
FILE NUMBER: Z189-249(AM) **DATE FILED:** April 22, 2019
LOCATION: West corner of Chalk Hill Road and Fitchburg Street
COUNCIL DISTRICT: 6 **MAPSCO:** 42 Q
SIZE OF REQUEST: ± 0.33 acres **CENSUS TRACT:** 106.02

OWNER/APPLICANT: Gamaliel Albarran, sole owner

REPRESENTATIVE: Erin Scherer; Michael R. Coker Co., Inc.

REQUEST: An application for an amendment to and renewal of Specific Use Permit No. 1750 for commercial motor vehicle parking use on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to allow for the continuation of a commercial motor vehicle parking use and to modify the site plan to allow for the reconfiguration of the motor vehicle parking stalls.

CPC RECOMMENDATION: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The site has operated with a commercial motor vehicle parking use under SUP No. 1750 since August 22, 2009. City Council initially approved SUP No. 1750 for a two-year period with automatic renewals for additional two-year periods.
- On August 28, 2013, City Council approved a renewal of SUP No. 1750 for a two-year period with an expiry date of August 28, 2015
- On August 26, 2015, City Council approved a renewal of SUP No. 1750 for a two-year period, subject to revised conditions, and with an expiry date of August 25, 2017. Revised conditions included limiting the types of vehicles allowed to be stored, and the requirement that an automatic security gate be installed.
- On April 26, 2017, City Council approved a renewal of SUP No. 1750 for a two-year period with an expiry date of August 27, 2019.
- The applicant requests to amend the existing site plan to better accommodate existing market conditions for their business, and to bring the site plan into compliance. Changes being made to the site include reconfiguring the parking stall layout; and including language for tandem use of parking stalls.

Zoning History:

There have been no zoning cases within proximity of the subject site within a five-year time period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
Chalk Hill Road	Collector	100 feet
Fitchburg Street	Local	50 feet

Land Use:

Area	Zoning	Land Use
Site	CS Commercial Service ; SUP No.1750	Commercial Motor Vehicle Parking
North	CS Commercial Service	Single Family, Outside Storage
East	IM Industrial Manufacturing	Outside Storage; Building Repair & Maintenance Shop; & Personal Service
South	IM Industrial Manufacturing	Auto Service Center
West	R-5(A) Single Family Residential	Single Family

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.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.1 Use Vision Building Blocks as a general guide for desired development patters

The Plan identifies the request site as being located in an Industrial Building Block. The commercial parking lot currently provides a service which supports the industrial uses within the neighboring area. Many large or service trucks are stored on-site and in relation to surrounding industrial operations. The Industrial Building Block typically occupies large areas of land near rail roads. These blocks usually include large amounts of surface parking for cars and trucks. This request is characteristic of the Industrial Building Block.

STAFF ANALYSIS

Land Use Compatibility:

A CS Commercial Service District lists Commercial Motor Vehicle Parking (CMVP) under the Retail and Personal Service use category. Commercial Motor Vehicle Parking is listed as a by-right use with the requirement that a Specific Use Permit (SUP) be obtained if the use is within 500 feet of a residential district. An R-5(A) Single Family District is directly adjacent to the rear of the property triggering the requirement for an SUP.

Although lots to the rear of the property are zoned for Single Family the block face abutting Chalk Hill Road is entirely zoned CS Commercial Service. Additionally, the east line of Chalk Hill Road serves as the demarcating border for built out Industrial Manufacturing uses, which are found east and directly south of the property.

The existing use has operated as CMVP on the subject site for approximately a decade with adjacency to the residential area. The SUP has conditions which will help to mitigate any potential negative impacts the site may have on abutting residences. These conditions include limiting the types and number of commercial vehicles permitted at the site; restricting the use of outdoor speakers; requiring screening; and including an automatic security gate along the ingress/egress point found on Chalk Hill Road. The revised site plan is being requested to reflect revised site and business conditions. The primary differences requested are changes to the vehicle parking count (tandem parking is now clearly stated) and the size and location of vehicle stalls. Overall the site will now include 16 parking stalls, with 13 of these being tandem stalls. Dallas Development Code §51A-4.210(8.1) Commercial Motor Vehicle parking states there is no requirement for off-street parking or loading. The proposed amendments to the site plan/existing use would not, in aggregate, detrimentally affect the abutting residential or commercial/industrial uses which are found today.

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

For all the above reasons, staff is supportive of granting the request.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

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 an “F” MVA Cluster to the north and west.

Landscaping:

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

CPC Action
September 5, 2019

Motion: It was moved to recommend **approval** of an amendment to and renewal of Specific Use Permit No. 1750 for commercial motor vehicle parking for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised site plan and revised conditions (as briefed) on property zoned a CS Commercial Service District, generally on the west corner of Chalk Hill Road and Fitchburg Street.

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Criss
Vacancy: 2 - District 8, District 12

Notices: Area: 200 Mailed: 14
Replies: For: 2 Against: 0

Speakers: None

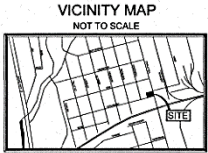
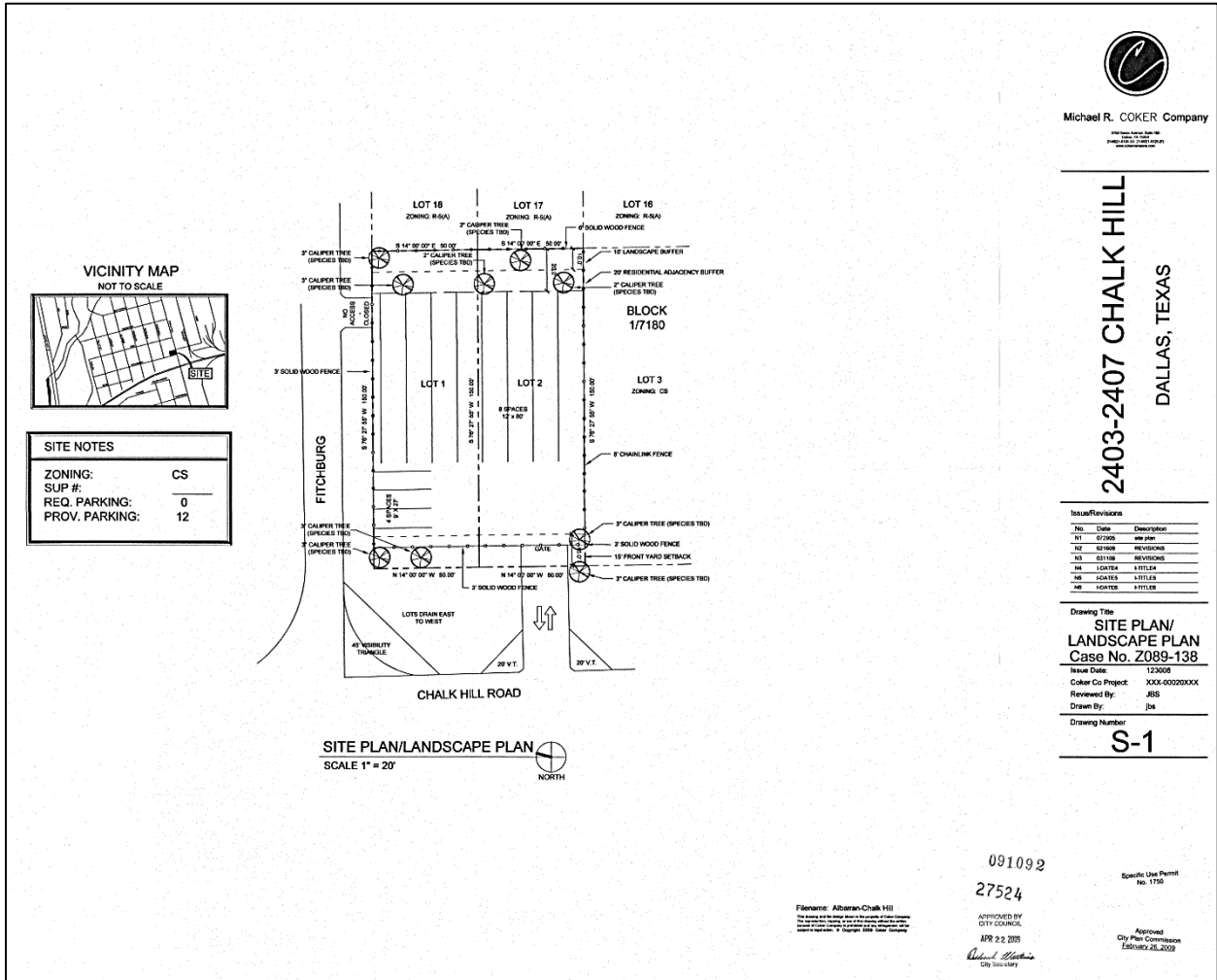
CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is commercial motor vehicle parking.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.
3. TIME LIMIT: This specific use permit expires on ~~August 27, 2019~~. two-years from the passage of this ordinance), but is eligible for automatic renewal for additional two-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. COMMERCIAL VEHICLES: The only commercial vehicles allowed to park on the Property are dump trucks and tractors. Trailers, buses, and vehicles longer than 30 feet are prohibited.
6. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress and egress is permitted.
7. OUTDOOR LOUDSPEAKERS: Outdoor loudspeakers are prohibited.
8. PARKING: ~~Thirteen~~ Eight commercial motor vehicle parking spaces and three off-street parking spaces must be located as shown on the attached site plan/landscape plan.
9. REFRIGERATION UNITS: Trailers with refrigeration units are prohibited.
10. SCREENING: A six-foot-high solid fence must be provided in the location shown on the attached site plan/landscape plan.
11. SECURITY GATE: An automatic gate must be installed and located on Chalk Hill Road for ingress and egress as shown on the attached site plan.
12. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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13. 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



SITE NOTES

ZONING:	CS
SUP #:	
REQ. PARKING:	0
PROV. PARKING:	12



Michael R. COKER Company

2403-2407 CHALK HILL
DALLAS, TEXAS

Issue/Revisions

No.	Date	Description
01	07/20/05	ISSUE PLAN
02	07/20/05	REVISIONS
03	08/10/05	REVISIONS
04	10/24/04	TITLE#4
05	10/24/04	TITLE#5
06	10/24/04	TITLE#6

Drawing Title:
**SITE PLAN/
LANDSCAPE PLAN**
Case No. Z089-138
Issue Date: 12/20/08
Coker Co Project: XXX-0020XXXX
Reviewed By: JBS
Drawn By: jbs

Drawing Number:
S-1

SITE PLAN/LANDSCAPE PLAN
SCALE 1" = 20'



091092
27524

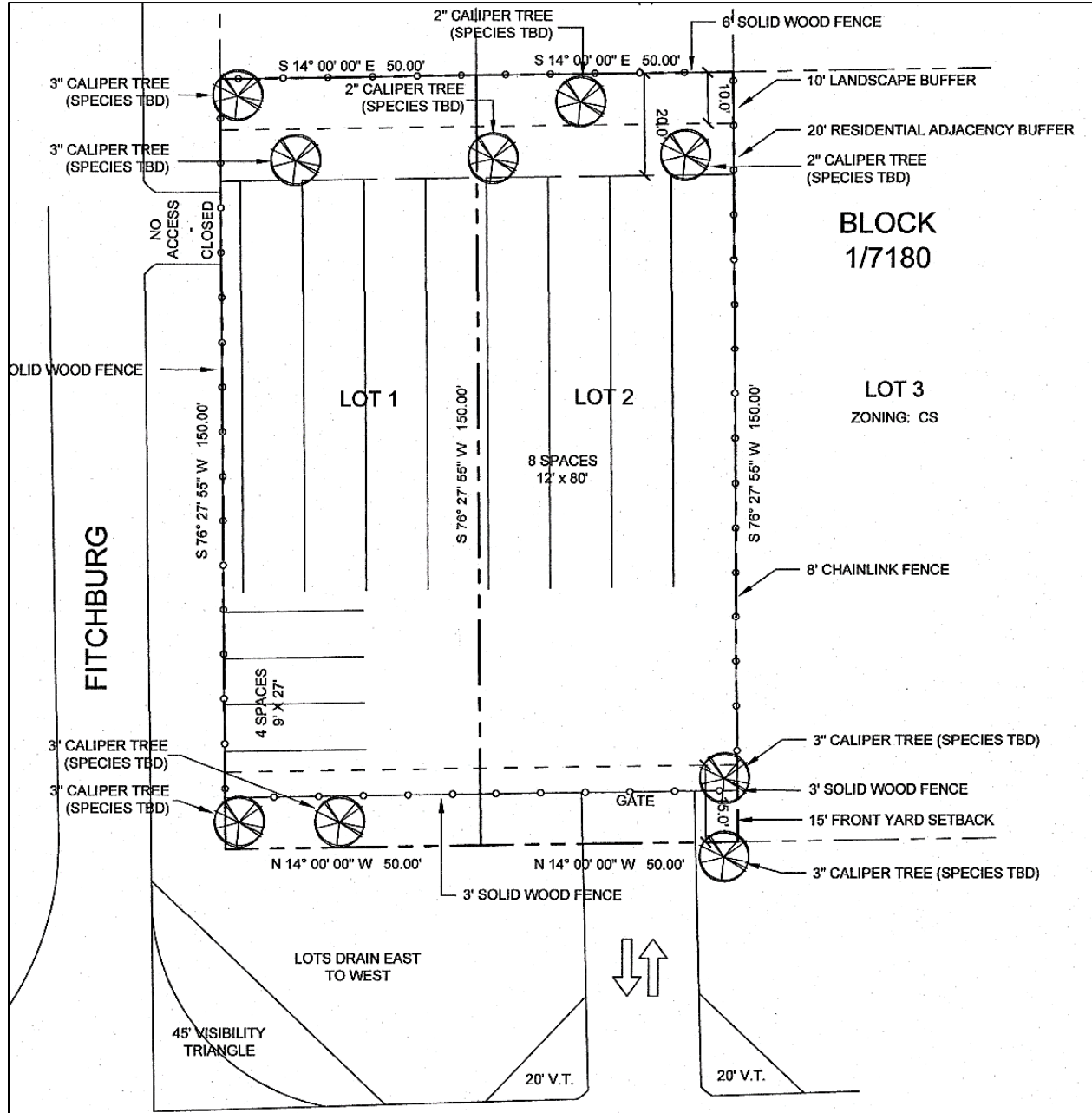
File name: Alberman-Chalk Hill
City Council Approval: [Signature]

APPROVED BY
CITY COUNCIL
APR 22 2009
[Signature]

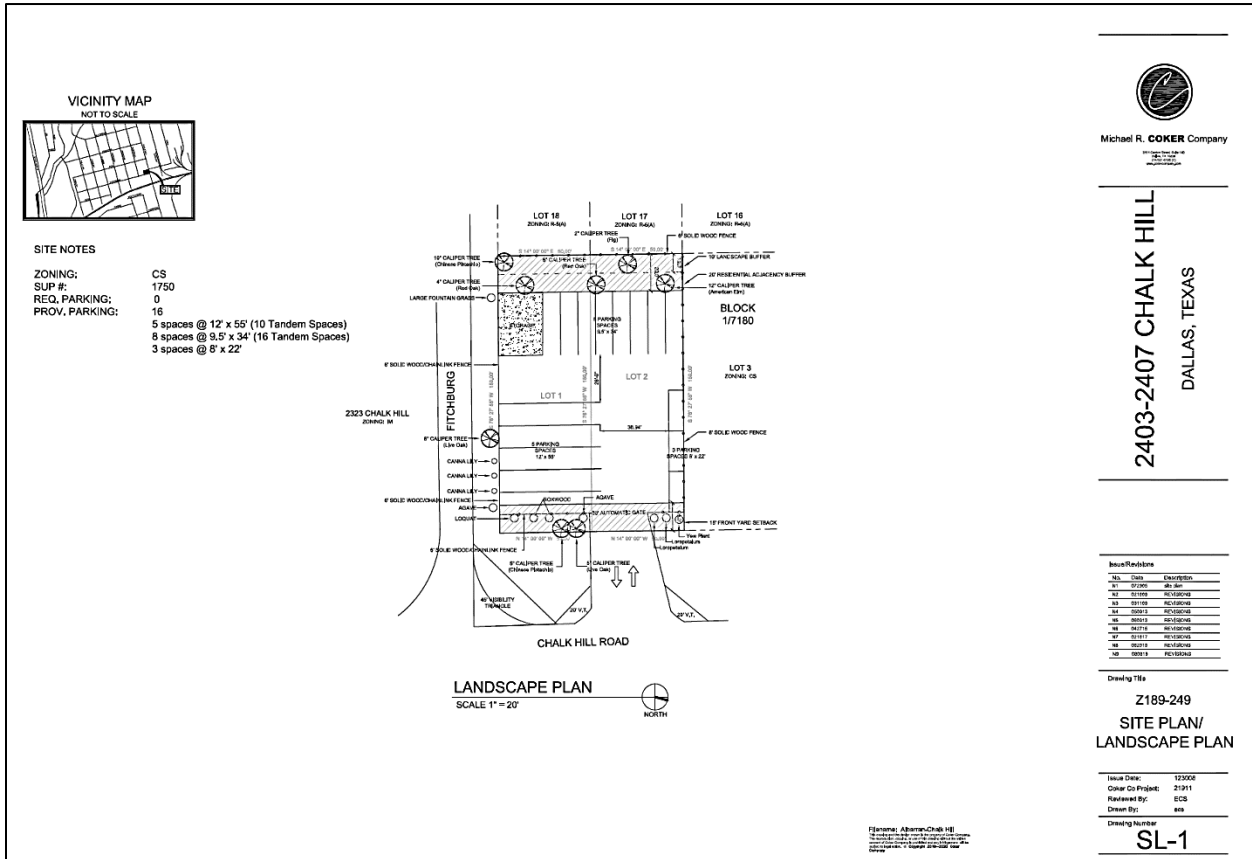
Specific Use Permit
No. 1750

Approved
City Plan Commission
12/20/08 ZL-2009

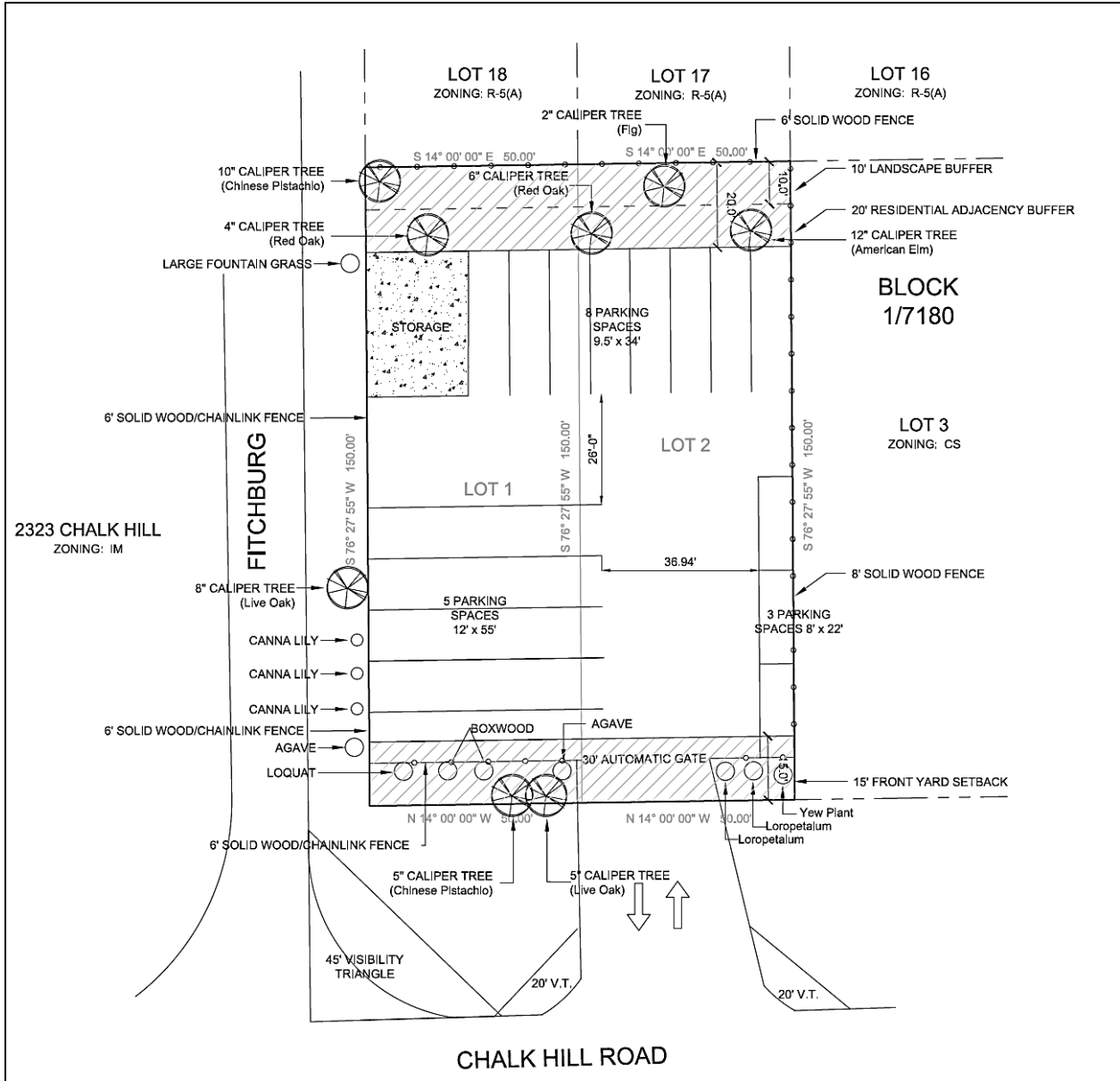
Existing SUP Site Plan - Enlarged



CPC Recommended SUP Site Plan



CPC Recommended SUP Site Plan - Enlarged





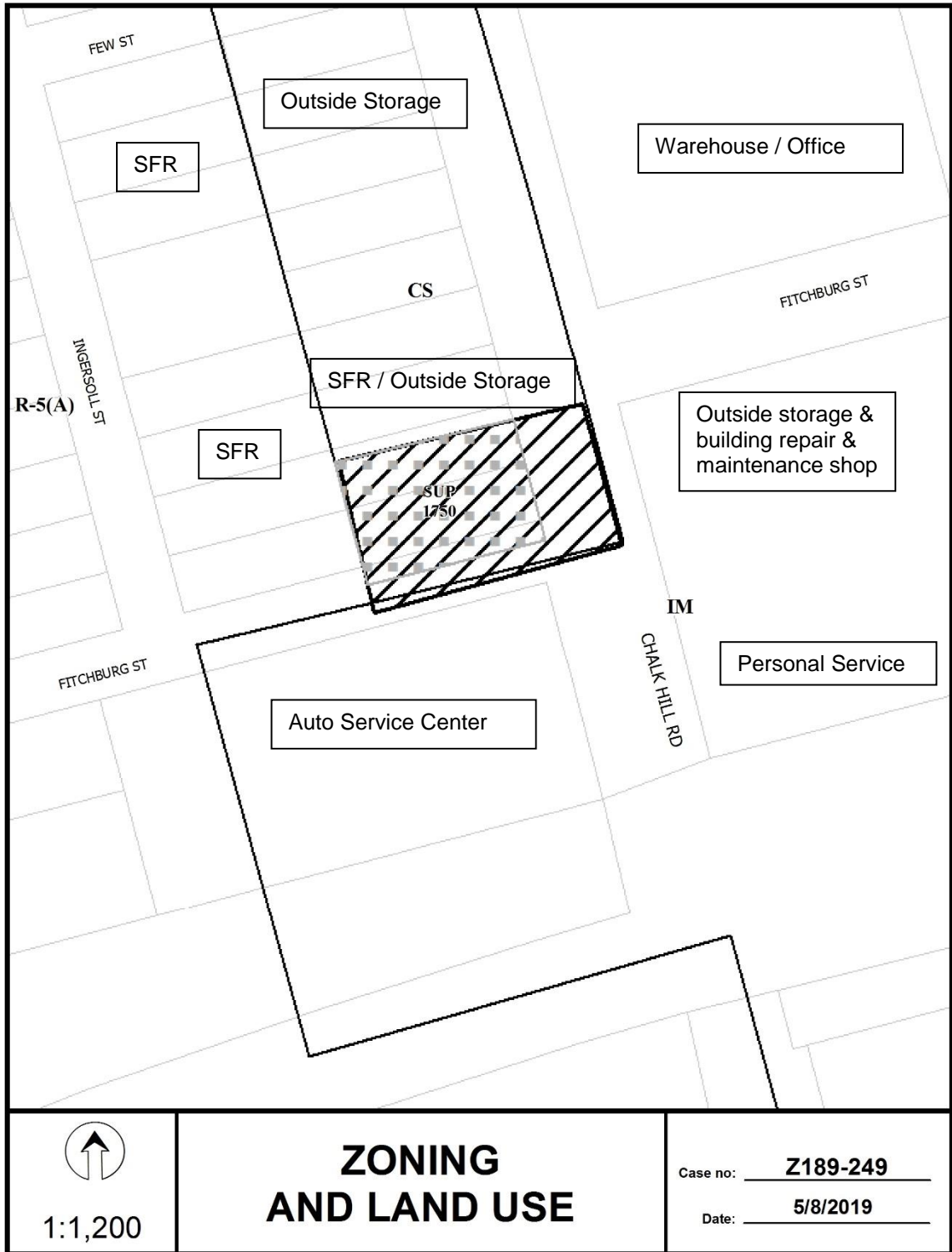


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AERIAL MAP

Case no: Z189-249

Date: 5/8/2019



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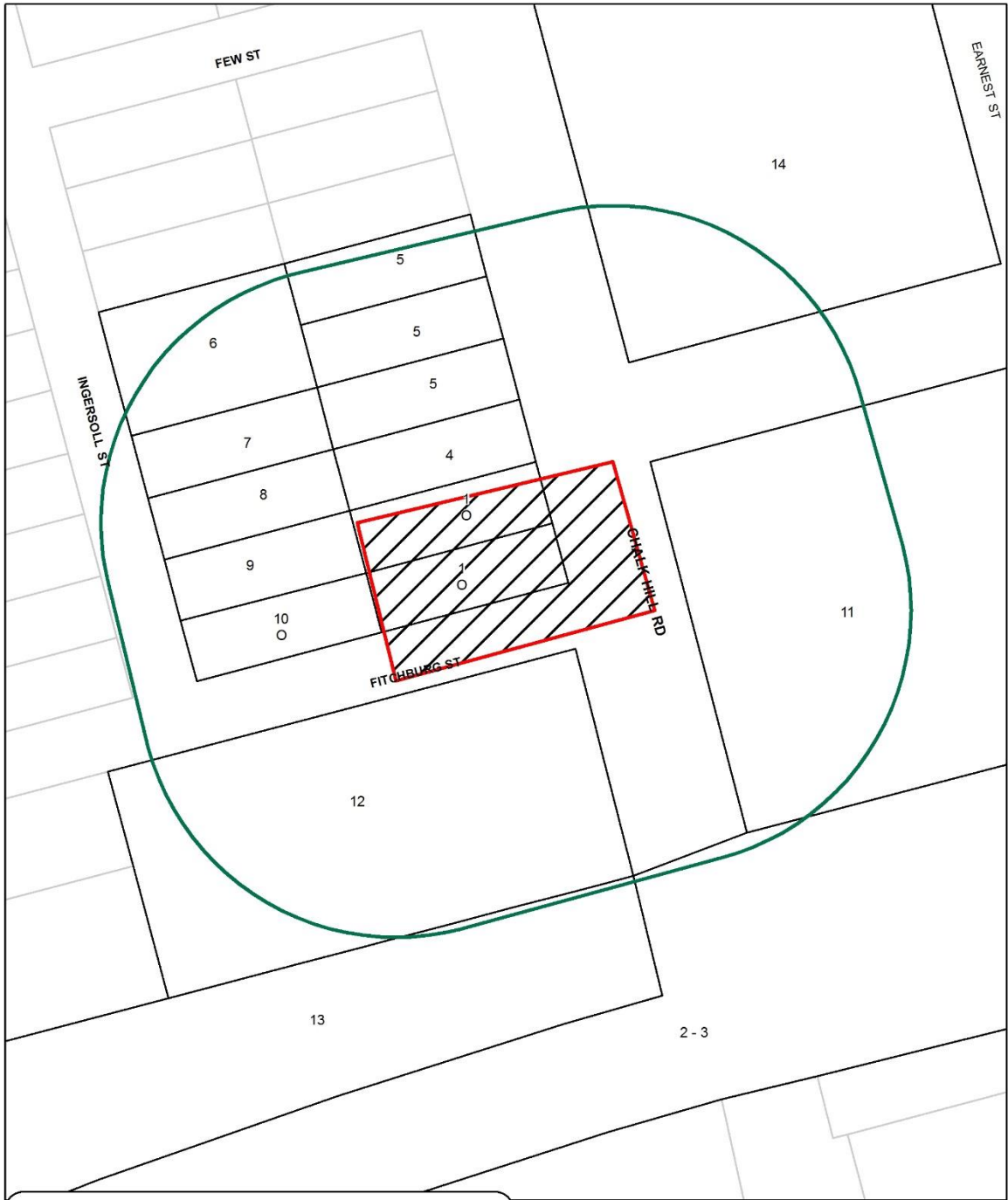
MVA Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 5/8/2019

CPC RESPONSES



<u>14</u>	Property Owners Notified (16 parcels)
<u>2</u>	Replies in Favor (3 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>9/5/2019</u>	Date

Z189-249
CPC



1:1,200

Z189-249(AM)

09/04/2019

Reply List of Property Owners

Z189-249

14 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	2403 CHALK HILL RD	ALBARRAN GAMALIEL SR
	2	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
	3	9999 NO NAME ST	UNION PACIFIC RR CO
	4	2411 N CHALK HILL DR	IBARRA JOSE JUAN
	5	2415 CHALK HILL RD	GARCIA ROQUE & ROSALBA
	6	2418 INGERSOLL ST	HERNANDEZ ANTONIO JR
	7	2414 INGERSOLL ST	GONZALEZ SALLY B
	8	2410 INGERSOLL ST	LARA ALEJANDRO
	9	2406 INGERSOLL ST	GARFIAS MARIA L & JOSAFAT
O	10	2402 INGERSOLL ST	ALBARRAN CONRADO J
	11	2414 CHALK HILL DR	BENITEZ FREDIS & MARGARITA
	12	2323 CHALK HILL RD	A TRUCK EXPRESS INC
	13	5401 FANNIE ST	MISSOURI PACIFIC RR CO
	14	2518 CHALK HILL DR	FOUR L CAPITAL LTD