

FILE NUMBER: Z189-302(CY)

DATE FILED: July 10, 2019

LOCATION: Northwest side of Hickory Street, northeast of Malcolm X Boulevard

COUNCIL DISTRICT: 7

MAPSCO: 46 N

SIZE OF REQUEST: ± 0.11 acres

CENSUS TRACT: 204.00

OWNER: Rafael Jamaica and Henrietta Jamaica

APPLICANT: Rafael Jamaica

REQUEST: An application for the renewal of Specific Use Permit No. 2087 for a recycling buy-back center use for the collection of household metals, and recyclable materials on property zoned an IM Industrial Manufacturing District.

SUMMARY: The purpose of the request is to continue the operation of a recycling buy-back center.

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

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

BACKGROUND INFORMATION:

- The Dallas Development Code, as amended, defines *recycling buy-back center use* as a facility wholly enclosed within a building or an automatic collection machine, used for the collection and temporary storage of recyclable materials.
- The recycling buy-back center use is permitted by right in the IM Industrial Manufacturing District, limited to the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics.
- The development code also establishes that in order to collect household metals or industrial metals¹ under the recycling buy-back center use, a Specific Use Permit is required.
- The area of request is zoned IM Industrial Manufacturing District with Specific Use Permit No. 2087 and is currently developed with a one-story 4,477-square-foot building that includes a 493-square foot office space, an approximate 2,000-square-foot storage area for the recyclable materials, and a 1,984-square-foot covered parking area.
- SUP No. 2087 was approved by City Council on August 12, 2015 for a two-year period.
- On December 13, 2017, City Council approved the renewal of SUP No. 2087 for a two-year period [Expiration date: December 13, 2019].
- The recycling buy-back center has been in operation since 1994. Previously, the facility operated under SUP No. 1765 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials. However, SUP No. 1765 expired on August 8, 2014, due to the applicant failing to submit the application for the renewal before the expiration date.

Zoning History: There have been three zoning change requests in the vicinity within the last five years.

1. **Z145-226** On August 12, 2015, the City Council approved Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household materials, industrial metals and recyclable materials for the area of request.

¹ **Household metals** mean items that are customarily used in a residential dwelling, comprised of any quantity of ferrous or nonferrous materials such as kitchen pots, cooking tools, window screens and gardening tools

Industrial metals mean pipes, wires, coils, condensers, guard rails, automotive parts, bulky appliances, and similar industrial or construction materials comprised of ferrous or nonferrous metal.

2. **Z167-189** On June 14, 2017, the City Council approved a MU-1 Mixed Use District on property on the east corner of Dawson Street and Jeffries Street, northeast of the area of request.
3. **Z167-272** On December 13, 2017 the City Council approved the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals and recyclable materials for the area of request.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Required ROW
Hickory Street	Minor Arterial	60 ft	60 ft

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 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:

ENVIRONMENT ELEMENT

Goal 2.3 INCREASE RECYCLING AND CONSERVATION OF RENEWABLE RESOURCES.

Policy 2.3.3 Increase recycling and composting

Land Use:

	Zoning	Land Use
Site	IM Industrial Manufacturing with SUP No. 2087	Recycling buy-back center for the collection of household metals, industrial metals and recyclable materials
North	IM Industrial Manufacturing	Undeveloped land
Northeast	IM Industrial Manufacturing	Office/Showroom Warehouse
East	IM Industrial Manufacturing	DISD Natatorium
South	IM Industrial Manufacturing	DISD Natatorium, S. Malcom X Service road
West	IM Industrial Manufacturing	Undeveloped land
Southwest	IM Industrial Manufacturing	Single family, undeveloped land.

Land Use Compatibility:

The area of request is zoned IM Industrial Manufacturing District with SUP No. 2087 for a Recycling buy-back center for the collection of household metals, industrial metals and recyclable materials.

The recycling buy-back center use is permitted by right in the IM Industrial Manufacturing District, when limited to the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics.

The development code establishes that in order to collect household metals or industrial metals under the recycling buy-back center use, a Specific Use Permit is required.

Additional regulations for recycling buy-back centers include:

1. The maximum floor area for a recycling buy-back center is 10,000 square feet.
2. No more than one recycling use is permitted on a building site
3. This use must be located at least 1,000 feet from another recycling use
4. Materials stored at this use must be removed at least once a week or before reaching capacity.
5. Limits the two types of accepted metals to household and industrial metals

The existing recycling buy-back center has been in operation since 1994. Initially the use operated by right as a recycling buy-back center for the collection of aluminum cans, steel cans, glass, paper and plastics and later, under Specific Use Permit No. 1765, approved in 2009, the operation expanded to include the household metals or

industrial metals. SUP No. 1765 expired in 2014. Specific Use Permit No. 2087 was approved by City Council on August 12, 2015, this is the second renewal of this SUP.

The purchasing, collecting, or soliciting of metals is regulated under Chapter 40B of the Dallas City Code, secondary metal recyclers. Chapter 40B requires a secondary metal recycler's license and specifies operations for secondary metal recyclers. The purpose of the regulations in Chapter 40B is to promote the recovery of stolen property, particularly property composed of certain metals. The site is in compliance with these regulations.

Land uses surrounding the area of request include an office/showroom warehouse use abutting the site to the northeast, a Dallas Independent School District natatorium facility is to the east and south across Hickory Street, and a single family use is directly adjacent to the southwest. Several undeveloped tracts of land are found to the north and west of the site.

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 regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The existing recycling buy-back center is contained entirely within a structure and has a solid fence in the front. The required off-street parking is covered and located behind the main gates through the main driveway. The site is gated when the recycling buy-back center is not in operation. The site is in compliance with the SUP site plan and conditions; staff recommends approval for a two-year period subject to conditions as the continued operation of the use is not foreseen to have a negative impact in the surrounding areas.

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; however, it is in proximity to an “E” MVA Cluster to the southeast and northeast.

Parking:

The off-street parking requirement for a recycling buy-back center is one space per 500 square feet of floor area. The applicant is required to provide 5 off-street parking spaces for the covered floor area, measuring approximately 2,493 square feet [$2,493/500=4.98 \sim 5$ spaces]. As depicted on the existing site plan, the required parking spaces are provided on site.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant’s request will not trigger any Article X requirements, as no new construction is proposed.

Dallas Police Department:

The Dallas Police Department has indicated that the applicant is in compliance with Chapter 40B in operating the proposed recycling collection center.

CPC Action
September 5, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, and recyclable materials for a two-year period, subject to conditions on property zoned an IM Industrial Manufacturing District with Specific Use Permit No. 2087 on the northwest side of Hickory Street, northeast of Malcolm X Boulevard.

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: 15
Replies: For: 0 Against: 0

Speakers: None

Z189-302(CY)

List of Partners/Principals/Officers

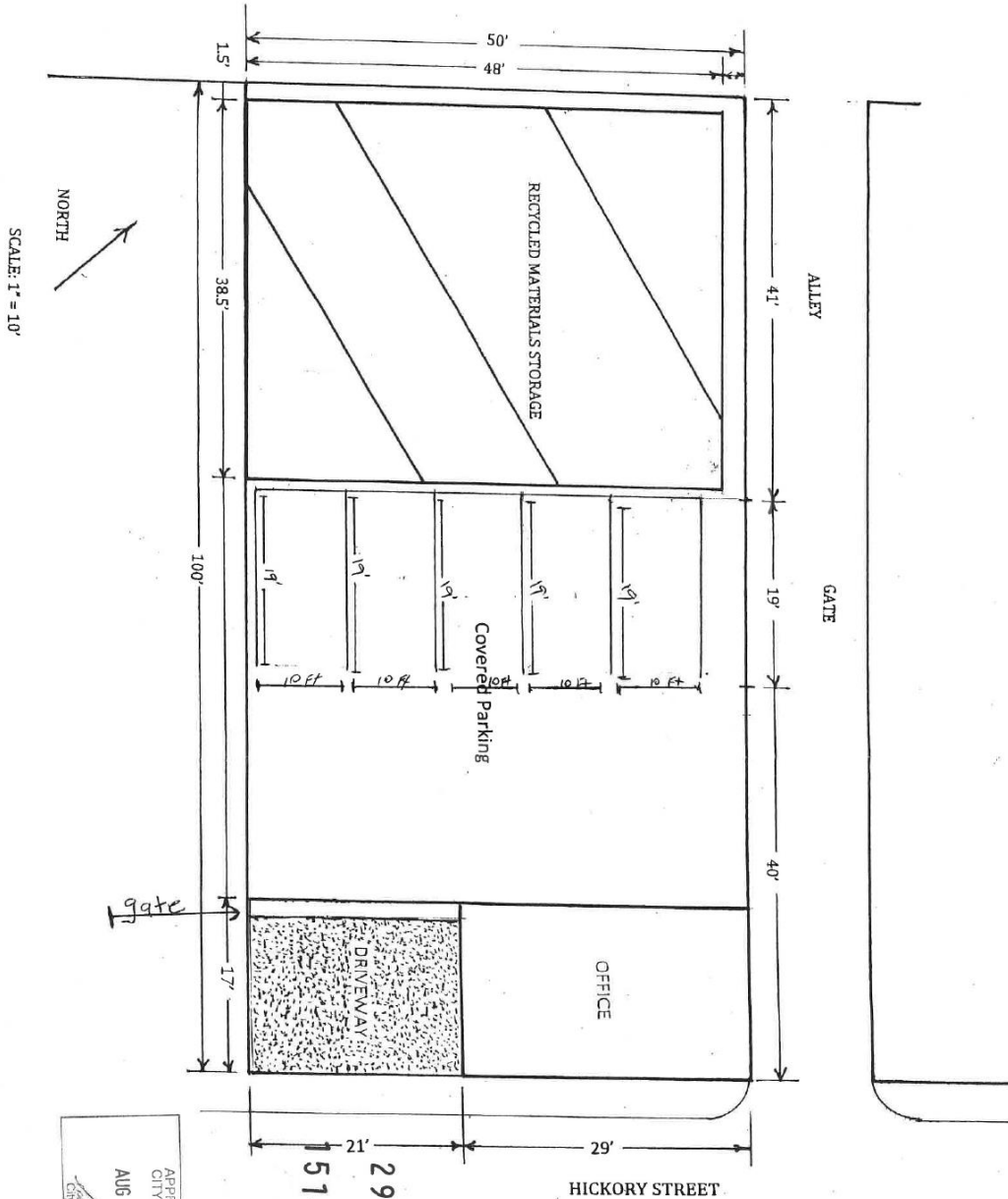
Owner:

Rafael Jamaica and Henrietta Jamaica

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials. No other materials may be collected or recycled.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~December 13, 2019~~, (2 years from the passage of this ordinance).
4. GATE: The driveway gate abutting Hickory Street must remain open during the hours of operation.
5. HOURS OF OPERATION: The recycling buy-back center may only operate between 8:00 a.m. and 7:00 p.m., Monday through Sunday.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Off-street parking must be located as shown on the attached site plan.
8. REGULATED PROPERTY LICENSE: The operator of this use must have a secondary metal recycler's license under Dallas City Code Chapter 40B.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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 SITE PLAN (NO CHANGES)



NORTH
SCALE: 1" = 10'

APPROVED BY
CITY COUNCIL
AUG 12 2015
[Signature]
City Secretary

Z145-226
SITE PLAN

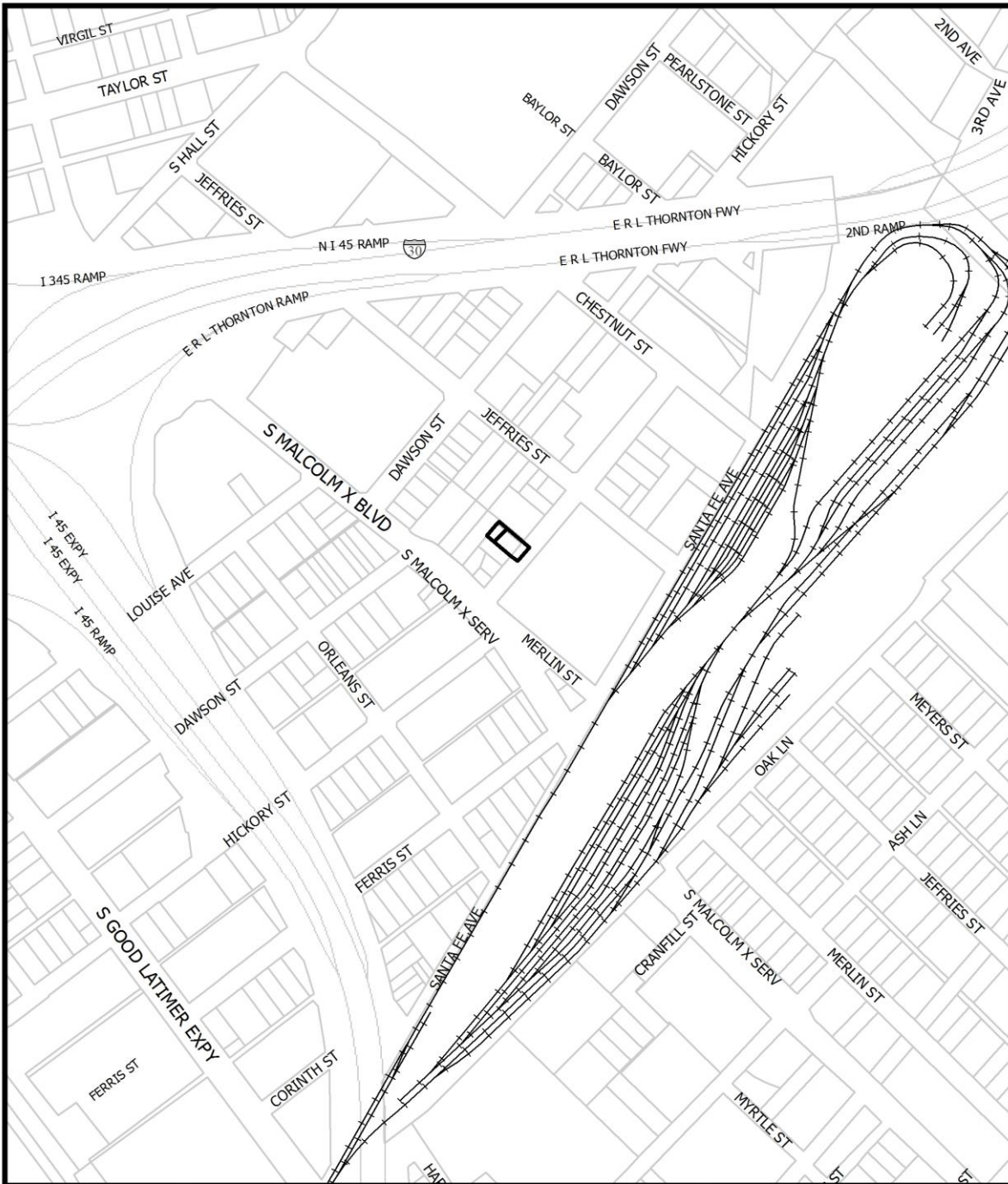
29806
51442

Approved
City Plan Commission
June 18, 2015

Site Plan
Specific Use Permit
No. 2087

Site Data	Recycle Dry Back Center
Use:	IM
Zoning	5,000 s.f.
Lot Area	2,000 s.f.
Use Area	Parking
Required:	5
Provided:	5





1:4,800

VICINITY MAP

Case no: Z189-302

Date: 7/22/2019

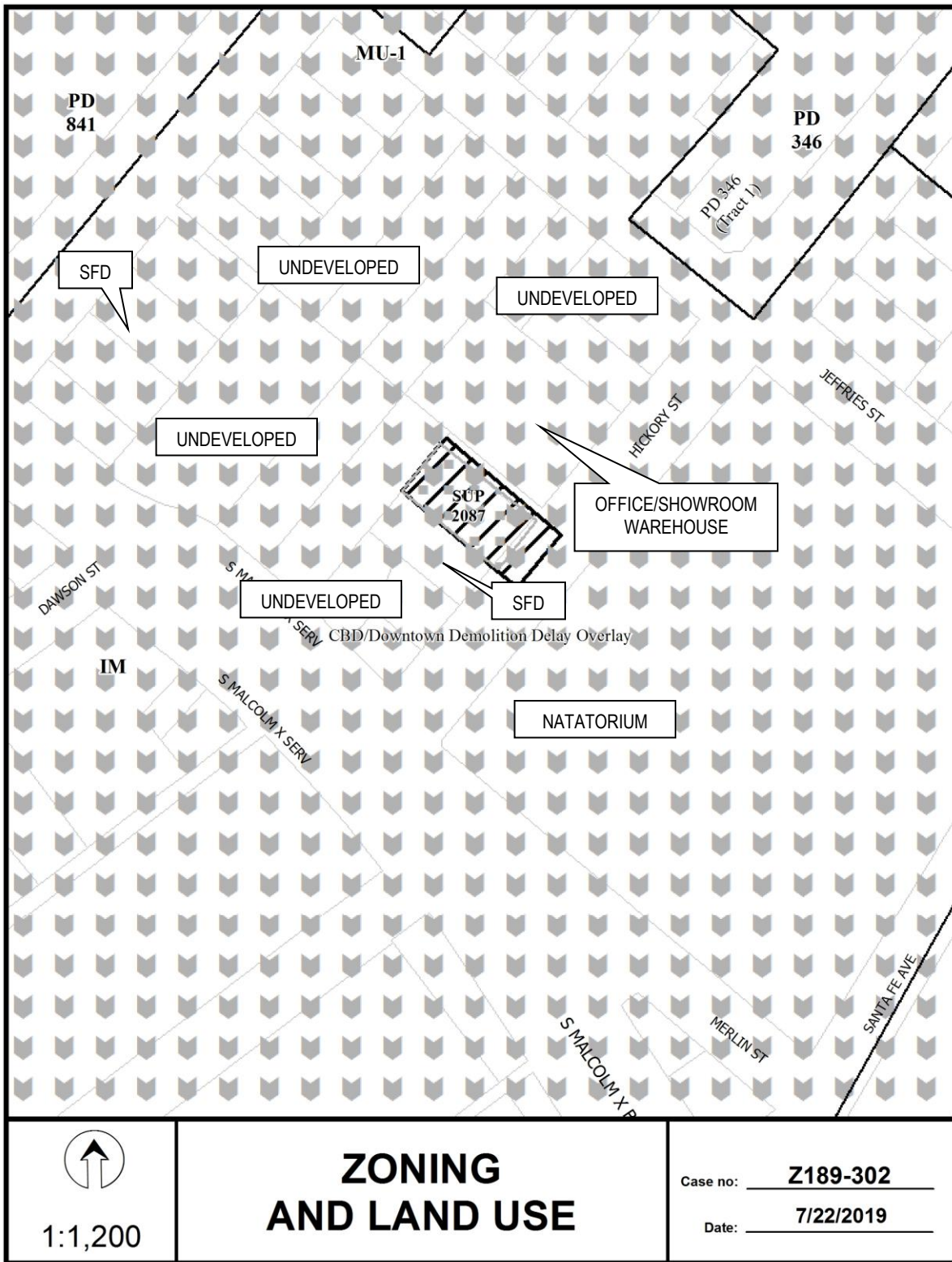


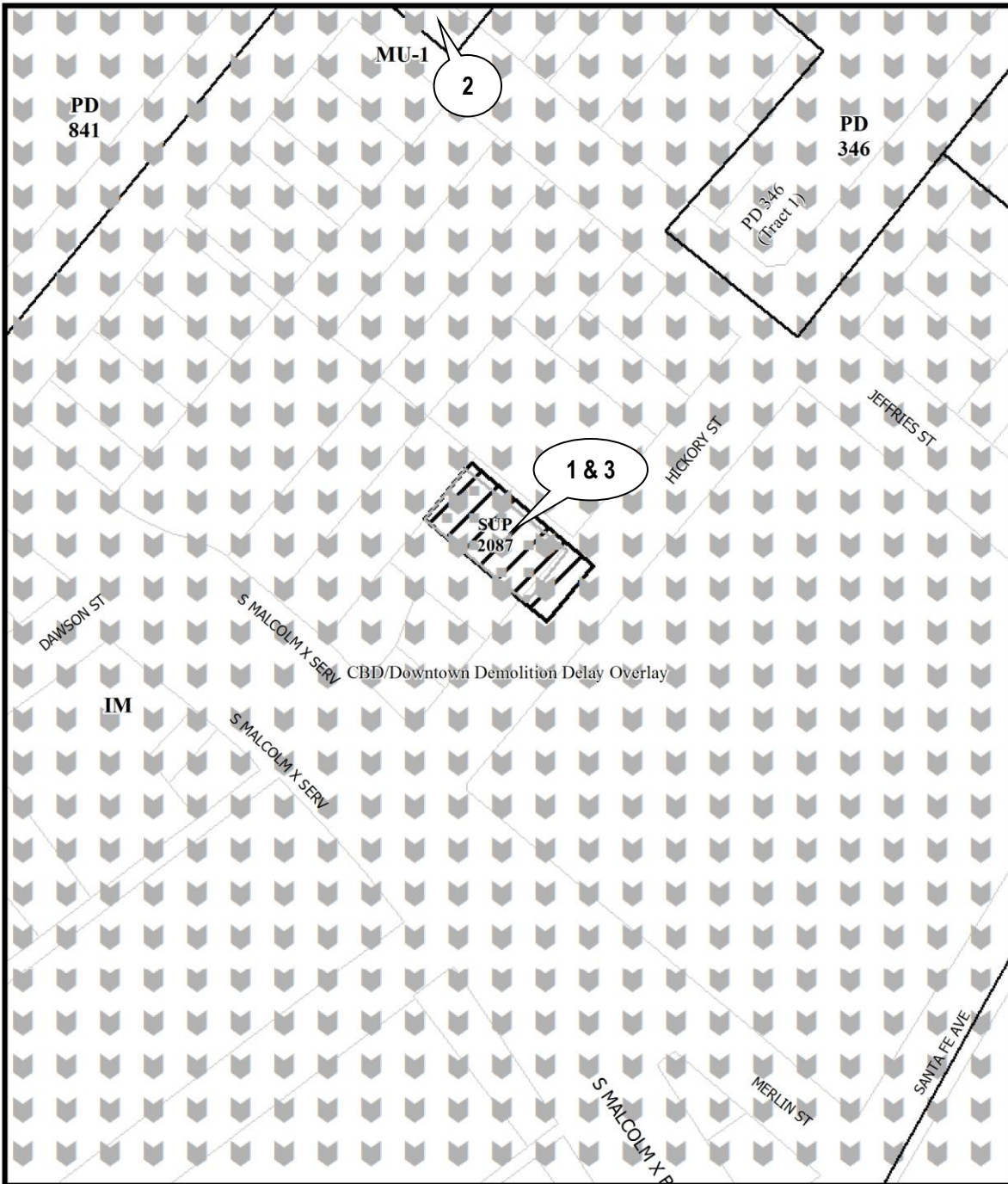
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AERIAL MAP

Case no: **Z189-302**

Date: **7/22/2019**



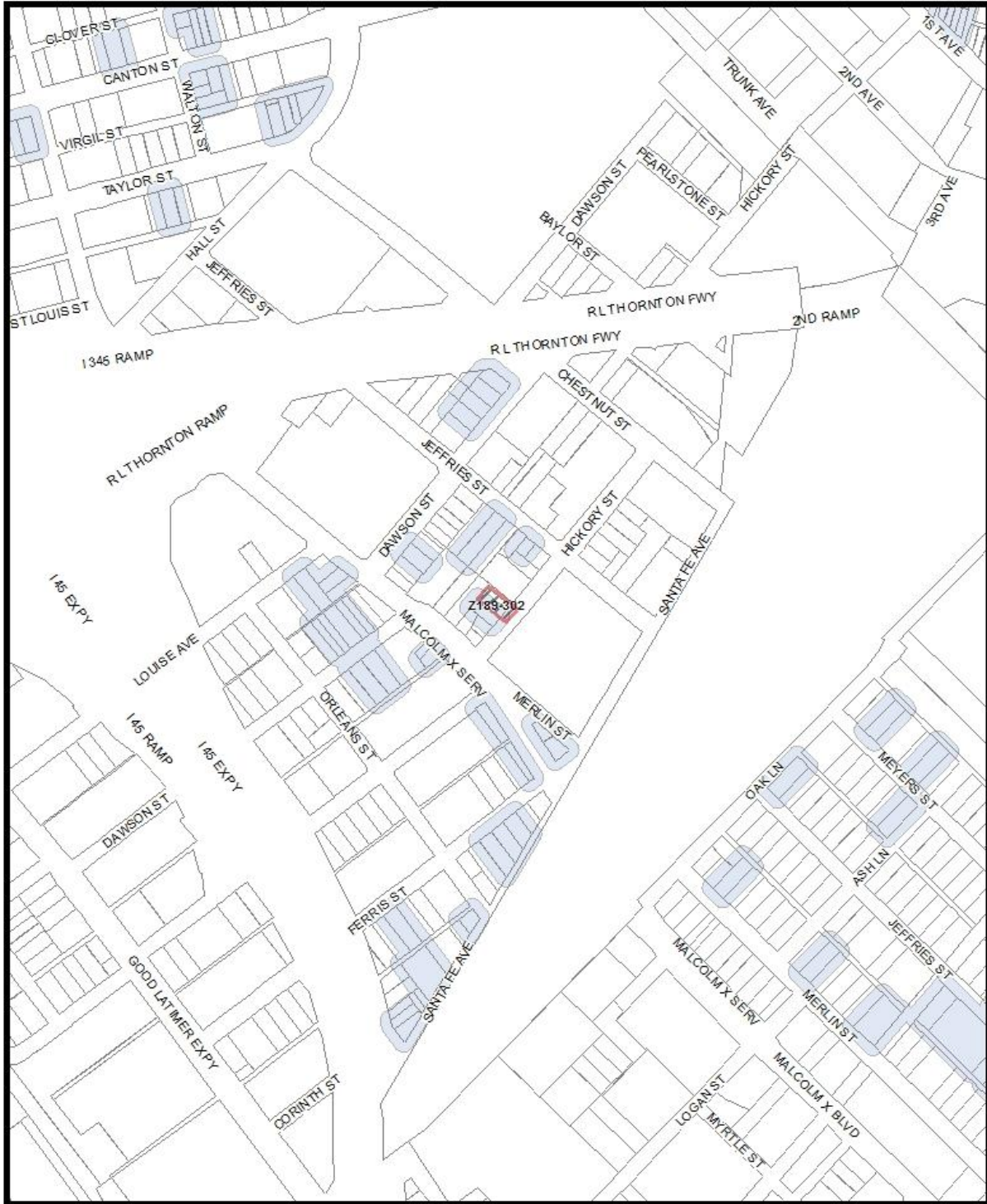


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ZONING HISTORY

Case no: Z189-302

Date: 7/22/2019



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

1:4,800

Market Value Analysis

Printed Date: 7/22/2019

CPC RESPONSES



<u>15</u>	Property Owners Notified (22 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>9/5/2019</u>	Date

Z189-302
CPC



1:1,200

09/04/2019

Reply List of Property Owners

Z189-302

15 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	2813 HICKORY ST	JAMAICA RAFAEL &
	2	2814 DAWSON ST	CRABTREE J M EST
	3	2816 DAWSON ST	TOVAR DOMINGA &
	4	1715 JEFFRIES ST	HERNANDEZ ALLEN ET AL
	5	1711 JEFFRIES ST	GRAVES PROPERTIES INC
	6	1717 JEFFRIES ST	KIRK SHEET METAL CO INC
	7	2819 HICKORY ST	KIRK SHEET METAL CO
	8	2811 HICKORY ST	JAMAICA RAFAEL & HENRIETTA
	9	1824 S MALCOLM X BLVD	HEARD CHESTER LYNN
	10	1814 S MALCOLM X BLVD	HEARD CHESTER
	11	1818 S MALCOLM X BLVD	HEARD CHESTER L
	12	2808 DAWSON ST	RAMIREZ HERMAN
	13	2812 DAWSON ST	GARCIA FRED
	14	2804 DAWSON ST	RODRIGUEZ PHILLIP LIFE ESTATE
	15	1940 S MALCOLM X BLVD	Dallas ISD