

FILE NUMBER: Z223-247(MP)

DATE FILED: April 11, 2023

LOCATION: East line of Executive Drive, north of East Northwest Highway

COUNCIL DISTRICT: 9

SIZE OF REQUEST: ±3.4166 acres

CENSUS TRACT: 48113013010

APPLICANT: Dallas Water Utilities

OWNER: City of Dallas

REQUEST: An application for a Specific Use Permit for a utility or government installation other than listed limited to an elevated water storage reservoir on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to allow the development of an elevated water storage reservoir.

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

CPC RECOMMENDATION: Approval, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The subject parcel is an undeveloped 3.42 acre lot.
- The proposed use is a utility or government installation other than listed limited to an elevated water storage reservoir, otherwise known as a water tower.
- Utility or government installation other than listed is defined as follows: “a ‘utility other than listed’ is a public or private facility certificated, franchised, licensed, or operated by the city as a utility, and that is not specifically covered by the use regulations in this chapter. A ‘government installation other than listed’ is an installation owned or leased by a government agency and that is not specifically covered by the use regulations in this chapter. Typical such government installations include city hall, a courthouse, or an elevated water storage reservoir.”
- The lot would be accessed from Executive Drive.
- The proposed use requires a specific use permit in the existing CS Commercial Service District.

Zoning History:

There has been one zoning case in the area in the past five years.

1. **Z190-327:** On February 24, 2021, the City Council denied the renewal of Specific Use Permit No. 2294 for an alcoholic beverage establishment limited to a private club/bar and a commercial amusement (inside) limited to a dance hall on property zoned a CS Commercial Service District on the west line of McCree Road, north of East Northwest Highway.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Executive Drive	Local	55 feet
East Northwest Highway	Principal Arterial	107 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, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request.

While the Plan does not specifically address water utilities, the Plan contains goals and policies for the stabilization and strengthening of neighborhoods. Staff recognizes that municipal water infrastructure is a part of overall access to quality of life and economic development. Therefore, updating water facilities while respecting neighborhood character may help achieve the general goals of the Plan.

Land Use:

	Zoning	Land Use
Site	CS Commercial Service District	Undeveloped
North	CS Commercial Service District	Undeveloped
East	CS Commercial Service District	Vehicle or Engine Repair or Maintenance
South	CS Commercial Service District	Restaurants without drive-in or drive-through service (3), Undeveloped
West	MC-4 Multiple Commercial District	Office / Surface parking

Land Use Compatibility:

The area of request is currently undeveloped. Properties to the west across Executive Drive include office uses and associated surface parking. Properties to the north are undeveloped. Property to the east of the site, across a private access drive, is a vehicle or engine repair or maintenance use. There are three restaurants without drive-in or drive-through service to the south, as well as one undeveloped lot. Staff finds the proposed use and site plan compatible with the surrounding area.

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.

Although many of the immediately adjacent lots are currently undeveloped, the broader area along the Northwest Highway corridor is generally commercial in character, and the undeveloped lots are all entitled to commercial development by right. The location of the structure within the site should allow the facility to deliver service without impact on residential properties, which meets the evaluation requirements for SUPs as stated above.

Development Standards:

District	Setbacks		Height	Lot Coverage ¹	FAR	Special Standards
	Front	Side/Rear				
Existing CS	15' min No max	20 feet adj res Otherwise, no min	45' max Max 3 stories Structures for utility and public service uses and institutional uses may be erected to any height consistent with the Federal Aviation Administration air space limitations, residential proximity slope height restrictions, and the building code. ²	80% max	0.5 max for lodging, office, and retail/personal service uses combined, 0.75 max for all uses combined	DIR for trip gen > 6000 per day and 500 trips per acre per day Continuity of blockface Proximity Slope

¹ Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

² Exceptions: No portion of a structure that exceeds the maximum structure height specified in the district regulations may be located above a residential proximity slope.

The proposed site plan for the SUP complies with the development standards of the CS Commercial Service district.

Landscaping:

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

Parking:

The use of government installation other than listed requires the ratio of the use that the building official determines is the most equivalent to the proposed use in terms of function. If a specific use permit is required, the off-street parking regulations may be established in the ordinance granting the permit. In such cases, the city council shall consider the degree to which the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.

The specific use permit establishes a minimum of one space for the use. The proposed site plan provides four spaces.

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 located within an “E” MVA cluster.

CPC Action
OCTOBER 19, 2023

Motion: It was moved to recommend **approval** of a Specific Use Permit for a utility or government installation other than listed limited to an elevated water storage reservoir, subject to a site plan and conditions on property zoned a CS Commercial Service District, on the east line of Executive Drive, north of East Northwest Highway.

Maker: Sleeper
Second: Rubin
Result: Carried: 15 to 0

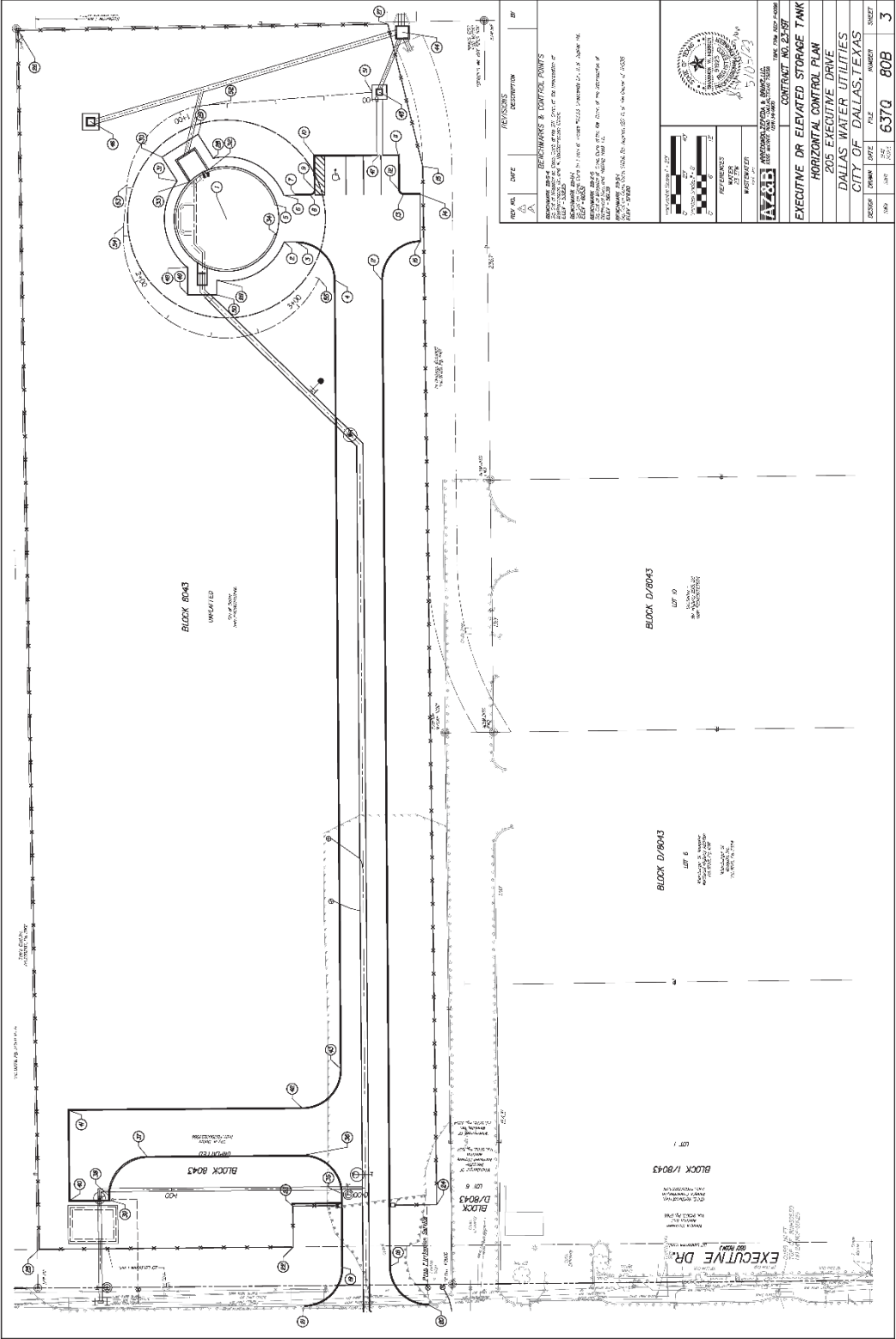
For: 15 - Chernock, Hampton, Herbert, Anderson, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Treadway, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices:	Area: 300	Mailed: 17
Replies:	For: 0	Against: 0

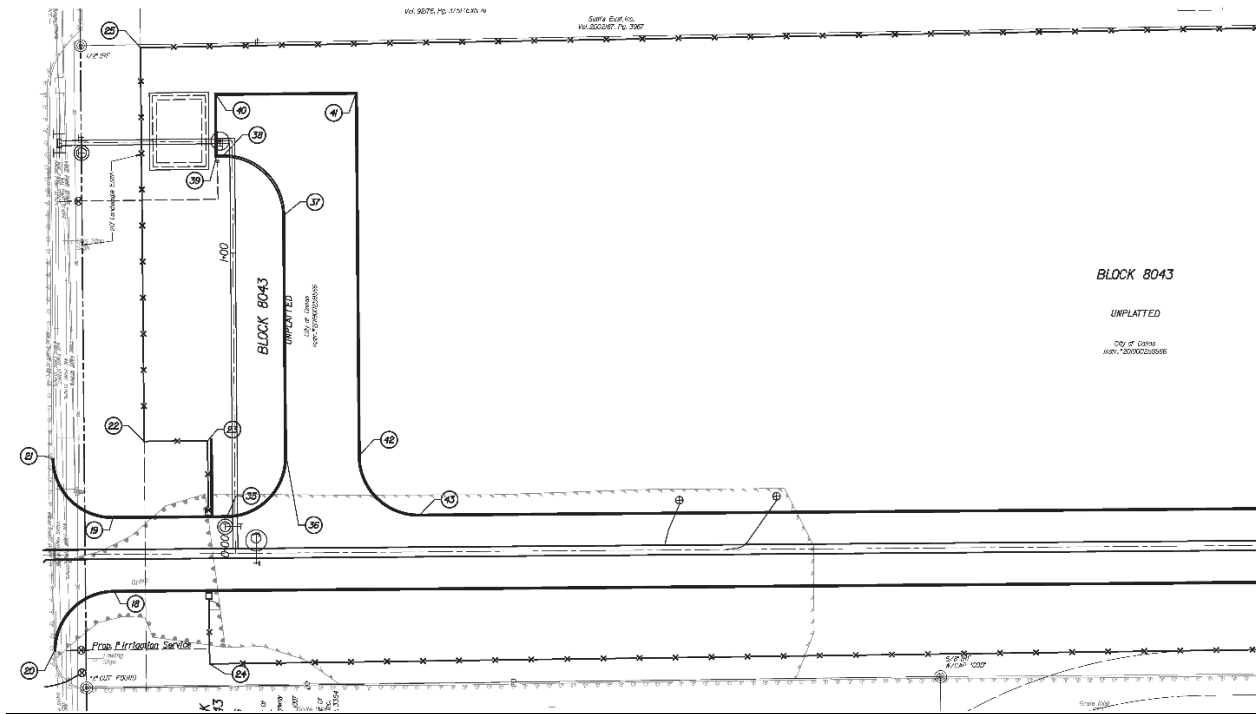
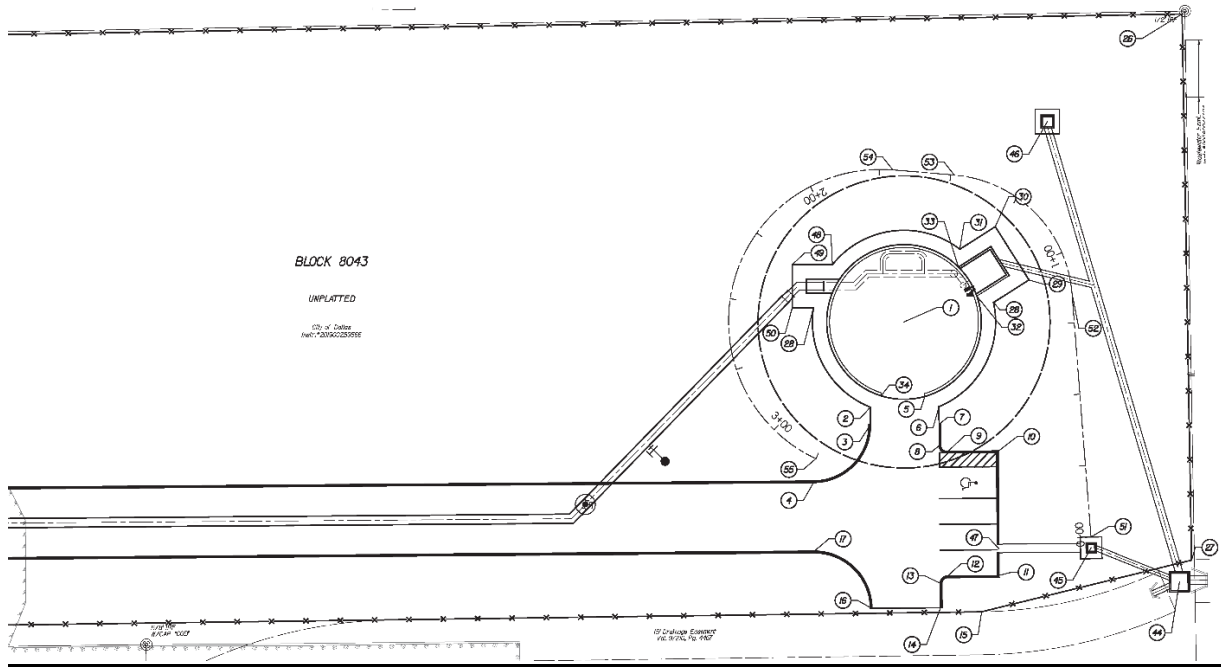
Speakers: None

CPC RECOMMENDED SITE PLAN



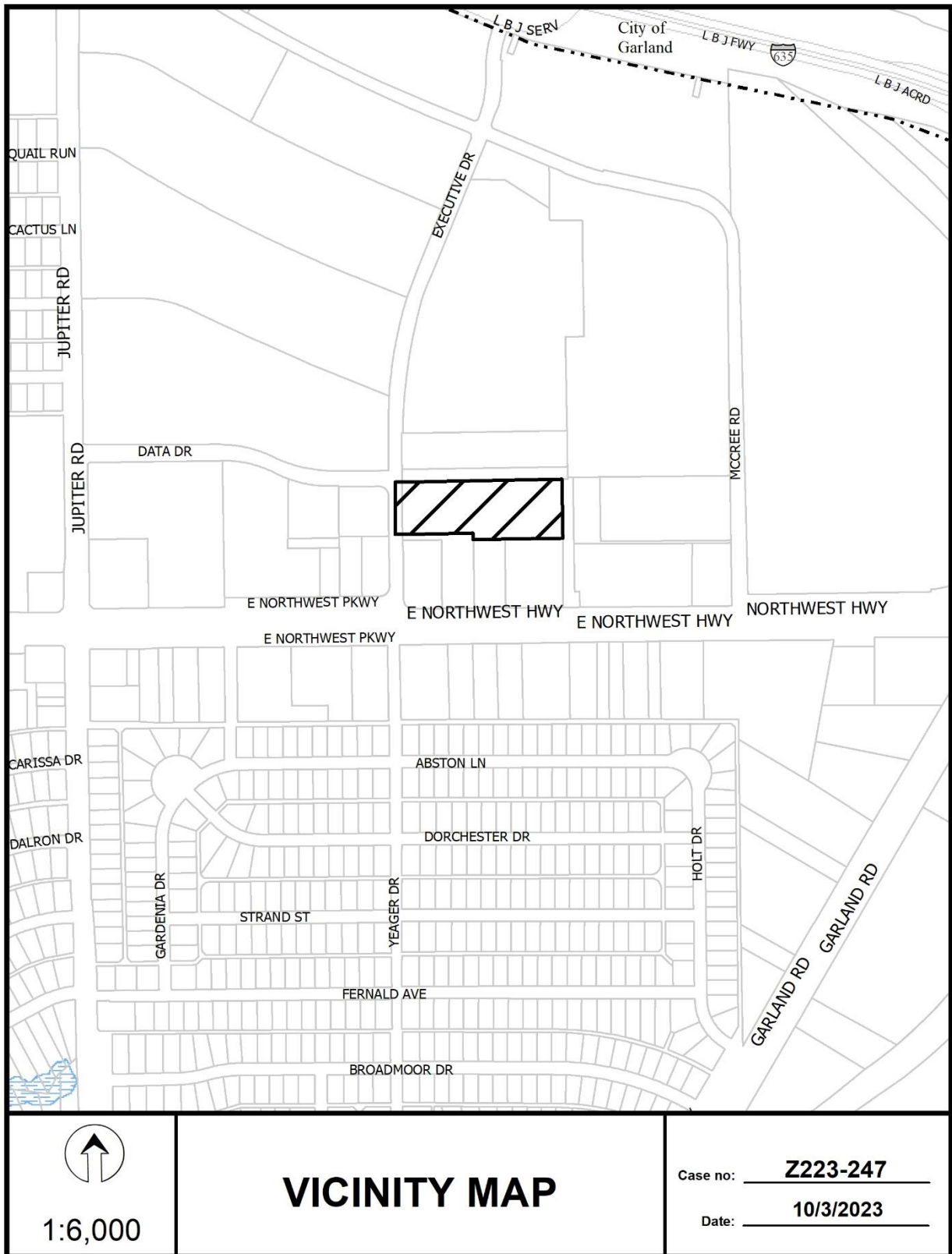
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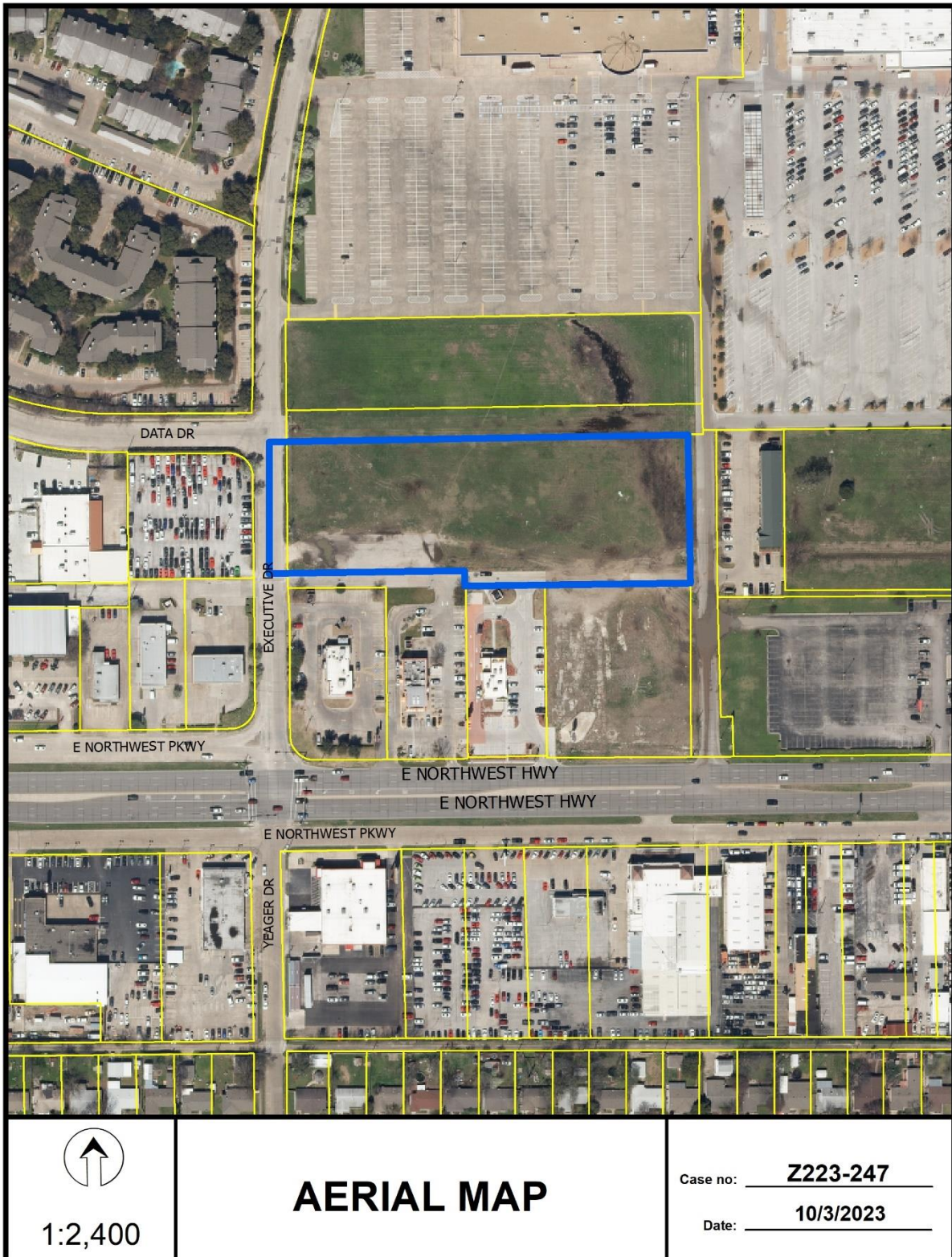
CPC RECOMMENDED SITE PLAN (ENLARGED)

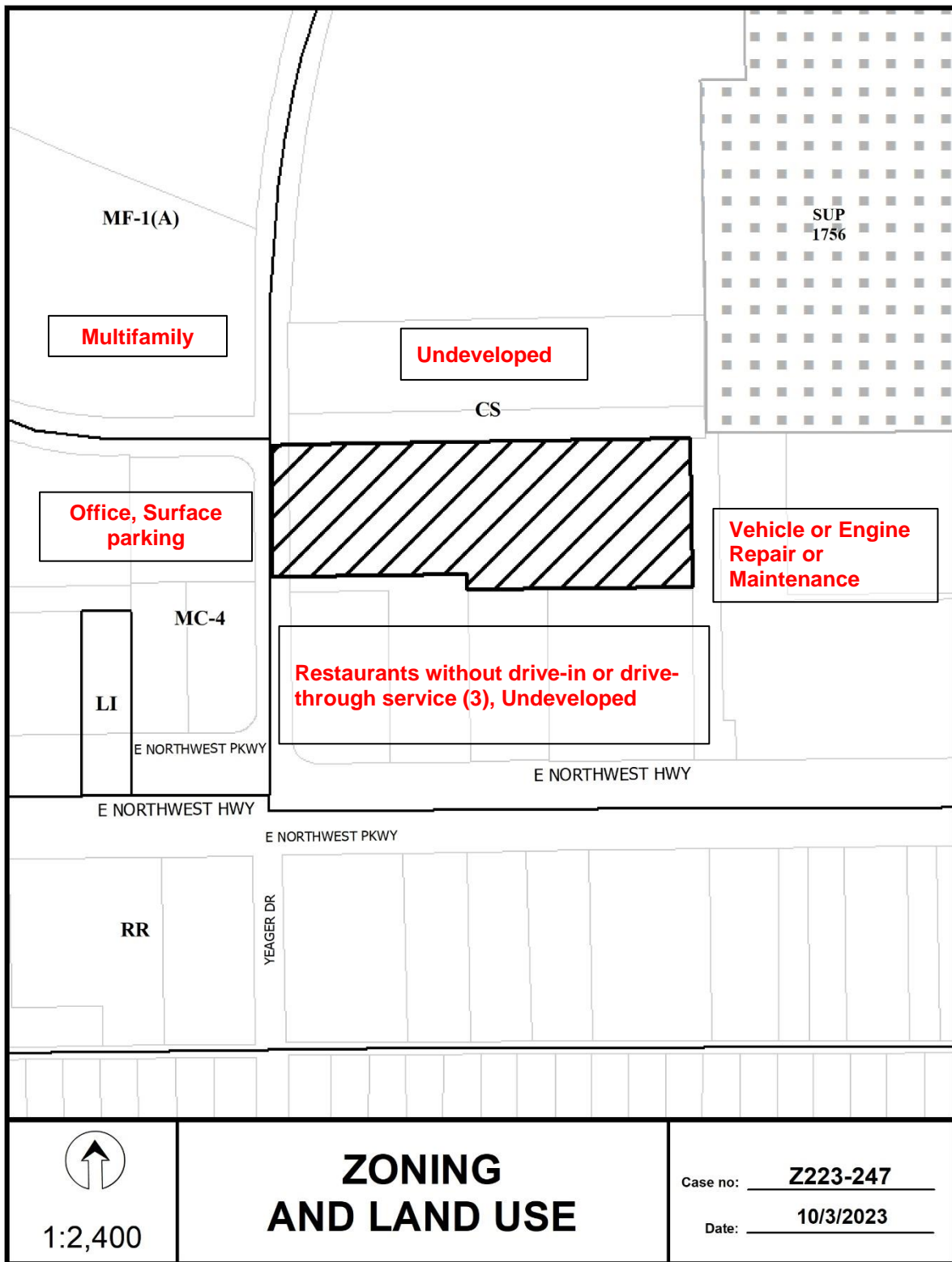


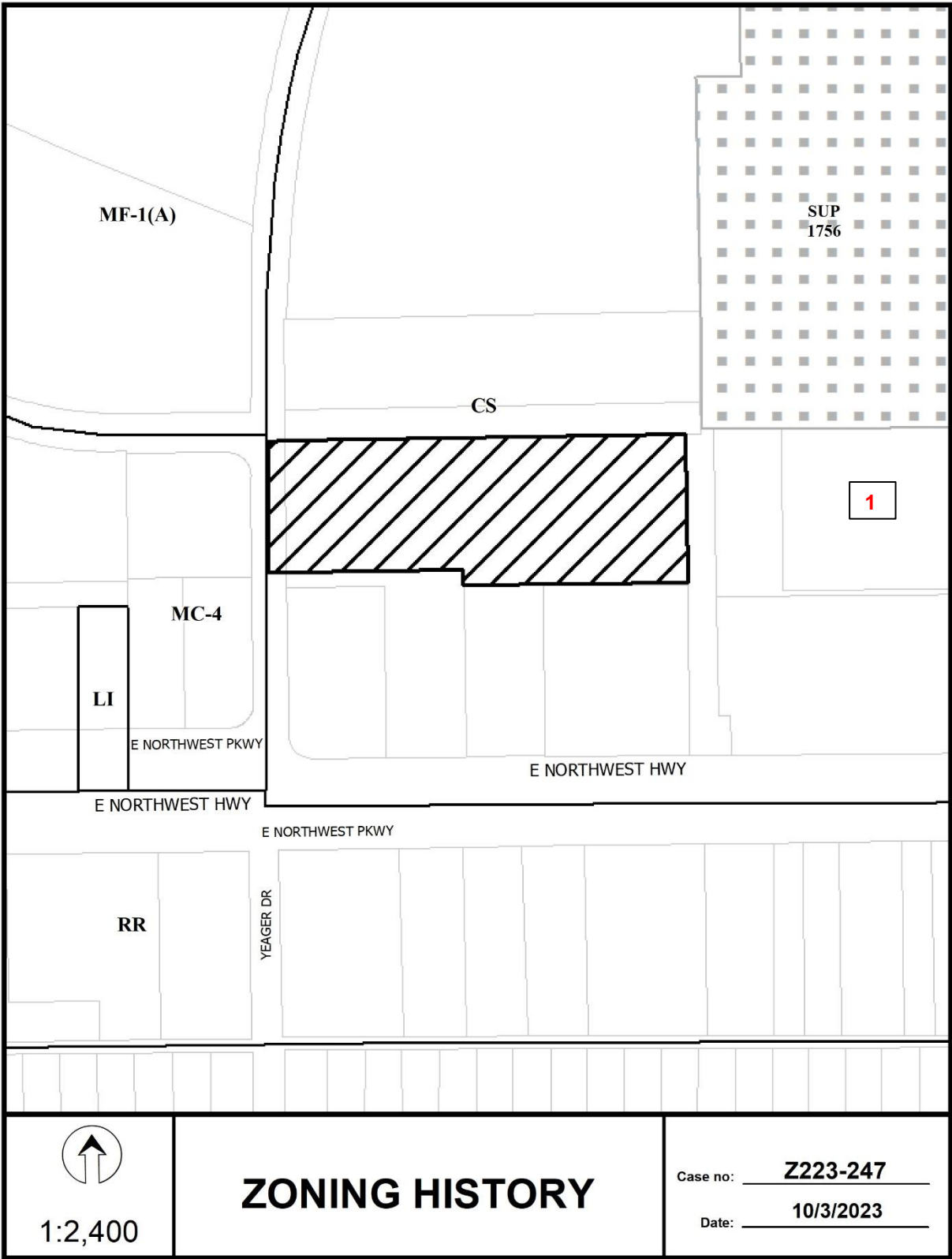
CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is a utility or government installation other than listed limited to an elevated water storage tank.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. HEIGHT: The use authorized by the specific use permit may not exceed 130 feet in height.
4. TIME LIMIT: This specific use permit has no expiration date.
5. PARKING: The minimum required off-street parking for the use shall be one space.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.

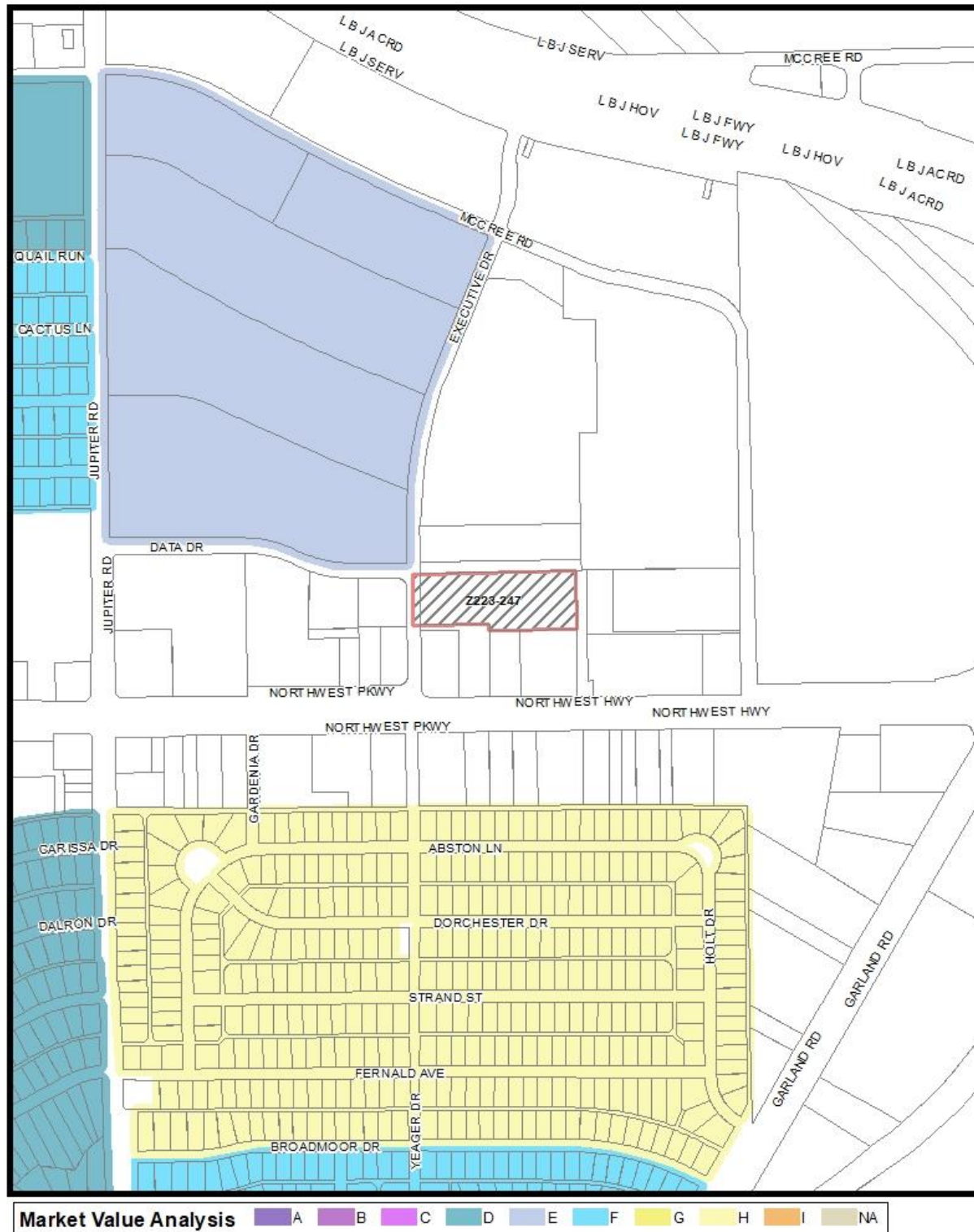








Z223-247(MP)



1:6,000

Market Value Analysis

Printed Date: 10/3/2023



<u>17</u>	Property Owners Notified (20 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>10/19/2023</u>	Date

Z223-247
CPC



1:2,400

10/18/2023

Reply List of Property Owners***Z223-247******17 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	11921	E NORTHWEST HWY	SAMS EAST INC
2	11809	E NORTHWEST HWY	DFW VENTURE NO 1
3	11921	E NORTHWEST HWY	Taxpayer at
4	206	EXECUTIVE DR	KKMD INESTMENTS LLC
5	11607	E NORTHWEST HWY	ENGLISH FAMILY LTD PS
6	11510	DATA DR	GAMINO REYES
7	11701	E NORTHWEST HWY	WENDYS PROPERTIES LLC
8	11609	E NORTHWEST HWY	E&M GROUP LLC THE
9	11613	E NORTHWEST HWY	CLYDE AQUILL HOLDINGS LLC
10	12000	MCCREE RD	SAMS REAL ESTATE BUS TR
11	12710	EXECUTIVE DR	DAY DALLAS LLC
12	11917	E NORTHWEST HWY	COMMERCIAL NET LEASE
13	11721	E NORTHWEST HWY	WHATABURGER OF MESQUITE
14	12124	MCCREE RD	CHRISTIAN BRO AUTO CORP
15	11805	E NORTHWEST HWY	PKK INVESTMENTS LLC
16	11501	DATA DR	AVOUE MARCHAND INV INC
17	12610	JUPITER RD	12610 JUPITER ROAD PROPERTY