

FILE NUMBER: Z234-105(MB) **DATE FILED:** October 11, 2023
LOCATION: Northeast corner of South Buckner Boulevard and Moberly Lane
COUNCIL DISTRICT: 7
SIZE OF REQUEST: 1.53 acres **CENSUS TRACT:** 48113012207

REPRESENTATIVE: Tommy Webb
OWNER: Invested LLC / Tommy Webb
APPLICANT: Pleasant Grove Mortuary
REQUEST: An application for a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay.
SUMMARY: The purpose of the request is to allow development of a funeral home.
CPC RECOMMENDATION: Approval.
STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay. The property is currently developed with a single-story building.
- The lot has frontage on South Buckner Boulevard and Moberly Lane.
- The applicant proposes to develop this property with a mortuary, funeral home, or commercial wedding chapel use.
- To accomplish this, they request a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

Zoning History:

There have been no zoning cases in the area within the last five years.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing/Proposed ROW |
|----------------------------|--------------------|------------------------------|
| Moberly Lane | Local Street | 60 feet |
| South Buckner Boulevard | Principal Arterial | 107 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 ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining 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 1.1.1 Focus on Southern Sector development opportunities.

Land Use:

| | Zoning | Land Use |
|--------------|---|---|
| Site | LI-D-1 Light Industrial with a D-1 Liquor Control Overlay | Vacant |
| North | LI-D-1 Light Industrial with a D-1 Liquor Control Overlay | Undeveloped |
| South | LI-D-1 Light Industrial with a D-1 Liquor Control Overlay | Personal service, Office, General merchandise or food store < 3500 sf |
| East | LI-D-1 Light Industrial with a D-1 Liquor Control Overlay | Office showroom/warehouse |
| West | MF-2(A) Multifamily | Multifamily |

Land Use Compatibility:

The area of request is currently developed with a single-story building previously used for commercial amusement (inside). The site is bordered by an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay to the north, south, and east. To the north is an undeveloped site; to the east is an office showroom/warehouse. To the south is a retail center with various uses, including personal service use, office, and general merchandise or food store 3,500 square feet or less. To the west, across South Buckner Boulevard, is an MF-2(A) Multifamily District developed with various multifamily properties.

The site is currently zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay. This district is recognized as suitable for light industrial office, research and development, and commercial uses in an industrial park setting. This district is designed to be located in areas appropriate for industrial development which may be adjacent to residential communities. The applicant proposes a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay to permit development of a mortuary, funeral home, or commercial wedding chapel use, which is currently prohibited by the LI-D-1 District.

Staff finds that the requested district and proposed development are compatible with the surrounding uses. The CR Community Retail District is intended to provide for community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities. The CR-D-1 District is less intensive than the existing LI-D-1 District, thereby minimizing the impact on the nearby MF-2(A) District. The proposed district would also be compatible with the existing nearby uses.

Development Standards

Following is a comparison of the development standards of the current LI Light Industrial District and the proposed CR Community Retail District.

| District | Setback | | FAR | Height | Lot Cvrg. | Special Standards | Primary Uses |
|-----------------|---------|--|--|-------------------------------|-----------|---|--|
| | Front | Side/Rear | | | | | |
| Existing: LI | 15' | 30' adj to res ¹ Other: No min | 0.5 retail/personal service 0.75 combination of lodging/office/retail/personal service 1.0 all uses combined | 70' ² 5 stories | 80% | Proximity Slope Visual Intrusion | Industrial, wholesale distribution & storage, supporting office & retail |
| Proposed: CR | 15' | 20' adj to res ¹ Other: No min | 0.5 office uses 0.75 all uses combined | 54' ² 4 stories | 60% | Proximity Slope Visual Intrusion | Retail, personal service, office uses |

¹ 20/30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district. Otherwise, no minimum.

² If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

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 | LI | CR |
| AGRICULTURAL USES | | |
| Animal production | | |
| Commercial stable | | |
| Crop production | • | • |
| Private stable | | |
| COMMERCIAL AND BUSINESS SERVICE USES | | |
| Building repair and maintenance shop | R | R |
| Bus or rail transit vehicle maintenance or storage facility | R | |
| 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 | |
| Machine or welding shop | R | |
| Machinery, heavy equipment, or truck sales and services | R | S |
| Medical or scientific laboratory | • | |
| Technical school | • | |
| Tool or equipment rental | • | • |
| Vehicle or engine repair or maintenance | • | |
| INDUSTRIAL USES | | |
| Alcoholic beverage manufacturing | R | |
| Gas drilling and production | S | S |
| Gas pipeline compressor station | | |
| Industrial (inside) | | |

| | Existing | Proposed |
|--|----------|----------|
| Use | LI | CR |
| 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 |
| INSTITUTIONAL AND COMMUNITY SERVICE USES | | |
| 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 | R |
| Public school other than an open-enrollment charter school | S | S |
| LODGING USES | | |
| Hotel or motel | ★ | S |
| Extended stay hotel or motel | S | |
| Lodging or boarding house | • | S |
| Overnight general purpose shelter | ★ | ★ |
| MISCELLANEOUS USES | | |
| Carnival or circus (temporary) | | |
| Hazardous waste management facility | | |
| Placement of fill material | ★ | ★ |
| Temporary construction or sales office | • | • |
| OFFICE USES | | |
| Alternative financial establishment | S | S |
| Financial institution without drive-in window | • | • |

| | Existing | Proposed |
|--|----------|----------|
| Use | LI | CR |
| Financial institution with drive-in window | R | D |
| Medical clinic or ambulatory surgical center | • | • |
| Office | • | • |
| RECREATION USES | | |
| Country club with private membership | • | • |
| Private recreation center, club, or area | • | • |
| Public park, playground, or golf course | • | • |
| RESIDENTIAL USES | | |
| 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 | | |
| RETAIL AND PERSONAL SERVICE USES | | |
| Ambulance service | | R |
| Animal shelter or clinic without outside runs | • | R |
| Animal shelter or clinic with outside runs | •/S | |
| Auto service center | R | R |
| Alcoholic beverage establishment | S | S |
| Business school | • | • |
| Car wash | R | D |
| Commercial amusement (inside) | • | • |
| Commercial amusement (outside) | | S |
| Commercial motor vehicle parking | •/S | |
| Commercial parking lot or garage | R | R |
| Convenience store with drive-through | | S |
| Drive-in theater | | |
| 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 | LI | CR |
| General merchandise or food store 100,000 square feet or more | S | S |
| Home improvement center, lumber, brick or building materials sales yard | R | D |
| Household equipment and appliance repair | • | • |
| Liquefied natural gas fueling station | •/S | |
| Liquor store | | • |
| Mortuary, funeral home, or commercial wedding chapel | | • |
| Motor vehicle fueling station | • | • |
| Nursery, garden shop, or plant sales | | • |
| Outside sales | | |
| Paraphernalia shop | S | 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 |
| Taxidermist | • | |
| Temporary retail use | • | • |
| Theater | • | • |
| Truck stop | | S |
| Vehicle display, sales, and service | | R |
| TRANSPORTATION USES | | |
| Airport or landing field | | |
| Commercial bus station and terminal | R | |
| Heliport | S | |
| Helistop | S | |
| Private street or alley | | |
| Railroad passenger station | S | |
| Railroad yard, roundhouse, or shops | | |
| STOL (short take-off or landing port) | | |
| Transit passenger shelter | ★ | ★ |
| Transit passenger station or transfer center | ★ | ★ |
| UTILITY AND PUBLIC SERVICE USES | | |
| Commercial radio or television transmitting station | • | • |
| Electrical generating plant | | |
| Electrical substation | • | • |
| Local utilities | ★ | ★ |

| | Existing | Proposed |
|--|----------|----------|
| Use | LI | CR |
| Police or fire station | • | • |
| Post office | • | • |
| Radio, television, or microwave tower | R | S |
| 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 | | |
| WHOLESALE, DISTRIBUTION, AND STORAGE USES | | |
| Auto auction | | |
| Building mover's temporary storage yard | | |
| Contractor's maintenance yard | | |
| 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 | | |
| 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 | | |
| Trade center | • | |
| Vehicle storage lot | | |
| Warehouse | R | |

Landscaping:

Landscaping and tree preservation are required in accordance with the requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a mortuary, funeral home, or commercial wedding chapel is one space per 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. Up

to 50 percent of the required off-street parking for this use may be tandem spaces. If all spaces provided are non-tandem, the off-street parking requirement is one space per 500 feet of floor area other than the chapel, plus one space for each two seats in the chapel. The applicant will be required to comply with all standard parking ratios 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.

Z234-105(MB)

List of Officers

Invested, LLC

Tommy Webb, CEO

Pleasant Grove Mortuary

Tommy Webb, CEO

CPC Action
February 1, 2024

Motion: It was moved to recommend **approval** of a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on property zoned an LI-D-1 Light Industrial District D-1 Liquor Control Overlay, on the northeast corner of South Buckner Boulevard and Moberly Lane.

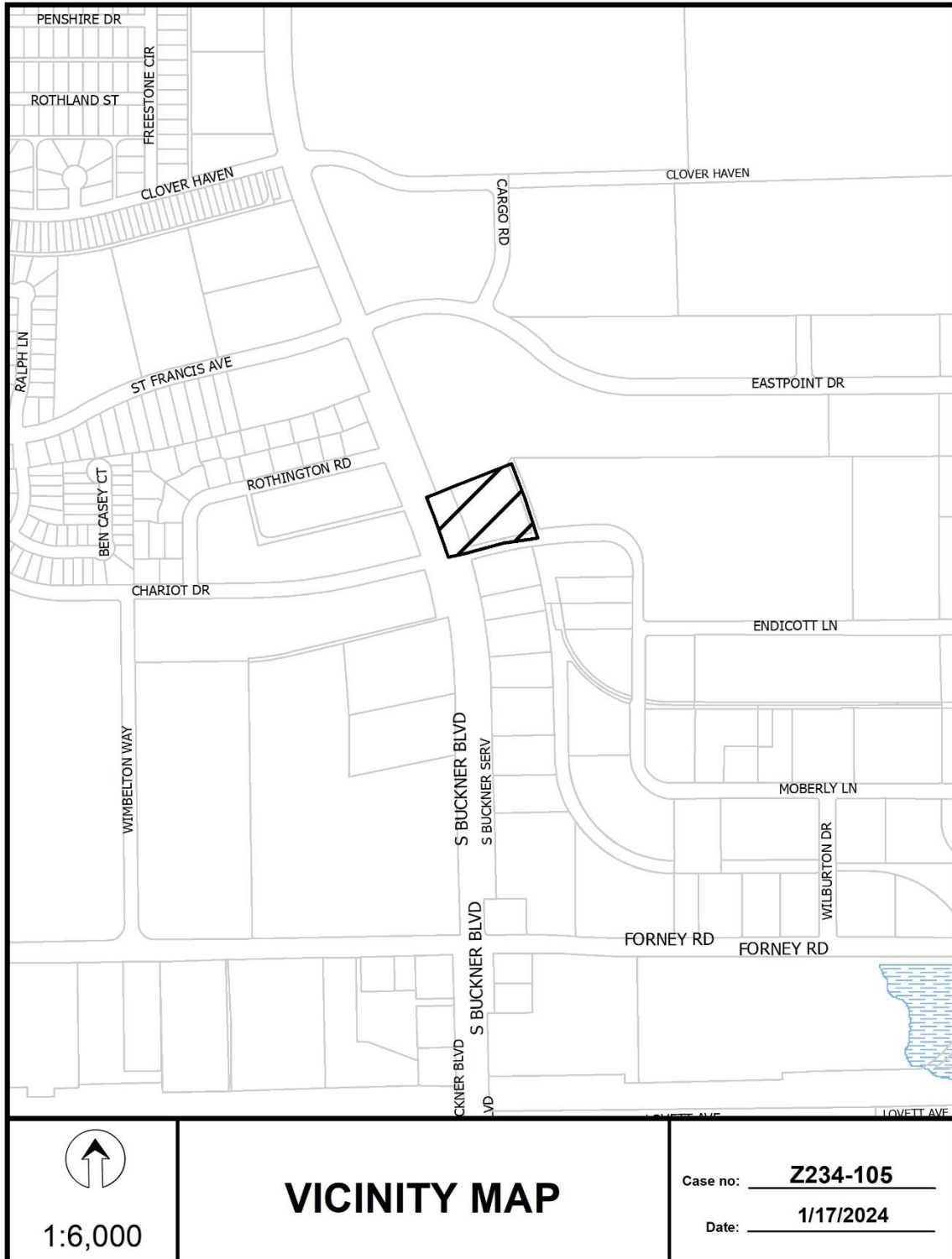
Maker: Blair
Second: Herbert
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Treadway, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices: Area: 300 Mailed: 13
Replies: For: 0 Against: 0

Speakers: None



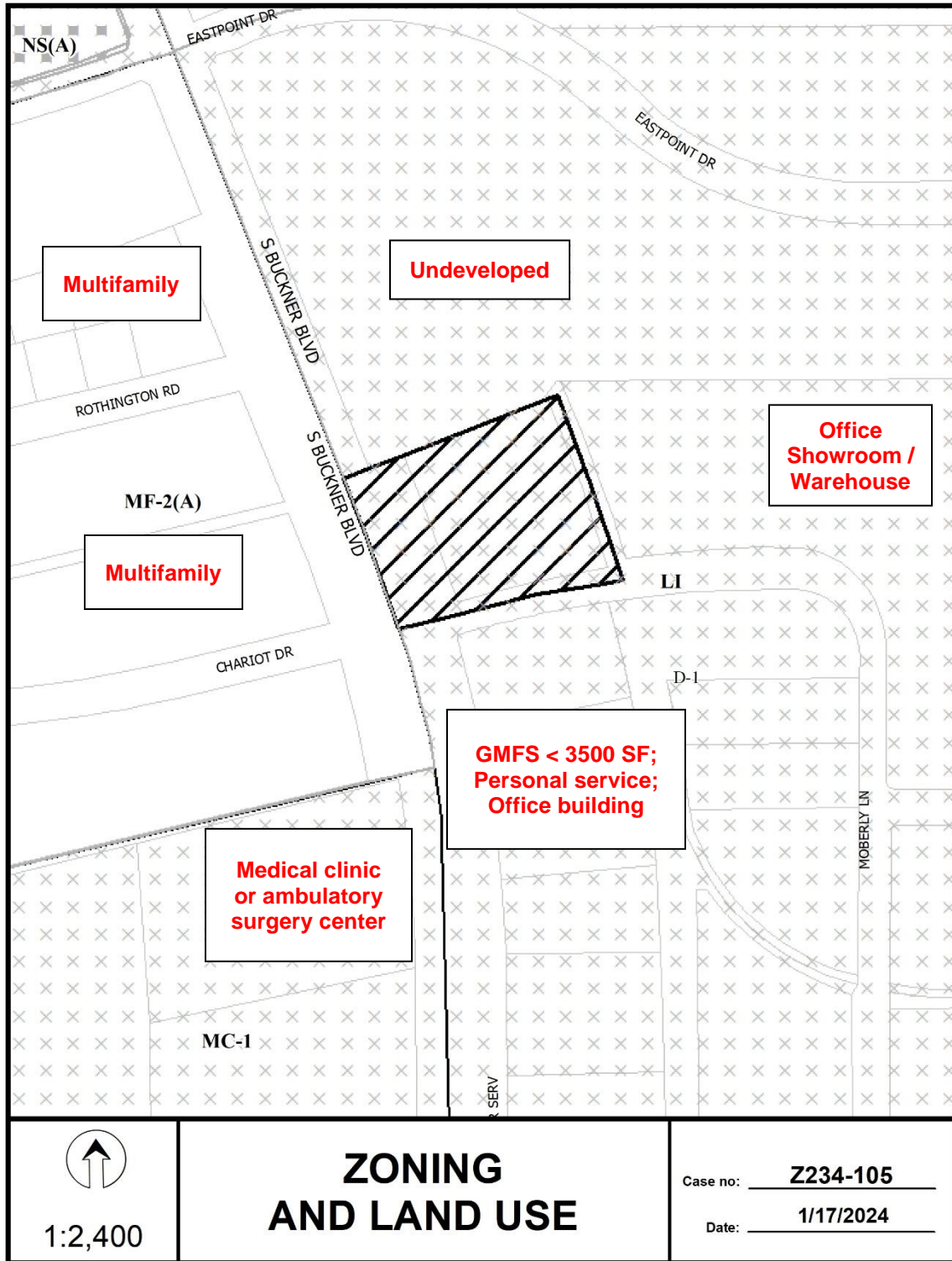


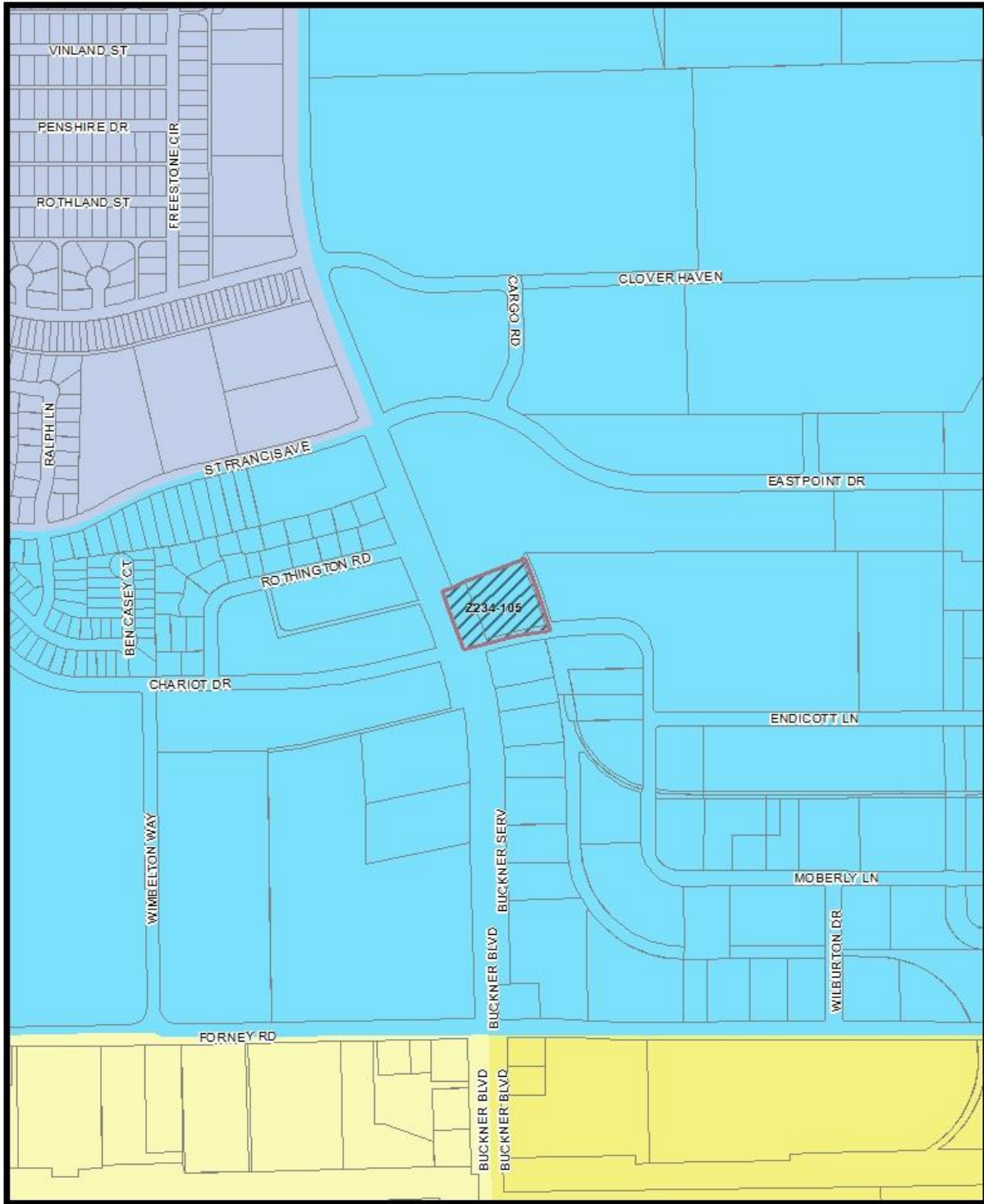
1:2,400

AERIAL MAP

Case no: Z234-105

Date: 1/17/2024





Market Value Analysis A B C D E F G H I NA



Market Value Analysis

Printed Date: 1/17/2024



| | |
|-----------------|---------------------------------------|
| <u>13</u> | Property Owners Notified (16 parcels) |
| <u>0</u> | Replies in Favor (0 parcels) |
| <u>0</u> | Replies in Opposition (0 parcels) |
| <u>300'</u> | Area of Notification |
| <u>2/1/2024</u> | Date |

Z234-105
CPC



1:2,400

01/31/2024

Reply List of Property Owners

Z234-105

13 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 | 4912 S BUCKNER BLVD | BUCKNER R C |
| | 2 | 8039 CHARIOT DR | KALINTE REDEVELOPMENT LLC |
| | 3 | 8100 MOBERLY LN | BUCKNER PARK INC |
| | 4 | 8100 MOBERLY LN | BUCKNER PARK IND INC |
| | 5 | 4844 S BUCKNER BLVD | MIDWEST DRYWALL CO INC |
| | 6 | 4858 S BUCKNER BLVD | NIRMEEN ENTERPRISES LLC |
| | 7 | 4864 S BUCKNER BLVD | 4864 SOUTH BUCKER CENTER LLC & |
| | 8 | 8161 MOBERLY LN | COCA COLA SOUTHWEST |
| | 9 | 8007 ROTHINGTON RD | CUELLAR SERGIO |
| | 10 | 4801 S BUCKNER BLVD | BOLERO REAL ESTATE HOLDINGS LLC |
| | 11 | 8132 MOBERLY LN | DYKES WATLER C & |
| | 12 | 8148 MOBERLY LN | G5 RE HOLDINGS LLC |
| | 13 | 8156 MOBERLY LN | M A C BUILDING INC |