

FILE NUMBER: Z189-317(AM)

DATE FILED: July 24, 2019

LOCATION: Northeast corner of Meandering Way and Interstate Highway 635
[Lyndon B. Johnson Freeway]

COUNCIL DISTRICT: 11

MAPSCO: 16 N

SIZE OF REQUEST: ± 2.6219 acres

CENSUS TRACT: 136.10

REPRESENTATIVE: Dallas Cothrum, Masterplan Consultants

APPLICANT/OWNER: Roger Lawler

REQUEST: An application for the renewal of Specific Use Permit No. 1454 for a detached non-premise sign use on property zoned MU-1(SAH) Mixed Use (Standard Affordable Housing) District with existing deed restrictions [Z934-241 and Z112-277].

SUMMARY: The purpose of the request is to maintain the existing detached non-premise sign on the property.

CPC RECOMMENDATION: Approval for a five-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a ten-year period, subject to conditions.

BACKGROUND INFORMATION:

- The ±2.62-acre area of request is zoned an MU-1(SAH) District with SUP No. 1454 for a detached non-premise sign and existing deed restrictions [Z934-214 and Z112-277].
- Deed restrictions Z934-241 were volunteered in conjunction with a request for an MU-1 (SAH) District which was approved by City Council on September 14, 1994 and limit the following:
 1. No buildings permitted within 65 feet of the north property line.
 2. No vehicular ingress to or egress from the property is permitted from Meandering Way or the alley north of the property.
 3. Require a minimum three-foot solid screening along Meandering Way which must be provided prior to an application for a Certificate of Occupancy.
 4. Require minimum six-foot solid fence along the north property line prior to an application for a Certificate of Occupancy.
 5. Prohibit the following uses: Auto service center, car wash, commercial amusement (inside), commercial amusement (outside), motor vehicle fueling station, food store 3,500 square feet or less, pawn shop, restaurant with drive-in or drive-through service, swap or buy shop, theater, post office, and radio, television, or microwave tower.
 6. No detached signs permitted except within 65 feet of the right-of-way line of LBJ freeway and not exceeding 36 feet in height.
 7. No attached illuminated signs are permitted on the north façade of any building.
 8. No attached illuminated signs are permitted on the west façade of any building at a height greater than 15 feet.
 9. No attached signs shall extend above the top of the façade on which it is attached.
- Deed restrictions Z112-277 amended deed restrictions Z934-241 modifying restrictions number 1, 2, and 5 of the original restrictions.
- The site is currently undeveloped except for the existing detached non-premise sign. The sign is a double-faced, 672-square-foot detached non-premise sign.
- On September 26, 2001, City Council approved SUP No. 1454 for a detached non-premise sign for a ten-year period.
- On October 10, 2011, the City Council approved the renewal of SUP No. 1454 for an additional eight-year period. [Expiration date: October 10, 2019].
- It is unclear when the sign was originally installed, but it was relocated to its present location in 2002. According to Building Inspections' records, the original sign was removed under Demolition Permit No. 0209241061 and issued a new permit under Sign Permit No. 0209061046.

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- The purpose of the request is to renew SUP No. 1454. No changes are being proposed to the site plan, and the existing detached non-premise sign will be maintained in its present location and condition.

Zoning History: There has been one zoning change request in the vicinity within the last five years.

1. **Z156-174:** On August 10, 2016, the City Council approved the termination of Specific Use Permit No. 67 for a community building and church recreational area use and approved Specific Use Permit No. 2204 for a private school use on property located at the northwest corner off Interstate Highway 635 [Lyndon B. Johnson Freeway] and Blossomheath Lane, east of the area of request.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Required ROW
Meandering Way	Community Collector	65 ft.	56 ft.
IH-635 (LBJ Freeway)	Interstate Highway	variable	-

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN:

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

There are no goals or policies that support or oppose this request.

Surrounding land uses:

The table below indicate the zoning and land uses of the properties surrounding the area of request.

	Zoning	Land Use
Site	MU-1(SAH); SUP 1454; Z934-241, Z112-277	Undeveloped ; Detached Non-Premise Sign
North	D(A)	Duplex
South	MU-3	Freeway; Hotel
East	R-7.5(A); SUP 2204	Church ; Private School
West	MF-2(A)	Multifamily

Land Use Compatibility:

The subject site is currently undeveloped apart from the detached non-premise sign. The request seeks to renew SUP 1454 and maintain the existing detached non-premise sign with no changes proposed to its location.

Uses surrounding the area of request are residential uses to the north and west including duplex uses and multifamily respectively. A church use and a private school use are located to the east, and a hotel use is to the south across LBJ Freeway. The detached non-premise sign has not adversely impacted the surrounding land uses since it was installed on the property in 2002, Staff does not consider the use would prove to be detrimental in the future for the residential and intuitional uses abutting the site. Furthermore, the non-premise detached sign complies with the regulations in Article VII of the Development Code and with the existing deed restrictions that establish that no detached sign is permitted except within 65 feet of the right-of-way line of LBJ Freeway and shall not exceed 36 feet in height.

The applicant’s request to renew SUP No.1454 is also appropriate in the context of its proximity to a major freeway (IH-635; LBJ Fwy.).

The general provisions for a Specific Use Permit in §51A-4.219 of the Dallas Development Code 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 zoning regulations and standards

Staff is supportive of granting the request to renew SUP No. 1454 for a detached non-premise sign as it has complied with the conditions set forth from its granting, continued operations in good standing, and has followed the standards set forth in the conditions.

Parking:

No parking is required for this use, per Dallas Development Code §51A-4.206(3).

Landscaping:

Landscaping will be provided per Article X of the Dallas Development Code, as amended.

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 to orange, representing the weakest markets. The area of request is not within an identifiable MVA Category, however it is in proximity to a "C" MVA cluster to the west and north.

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List of Partners/Principals/Officers

RL Trust
Roger Lawler; Sole Trustee

**CPC Action
November 21, 2019**

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1454 for a detached non-premise sign use for a five-year period, subject to conditions on property zoned MU-1(SAH) Mixed Use-1 (Standard Affordable Housing) District with existing deed restrictions [Z934-241 and Z112-277], on the northeast corner of Meandering Way and Interstate Highway 635 [Lyndon B. Johnson Freeway].

Maker: Schultz
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - MacGregor, Johnson, Shidid, Carpenter,
Brinson, Blair, Jung, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 2 - Hampton, Housewright
Vacancy: 1 - District 3

Notices: Area: 300 Mailed: 20
Replies: For: 0 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

City Plan Commission Approved SUP Conditions

1. USE: The only use authorized by this specific use permit is a detached non-premise sign.
2. SITE PLAN: Use and development of the Property must comply with attached site plan.

CPC Recommendation:

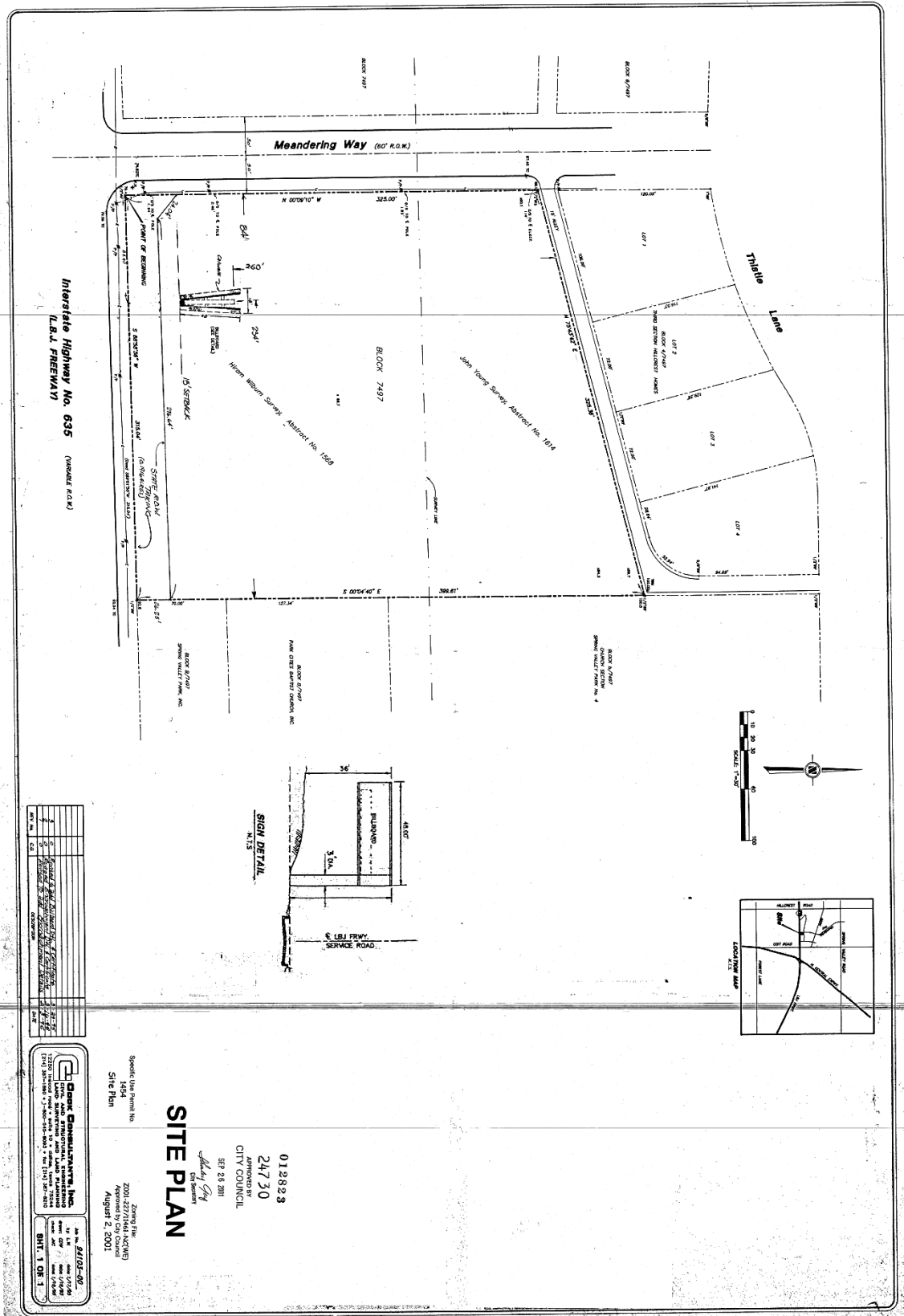
3. TIME LIMIT: This specific use permit automatically terminates on ~~October 10, 2019~~ [five-years from the passage of this ordinance].

Staff's recommendation

3. TIME LIMIT: This specific use permit automatically terminates on ~~October 10, 2019~~ [ten-years from the passage of this ordinance].

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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.

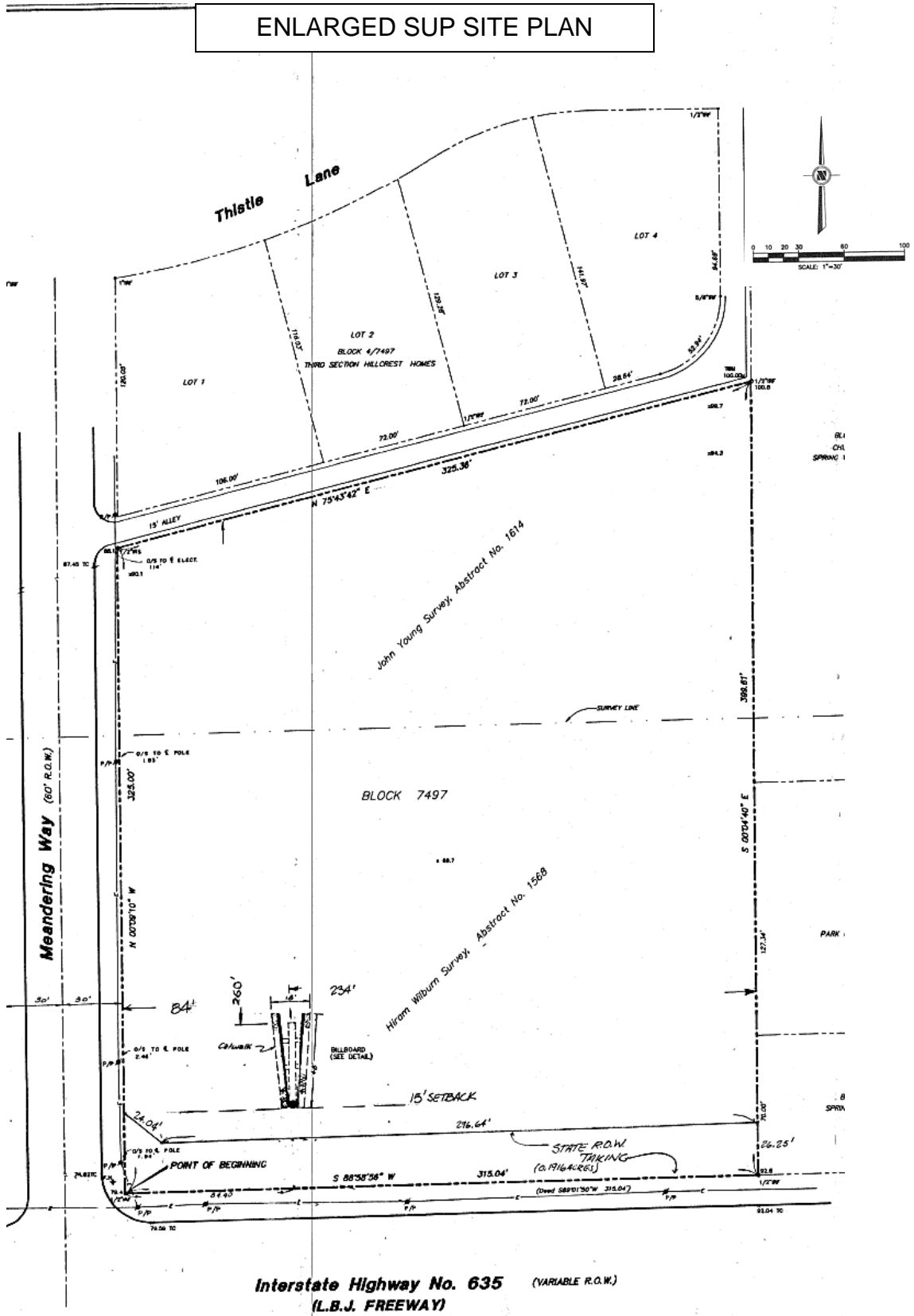
EXISTING SUP SITE PLAN (NO CHANGES)

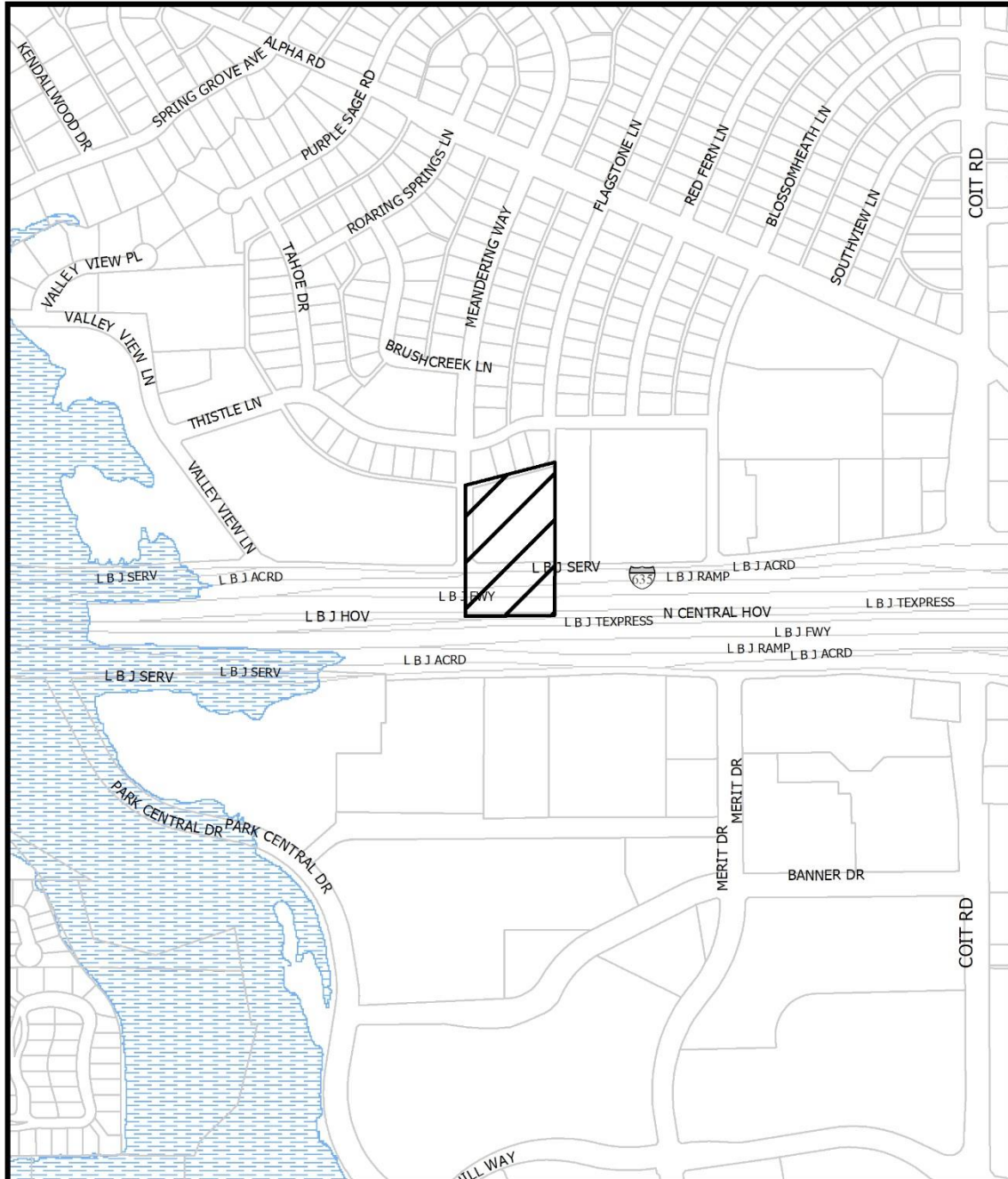


NO.	DATE	DESCRIPTION
1	08/02/01	PRELIMINARY SITE PLAN
2	08/02/01	FINAL SITE PLAN
3	08/02/01	AS BUILT

CONK CONSULTANTS, INC.
 1454
 Site Plan
 Zoning File: Z189-317(AM) (AM)
 Approved by: August 2, 2001
 Scale: 1/8" = 1'-0"

SITE PLAN
 0128228
 24730
 APPROVED BY
 CITY COUNCIL
 SET 28 2001



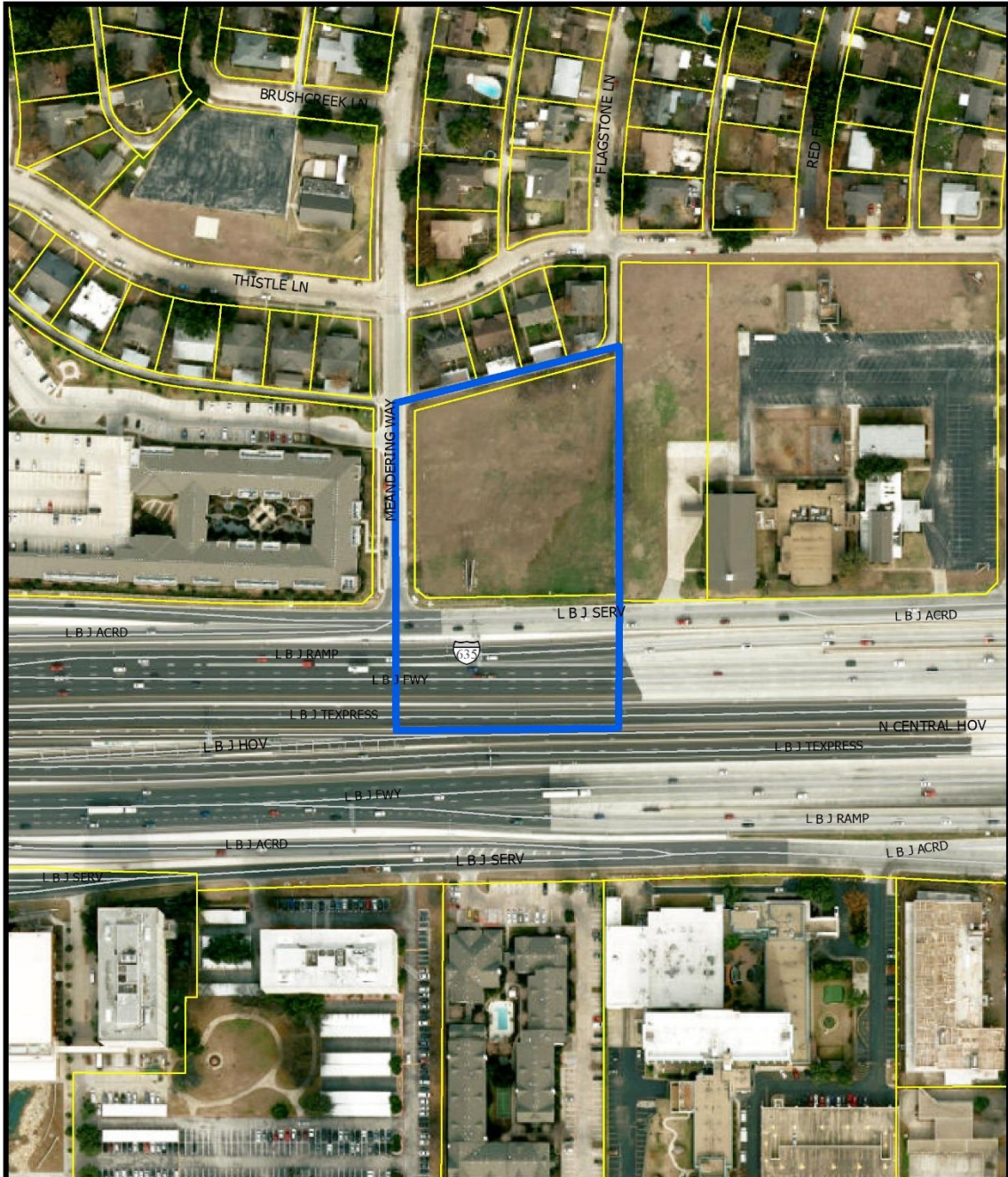



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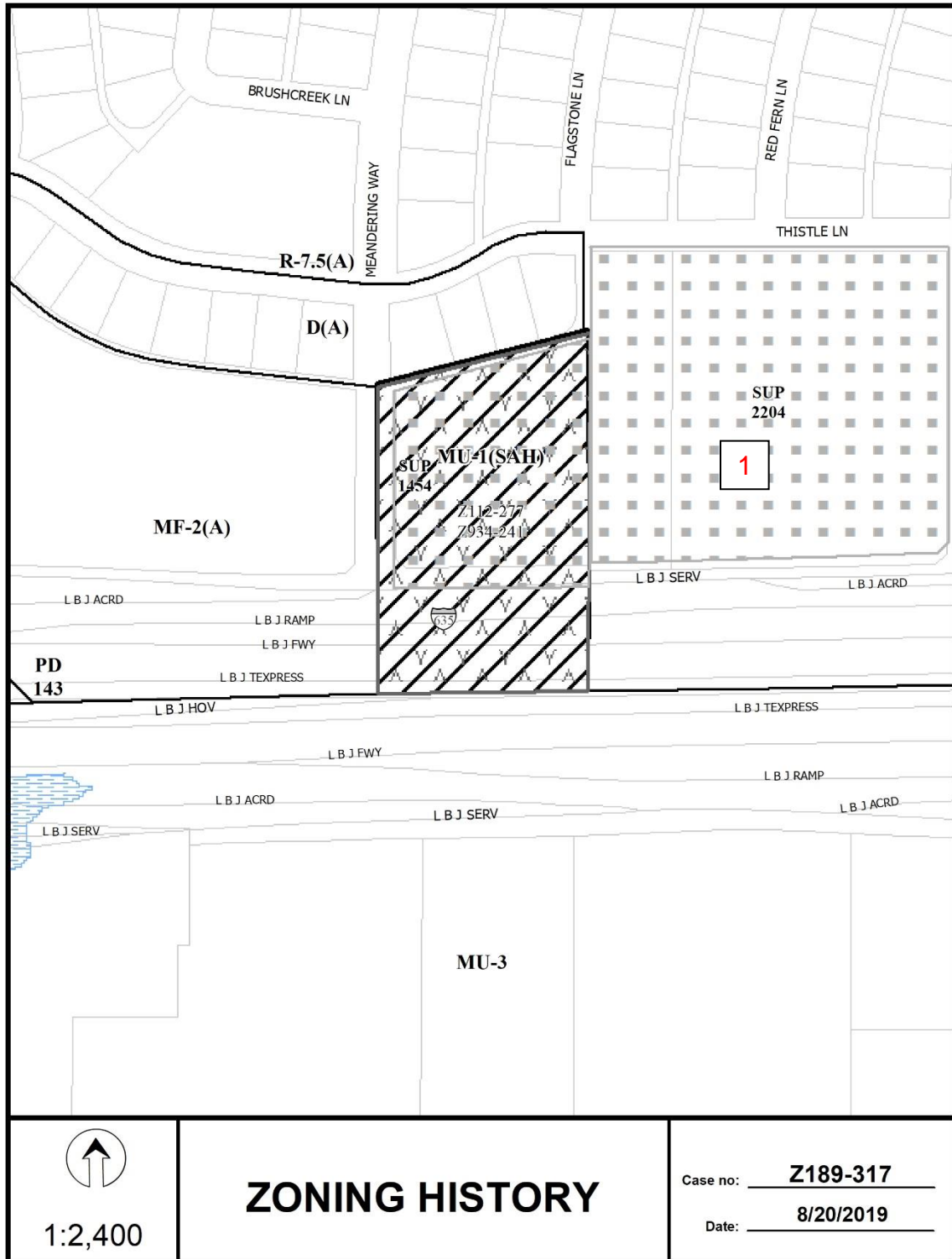
VICINITY MAP

Case no: Z189-317

Date: 8/20/2019



 1:2,400	<h1>AERIAL MAP</h1>	Case no: <u> Z189-317 </u> Date: <u> 8/20/2019 </u>
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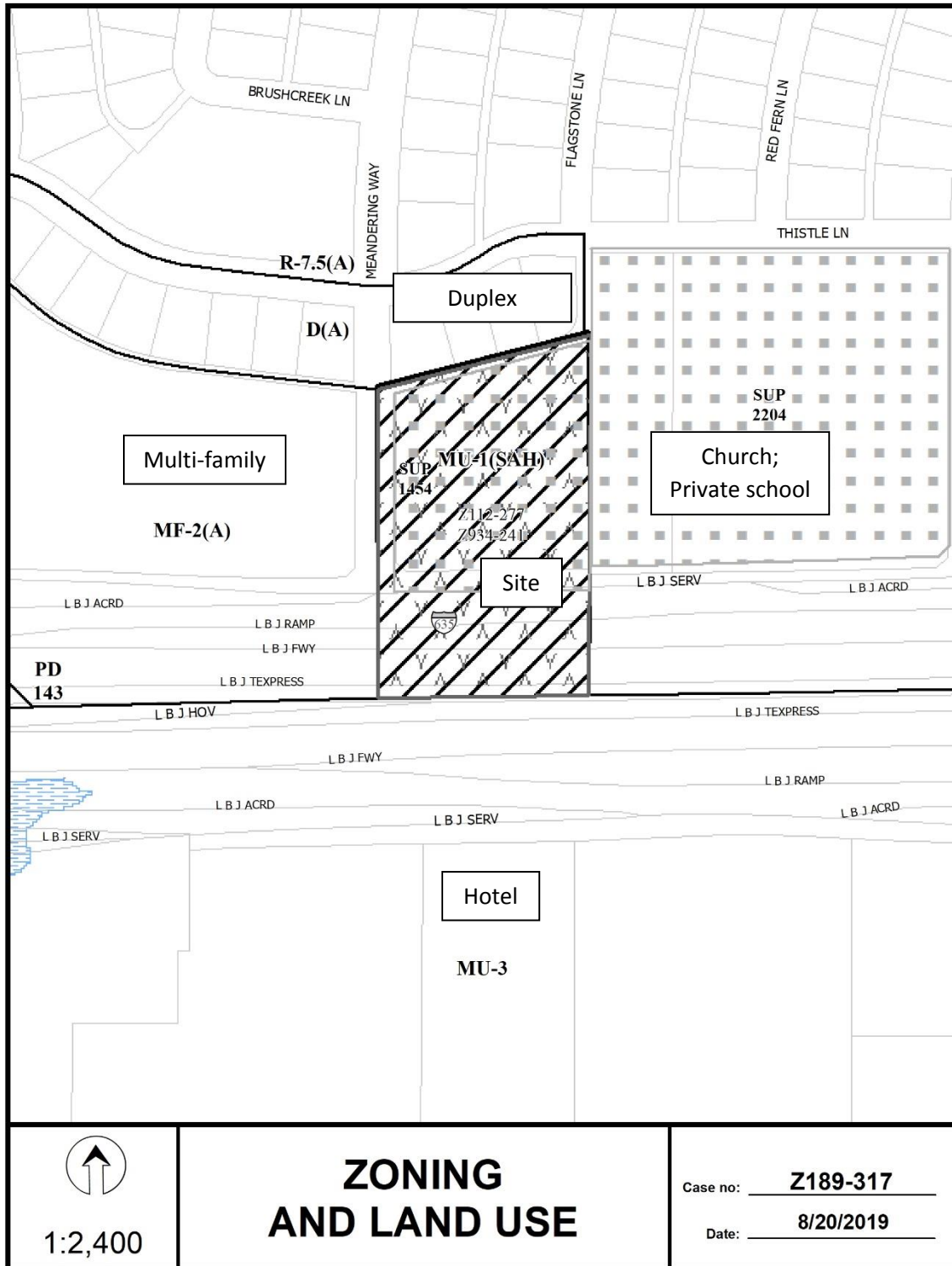


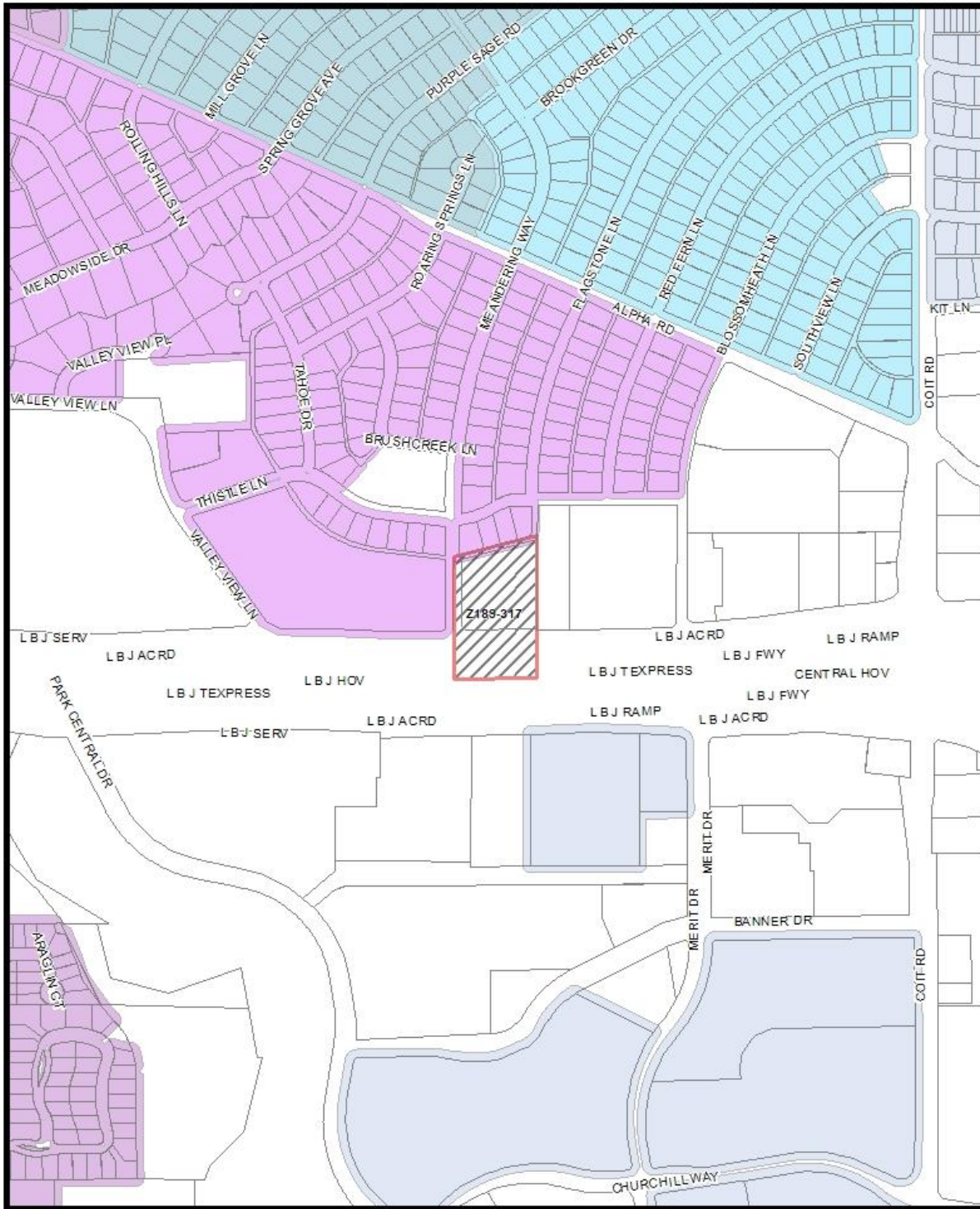
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ZONING HISTORY

Case no: Z189-317

Date: 8/20/2019





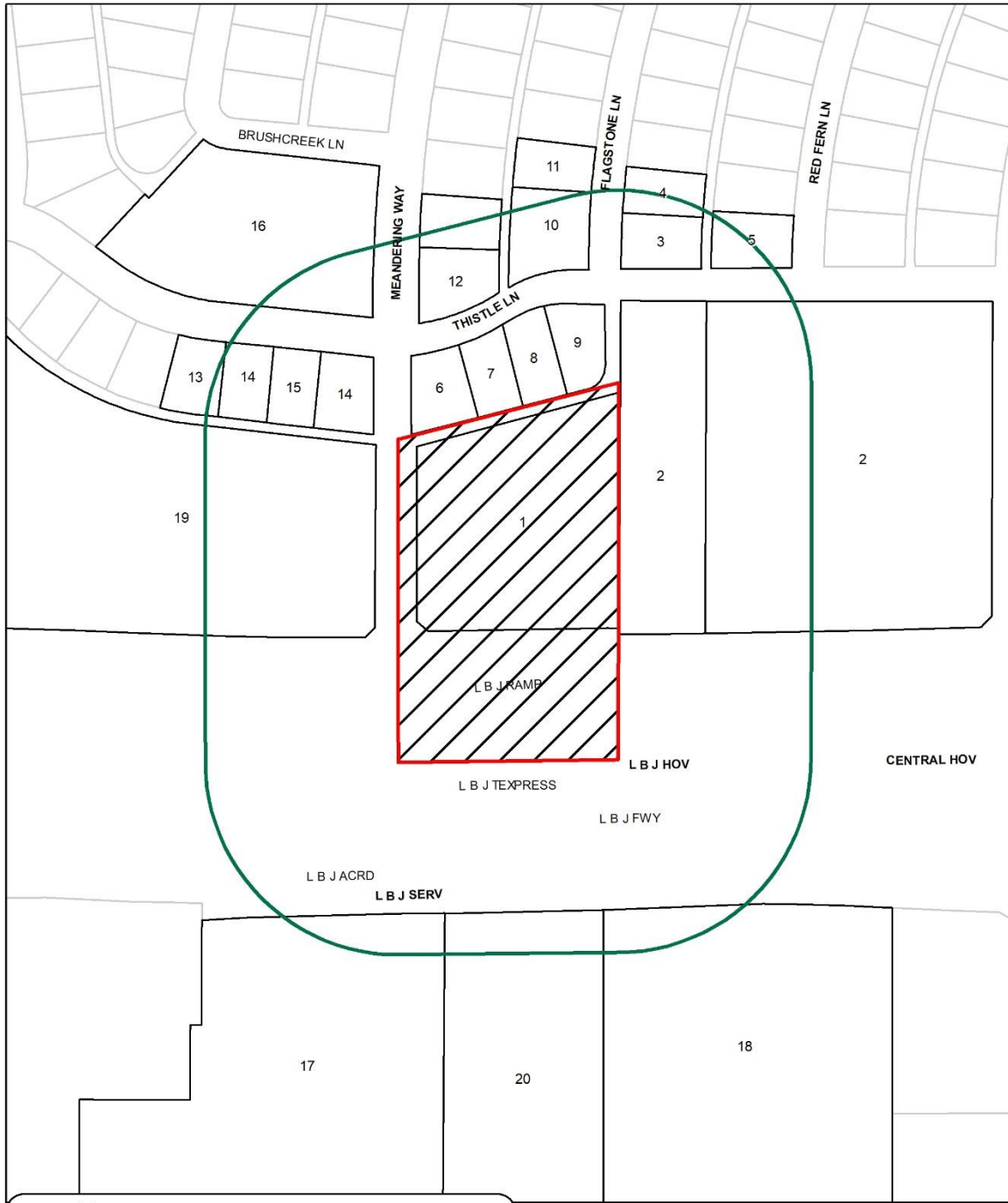
MVAC Cluster A B C D E F G H I NA



Market Value Analysis

Printed Date: 8/20/2019

CPC RESPONSES



<u>20</u>	Property Owners Notified (23 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>11/21/2019</u>	Date

Z189-317
CPC



1:2,400

11/20/2019

Reply List of Property Owners***Z189-317******20 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply Label #</i>	<i>Address</i>	<i>Owner</i>
1	7701 LBJ FWY	LAWLER RL TRUST
2	7775 LBJ FWY	PARK CENTRAL BAPTIST CHURCH
3	13106 FLAGSTONE LN	ARIZ JOAQUIN P
4	13112 FLAGSTONE LN	AGUILERA MAURICIO
5	13105 RED FERN LN	MORGULOFF KAREN &
6	7606 THISTLE LN	FRAZIN LORRAINE
7	7612 THISTLE LN	ZAFAR SHADMAN
8	7616 THISTLE LN	HAQUE NAYEEM & KELCEY
9	7622 THISTLE LN	CARTER JEFFREY A &
10	13111 FLAGSTONE LN	TESSEMMA TADESSE &
11	13117 FLAGSTONE LN	GALLEGOS JOSEFINA
12	13084 MEANDERING WAY	MURY MOHAMMAD R
13	7552 THISTLE LN	BAJ LAND & TITLE CO INC
14	7560 THISTLE LN	GONSKY SHARON
15	7570 THISTLE LN	HELLER DOROTHY C
16	13093 MEANDERING WAY	CHURCH IN DALLAS THE
17	7616 LBJ FWY	WATERMARK COMMUNITY CHURCH
18	7750 LBJ FWY	NIC 17 WINDSOR OWNER LLC
19	7373 VALLEY VIEW LN	CITY NORTH LLC
20	7642 LBJ FWY	IHP DALLAS TX OWNER LLC