

**FILE NUMBER:** Z234-337(TB) **DATE FILED:** September 4, 2024

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

**COUNCIL DISTRICT:** 6

**SIZE OF REQUEST:** Approx. 26.66 acres **CENSUS TRACT:** 4811300900

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**REPRESENTATIVE:** Tina Y. Sohne

**APPLICANT/OWNER:** ALMC Recycling Ventures, LLC

**REQUEST:** An application for the renewal and amendment of Specific Use Permit (SUP) No. 2078 for an industrial (outside) potentially incompatible use limited to concrete or asphalt crushing and to add concrete or asphalt batching on property zoned an IM Industrial Manufacturing District, on the east line of Luna Road, north of Ryan Road.

**SUMMARY:** The purpose of this request is to add concrete or asphalt batching to the property and to continue the operation of the existing concrete or asphalt crushing.

**STAFF**

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

## **BACKGROUND INFORMATION:**

- On May 28, 2014, the City Council granted Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use limited to concrete or asphalt crushing for a five-year period. On September 4, 2024, an application to renew SUP No. 2078 was submitted.
- On January 22, 2020, the City Council granted an amendment and renewal to Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use limited to concrete or asphalt crushing for a five-year period.
- On May 11, 2022, the City Council adopted [Ordinance No. 32209](#), which added a requirement that all new temporary and permanent concrete or asphalt batch plants must be in the IM Industrial Manufacturing District and requires a Specific Use Permit (SUP).
- On June 6, 2024, the City Plan Commission authorized a hearing to determine proper zoning for Specific Use Permit No. 2078. (Z234-288)
- Section 51A-4.203 of the Dallas Development Code defines an industrial (outside) to be, “An industrial facility where any portion of the processing, fabricating, assembly, or disassembly takes place outside or in an open structure.” Further, when the main use, activities, and operations of asphalt or concrete batching or crushing occur, they are declared “potentially incompatible industrial uses” and require a specific use permit and are limited to the IM Industrial Manufacturing Districts.
- The request is currently developed with an office building and equipment used to crush concrete/asphalt.
- This lot has one access point from Luna Road.

## **Zoning History:**

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

1. **Z223-286:** On October 23, 2024, City Council approved an application for Specific Use Permit No. 2564 for a new industrial (outside) potentially incompatible use limited to concrete and asphalt crushing plant on property zoned an IM Industrial Manufacturing District, for a period of three years.

2. **Z201-253:** On January 12, 2022, City Council approved an application for a Specific Use Permit No. 2434 for a metal salvage facility on property zoned an IM Industrial Manufacturing District with deed restrictions [Z145-236], for a period of five years.
3. **Z189-263:** On January 22, 2020, City Council approved an application for an amendment to and renewal of Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use limited to concrete and asphalt crushing plant on property zoned an IM Industrial Manufacturing District, for a period of five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Proposed ROW
Luna Road	Principal Arterial	107 feet ROW, Bike Plan

**Traffic:**

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation and Public Works Department, reviewed the request and determined that, pending commensurate improvements, it will not significantly impact the surrounding roadway system. The project will be responsible for mitigating development impact as determined through the engineering review process.

**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**

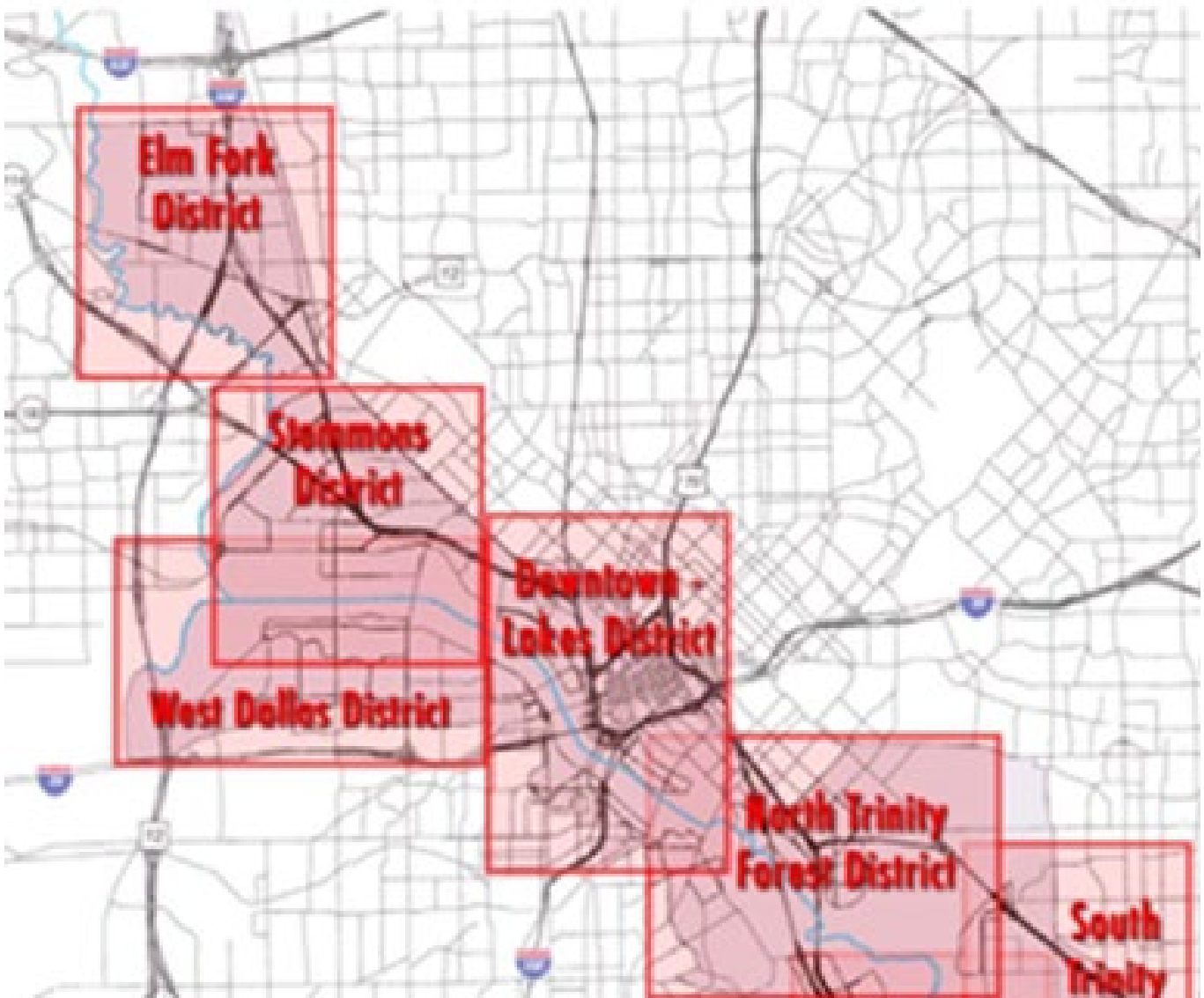
**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

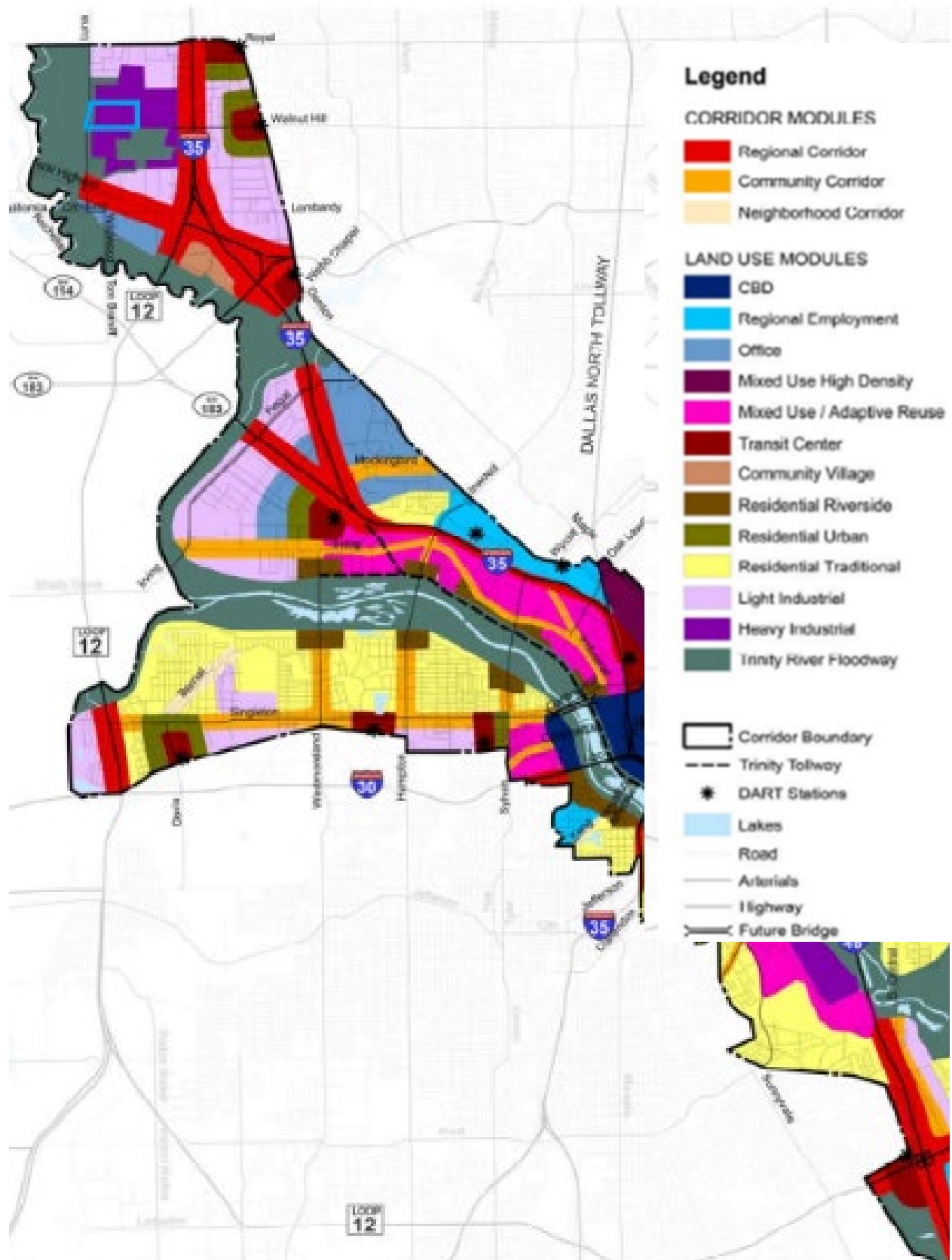
**Trinity River Corridor Comprehensive Land Use Plan:**

The site is within the Elm Fork District of the plan, which emphasizes that industrial uses should be located on and around this site to make use of freight rail and highway infrastructure.

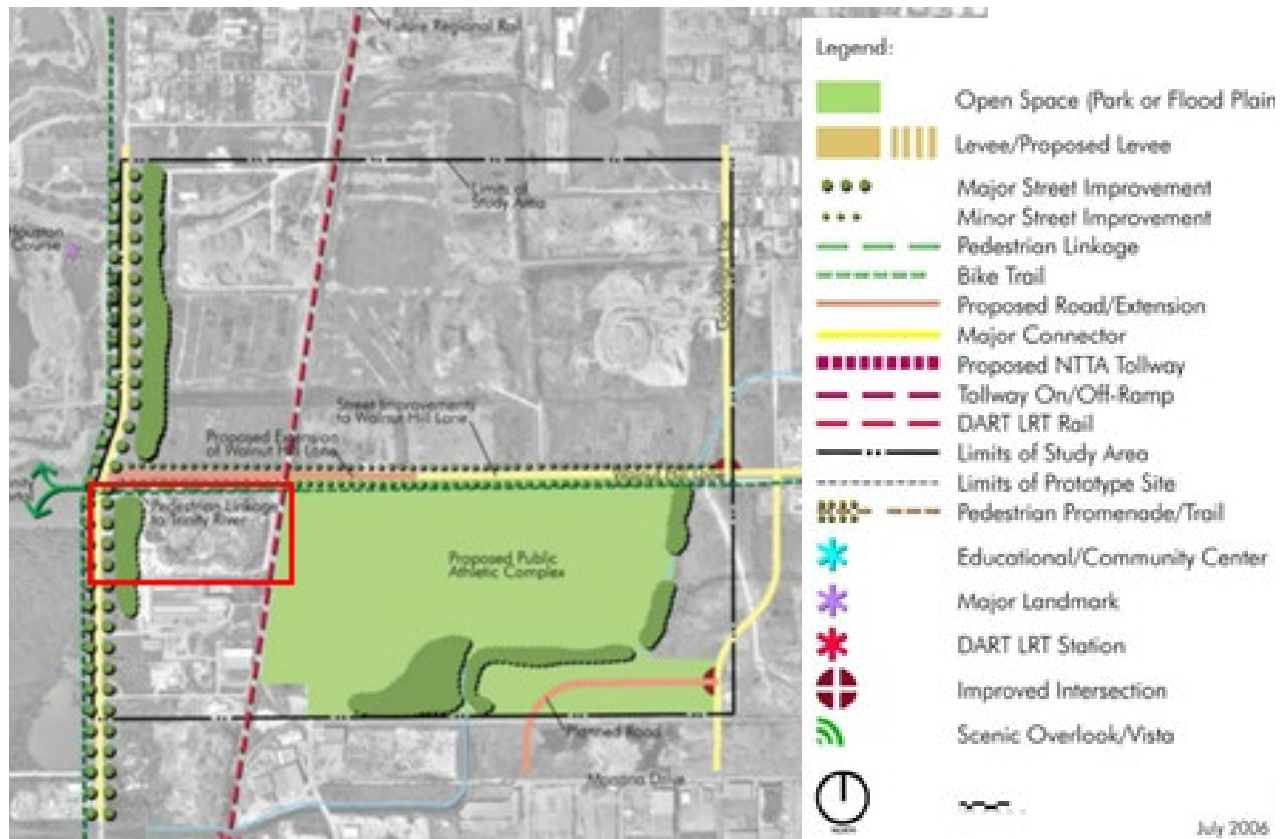
The site is located south of Study Area 22, Luna Road/Walnut Hill, which generally calls for light and heavy industrial uses. The Elm Fork District Study addresses the concern of heavy industrial growth by stating that these uses should be allowed to remain and expand in these areas.



The site is outlined in blue in the northwest most portion of this image.



The site, more specifically, is located within Study Area 22, Luna Road/Walnut Hill, which generally calls for light and heavy industrial uses. However, in the Urban Design Framework for this area, the plan calls for enhanced buffering, especially between Luna Road and industrial uses, as depicted below, outlined in red:



The property, outlined in red, implies additional vegetative buffering between the industrial uses and Luna Road, and the parkland to the west. Because of this, staff's recommended conditions for Specific Use Permit No. 2078 includes additional plantings in addition to those required by Article X. These additional plantings may assist in buffering and filtering the site's activities from the street and from the park facility.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IM Industrial Manufacturing District - SUP No. 2078	Industrial (outside) Potentially Incompatible Use Limited to Concrete or Asphalt Crushing
<b>North</b>	IM Industrial Manufacturing District - SUP No. 2564	industrial (outside) potentially incompatible use limited to asphalt and concrete crushing
<b>East</b>	IM Industrial Manufacturing District	Outside Storage & Vehicle Display, Sales, & Service
<b>South</b>	IM Industrial Manufacturing District - SUP No. 2261, SUP No. 2434, & SUP No. 2003	Metal Salvage Facility & Industrial (outside) Use limited to a Concrete Batch Plant
<b>West</b>	IR Industrial Research District	Body of water, Undeveloped Land, & Public Park or Golf Course (northwest)

**Land Use Compatibility:**

The subject site is currently authorized by Specific Use Permit No. 2078 for an industrial (outside) potentially incompatible use limited to a concrete or asphalt crushing. North of the site, SUP No. 2564 authorizes asphalt and concrete crushing. East of the site, across the railroad right of way, there is an outside storage & vehicle display, sales, & service use. To the west, across Luna Road, there is a body of water, undeveloped land, and a public park/golf course use (specifically a golf course to the northwest and a shooting range to southwest). South of the site, there is SUP Nos. 2261 and 2434 for a Metal Salvage Facility and SUP No. 2003 for an industrial (outside) use limited to a concrete batch plant. Further south, along the east line of Luna Road, there are other industrial (outside) potentially incompatible uses.

Located west of the Elm Fork District (Trinity River Corridor Comprehensive Land Use Plan), this property is similar to the primary land uses for this area, especially with a parade of heavy industrial uses along the east of Luna Road. The area has historically been occupied by heavy industrial uses since 1938 with Venture Metals, a recycling and reclamation company, which specialized in buying and processing ferrous and nonferrous metals, as well as other materials like electronics scrap, plastics, wood, cardboard, and fluid reclamation.

Environmental concerns regarding stormwater and air compliance from rock crushing and concrete batching processing plants are a key focus in heavy industrial zones and are

inspected by the Office of Environmental Quality & Sustainability for City of Dallas stormwater and Texas Commission on Environmental Quality (TCEQ) air compliance regulations. The applicant has obtained the two TCEQ air permits below to operate at this location.

- TCEQ Regulated Entity Reference #109942433 (Operated by Nortex Rediimix, LLC)
  - Site name: Concrete Batch Plant 3 SN 140317 and 150828
  - TCEQ Air Permit #148415
    - Issued 10/17/2017, recently amended 08/18/2023 to operate a 2<sup>nd</sup> concrete batch plant
- TCEQ Regulated Entity Reference #108296567 (Operated by Luna Road Recyclers, LLC)
  - Site Name: Portable Crusher SN J08000 581D
  - TCEQ Air Permit #146849 (issued 07/24/2017)

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 finds Specific Use Permit No. 2078 is in compliance with the general provisions for a Specific Use Permit and supports the renewal and the amendment of Specific Use Permit No. 2078 for industrial (outside) potentially incompatible use limited to concrete or asphalt crushing and batching. Heavy industrial uses are suitable for the area, according to the Trinity River Corridor Comprehensive Land Use Plan, and are compatible with the surrounding properties. Staff recommends approval for a five-year period, subject to an amended site plan and amended conditions.



The recommended five-year period would allow for the establishment to operate the crushing and batch plant, while allowing another opportunity for review. The additional landscaping condition helps meet the concepts of the area plan and increases compatibility of the use.

**Landscaping:**

Landscaping and tree preservation must be provided in accordance with the requirements in Article X, as amended. Staff recommended tree and shrub buffering conditions are intended to meet the design concept of the Trinity River Land Use Study. This includes a row of large trees, and a row of shrubs, in order to act as a filtering screen for both higher and lower portions of the buffer.

**Parking:**

Parking must be provided in accordance with Chapter 51A. For an industrial (outside) use, the applicant must provide one space per 600 square feet of floor area, plus one space per 600 square feet of outside manufacturing area. The use does not include any indoor space. Depending upon the amount of outdoor manufacturing area, the applicant may have to designate more parking areas than the depicted three spaces, but this should be feasible given the large size of the site.

**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 "F" MVA area.

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**List of Officers**

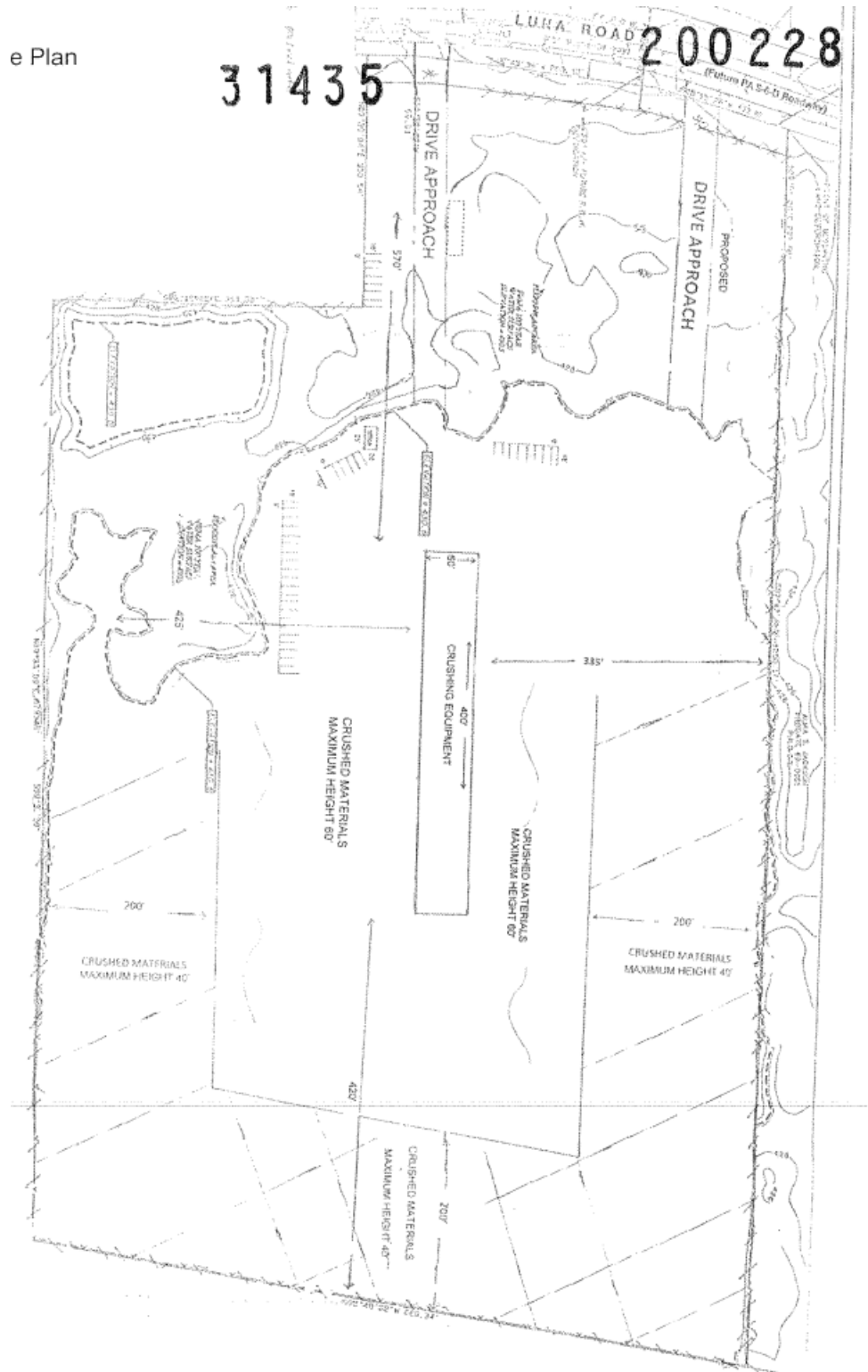
ALMC Recycling Ventures, LLC

Zachry "Zach" Weir, Managing Member

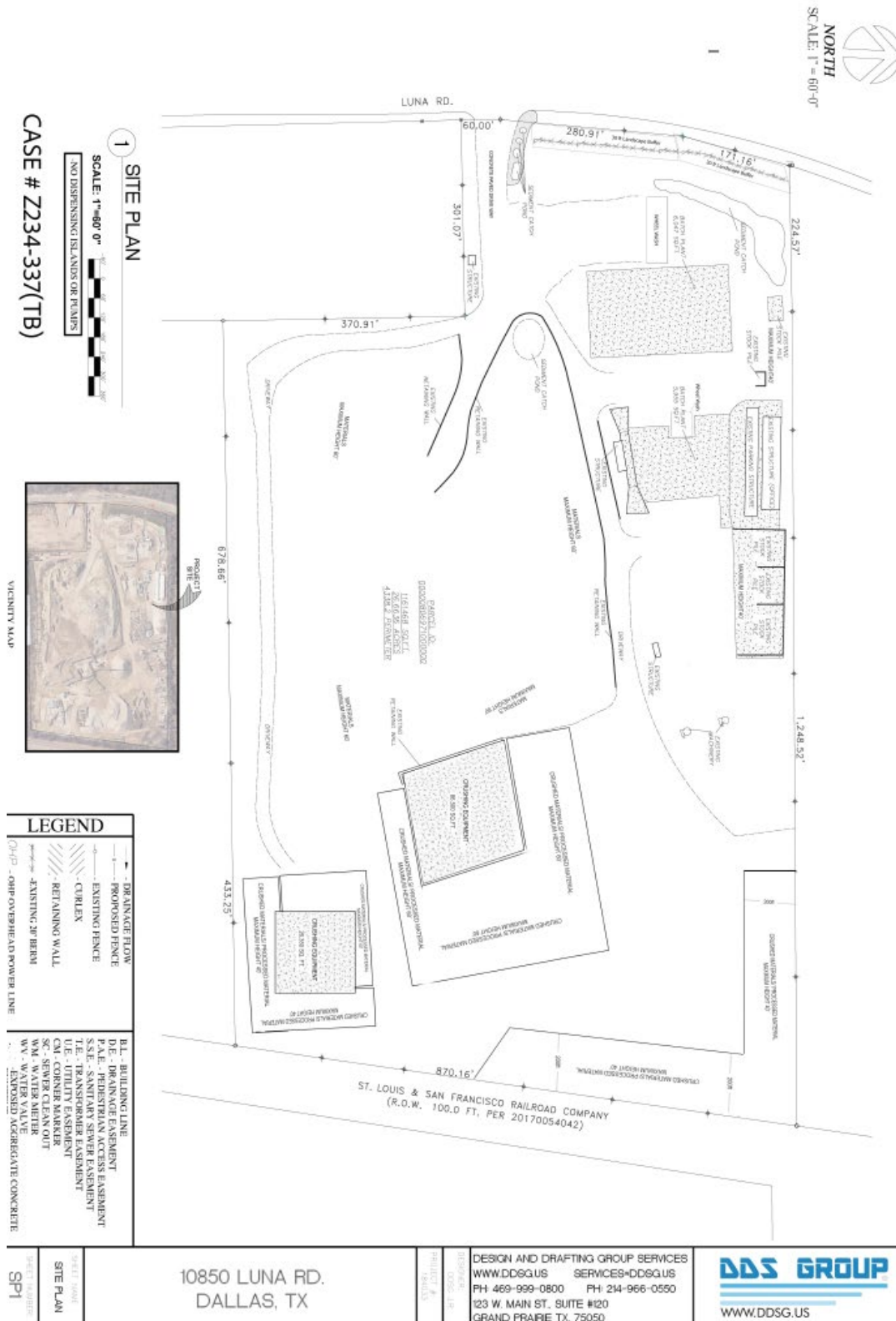


EXISTING SUP 2078 SITE PLAN (ENLARGED)

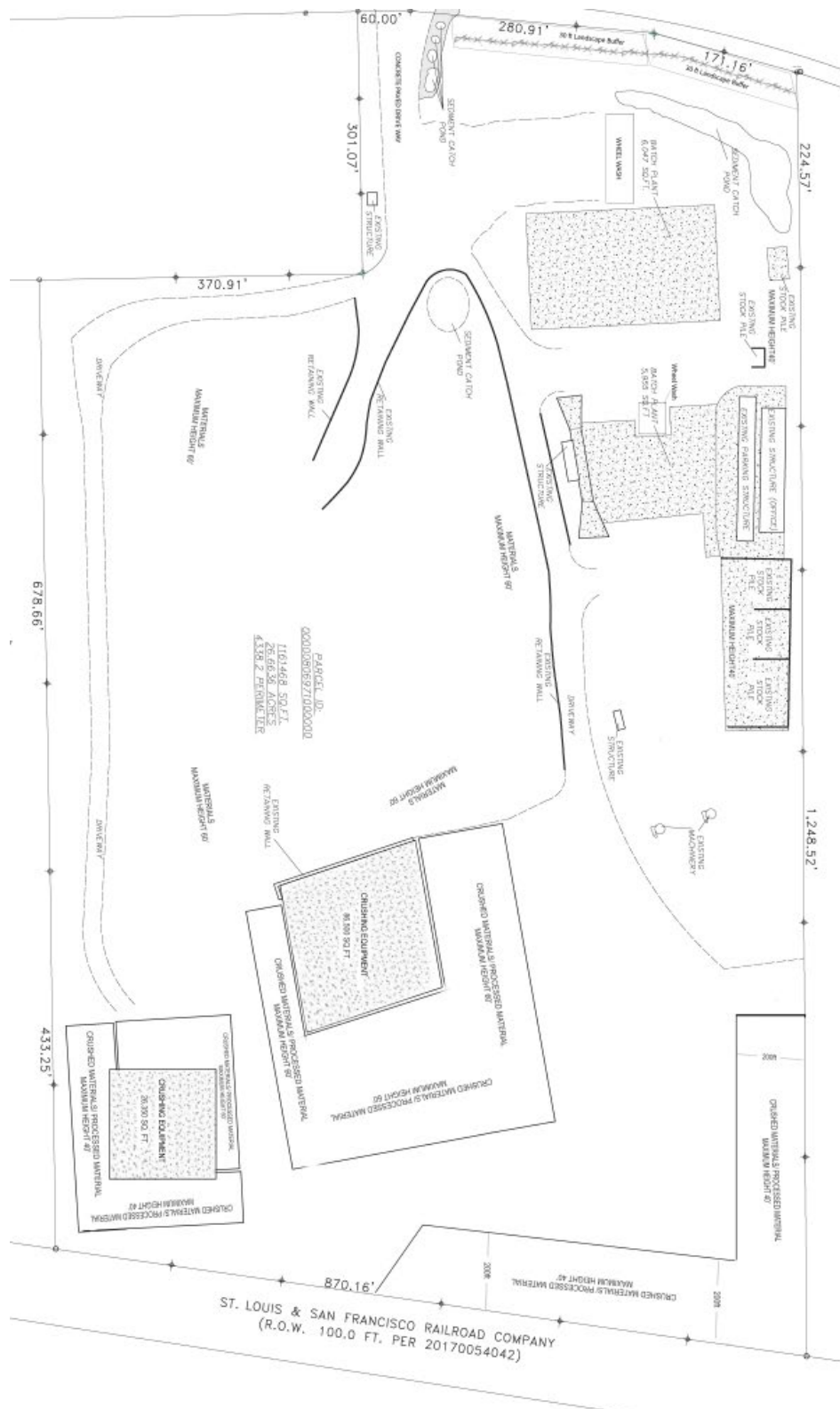
e Plan



# PROPOSED SUP 2078 SITE PLAN



## PROPOSED SUP 2078 SITE PLAN (ENLARGED)



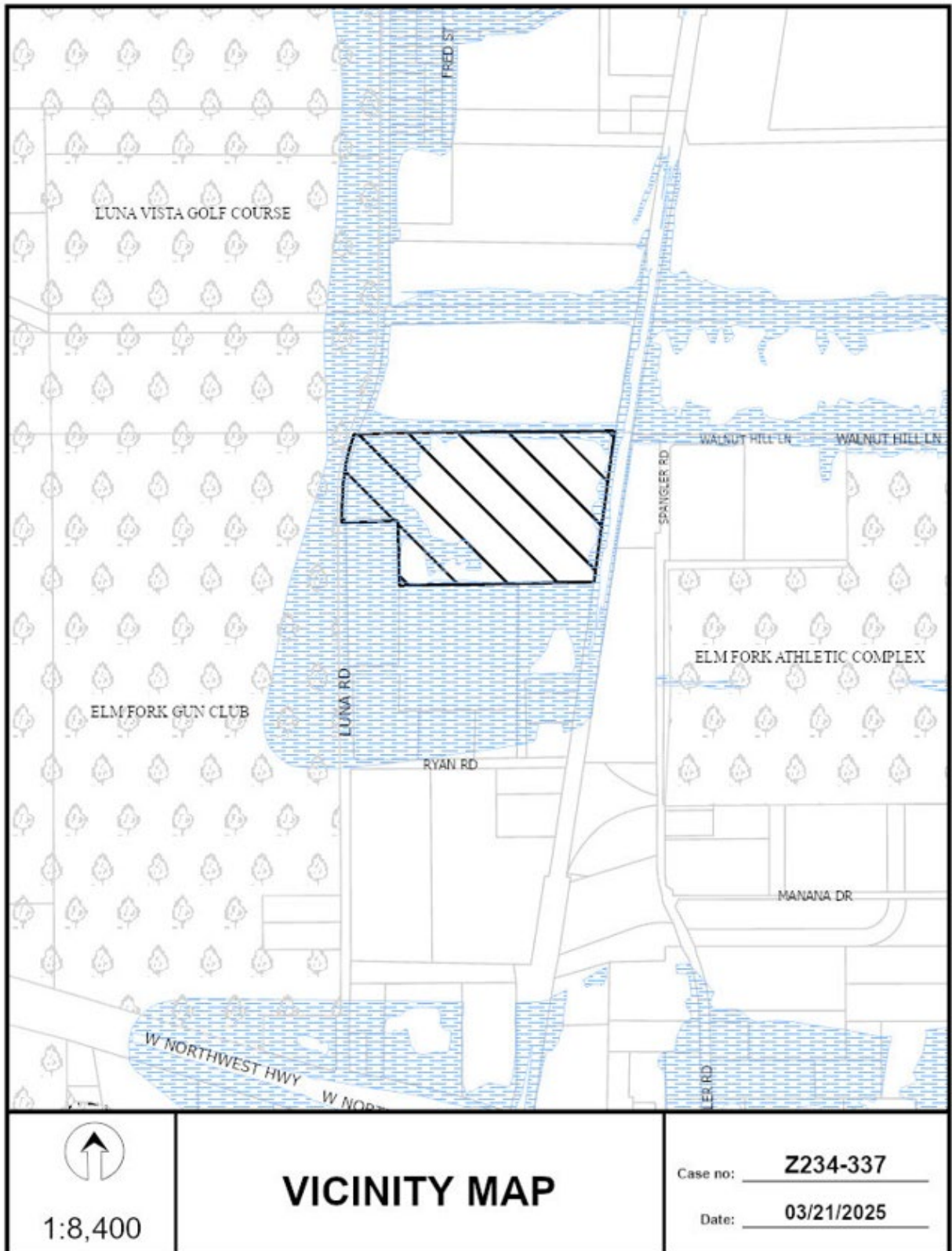
## PROPOSED SUP 2078 AMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is an industrial (outside) potentially incompatible use limited to concrete or asphalt crushing and concrete or asphalt batching.
  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) [January 22, 2025].
  4. BUFFER YARD: A buffer yard landscape area with a minimum width of 30 feet must be provided along the full length of the Luna Road frontage, excluding points of ingress and egress. No buildings, structures (other than buffer walls or buffer fences), storage of materials, or parking may be located within the buffer yard. This buffer yard must contain the following elements:
    - A. The designer shall select from a variety of tree plant materials from the Approved Tree List, but additional plants may be selected if approved by the director.
    - B. A continuous shrub row along the street frontage with a minimum height of six feet at planting is required to be planted within 15 feet of the Property line. Individual plantings may be located no further than six feet of linear distance from one another except for access driveways.
    - C. One large canopy tree is required for every 30 linear feet of street frontage, arranged in double staggered rows. These canopy trees may not be placed closer than 20 feet apart. A minimum of 75 percent of large canopy trees must be live oaks.
  5. FENCING: The Property must be fenced and gated along Luna Road in the location shown on the attached site plan.
  6. FLOOR AREA: The maximum floor area for concrete or asphalt batching is 12,100 square feet in the location shown on the attached site.
- 7[5]. GROUND AND DUST CONTROL:
- (A) The following conditions must be met on an ongoing basis:
    - (1) The Property, including any stockpiles, must be sprinkled with water or chemicals as necessary to achieve maximum control of dust emissions.

- (2) Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions.
  - (3) All permanent roads inside the Property must be paved, watered, and swept to eliminate visible dust emissions.
  - (4) The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate dust emissions.
  - (5) During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.
  - (6) The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.
  - (7) During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.
  - (8) To avoid overloading, a mechanism must be installed on each cement storage silo to warn operator that the silo is full.
  - (9) Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.
  - (B) A written ground and soot control plan incorporating existing and proposed infrastructure must be delivered to the Office of Environmental Quality and Sustainability and the director of Department of Planning and Development by (one year of the passing of this ordinance).
- 8[6]. INGRESS/EGRESS: Ingress and egress must be provided in the [~~two~~] location[s] shown on the attached site plan. No other ingress or egress is permitted. The drive approach to the Property must be constructed of concrete pavement. Internal parking and circulation drives may be constructed of either concrete or crushed rock.
- 9[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.
10. OUTSIDE STORAGE: Materials stored outside must be located in bins that are screened on three sides by 10-foot-high screening walls.

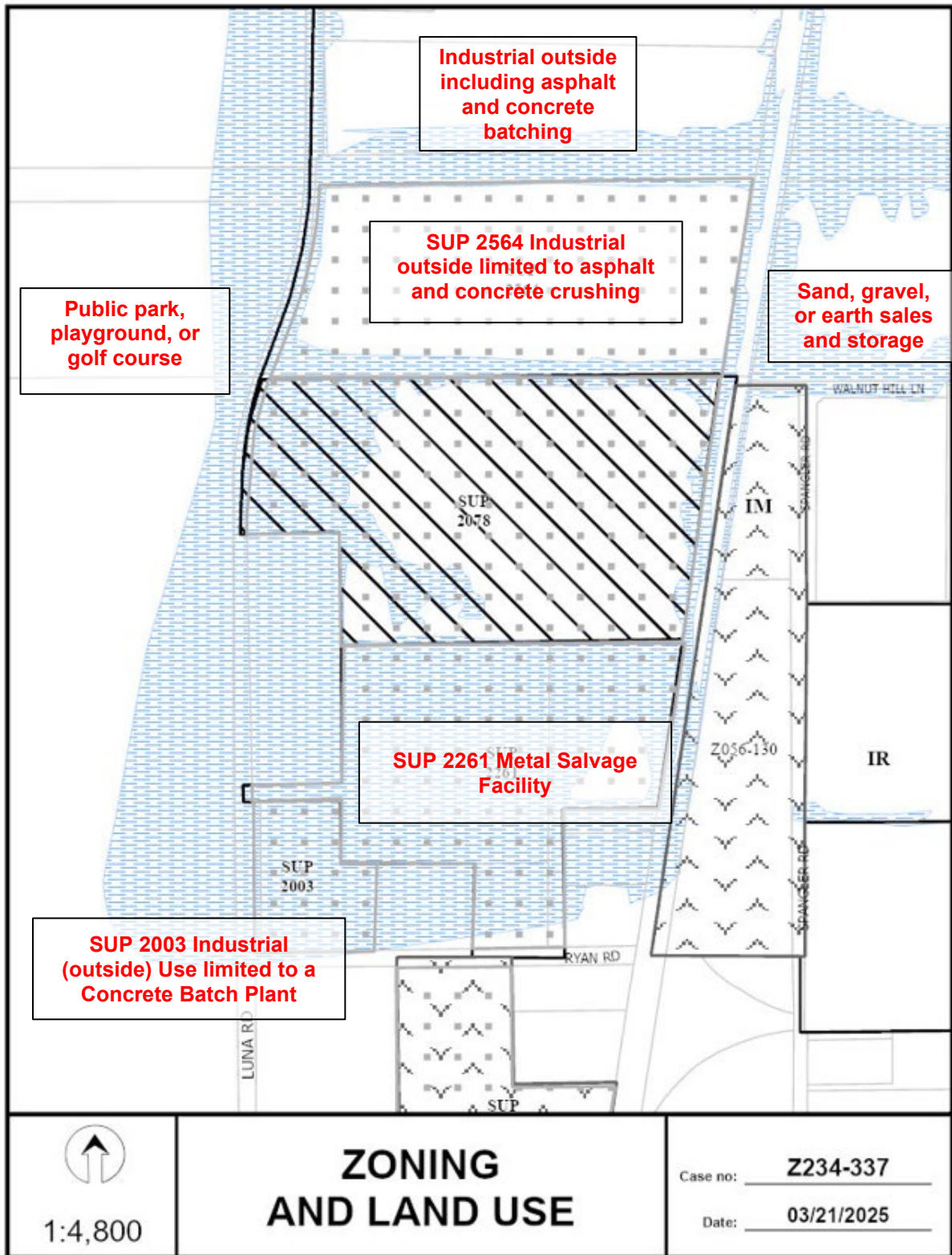


11. SCREENING: Solid screening must be provided around the perimeter of the site at the height and locations shown on the site plan.
- 12[8]. STOCKPILE HEIGHT: The maximum stockpile stacking height is 40 feet around the perimeter of the site as shown on the site plan and 60 feet in the location shown on the attached site plan.
- 13[9]. WHEEL WASHING: Upon the completion of the Luna Road surface to engineering standards, a wheel washing area must be provided in the locations shown in 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.
- 14[10]. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 15[11]. 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.

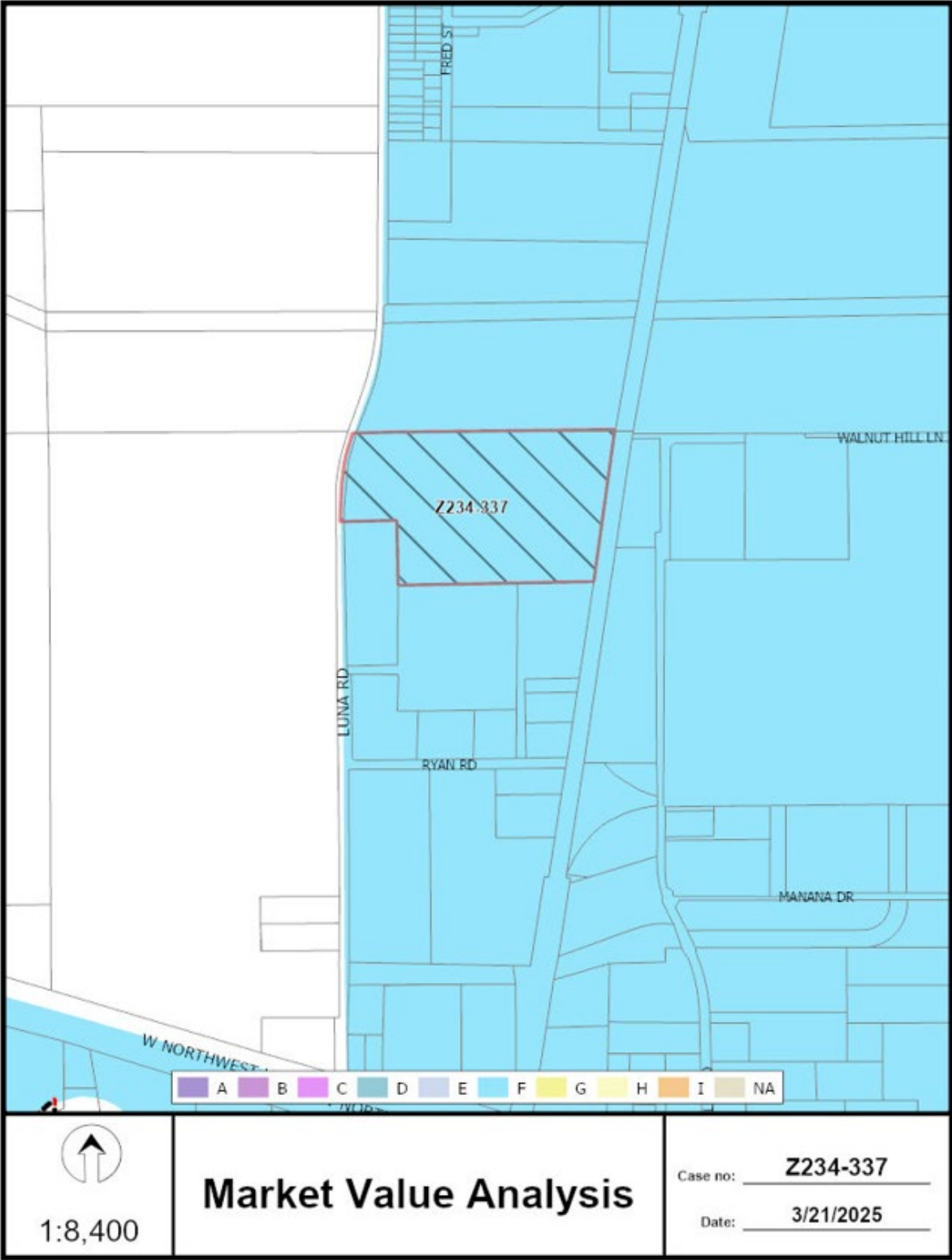


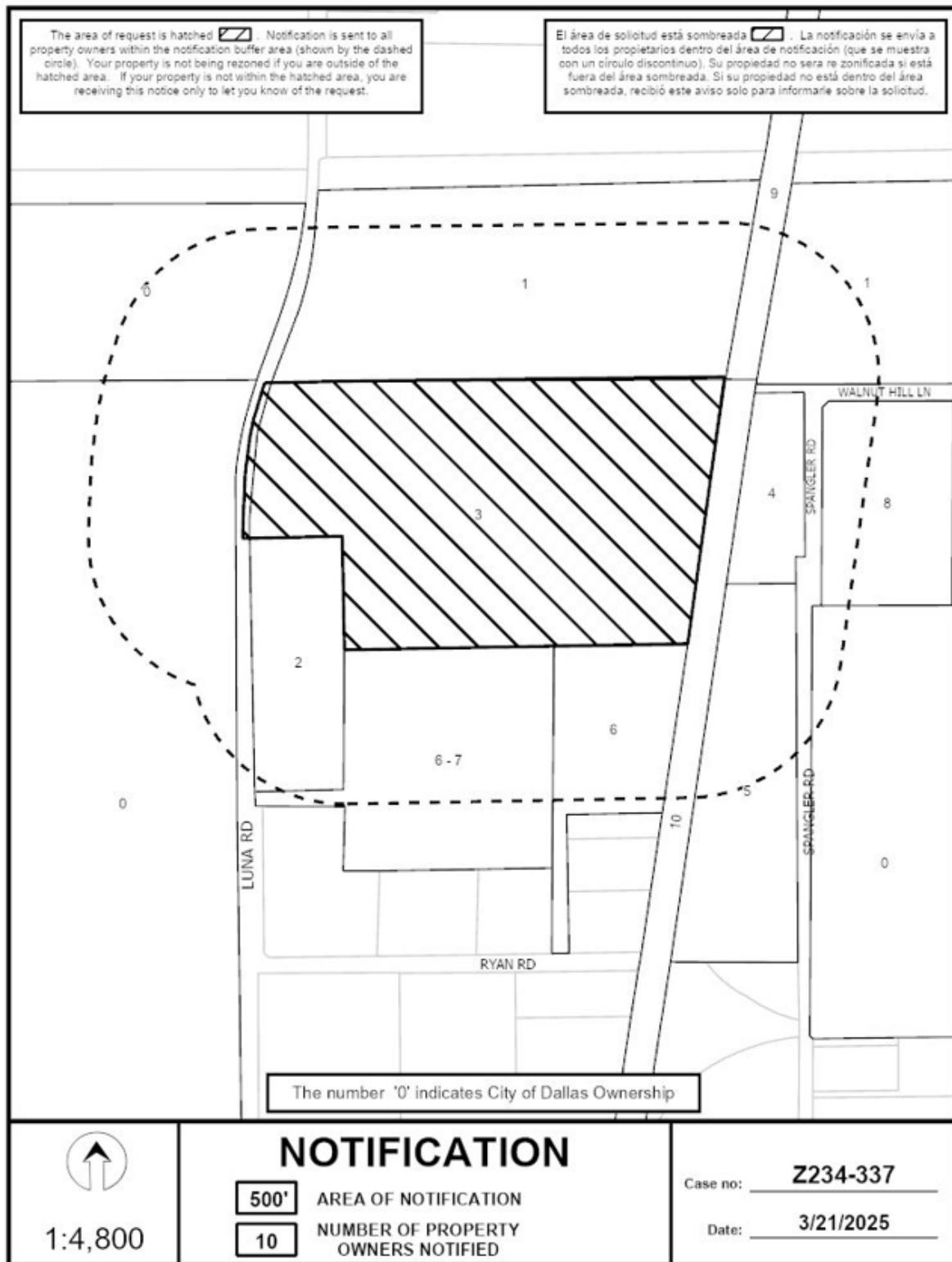












Z234-337(TB)

03/21/2025

## ***Notification List of Property Owners***

***Z234-337***

***10 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2101 WALNUT HILL LN	JACKSON ALMA S ET AL
2	10850 LUNA RD	SFG ISF DALLAS 10850 LUNA LLC
3	10850 LUNA RD	ALMC RECYCLING VENTURES LLC
4	10941 SPANGLER RD	ISF 10801 SPANGLER LLC
5	10801 SPANGLER RD	OSI 10801 SPANGLER ROAD LLC
6	10848 LUNA RD	WEST SHIELD PARTNERS LLC
7	10848 LUNA RD	WEST SHIELD PARTNERS LLC
8	10940 SPANGLER RD	TRICYCLE LANE LLC
9	10912 LUNA RD	DART
10	2300 AL LIPSCOMB WAY	BNSF RAILWAY