

FILE NUMBER: M234-006(TB)

DATE FILED: November 9, 2023

LOCATION: Along the north line of South Ervay Street, between Richardson Avenue and the Gulf, Colorado & Santa Fe Railroad (GC & SF Railroad).

COUNCIL DISTRICT: 2

SIZE OF REQUEST: ± 3.1434 acres

CENSUS TRACT: 48113020402

MISCELLANEOUS DOCKET ITEM

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER/ APPLICANT: Savoy Equity Partners

REQUEST: An application requesting relief from the street frontage requirements along South Ervay Street per the site plan on property zoned Subdistricts 2 and 3 within Planned Development District No. 317, the Cedars Area Special Purpose District.

STAFF RECOMMENDATION: **Approval**, subject to the site plan.

PLANNED DEVELOPMENT DISTRICT No. 317

<https://dallascityhall.com/departments/cityattorney/Articles/PDF/Article%20317.pdf>

PD No. 317 Exhibits

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317A.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317B.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317C.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317E.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317F.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317G.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317H.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317I.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317J.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317K.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317L.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317M.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317N.pdf>

<https://dallascityhall.com/departments/city-attorney/articles/Exhibits/317O.pdf>

BACKGROUND INFORMATION:

On July 26, 1989. Planned Development District No. 317- Cedars Area Special Purpose District was established by Ordinance No. 20395. Ordinance No. 20395 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20395 was amended by Ordinance No. 20822, passed by the Dallas City Council on November 28, 1990; Ordinance No. 22003, passed by the Dallas City Council on March 23, 1994; Ordinance No. 23144, passed by the Dallas City Council on May 28, 1997; Ordinance No. 23379, passed by the Dallas City Council on December 10, 1997; Ordinance No. 23470, passed by the Dallas City Council on March 25, 1998; Ordinance No. 23921, passed by the Dallas City Council on June 23, 1999; Ordinance No. 24014, passed by the Dallas City Council on September 8, 1999; Ordinance No. 24017, passed by the Dallas City Council on September 8, 1999; Ordinance No. 24124, passed by the Dallas City Council on December 8, 1999; Ordinance No. 24430, passed by the Dallas City Council on October 25, 2000; and Ordinance No. 24503, passed by the Dallas City Council on January 24, 2001. (Ord. Nos. 10962; 19455; 20395; 20822; 22003; 23144; 23379; 23470; 23921; 24014; 24017; 24124; 24430; 24503; 24826; 31773)

Z167-311 – On February 10, 2021, the City Council approved a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 317, the Cedars Area Special Purpose District. The purpose of this authorized hearing was to provide for appropriate land use and development standards; to promote pedestrian connectivity; and to provide guidelines to ensure compatibility with existing and future development (Ord. No. 31773).

The regulations for minimum and maximum front yard requirements with a portion of the street facing façade required to be located within the required front yard were established with this ordinance. Additionally, in order to address specific site constraints, street facing frontage requirement relief via a city plan commission public hearing was also established by this ordinance.

REQUEST DETAILS:

The applicant is requesting relief for the street facing frontage requirement along South Ervay Street (primary street). The street facing façade frontage of the structure is required to be within the minimum (five feet) and maximum (ten feet) front yard setback for 70 percent of the lot width.

Due to the location of the retaining wall serving the street underpass along South Ervay Street that runs parallel to the site and under the Gulf, Colorado & Santa Fe Railroad, the position of the retaining wall prohibits South Ervay Street from serving as a fire lane for this site. The placement of the onsite fire lane access (from the end of the retaining wall moving north) constricts compliance with the street facing frontage requirements along South Ervay Street (primary street).

The purpose of this request is to obtain City Plan Commission approval for relief from the street facing frontage requirement for **57%**. Therefore allowing **13%** of the required **70%**

M234-006(TB)

of the street facing frontage requirements within the min/max front yard along South Ervay Street (primary street) only.

This is not a change in zoning request and no changes to the existing zoning standards can be considered. The only purpose of this hearing is to determine if the site plan along Parnell Street meets the standards established for approving street facing frontage requirement relief per SEC. 51P-317.120(b)(4)(A)(v) & SEC. 51P-317.120(c)(4)(A)(v).

PLANNED DEVELOPMENT DISTRICT 317, SUBAREA 2

SEC. 51P-317.120(b)(4)(A)(v) Street facing frontage requirement relief.

(aa) The city plan commission may approve a site plan at a public hearing that does not comply with the required street frontage regulations in this section if:

- (I) strict compliance with street frontage requirements are impractical due to site constraints or would result in substantial hardship;
- (II) the variation or exception from the street frontage requirements will not adversely affect surrounding properties; and
- (III) the site plan furthers the stated purpose in 51P-317.120(b)(1).

(bb) A site plan that deviates from required street frontage must follow the public notice procedure with a public hearing in accordance with Section 51A-4.702(h)(2)(C).

Purpose. To encourage the development of moderate-density office, lodging, retail, and residential uses in compatible combinations along the main street corridors that serve the Cedars Area Special Purpose District; to encourage development that supports increased pedestrian and bicycle use; and to encourage the preservation of structures with historic value.

PLANNED DEVELOPMENT DISTRICT 317, SUBAREA 3

SEC. 51P-317.120(c)(4)(A)(v) STREET FACING FRONTAGE REQUIREMENT RELIEF.

(aa) The city plan commission may approve a site plan at a public hearing that does not comply with the required street frontage regulations in this section if:

- (I) strict compliance with street frontage requirements are impractical due to site constraints or would result in substantial hardship;
- (II) the variation or exception from the street frontage requirements will not adversely affect surrounding properties; and
- (III) the site plan furthers the stated purpose in 51P-317.120(c)(1).

(bb) A site plan that deviates from required street frontage must follow the public notice procedure with a public hearing in accordance with Section 51A-4.702(h)(2)(C).

Purpose. To encourage high-density office, lodging, retail, and residential uses along the Interstate Highway 30 frontage, and to encourage development that takes advantage of the regional freeway access and the excellent downtown views while preserving these views for other subdistricts in the Cedars Area Special Purpose District.

APPLICANT’S RESPONSE TO SEC.51P-317.120

♣ Response to (I) - strict compliance with the street frontage requirements for this development will not create a hardship as the only reason for the relief is to accommodate existing site conditions (retaining wall).

♣ Response to (II) - This exception to the street frontage requirements along South Ervay Street will not adversely affect surrounding properties for there is only the below properties to consider:

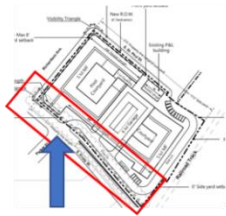
- South - a industrial use.
- West – a vacant lot and structure.

♣ Response to (III) - The application for street facing frontage requirement relief furthers the stated purpose in sec. 51P-317.120(b)(1) and 51P-317.120(c)(1).

LOOKING AT THE NUMBERS

| Frontage Setback along South Ervay Street | |
|---|---------------|
| Frontage Length along South Ervay | 511' |
| 70% Required Frontage within Min/Max Setbacks | 357.7' |
| Frontage Within Min/Max Setbacks | 68' |
| % Frontage Within Min/Max Setbacks | 13% |
| Frontage Required Outside Min/Max Setbacks | 153.3' |
| Frontage Outside Min/Max Setbacks | 443' |
| % Frontage Outside Min/Max Setbacks | 87% |
| % of Relief Required to Meet 70% Façade Standard | 57% |

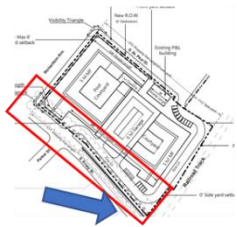
North @ South Ervay Street



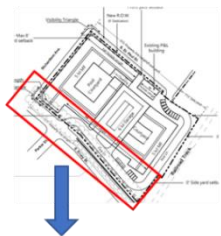
Northeast @ South Ervay Street



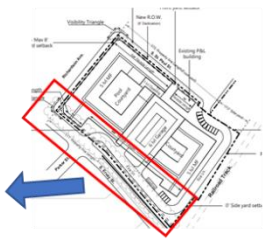
East @ South Ervay Street



South @ South Ervay Street



West @ South Ervay Street



M234-006(TB)

| |
|------------------|
| List of Officers |
|------------------|

KELLY STREET LAND, LTD

David Bruce Galinet, President

PARKEL, LLC

Joel Potaznik, Manager

Uma Alladi, Manager

DAVID BRUCE GALINET

Individual

DAVID B. AND TYLENE M. GALINET

Individuals

RE/SOURCE PROFESSIONALS, INC.

David Bruce Galinet, President

ADDIE MARREO, LP

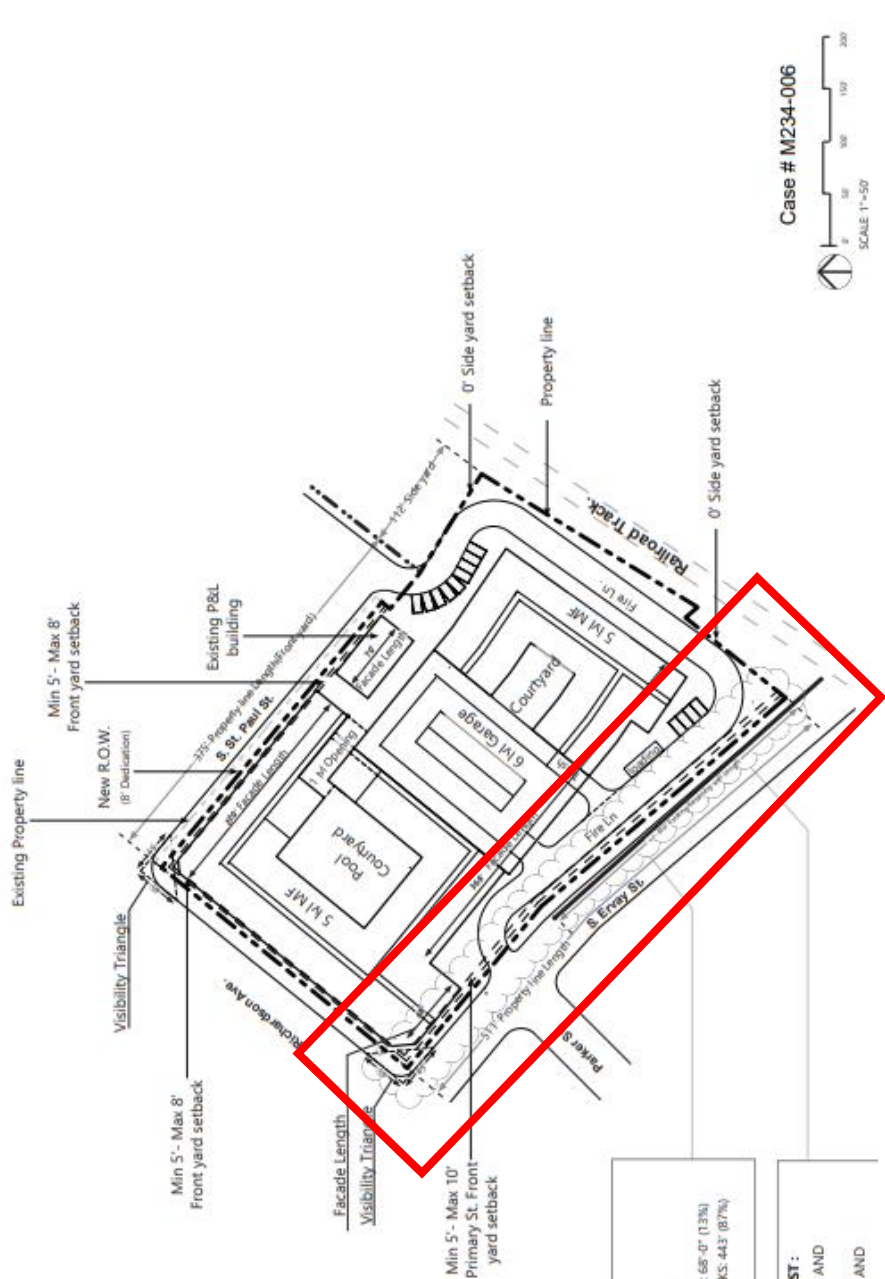
Shannon S. Wynne, Manager

SAVOY EQUITY PARTNERS

Barret Linburg, Manager

Seth Bame, Manager

Site Plan



Case # M234-006
SCALE 1"=50'

ZONING - PD 317 SUBDISTRICT 2 & 3
FRONTAGE ALONG S. ERVAY ST.
 - FRONTAGE LENGTH ALONG S. ERVAY ST.: 511'
 - 70% FRONTAGE WITHIN REQUIRED MIN/MAJ SETBACKS: 357.7'
 - WITHIN MINIMUM & MAXIMUM REQUIRED SETBACKS PER PLAN: 68'-0" (13%)
 - FRONTAGE OUTSIDE REQUIRED MINIMUM & MAXIMUM SETBACKS: 443' (87%)
 - % OF RELIEF REQUIRED TO MEET 70% FRONTAGE: 57%

RELIEF FROM REQUIRED STREET FRONTAGE FOR S. ERVAY ST.:
 SUB DISTRICT 2: 51P-317.120(b)(4)(A)(V) USE REGULATIONS AND DEVELOPMENT STANDARDS.
 SUB DISTRICT 3: 51P-317.120(c)(4)(A)(V) USE REGULATIONS AND DEVELOPMENT STANDARDS.

JHP
 Architecture/Urban Design

Breunig Ventures
 BREUNIG VENTURES

SAJOY
 ARCHITECTURE

2220 S. Ervay Site
 Dallas, Texas

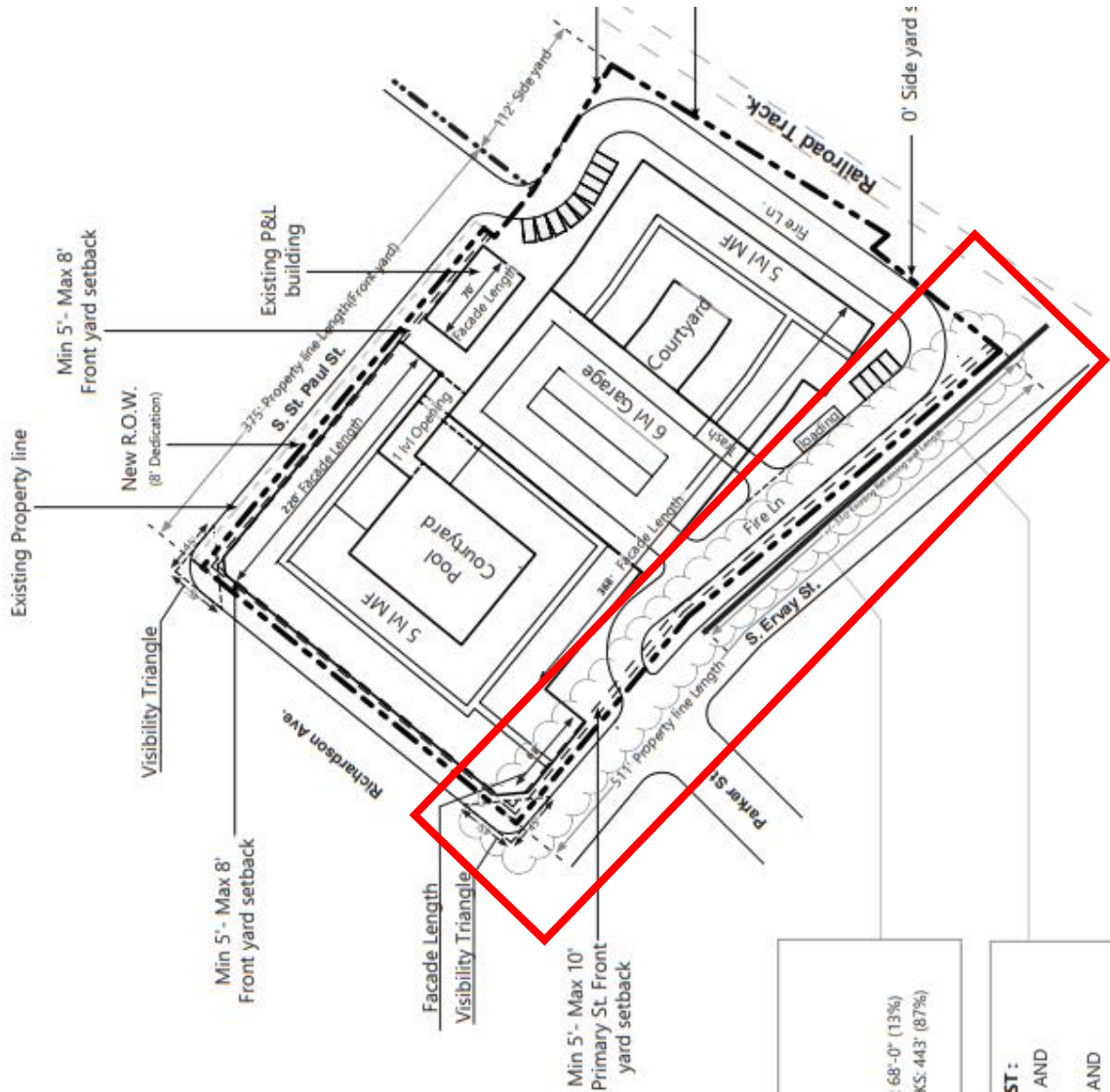
FRONTAGE EXHIBIT

12.12.2023

01

#20231034 .mpg

Site Plan - Enlarged



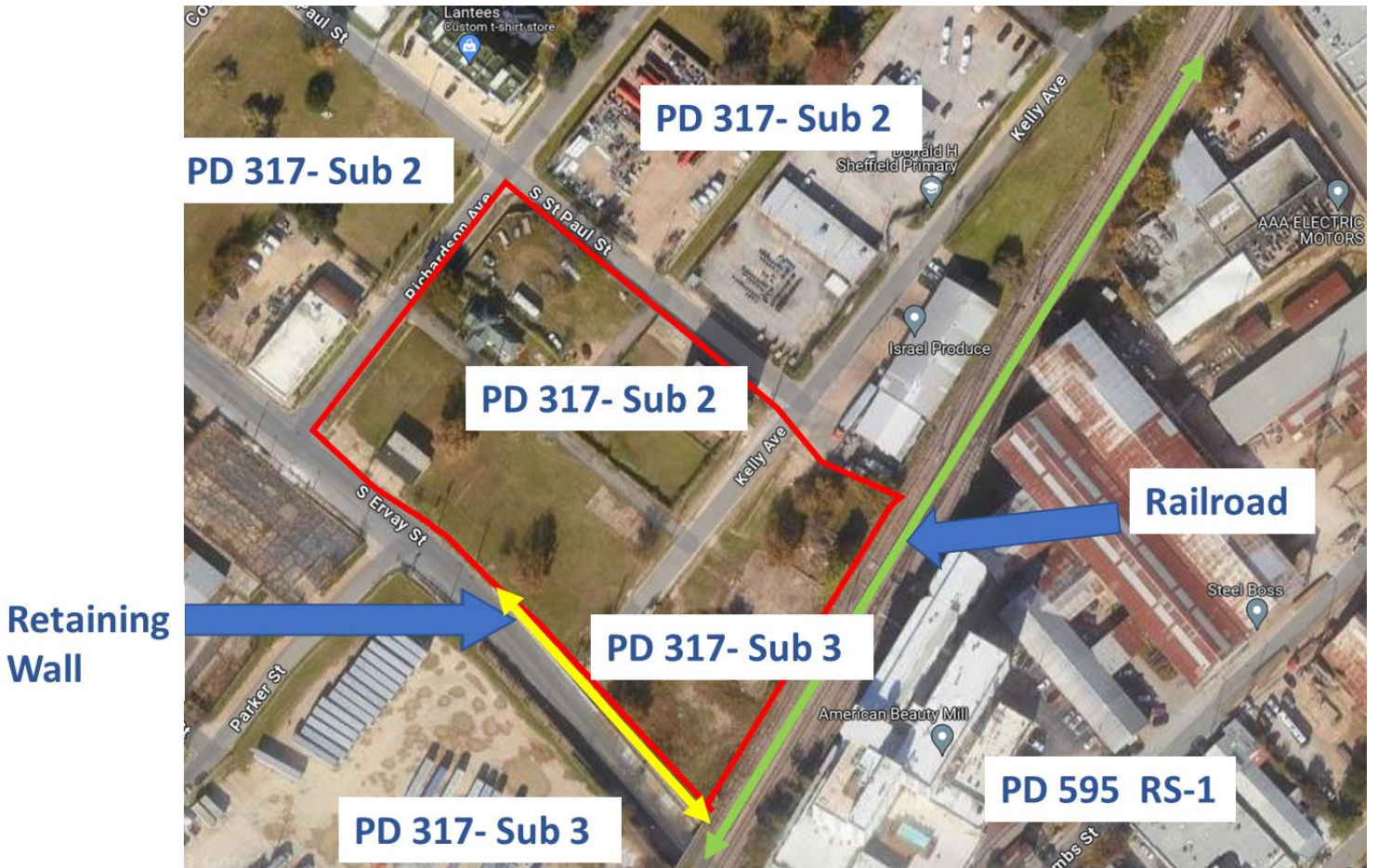
ZONING - PD 317 SUBDISTRICT 2 & 3

FRONTAGE ALONG S. ERVAY ST.

- FRONTAGE LENGTH ALONG S. ERVAY ST: 511'
- 70% FRONTAGE WITHIN REQUIRED MINIMUM SETBACKS: 357.7'
- WITHIN MINIMUM & MAXIMUM REQUIRED SETBACKS PER PLAN: 68'-0" (13%)
- FRONTAGE OUTSIDE REQUIRED MINIMUM & MAXIMUM SETBACKS: 443' (87%)
- % OF RELIEF REQUIRED TO MEET 70% FRONTAGE: 57%

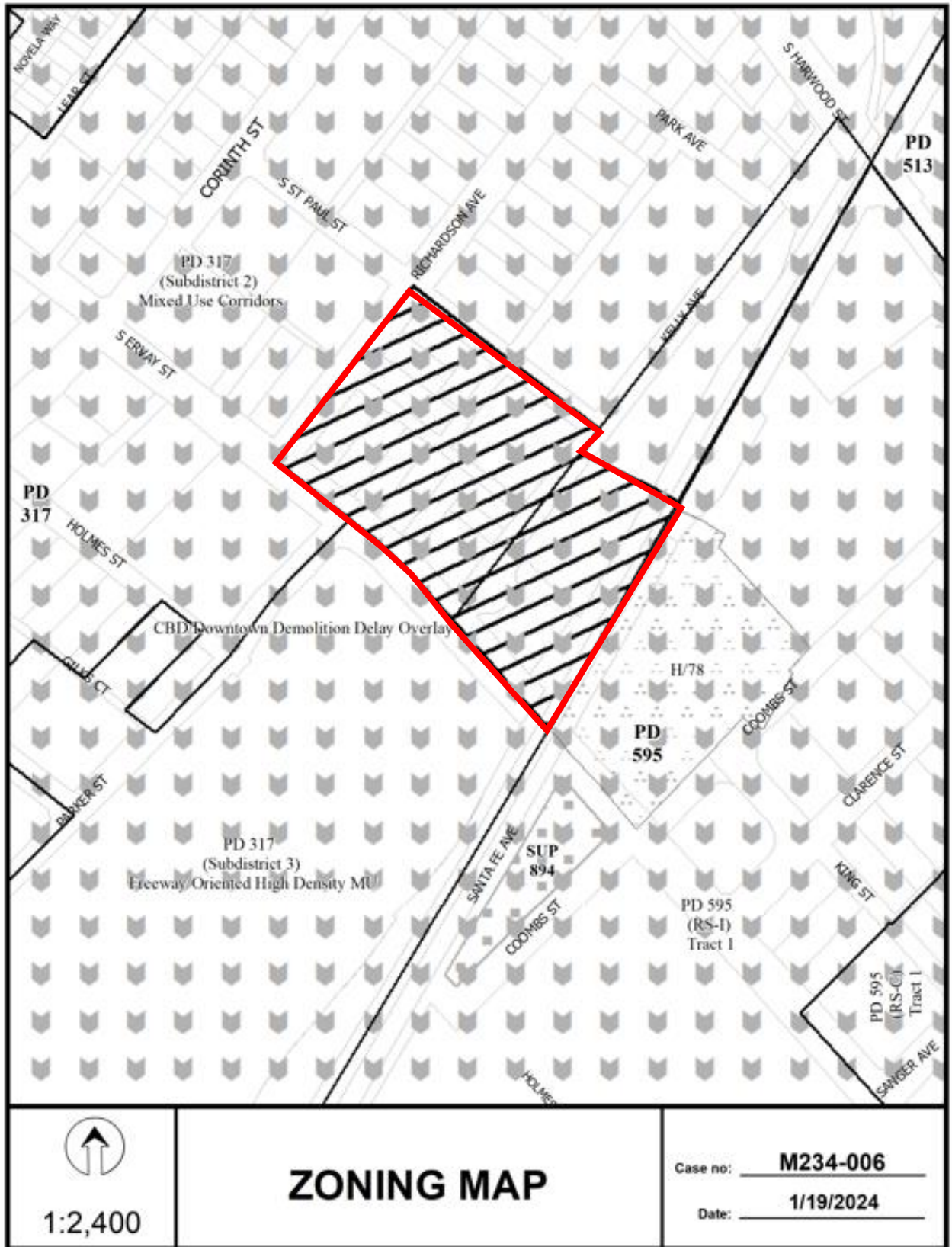
RELIEF FROM REQUIRED STREET FRONTAGE FOR S. ERVAY ST :

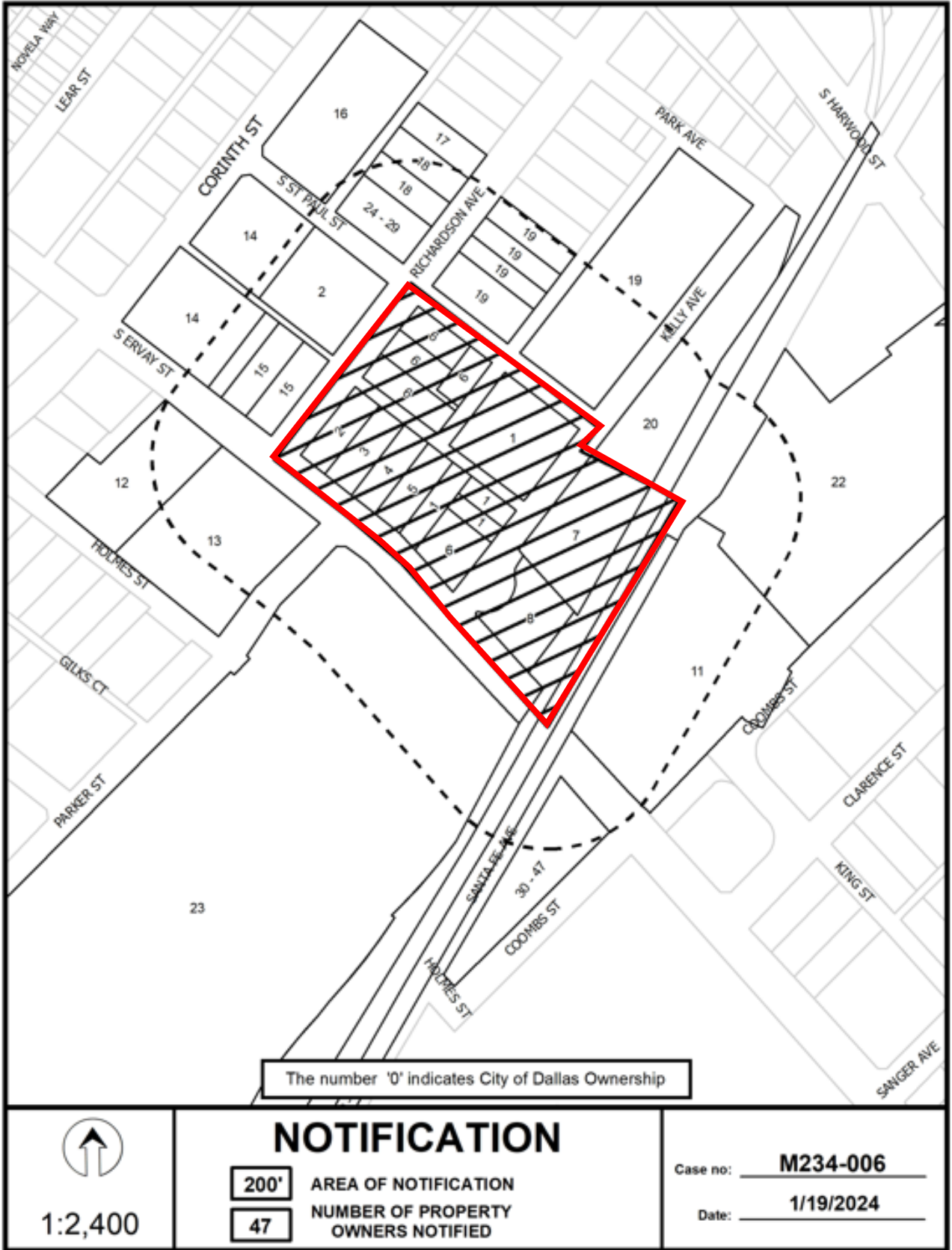
SUB DISTRICT 2: **51P-317.120(b)(4)(A)(V)** USE REGULATIONS AND DEVELOPMENT STANDARDS.
 SUB DISTRICT 3: **51P-317.120(c)(4)(A)(V)** USE REGULATIONS AND DEVELOPMENT STANDARDS.



Aerial View







M234-006(TB)

01/19/2024

Notification List of Property Owners

M234-006

47 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|------------------------------|
| 1 | 1711 KELLY AVE | GALINET DAVID B & |
| 2 | 1717 RICHARDSON AVE | ADDIE MARREO LP |
| 3 | 2204 ERVAY ST | RE SOURCE PROFESSIONALS |
| 4 | 2208 S ERVAY ST | RE/SOURCE PROFESSIONALS |
| 5 | 2212 S ERVAY ST | RE SOURCE PROFESSIONALS INC |
| 6 | 2220 ERVAY ST | GALINET DAVID BRUCE |
| 7 | 1714 KELLY AVE | KELLY STREET LAND LTD |
| 8 | 1818 KELLY AVE | PARKEL LLC |
| 9 | 4401 LINFIELD RD | ST LOUIS S W RAILWAY CO |
| 10 | 9999 NO NAME ST | UNION PACIFIC RR CO |
| 11 | 2400 S ERVAY ST | AMERICAN BEAUTY LOFTS LTD |
| 12 | 2117 S ERVAY ST | BOUCHER DANIEL D |
| 13 | 2131 S ERVAY ST | TROLLEY BARN LLC |
| 14 | 2100 ERVAY ST | BAKER JAY ELDRED II |
| 15 | 2116 S ERVAY ST | MARREO ADDIE LP |
| 16 | 1812 CORINTH ST | REVO LLC |
| 17 | 1815 RICHARDSON AVE | Taxpayer at |
| 18 | 1811 RICHARDSON AVE | GO URBAN 2 INC |
| 19 | 1802 RICHARDSON AVE | SOUTHWESTERN BELL |
| 20 | 1810 KELLY AVE | 1810 KELLY STREET PPTIES LLC |
| 21 | 4401 LINFIELD RD | ST LOUIS S W RAILWAY CO |
| 22 | 1815 COOMBS ST | CHARLSEY WAUGH GENERAL |
| 23 | 1400 PARKER ST | STANDARD FRUIT & VEG CO |
| 24 | 1803 RICHARDSON AVE | ADC CAROLINAS LLC |
| 25 | 1803 RICHARDSON AVE | CAPRICORNIO HOLDINGS LLC |
| 26 | 1803 RICHARDSON AVE | DEMELLOSILVA MARCUS GRAFTON |

M234-006(TB)

01/19/2024

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|-------------------------------|
| 27 | 1803 RICHARDSON AVE | RANZ JOSE MIGUEL |
| 28 | 1803 RICHARDSON AVE | DIAZ IRIS |
| 29 | 1803 RICHARDSON AVE | ROBERTSON ANSCHUTZ VETTERS |
| 30 | 2401 S ERVAY ST | COHEN STEWART |
| 31 | 2401 S ERVAY ST | JACOBSONSANDERS KIRSTAN LEIGH |
| 32 | 2401 S ERVAY ST | DICKSON MOLLY KATHRYN |
| 33 | 2401 S ERVAY ST | COHEN STEWART |
| 34 | 2401 S ERVAY ST | JACKSON JONATHAN W |
| 35 | 2401 S ERVAY ST | LEATHERS LARRY FRANKLIN TRUST |
| 36 | 2401 S ERVAY ST | COHEN STEWART CHARLES |
| 37 | 2401 S ERVAY ST | COHEN STEWART |
| 38 | 2401 S ERVAY ST | COHEN STEWART |
| 39 | 2401 S ERVAY ST | COHEN STEWART |
| 40 | 2401 S ERVAY ST | ELTING KIMBERLEY A & |
| 41 | 2401 S ERVAY ST | COHEN STEWART CHARLES |
| 42 | 2401 S ERVAY ST | COHEN STEWART CHARLES |
| 43 | 2401 S ERVAY ST | THOMAS PHILLIP |
| 44 | 2401 S ERVAY ST | COHEN STEWART |
| 45 | 2401 S ERVAY ST | NUNNELEY BARBARA D |
| 46 | 2401 S ERVAY ST | COHEN STEWART |
| 47 | 2401 S ERVAY ST | COHEN STEWART |