

**HONORABLE MAYOR & CITY COUNCIL**

**WEDNESDAY, AUGUST 28, 2024**

**ACM: Robin Bentely**

**FILE NUMBER:** Z234-141(LC) **DATE FILED:** December 12, 2023

**LOCATION:** Northwest line of South Belt Line Road, southwest of Seagoville Road

**COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** 2.341 acres

**CENSUS TRACT:** 48113017101

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**REPRESENTATIVE:** Henry Nguyen

**OWNER:** Sai Thaniya Krupa, LLC

**APPLICANT:** Kanti Suresh Shetty

**REQUEST:** An application for a CR Community Retail District on property zoned an R-10(A) Single Family District.

**SUMMARY:** The purpose of the request is to allow commercial retail uses on the property.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval.

## **BACKGROUND INFORMATION:**

- The area of request is currently zoned an R-10(A) Single Family District with an existing structure used as a residence on the lot (approx. 2.341 acres total in size).
- Geographically located in Southeast Dallas, the West Kleberg area.
- This is a corner lot with frontage on both South Belt Line Road and Seagoville Road.
- The purpose of the request is to rezone the property to a CR Community Retail District to allow for commercial retail uses in the form of a plaza shopping center.
- There is an existing gas station with convenience store adjacent to the proposed site.
- To accomplish this, the applicant is requesting a general zoning change.

## **Zoning History:**

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

1. **Z223-148:** On January 12, 2022, City Council approved renewal of Specific Use Permit No. 1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an CR Community Retail District, with a D-1 Liquor Control Overlay, located on the east of South Belt Line Road and west of Seagoville Road.
2. **Z212-284:** On October 19, 2022, City Council approved an application for the renewal of Specific Use Permit No. 2393 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, located on the North corner of South Beltline Road and Seagoville Road.
3. **Z212-245:** On October 12, 2022, City Council approved an application to renew Specific Use Permit No. 2378 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned CR Commercial Retail District with D-1 Liquor Control Overlay, located on the Northwest corner of South Beltline Road and Seagoville Road.
4. **Z212-105:** On January 12, 2022, City Council approved an application for an amendment to Specific Use Permit No. 1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned CR- D-1 Community Retail District with a D-1 Liquor Control Overlay, located on the southwest line of South Belt Line Road, south of Seagoville Road.
5. **Z190-221:** On September 9, 2022, City Council approved an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a

CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, located on the North corner of South Belt Line and Seagoville Road.

6. **Z190-220:** On September 9, 2020, City Council approved an application for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, located on the West corner of Seagoville Road and South Belt Line Road.
7. **Z190-215:** On January 27, 2021, City Council approved an application for a Planned Development District for multifamily uses on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay and an R-10(A) Single Family District, located on the East corner of South Belt Line Road and Seagoville Road.
8. **Z190-191:** On June 24, 2020, City Council approved an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District, located on the North side of South Belt Line Road, northeast of Seagoville Road.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Seagoville Road	Minor Arterial	80 feet
South Belt Line Road	Principal Arterial	107 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 will continue to review the engineering plans at permitting to ensure compliance 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:

## LAND USE ELEMENT

### GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.2** Focus on Southern Sector development opportunities.

**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.

**Policy 2.1.2** Ensure that Area Plans include an economic development component to address the economic factors of the areas in the context of the city as a whole.

**Policy 2.1.3** Support efforts to grow retail and residential opportunities in the Southern Sector.

**Policy 2.1.4** Support efforts to expand targeted business and industry development within the Southern Sector.

### GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

## 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 5.2.1** Maintain neighborhood scale and character.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

**ENVIRONMENT ELEMENT**

**GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY**

**Policy 6.3.1** Promote green building practices.

**NEIGHBORHOOD PLUS**

**POLICY 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**West Kleberg Land Use Study:**

The West Kleberg community is located in the far southeastern section of the City of Dallas, bordering the cities of Seagoville, Balch Springs, and unincorporated areas of Dallas County. It is generally located south of Interstate-20 and bounded on the east by Stark Road and Dallas city limit; on the south by Seagoville city limit and the Dallas County; and on the west by St. Augustine and Haymarket Roads.

**Vision:**

The Vision for the West Kleberg Community Plan is to reflect "Old Kleberg's" historical heritage, by promotion a strong rural atmosphere still allowing for future growth to occur that is sensitive to this context.

**Summary:**

This plan was developed through a partnership with the Advisory Committee, City staff and other agencies. Committee stakeholder members and City staff worked to identify community "needs" and "desires". The Advisory Committee facilitated citizen participation through activities such as a 'Visioning Activity' which allowed citizens to depict the types of businesses and services the community would like to see.

The result was a consensus agreement on the goals and objectives for the West Kleberg Community Plan, which also complemented the goals of the City's Comprehensive Plan, forwardDallas!, which was in development at the time. The plan informs how land use should develop, future zoning and describes two catalyst projects focusing on U.S. 175 as mixed-use corridor.

The subject site is listed in the area plan under Subarea 1 of the proposed study area, which is projected to be revitalized and developed with the need to stimulate new business activity and retain existing businesses through incentive programs. The zoning request aligns with the above area plan through many of the goals and actions presented in the West Kleberg area plan. Some of the goals are listed below.

## **LAND USE & ZONING**

GOAL - Protect the rural character of the community by encouraging commercial development along the commercial corridors.

## **ECONOMIC DEVELOPMENT**

GOAL - Economic development that encourages business retention and attracts new “neighborhood serving” business uses to the community.

## **INFRASTRUCTURE**

GOAL - Provide infrastructure to stimulate economic and residential development and meet the needs of current residents and business owners.

## **ENVIRONMENTAL**

GOAL - Discourage encroachment of industrial related uses into residential neighborhoods.

According to the Future Vision Map on p. 128 of the area plan document, the plan recommends neighborhood retail for the intersection of Belt Line and Seagoville which is where the area of request sits. The request being located at this specific intersection and being rezoned for future use as commercial retail is another way the request complies and aligns with the area plan.

### **Honorable Mention: East Kleberg Land Use Study**

Although the area of request is not directly in the location of the East Kleberg Area Plan, it is worth mentioning that the area of request is just across the corner from the boundaries of the proposed East Kleberg Plan.

- The East Kleberg Area Plan cited a lack of retail options in close proximity as a weakness for the area, which the area of this request would contribute to.
- The plan also encourages economic development along west side of Seagoville road from Belt Line Road; the area of request sits right near that.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-10(A)	Single Family
<b>North</b>	R-10(A)	Single Family
<b>South</b>	CR with D-1 Dry Overlay & SUP No. 1838	Commercial Retail
<b>East</b>	CR with D-1 Dry Overlay & SUP Nos. 2378 and 2393	Commercial Retail
<b>West</b>	R-10(A)	Single Family

**Land Use Compatibility:**

The area of request is currently an undeveloped vacant lot (approx. 2.341 acres total in size), zoned R-10(A) Single Family District, on the Northwest line of South Belt Line Road, southwest of Seagoville Road.

To the north and west of the property are single family uses, to the south, and east of the property are commercial retail uses with D-1 Dry Overlay & SUP No. 1838 and 2393. With this area being under development, the number of residential uses, as well as upcoming development in the immediate area, staff finds the applicant's requested zoning change to a CR District to be appropriate and compatible with the surrounding area.

Staff supports the applicant's request and finds the proposed rezoning to be appropriate for this area as it would greatly benefit from a well-designed commercial retail development that includes commercial retail and uses accessible to the existing residents and neighborhood. Additionally, this request is supported by the West Kleberg Land Use Study, due to its proximity to the intersection undergoing a revitalization with an emphasis on commercial retail. This compatibility is further reflected in the development standards comparison table below.

**Development Standards**

The following is a comparison chart of the development standards for the current R-10(A), Single Family District zoning and the proposed CR, Community Retail District zoning.

District	Setback		Density	Height	Lot Cvrge	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-10(A)	30'	6'	1 Dwelling Unit/10,000 sq. ft.	30'	45%		Single family
Proposed: CR	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR base 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

### Land Use Comparison

The 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		R-10(A)	CR
<b>AGRICULTURAL USES</b>			
Animal production			
Commercial stable			
Crop production		•	•
Private stable			
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>			
Building repair and maintenance shop			•
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			S
Machine or welding shop			
Machinery, heavy equipment, or truck sales and services			

	Existing	Proposed
Use	R-10(A)	CR
Medical or scientific laboratory		
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		
<b>INDUSTRIAL USES</b>		
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		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>		
Adult day care facility	S	•
Cemetery or mausoleum	S	S
Child-care facility	S	•
Church	•	•
College, university, or seminary	S	•
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery	S	•
Foster home	S	
Halfway house		
Hospital		S
Library, art gallery, or museum	S	•
Public or private school	S	R
<b>LODGING USES</b>		
Extended stay hotel or motel		
Hotel or motel		S
Lodging or boarding house		S
Overnight general purpose shelter		★

	Existing	Proposed
Use	R-10(A)	CR
<b>MISCELLANOUS 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
Financial institution without drive-in window		•
Financial institution with drive-in window		D
Medical clinic or ambulatory surgical center		•
Office		•
<b>RECREATION USES</b>		
Country club with private membership	S	•
Private recreation center, club, or area	S	•
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
Animal shelter or clinic without outside runs		R
Animal shelter or clinic with outside runs		
Auto service center		R
Business school		•
Car wash		D
Commercial amusement (inside)		S,★
Commercial amusement (outside)		S
Commercial motor vehicle parking		
Commercial parking lot or garage		R
Convenience store with drive-through		S
Dry cleaning or laundry store		•

	Existing	Proposed
Use	R-10(A)	CR
Furniture store		•
General merchandise or food store 3,500 square feet or less		•
General merchandise or food store greater than 3,500 square feet		•
Home improvement center, lumber, brick or building materials sales yard		D
Household equipment and appliance repair		•
Liquefied natural gas fueling station		
Liquor store		•
Motor vehicle fueling station		•
Nursery, garden shop, or plant sales		•
Outside sales		•
Paraphernalia shop		S
Pawn shop		•
Personal service use		•
Restaurant without drive-in or drive-through service		R
Restaurant with drive-in or drive-through service		D
Surface parking		
Swap or buy shop		S
Taxidermist		
Temporary retail use		•
Theater		•
Truck stop		
Vehicle display, sales, and service		
<b>TRANSPORTATION USES</b>		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley	S	
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,★
<b>UTILITY AND PUBLIC SERVICE USES</b>		
Commercial radio or television transmitting station		•
Electrical generating plant		

Use	Existing	Proposed
	R-10(A)	CR
Electrical substation	S	•
Local utilities	R, S,★	R, S,★
Police or fire station	S	•
Post office		•
Radio, television, or microwave tower	S	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		
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>		
Auto auction		
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	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		

### 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 multifamily is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

Based on the use(s) the applicant is proposing under the new CR zoning, the development may require approximately 110 parking spaces. One proposed use being general retail, has a parking requirement of 1 space per 200 square feet requiring 70 spaces total. The second use being restaurant has a parking requirement of 1 space per 100 square feet, requiring a total of 40 parking spaces. This gives a combined total of 110 parking spaces.

**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 target intervention strategies more precisely 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 "H" MVA area. To the north, west and south of the site is the "H" MVA area. To the east of the site are both the "F" and "H" MVA areas.

**List of Officers**

Sai Thaniya Krupa, LLC

Kanti Suresh Shetty, President & CEO

# CPC ACTION

## July 11, 2024

**Motion:** It was moved to recommend **approval** of a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District, on the northwest line of South Belt Line Road, southwest of Seagoville Road.

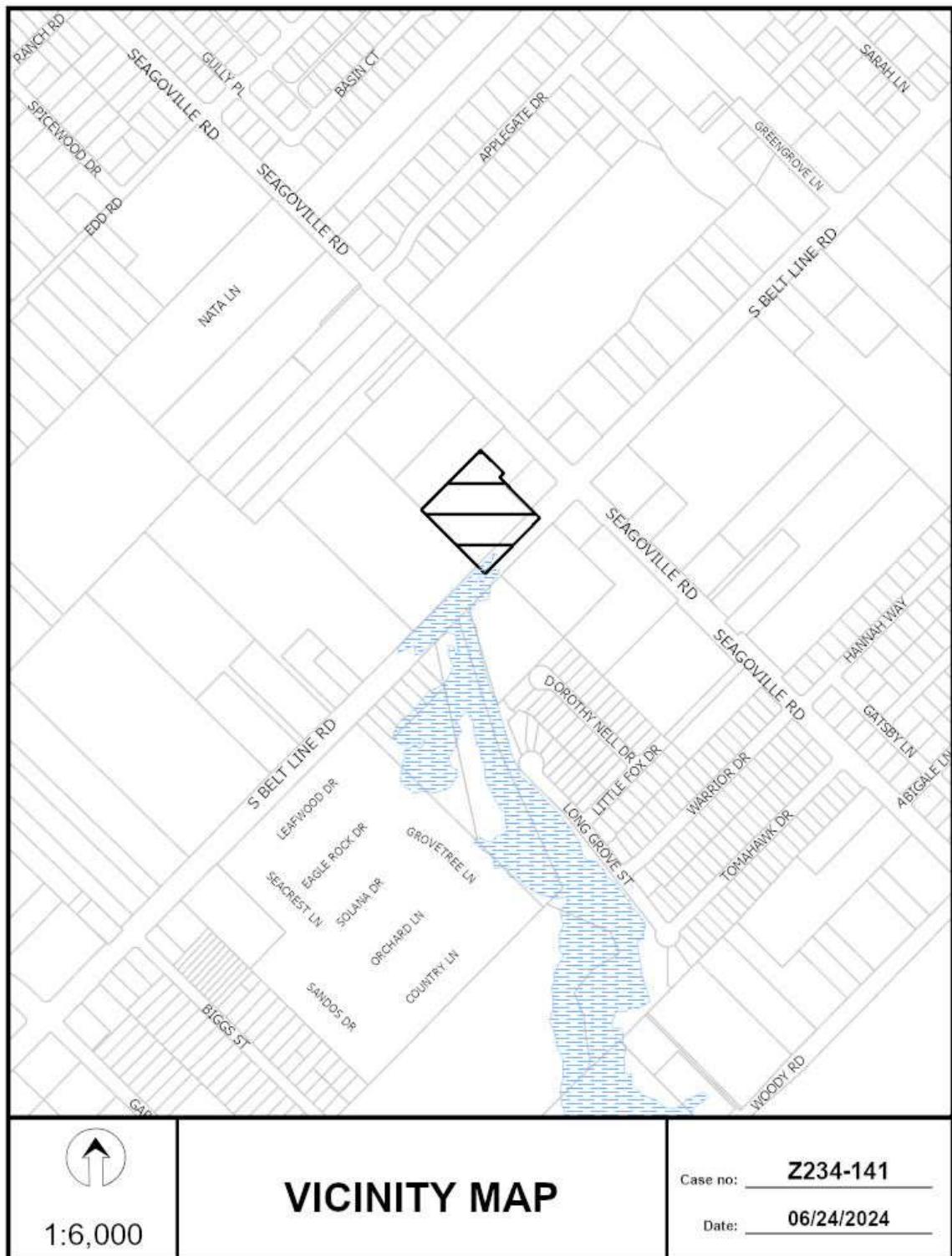
Maker: Blair  
Second: Shidid  
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Blair, Housewright, Eppler, Haqq,  
Hall, Kingston, Rubin

Against: 0  
Absent: 2 - Wheeler-Reagan, Sleeper  
Vacancy: 0

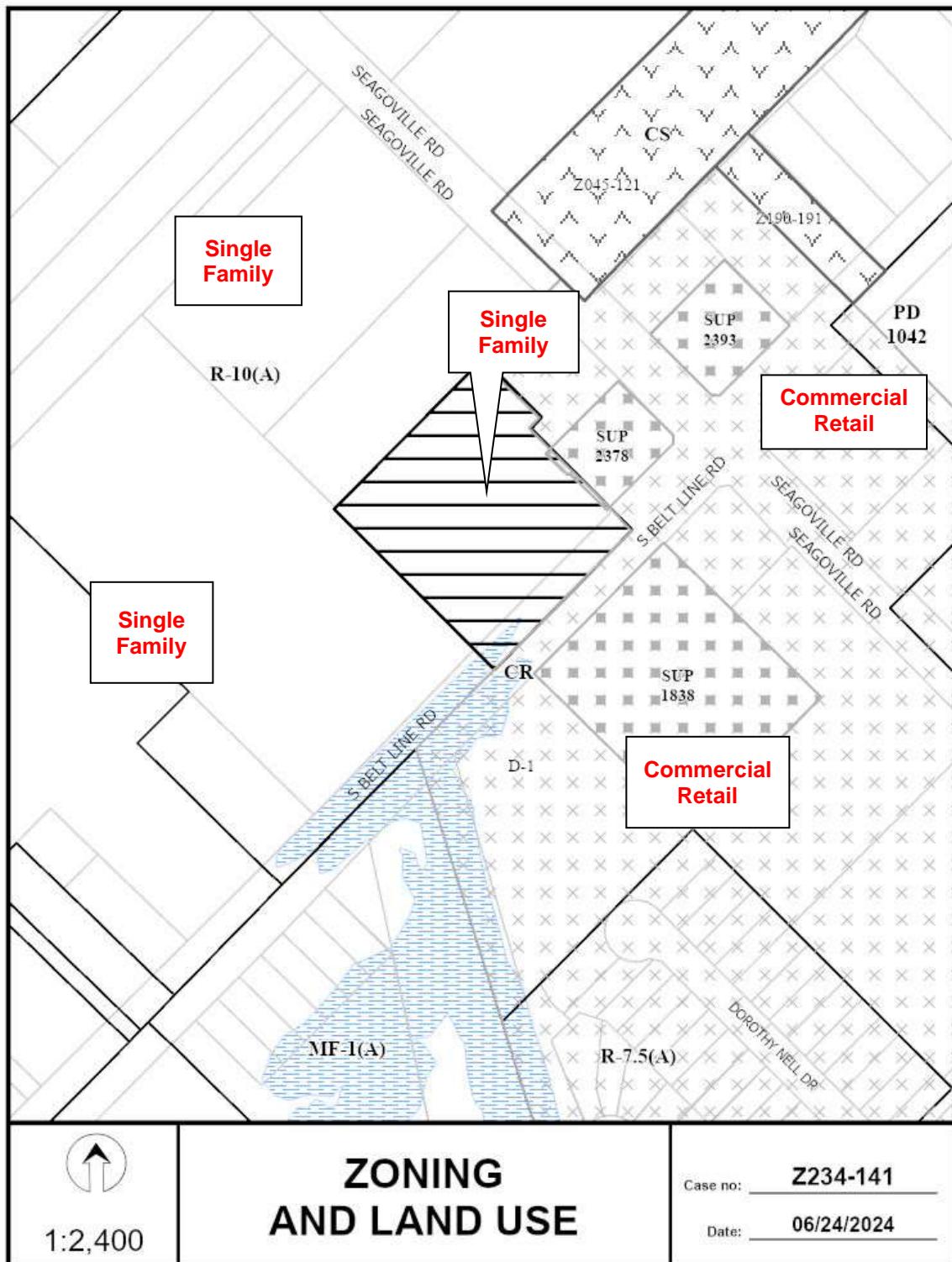
**Notices:** Area: 300 Mailed: 14  
**Replies:** For: 0 Against: 0

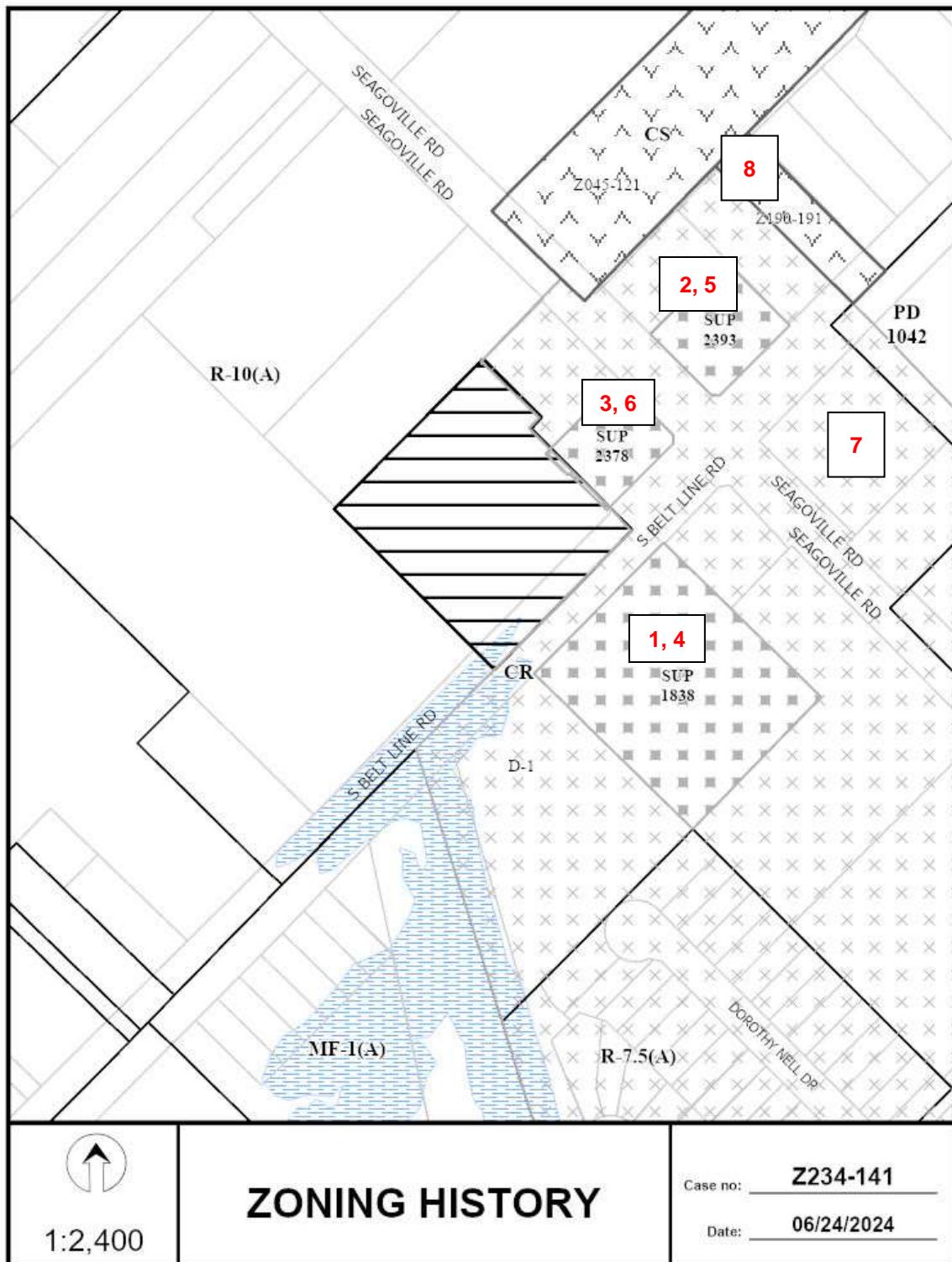
**Speakers:** For: Kanti Suresh Shetty, 1025 S. Beltline Rd., Dallas, TX, 75253  
Against: None

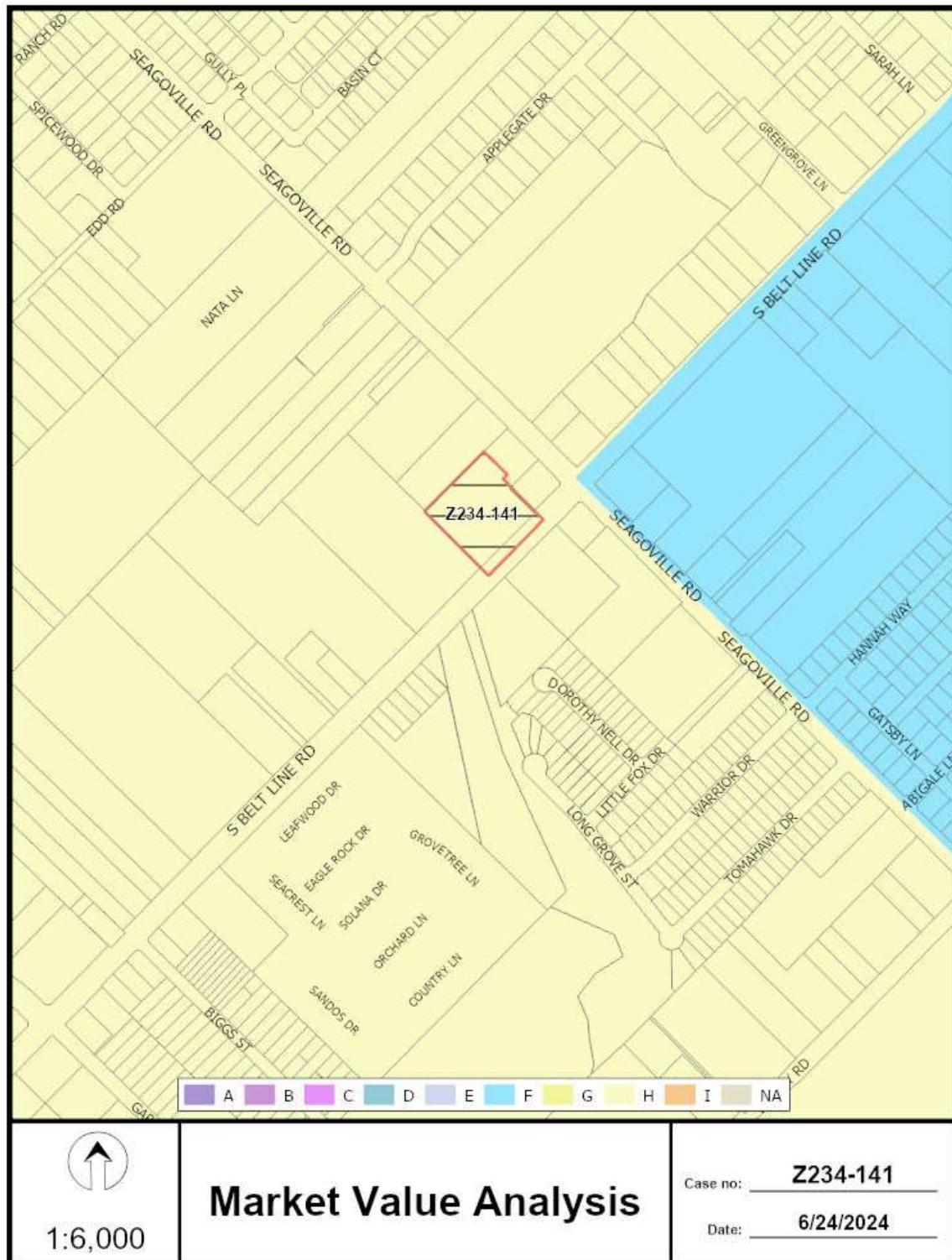




 1:2,400	<b>AERIAL MAP</b>	Case no: <u>Z234-141</u>
		Date: <u>06/24/2024</u>

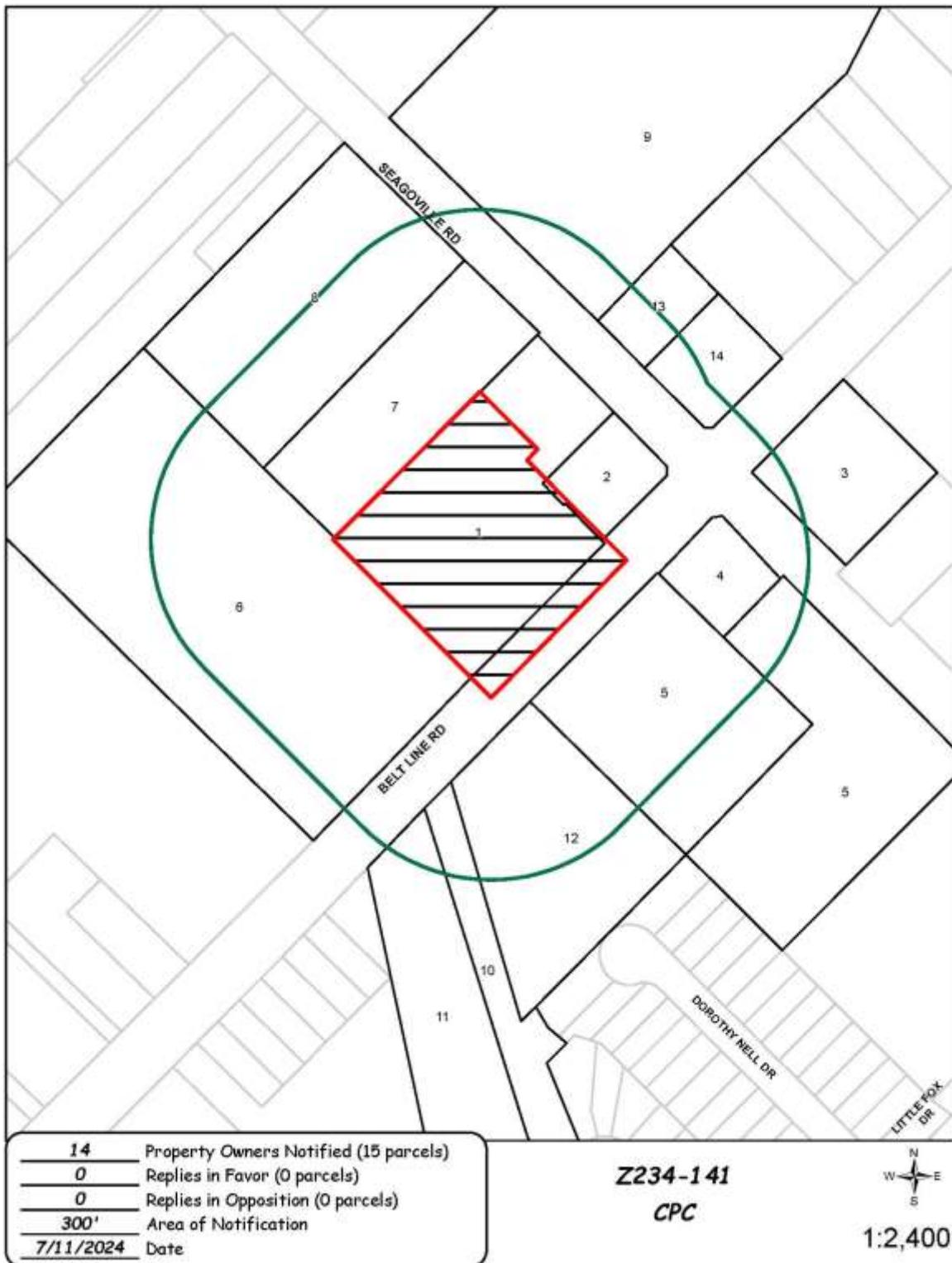






1:6,000

## Market Value Analysis



07/10/2024

## ***Reply List of Property Owners***

**Z234-141**

**14 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed**

<b>Reply</b>	<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	1025	S BELTLINE RD	SAI THANIYA KRUPA LLC
2	15130	SEAGOVILLE RD	SAI BUSINESS INVESTMENTS LLC
3	15251	SEAGOVILLE RD	BIG SCORE INVESTORS LLC
4	1000	S BELTLINE RD	ALKAM HAMZA
5	15100	SEAGOVILLE RD	SEAGOVILLE HOLDINGS LLC
6	1131	S BELTLINE RD	BAKER HARRIET L LIFE EST
7	15104	SEAGOVILLE RD	SCHLEIMER PATSY SUE EST OF
8	15030	SEAGOVILLE RD	WILLIAMS CHARLES E
9	15029	SEAGOVILLE RD	T W FORD LP
10	1100	S BELTLINE RD	SOUTHEAST DALLAS DEV
11	1100	S BELTLINE RD	FOUR EEEE LLC
12	1130	S BELTLINE RD	LAM HIU M &
13	915	S BELTLINE RD	AMMOURI ABED
14	951	S BELTLINE RD	AMMOURI ABED