

FILE NUMBER: Z189-263(PD) **DATE FILED:** April 30, 2019

LOCATION: East line of Luna Road, north of Ryan Road

COUNCIL DISTRICT: 6 **MAPSCO:** 22 P

SIZE OF REQUEST: ± 26.71 acres **CENSUS TRACT:** 99.00

REPRESENTATIVE: Santos Martinez, La Sierra Planning Group

APPLICANT/OWNER: ALMC Recycling Ventures LLC

REQUEST: An application for an amendment to and the renewal of Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use limited to concrete and asphalt crushing on property zoned an IM Industrial Manufacturing District.

SUMMARY: The purpose of this request is to amend the approved SUP site plan to reflect off-street parking spaces, an office structure and a proposed drive approach for an existing concrete and asphalt crushing facility [Orange Crush] and continue operations on the site. There will be no manufacturing or mixing of these materials on site.

CPC RECOMMENDATION: Approval for a five-year period, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: Approval for a five-year period, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- On May 21, 2014, the City Council approved SUP No. 2078 for an industrial (outside) potentially incompatible use limited to concrete or asphalt crushing for a five-year period. [Expiration date: May 28, 2019].
- The applicant’s request for an amendment to and renewal of Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use will allow for the business to continue to operate on the 26.71 acre site.
- The request is currently developed with an office building and equipment used to crush concrete and asphalt and store the materials on site.

Zoning History: There have been two zoning changes requested in the area within the past five years.

1. Z167-248 On September 13, 2017, the City Council approved an IM Industrial Manufacturing District and Specific Use Permit No. 2261 for a metal salvage facility use on property zoned an IR Industrial Research District on the east line of Luna Road, north of Ryan Road.
2. Z123-210 On May 21, 2014, the City Council approved an IM Industrial Manufacturing District and Specific Use Permit No. 2078 for an outside industrial potentially incompatible use on property zoned an IR Industrial Research District on the east line of Luna Road, north of Ryan Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Luna Road	Principal Arterial	60 ft.	60 ft.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provides during the application submittal.

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.

While the applicant’s request does not fully comply with the goals and policies of the Comprehensive Plan; it is staff’s opinion that a short time period can be supported to allow the proposed industrial use to continue to be reviewed for compatibility with the existing surrounding land uses.

Trinity River Corridor Comprehensive Land Use Plan:

The site lies within the boundary of the Southward Industrial Study Area (Area 22) of the Trinity River Corridor Land Use Plan. This approximate 1,550-acre area is generally bounded by Overton Road, I45/Loop 12, and Simpson Stuart Road. The future land use module is Community Corridor, which envisions a primary land use consisting of retail-community and office-regional serving development. The land use opportunity for the immediate area surrounding the site is Commercial-Freeway and Industrial-Light.

More specifically, the site lies within the Elm Fork District Plan of the Trinity River Corridor Land Use Plan. The Elm Fork District contains a mix of light industrial, heavy industrial, office, and commercial corridor uses adjacent to collection of parks, river bottom wetlands, and trails along the Elm Fork of the Trinity River. The Land Use Plan for the Elm Fork District affirms its role as a location for industrial activities and businesses in Dallas. With the recommended conditions, the use conforms to the Plan.

Land Uses:

	Zoning	Land Use
Site	IM	Concrete batch plant
North	IM	Undeveloped
East	IM, DR Z056-130	Concrete and asphalt crushing
South	IM, SUP No. 2261	Metal Salvage Facility
Southeast	IR	Undeveloped
West	IR	Undeveloped

Land Use Compatibility:

The 26.71 acre site is zoned an IM Industrial Manufacturing District and developed with a one-story office, crushing equipment, and a concrete pad.

Previously, the applicant operated a concrete or asphalt crushing facility east of the request site on Spangler Road (SUP No. 1609). All materials were crushed and removed before the end of January 2014 in preparation for the opening of new city soccer fields [Soccer Park at Elm Fork]. Specific Use Permit No. 1609 expired, on June 22, 2012.

The request site is contiguous to a variety of industrial uses and several undeveloped tracts of land.

The applicant is requesting an amendment to relocate and downsize the existing office, relocate nine off-street parking spaces, reducing the existing 40,000 square feet (200

feet x 200 feet) of equipment area to 24,000 square feet (400 feet x 60 feet) and reflect one of the existing drive approaches shown on the plan as proposed.

To mitigate the potential noise and dust problems associated with the crushing operation, the applicant has and will maintain a 6-foot berm adjacent to Luna Road and along a portion of the northern and southern property lines. The applicant will also maintain the equipment approximately 570 feet from the existing road, ensure that the crushed materials will not be stored within 200 feet of the eastern, northern and southern property lines and will limit the stockpiling of the crush materials to a maximum height of 60 feet, in the location as shown on the site plan.

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.

In general, the applicant's request for an amendment to and renewal of Specific Use Permit No. 2078 for the industrial (outside) not potentially incompatible use is consistent with the general provisions for a Specific Use Permit and with the surrounding zoning that is intended to provide for development of industrial uses. However, while in general staff is in support of the applicant's request, staff cannot support a time period of ten years with eligibility of automatic renewals for additional ten year periods.

The SUP was originally approved for a five year period and previously held an SUP on an alternate site for even shorter time periods, one year and two-year with eligibility of one-year automatic renewals, respectively. Because the site has required compliance with air and stormwater regulations, staff believes a five-year renewal period without automatic renewal permits staff to address the continued existence of the use and compliance with governmental regulations.

Landscaping:

Any new development on the property will require landscaping per Article X, as amended of the Dallas Development Code.

Parking:

The off-street parking requirement for an industrial (outside) use is one space per every 600 square feet of floor area, plus one space per every 600 square feet of outside manufacturing area.

The request is to amend the SUP to decrease the floor area of the existing 2,600-square-foot office use to a 500-square-foot office use and the existing 40,000-square-foot equipment area to a 24,000-square-foot equipment area. The site will require a total of 40 off-street parking spaces and the site provides the 40 spaces required.

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 neither within an identifiable MVA cluster, nor adjacent to an “MVA cluster.

**CPC ACTION:
December 12, 2019**

Motion: It was moved to recommend **approval** of an amendment to and renewal of Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use limited to concrete and asphalt crushing for a five-year period, subject to a revised site plan and revised conditions (as briefed) on property zoned an IM Industrial Manufacturing District on the east line of Luna Road, north of Ryan Road.

Maker: Carpenter
Second: Murphy
Result: Carried: 12 to 0

For: 12 - MacGregor, Hampton, Johnson, Shidid,
Carpenter, Blair, Jung, Schultz, Schwope,
Murphy, Garcia, Rubin

Against: 0
Absent: 2 - Brinson, Housewright
Vacancy: 1 - District 3

Notices: Area: 500 Mailed: 11
Replies: For: 1 Against: 0

Speakers: For: Santos Martinez, 12 Tangier Terrace, Angel Fire, NM, 87710
Against: None

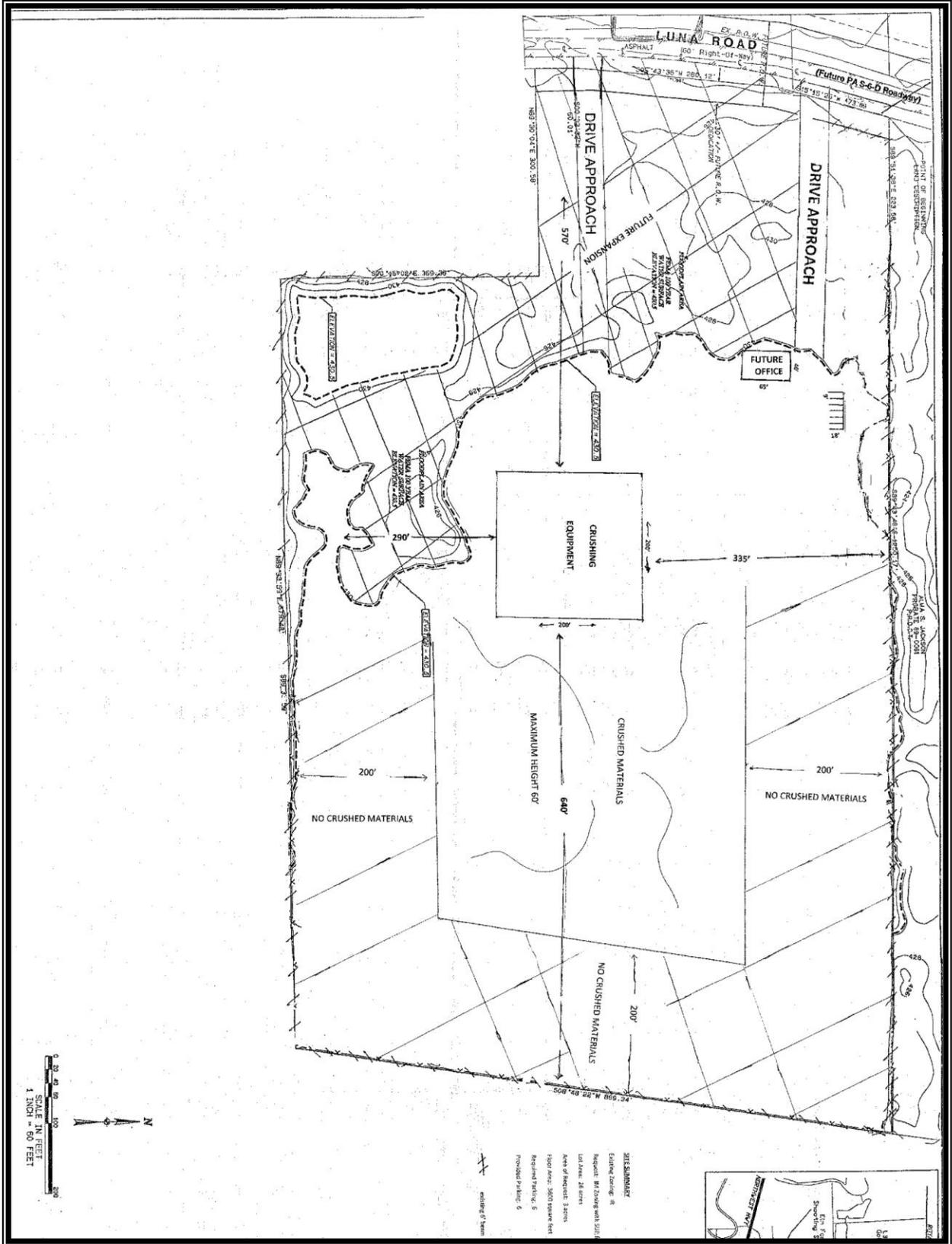
LIST OF OFFICERS
ALMC Recycling Ventures LLC

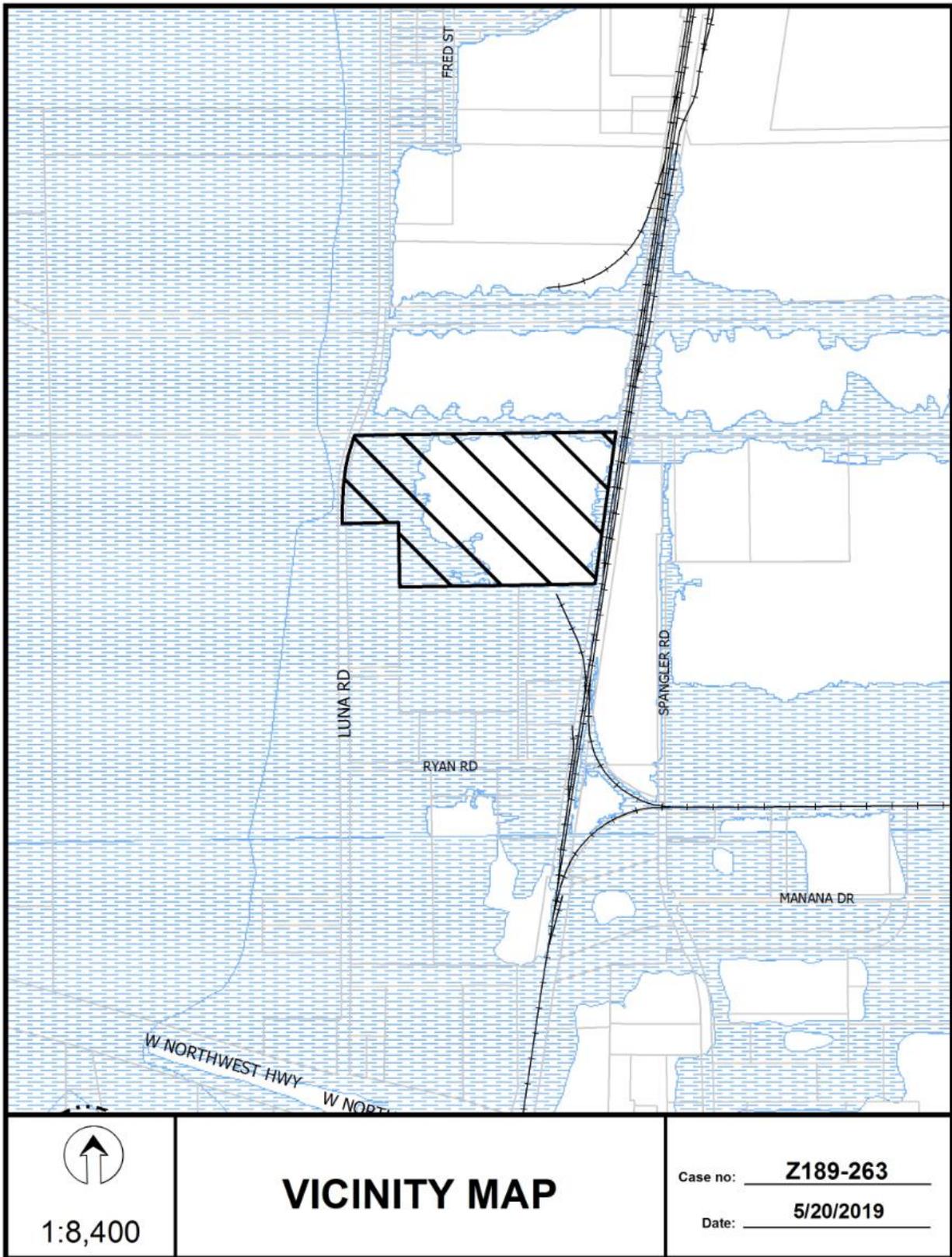
- Zachery Weir, Sole manager

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is a potentially incompatible industrial (outside) use, limited to concrete and asphalt crushing.
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 ____ (five-years from the passage of this ordinance).
4. FENCING: The Property must be fenced and gated along Luna Road as shown on the attached site plan.
5. GROUND AND DUST CONTROL: The Property, including any stockpiles, must be sprinkled with water or chemicals as necessary to achieve maximum control of dust emissions.
6. INGRESS/EGRESS: Ingress and egress may only be provided in the two locations shown on the attached site plan.
7. OFF-STREET PARKING: All parking and vehicle maneuvering areas must comply with Division 51-4.300, "Off-Street Parking and Loading Regulations," of the Dallas City Code, as amended.
8. ~~ROAD REPAIR: The operator, or its successors or assigns, is responsible for repairing holes or other surface damages on Luna Road caused by operation of the concrete crushing facility. The road repairs must conform to City of Dallas standards as approved by the director of public works and transportation.~~
9. STOCKPILE HEIGHT: The maximum stockpile stacking height is 60 feet in the areas shown on the site plan.
10. WHEEL WASHING: When Luna Road is approved per Engineering standards, a wheel washing area must be provided in the locations shown on the attached site plan. All vehicles exiting the Property must ensure that mud and other earth materials are removed from the exterior of the vehicles before entering Luna Road.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. 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





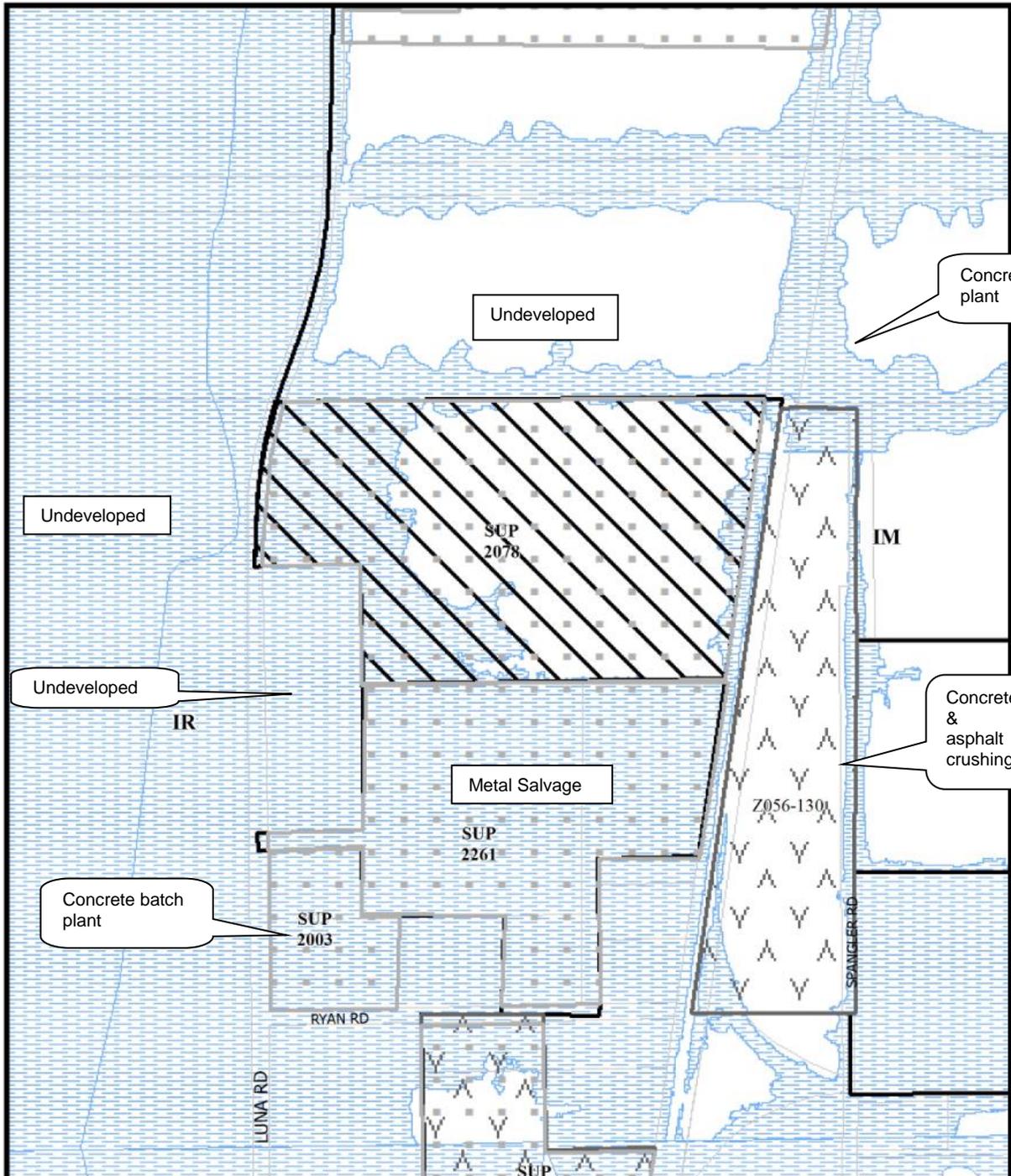


1:4,800

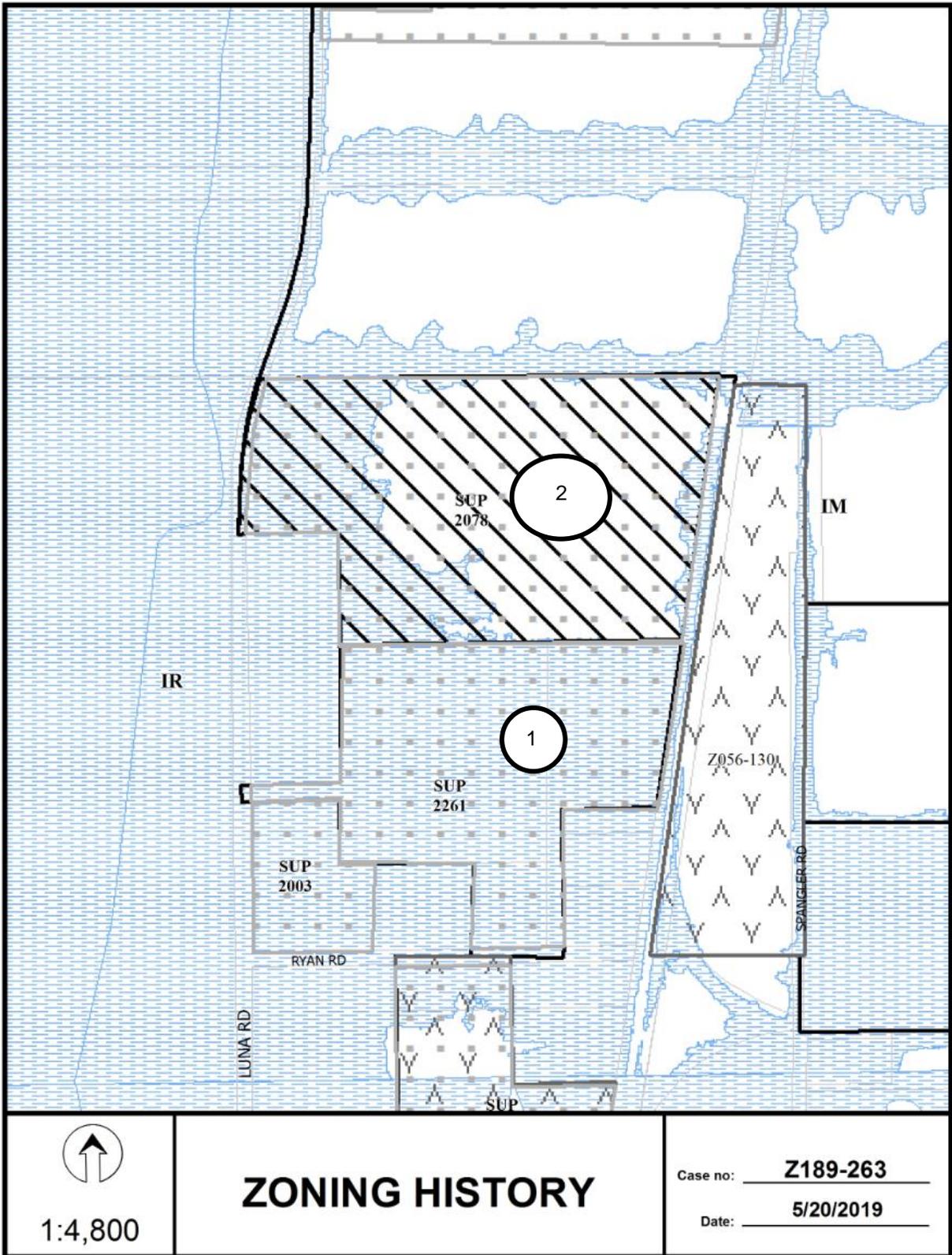
AERIAL MAP

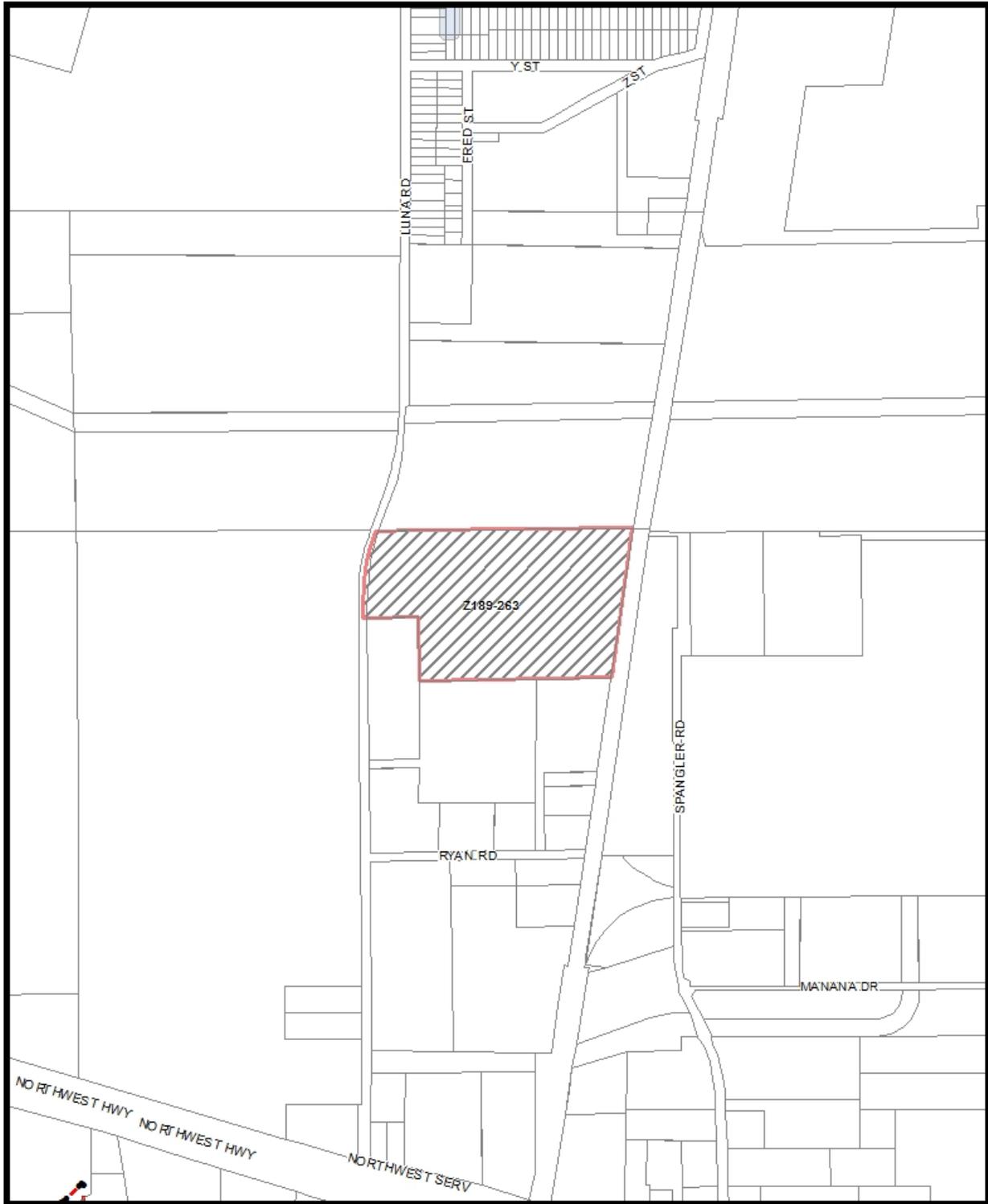
Case no: Z189-263

Date: 5/20/2019



 1:4,800	<h1>ZONING AND LAND USE</h1>	Case no: <u> Z189-263 </u> Date: <u> 5/20/2019 </u>
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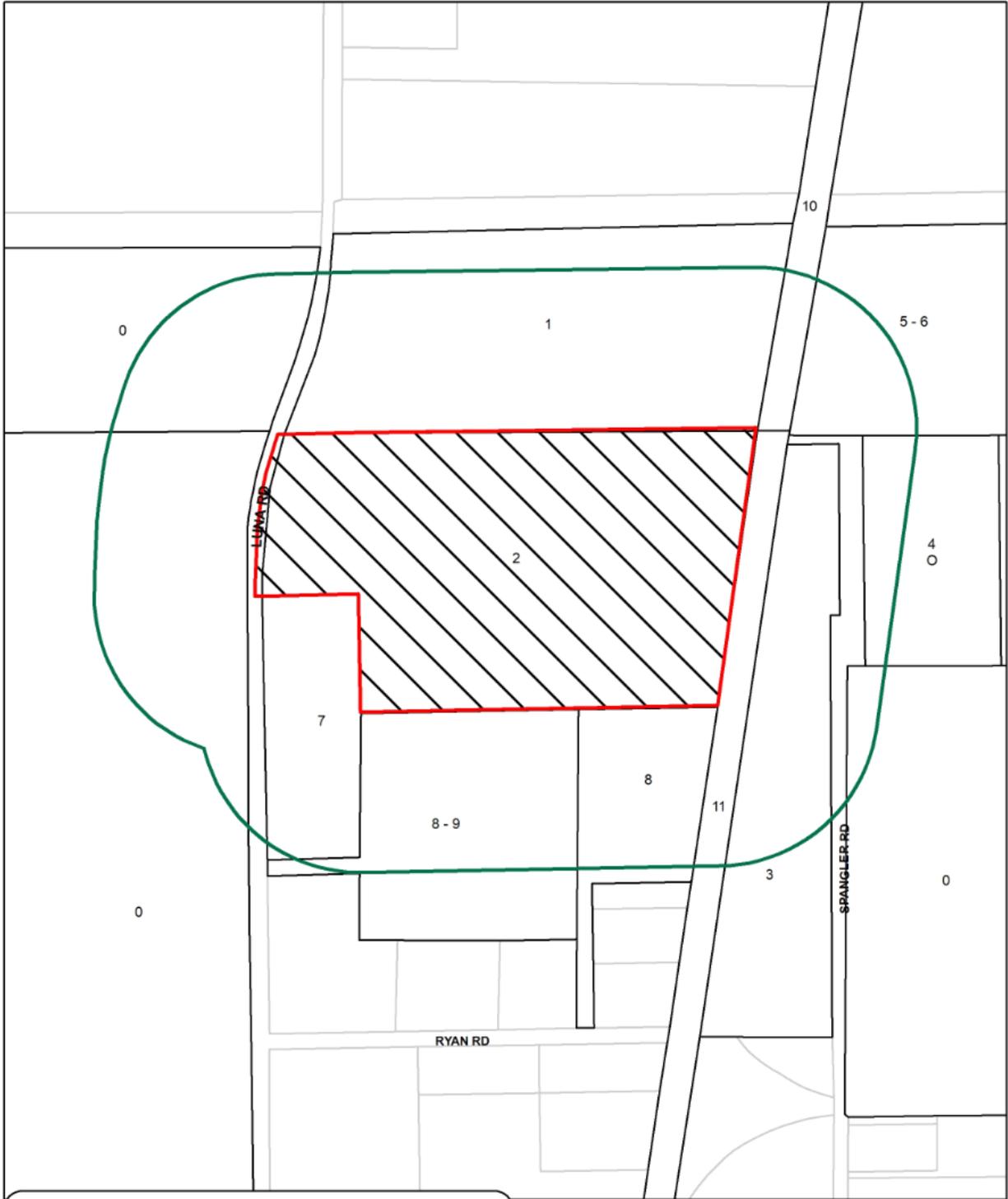
MVA Cluster A B C D E F G H I NA

 1:8,400

Market Value Analysis

Printed Date: 5/20/2019

CPC Responses



<u>11</u>	Property Owners Notified (13 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>500'</u>	Area of Notification
<u>12/12/2019</u>	Date

Z189-263
CPC



1:4,800

12/11/2019

Reply List of Property Owners

Z189-263

11 Property Owners Notified

1 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	10900 LUNA RD	JACKSON ALMA S ET AL
	2	10850 LUNA RD	ALMC RECYCLING VENTURES LLC
	3	10801 SPANGLER RD	FLORIDA SPANGLER LLC
O	4	10940 SPANGLER RD	TRICYCLE LANE LLC
	5	2101 WALNUT HILL LN	JACKSON ALMA S ET AL
	6	2101 WALNUT HILL LN	WASHMON ENTERPRISES INC
	7	10850 LUNA RD	LUNA VANOD B TRUST PART M
	8	10848 LUNA RD	WEST SHIELD PARTNERS LLC
	9	10848 LUNA RD	WEST SHIELD PARTNERS LLC
	10	10912 LUNA RD	DART
	11	2300 AL LIPSCOMB WAY	BNSF RAILWAY