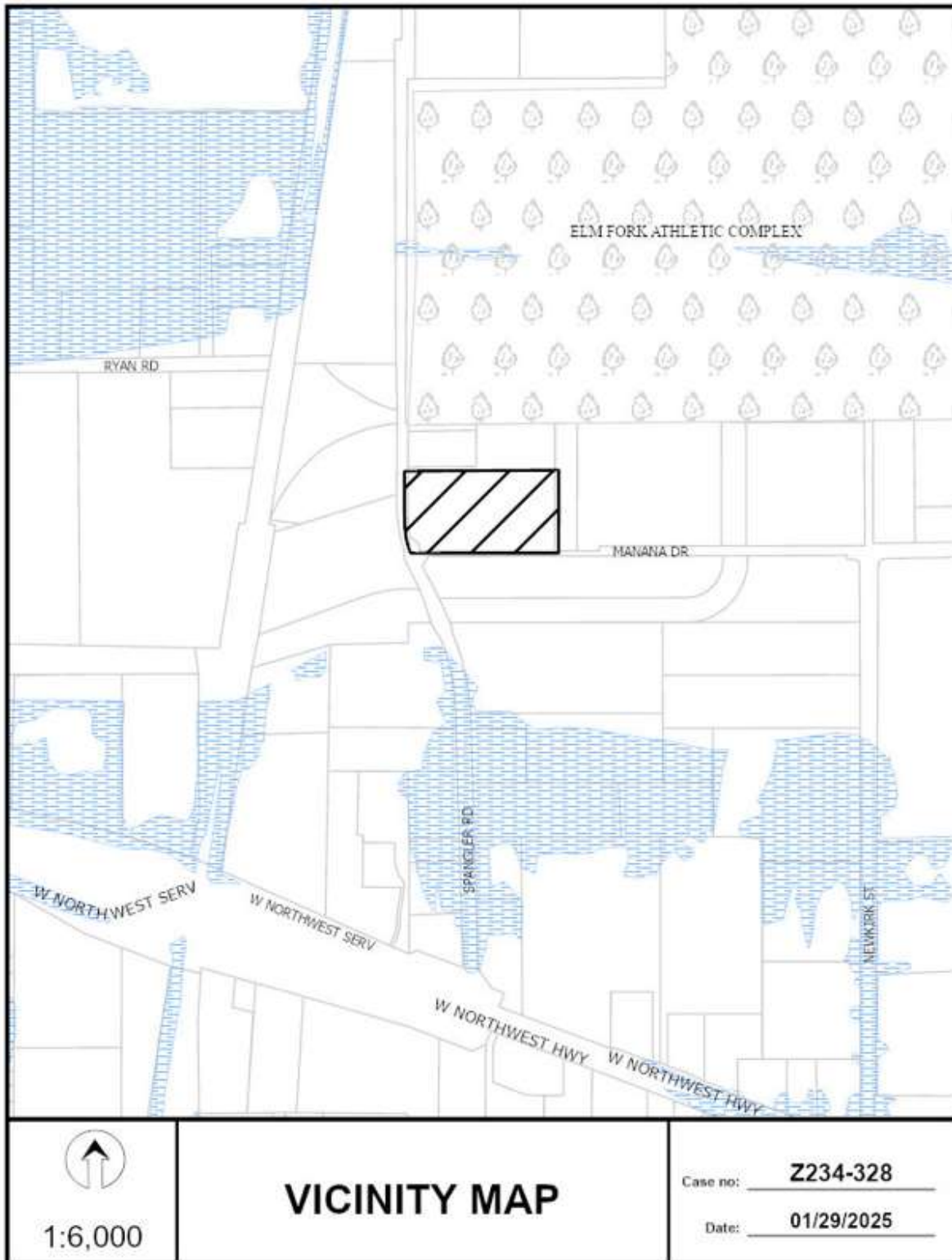
(6) During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.

(7) To avoid overloading, a mechanism must be installed on each cement storage silo to warn operator that the silo is full.

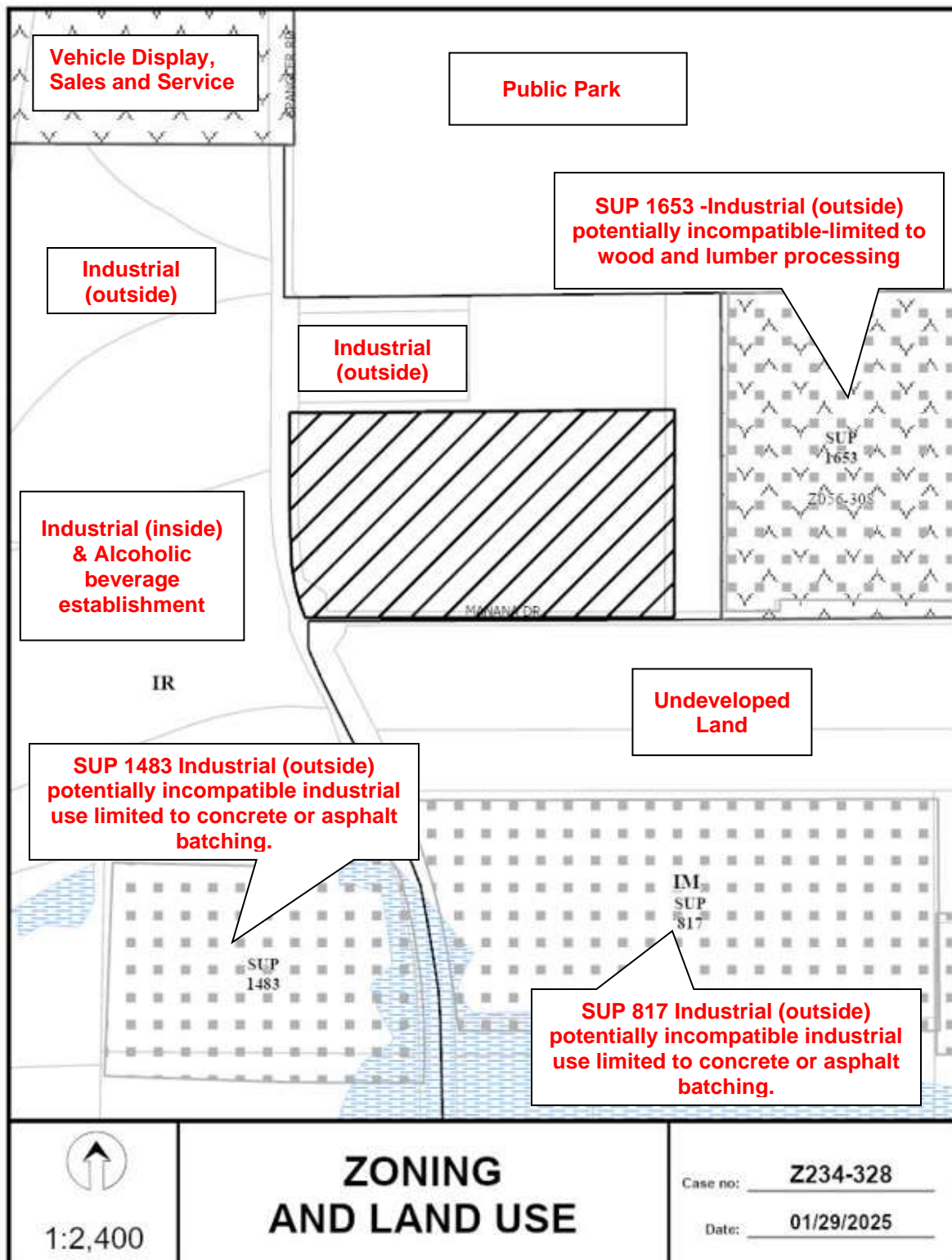
(8) Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.

(B) A written ground and soot control plan incorporating existing and proposed infrastructure must be delivered to the director of Office of Environmental Quality and Sustainability and the director of Department of Planning and Development by Date.

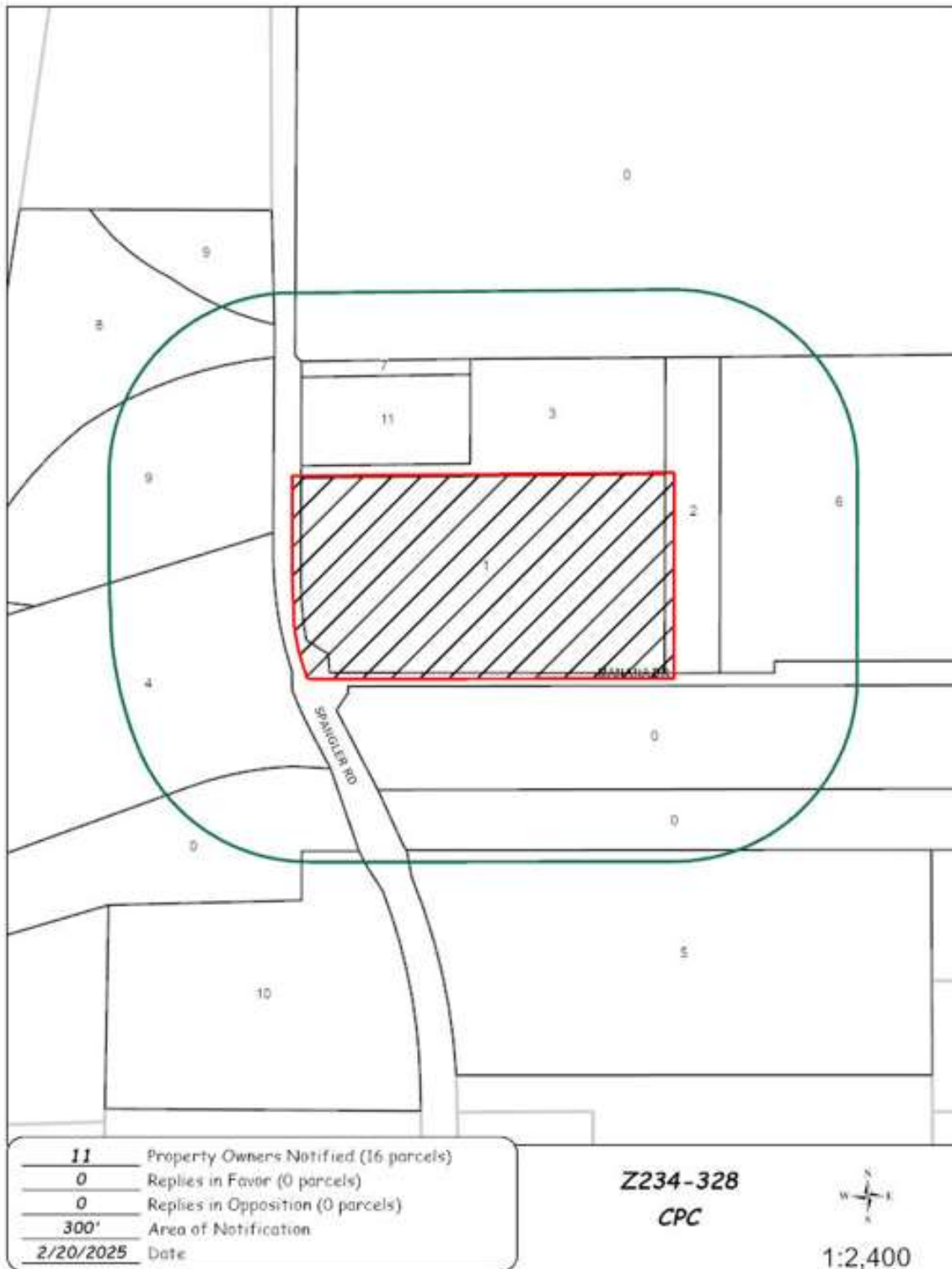
7. FLOOR AREA: The maximum floor area is 3,000 square feet in the location shown on the attached site plan.
8. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
9. OUTSIDE STORAGE: Materials stored outside must be located in bins that are screened on three sides by 10-foot-high screening walls.
10. SCREENING: A minimum eight-foot-tall screening fence must be provided in the location shown on the attached site plan. The fence must either be solid or have screening elements, such as slats or mesh, to screen the interior of the Property.
11. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile area shown on the attached site and landscaping plan is 10 feet.
12. STORMWATER: Drainage systems must be kept clear of debris and maintained for designed flow and capacity.
13. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
14. 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.











Z234-328(TB)

02/19/2025

Reply List of Property Owners

Z234-328

11 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2001	MANANA DR	OSI 2001 MANANA DR LLC
2	2001	MANANA DR	STEVEN M FREE FAMILY LTD PS
3	2001	MANANA DR	SANCHEZ FOOD & CO INC
4	10737	SPANGLER RD	OSI 10737 SPANGLER RD LLC
5	10610	SPANGLER RD	TXI OPERATIONS LP
6	2101	MANANA RD	STEVEN M FREE LIMITED PARTNERSHIP
7	2001	MANANA DR	GT MGMT INC
8	10737	SPANGLER RD	RODRIGUEZ MARIO ALBERTO &
9	10737	SPANGLER RD	RODRIGUEZ MARIO ALBERTO
10	10615	SPANGLER RD	AHSU LLC
11	10730	SPANGLER RD	SANCHEZ FOODS & CO INC