

**HONORABLE MAYOR & CITY COUNCIL**

**WEDNESDAY, AUGUST 28, 2024**

**ACM: Robin Bentley**

**FILE NUMBER:** Z234-159(LG)

**DATE FILED:** January 22, 2024

**LOCATION:** West line of South Westmoreland Road, between Sheldon Avenue and West Jefferson Boulevard

**COUNCIL DISTRICT:** 1

**SIZE OF REQUEST:** Approx. 30,090 sq. ft.

**CENSUS TRACT:** 48113006702

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**REPRESENTATIVE/  
APPLICANT:**

Mike Arreguin

**OWNER:**

Bella Medspa & Aesthetics, LLC

**REQUEST:**

An application for an NS(A) Neighborhood Service District on property zoned Planned Development No. 532

**SUMMARY:**

The purpose of the request is to utilize the existing building for a personal service use

**STAFF RECOMMENDATION:** Approval.

**CPC Recommendation:** Approval.

**PLANNED DEVELOPMENT NO. 532:**

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=532>

**BACKGROUND INFORMATION:**

- The area of request is currently developed with a two-story structure.
- Planned Development No. 532 was established by the City Council on January 27, 1999. The PD allows R-7.5(A) Single Family District uses with a college dormitory, fraternity, or sorority house use by SUP.
- The applicant is proposing to utilize the existing building for a personal service use; therefore, they are requesting a NS(A) District. A personal service use is permitted under the NS(A) District.

**Zoning History:**

There has been one zoning case in the area in the last five years.

1. **Z212-238:** On April 12, 2023, the City Council approved SUP No. 2481 for a public school other than an open-enrollment charter school subject to a site plan, a traffic management plan, and conditions on property zoned an R-7.5(A) Single Family District and bounded by Raydell Place, Schooldell Drive, Ouida Avenue, and South Barnett Avenue.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
West Jefferson Boulevard	Principal Arterial	100 feet Bike Plan
South Westmoreland Road	Principal Arterial	100 feet Bike Plan
Sheldon Avenue	Local Street	--

**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 ANALYSIS:**

**Comprehensive Plan:**

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

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

**LAND USE ELEMENT**

**GOAL 1.1    ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

**ECONOMIC ELEMENT**

**GOAL 2.1    PROMOTE BALANCED GROWTH**

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

**GOAL 2.5    FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**URBAN DESIGN ELEMENT**

**GOAL 5.1    PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

**GOAL 5.2    STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.1** Maintain neighborhood scale and character.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Planned Development No. 532	Vacant structure
<b>North</b>	R-7.5(A) Single family and SUP No. 1139	Fire station (SUP) and single family
<b>East</b>	R-7.5(A) Single family	Single family
<b>South</b>	R-7.5(A) Single family	Church
<b>West</b>	R-7.5(A) Single family	Single family

**Land Use Compatibility:**

The area of request is currently developed with a vacant single-family structure. Properties to the north, east, and west are developed with single family uses under R-7.5(A) District. North of the site there is a fire station allowed by a permanent SUP. Properties to the south are developed with churches.

The applicant is proposing to utilize the existing structure for a personal service use. The existing zoning of PD No. 532 does not allow retail and personal service uses. They are requesting an NS(A) Neighborhood Service District. The NS(A) District allows nonresidential uses that are generally considered compatible with adjacent residential uses. This district is intended as a transitional district between residential areas and more intense commercial areas.

Staff supports the request because it will allow the applicant's proposed use of the site while ensuring that development will be compatible in scale and intensity of use with the adjacent residential uses. The proposed use may be considered compatible within the surrounding neighborhood since the site is located on a corner of two principal arterial streets. Finally, staff supports the addition of neighborhood-serving business in context with the neighborhood.

## Development Standards

Following is a comparison of the development standards of the current Planned Development No. 532 and the proposed NS(A) District.

District	Setback		Density	Height	Lot Cvrgr.	Special Standards
	Front	Side/Rear				
Existing: PD 532	Max. as shown on the development plan		Max. floor area: 3,632 sq. ft.	30 ft. No max. for stories	12%	
Proposed: NS(A)	15'	20' adj. to Rest OTHER: No. Min.	0.5 FAR Office 0.75 FAR Overall	35 ft. structure w/ gable, hip, or gambrel roof OTHER: 30 ft. 2 stories	60%	Proximity Slope Block Continuity

Although the applicant proposes to utilize the existing structure, the requested NS(A) District allows reduced setbacks, greater heights, and increased lot coverage. However, per Sec. 51A-4.401(a)(6), if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement. There are lots along Sheldon Avenue that are zoned an R-7.5(A) District; therefore, the 25-foot front yard of this district would be imposed on the proposed NS(A) District lot. Structures in an NS(A) District are subject to residential proximity slope restrictions, in this case it will be triggered by all surrounding R-7.5(A) properties, which impacts the additional height provided by the new zoning requested. This leaves the height at the existing 30-foot maximum. While the lot coverage would increase, the R-7.5(A) District allows up to 25 percent lot coverage for nonresidential uses and 45 percent for residential uses. The request is not excessive in consideration of the limitations placed by surrounding residential zoning on the height and setbacks, making for a more compact development, overall.

## Land Use Comparison

The NS(A) District allows nonresidential uses that are generally considered compatible with adjacent residential uses. This includes the following uses permitted by right: adult daycare facility; child-care facility; library, art gallery, or museum; medical clinic or ambulatory surgical center; financial institution without drive-in window; office; dry cleaning or laundry store; general merchandise or food store 3,500 square feet or less; and personal service use. A restaurant without drive-in or drive-through service is

permitted subject to residential adjacency review at permitting. The NS(A) District also allows some nonresidential uses by SUP including motor vehicle fueling station and post office. The following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

### LEGEND

	Use prohibited
•	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

	Existing	Proposed
Use	PD 532 R-7.5(A)	NS(A)
<b>AGRICULTURAL USES</b>		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>		
Building repair and maintenance shop		
Bus or rail transit vehicle maintenance or storage facility		
Catering service		
Commercial bus station and terminal		
Commercial cleaning or laundry plant		
Custom business services		
Custom woodworking, furniture construction, or repair		
Electronics service center		
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		

	Existing	Proposed
Use	PD 532 R-7.5(A)	NS(A)
<b>INDUSTRIAL USES</b>		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	★	★
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>		
Adult day care facility	S	•
Cemetery or mausoleum	S	S
Child-care facility	S	•
Church	•	•
College, university, or seminary	S	S
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery	S	•
Foster home	S	
Halfway house		
Hospital		
Library, art gallery, or museum	S	•
Open-enrollment charter school or private school	S	S
Public school other than an open-enrollment charter school	S	R
<b>LODGING USES</b>		
Extended stay hotel or motel		
Hotel or motel		
Lodging or boarding house		

	Existing	Proposed
Use	PD 532 R-7.5(A)	NS(A)
Overnight general purpose shelter		
<b>MISCELLANEOUS USES</b>		
Attached non-premise sign.		S
Carnival or circus (temporary)	★	★
Hazardous waste management facility		
Temporary construction or sales office	•	•
<b>OFFICE USES</b>		
Alternative financial establishment		
Financial institution without drive-in window		•
Financial institution with drive-in window		
Medical clinic or ambulatory surgical center		•
Office		•
<b>RECREATION USES</b>		
Country club with private membership	S	•
Private recreation center, club, or area	S	S
Public park, playground, or golf course	•	•
<b>RESIDENTIAL USES</b>		
College dormitory, fraternity, or sorority house	S	S
Duplex		
Group residential facility		
Handicapped group dwelling unit	★	
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		
Residential hotel		
Retirement housing		
Single family	•	
<b>RETAIL AND PERSONAL SERVICE USES</b>		
Alcoholic beverage establishments.		
Ambulance service		
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		
Business school		
Car wash		



	Existing	Proposed
Use	PD 532 R-7.5(A)	NS(A)
Commercial amusement (inside)		
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage		
Convenience store with drive-through		
Drive-In theater		
Dry cleaning or laundry store		•
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		
Household equipment and appliance repair		
Liquefied natural gas fueling station		
Liquor store		
Mortuary, funeral home, or commercial wedding chapel		
Motor vehicle fueling station		S
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop		
Pawn shop		
Personal service use		•
Restaurant without drive-in or drive-through service		R
Restaurant with drive-in or drive-through service		
Surface parking		
Swap or buy shop		
Taxidermist		
Temporary retail use		
Theater		
Truck stop		
Vehicle display, sales, and service		

	Existing	Proposed
Use	PD 532 R-7.5(A)	NS(A)
<b>TRANSPORTATION USES</b>		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley	S	
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	★	•
Transit passenger station or transfer center	S	S, ★
<b>UTILITY AND PUBLIC SERVICE USES</b>		
Commercial radio or television transmitting station		
Electrical generating plant		
Electrical substation	S	S
Local utilities	S, R, ★	S, R, ★
Police or fire station	S	S
Post office		S
Radio, television, or microwave tower	S	S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant		
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse		
Office showroom/warehouse		
Outside storage		

	Existing	Proposed
Use	PD 532 R-7.5(A)	NS(A)
Petroleum product storage and wholesale		
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		
Trade center		
Vehicle storage lot		
Warehouse		

**Landscaping:**

Landscaping must be provided in accordance with the landscaping requirements of Article X, as amended. Utilizing the existing structure will not likely trigger additional compliance or modification of the landscaping that is currently provided.

**Parking:**

Pursuant to the Dallas Development Code, off-street parking requirement for a personal service use is one space per 200 square feet of floor area. Based on the existing 5,266-square-foot building, 26 parking spaces will be required. The applicant will be required to comply with standard parking ratios at permitting.

**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 (A through C) to orange, representing the weakest markets (G through I). The area of request is currently within an “F” MVA area.

**List of Officers**

Bella Medspa & Aesthetics, LLC

Irma Vargas – Sole Owner

**CPC Action**  
**July 11, 2024**

**Motion:** It was moved to recommend **approval** of a NS(A) Neighborhood Service District on property zoned Planned Development No. 532, on the west line of South Westmoreland Road, between Sheldon Avenue and West Jefferson Boulevard.

Maker: Chernock  
Second: Housewright  
Result: Carried: 13 to 0

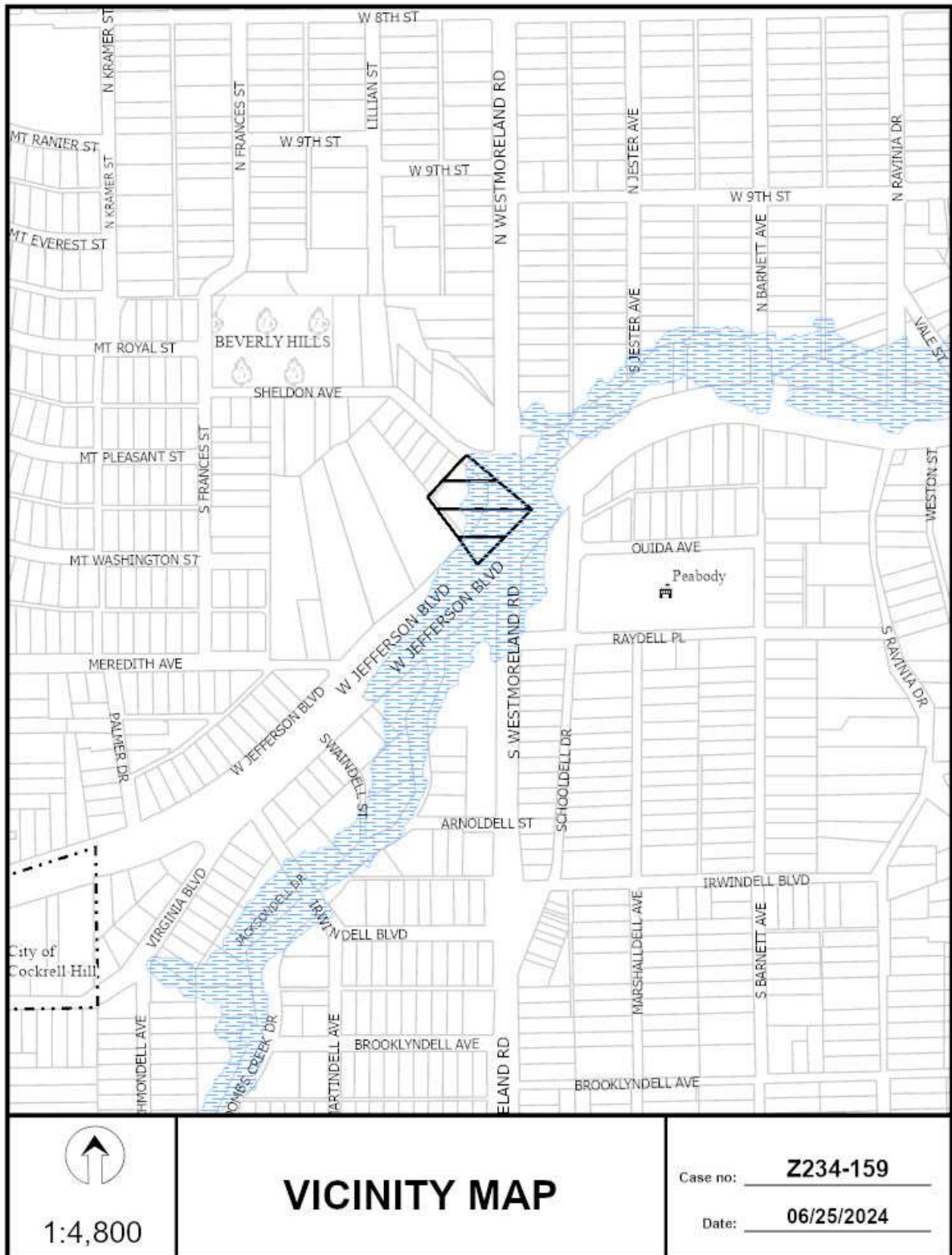
For: 13 - Chernock, Hampton, Forsyth\* Herbert, Shidid,  
Carpenter, Blair, Housewright, Eppler, Haqq,  
Hall, Kingston, Rubin

Against: 0  
Absent: 2 - Wheeler-Reagan, Sleeper  
Vacancy: 0

\*out of the room, shown voting in favor

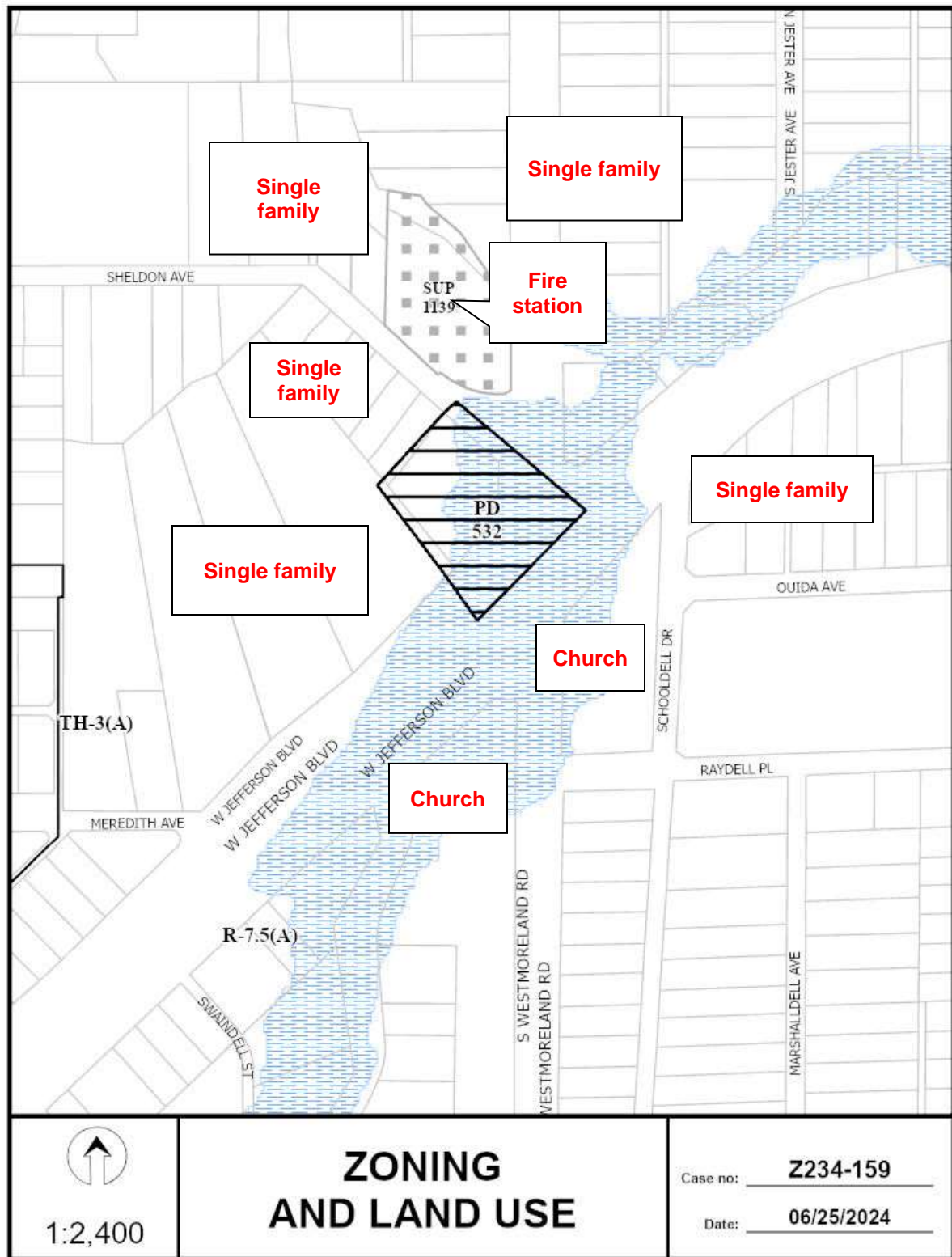
<b>Notices:</b>	Area: 200	Mailed: 15
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** None

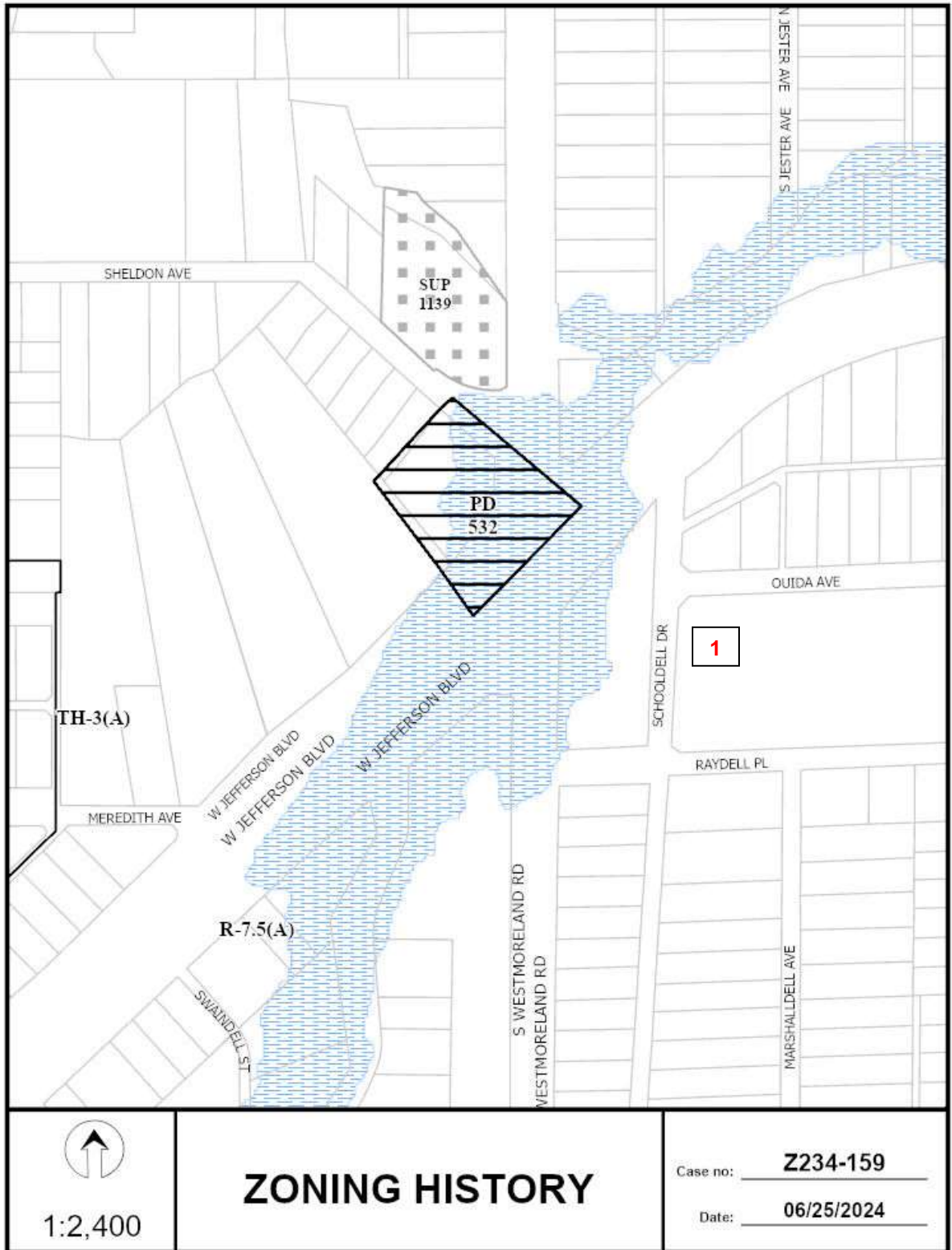


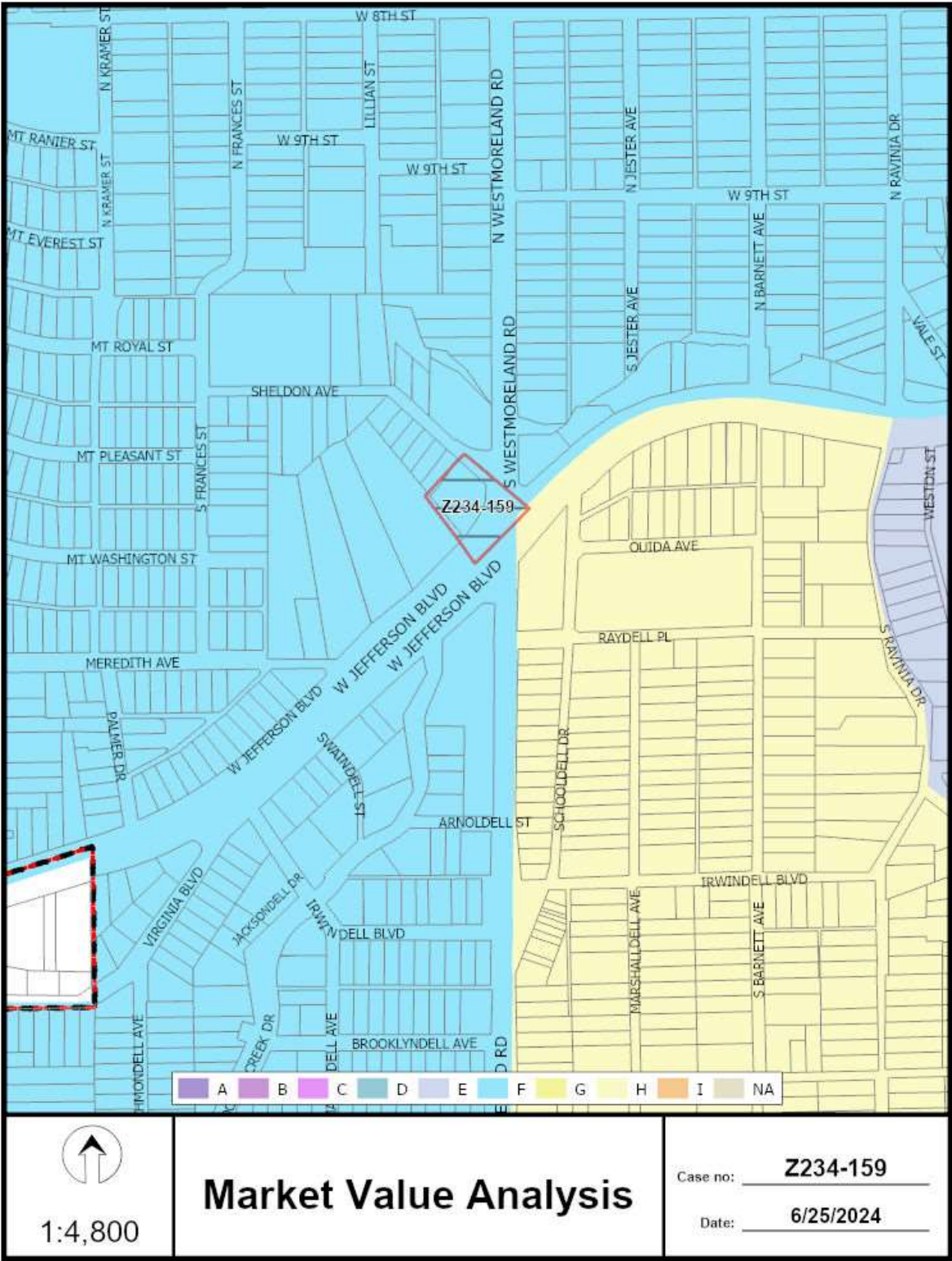


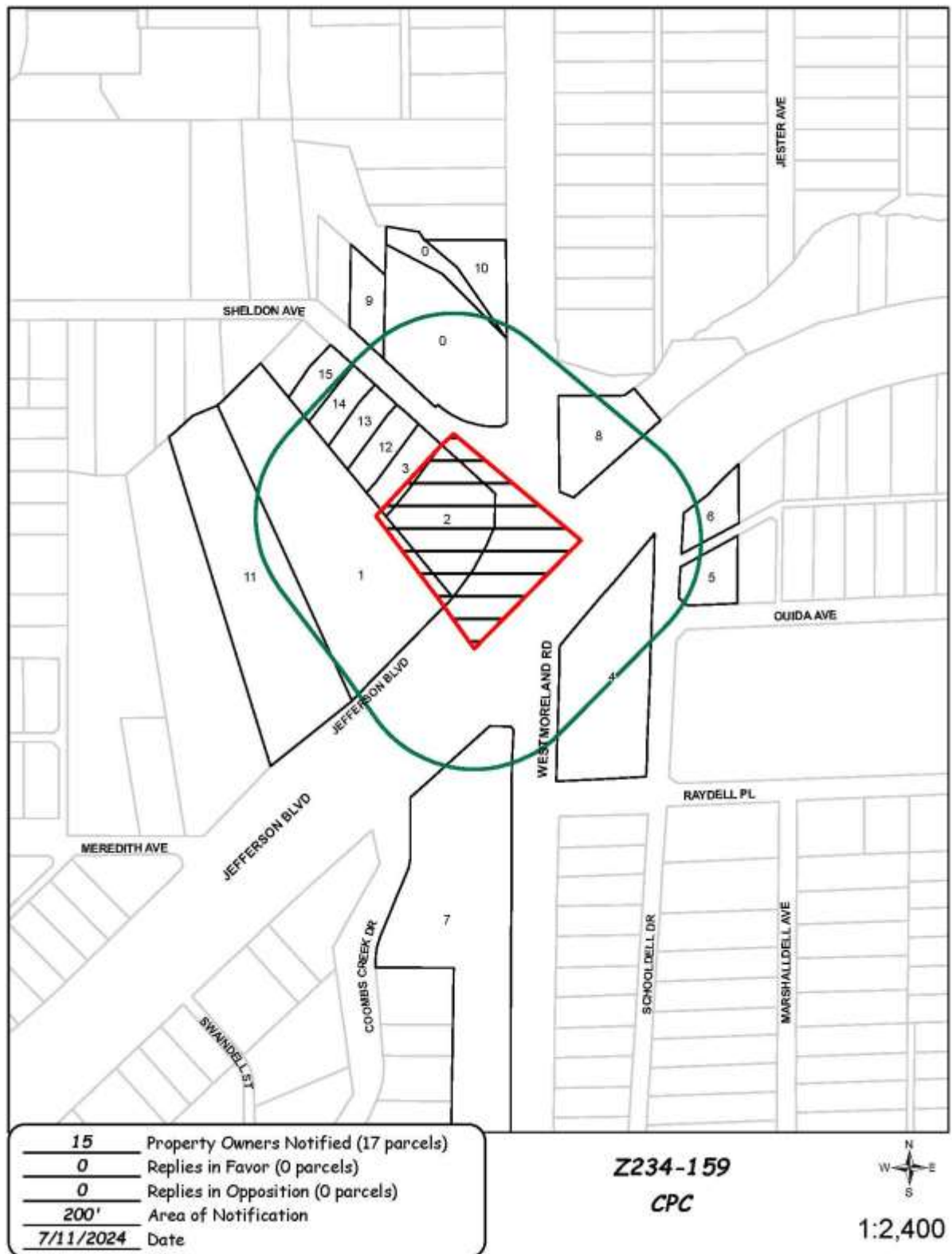












07/10/2024

***Reply List of Property Owners******Z234-159******15 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3315	W JEFFERSON BLVD	FORTEAU DARNETTA L & DAMION A
2	3303	W JEFFERSON BLVD	BELLA MEDSPA & AESTHETICS LLC
3	3312	SHELDON AVE	GOMEZ ALMA NELLY
4	3200	W JEFFERSON BLVD	IGLESIA DE DIOS PALABRA
5	3143	OUIDA AVE	TRAWICK SHANE &
6	3144	W JEFFERSON BLVD	FOX CHERYL M
7	411	S WESTMORELAND RD	GRACE FELLOWSHIP IN
8	3225	W JEFFERSON BLVD	QUEST IRA INC FBO MARK K SMITH
9	3327	SHELDON AVE	Taxpayer at
10	115	N WESTMORELAND RD	MOORE JOEL S & MARIA DE LOS ANGELES
11	3319	W JEFFERSON BLVD	DORWARD BRENDA & DONALD A
12	3316	SHELDON AVE	ALVARADO MISAEAL
13	3320	SHELDON AVE	ALANIS EDUARDO
14	3324	SHELDON AVE	BAUER BENJAMIN &
15	3328	SHELDON AVE	LIONS GATE REAL ESTATE