

FILE NUMBER: Z212-273(MP) **DATE FILED:** June 1, 2022

LOCATION: Southwest line of North Garrett Avenue, between Ross Avenue and Monarch Street

COUNCIL DISTRICT: 2

SIZE OF REQUEST: 0.52 Acres **CENSUS TRACT:** 009.02

APPLICANT: Gingerbread House Academy Inc.

OWNER: Medhanfalem Eritrean Orthodox Church

REQUEST: An application for an NS(A) Neighborhood Service District on property zoned an LO-1 Limited Office District

SUMMARY: The purpose of the request is to permit the use of a child-care facility within the existing building

STAFF RECOMMENDATION: Approval.

CPC RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an LO-1 District and is currently developed with a church.
- The applicant is proposing to utilize the existing structure as a child-care facility use.
- The change is necessary to undertake the proposed use because the LO-1 District only allows the child-care facility use, as a limited use. A limited use is a use that is meant to serve other, primary occupants of a building, such as a child-care facility within a large office building, primarily for use of the office tenants.

Zoning History:

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

1. **Z212-123:** On March 9, 2022, the City Council approved an application for an MF-2(A) Multifamily District on property zoned a CR Community Retail District, on the northeast line of North Garrett Avenue, northwest of Ross Avenue.
2. **Z212-119:** On January 29, 2022, the City Council approved an application for a CR Community Retail District with volunteered deed restrictions on property zoned LO-1 Limited Office District, located on the southwest line of North Garrett Avenue, north of the intersection of Ross Avenue and Bennett Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Garrett Avenue	Local Street	60 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 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 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.1 Promote pedestrian friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plan:

The 360 Plan

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located within the Deep Ellum/Baylor area of the plan.

The applicant’s proposal to introduce additional commercial uses to the Ross Corridor meets the 360’s strategy to Build Complete Neighborhoods through the following goal:

3 Grow a Diverse Mix of Services and Retail

Land Use:

	Zoning	Land Use
Site	LO-1 Local Office District	Church
Northeast	MF-2(A) Multifamily District	Multifamily
Southeast	NS(A) Neighborhood Service District	Child-care Facility
Southwest	NO(A) Neighborhood Office District	Church
Northwest	NO(A) Neighborhood Office District	Surface Parking (associated with Church to southwest)

Land Use Compatibility:

The area of request currently is developed as a roughly 5,000 square foot building used as a church. Property across North Garrett Avenue to the northeast is developed as multifamily. Property behind the subject site to the southwest is developed as a church. Additional parking for the church to the southwest exists to the northwest of the subject site, beyond which is more multifamily property. Property to the southeast is currently developed as a child-care facility. NS(A) permits only low-impact commercial uses that are generally compatible with residential areas.

The proposed change allows for neighborhood scale businesses to operate within walking distance to area residences. Specifically, changing from LO-1 to NS(A) contributes a diversity of uses that is necessary for the long-term wellbeing of the neighborhood and furthers the 360 Plan’s goal of expanding the diversity of retail offerings in the area.

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
	LO-1	NS(A)
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICES USES		
Bus or rail transit vehicle maintenance or storage facility		
Catering service		
Commercial cleaning or laundry plant		
Custom business services		
Custom woodworking, furniture construction, or repair		
Electronics service center		
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		
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		

	Existing	Proposed
Use	LO-1	NS(A)
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	[Special]	[Special]
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	L	•
Cemetery or mausoleum	S	S
Child-care facility	L	•
Church	•	•
College, university, or seminary		S
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery		•
Foster home		
Halfway house		
Hospital		
Library, art gallery, or museum	•	•
Public or private school	R	R
LODGING USES		
Extended stay hotel or motel		
Hotel or motel		
Lodging or boarding house		
Overnight general-purpose shelter		
MISCELLANEOUS USES		
Carnival or circus (temporary)	[Special]	[Special]
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		
Medical clinic or ambulatory surgical center	•	•
Office	•	•
RECREATION USES		
Country club with private membership	•	•

	Existing	Proposed
Use	LO-1	NS(A)
Private recreation center, club, or area	S	S
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house	S	S
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		
Ambulance service		
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		
Business school	S	
Car wash		
Commercial amusement (inside)		
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage		
Convenience store with drive-through		
Dry cleaning or laundry store		•
Furniture store		
General merchandise or food store 3,500 square feet or less		•
General merchandise or food store 3,500 square feet or greater		
General merchandise or food store greater than 100,000 square feet		
Home improvement center, lumber, brick or building materials sales yard		
Household equipment and appliance repair		
Liquefied natural gas fueling station		
Motor vehicle fueling station		S
Nursery, garden shop, or plant sales	•	

	Existing	Proposed
Use	LO-1	NS(A)
Outside sales		
Paraphernalia shop		
Pawn shop		
Personal service use	L	•
Restaurant without drive-in or drive-through service	S	•
Restaurant with drive-in or drive-through service		
Swap or buy shop		
Taxidermist		
Temporary retail use		
Theater		
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley		
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	S
Local utilities	S / R	S / R
Police or fire station	S	S
Post office	S	S
Radio, television, or microwave tower		S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	(Special)	(Special)
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		

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	Existing	Proposed
Use	LO-1	NS(A)
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini warehouse		
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center		
Recycling collection center		
Recycling drop-off container	(Special)	(Special)
Recycling drop-off for special occasion collection	(Special)	(Special)
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		

Development Standards Comparison Chart

Standard	Existing: LO-1	Proposed: NS(A)
Front setback	15' min	15'
Side setback	20' adjacent residential 0'	20' adjacent residential 0'
Rear setback	20' adjacent residential 0'	20' adjacent residential 0'
FAR	1.0	0.5
Height	70' 5 stories	30' 35' with sloped roof 2 stories
Lot coverage	80% max	40% max
Special standards	Proximity slope, UFS, Tower Spacing, Visual Intrusion	Proximity slope
Primary Uses	Office, limited retail and personal service uses	Office, Child-care facility, Personal service uses, GMFS <3,500

Development Standards

Although the uses allowed by NS(A) are generally more diverse, the development standards are less intense than the existing LO-1. The change would decrease the allowable height, FAR, and lot coverage. If a future owner were to redevelop, a site of this size would only allow for a small, neighborhood scale structure and any required parking.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a Child-care facility use is one space per 500 square feet.

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

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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 currently in an “C” MVA cluster. Properties to the northeast are located within a “D” MVA cluster.

CPC Action

January 5, 2023

Motion: It was moved to recommend **approval** of an NS(A) Neighborhood Service District on property zoned an LO-1 Limited Office District, on the southwest line of North Garrett Avenue, between Ross Avenue and Monarch Street.

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

For: 12 - Popken, Hampton, Shidid, Carpenter, Blair, Jung, Housewright, Treadway, Haqq*, Stanard, Kingston, Rubin

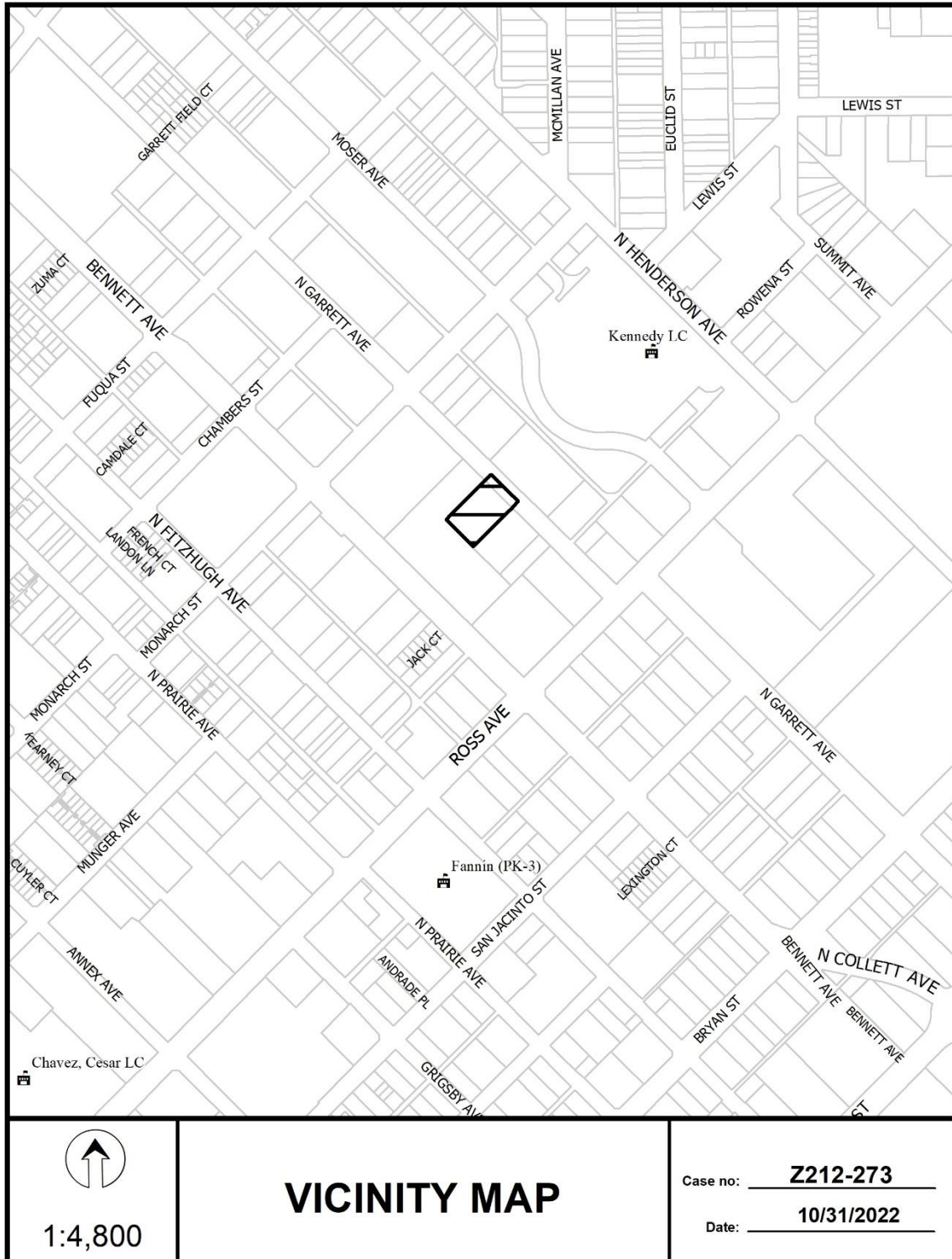
Against: 0
Absent: 0
Vacancy: 2 - District 3, District 4
Conflict: 1 - Wheeler-Reagan**

*out of the room, shown voting in favor

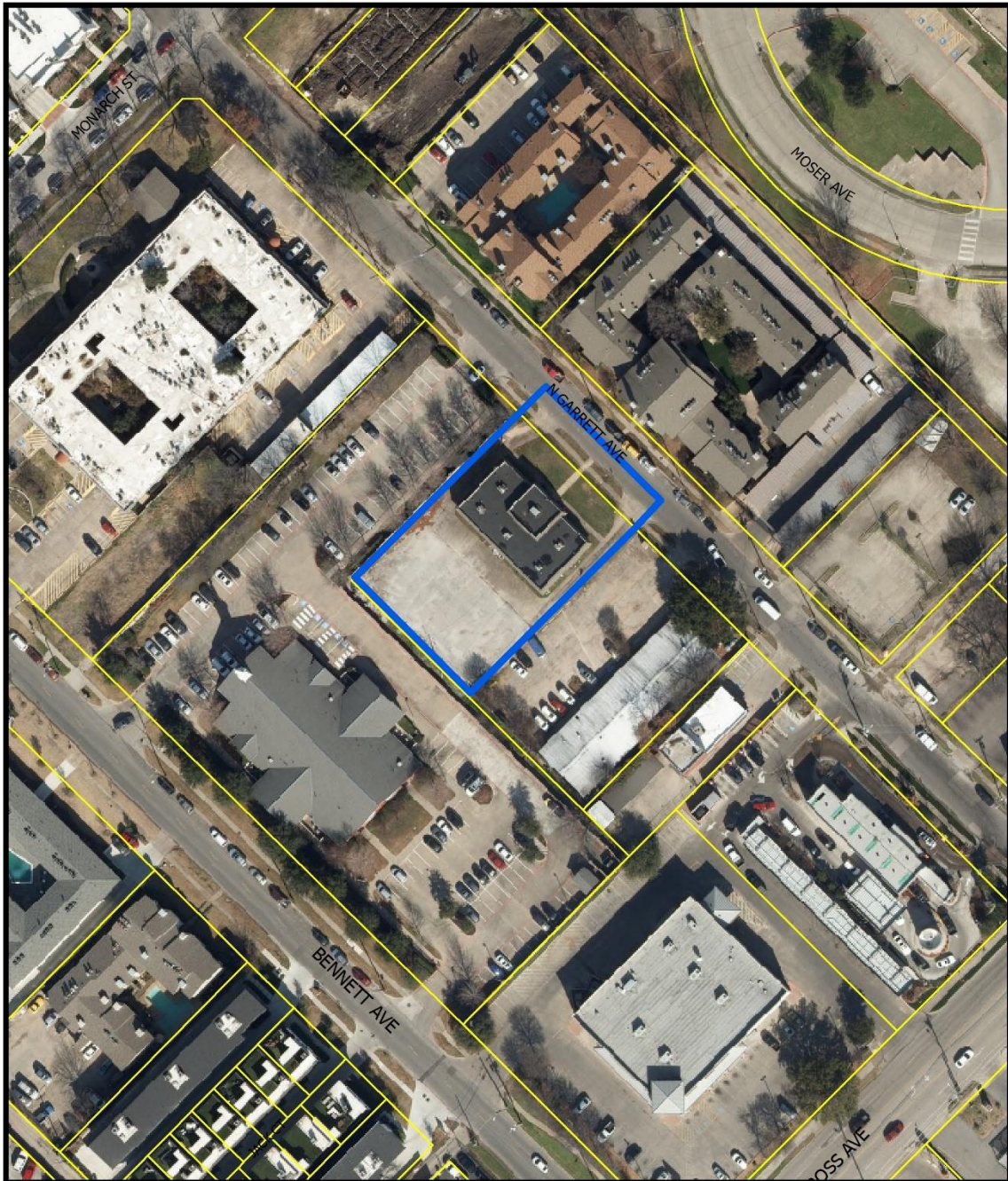
**out of the room, when vote taken

Notices: Area: 200 Mailed: 56
Replies: For: 0 Against: 0

Speakers: For: Laronda Roberts, 1805 N. Garrett Ave., Dallas, TX, 75206
Jasmin McCullum, Address not given
Juana Bell, 1600 Pres. George Bush hwy., Rowlett, TX, 75088
Halle Teklehaimanot, 1202 Lakeshore Dr., Irving, TX, 75060
Against: None



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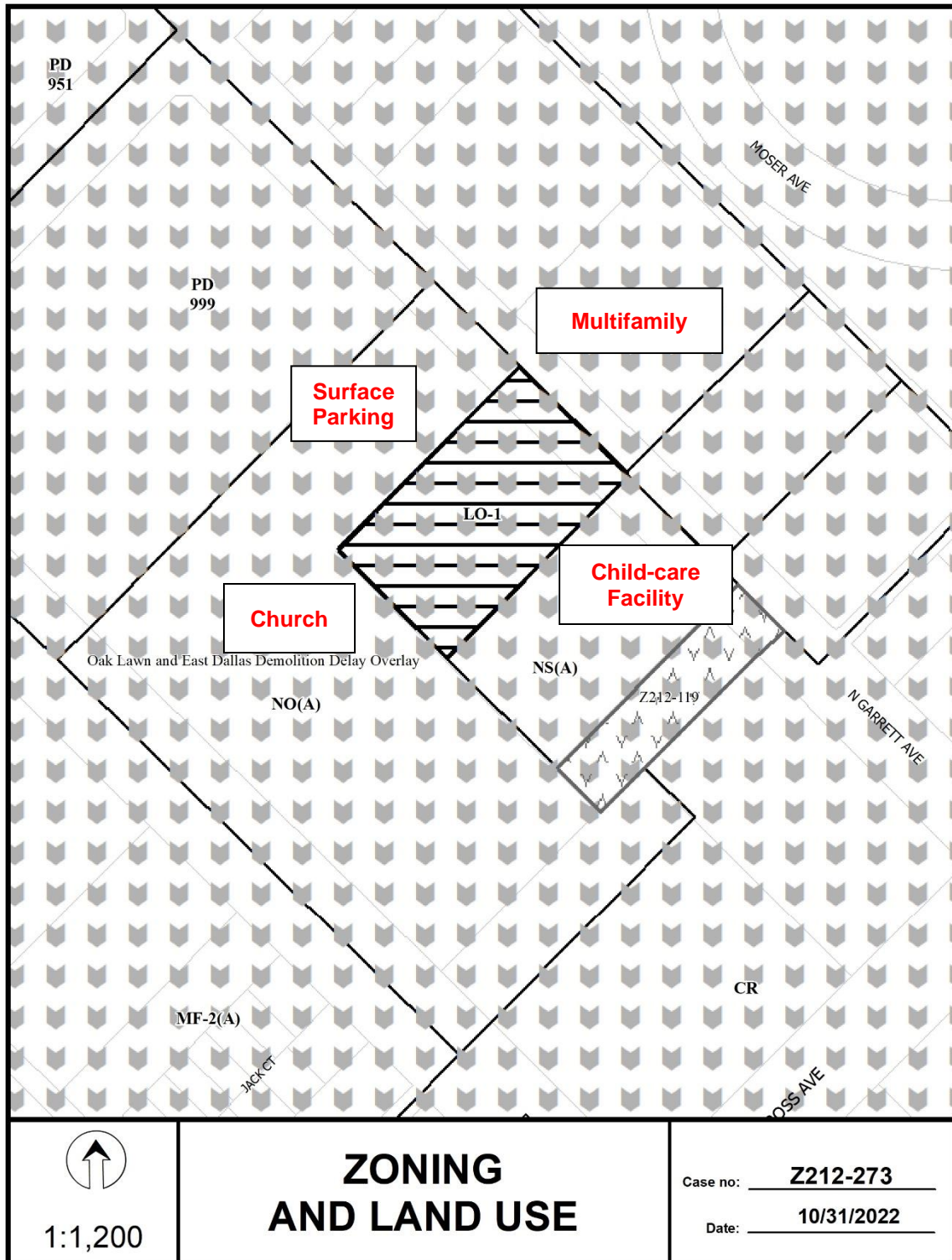


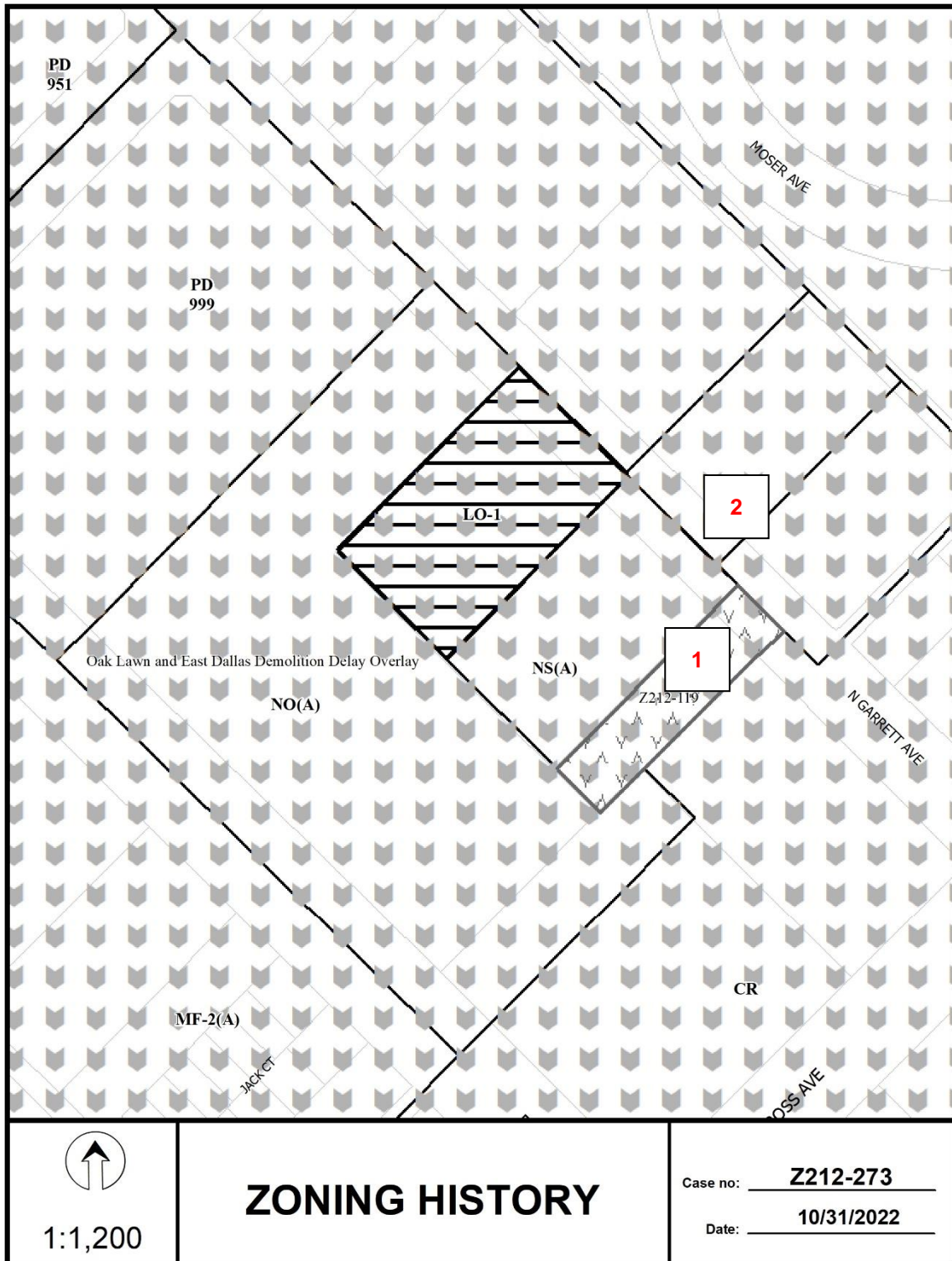
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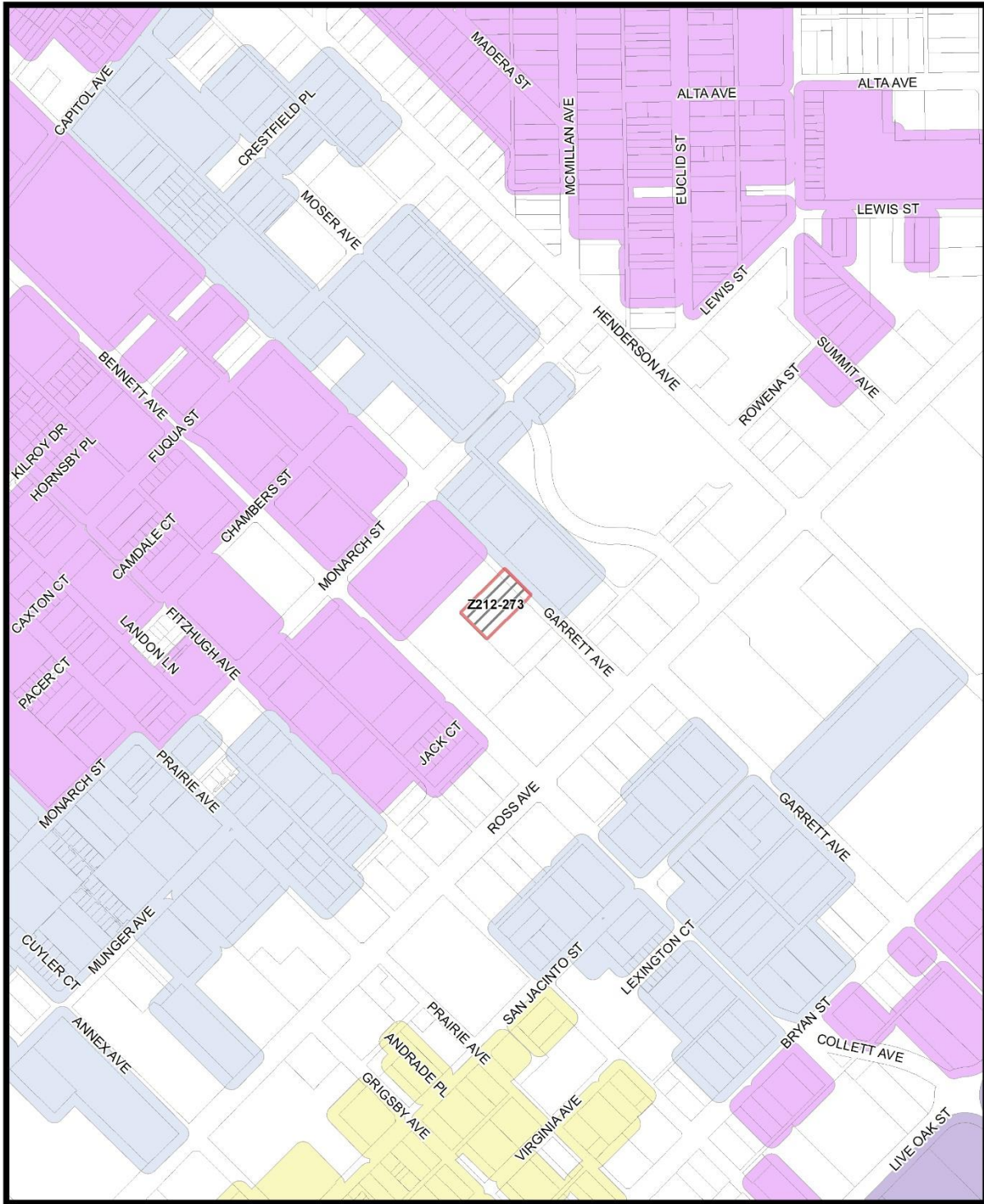
AERIAL MAP

Case no: Z212-273

Date: 10/31/2022







MVACluster A B C D E F G H I NA

 1:4,800

Market Value Analysis

Printed Date: 10/31/2022



<u>56</u>	Property Owners Notified (11 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>1/5/2023</u>	Date

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CPC



1:1,200

01/04/2023

Reply List of Property Owners***Z212-273******56 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	1805 N GARRETT AVE	MEDHANFALEM ERITREAN
	2	1721 N GARRETT AVE	COMUNIDAD DE ESPERANZA
	3	1717 N GARRETT AVE	TG MILLER LLC
	4	1820 N GARRETT AVE	BNSPP PROPERTIES LLC
	5	1828 N GARRETT AVE	TOPSPIN DEVELOPMENT LP
	6	5001 ROSS AVE	MV1 PROPERTIES LLC
	7	5021 ROSS AVE	MILLER BLAKEWELL LLC
	8	1800 BENNETT AVE	CHURCH OF JESUS CHRIST OF LATTER
	9	1830 BENNETT AVE	VILLA SANTA MARIA INC
	10	1810 N GARRETT AVE	RODRIGUEZ ESPERANZA &
	11	1810 N GARRETT AVE	AMADOR LUDMILA & ANA
	12	1810 N GARRETT AVE	CHORUBY NICHOLAS JAKE &
	13	1810 N GARRETT AVE	EARLY BYPASS TRUST
	14	1810 N GARRETT AVE	LOPEZ JUAN PABLO MARQUEZ
	15	1810 N GARRETT AVE	WOLF BEE HOLDINGS LLC
	16	1810 N GARRETT AVE	LATERZA JACKSON
	17	1810 N GARRETT AVE	JAKUBOWSKI IRINA & HENRYK
	18	1810 N GARRETT AVE	OCONNOR PATRICK D
	19	1810 N GARRETT AVE	VILLAGOMEZ MARIA
	20	1810 N GARRETT AVE	RATLIFF HARVEY LOCKE &
	21	1810 N GARRETT AVE	CUELLAR PRECILIANO &
	22	1810 N GARRETT AVE	RATLIFF THOMAS
	23	1810 N GARRETT AVE	RATLIFF HARVEY LOCKE
	24	1810 N GARRETT AVE	RODRIGUEZ MARIA CRUZ
	25	1810 N GARRETT AVE	CUELLARMARTINEZ PRECILIANO &
	26	1810 N GARRETT AVE	CALEY KATHRYN

01/04/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1810	N GARRETT AVE	GUITERREZ VICTOR & MARIA
28	1810	N GARRETT AVE	OWEN FRED D
29	1810	N GARRETT AVE	CAMIOLO JOHN J III
30	1810	N GARRETT AVE	MAKARA MIKE
31	1810	N GARRETT AVE	SARMIENTO ANA MARIA
32	1810	N GARRETT AVE	GUTIERREZ NORMA IRENE
33	1810	N GARRETT AVE	MORALES ROSALIA
34	1810	N GARRETT AVE	SIKES ROBERT C LLC &
35	1810	N GARRETT AVE	HOUNG WINNIE
36	1810	N GARRETT AVE	MACIAS GUSTAVO
37	1810	N GARRETT AVE	FLORES JUAN & MARIA
38	1810	N GARRETT AVE	GARZA MANUEL & FATIMA A CANO
39	1810	N GARRETT AVE	BROWN ERIC R
40	1810	N GARRETT AVE	REYES SYLVIA
41	1810	N GARRETT AVE	MAKARA MICHAEL
42	1810	N GARRETT AVE	MACIAS GUSTAVO
43	1810	N GARRETT AVE	GUTIERREZ NORMA I
44	1810	N GARRETT AVE	FLORES LETICIA
45	1810	N GARRETT AVE	TBPR PROPERTIES LLC
46	1810	N GARRETT AVE	SUNLAND GROUP LLC
47	1810	N GARRETT AVE	HUBER WILLIAM R
48	1810	N GARRETT AVE	ESTRELLA YOJAIDA
49	1810	N GARRETT AVE	BOLDEN LARRY
50	1810	N GARRETT AVE	GARRETT AVENUE PARTNERS LLC
51	1810	N GARRETT AVE	LATERZA JACKSON
52	1810	N GARRETT AVE	ANDINO JUAN FRANCISCO &
53	1810	N GARRETT AVE	WEST DON M &
54	1810	N GARRETT AVE	HEB HOMES LLC
55	1810	N GARRETT AVE	FC2 HOLDINGS LLC
56	1810	N GARRETT AVE	GUTIERREZ NORMA IRENE