

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

**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:

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

| Use | Existing | Proposed |
|---|----------------------------|--------------|
| AGRICULTURAL USES | PD 532 R-7.5(A) | NS(A) |
| Animal production | | |
| Commercial stable | | |
| Crop production | • | • |
| Private stable | | |
| COMMERCIAL AND BUSINESS SERVICE USES | | |
| 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 | | |

| Use | Existing | Proposed |
|--|---------------|--------------|
| INDUSTRIAL USES | PD 532 | NS(A) |
| 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 | ★ | ★ |
| INSTITUTIONAL AND COMMUNITY SERVICE USES | | |
| 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 |
| LODGING USES | | |
| 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 | | |
| MISCELLANOUS USES | | |
| Attached non-premise sign. | | S |
| Carnival or circus (temporary) | ★ | ★ |
| Hazardous waste management facility | | |
| Temporary construction or sales office | • | • |
| OFFICE USES | | |
| Alternative financial establishment | | |
| Financial institution without drive-in window | | • |
| Financial institution with drive-in window | | |
| Medical clinic or ambulatory surgical center | | • |
| Office | | • |
| RECREATION USES | | |
| Country club with private membership | S | • |
| Private recreation center, club, or area | S | S |
| Public park, playground, or golf course | • | • |
| RESIDENTIAL USES | | |
| 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 | • | |
| RETAIL AND PERSONAL SERVICE USES | | |
| 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 | | |

| Use | Existing | Proposed |
|---|----------|----------|
| 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 | | |

| Use | Existing | Proposed |
|--|----------------------------|--------------|
| TRANSPORTATION USES | PD 532 R-7.5(A) | NS(A) |
| 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,★ |
| UTILITY AND PUBLIC SERVICE USES | | |
| 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 | | |
| WHOLESALE, DISTRIBUTION, AND STORAGE USES | | |
| 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 | | |

| Use | Existing | Proposed |
|--|--------------------|----------|
| Petroleum product storage and wholesale | PD 532 R-7.5(A) | NS(A) |
| 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

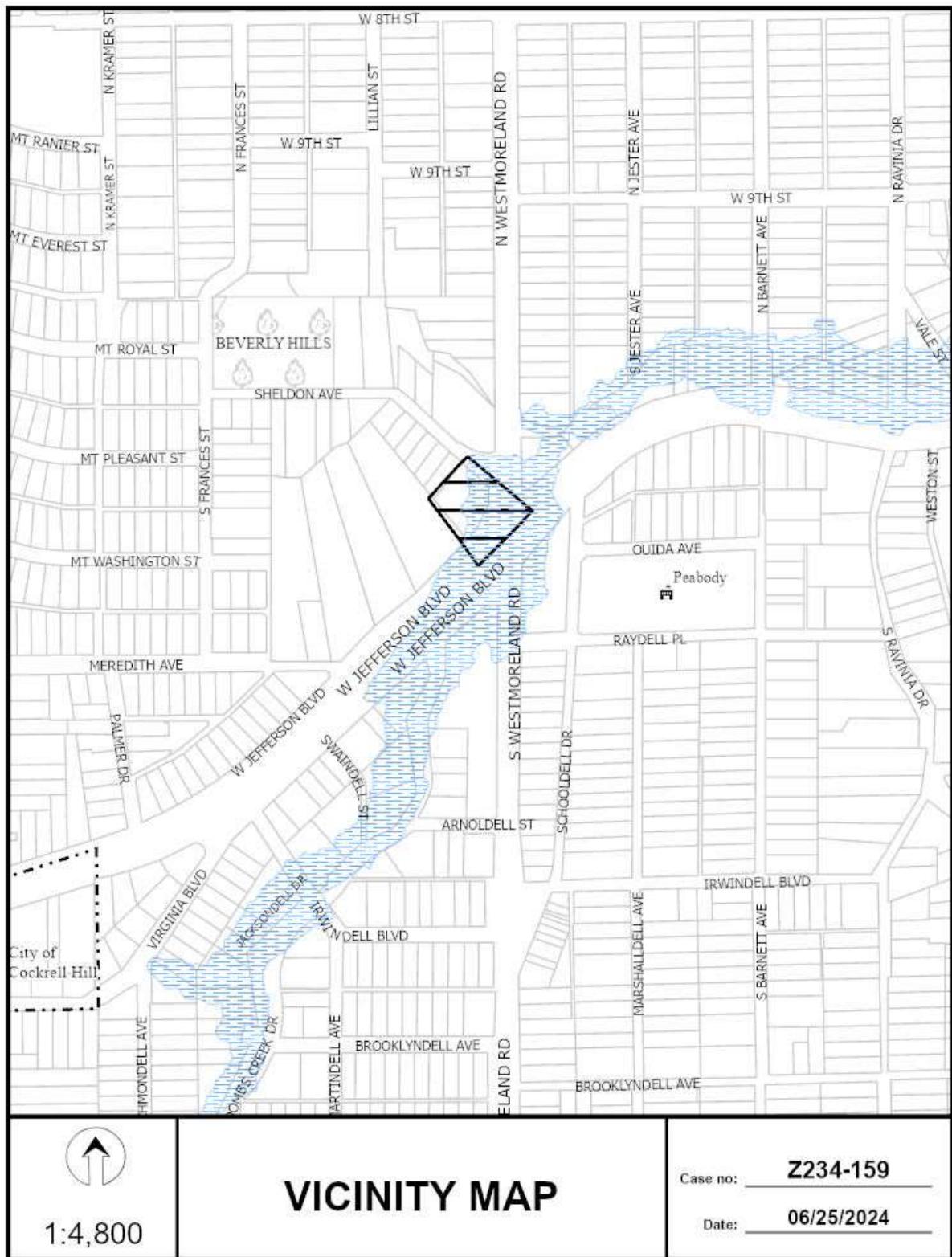
For: 13 - Chernock, Hampton, Forsyth* Herbert, Shidid,
Carpenter, Blair, Housewright, Eppler, Haqq,
Hall, Kingston, Rubin

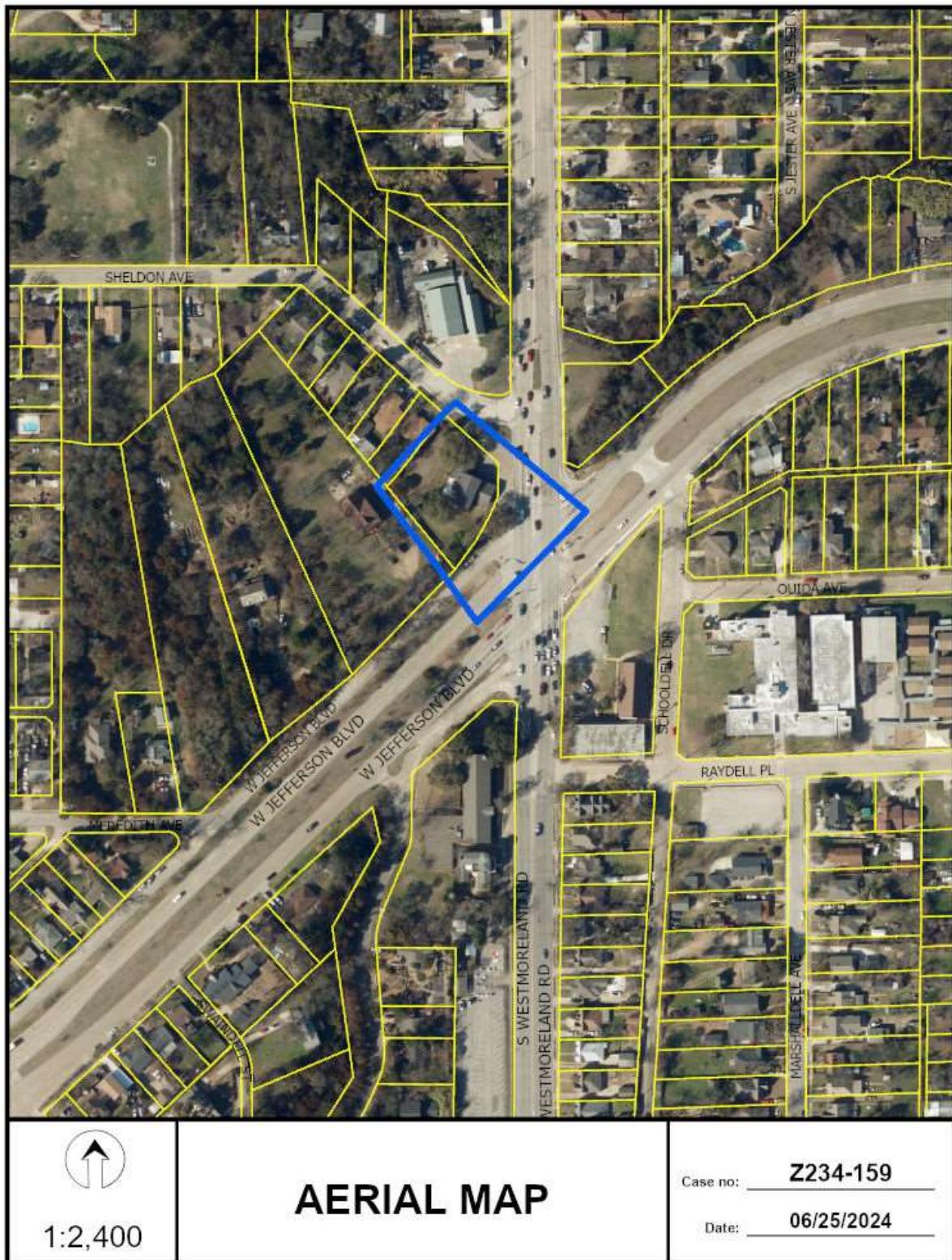
Against: 0
Absent: 2 - Wheeler-Reagan, Sleeper
Vacancy: 0

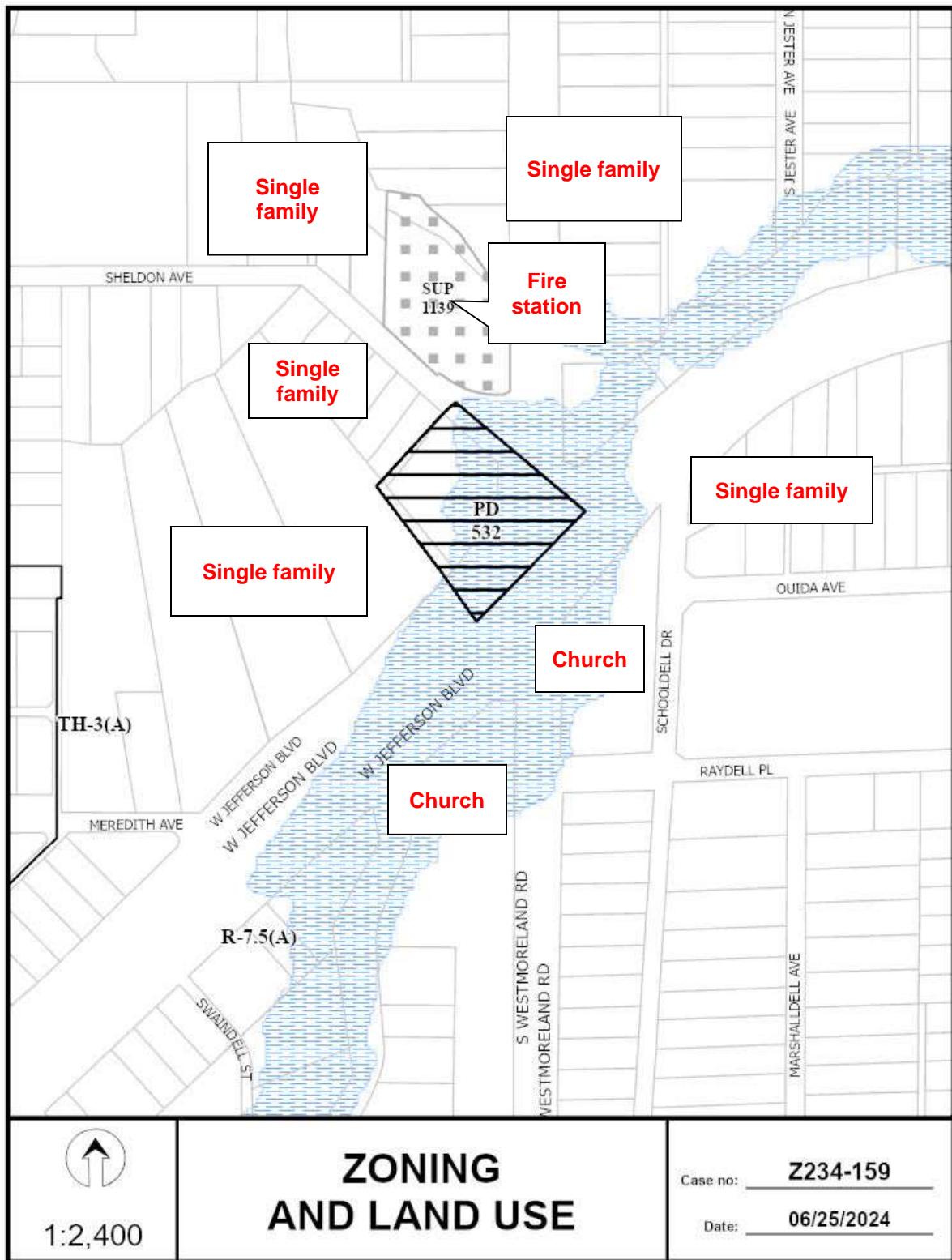
*out of the room, shown voting in favor

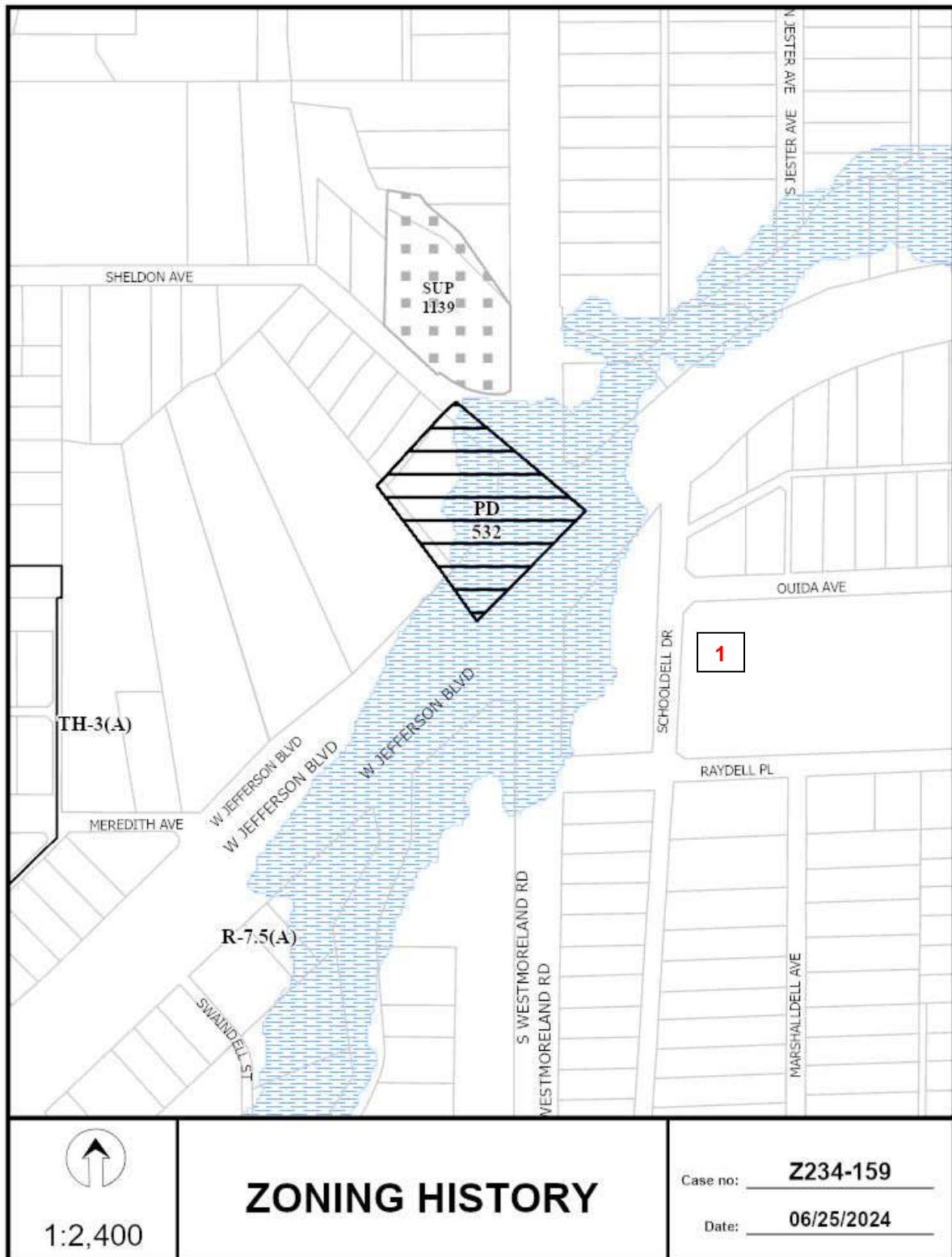
Notices: Area: 200 Mailed: 15
Replies: For: 0 Against: 0

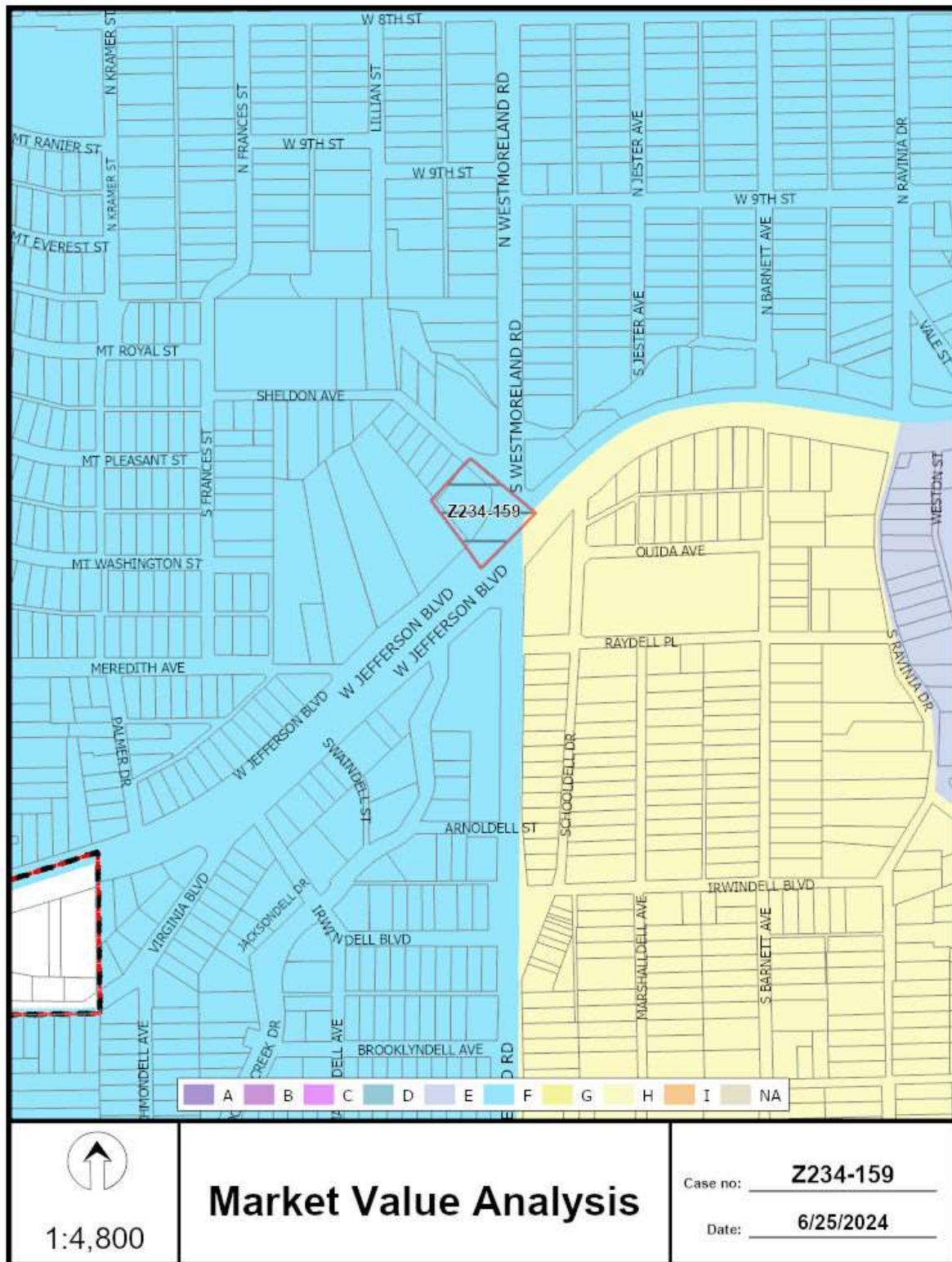
Speakers: None

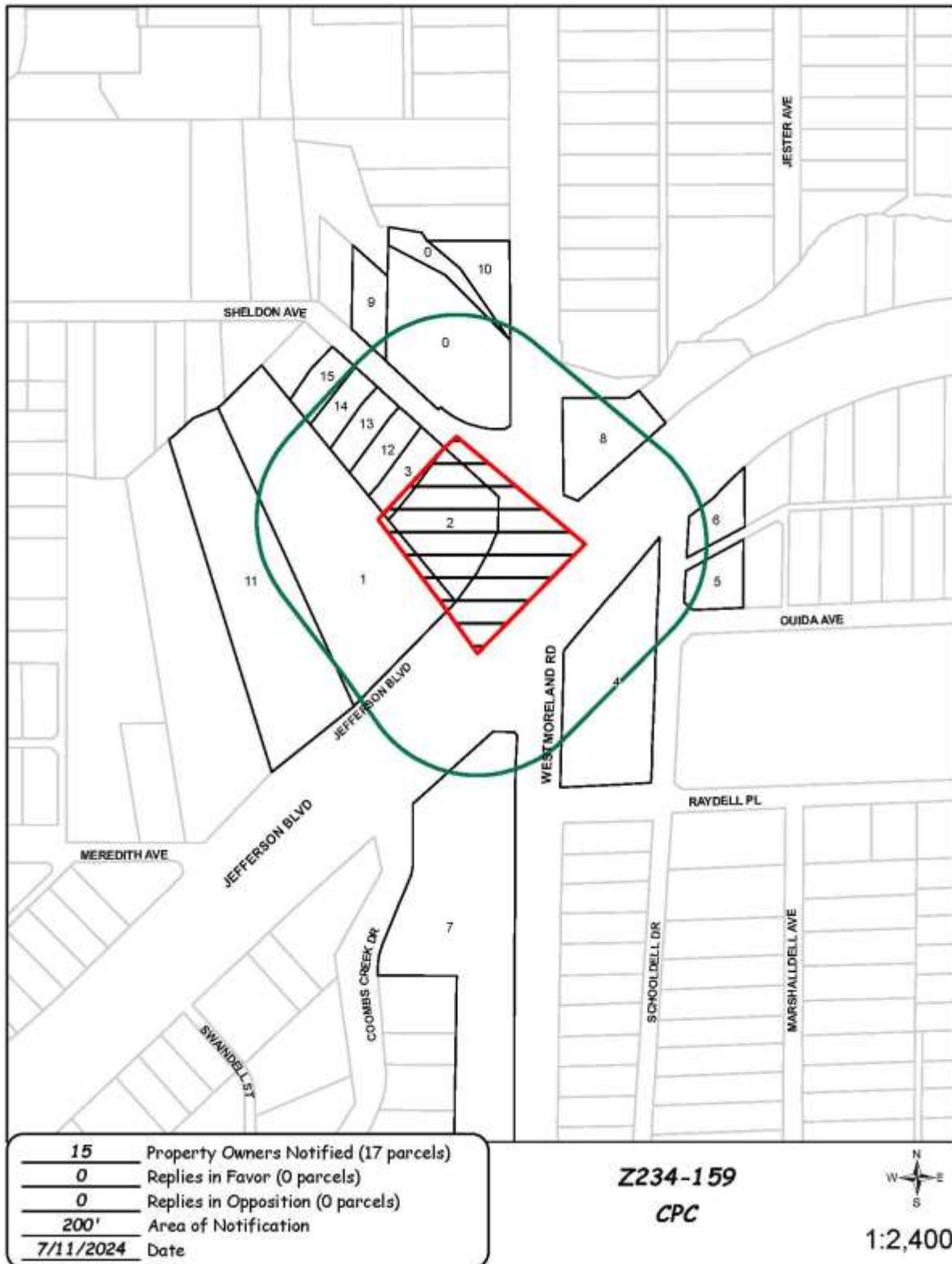












07/10/2024

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

| Reply | Label # | Address | Owner |
|--------------|----------------|-------------------|-------------------------------------|
| 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 MISAEL |
| 13 | 3320 | SHELDON AVE | ALANIS EDUARDO |
| 14 | 3324 | SHELDON AVE | BAUER BENJAMIN & |
| 15 | 3328 | SHELDON AVE | LIONS GATE REAL ESTATE |