

HONORABLE MAYOR AND CITY COUNCIL

WEDNESDAY, JANUARY 13, 2021

ACM: Dr. Eric A. Johnson

FILE NUMBER: Z190-173(PD)

DATE FILED: December 3, 2019

LOCATION: East side of North Westmoreland Road, northwest of Fort Worth Avenue

COUNCIL DISTRICT: 1

MAPSCO: 43 X

SIZE OF REQUEST: ± 0.98 acres

CENSUS TRACT: 69.00

REPRESENTATIVE: Rob Baldwin, Baldwin Planning

OWNER/APPLICANT: Pro Quick Lube

REQUEST: An application for a Specific Use Permit for an auto service center on property zoned Subdistrict 5 within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District.

SUMMARY: The purpose of this request is to allow the construction of an approximately 2,876-square-foot addition for a total 4,493-square-foot structure to operate an auto service center use.

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

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

BACKGROUND INFORMATION:

- Planned Development District No. 714 was approved by City Council on February 23, 2005. The PD consists of five subdistricts for mixed use districts balanced with residential, multifamily, and retail uses. Additionally, PD No. 714 requires compliance of Architectural Design Standards for all new construction.
- The PD allows an auto service center use in Subdistrict 5 only by a Specific Use Permit.
- On August 12, 2020, the City Council remanded the request to the City Plan Commission to increase the area of request. The original request encompassed an approximately 0.5578-acre undeveloped request site. The request also sought to allow the construction of an approximately 2,745 square foot structure to operate an auto service center use.
- As remanded, the request seeks to enlarge the area of request to 0.98 acres of land, construct a slightly large structure for a 2,876-square foot addition to an existing 1,617-square-foot existing structure for a total 4,493-square foot structure to operate a larger auto service center use.
- The Dallas Development Code defines an auto service center use as a facility for the servicing or minor mechanical repair of motor vehicles. The use may include the retail sale of lubricant oils, tires, or parts for use in motor vehicles. This use does not include as its primary function the disassembly, rebuilding, and replacement of motor vehicle engines, transmissions, or other major machinery components, nor auto body repair or painting.

Zoning History: There have been no recent zoning change requests within the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
N. Westmoreland Road	Principal Arterial	100 ft.
Fort Worth Avenue	Principal Arterial	100 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed request will not have a negative impact on the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	Subdistrict 5 w/in PD No. 714	Undeveloped
North	Subdistrict 5 w/in PD No. 714 w/ DR 834-417	Shopping Center, Surface parking lot
East	Subdistrict 5 w/in PD No. 714	Shopping Center
South	Subdistrict 5 w/in PD No. 714	Retail & personal service
West	RR, IR, SUP No. 1457 Subarea E w/in PD No. 811	Undeveloped & Electric Substation

STAFF ANALYSIS:

Comprehensive Plan:

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

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements would encourage people to walk.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

Land Use Compatibility:

Developments in the immediate area, both north and south of the Fort Worth Avenue alignment through this part of PD No. 714, have begun to transition the area by providing residential options, both multifamily and single family dwellings.

In creating the vision for PD No. 714, various subdistricts were created to establish a basis for the balance of development and the co-existence with the built environment along the corridor. Subdistrict 5 envisioned to be a mixed-use subdistrict that balances residential, commercial and retail uses. New development should strengthen the existing residential neighborhoods and help to create a pedestrian-friendly environment. Buildings should have minimum or no setbacks. However, the area of request is not within a residential neighborhood. Rather the request site lies within the Kessler Hills Shopping Center with adjacency to a surface parking lot that serves the shopping center to the north, undeveloped tracts and an electric substation to the west, and retail and personal service uses to the south.

The architectural design standards in PD No. 714 are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. The development patterns and architecture along the corridor reflect pioneer settlements; the Great Depression; mid-20th century Americana; and post-World War II automobile, nightclub, and restaurant culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance. While the floor plan and elevations are not required with submittal of this request, the applicant provided these plans to ensure compliance which staff verified.

The area of request is zoned Subdistrict 5 within PD No. 714 and is currently developed with an approximately 1,617-square-foot, one-story auto service center use. The proposed plan intends to provide for a one-story addition, totaling approximately 2,876 square feet, fronting along the North Westmoreland Road frontage. The attached site plan has been provided by the applicant to show the relationship of the existing and proposed development across the property.

The site is surrounded by a mix of uses, heavily influenced by office and retail along the Fort Worth Avenue alignment through this area with scattered development seen along North Westmoreland Road.

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 request does appear to have an adverse impact on the surrounding zoning and land uses.

The applicant's request for a Specific Use Permit for an auto service center is consistent with the provisions for granting a SUP and with the non-residential uses along N. Westmoreland Road. Staff recommends approval of the request due to the compatibility of the use and its minimal impact to the surrounding area. However, due to North Westmoreland being a gateway corridor from downtown and the PD's vision for new development to strengthen the existing residential neighborhoods and help create a pedestrian-friendly environment, staff recommends a five-year time period, to re-evaluate the use once fully constructed and enlarged to ensure that the impact remains minimal to the surrounding area. Additionally, staff believes that regulating the hours of operation between the hours of 8:00 a.m. and 7:00 p.m., Monday through Saturday will ensure compatibility with the residential developments to the north and south as well as maintain consistency with the hours of operation for the shopping center use to the east.

Parking:

The off-street parking requirements for an auto service center in PD No. 714, are in accordance with the Dallas Development Code, as amended. At a parking ratio of one space for each 500 square feet of floor area, the proposed 4,493-square-foot auto service center will require nine spaces, as depicted in the proposed site plan, 21 spaces will be provided with two bicycle spaces.

Landscaping:

Landscaping of any development is required to comply with Sec.51P-714.114.

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 site is not within an identifiable MVA Category.

List of Partners/Principals/Officers

Pro Quick Lube

Ibrahim Ballout, President

CPC ACTION
November 5, 2020

Motion: It was moved to recommend **approval** of a Specific Use Permit for an auto service center for a five-year period, subject to a site plan and conditions on property zoned Subdistrict 5 within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the east side of North Westmoreland Road, northwest of Fort Worth Avenue.

Maker: MacGregor
Second: Carpenter
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Jung, Myers,
Suhler, Murphy, Garcia, Rubin

Against: 0
Absent: 2 - Blair, Schwope
Vacancy: 0

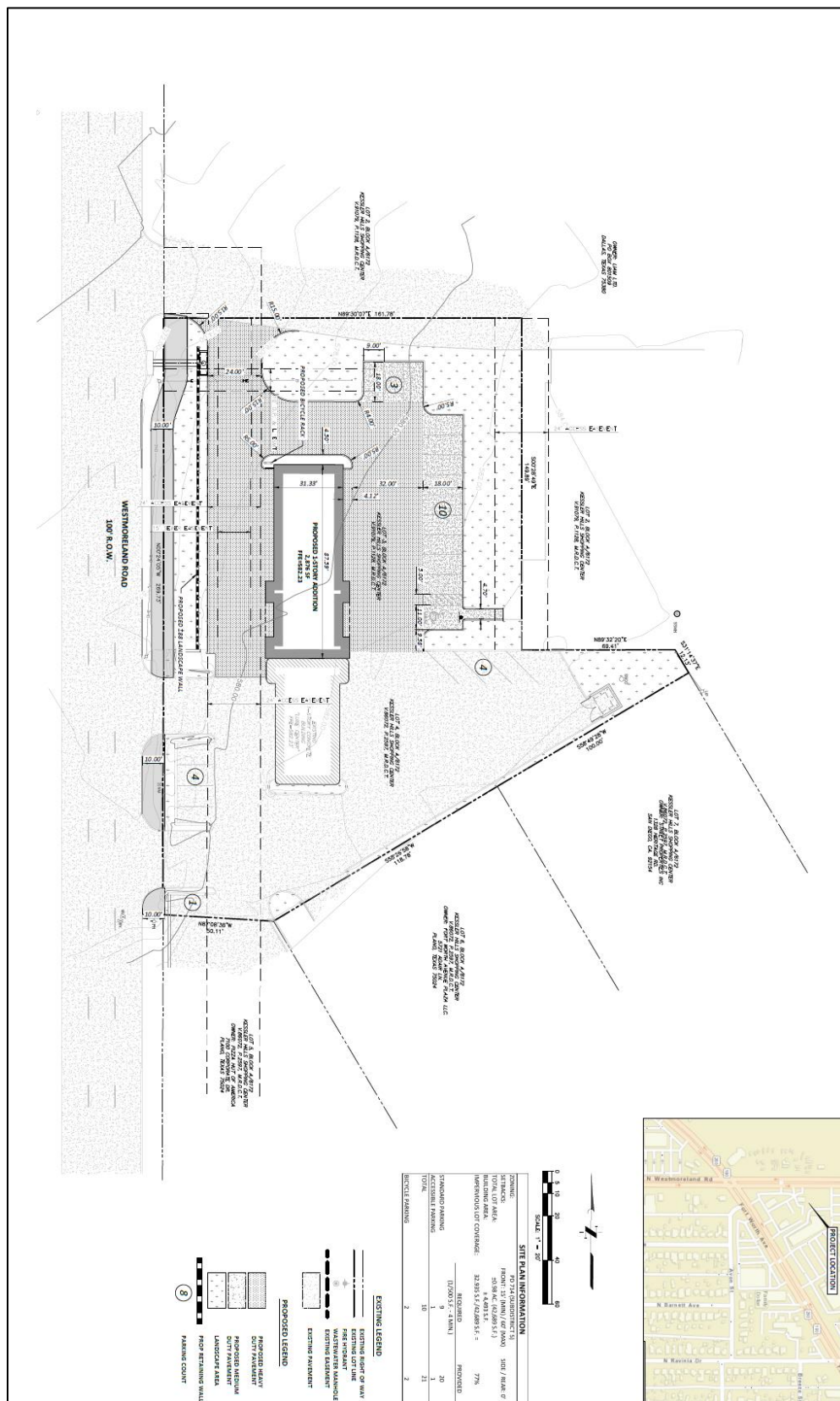
Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

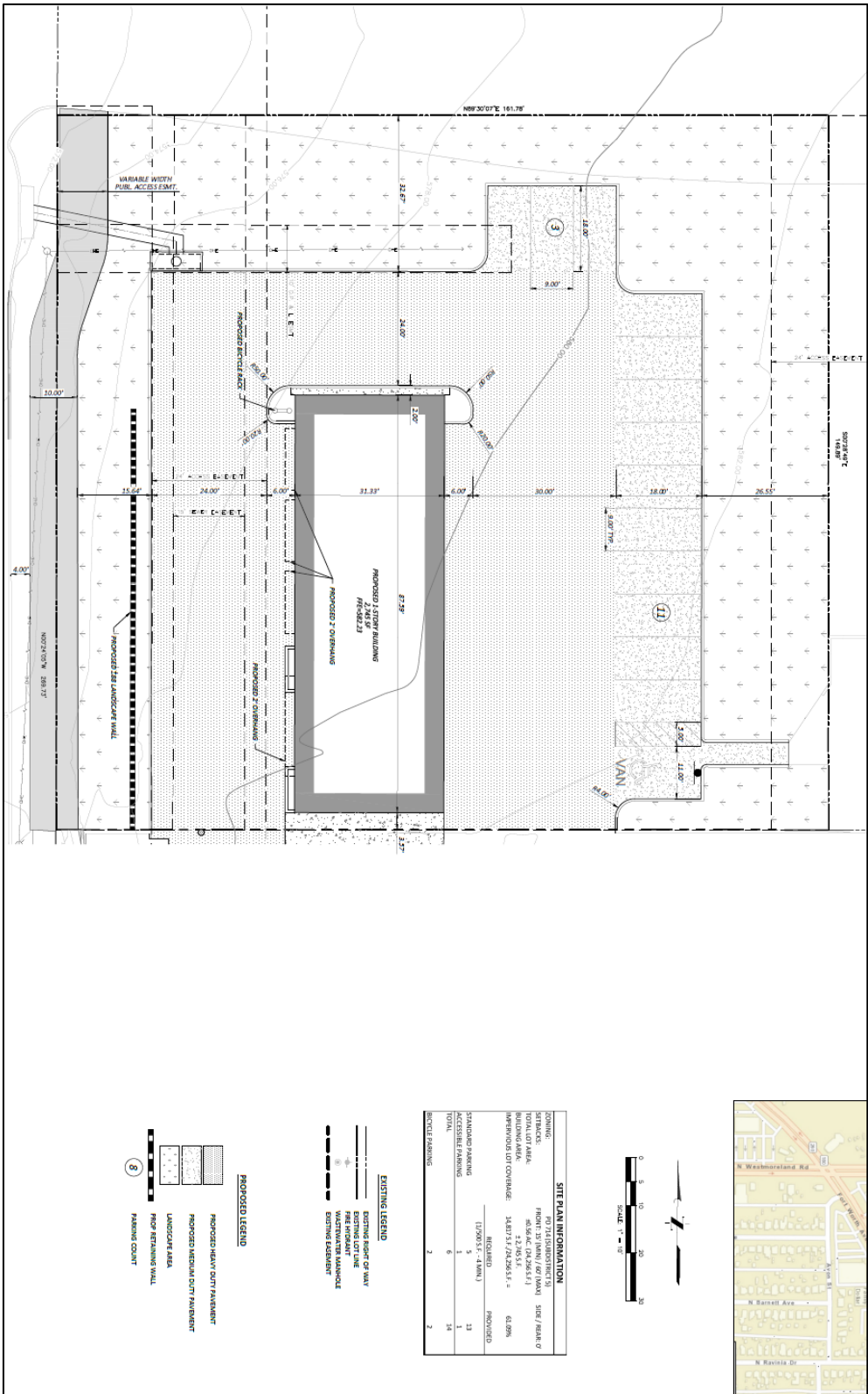
CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an auto service center use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a _____ (five-year period).
4. HOURS OF OPERATION: The auto service center may only operate between 8:00 a.m. and 7:00 p.m., Monday through Saturday.
5. MAXIMUM FLOOR AREA: The maximum floor area is 4,493 square feet.
6. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
7. 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.

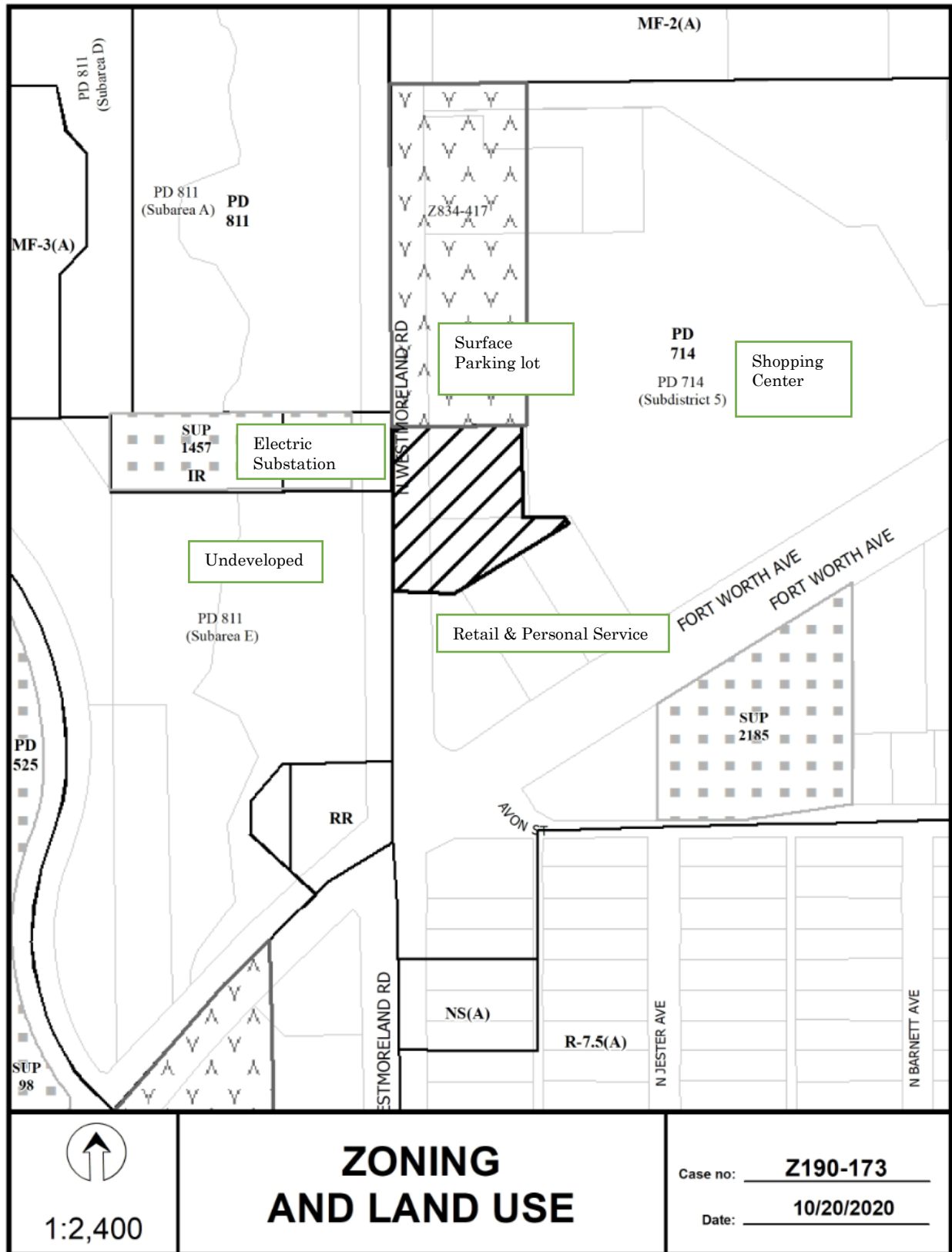
PROPOSED SITE PLAN

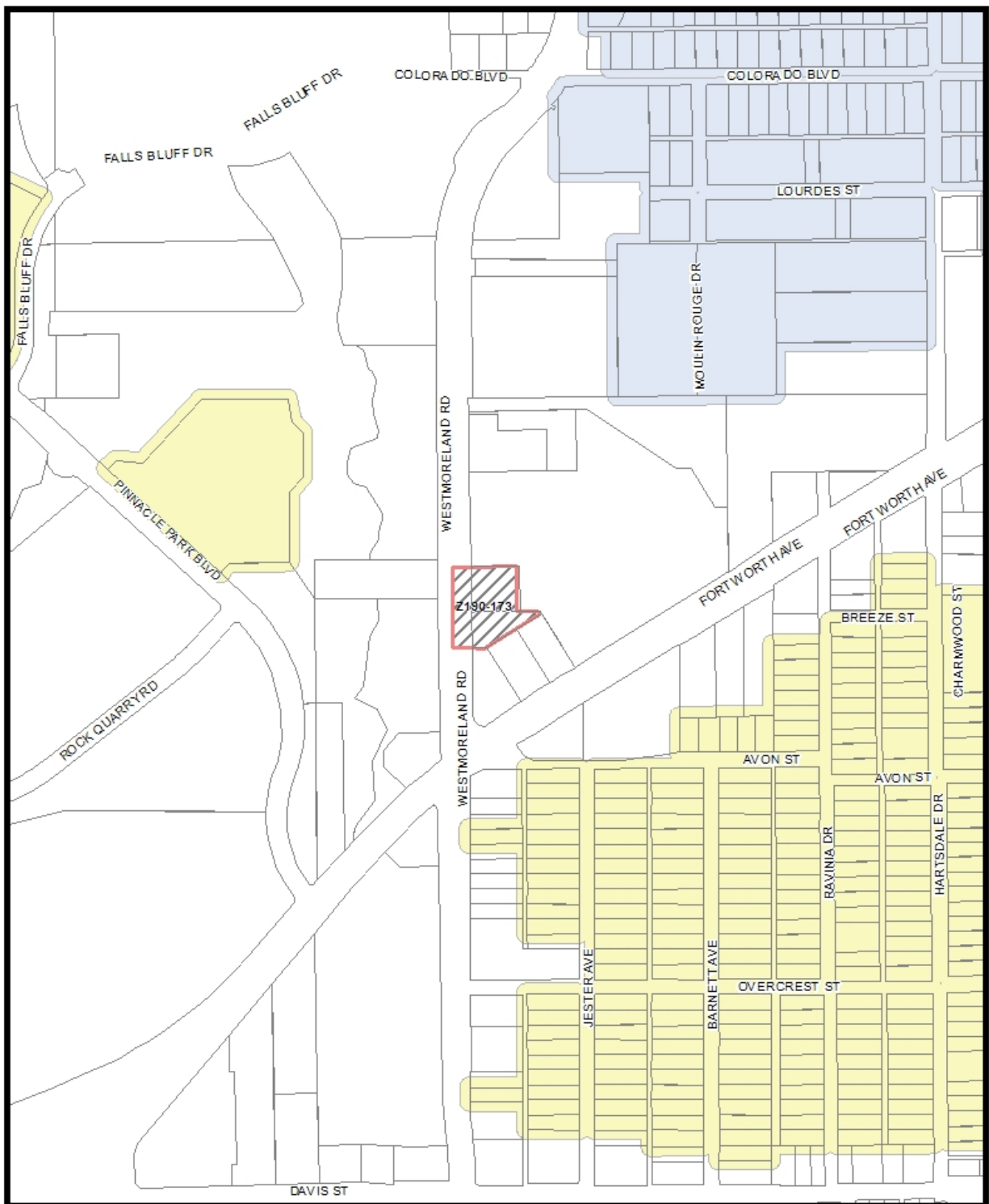


PREVIOUSLY PROPOSED SITE PLAN









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

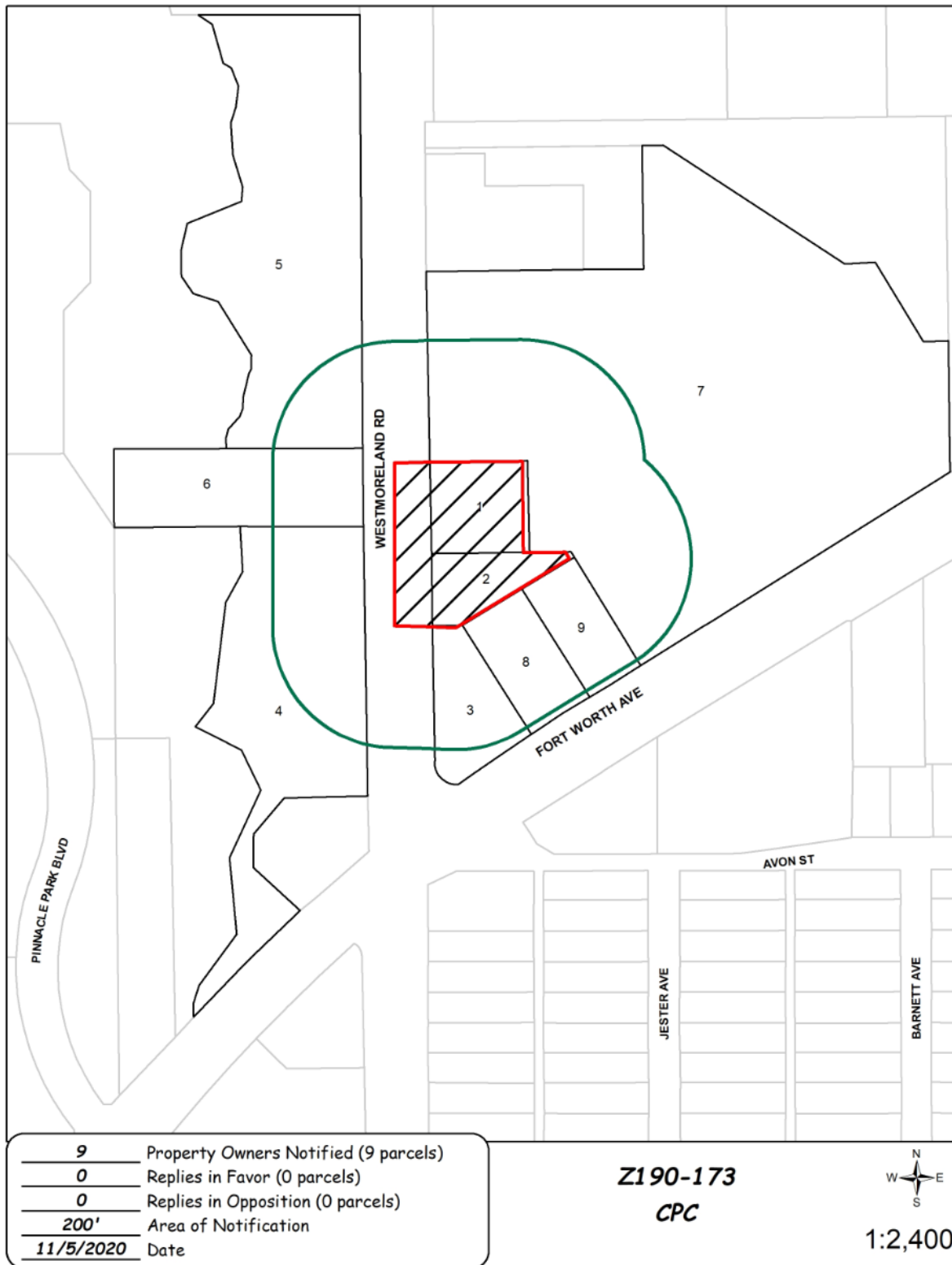


1:4,800

Market Value Analysis

Printed Date: 10/20/2020

CPC RESPONSES



11/04/2020

Reply List of Property Owners***Z190-173******9 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	1030	N WESTMORELAND RD	PRO QUICK LUBE
2	1020	N WESTMORELAND RD	PRO QUICK LUBE LLC
3	3233	FORT WORTH AVE	EQUITY TRUST COMPANY CUSTODIAN
4	3319	FORT WORTH AVE	SLF III THE CANYON IN OAK CLIFF LP
5	1135	N WESTMORELAND RD	ADBRITAIN REALTY LLC
6	1045	N WESTMORELAND RD	ONCOR ELECRTCIC DELIVERY COMPANY
7	1050	N WESTMORELAND RD	LIAM LTD
8	3225	FORT WORTH AVE	FORT WORTH AVENUE PLAZA LLC
9	3223	FORT WORTH AVE	STREET PROPERTIES INC