

CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 19, 2024****Planner: LeQuan Clinton****FILE NUMBER:** Z234-256(LC) **DATE FILED:** June 5, 2024**LOCATION:** East line of North Masters Drive, between Oak Gate Lane and Checota Drive**COUNCIL DISTRICT:** 5**SIZE OF REQUEST:** 3.31 acres **CENSUS TRACT:** 48113011902

REPRESENTATIVE: Audra Buckley, Permitted Development**OWNER:** Pleasant Hill Missionary Baptist Church of Dallas**APPLICANT:** Dillard Management Solutions**REQUEST:** An application for an MU-1 Mixed Use District on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 2250 for a tower/antenna for cellular communication.**SUMMARY:** The purpose of the request is to allow mixed use development on the property.**STAFF
RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is currently zoned R-7.5(A) and developed with an existing building and parking lot previously used as a church (approx. 3.31 acres in total size).
- Geographically located in Southeast Dallas, approx. 13 miles from downtown.
- This lot has frontage only on North Masters Drive.
- The purpose of the request is to rezone the property to MU-1 Mixed Use District, to allow a mix of commercial and residential uses for mixed use development with volunteered deed restrictions.
- Applicant is volunteering deed restrictions that involve prohibiting certain uses on site, providing buffer by fencing and gating proposed residential areas, limiting the max height of building structures, and limiting the max number of dwelling units.
- Applicant is proposing a mixed-use development of multifamily residential (16 townhomes), office/flex space for the neighborhood's use and for small office space rental for any entrepreneurs in the area, and small retail/restaurant on the property.
- There is an existing SUP No. 2250 for cell tower/antenna communications that will remain.
- To accomplish this, the applicant is requesting a general zoning change to an MU-1 Mixed Use District.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Masters Drive	MA – Minor Arterial	100'
Oak Gate Lane	Local Street	--
Checota Drive	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 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 2.1 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 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD PLUS

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

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

GOAL 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use
Site	R-7.5(A), SUP No. 2250	Commercial Retail
North	R-7.5(A)	Single family
South	R-7.5(A)	Single family
East	R-7.5(A)	Single family
West	R-7.5(A)	School, Young Men's Leadership Academy

Land Use Compatibility:

The area of request is currently zoned R-7.5(A) and developed with an existing building and parking lot previously used as a church (approx. 3.31 acres in total size), located on the east line of North Masters Drive, between Oak Gate Lane and Checota Drive.

In every direction adjacent of the property are single family uses. To the west of the property is a youth leadership academy. With the immediate area being mostly residential, staff finds the applicant's requested zoning change to an MU-1 Mixed Use District, with volunteered deed restrictions prohibiting certain uses on site, fencing, and gating all residential areas with fencing a minimum of 6' in height, limiting the max height of the proposed structure to 30' and max number of dwelling units to sixteen, to be appropriate and compatible with the surrounding area.

Staff supports the applicant's request and finds the proposed rezoning to be appropriate for this area as it would not be detrimental to surrounding uses. This compatibility is further reflected in the development standards comparison table below.

Development Standards:

The following is a comparison chart of the development standards for the current R-7.5(A) Single Family District and the proposed MU-1 Mixed Use District. Also included are the proposed development standards under the applicant's volunteered deed restrictions.

District	Setback		Density	Height	Lot Cvrgr	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-7.5(A)	25'	5'	1 Dwelling Unit/ 7,500 sf	30'	45%		Single family
Base: MU-1	15'	20' adj to res Other: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form Setback Tower spacing Visual intrusion	Office, retail & personal service, lodging, residential
Proposed: MU-1 w/DRs			Max 16 du	30'			See DRs below

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

	Use prohibited, highlighted row = use prohibited by deed restrictions
•	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, 51A-4.213

	Existing	Proposed
Use	R-7.5(A)	MU-1
AGRICULTURAL USES		
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		

Use	R-7.5(A)	MU-1
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		S
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		S
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
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
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility		
Cemetery or mausoleum	S	S
Child-care facility	★	•
Church	•	•
College, university, or seminary	S	•
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery	S	•
Foster home	S	•
Halfway house		

Use	R-7.5(A)	MU-1
Hospital		S
Library, art gallery, or museum	S	•
Open enrollment charter school or private school		S
Public or private school	S	R
LODGING USES		
Extended stay hotel or motel		S
Hotel or motel		R,S, ★
Lodging or boarding house		
Overnight general purpose shelter		
Short-term rental lodging		•
MISCELLANEOUS USES		
Attached non-premise sign		S
Carnival or circus (temporary)	★	★
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment		
Financial institution without drive-in window		•
Financial institution with drive-in window		D
Medical clinic or ambulatory surgical center		•
Office		•
RECREATION USES		
Country club with private membership	S	•
Private recreation center, club, or area	S	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
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	•	•
RETAIL AND PERSONAL SERVICE USES		
Alcoholic beverage establishments		★
Ambulance service		
Animal shelter or clinic without outside runs		R

Use	R-7.5(A)	MU-1
Animal shelter or clinic with outside runs		
Auto service center		R
Business school		•
Car wash		R
Commercial amusement (inside)		S
Commercial amusement (outside)		S
Commercial motor vehicle parking		
Commercial parking lot or garage		R
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		S
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		•
Nursery, garden shop, or plant sales		•
Outside sales		
Paraphernalia shop		S
Pawn shop		
Personal service use		•
Restaurant without drive-in or drive-through service		R
Restaurant with drive-in or drive-through service		D
Surface parking		
Swap or buy shop		S
Taxidermist		
Temporary retail use		•
Theater		•
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		

Use	R-7.5(A)	MU-1
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	•
Local utilities	S, R, ★	S, R, ★
Police or fire station	S	•
Post office		•
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	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		

Accessory Use	R-7.5(A)	MU-1
Warehouse		
Community center (private)	S	
Day home		
Game court (private)		
General waste incinerator		
Helistop		S
Home occupation		
Medical/infectious waste incinerator		S, ★
Outside display of merchandise		
Outside sales		
Pathological waste incinerator		
Pedestrian skybridge		
Private stable		
Swimming pool (private)		

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Under the requested MU-1 Mixed Use District, the applicant proposes a mixed use development, which will be composed of several uses. The first being multifamily residential connected to the proposed townhomes. The second being office connected to the proposed office/flex space that will be open to the residents and neighborhood to rent. The last use is a restaurant without drive-in or drive-through service connected to the proposed juice bar.

Pursuant to the Dallas Development Code, the off-street parking requirement for each of those uses are as follows. 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. No additional parking is required for accessory uses that are limited principally to residents. The off-street parking requirement for office use is one space per 333 square feet of floor area. Lastly, the off-street parking requirement for a restaurant without drive-in or drive-through service is one space per 100 square feet of floor area.

At permitting, the applicant would be required to comply with the standard parking ratios for the specified uses, as well as any other uses permitted under the proposed MU-1 Mixed Use District.

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 in an “H” MVA area. The site is surrounded by the “H” MVA area in all directions immediately adjacent to the site.

List of Officers

Pleasant Hill Missionary Baptist Church of Dallas

Kennon Tenison, President/Owner

Melvin Cobb, Vice-President

Brandon Horton, CFO

Johnnie Jones, Secretary

Dillard Management Solutions

Joe Dillard, Owner

APPLICANT'S VOLUNTEERED DEED RESTRICTIONS

1. The following Mixed-Use 1 District (MU-1) main uses are **prohibited** on the Property as follows:

(B) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Labor hall. [SUP]
- Medical or scientific laboratory. [SUP]

(C) Industrial uses.

- Gas drilling and production. [SUP]
- Temporary concrete or asphalt batching plant. [SUP]

(D) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- College, university, or seminary.
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [RAR]
- Convent or monastery.
- Foster home.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]
- Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]
- Short-term rental lodging.

(F) Miscellaneous uses.

- Attached non-premise sign. [SUP]
- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center.

(H) Recreation uses.

- Private recreation center, club, or area.
- Country club with private membership.
- Public park, playground, or golf course.

(I) Residential uses.

- College dormitory, fraternity, or sorority house.
- Residential hotel.
- Single family.

(J) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
- Animal shelter or clinic without outside runs. [RAR]

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- Auto service center. [RAR]
- Business school.
- Car wash. [RAR]
- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store greater than 3,500 square feet.
- General merchandise or food store 100,000 square feet or more. [SUP]
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Paraphernalia shop. [SUP]
- Personal service uses.
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]

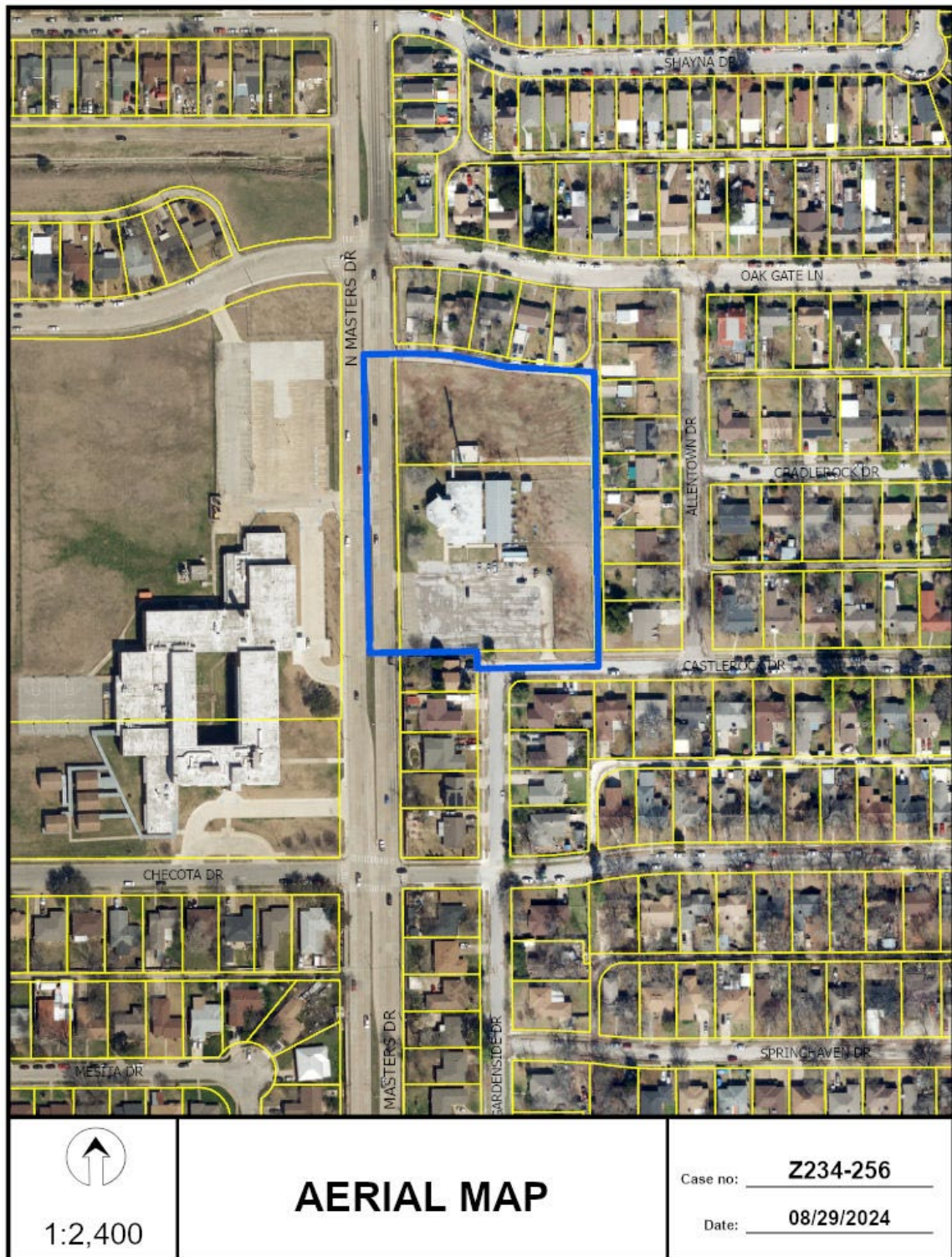
(L) Utility and public service uses.

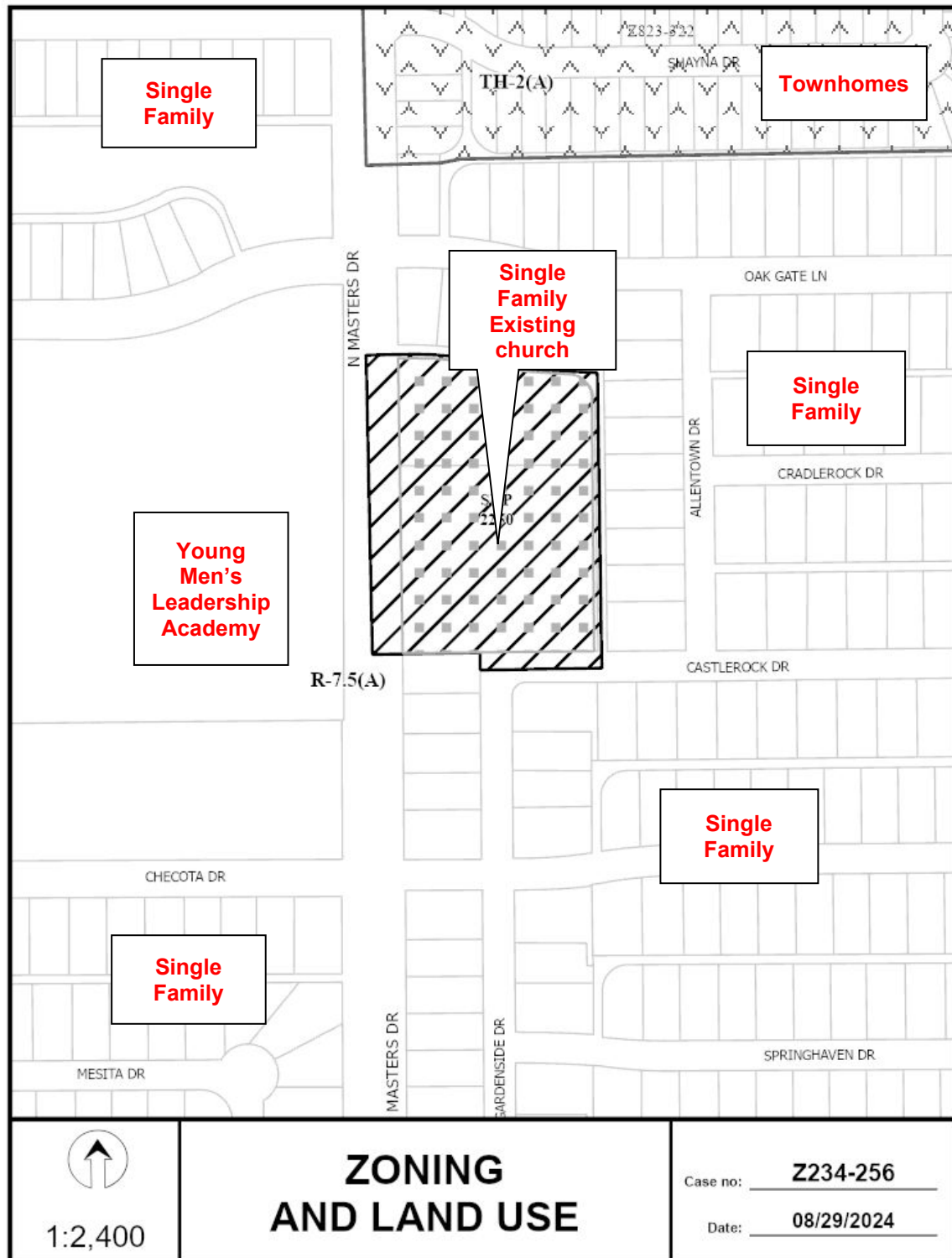
- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Post office.
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

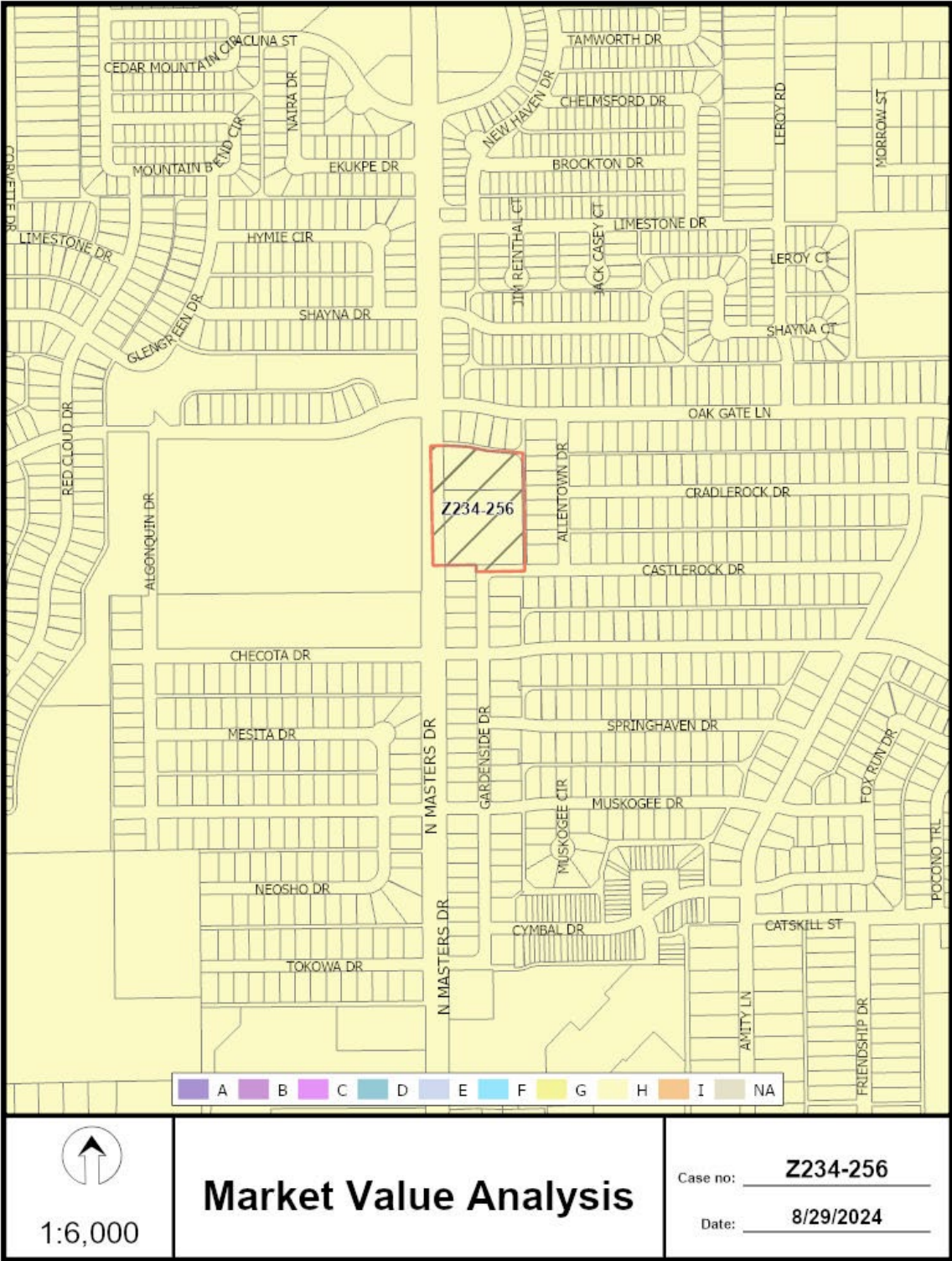
(M) Wholesale, distribution, and storage uses.

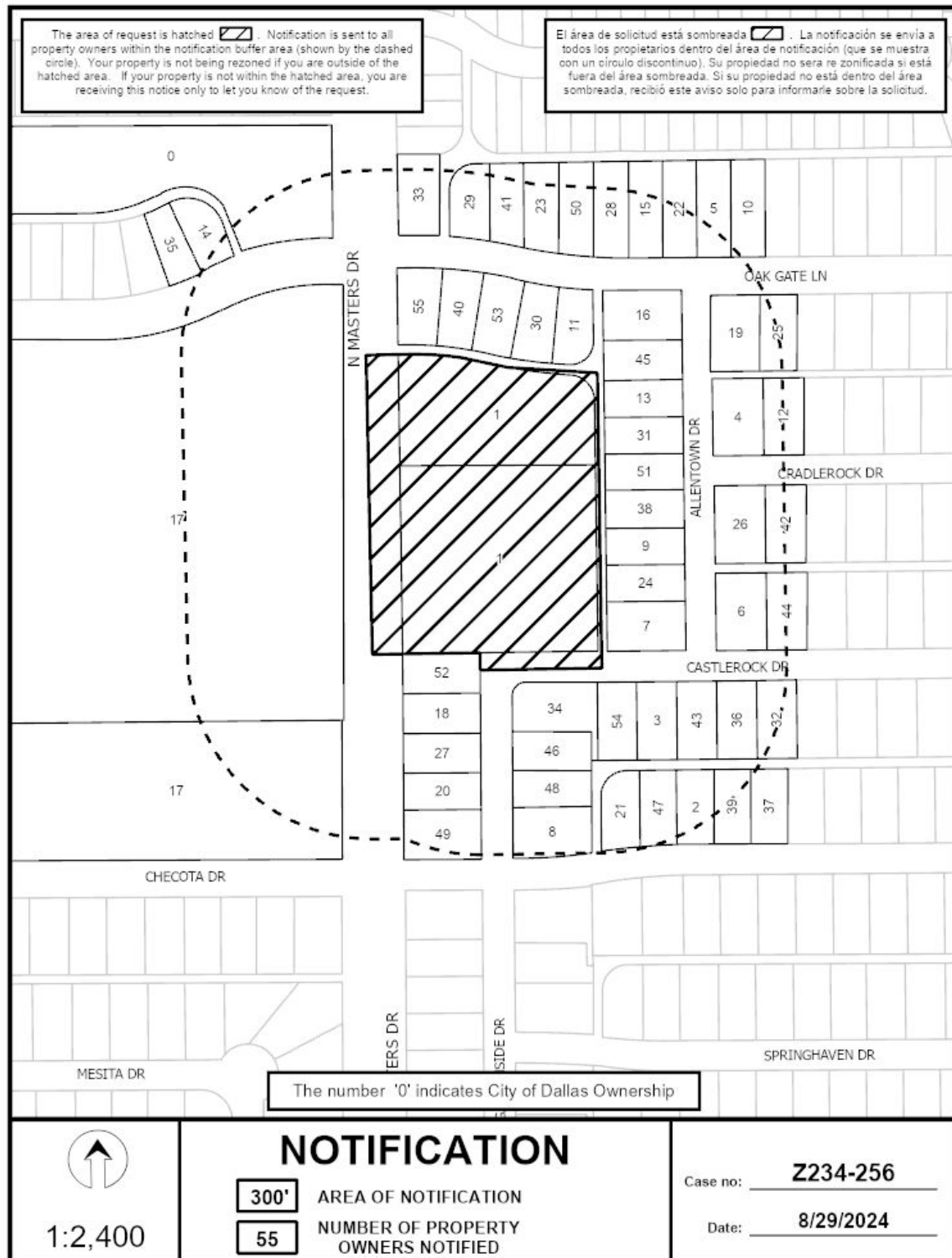
- Mini-warehouse. [SUP]
 - Recycling buy-back center [See Section 51A-4.213 (11).]
 - Recycling collection center. [See Section 51A-4.213 (11.1).]
 - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
 - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]
2. Residential areas shall be fenced and gated. The fence shall be a minimum of six (6') feet in height.
 3. Maximum height is thirty (30') feet and subject to residential proximity slope as defined in Section. 51A-4.125. Mixed Use Districts E. i.
 4. Maximum number of dwelling units is sixteen (16).











08/29/2024

Notification List of Property Owners***Z234-256******55 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1636 N MASTERS DR	PLEASANT HILL MISSIONARY
2	10325 CHECOTA DR	MORALES JESUS C
3	10320 CASTLEROCK DR	CASH GINGER
4	10311 CRADLEROCK DR	PHILLIPS RUDOLPH
5	10303 OAK GATE LN	MONJARAS JOSE REYES &
6	10329 CASTLEROCK DR	SAENZ LUCRECIA
7	1605 ALLENTOWN DR	KERBOW LUZ
8	1608 GARDENSIDE DR	DEBUSK VICTORIA
9	1617 ALLENTOWN DR	CARUTHERS LELA ET AL
10	10309 OAK GATE LN	HERNANDEZ AGUSTIN EST OF
11	10234 OAK GATE LN	BOWMAN VERA
12	10317 CRADLEROCK DR	SANTOS ALEJANDRO HERNANDEZ &
13	1721 ALLENTOWN DR	SANCHEZ CHRISTOPHER &
14	10131 OAK GATE LN	FOGERSON PATRICK L & MELISSA M
15	10239 OAK GATE LN	RAMIREZ MARCELO
16	1729 ALLENTOWN DR	CHARLESTON TERRY
17	1615 N MASTERS DR	Dallas ISD
18	1623 GARDENSIDE DR	ANDREWS ANTHONY D
19	10310 OAK GATE LN	GALLEGOS JOSE GRANCISCO NAVARRO &
20	1611 GARDENSIDE DR	HICKS LEZETTA PEARL
21	10315 CHECOTA DR	JOHNSON MARCUS LEE
22	10245 OAK GATE LN	RAMIREZ JOSE CELESTINO &
23	10221 OAK GATE LN	OLVERA EDUARDO &
24	1609 ALLENTOWN DR	ULLOA JUAN A
25	10316 OAK GATE LN	CARRILLO ANGELITA M
26	10310 CRADLEROCK DR	MARTINEZ LORENZO

08/29/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1617 GARDENSIDE DR	CHASE IRMA
28	10233 OAK GATE LN	WITTER TESFA
29	10209 OAK GATE LN	GONZALEZ ROGELIO &
30	10228 OAK GATE LN	RODRIGUEZ MIGUEL A
31	1709 ALLENTOWN DR	WASHINGTON LASALLE L SR &
32	10334 CASTLEROCK DR	BURGUETTE KATHIA MINNE
33	10203 OAK GATE LN	MURRELL NATHANIEL A JR
34	1624 GARDENSIDE DR	WATSON PERCY ALVIN JR &
35	10127 OAK GATE LN	OAK GATE JV
36	10328 CASTLEROCK DR	RESIDENTIAL HOMEOWNER 1 LLC
37	10333 CHECOTA DR	THOMPSON RACHEL MAE
38	1623 ALLENTOWN DR	DIAZ VICTOR M
39	10329 CHECOTA DR	NAVARRO ALMA DELIA HERRERA
40	10216 OAK GATE LN	MECCA APRIL INC
41	10215 OAK GATE LN	VELASQUEZ JOSE &
42	10316 CRADLEROCK DR	ORANDAY JUAN F & MARIA R
43	10324 CASTLEROCK DR	MARSHALL TONY D
44	10335 CASTLEROCK DR	MEJIA NERI FRANCISCO VASQUEZ &
45	1715 ALLENTOWN DR	RENTAL TRANSITION LLC
46	1618 GARDENSIDE DR	ESTERS WILLIAMS SUNDRA EST OF
47	10321 CHECOTA DR	GILES JOE L
48	1612 GARDENSIDE DR	CASTILLO IBAN
49	1607 GARDENSIDE DR	ANDRADE ROMAN & JUANA
50	10227 OAK GATE LN	VALADEZ ALFREDO &
51	1705 ALLENTOWN DR	Taxpayer at
52	1629 GARDENSIDE DR	AGUILAR JOSE SANTOS TORRES
53	10222 OAK GATE LN	OAK GATE EAST
54	10314 CASTLEROCK DR	SALAMANCA JOSE & MATILDE
55	10210 OAK GATE LN	GUEVARA ROSEMARY C