

**FILE NUMBER:** Z234-297(MB) **DATE FILED:** July 26, 2024

**LOCATION:** Southwest corner of Data Drive and Executive Drive, north of East Northwest Highway

**COUNCIL DISTRICT:** 9

**SIZE OF REQUEST:** 41,251 sq. ft. **CENSUS TRACT:** 48113013010

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**OWNER/APPLICANT:** Reyes Gamino

**REQUEST:** An application for **(1)** a CS Commercial Service District; and **(2)** deed restrictions on property zoned an MC-4 Multiple Commercial District.

**SUMMARY:** The purpose of the request is to allow development of a warehouse.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned an MC-4 Multiple Commercial District. It is developed with a surface parking lot serving an adjacent office.
- The applicant wishes to build a warehouse on the site for storing materials inside.
- To accomplish this, they request a CS Commercial Service District and propose deed restrictions to limit uses allowed on the property.
- Since the last CPC hearing, the applicant has proposed deed restrictions to limit the uses that would be allowed by the CS Commercial Service District. Changes and additions to this report are highlighted in yellow.
- On May 22, 2025, CPC recommended approval.

**Zoning History:**

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

1. **Z223-247:** On December 13, 2023, City Council approved 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 on the east line of Executive Drive, north of East Northwest Highway.
2. **Z223-153:** On January 10, 2024, City Council approved an application for an MU-1 Mixed Use District on property zoned a CS Commercial Service District on the east line of Executive Drive, northeast of the intersection of Executive Drive and Data Drive.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Data Drive	Local street	60 feet
Executive Drive	Local street	60 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on traffic. Staff will continue the 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:

**ECONOMIC ELEMENT****GOAL 2.1 PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MC-4 Multiple Commercial	Surface parking
<b>North</b>	MF-1(A) Multifamily	Multifamily
<b>East</b>	CS Commercial Service, MU-1 Mixed Use	Surface parking, undeveloped, restaurant
<b>South</b>	LI Light Industrial, RR Regional Retail	Vehicle display, sales, service
<b>West</b>	RR Regional Retail	Retail

**Land Use Compatibility:**

The area of request is currently developed with a surface parking lot that supports an adjacent office to the west. The surrounding area has a mix of commercial and retail uses to the east, south, and west as well as multifamily to the north of the site, across Data Drive.

The applicant intends to build a warehouse that would be used for the storage of materials pertaining to the applicant's business. Warehouses are only permitted within the CS Commercial Service District and all industrial districts, as well as central area districts.

The general nature of the existing surrounding uses could be compatible with the proposed use. A CS Commercial Service District is considered to support uses that are

more customer-intensive, whereas industrial districts are considered more intensive from the perspective of noise, air quality, commercial vehicle traffic, etc.

However, the proximity to an MF-1(A) Multifamily District merits further scrutiny, as well as a comparison of what is permitted by the existing MC-4 Multiple Commercial District versus the proposed CS Commercial Service District (see tables below). While the proposed use (a warehouse) is not foreseen to be detrimental to the area, the requested zoning district grants additional uses that may be less compatible with the nearby multifamily. Further, the purpose of the CS Commercial Service District is, "To provide for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is not intended to be located in areas of low and medium density residential development."

The applicant's proposed deed restrictions would limit the most incompatible uses that would have a negative impact on the surrounding area, particularly the multifamily to the north. This would allow for continued utilization of the property in a manner similar to the existing MC-4 zoning, while also allowing for the proposed warehouse use.

As such, staff finds that the proposed district with deed restrictions is compatible with the surrounding uses.

## Land Use Comparison

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

### 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

	Existing	Proposed
Use	MC-4	CS
<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		R
Custom business services	•	•
Custom woodworking, furniture construction, or repair		•
Electronics service center	•	•
Job or lithographic printing		R
Labor hall	S	S
Machine or welding shop		R
Machinery, heavy equipment, or truck sales and services		R
Medical or scientific laboratory	•	•
Technical school		•
Tool or equipment rental	•	•
Vehicle or engine repair or maintenance		R
<b>INDUSTRIAL USES</b>		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		

	Existing	Proposed
Use	MC-4	CS
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		
Convent or monastery	•	•
Foster home		
Halfway house		S
Hospital	S	R
Library, art gallery, or museum	•	•
Open-enrollment charter school or private school	S	S
Public school other than an open-enrollment charter school	R	R
<b>LODGING USES</b>		
Extended stay hotel or motel	S	S
Hotel or motel	★	★
Lodging or boarding house		•
Overnight general purpose shelter	★	★
<b>MISCELLANEOUS USES</b>		
Carnival or circus (temporary)	★	★
Hazardous waste management facility		
Placement of fill material	★	★
Temporary construction or sales office	•	•
<b>OFFICE USES</b>		
Alternative financial establishment	S	S
Financial institution without drive-in window	•	•

	Existing	Proposed
Use	MC-4	CS
Financial institution with drive-in window	D	R
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>		
Ambulance service	R	R
Animal shelter or clinic without outside runs	R	R
Animal shelter or clinic with outside runs		★
Auto service center	R	R
Alcoholic beverage establishments	★	S
Business school	•	•
Car wash	R	R
Commercial amusement (inside)	★	★
Commercial amusement (outside)	S	D
Commercial motor vehicle parking		★
Commercial parking lot or garage	R	R
Convenience store with drive-through	S	S
Drive-in theater		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	•	•

	Existing	Proposed
Use	MC-4	CS
Home improvement center, lumber, brick or building materials sales yard		R
Household equipment and appliance repair	•	•
Liquefied natural gas fueling station		S
Motor vehicle fueling station	•	•
Nursery, garden shop, or plant sales	•	•
Outside sales		S
Paraphernalia shop		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		S
Vehicle display, sales, and service		R
<b>TRANSPORTATION USES</b>		
Airport or landing field		
Commercial bus station and terminal		★
Heliport	S	S
Helistop	S	S
Private street or alley		
Railroad passenger station	S	S
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	S	R



	Existing	Proposed
Use	MC-4	CS
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		
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>		
Auto auction		S
Building mover's temporary storage yard		S
Contractor's maintenance yard		R
Freight terminal		R
Livestock auction pens or sheds		
Manufactured building sales lot		R
Mini-warehouse	S	•
Office showroom/warehouse		•
Outside storage		R
Petroleum product storage and wholesale		S
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		S
Trade center		•
Vehicle storage lot		S
Warehouse		R

## Development Standards

Following is a comparison of the development standards of the current MC-4 Multiple Commercial District and the requested CS Commercial Service District:

District	Setback		FAR	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Current: MC-4 Multiple Commercial	15' <sup>1</sup>	20' adj. residential, 0' all other	Varies from 0.8 – 1.0	135' <sup>2</sup>	80% max.		Mix of office, retail, commercial
Proposed: CS Commercial Service	None <sup>3</sup>	20' adj. residential, 0' all other	0.5 for lodging, office, retail / personal service  0.75 all uses combined	45' <sup>2</sup>	80% max.		Commercial

<sup>1</sup> Urban Form Setback applies: additional 20-foot front yard setback for portion of structure above 45' in height.

<sup>2</sup> Residential Proximity Slope (RPS) applies; portion over 26 feet in height cannot be located above RPS originating from adjacent multifamily.

<sup>3</sup> Blockface continuity would apply along Data Drive if front yard is on Data Drive.

### **Landscaping:**

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

### **Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a warehouse is one space per 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area over 20,000 square feet. The applicant would be required to comply with standard parking minimums at permitting.

### **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 within an “F” MVA area.

**Draft CPC Action**

**May 22, 2025**

**Motion:** It was moved to recommend **approval** of 1) a CS Commercial Service District and 2) deed restrictions, on property zoned an MC-4 Multiple Commercial District, on the southwest corner of Data Drive and Executive Drive.

Maker: Sleeper  
Second: Housewright  
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert, Forsyth,  
Shidid, Wheeler-Reagan, Franklin, Sleeper,  
Housewright, Sims, Hall, Kingston, Rubin

Against: 0  
Absent: 2 - Carpenter, Haqq  
Vacancy: 0

<b>Notices:</b>	Area: 200	Mailed: 11
<b>Replies:</b>	For: 1	Against: 0

**Speakers:** For: Emily Rodriguez, Address not provided  
Against: None

**April 10, 2025**

**Motion:** In considering an application for a CS Commercial Service District on property zoned an MC-4 Multiple Commercial District, on the southwest corner of Data Drive and Executive Drive, it was moved to **hold** this matter under advisement until May 22, 2025.

Maker: Sleeper  
Second: Carpenter  
Result: Carried: 13 to 0

For: 13 - Chernock, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Franklin,  
Sleeper, Housewright, Nightengale, Haqq,  
Hall, Rubin

Against: 0  
Absent: 2 - Hampton, Kingston  
Vacancy: 0

Z234-297(MB)

<b>Notices:</b>	Area: 200	Mailed: 11
<b>Replies:</b>	For: 1	Against: 0

**Speakers:** For: Reyes Gamino, 11510 Data Dr., Dallas, TX, 75218  
Against: None

### **APPLICANT'S PROPOSED DEED RESTRICTIONS**

The Owner does hereby impress all the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

Commercial and business service uses.

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and service.
- Vehicle or engine repair or maintenance.

Industrial uses.

- Industrial (inside) for light manufacturing.

Institutional and community service uses.

- Halfway house.

Lodging uses.

- Lodging or boarding house.

Retail and personal service uses.

- Animal shelter or clinic with outside runs.
- Commercial amusement (outside)
- Commercial motor vehicle parking.
- Drive-in theater.
- Home improvement center, lumber, brick, or building materials sales yard.
- Outside sales.
- Paraphernalia shop.
- Pawn shop.
- Taxidermist.
- Truck stop.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.

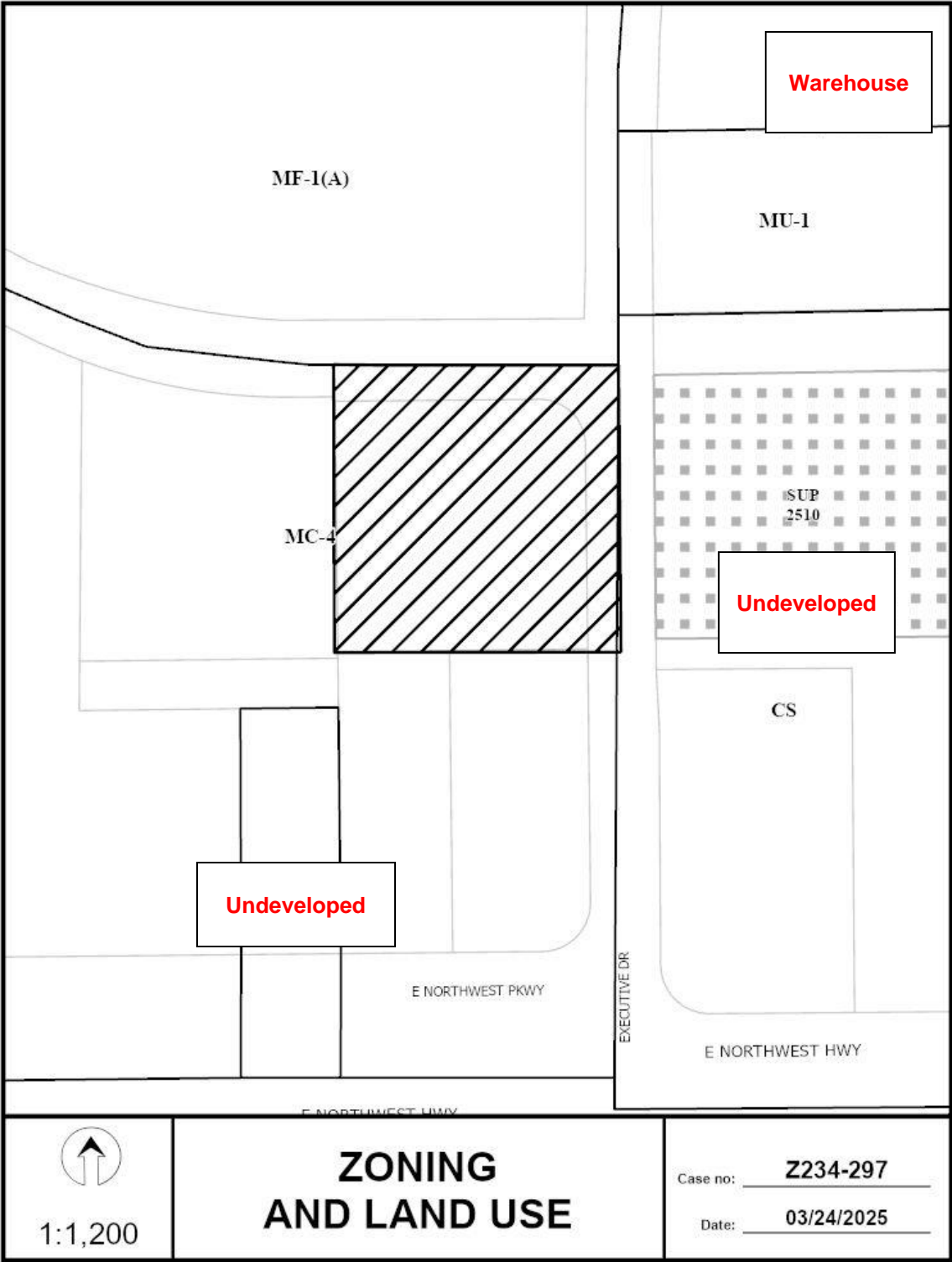
Wholesale, distribution, and storage uses.

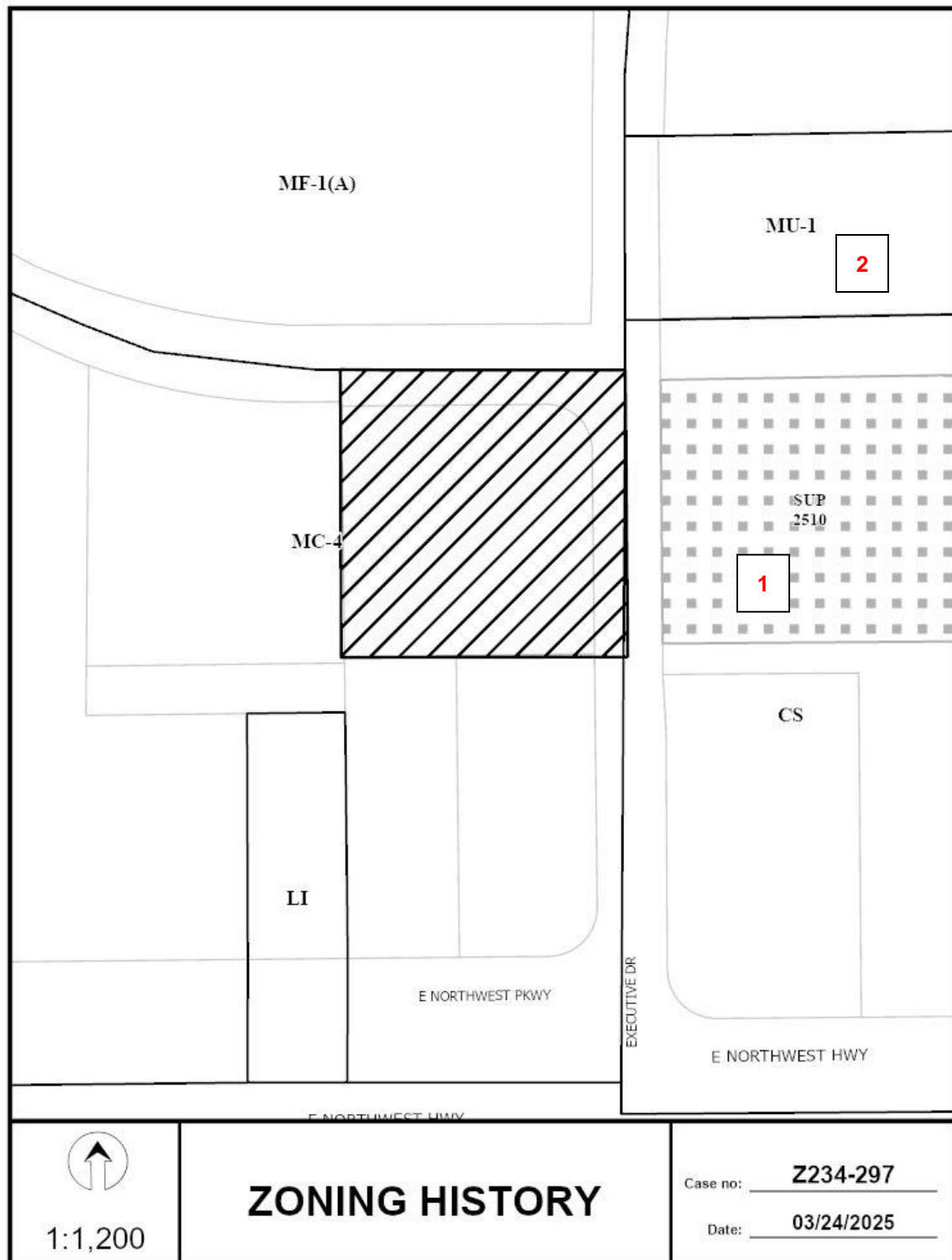
- Auto auction.
- Building mover's temporary storage yard.
- Freight terminal.
- Manufactured building sales lot.
- Outside storage.
- Petroleum product storage and wholesale.
- Sand, gravel, or earth sales and storage.

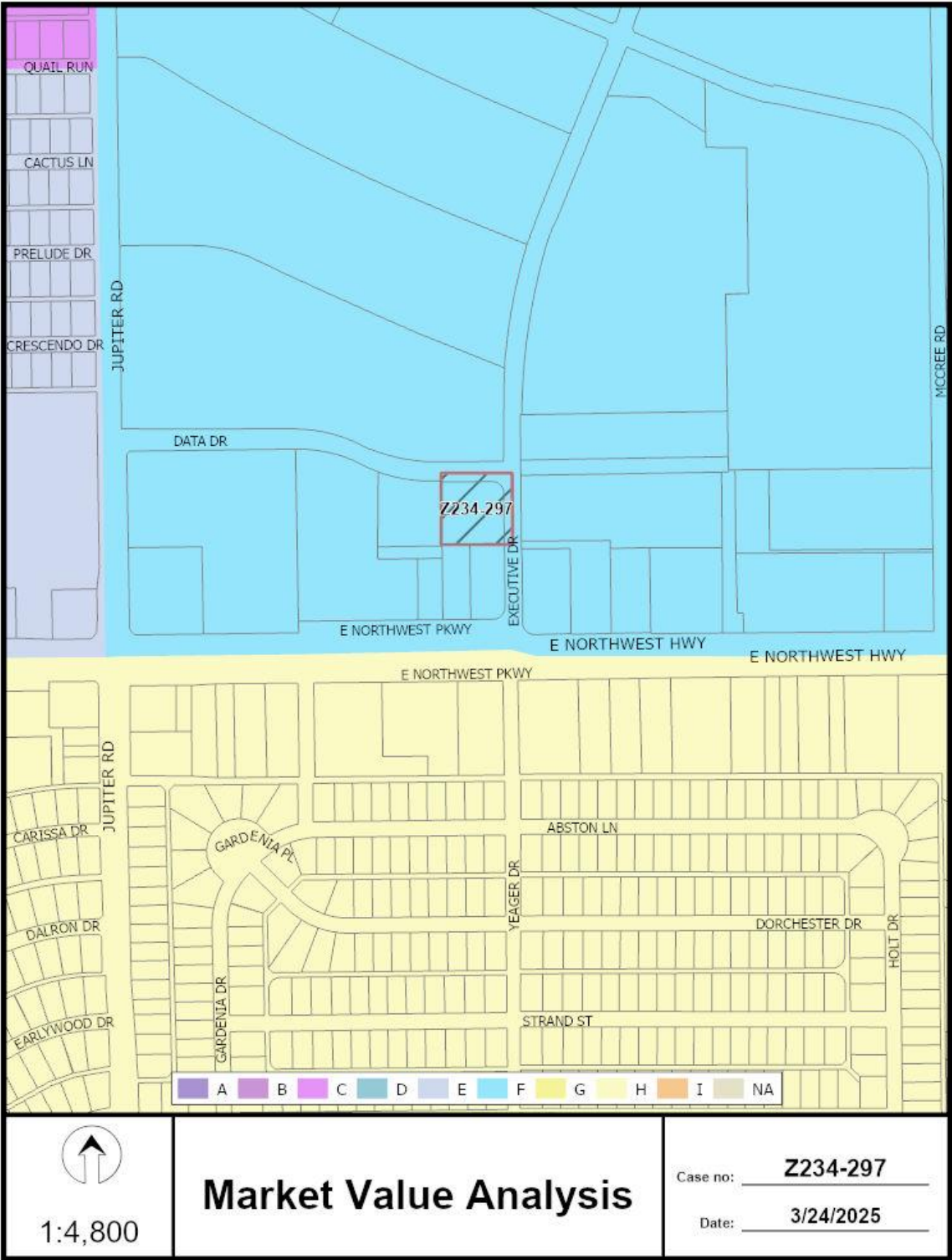


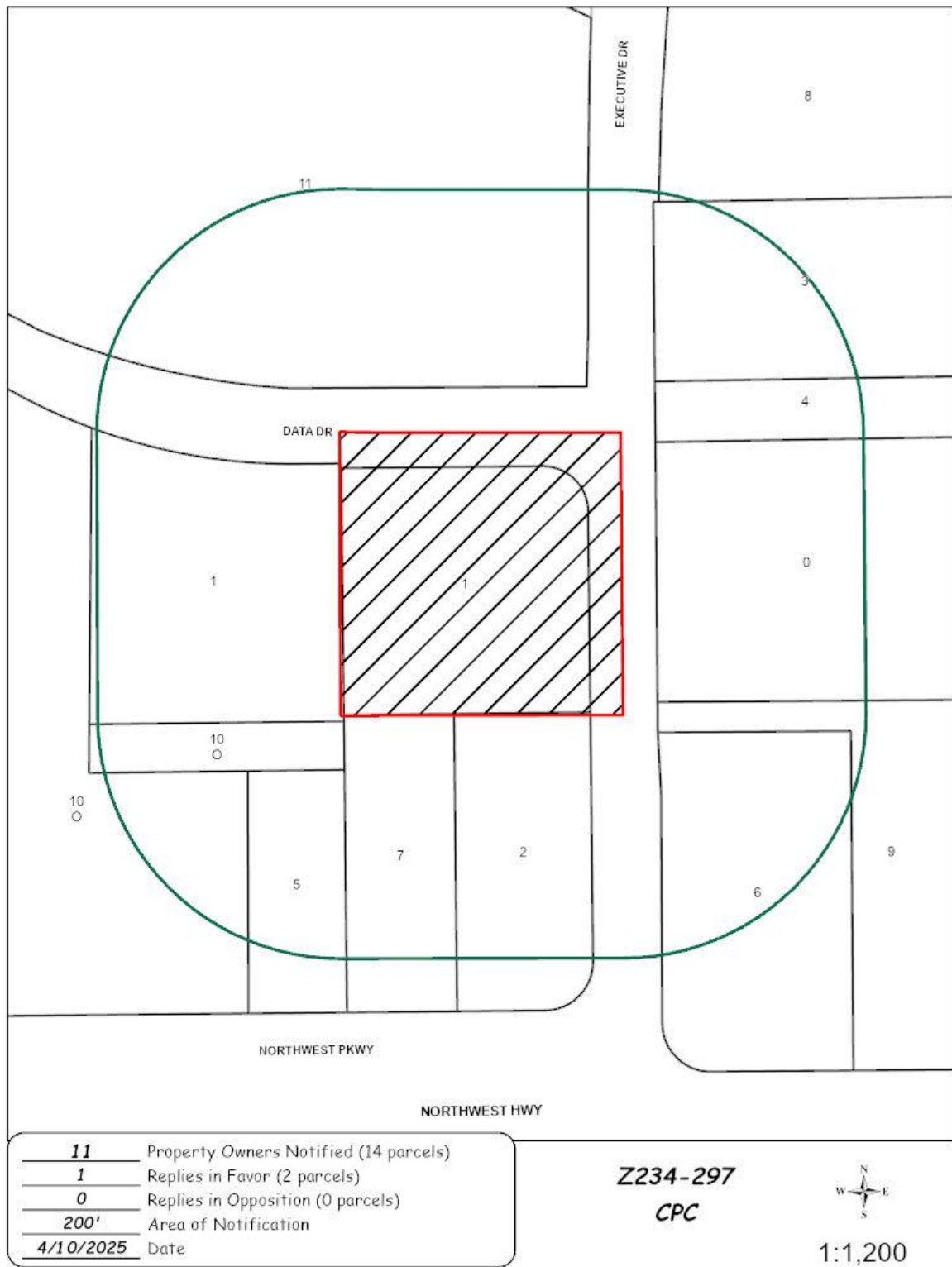












05/21/2025

***Reply List of Property Owners******Z234-297******11 Property Owners Notified    1 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	11510 DATA DR	GAMINO REYES
	2	11613 E NORTHWEST HWY	CLYDE AQUILL HOLDINGS LLC
	3	206 EXECUTIVE DR	KKMD INESTMENTS LLC
	4	207 EXECUTIVE DR	SAMS EAST INC
	5	11607 E NORTHWEST HWY	ENGLISH FAMILY LTD PS
	6	11701 E NORTHWEST HWY	WENDYS PROPERTIES LLC
	7	11609 E NORTHWEST HWY	E&M GROUP LLC THE
	8	12710 EXECUTIVE DR	DAY DALLAS LLC
	9	11721 E NORTHWEST HWY	WHATABURGER OF MESQUITE
O	10	11501 E NORTHWEST HWY	AVOUE MARCHAND INV INC
	11	12610 JUPITER RD	12610 JUPITER ROAD PROPERTY