

FILE NUMBER: Z234-191(LC) **DATE FILED:** March 15, 2024
LOCATION: West corner of C.F. Hawn Freeway and Silverado Drive
COUNCIL DISTRICT: 8
SIZE OF REQUEST: 3.69 acres **CENSUS TRACT:** 48113017102

REPRESENTATIVE: Andrew Ruegg, Masterplan

OWNER/APPLICANT: Marlow’s Enterprises, Inc.

REQUEST: An application for a Specific Use Permit for a truck stop on property zoned a CS Commercial Service District with Specific Use Permit No. 1851 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less and a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow a truck stop on the property.

STAFF RECOMMENDATION: Approval, subject to a revised site/landscape plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently developed with commercial retail, a gas station, a merchandise store (convenience store) and truck stop (approx. 3.69 acres in total size), zoned a CS, Commercial Services District, with existing SUP 1851 and D-1 Dry Overlay.
- Geographically located in Southeast Dallas, approx. 13.5 miles from downtown.
- This lot has frontage on both C.F. Hawn Freeway and Silverado Drive.
- Applicant proposes a new SUP for property to add truck stop use to property.
- Existing SUP No. 1851 on subject site.
- Applicant is requesting a specific use permit for a permanent time period.
- Although staff recommends approval of the request, staff recommends revisions to the proposed site/landscape plan so that a) the applicant provides a separate site plan and landscape plan to meet permitting requirements, and b) any enhanced landscape conditions above and beyond Article X requirements are shown on the landscape plan. Staff also recommends that any enhanced landscape conditions be codified in the SUP conditions.

Zoning History:

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

1. **Z212-115:** On September 7, 2023, City Council denied an application for a Specific Use Permit for commercial motor vehicle parking on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northwest line of Silverado Drive between C.F. Hawn Freeway and Kleberg Road.
2. **Z201-143:** On February 25, 2021, staff approved an automatic renewal of Specific Use Permit No. 1851 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay, located on the southwest corner of Silverado Drive and US-175 Frontage. Road.
3. **Z234-169:** On February 8, 2024, staff received an application for a Specific Use Permit to allow a towing company/vehicle storage facility on property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay, located on southeast corner of Silverado Drive and C.F. Hawn Freeway.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
C.F. Hawn Freeway	-	-
Silverado Drive	Community Collector	80 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 will continue review of engineering plans at permitting to comply with city standards.

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.

The request 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.

ECONOMIC ELEMENT

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 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

West Kleberg Land Use Study:

The West Kleberg community is located in the far southeastern section of the City of Dallas, bordering the cities of Seagoville, Balch Springs, and unincorporated areas of Dallas County. It is generally located south of Interstate-20, and bounded on the east by Stark Road and Dallas city limit; on the south by Seagoville city limit and the Dallas County; and on the west by St. Augustine and Haymarket Roads.

Vision:

The Vision for the West Kleberg Community Plan is to reflect "Old Kleberg's" historical heritage, by promotion a strong rural atmosphere still allowing for future growth to occur that is sensitive to this context.

Summary:

This plan was developed through a partnership with the Advisory Committee, City staff and other agencies. Committee stakeholder members and City staff worked to identify community "needs" and "desires". The Advisory Committee facilitated citizen participation through activities such as a 'Visioning Activity' which allowed citizens to depict the types of businesses and services the community would like to see.

The result was a consensus agreement on the goals and objectives for the West Kleberg Community Plan, which also complemented the goals of the City's Comprehensive Plan, forwardDallas!, which was in development at the time. The plan informs how land use should develop, future zoning and describes two catalyst projects focusing on U.S. 175 as mixed use corridor.

The subject site is listed in the area plan under Subarea 1 of the proposed study area, which is projected to be revitalized and developed with the need to stimulate new business activity and retain existing businesses through incentive programs. The zoning request aligns with the above area plan through many of the goals and actions presented in the West Kleberg area plan. Some of the goals are listed below.

LAND USE & ZONING

GOAL - Protect the rural character of the community by encouraging commercial development along the commercial corridors.

ECONOMIC DEVELOPMENT

GOAL - Economic development that encourages business retention and attracts new "neighborhood serving" business uses to the community.

INFRASTRUCTURE

GOAL - Provide infrastructure to stimulate economic and residential development and meet the needs of current residents and business owners.

ENVIRONMENTAL

GOAL - Discourage encroachment of industrial related uses into residential neighborhoods.

According to the Future Vision Map on p. 128 of the area plan document, the plan recommends building up a commercial corridor where the area of request currently sits. Additionally, the subject site is highlighted in “Catalyst Project Area 1”, this is where the area plan intends to build out of commercial retail. The request being located in this proposed commercial corridor, with future plans to increase and improve the commercial retail uses of the site are a few ways the request complies and aligns with the area plan.

Land Use:

	Zoning	Land Use
Site	CS, with SUP 1851 & D-1 Overlay	Truck Stop, gas station and convenience store
North	CS, with D-1 Overlay	Commercial retail
South	CS, with D-1 Overlay	Commercial retail
East	CS, with D-1 Overlay	Commercial retail
West	CS, with D-1 Overlay	Commercial retail

Land Use Compatibility:

The area of request is currently developed with commercial retail, a gas station, a merchandise store (convenience store) and truck stop (approx. 3.69 acres in total size), zoned a CS, Commercial Services District, with existing SUP 1581 and D-1 Dry Overlay.

To the north, south, east, and west of the property are properties zoned CS, Commercial Service District with commercial retail uses. With this area being surrounded by commercial uses and the area of request matching the uses in the immediate area, staff finds the applicant’s requested SUP to allow a truck stop use to be compatible with the surrounding area. Staff supports the applicant’s request.

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.

Staff supports the request because the use is not foreseen to be detrimental to surrounding properties. Staff recommends approval for a permanent time period.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended, and with certain enhancements above and beyond Article X requirements. Staff recommends revisions to the proposed site/landscape plan so that the applicant provides a separate site plan and landscape plan. Staff does not generally recommend approval of combined site/landscape plans as these are two separate documents with different purposes. It is also a requirement at permitting that applicants submit a separate site plan and landscape plan.

Because the applicant is proposing enhanced landscape conditions above and beyond Article X, staff also recommends that these enhanced conditions be shown on the separate landscape plan. Finally, staff recommends that any enhanced landscape conditions be codified in the SUP conditions. This will ensure that any future changes to the landscape conditions of the SUP will require a full zoning case, rather than a minor amendment to the SUP landscape plan.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a truck stop use in a CS, Commercial Service District, is two spaces. The applicant will be providing 69 parking spaces total, as displayed on their site plan, showing that they are in compliance with the parking regulations of SEC. 51A-4.210.

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 target intervention strategies more precisely 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 a “H” MVA area. There is an “H” MVA area to the north, south, east, and west of the subject site.

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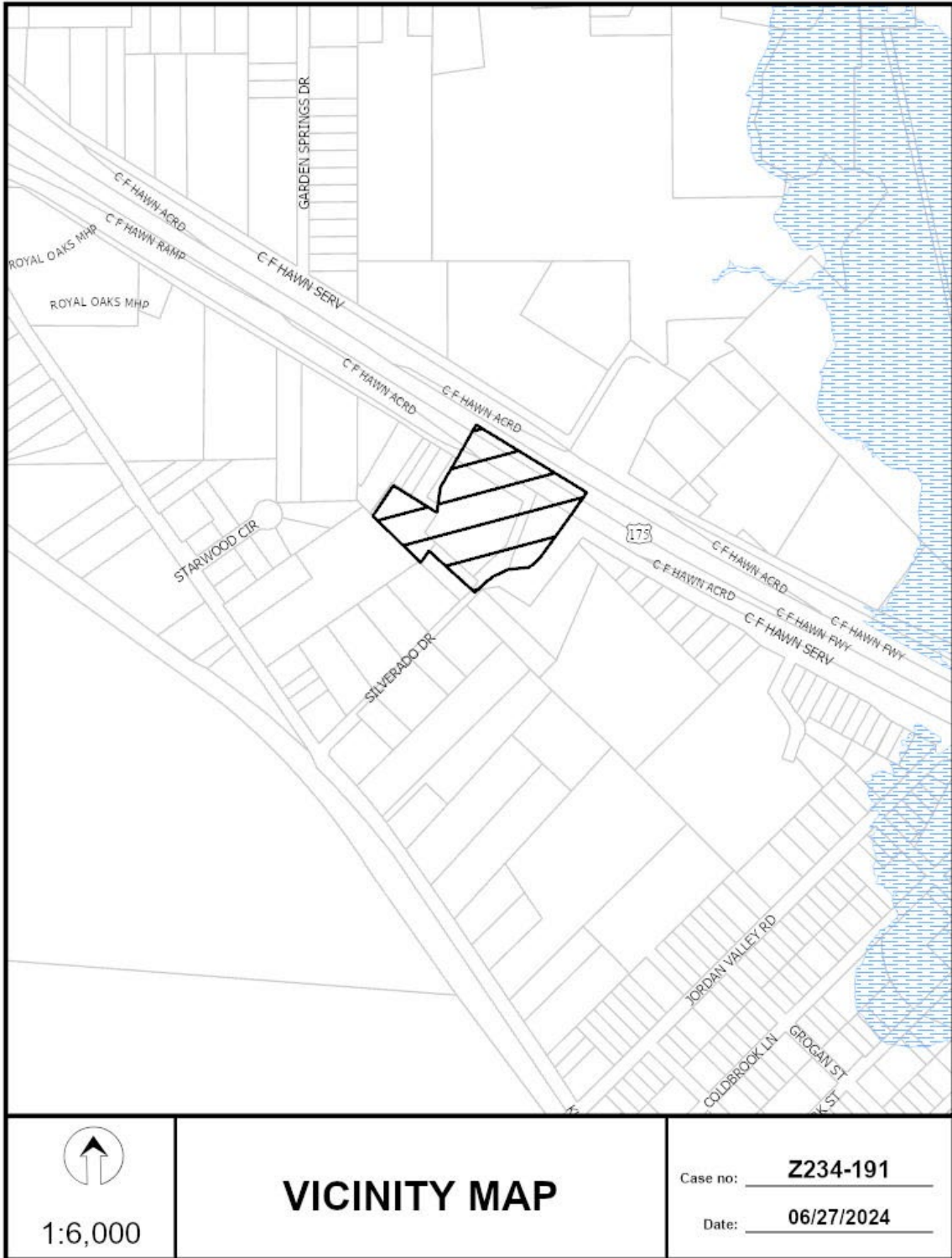
List of Officers

Marlow's Enterprises, Inc.

Carl T. Marlow, President
Judy Marlow, Manager

PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is a truck stop.
2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. OVERNIGHT PARKING: No overnight parking is permitted on the Property.
5. LANDSCAPING: Landscape must be provided as shown on the attached site plan.
6. INGRESS/EGRESS: For commercial motor vehicles, egress is not permitted on to Silverado Drive as shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations with the City of Dallas.



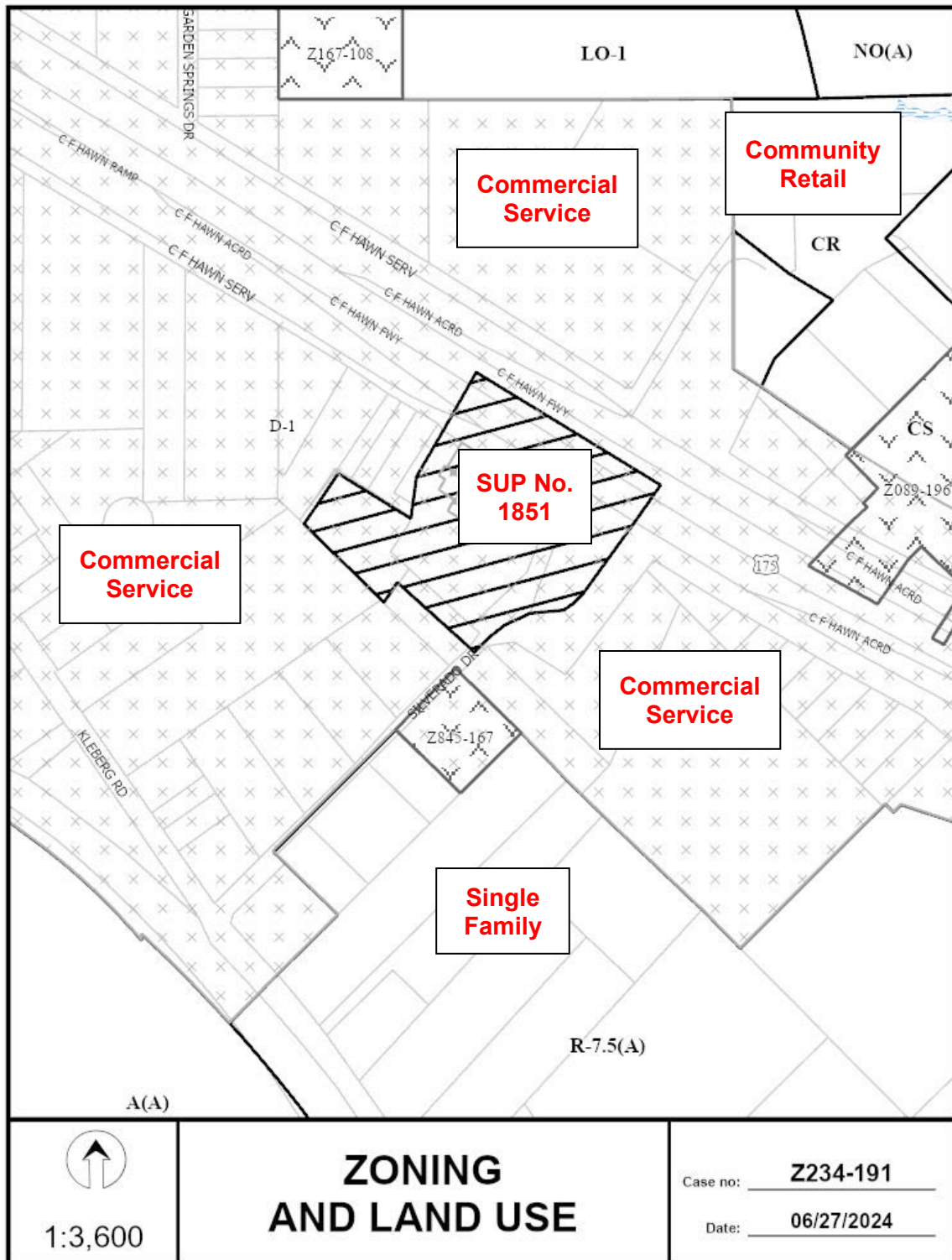


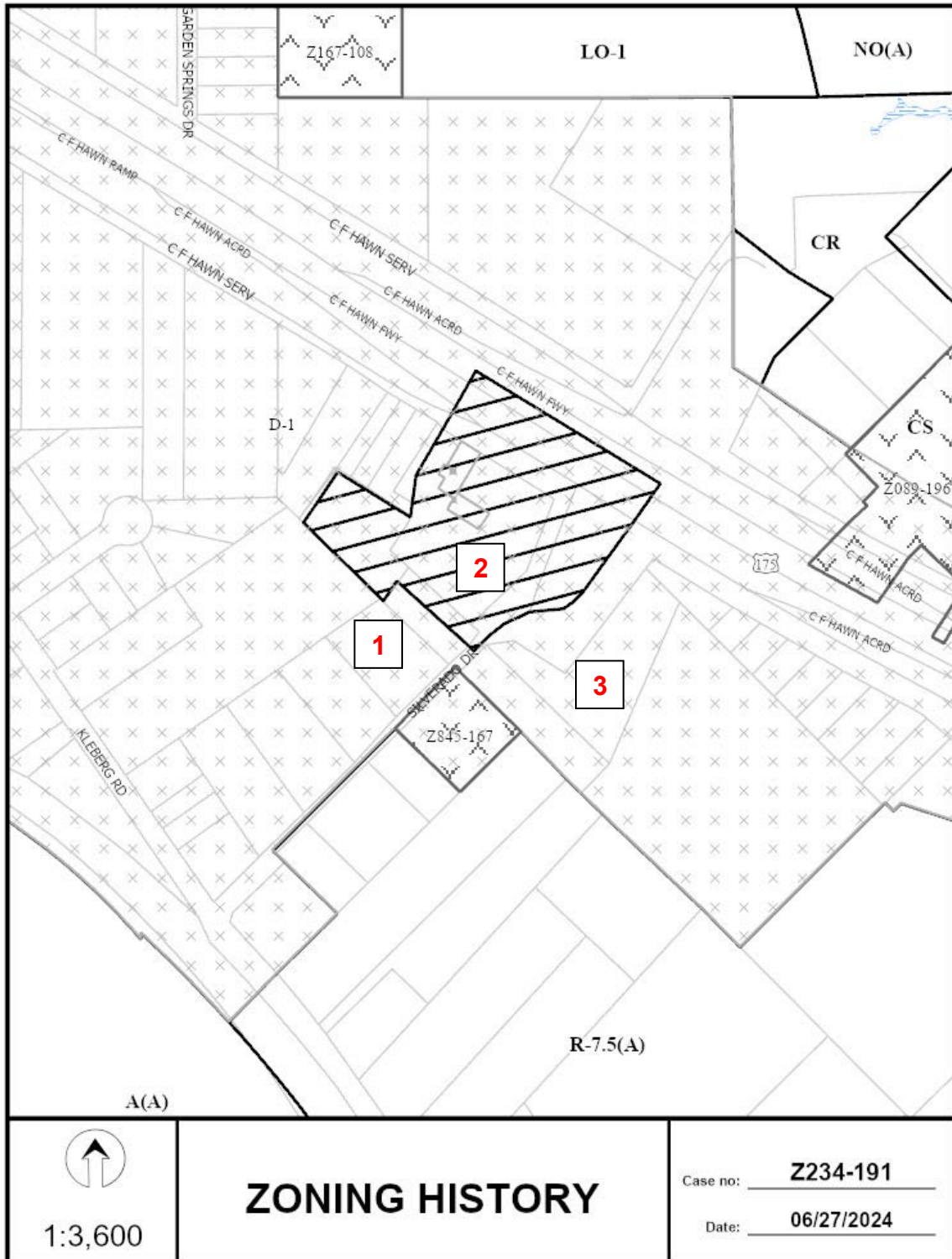
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AERIAL MAP

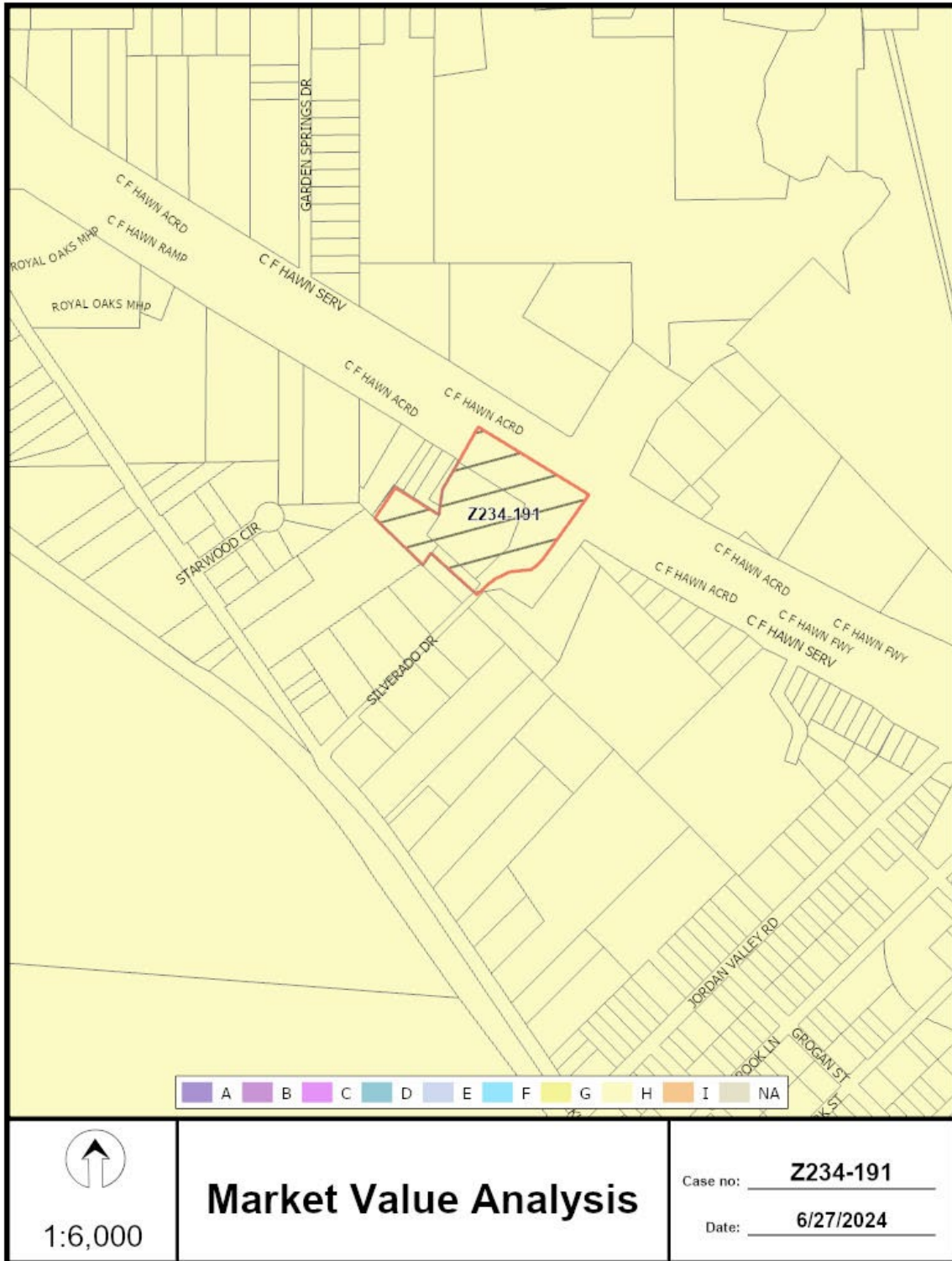
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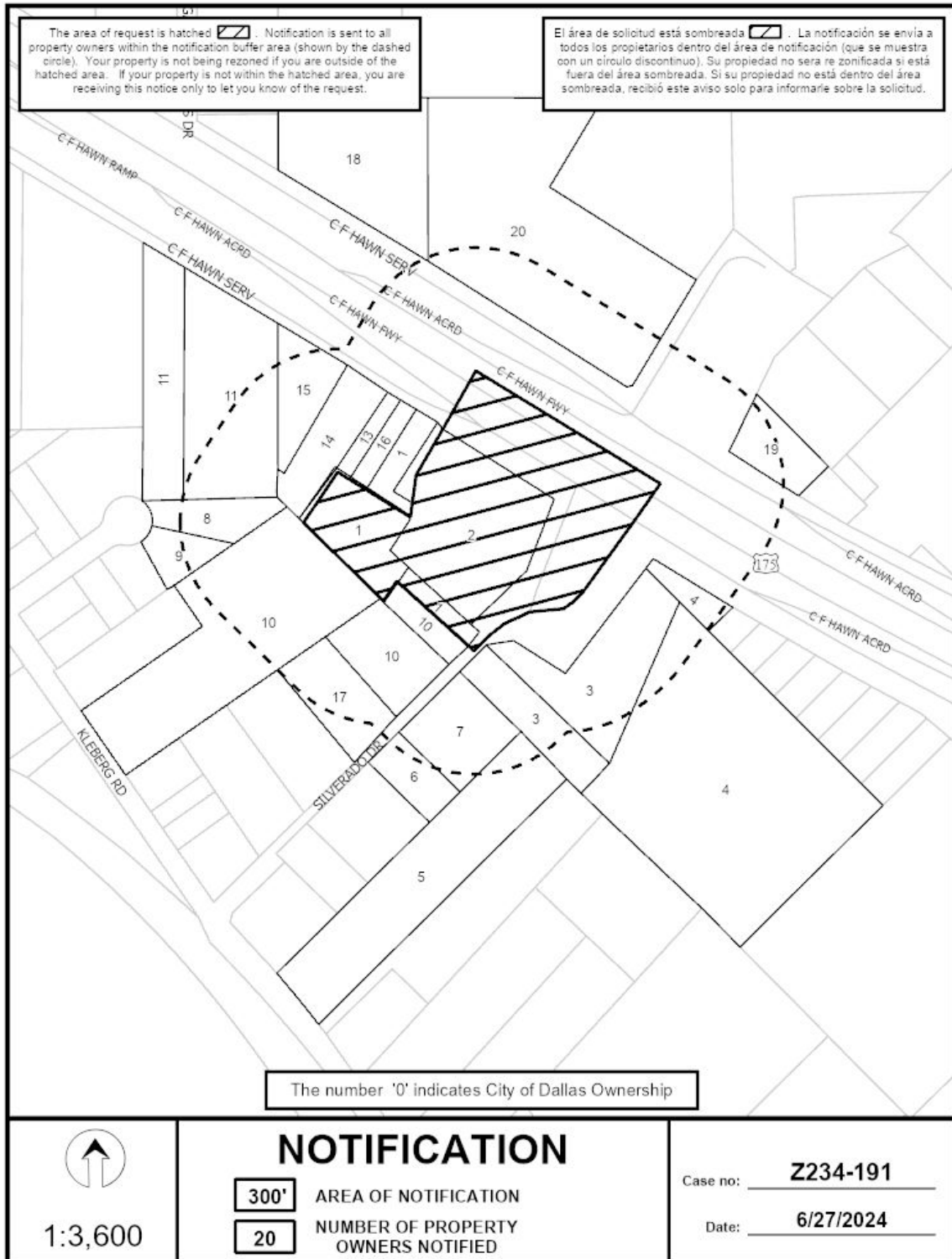
Date: 06/27/2024





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06/27/2024

Notification List of Property Owners

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20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2105 SILVERADO DR	TAYLOR LAWRENCE C & DEBRA
2	11810 C F HAWN FWY	MARLOWS ENTERPRISES INC
3	2110 SILVERADO DR	ALBARRAN RAFAEL
4	11900 C F HAWN FWY	SINGH HARPREET &
5	11923 KLEBERG RD	HOLT IVONE
6	2122 SILVERADO DR	SALAS JUAN
7	2110 SILVERADO DR	GAMES TERESO
8	2204 STARWOOD CIR	ORTIZ EDIVINO
9	2210 STARWOOD CIR	SALAZARRAMIREZ MANUEL &
10	2105 SILVERADO DR	STEVEN OPERATIONS LLC
11	11600 C F HAWN FWY	DER PROPERTIES LP
12	11700 C F HAWN FWY	MARLOW CARL THOMAS
13	11750 C F HAWN FWY	TAYLOR LAWRENCE C &
14	11740 C F HAWN FWY	ORTIZ ADILENE
15	11710 C F HAWN FWY	CHIHUAHUA JOSE
16	11760 C F HAWN FWY	TAYLOR LAWRENCE C & DEBRA
17	2123 SILVERADO DR	ABRAMS BRAD
18	11701 C F HAWN FWY	OEFTERING INC
19	11909 C F HAWN FWY	SAENZ BRIGIDO &
20	11801 C F HAWN FWY	ARC CF HAWN LLC