
FILE NUMBER: Z223-286(MP) **DATE FILED:** June 27, 2023
LOCATION: East line of Luna Road; between Y Street and Ryan Road
COUNCIL DISTRICT: 6
SIZE OF REQUEST: 20.72 acres **CENSUS TRACT:** 4811300900

REPRESENTATIVE: Trenton Robertson, Masterplan

APPLICANT/OWNER: Jackson Myers Stewart LLC

REQUEST: An application for a Specific Use Permit for an industrial (outside) potentially incompatible use limited to asphalt and concrete crushing on property zoned an IM Industrial Manufacturing District.

SUMMARY: The purpose of the request is to allow the use of an asphalt and concrete crushing facility on the site.

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

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

BACKGROUND INFORMATION:

- The site is currently undeveloped and zoned an IM Industrial Manufacturing District.
- The use of industrial outside is “an industrial facility where any portion of the processing, fabricating, assembly, or disassembly takes place outside or in an open structure.” Concrete crushing is one of the enumerated potentially incompatible industrial uses listed by code as requiring a specific use permit within the IM District, but does not offer additional definition.
- The lot would be accessed only from Luna Road.

Zoning History:

There has been one zoning case in the area in the past five years.

1. **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 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:

ECONOMIC ELEMENT

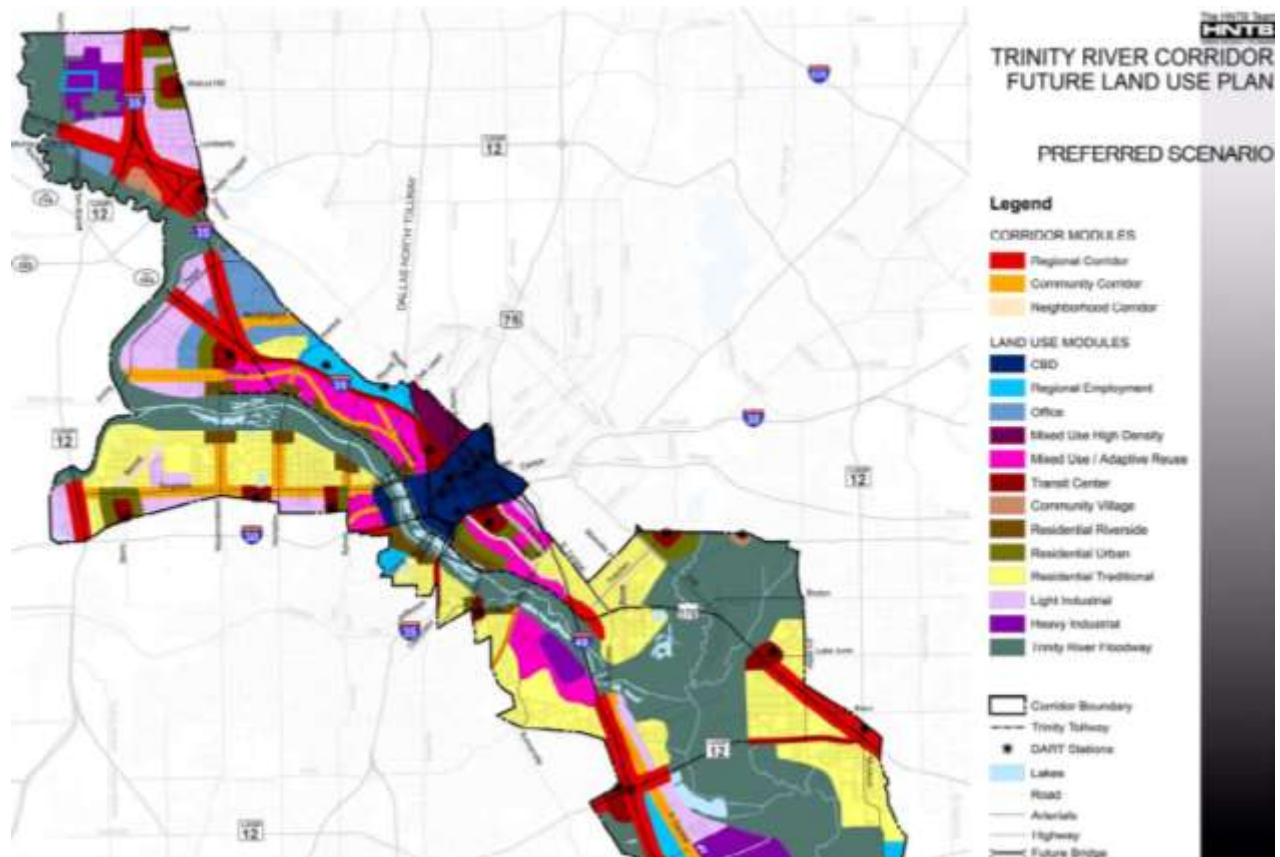
GOAL 2.1 PROMOTE BALANCED GROWTH

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 highlighted 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:



The property, shown in blue implies additional vegetative buffering between the industrial uses and Luna Road, and the parkland to the west. Because of this, staff’s recommended conditions include 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.

CECAP:

Approval with staff’s recommended conditions would advance CECAP by meeting the following measures:

Goal 6: Dallas protects and enhances its ecosystems and green spaces that in turn improve public health.

EG3 - Increase tree canopy in both private and public realm to complete implementation of recommendations from the Urban Forest Masterplan

Goal 8: All Dallas’ communities breathe clean air.

AQ4 - Ensure new industries are an appropriate distance away from neighborhoods.

Land Use:

	Zoning	Land Use
Site	IM Industrial Manufacturing District	Undeveloped
North	IM Industrial Manufacturing District	Industrial (outside), including asphalt or concrete batching
East	IM Industrial Manufacturing District	Sand, gravel, or earth sales and storage
South	IM Industrial Manufacturing District with SUP No. 2078	Industrial (outside) Potentially Incompatible Use Limited to Concrete or Asphalt Crushing
West	IR Industrial Research District	Public park, playground, or golf course

Land Use Compatibility:

The subject site is currently undeveloped. North of the site, there is a concrete batch plant use. East of the site, across the railroad right-of-way, there is a sand, gravel, or earth sales and storage use. West across Luna Road, there is a public park, playground, or golf course use, specifically a golf course and a shooting range. South of the site, there is an industrial (outside) potentially incompatible use limited to concrete or asphalt crushing, the same use as proposed on the subject site.

Staff supports the proposed zoning change as compatible with the surrounding properties provided subject to the conditions proposed.

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 that each of these criteria are met by the proposed SUP.

The recommended five-year period would allow for establishment of the new use, while allowing another opportunity for review. The additional landscaping condition helps meet the concepts of the area plan, increase compatibility of the use, and comply with CECAP.

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.

Z223-286(MP)

List of Officers

JACKSON MYERS STEWART, LLC

List of Members

Charlie Myers

Jackson Myers Stewart

Carol Myers Stewart

Z223-286(MP)

**City Plan Commission
August 22, 2024**

13. [24-2549](#) Z223-286(MP)

Planner: Michael Pepe

Motion: It was moved to recommend **approval** of a Specific Use Permit for an industrial (outside) potentially incompatible use limited to asphalt and concrete crushing for a five-year period, subject to a site plan and staff's recommended conditions; as briefed, on property zoned an IM Industrial Manufacturing District, on the east line of Luna Road, between Y Street and Ryan Road.

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

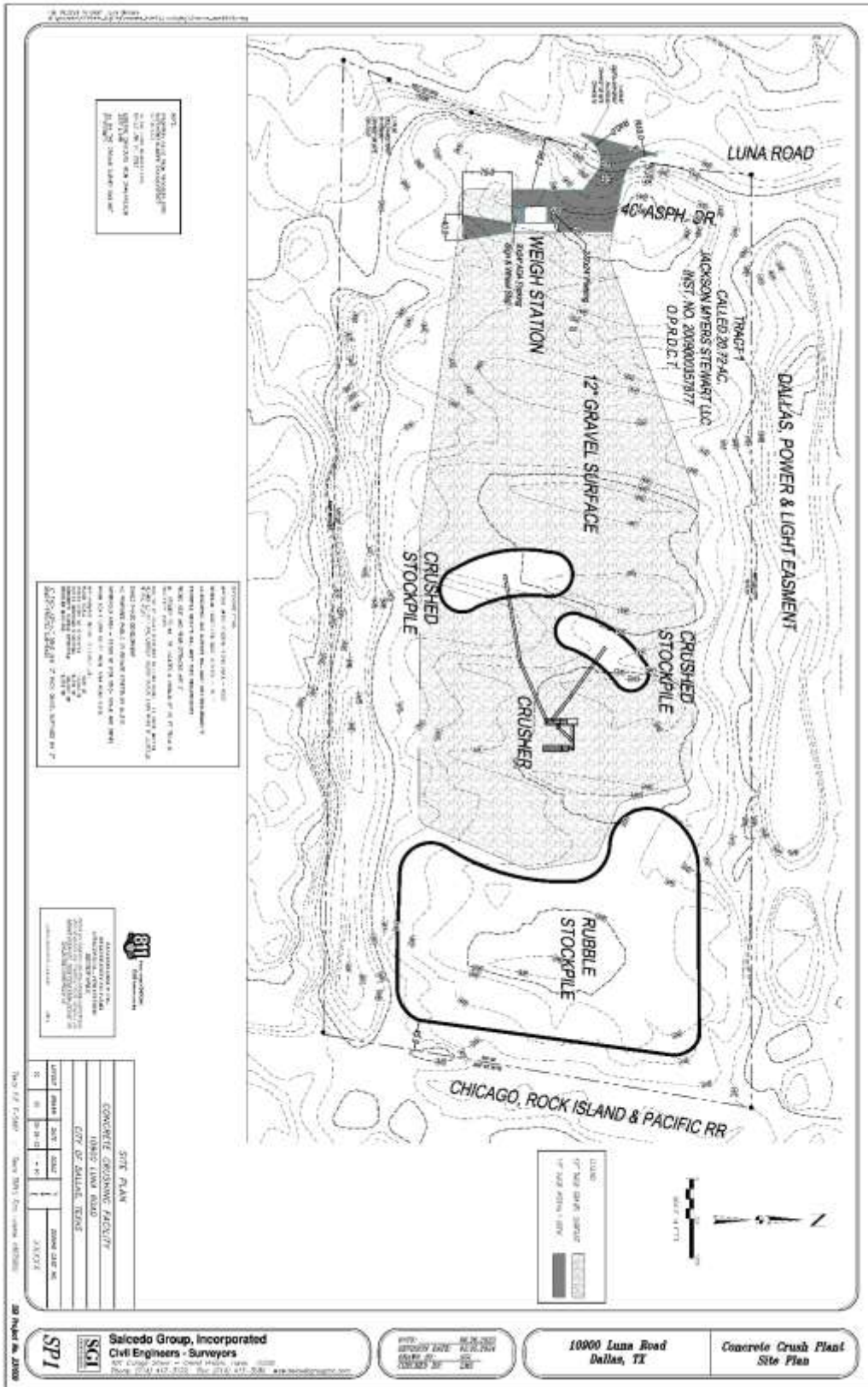
For: 12 - Chernock, Hampton, Forsyth, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Hall, Kingston, Rubin

Against: 0
Absent: 2 - Herbert, Eppler
Vacancy: 1 - District 12

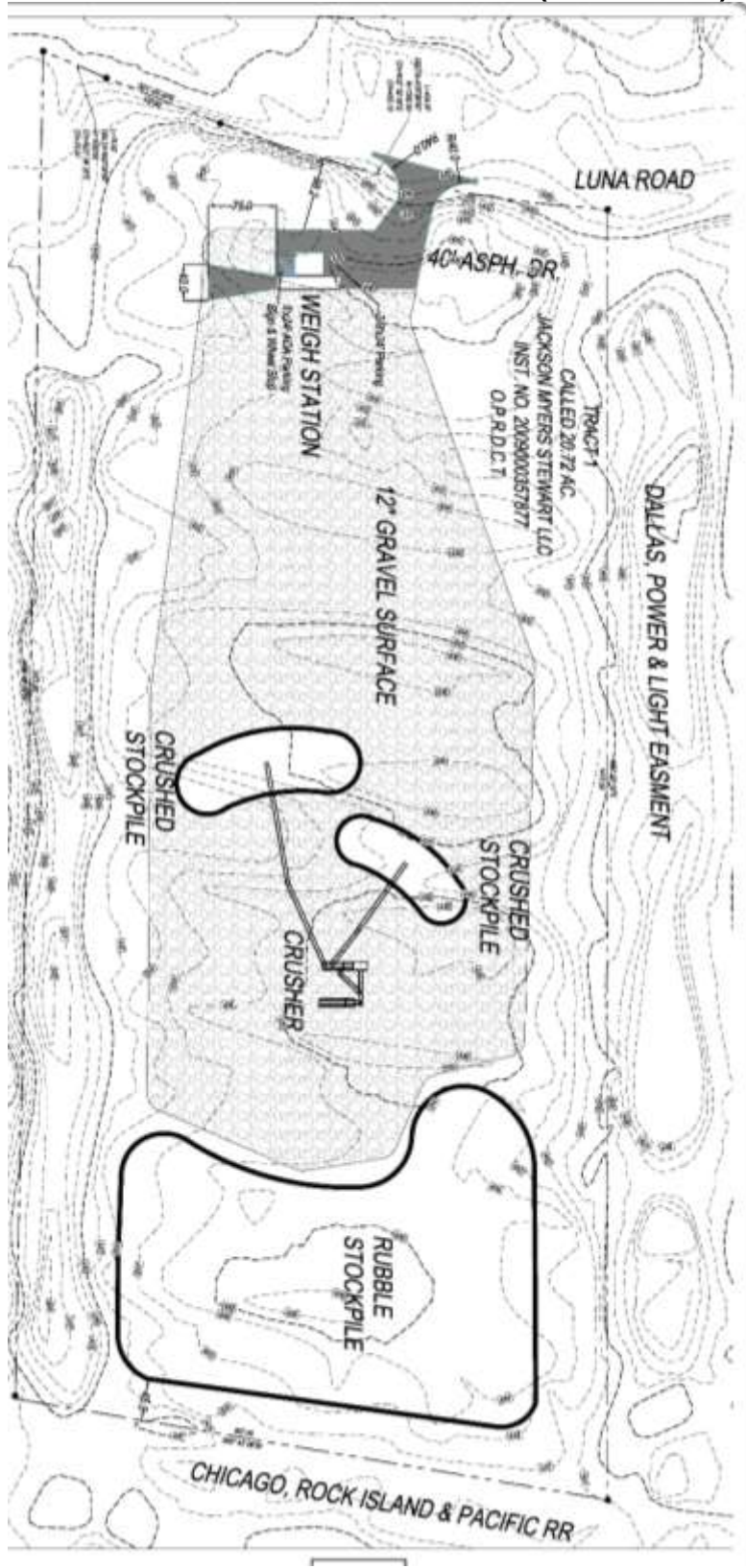
Notices: Area: 400 Mailed: 13
Replies: For: 0 Against: 0

Speakers: For: Trenton Robertson, 2201 S. Main St., Dallas, TX, 75201
Against: None

CPC RECOMMENDED SITE PLAN

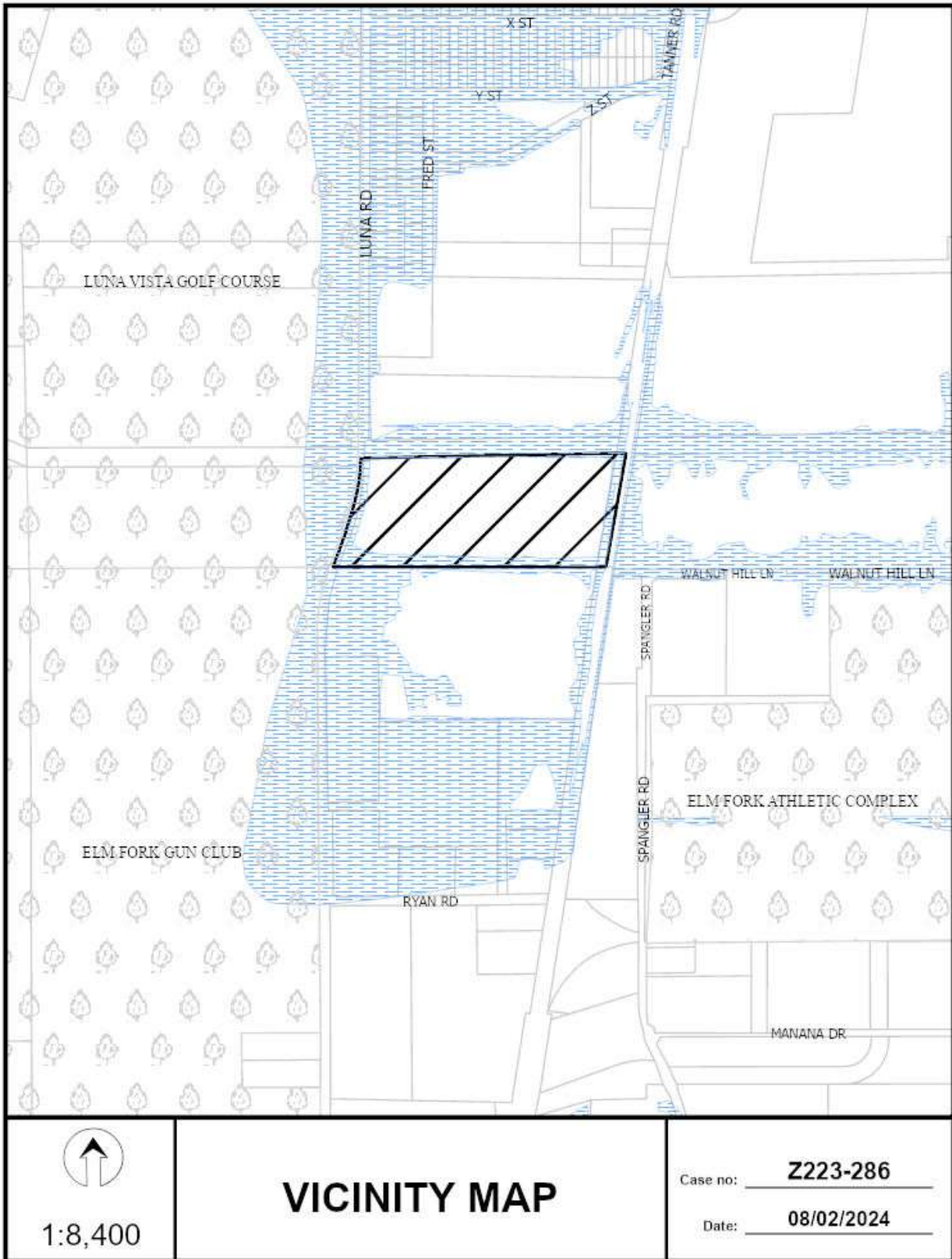


CPC RECOMMENDED SITE PLAN (ENLARGED)



CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is an industrial (outside) potentially incompatible use limited to asphalt and concrete crushing.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires in five years.
4. STOCKPILE HEIGHT: The maximum stockpile stacking height is 60 feet in the areas shown on the site plan.
5. WHEEL WASHING: When Luna Road is approved per Engineering standards, a wheel washing area must be provided in the locations shown on 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.
6. BUFFER YARD. A buffer yard landscape area with a minimum of 30' width must be located on the property 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 shall 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 and may be approved by the director.
 - B. A continuous shrub row along street frontage with a minimum height of 6 feet at planting is required to be planted within 15 feet of the property line. Individual plantings may be no further than 6 feet of linear distance from one another except for access driveways.
 - C. One large canopy tree is required for every 30 linear feet of frontage, arranged in double staggered rows. These canopy trees may not be placed closer than 20 feet. A minimum of 75% of large canopy trees must be live oaks.
7. GROUND AND DUST CONTROL: All areas of the Property, inclusive of any stockpiles, must be sprinkled with water or chemicals as necessary requirements for control of dust emission.
8. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. The drive approach to the Property must be constructed on concrete pavement. Internal parking and circulation drives may be constructed of either concrete or crushed rock.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.



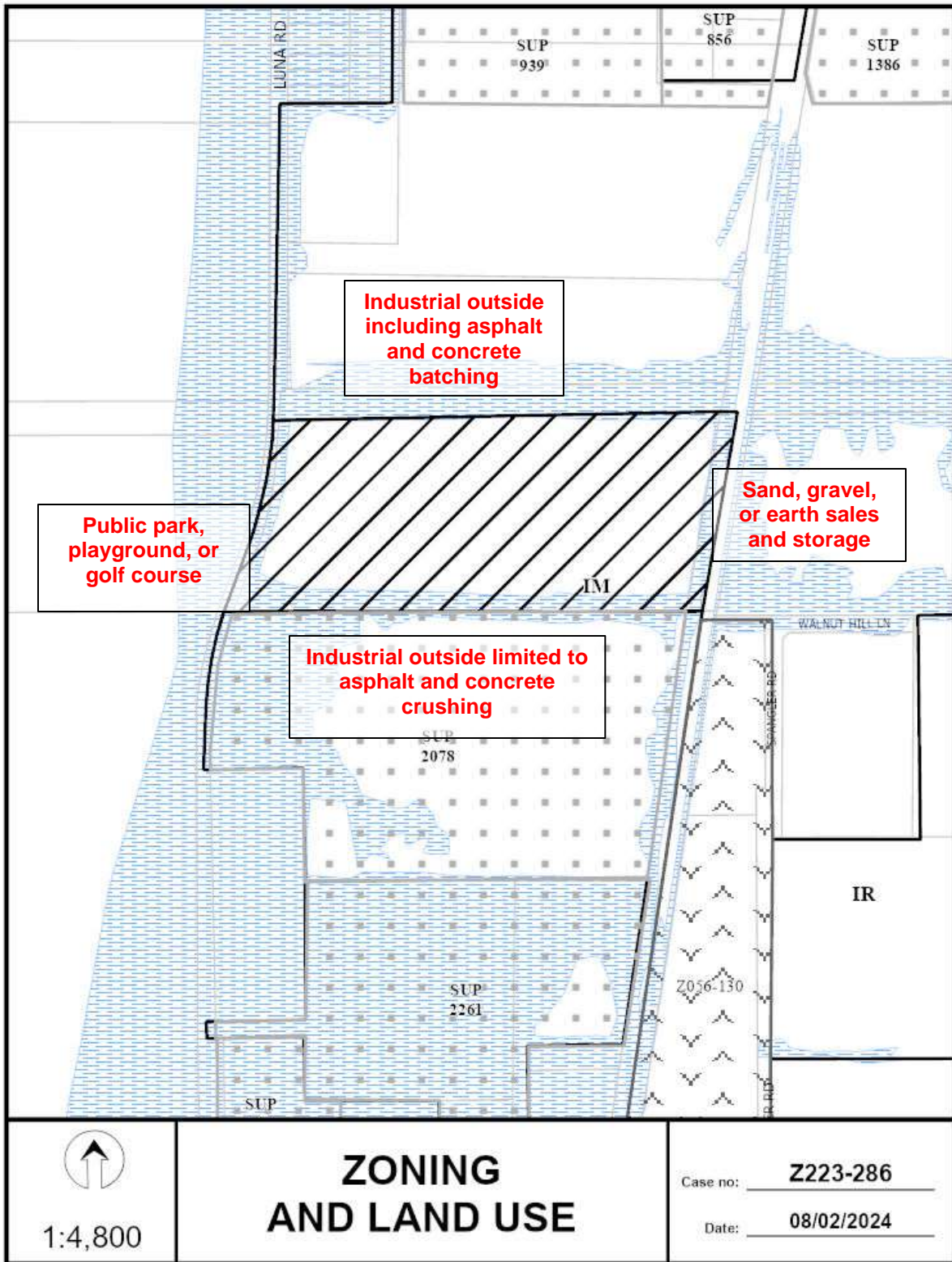


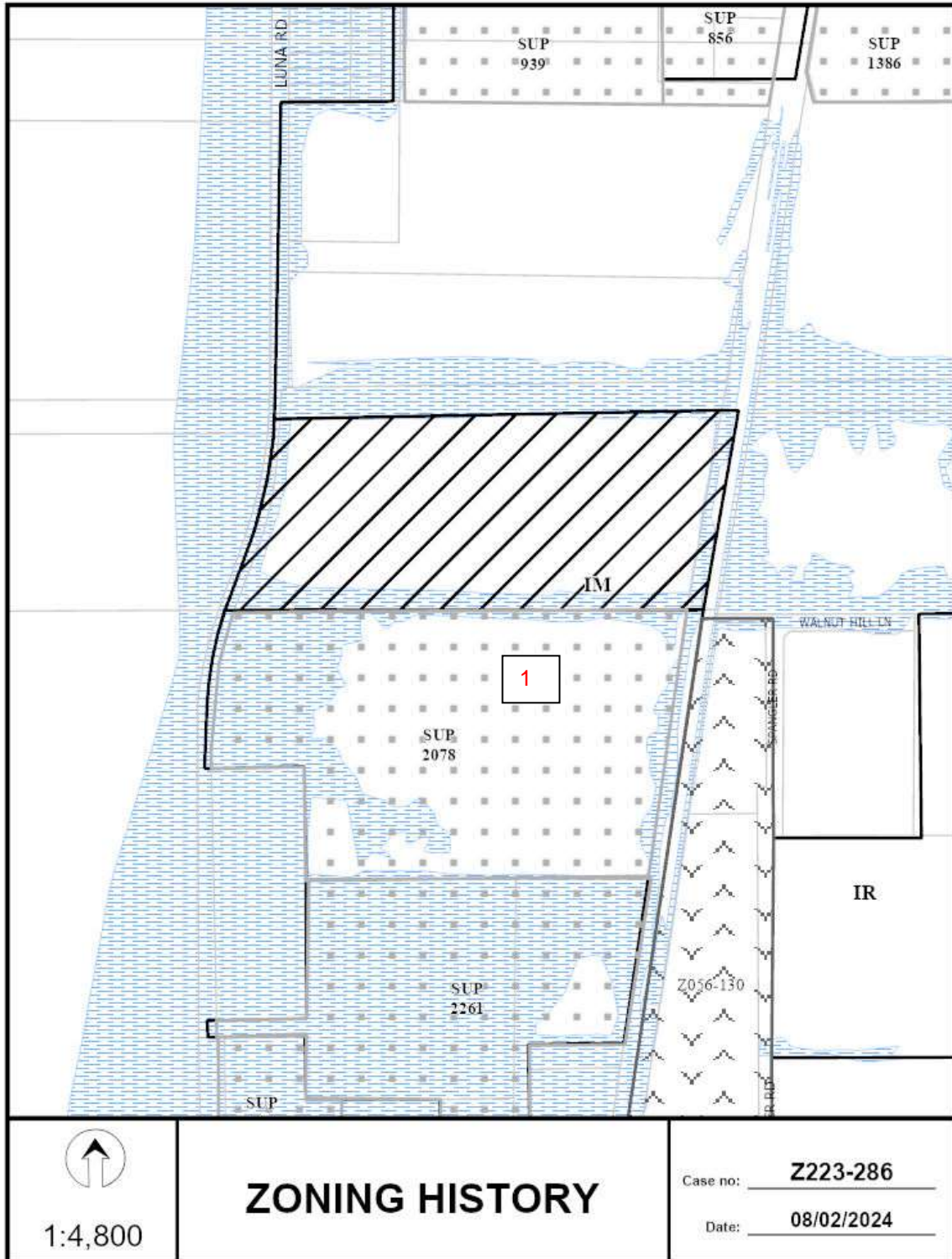
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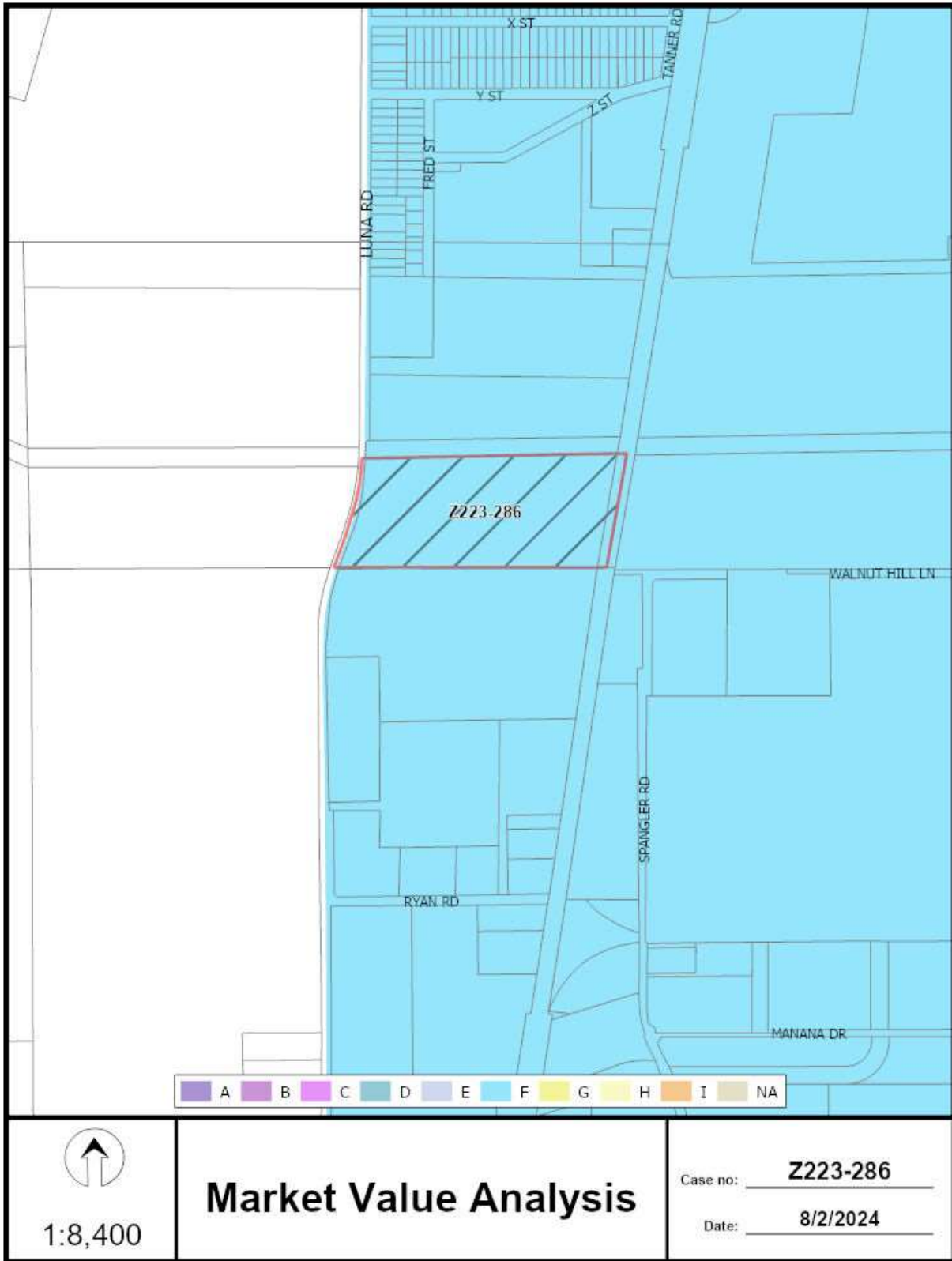
AERIAL MAP

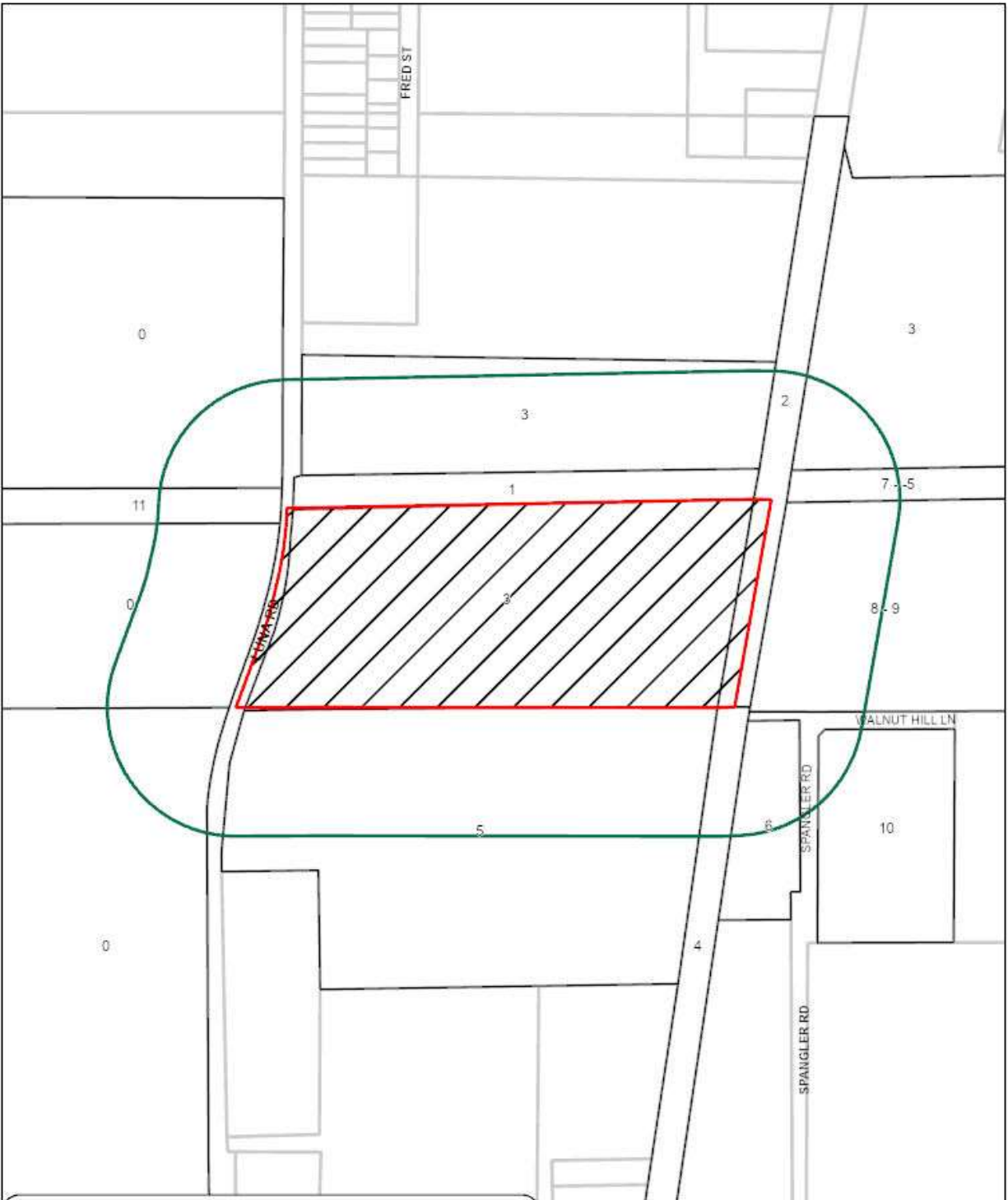
Case no: Z223-286

Date: 08/02/2024









<u>13</u>	Property Owners Notified (15 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>400'</u>	Area of Notification
<u>8/22/2024</u>	Date

Z223-286
CPC



1:4,800

Z223-286(MP)

08/21/2024

Reply List of Property Owners

Z223-286

11 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	10910	LUNA RD	ONCOR ELECRCIC DELIVERY COMPANY
2	10912	LUNA RD	DART
3	10900	LUNA RD	JACKSON ALMA S ET AL
4	2300	AL LIPSCOMB WAY	BNSF RAILWAY
5	10850	LUNA RD	ALMC RECYCLING VENTURES LLC
6	10801	SPANGLER RD	ISF 10801 SPANGLER LLC
7	10910	LUNA RD	ONCOR ELECRCIC DELIVERY COMPANY
8	2101	WALNUT HILL LN	JACKSON ALMA S ET AL
9	2101	WALNUT HILL LN	WASHMON ENTERPRISES INC
10	10940	SPANGLER RD	TRICYCLE LANE LLC
11	1599	W NORTHWEST HWY	ONCOR ELECRTCIC DELIVERY COMPANY