

**FILE NUMBER:** Z223-212(MP)

**DATE FILED:** February 22, 2023

**LOCATION:** Southeast corner of Prichard Lane and Scyene Road

**COUNCIL DISTRICT:** 5

**SIZE OF REQUEST:** ±6.49 acres

**CENSUS TRACT:** 48113009101

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**REPRESENTATIVE:** Mariela Estrada

**APPLICANT:** Raul Estrada

**OWNER:** Marcer Construction

**REQUEST:** An application for an MU-1-D Mixed Use District with a D Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

**SUMMARY:** The purpose of the request is to permit residential uses on the site.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval.

**BACKGROUND INFORMATION:**

- The area of request is zoned a CR Community Retail District and is currently undeveloped.
- The applicant is proposing to develop the site with residential uses.
- The requested MU-1 Mixed Use District would be the most appropriate district to permit residential uses in adjacency to CR Community Retail District. MU-1 is also an appropriate transition from the residential uses to the southwest and the commercial uses along Buckner Boulevard.

**Zoning History:**

There have been two zoning cases in the area in the last five years.

1. **Z223-256:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned with a D-1 Liquor Control Overlay, on the west side of South Buckner Boulevard, between North Scyene Road and Blossom Lane. [In progress]
2. **Z190-303:** On November 11, 2020, City Council approved an application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subarea 7 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type                | Existing/Proposed ROW                    |
|---------------------|---------------------|------------------------------------------|
| Scyene Road         | Community Collector | 115 feet / 44 foot pavement, 60 foot ROW |
| Prichard Lane       | Local               | 55 feet                                  |

**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 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

An MU-1 Mixed Use District complies 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.

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.1** Create housing opportunities throughout Dallas.

**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 5.1.1** Promote pedestrian friendly streetscapes.

**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.

**Policy 5.2.4** Enhance retail, industrial and business operations.

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

### **NEIGHBORHOOD PLUS**

**Goal 4** Attract and Retain the Middle Class

**Policy 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**Goal 5** Expand Homeownership

**Policy 5.1** Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

**Policy 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

Overall, the proposed change advances the Comprehensive Plan's goals to encourage a healthy mix of land uses and strengthening neighborhood character and identity through complimentary development.

### **Land Use:**

|              | <b>Zoning</b>                                                                                                 | <b>Land Use</b>                |
|--------------|---------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>Site</b>  | CR Community Retail District with D Liquor Control Overlay                                                    | Undeveloped                    |
| <b>North</b> | R-7.5(A) Single Family District with SUP No. 92                                                               | Cemetery                       |
| <b>East</b>  | CR Community Retail District with D-1 Liquor Control Overlay, R-7.5(A) Single Family District with SUP No. 92 | Retail center, Cemetery        |
| <b>South</b> | CR Community Retail District with D Liquor Control Overlay and D-1 Liquor Control Overlay                     | Multifamily, Undeveloped       |
| <b>West</b>  | R-7.5(A) Single Family District with SUP 1805                                                                 | Open Enrollment Charter School |

**Land Use Compatibility:**

The area of request is currently undeveloped. Property to the north and northeast are used as a cemetery under SUP No. 92. Properties to the south include a multifamily development and an undeveloped property. There is a strip retail center directly to the east. Across Prichard Lane to the west, there is an open enrollment charter school under SUP No. 1805. Staff finds that the proposed district is complementary with surrounding uses and zoning districts.

The proposed MU-1 District would serve as a more appropriate buffer between the residential uses to the southwest and the more intense uses of CR to the east along the South Buckner corridor. MU-1 aids in diversifying land use in the area without adding commercial intensity. MU-1 generally has slightly less commercial intensity than CR Community Retail District. Residential uses are well suited in this location, well served by transit, and within walking distance to employment and services.

**Land Use Comparison:****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 as applicable |

|                                                             | Existing | Proposed |
|-------------------------------------------------------------|----------|----------|
| Use                                                         | CR       | MU-1     |
| <b>AGRICULTURAL USES</b>                                    |          |          |
| Animal production                                           |          |          |
| Commercial stable                                           |          |          |
| Crop production                                             | •        | •        |
| Private stable                                              |          |          |
| <b>COMMERCIAL AND BUSINESS SERVICE USES</b>                 |          |          |
| Building repair and maintenance shop                        | R        |          |
| Bus or rail transit vehicle maintenance or storage facility |          |          |
| Catering service                                            | •        | •        |
| Commercial cleaning or laundry plant                        |          |          |
| Custom business services                                    | •        | •        |
| Custom woodworking, furniture construction, or repair       |          |          |

|                                                                        | Existing | Proposed |
|------------------------------------------------------------------------|----------|----------|
| Use                                                                    | CR       | MU-1     |
| Electronics service center                                             | •        | •        |
| Job or lithographic printing                                           |          |          |
| Labor hall                                                             |          | S        |
| Machine or welding shop                                                |          |          |
| Machinery, heavy equipment, or truck sales and services                |          |          |
| Medical or scientific laboratory                                       | S        | S        |
| Technical school                                                       |          |          |
| Tool or equipment rental                                               | •        |          |
| Vehicle or engine repair or maintenance                                |          |          |
| <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                           | S        | S        |
| <b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>                        |          |          |
| Adult day care facility                                                | •        | •        |
| Cemetery or mausoleum                                                  | S        | S        |
| Child-care facility                                                    | •        | •        |
| Church                                                                 | •        | •        |
| College, university, or seminary                                       | •        | •        |
| Community service center                                               | S        | S        |
| Convalescent and nursing homes, hospice care, and related institutions |          | R        |
| Convent or monastery                                                   |          | •        |
| Foster home                                                            |          | •        |
| Halfway house                                                          |          |          |
| Hospital                                                               | S        | S        |
| Library, art gallery, or museum                                        | •        | •        |
| Open enrollment charter school or private school                       | S        | S        |

|                                                                      | Existing        | Proposed        |
|----------------------------------------------------------------------|-----------------|-----------------|
| Use                                                                  | CR              | MU-1            |
| Public school other than an open enrollment charter school           | R               | R               |
| <b>LODGING USES</b>                                                  |                 |                 |
| Extended stay hotel or motel                                         |                 | S               |
| Hotel or motel                                                       | S               | R/S             |
| Lodging or boarding house                                            |                 |                 |
| Overnight general purpose shelter                                    | S               |                 |
| <b>MISCELLANEOUS USES</b>                                            |                 |                 |
| Carnival or circus (temporary)                                       | [Special]       | [Special]       |
| Hazardous waste management facility                                  |                 |                 |
| Placement of fill material                                           |                 |                 |
| Temporary construction or sales office                               | •               | •               |
| <b>OFFICE USES</b>                                                   |                 |                 |
| Alternative financial establishment                                  | S               |                 |
| Financial institution without drive-in window                        | •               | •               |
| Financial institution with drive-in window                           | D               | D               |
| Medical clinic or ambulatory surgical center                         | •               | •               |
| Office                                                               | •               | •               |
| <b>RECREATION USES</b>                                               |                 |                 |
| Country club with private membership                                 | •               | •               |
| Private recreation center, club, or area                             | •               | •               |
| Public park, playground, or golf course                              | •               | •               |
| <b>RESIDENTIAL USES</b>                                              |                 |                 |
| College dormitory, fraternity, or sorority house                     | •               | •               |
| 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.                                   | Prohibited by D | Prohibited by D |
| Ambulance service                                                    | R               |                 |
| Animal shelter or clinic without outside runs                        | R               | R               |
| Animal shelter or clinic with outside runs                           |                 |                 |
| Auto service center                                                  | R               | R               |
| Business school                                                      | •               | •               |

|                                                                         | Existing        | Proposed        |
|-------------------------------------------------------------------------|-----------------|-----------------|
| Use                                                                     | CR              | MU-1            |
| Car wash                                                                | D               | R               |
| Commercial amusement (inside)                                           | • / S           | • / S           |
| Commercial amusement (outside)                                          | S               | S               |
| Commercial motor vehicle parking                                        |                 |                 |
| Commercial parking lot or garage                                        | R               | R               |
| Convenience store with drive-through                                    | S               |                 |
| 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.          | S               | S               |
| Mortuary, funeral home, or commercial wedding chapel.                   | •               | •               |
| Home improvement center, lumber, brick or building materials sales yard | D               |                 |
| Household equipment and appliance repair                                |                 |                 |
| Liquor Store                                                            | Prohibited by D | Prohibited by D |
| Liquefied natural gas fueling station                                   |                 |                 |
| Motor vehicle fueling station                                           | •               | •               |
| Nursery, garden shop, or plant sales                                    | •               | •               |
| Outside sales                                                           |                 |                 |
| Paraphernalia shop                                                      | S               | S               |
| Pawn shop                                                               | •               |                 |
| Personal service use                                                    | •               | •               |
| Restaurant without drive-in or drive-through service                    | R               | R               |
| Restaurant with drive-in or drive-through service                       | D               | D               |
| Surface parking                                                         | •               | •               |
| Swap or buy shop                                                        | S               | S               |
| Taxidermist                                                             |                 |                 |
| Temporary retail use                                                    | •               | •               |
| Theater                                                                 | •               | •               |
| Truck stop                                                              |                 |                 |
| Vehicle display, sales, and service                                     |                 |                 |
| <b>TRANSPORTATION USES</b>                                              |                 |                 |
| Airport or landing field                                                |                 |                 |
| Commercial bus station and terminal                                     |                 |                 |
| Heliport                                                                |                 |                 |



|                                                      | Existing | Proposed |
|------------------------------------------------------|----------|----------|
| Use                                                  | CR       | MU-1     |
| Helistop                                             |          |          |
| Private street or alley                              |          |          |
| Railroad passenger station                           |          |          |
| Railroad yard, roundhouse, or shops                  |          |          |
| STOL (short take-off or landing port)                |          |          |
| Transit passenger shelter                            | •        | •        |
| Transit passenger station or transfer center         | •        | •        |
| <b>UTILITY AND PUBLIC SERVICE USES</b>               |          |          |
| Commercial radio or television transmitting station  | •        | •        |
| Electrical generating plant                          |          |          |
| Electrical substation                                | •        | •        |
| Local utilities                                      | •        | •        |
| Police or fire station                               | •        | •        |
| Post office                                          | •        | •        |
| Radio, television, or microwave tower                | •        | •        |
| Refuse transfer station                              |          |          |
| Sanitary landfill                                    |          |          |
| Sewage treatment plant                               |          |          |
| Tower/antenna for cellular communication             | •        | •        |
| Utility or government installation other than listed | •        | •        |
| 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                                       | S        | S        |
| Office showroom/warehouse                            |          |          |
| Outside storage                                      |          |          |
| 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                                            |          |          |

**Development Standards**

| <u>DISTRICT</u>                              | SETBACKS           |                   | Density and FAR                                                                                                                                                                                                        | Height                                                                    | Lot Coverage | Special Standards                               |
|----------------------------------------------|--------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|--------------|-------------------------------------------------|
|                                              | Front              | Side/Rear         |                                                                                                                                                                                                                        |                                                                           |              |                                                 |
| <b>Existing CR Community Retail District</b> | 15' min*<br>No Max | 0'<br>20' adj res | 0.5 FAR office<br>0.75 total FAR                                                                                                                                                                                       | 54'<br>4 stories                                                          | 60%          | Proximity Slope                                 |
| <b>Proposed MU-1 Mixed Use District</b>      | 15' min*<br>No Max | 0'<br>20' adj res | 0.4 – 1.1 FAR<br><br>No min lot size<br><br>Base:<br>15, 20, and 25 DUAC<br><br>5% at 61%-80% AMI:<br>+ 65 DUAC<br><br>10% at 61%-80% AMI:<br>+80 DUAC<br><br>10% at 61%-80% AMI &<br>5% at 81%-100% AMI:<br>+105 DUAC | No MUP:<br>80'<br><br>MUP No<br>Retail: 90'<br><br>MUP<br>Retail:<br>120' | 80%          | Proximity Slope<br><br>UFS<br><br>Tower Spacing |

*\*Blockface continuity applies*

The proposed MU-1 allows appropriately sited density and height. MU-1 allows increases in height and density above its base only when including a mix of uses, as described above. This lot would have a front setback on Prichard Lane and on Scyene Road. Front setback continuity would imply a 25-foot front on these setbacks, as they share a block with R-7.5(A) zoning. Additional height and residential density are appropriate in an area well served by transit and with concentrated surface parking.

MU-1 would be a more appropriate zoning to developed residential uses on this site than would a Townhouse or Multifamily district, as these two districts would apply potentially problematic adjacency restrictions on surrounding commercial properties, including side setbacks, residential buffer zones, and residential proximity slope.

The applicant has not stated any intent to include mixed income housing units, but the density bonuses available to multifamily uses allowed broadly in MU-1 are also listed above. Those bonuses would also entail the requirement of the design standards of 4.1107.

**Landscaping:**

Landscaping and tree preservation are required in accordance with Article X, as amended.

**Parking:**

Off-street parking must be provided pursuant to the Dallas Development Code, as amended. The off-street parking requirement for a single family use in MU-1 is two spaces per unit. The off-street parking requirement for a multifamily use is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. Should the applicant include a mixed income housing component, this requirement would be reduced to one-half space per unit. The off-street parking requirements for retail and personal services uses are variable but range from one space per 100 square feet of floor area to 300 square feet of floor area.

As with any minimum required parking, these ratios only reflect the minimum amount required. The developer may provide additional parking beyond these.

**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 in an “F” MVA cluster.

**CPC Action**

**January 18, 2024**

**Motion:** It was moved to recommend **approval** of a MU-1-D Mixed Use District with a D Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay, on the southeast corner of Prichard Lane and Scyene Road.

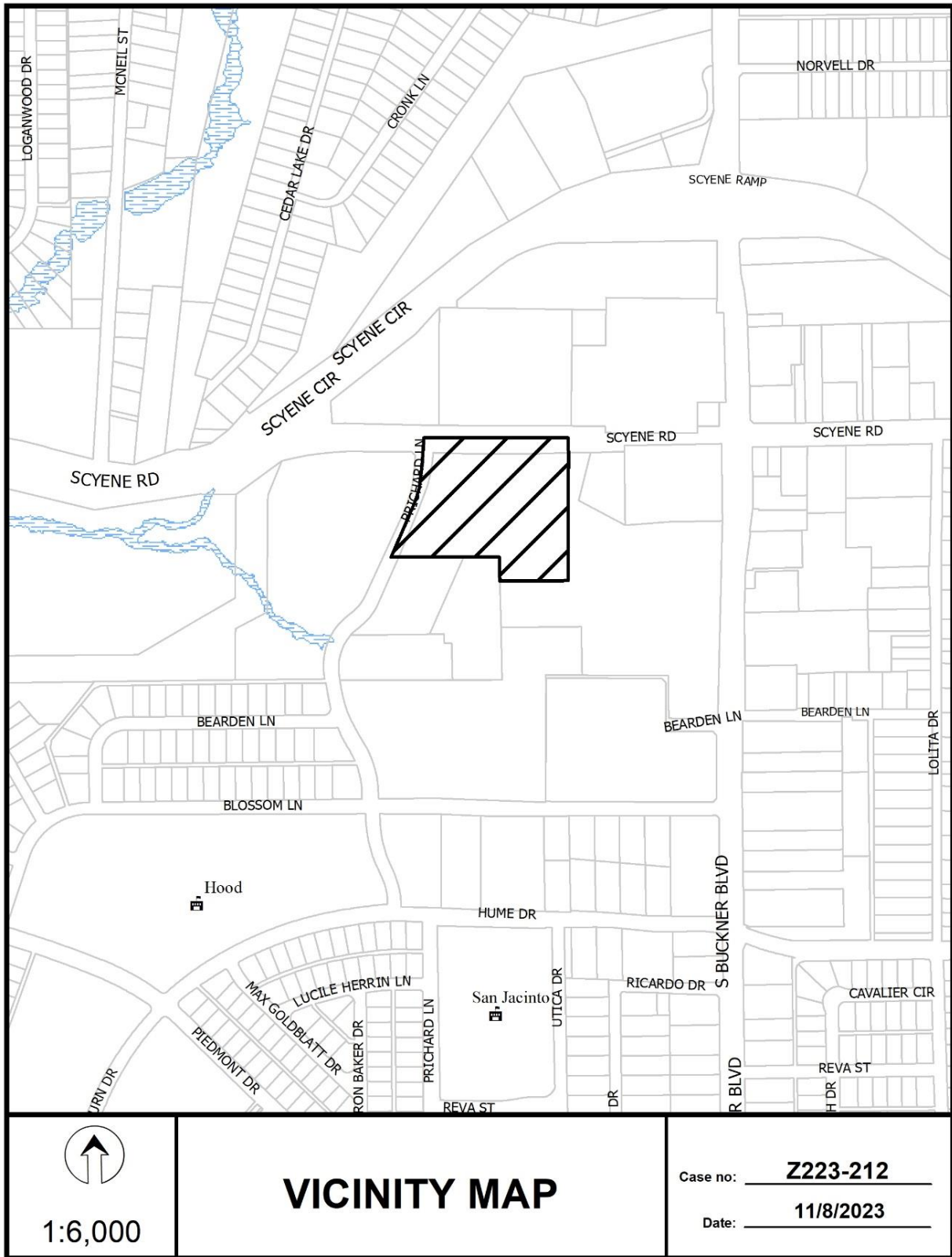
Maker: Rubin  
Second: Hampton  
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Treadway, Haqq, Hall, Kingston,  
Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 4

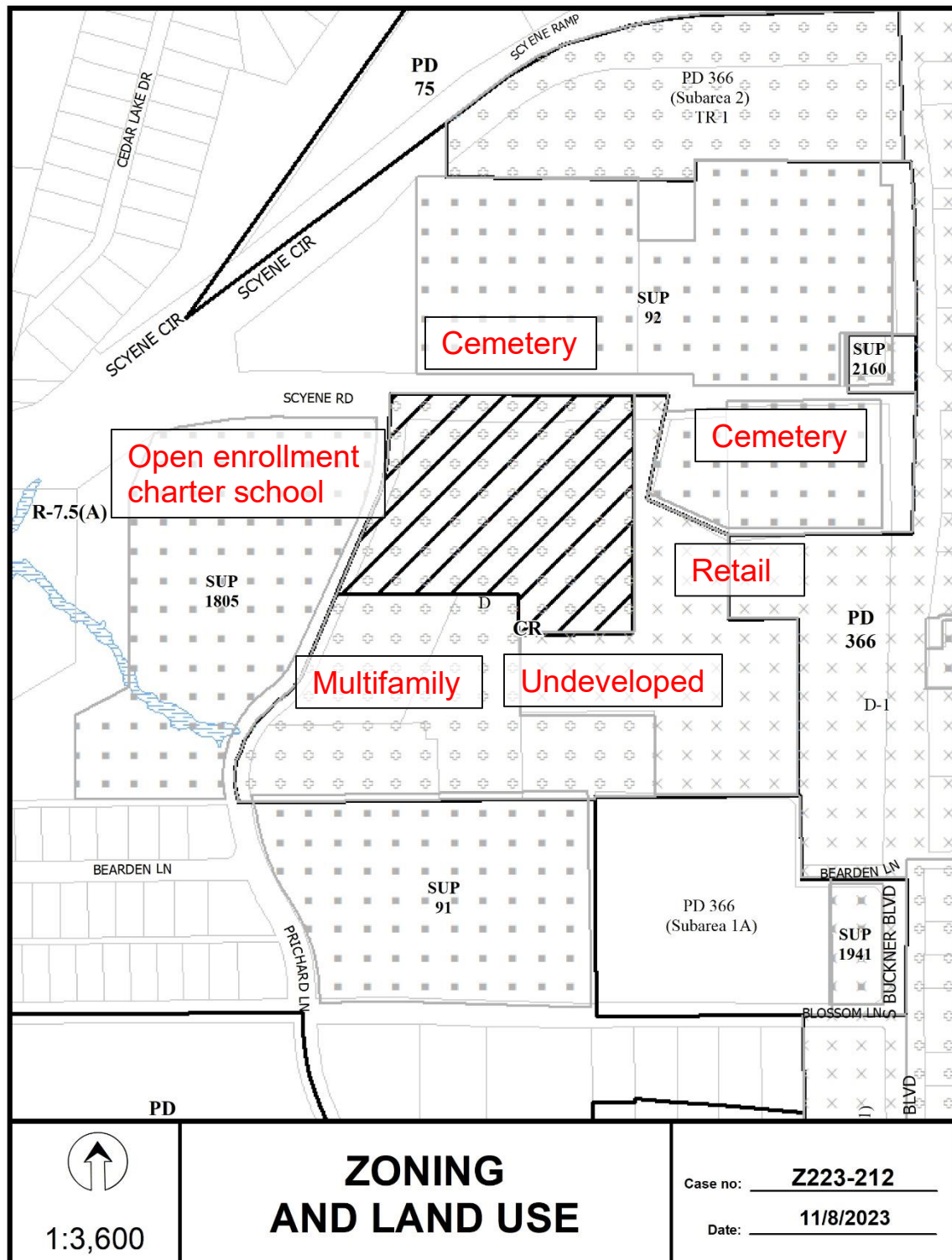
|                 |           |            |
|-----------------|-----------|------------|
| <b>Notices:</b> | Area: 400 | Mailed: 12 |
| <b>Replies:</b> | For: 0    | Against: 0 |

**Speakers:** None

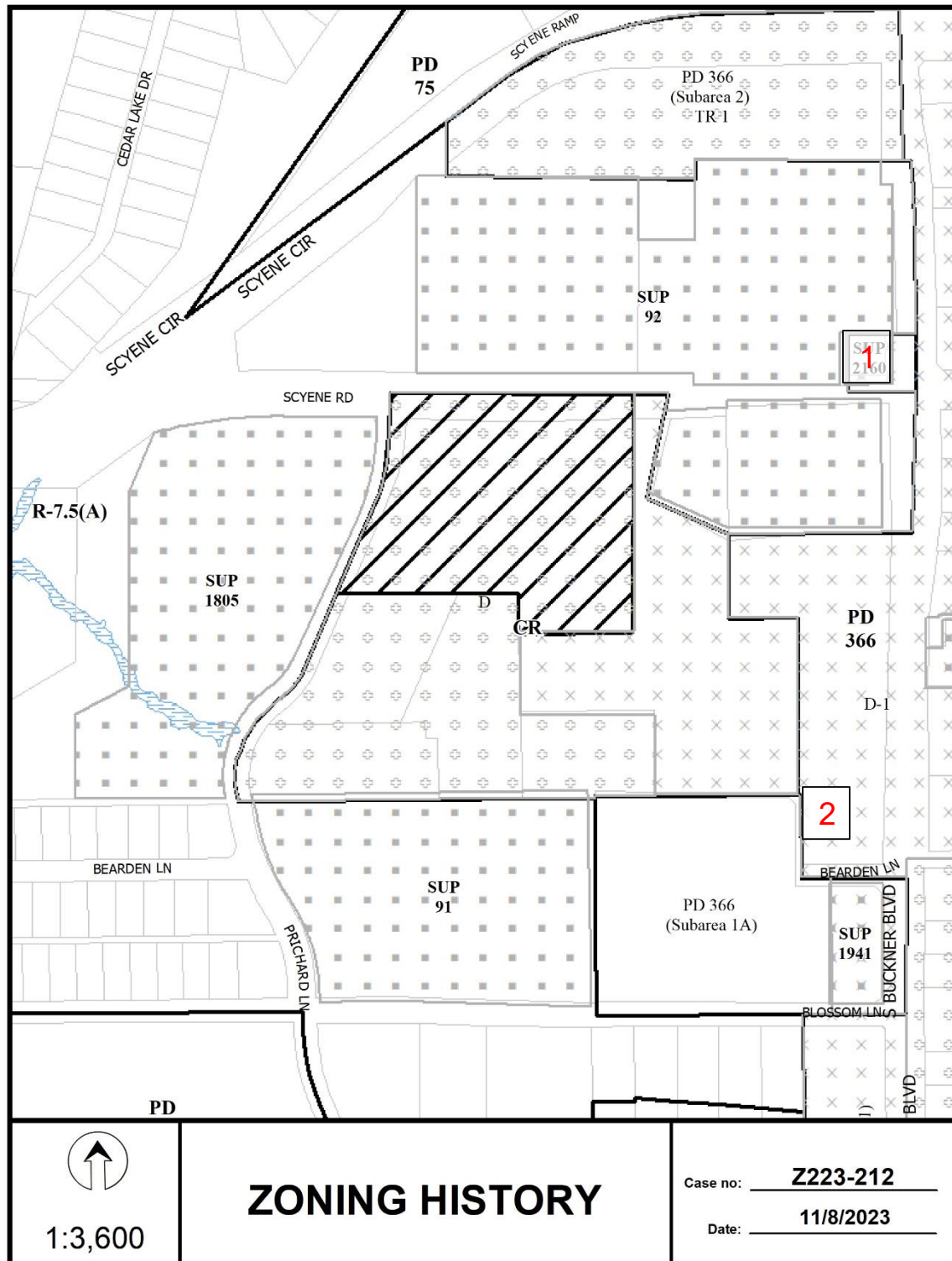




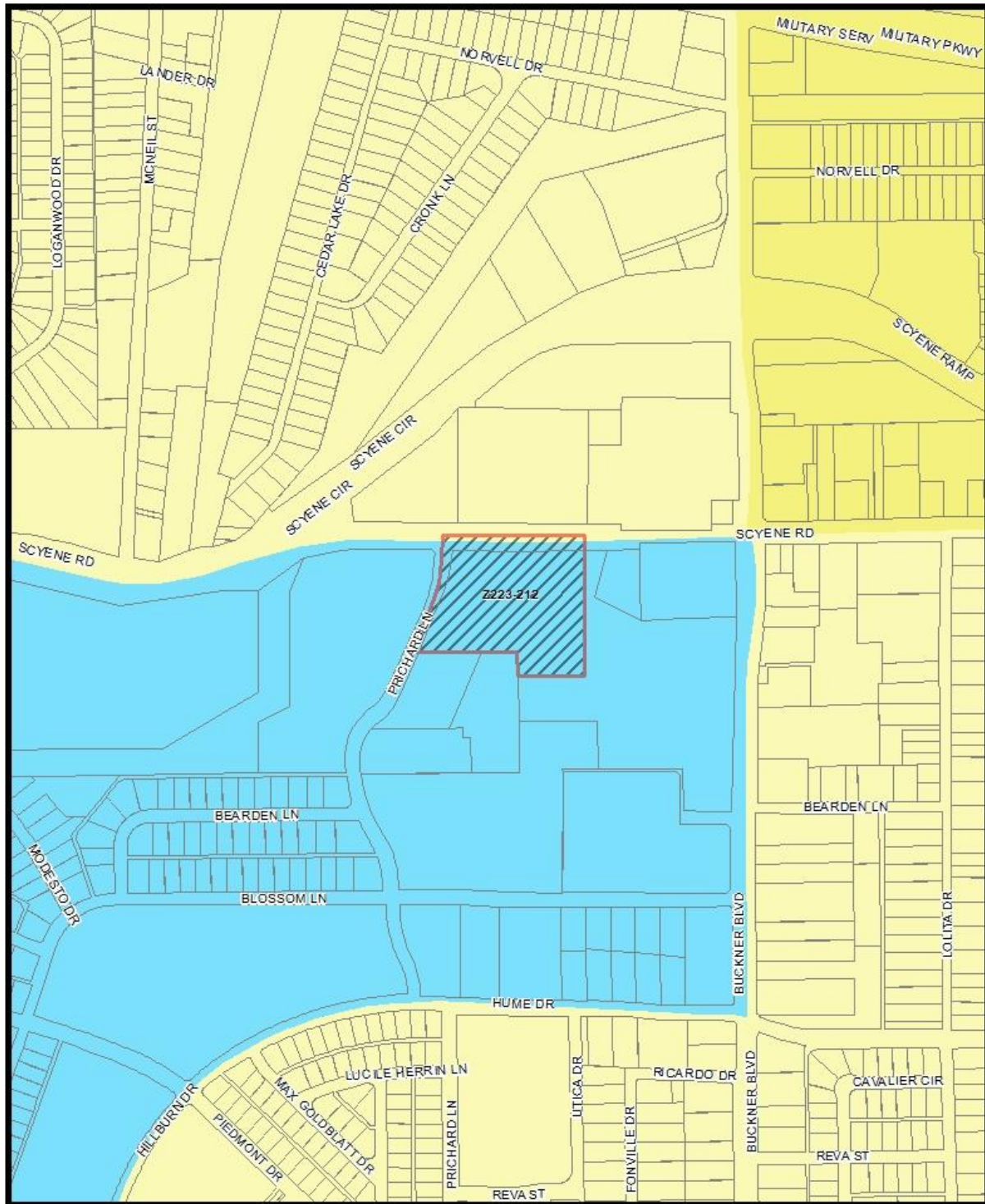












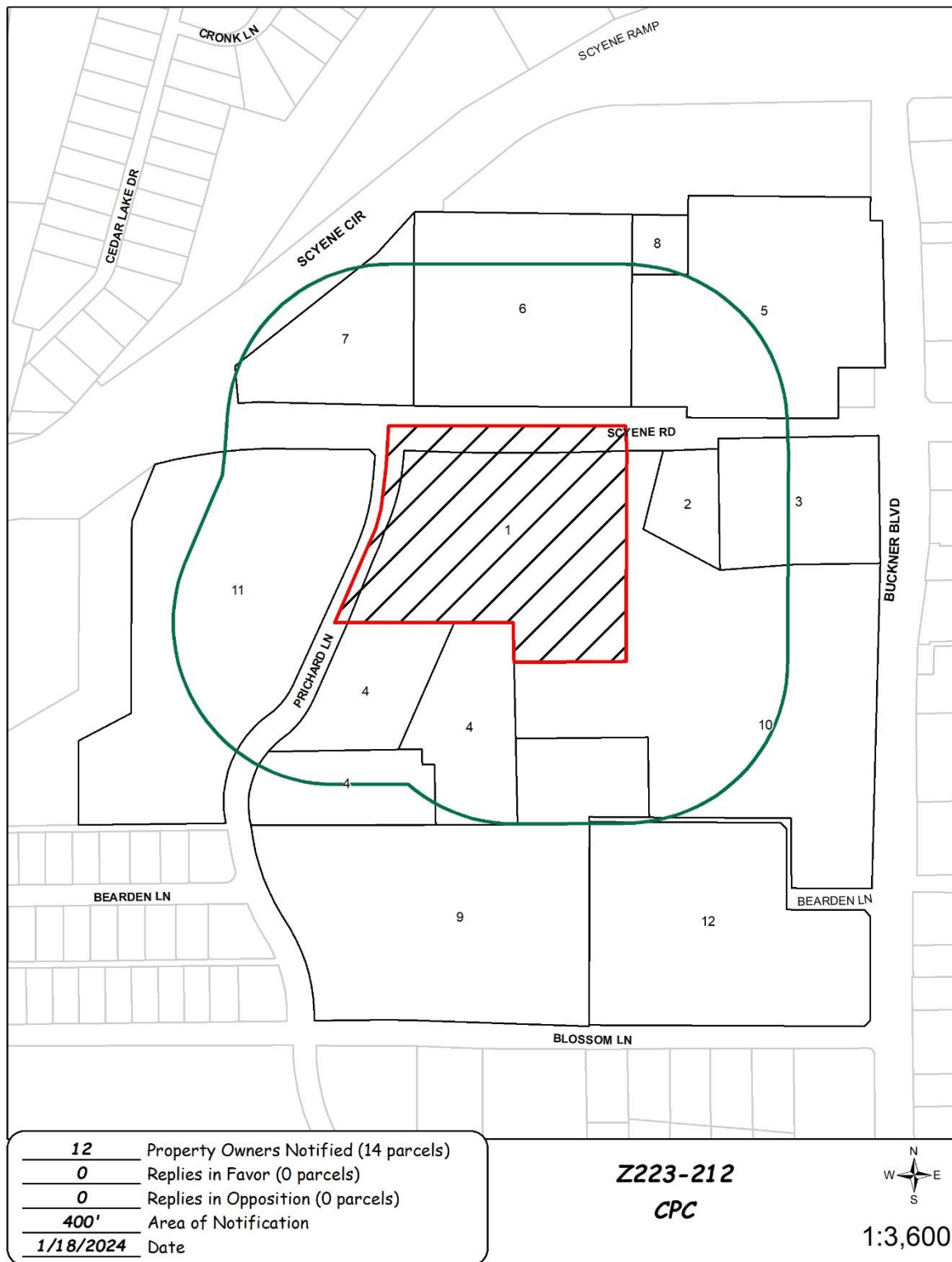
Market Value Analysis A B C D E F G H I NA



1:6,000

## Market Value Analysis

Printed Date: 1/2/2024



01/17/2024

***Reply List of Property Owners******Z223-212******12 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                     | 8000 SCYENE RD        | MARCER CONSTRUCTION COMPANY         |
|                     | 2                     | 8004 SCYENE RD        | HERITAGE FUNERAL HOME &             |
|                     | 3                     | 8050 SCYENE RD        | CEMETERY                            |
|                     | 4                     | 2838 PRICHARD LN      | VILLA LADERA APARTMENTS LLC         |
|                     | 5                     | 3151 S BUCKNER BLVD   | PLEASANT MOUND CEMETERY             |
|                     | 6                     | 7801 SCYENE RD        | CONGREGATION TIFERET ISRAEL         |
|                     | 7                     | 7851 SCYENE RD        | TEMPLO DE DIOS DALLAS               |
|                     | 8                     | 8004 SCYENE RD        | PLEASANT MOUND CEM ASSOC            |
|                     | 9                     | 2818 PRICHARD LN      | MINISTERIOS TIEMPO DE DIOS INC      |
|                     | 10                    | 8000 SCYENE RD        | BUCKNER PARTNERSHIP LP              |
|                     | 11                    | 2800 PRICHARD LN      | NOVA CHARTER SCHOOL                 |
|                     | 12                    | 2827 S BUCKNER BLVD   | WAL MART REAL ESTATE BUSINESS TRUST |