

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, DECEMBER 9, 2020

ACM: Dr. Eric A. Johnson

FILE NUMBER: Z190-311(PD) **DATE FILED:** July 17, 2020

LOCATION: Northwest line of Logan Street, southwest of South Malcolm X Boulevard

COUNCIL DISTRICT: 7 **MAPSCO:** 46 T

SIZE OF REQUEST: ±1.0505 acres **CENSUS TRACT:** 203.00

REPRESENTATIVE/APPLICANT: Joseph or Cassandra Laster

OWNER: Gary and Becky Evans

REQUEST: An application for a (1) an RS-C Regional Service-Commercial Subdistrict; and (2) a Specific Use Permit for an animal shelter or clinic with outside run on property zoned an RS-I Regional Service-Industrial Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purposed District.

SUMMARY: The applicant proposes to operate a pet daycare in an approximately 17,000 square foot structure with an outside run.

CPC RECOMMENDATION: Approval of the RS-C Regional Service Commercial Subdistrict; and approval of the Specific Use Permit for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval of the RS-C Regional Service Commercial Subdistrict; and approval of the Specific Use Permit for a five-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed with a retail use containing an approximately 17,000 square foot one-story structure.
- The request site is zoned an RS-I Regional Service-Industrial Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purposed District. The RS-I Subdistrict prohibits an animal shelter or clinic with outside run use. The requested RS-C Regional Service-Commercial Subdistrict requires a Specific Use Permit for the requested commercial amusement (inside) use.
- On September 26, 2001, the City Council approved Planned Development District No. 595, South Dallas/Fair Park Special Purpose District. The PD permits residential and nonresidential uses.
- The applicant proposes to operate a pet daycare in an approximately 17,000 square foot structure with an outside run.

Zoning History: There have been no recent zoning requests in the vicinity within the last five years.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|-----------|--------------|--------------|
| Logan Street | Collector | 60 ft. | 60 ft |

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the request and determined that the proposed request will not have a negative impact on the surrounding street system.

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.

The proposed zoning request meets the following goals and objectives of the comprehensive plan:

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Surrounding Land Use:

| | Zoning | Land Use |
|------------------|-----------------------------------|------------------|
| Site | RS-I Subdistrict w/in PDD No. 595 | Vacant structure |
| Northwest | RS-I Subdistrict w/in PDD No. 595 | Undeveloped |
| Northeast | RS-I Subdistrict w/in PDD No. 595 | Warehouse |
| Southeast | RS-C Subdistrict w/in PDD No. 595 | Vacant |
| Southwest | RS-C Subdistrict w/in PDD No. 595 | Warehouse |

Land Use Compatibility

The request site is developed with an approximately 17,000 square foot one-story retail use. The surrounding uses consist of vacant and undeveloped uses to the northwest and southeast, and warehouse uses to the northeast and southwest.

The purpose of the request is to allow for the operation of a pet daycare with an outside run.

The existing RS-I Subdistrict does not permit an animal shelter or clinic with outside run use. Thus, the basis of the applicant’s request to rezone the property to a RS-C Regional Service Commercial Subdistrict is to allow the proposed use and request the required SUP for the use.

While the proposed RS-C Subdistrict is the next most restrictive subdistrict that allows the proposed use by SUP only, staff further supports the request because the additional uses that may be seen as incompatible under the proposed RS-C Subdistrict are only allowed by SUP. Therefore, staff is supportive and confident in ensuring additional oversight of these uses can be evaluated through the SUP process. A comparison of the subdistricts can be seen below.

| USE | RS-I Regional Service Industrial (existing) | RS-C Regional Service Commercial (proposed) |
|---|--|--|
| AGRICULTURAL USES | --Community garden. --Market Garden. [SUP] | --Community Garden. --Market Garden. [SUP] |
| COMMERCIAL AND BUSINESS SERV. | --Building repair and maintenance shop. [RAR] --Bus or rail transit vehicle maintenance or storage facility. --Custom woodworking, furniture construction, or repair. --Electronics service center. --Job or lithographic printing. [RAR] --Labor hall. [SUP] --Machine or welding shop. [RAR] --Machinery, heavy equipment, or truck sales and service. [RAR] --Medical or scientific laboratory. --Technical school. --Tool or equipment rental. --Vehicle or engine repair or maintenance. [RAR] | --Building repair and maintenance shop. [RAR] --Catering service. --Custom business services. --Electronics service center. --Job or lithographic printing. [RAR] --Labor hall. [SUP] --Machine or welding shop. [RAR] --Machinery, heavy equipment, or truck sales and service. [RAR] --Medical or scientific laboratory. --Technical school. --Tool or equipment rental. --Vehicle or engine repair or maintenance. [RAR] |
| INDUSTRIAL USES | --Industrial (inside) not potentially incompatible. [RAR] --Industrial (inside) potentially incompatible. [SUP] --Industrial (inside) for light manufacturing. --Industrial (outside) not potentially incompatible. [SUP] | None Permitted. |
| INSTITUTIONAL AND COMMUNITY SERVICE USES | --Church. | --Church. |
| LODGING USES | None Permitted | None Permitted. |
| MISCELLANEOUS USES | --Temporary construction or sales office. | --Temporary construction or sales office. |
| OFFICE USES | --Alternative financial establishment. [SUP] --Financial institution without | --Alternative financial establishment [SUP] --Financial institution without |

| | | |
|---|--|--|
| | <p>drive-in window. --Financial institution with drive-in window. [RAR] --Medical clinic or ambulatory surgical center. --Office.</p> | <p>drive-in window. --Financial institution with drive-in window. [RAR] --Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center] --Office.</p> |
| RECREATION USES | <p>--Country club with private membership. --Public park, playground, or golf course.</p> | <p>--Country club with private membership. --Public park, playground, or golf course.</p> |
| RESIDENTIAL USES | <p>--Live-work unit. [Only one du per lot]</p> | <p>--Live-work unit. [Only one du per lot]</p> |
| RETAIL & PERSONAL SERVICE USES | <p>--Car wash. [SUP] --Motor vehicle fueling station. --Nursery, garden shop or plant sales. --Pawn shop. --Vehicle display, sales, and service. [RAR]</p> | <p>--Alcoholic beverage establishments. [SUP] --Ambulance service. [RAR] --Animal shelter or clinic without outside run. [RAR] --Auto service center. [SUP] --Business school. --Carwash. [SUP] --Commercial amusement (inside). --Commercial parking lot or garage. [SUP] --Home improvement center; lumber, brick, or building materials sales yard. [RAR] --Household equipment and appliance repair. --Motor vehicle fueling station. --Nursery, garden shop, or plant sales. --Outside sales. [SUP] --Restaurant without drive-in or drive-through service. [RAR] --Restaurant with drive-in or drive-through service. [DIR] --Swap or buy shop. [SUP] --Taxidermist. --Vehicle display, sales, and service. [RAR]</p> |
| TRANSPORTATION USES | <p>--Heliport. [SUP] --Helistop. [SUP]</p> | <p>--Heliport. [SUP] --Helistop. [SUP]</p> |

| | | |
|---|---|--|
| | <ul style="list-style-type: none"> --Transit passenger shelter. --Transit passenger station or transfer center. [By SUP or city council resolution.] | <ul style="list-style-type: none"> Transit passenger shelter. --Transit passenger station or transfer center. [<i>SUP or city council resolution.</i>] |
| UTILITY AND PUBLIC SERVICE USES | <ul style="list-style-type: none"> --Electrical substation. --Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."] --Police or fire station. --Post office. --Tower/antenna for cellular communication. --Utility or government installation other than listed. [SUP] | <ul style="list-style-type: none"> --Electrical substation. [<i>SUP</i>] --Local utilities. [<i>SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."</i>] --Police or fire station. --Post office. --Tower/antenna for cellular communication. [<i>See Section 51A4.212(10.1), "Tower/antenna for cellular communication." Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.</i>] --Utility or government installation other than listed. [SUP] |
| WHOLESALE, DISTRIBUTION AND STORAGE USES | <ul style="list-style-type: none"> --Auto auction. --Building mover's temporary storage yard. [SUP] --Contractor's maintenance yard. [RAR] --Freight terminal. [RAR] --Manufactured building sales lot. [RAR] --Mini-warehouse. --Officeshowroom/warehouse. --Outside storage (with visual screening). [RAR] --Recycling buy-back center. [SUP] --Recycling collection center. [SUP] --Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.] --Recycling drop-off for special occasion collection. [SUP required if the | <ul style="list-style-type: none"> --Building mover's temporary storage yard. [SUP] --Contractor's maintenance yard. [RAR] --Freight terminal. [RAR] --Manufactured building sales lot. [RAR] --Mini-warehouse. --Officeshowroom/warehouse. -- Outside storage (with visual screening). [RAR] --Recycling buy-back center. [SUP] --Recycling collection center. [SUP] --Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.] --Recycling drop-off for special occasion collection. [SUP required if the requirements of Section 51A- |

| | | |
|--|--|--|
| | requirements of Section 51A-4.213(11.3)(E) are not satisfied.] --Warehouse. [RAR] | 4.213(11.3)(E) are not satisfied.] --Vehicle storage lot. [SUP] --Warehouse. [RAR] |
|--|--|--|

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

Further, staff supports the request to rezone the property to a RS-C Regional Service Commercial Subdistrict because the property lies along a feeder road with no adjacency to residential districts. Additionally, the requirement of a specific use permit for the operation of the animal shelter or clinic with outside run use provides for means to evaluate within a given time-period, the compatibility of the use with the surrounding area.

Development Standards:

| DISTRICT | SETBACKS | | Lot Size | FAR | Height | Lot Coverage | PRIMARY Uses |
|---|----------|--|----------|-----|--------|--------------|--------------|
| | Front | Side/Rear | | | | | |
| Existing: RS-I Industrial Subdistrict | 15' | 15' if adj to or across an alley from a res subdistrict 0' Others | No min | 1.0 | 70' | 80% | Industrial |
| Proposed: RS-C Commercial Subdistrict | 15' | 15' if adj to or across an alley from a res subdistrict 0' Others | No min. | 1.0 | 45' | 80% | Commercial |

Parking:

Per the City of Dallas Development Code, the animal shelter or clinic with outside run use is parked at one parking space per 1,000 square feet of floor area. The square footage of the building is 17,000 square feet which would require 17 parking spaces.

As depicted in the proposed site plan a total of 16 off-street parking spaces will be provided on site with an additional two spaces for bicycles. The Development Code allows reductions in off-street parking spaces for the addition of bicycle spaces. The operator is taking advantage of the caveat by providing two spaces in exchange for one off-street parking space.

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 to orange, representing the weakest markets. The area of request is not categorized as being within an MVA cluster or adjacent to an MVA category.

Landscaping

Landscaping must be provided in accordance with PD No. 595. However, landscape compliance will only be required if additions are proposed or more than 2,000 square feet or impervious surface is proposed.

Z190-311(PD)

CPC ACTION
October 15, 2020

Motion: It was moved to recommend 1) **approval** of an RS-C Regional Service-Commercial Subdistrict; and 2) **approval** of a Specific Use Permit for an animal shelter or clinic with outside run for a five-year period, subject to a site plan and conditions (as briefed) on property zoned an RS-I Regional Service-Industrial Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purposed District, on the northwest line of Logan Street, southwest of South Malcolm X Boulevard.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid,
Carpenter, Jackson, Blair, Jung, Myers, Schwope,
Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 11

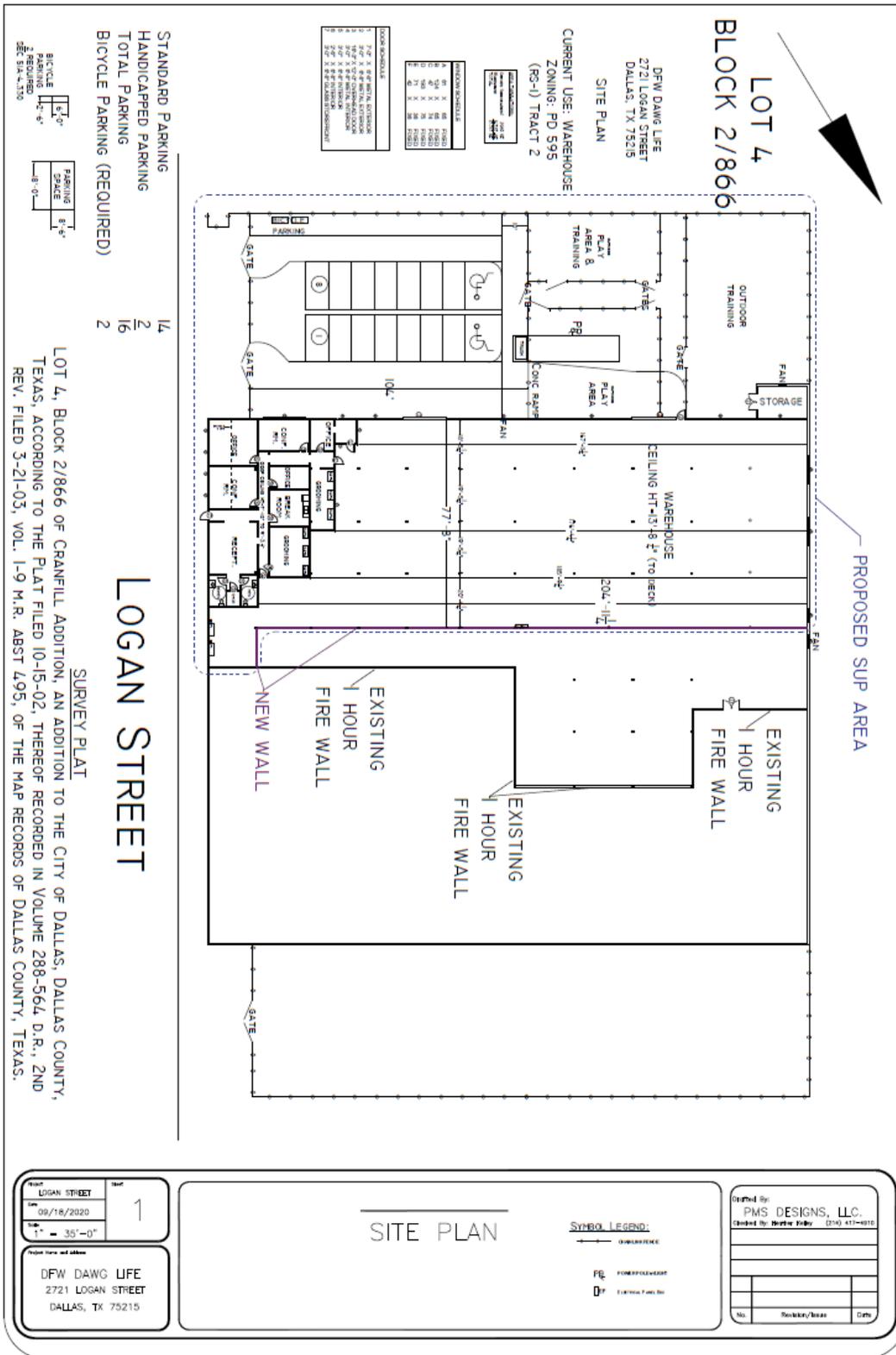
Notices: Area: 300 Mailed: 10
Replies: For: 1 Against: 0

Speakers: For: Casandra Laster, 3318 Reed Ln., Dallas, TX, 75215
Against: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is an animal shelter or clinic with outside runs.
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 date of this ordinance]
4. AIR QUALITY: HVAC equipment must include filtration systems designed to eliminate airborne bacteria, particulate matter, and noxious odors.
5. DUMPSTERS:
 - A. Dumpsters must be provided in the locations shown on the attached site plan.
 - B. Dumpsters must be monitored for noxious odors and treated to eliminate odors if noxious odors are present.
6. FLOOR AREA: The maximum floor area is 17,000 square feet.
7. HOURS OF OPERATION:
 - A. The animal shelter or clinic with outside runs may only operate between 6:30a.m. and 7:00p.m., Monday through Sunday.
8. OUTDOOR USE:
 - A. Animals may not be outdoors between 6:30a.m. and 9:00a.m., Monday through Sunday.
 - B. The outdoor area must be staff supervised when utilized and will be limited to a maximum of six(6) dogs at the same time.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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.

CPC RECOMMENDED SITE PLAN



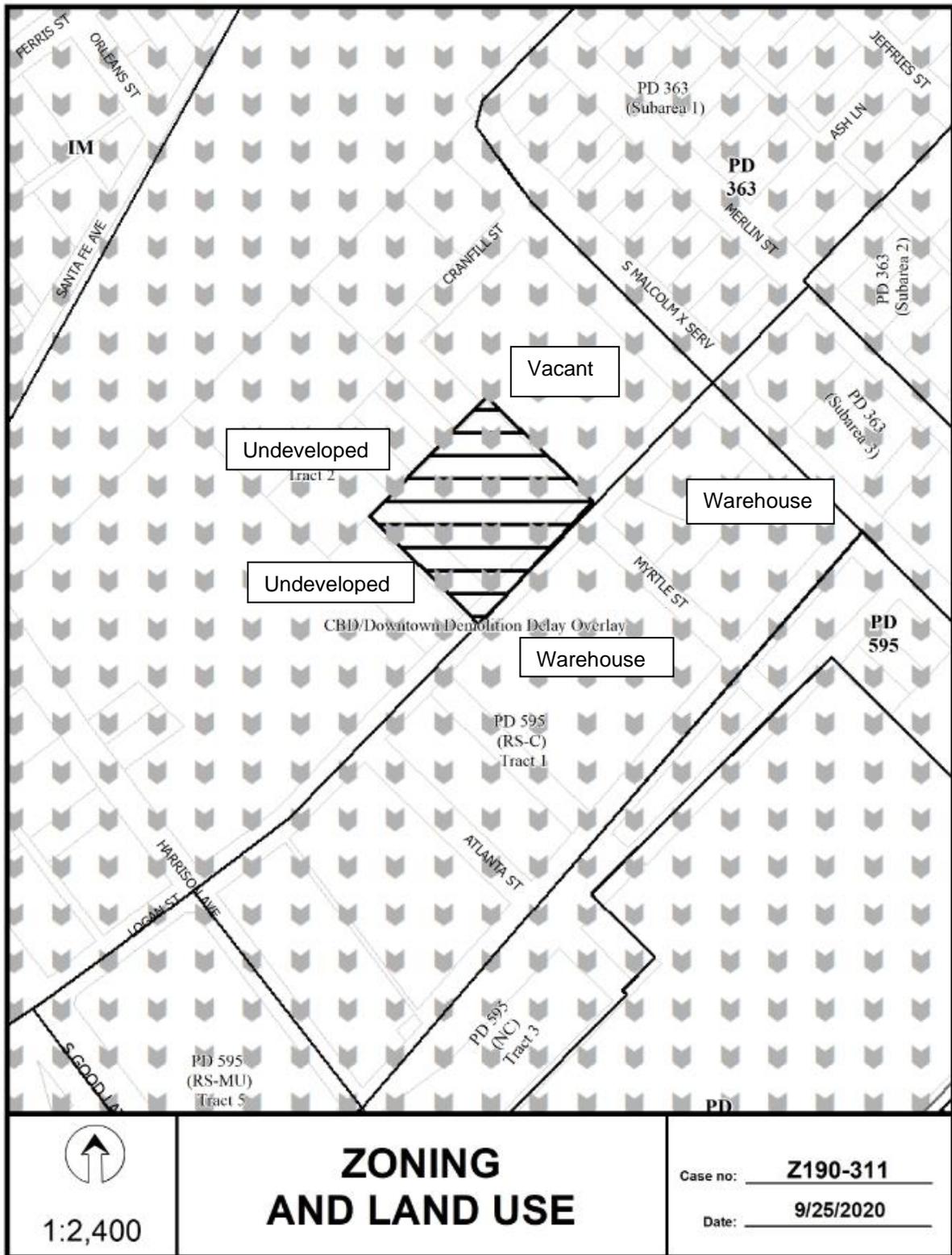


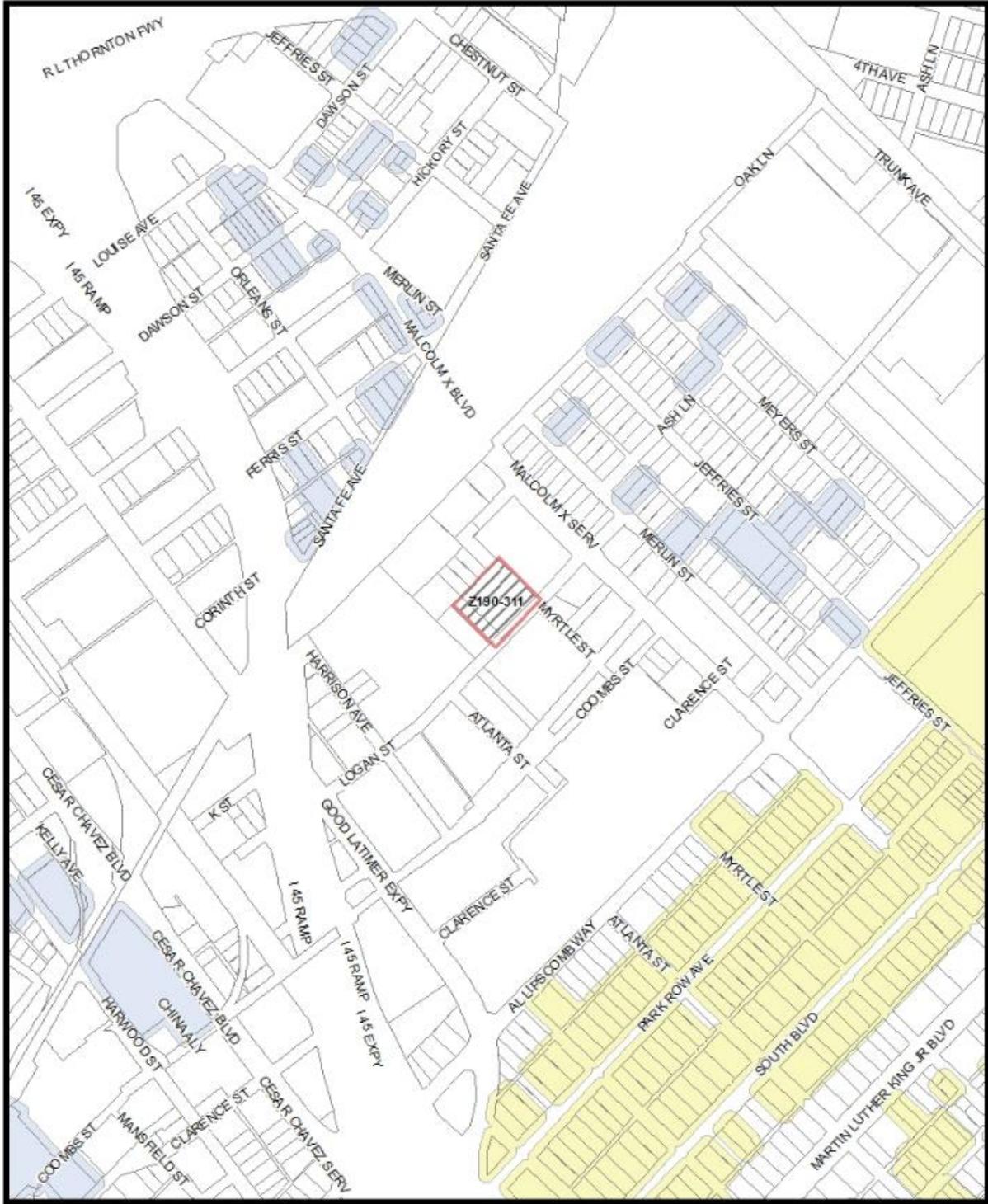
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AERIAL MAP

Case no: Z190-311

Date: 9/25/2020





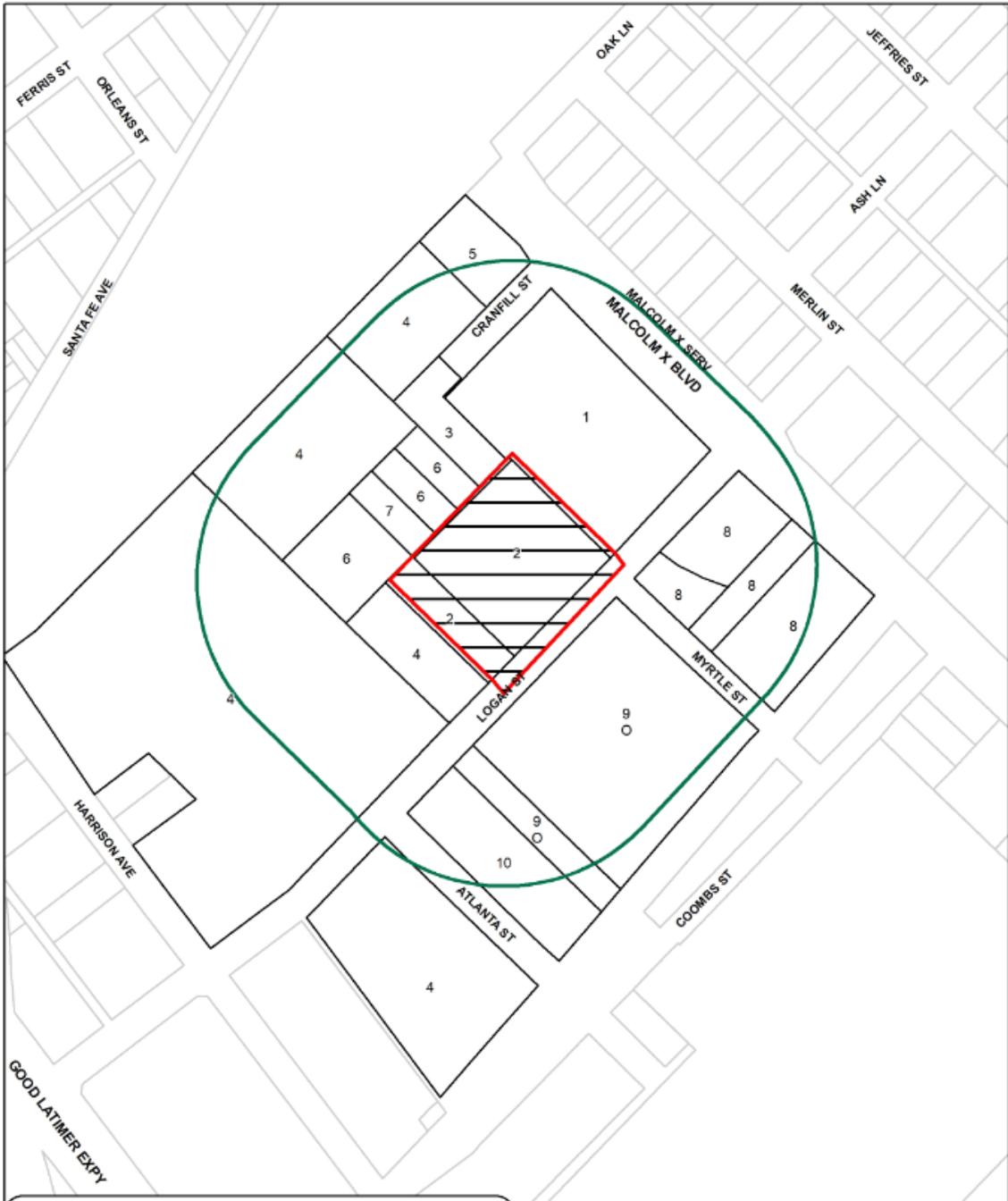
Market Value Analysis A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 9/25/2020

CPC Responses



| | |
|-------------------|---------------------------------------|
| 10 | Property Owners Notified (21 parcels) |
| 1 | Replies in Favor (2 parcels) |
| 0 | Replies in Opposition (0 parcels) |
| 300' | Area of Notification |
| 10/15/2020 | Date |

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CPC



1:2,400

Z190-311(PD)

10/14/2020

Reply List of Property Owners

Z190-311

10 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 2817 | LOGAN ST | LOGAN ST LLC |
| | 2 2721 | LOGAN ST | EVANS GARY & REBECCA |
| | 3 2721 | LOGAN ST | TXU GAS CO |
| | 4 2301 | MYRTLE ST | ENSERCH CORP |
| | 5 2745 | CRANFILL ST | PATRIMEL LP |
| | 6 2701 | LOGAN ST | ENSERCH CORP |
| | 7 2600 | CRANFILL ST | ENSERCH CORP |
| | 8 2800 | LOGAN ST | AGUILAR JOSE ANGEL |
| O | 9 2722 | LOGAN ST | BGT PPTIES LLC |
| | 10 2700 | ATLANTA ST 2700 | LOGAN ST MCW LLC |