

FILE NUMBER: Z223-311(MB) **DATE FILED:** August 1, 2023

LOCATION: East line of South Walton Street, between Virgil Street and Taylor Street

COUNCIL DISTRICT: 2

SIZE OF REQUEST: Approx. 22,898 sq. ft. **CENSUS TRACT:** 48113020401

REPRESENTATIVE: Alexander Oshmyansky

OWNER: Radical Computing, Inc.

APPLICANT: Mark Cuban Cost Plus Drug Company PBC

REQUEST: An application for an amendment to Specific Use Permit No. 2408 for a manufacturing laboratory on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The applicant proposes to continue the use of the property as a manufacturing laboratory. [Mark Cuban Cost Plus Drug Company PBC]

CPC RECOMMENDATION: **Approval** for a three-year period, subject to amended conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to amended conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District. The property is currently developed with a manufacturing laboratory.
- The request site is an existing manufacturing laboratory with 22,898 square feet of floor area.
- SUP No. 2408 was originally granted by City Council on January 27, 2021 for a manufacturing laboratory for a period of three years.
- SUP No. 2408 expires on January 27, 2024. Applicant filed for renewal on August 1, 2023.
- The applicant requests the renewal of SUP No. 2408 for a three-year period to continue operating a manufacturing laboratory. Applicant does not propose any changes to the site plan.

Zoning History:

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

1. **Z190-354:** On January 27, 2021, City Council approved an application for a Specific Use Permit for a manufacturing laboratory on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, located on the north side of Taylor Street, east of North Walton Street. [Subject Site]
2. **Z201-266:** On October 13, 2021, City Council approved an application for the renewal of Specific Use Permit No. 2211 for a bar, lounge or tavern use and an inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, located at the southeast corner of Commerce Street and Murray Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Hall Street	Community Collector	60 feet
South Walton Street	Minor Arterial	50 feet
Taylor Street	Minor Arterial	80 feet
Virgil Street	Secondary	30 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. The *forwardDallas! Comprehensive Plan* 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.

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.5 Focus on companies that represent the greatest potential for job growth and investment.

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 area of the plan.

The applicant's request to amend the Specific Use Permit for manufacturing laboratory meets the 360 Plan'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	PD No. 269 Tract A	Manufacturing laboratory
North	PD No. 269 Tract A	Personal Service
Northeast	PD No. 269 Tract A	Office showroom / warehouse; Personal Service
South	PD No. 269 Tract A	Office
West	PD No. 269 Tract A	Surface parking; commercial amusement (inside)
Southwest	PD No. 269 Tract A	Warehouse

Land Use Compatibility:

The request site consists of a manufacturing laboratory. The applicant is requesting renewal of SUP No. 2408 to continue operation of a manufacturing laboratory. The site is surrounded by a mix of retail, residential, and commercial uses. While the Deep Ellum area has a focus on commercial, retail, and residential uses, the nature of this manufacturing laboratory is different from more intensive industrial uses, as operations are only indoors. This acts as a transition from more intense industrial uses to the east. Staff finds that ongoing use as a manufacturing laboratory will not have a negative impact on the surrounding area.

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.

The continuation of a manufacturing laboratory in this neighborhood contributes to the welfare of the area and is not detrimental to the general welfare.

Landscaping:

Landscaping will be provided per PD No. 269 regulations.

Parking:

PD No. 269 requires one parking space for every 500 square feet of building area for a manufacturing laboratory, per Section 51-4.216(9)(C) of the Dallas Development Code. The current building is 22,898 square feet. Therefore, the required amount of parking is 46 spaces. Since the building occupies most of the site, parking does not exist on the site and cannot be constructed to meet the parking requirements. Via a parking agreement, the applicant has agreed to provide 61 spaces from a lot located west 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 within an "E" MVA area.

List of Officers

Mark Cuban Cost Plus Drug Company PBC

Alexander Oshmyansky, CEO

Radical Computing, Inc.

Mark Cuban, Owner

CPC Action
January 18, 2024

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2408 for a manufacturing laboratory for a three-year period, subject to amended conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the east line of South Walton Street, between Virgil Street and Taylor Street.

Maker: Rubin
Second: Hampton
Result: Carried: 13 to 0

For: 13 - 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: 200	Mailed: 20
Replies:	For: 1	Against: 0

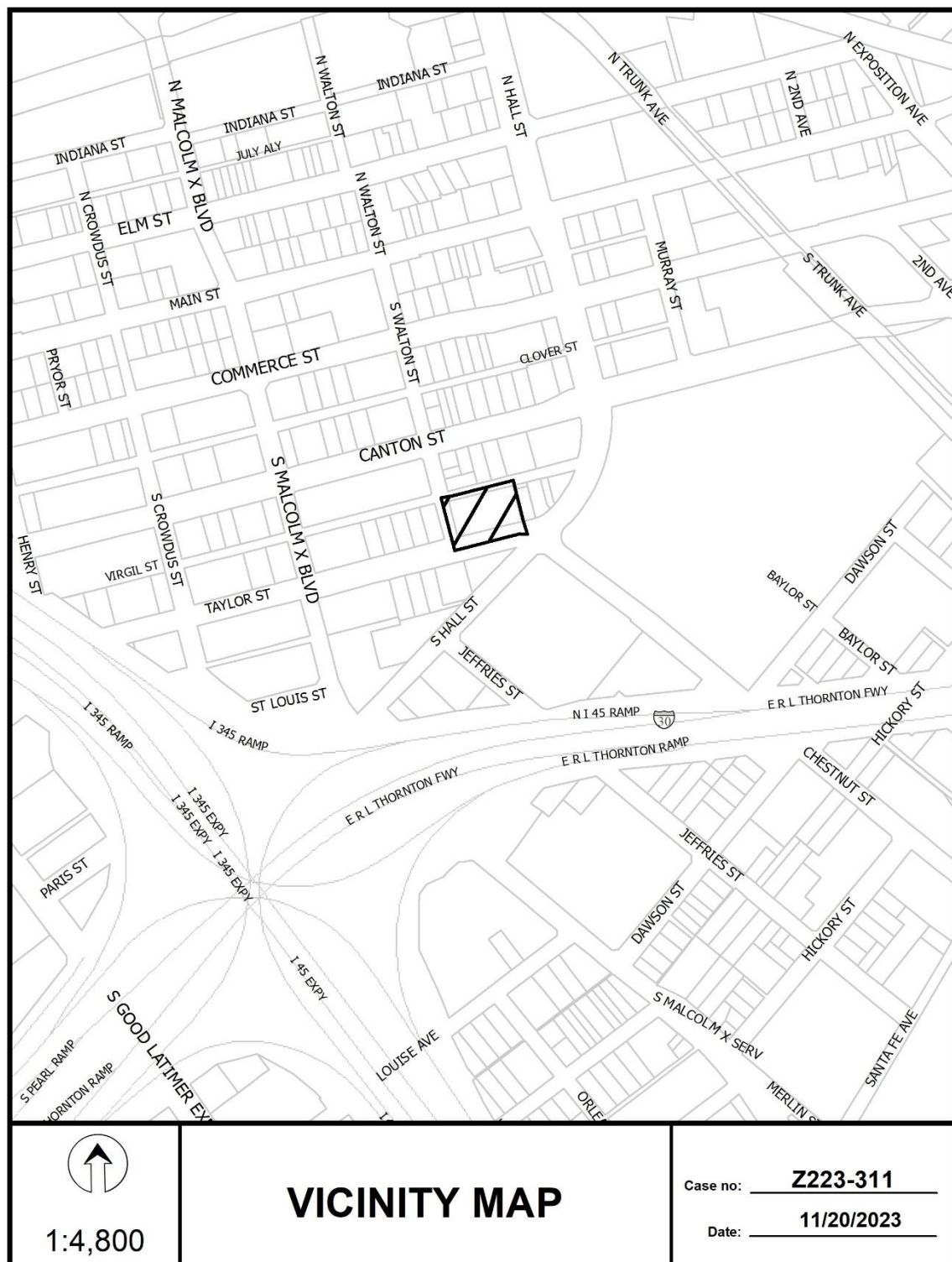
Speakers: None

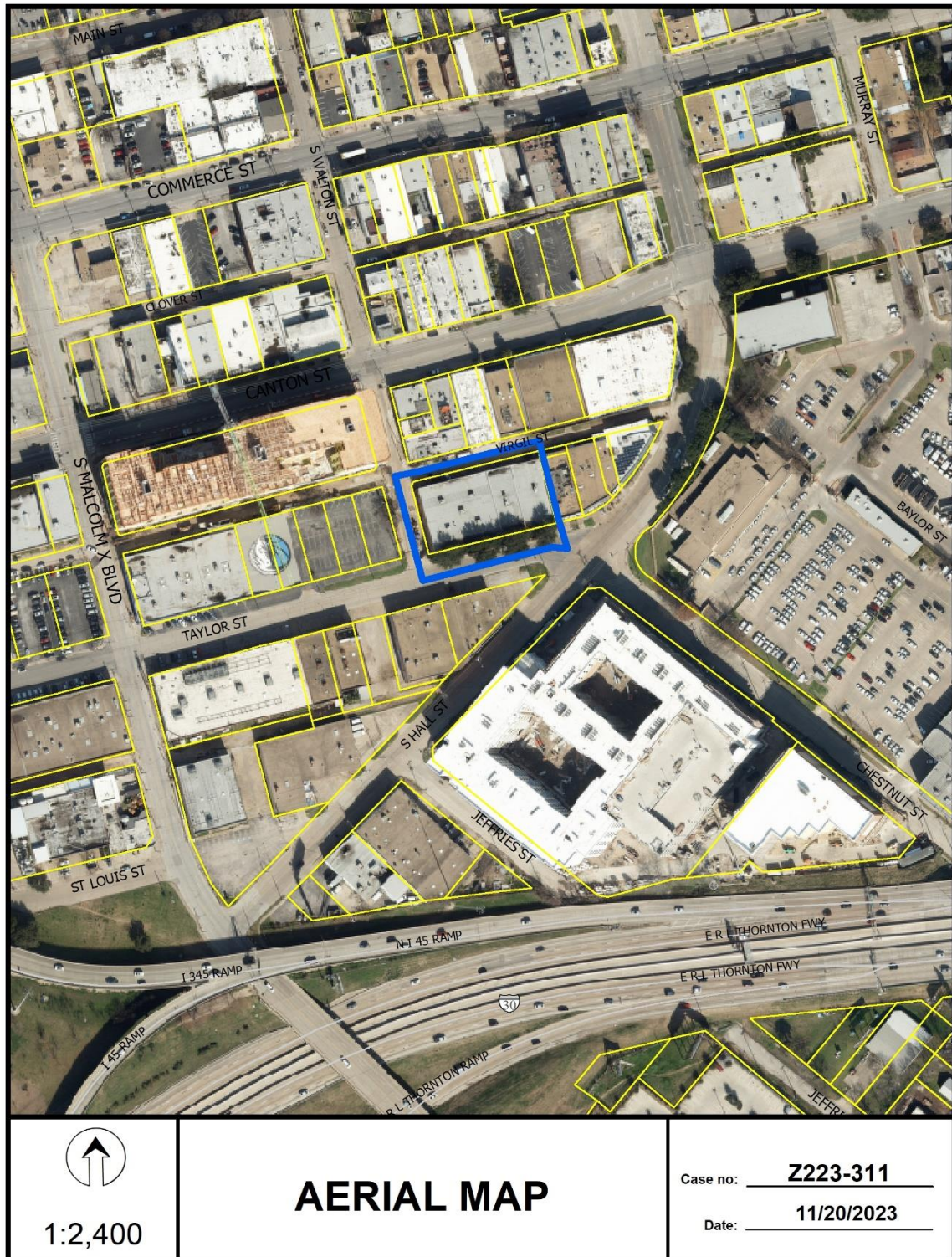
CPC RECOMMENDED SUP No. 2408 CONDITIONS

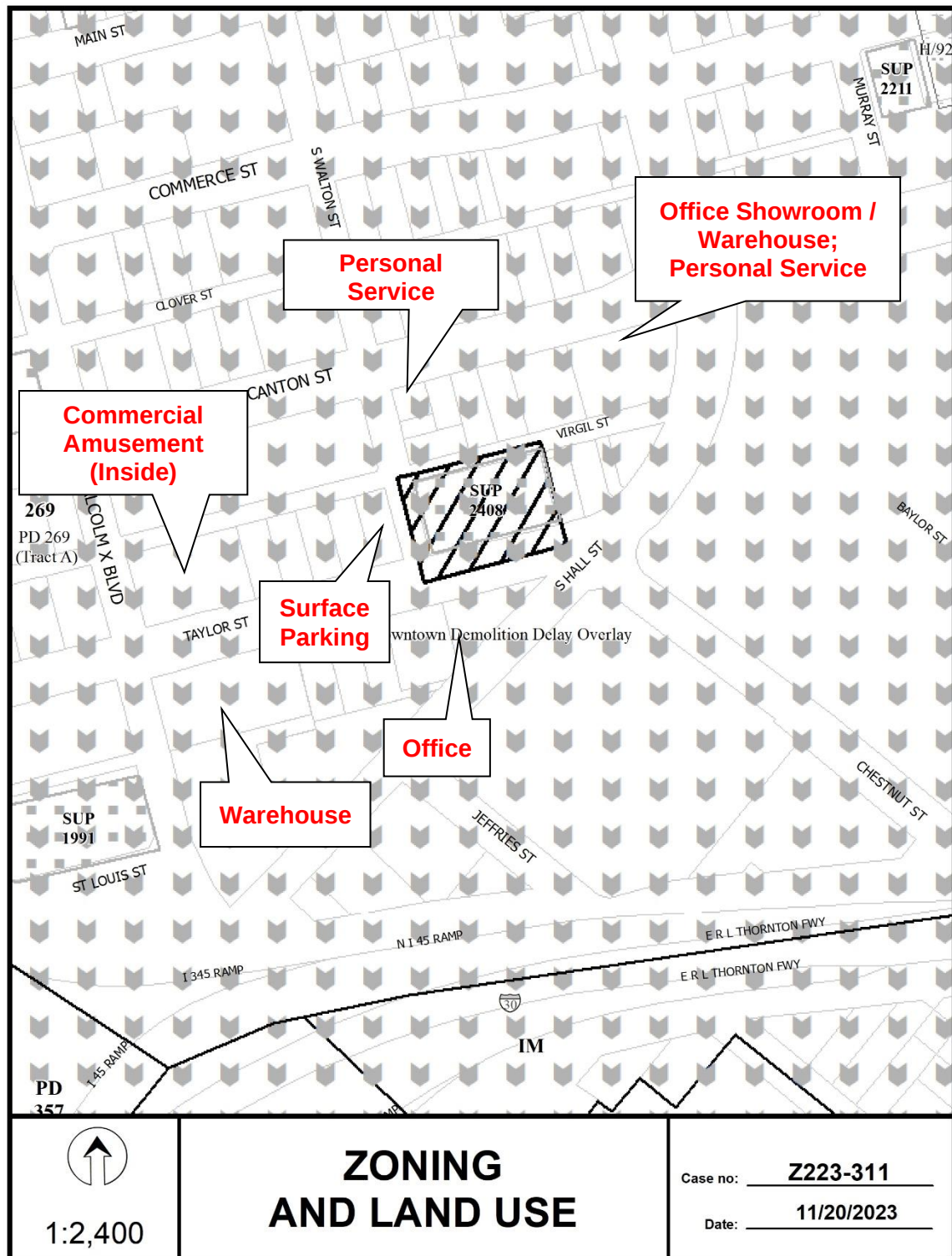
1. USE: The only use authorized by this specific use permit is a manufacturing laboratory limited to mixing, assembling, and packaging pharmaceuticals.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~January 27, 2024~~ [three years from the passage of this ordinance].
4. FLOOR AREA: The maximum floor area is 22,898 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. 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.

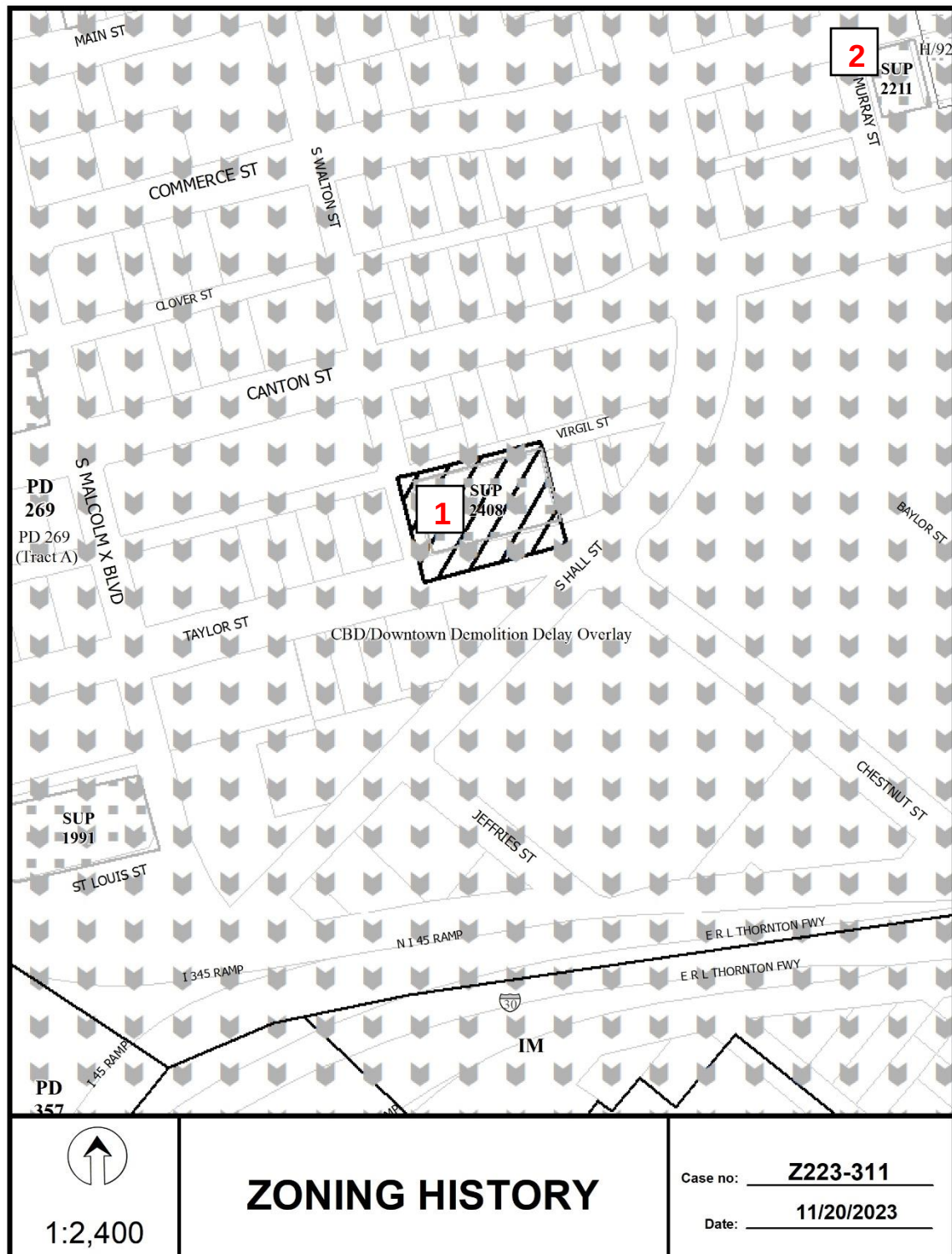


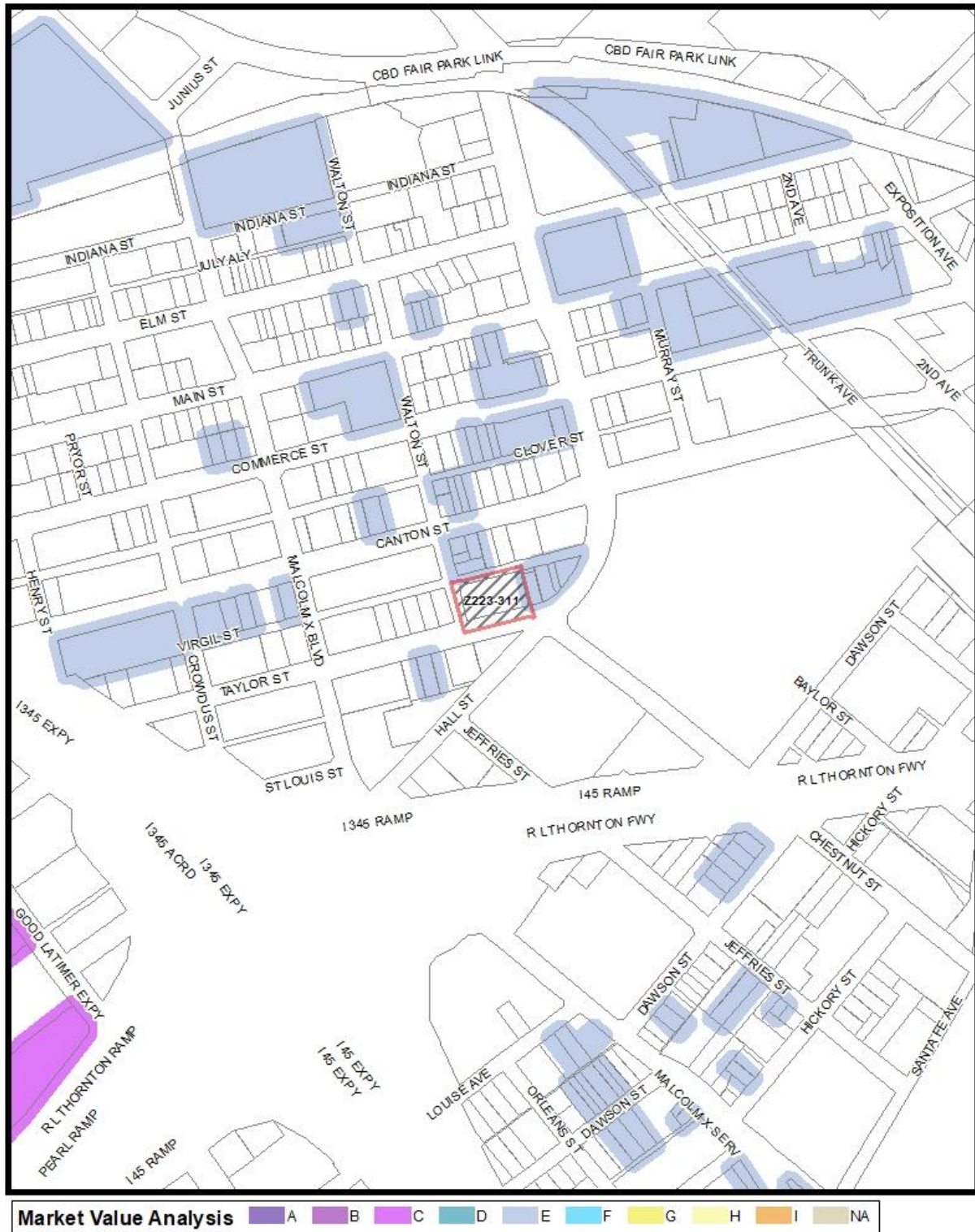
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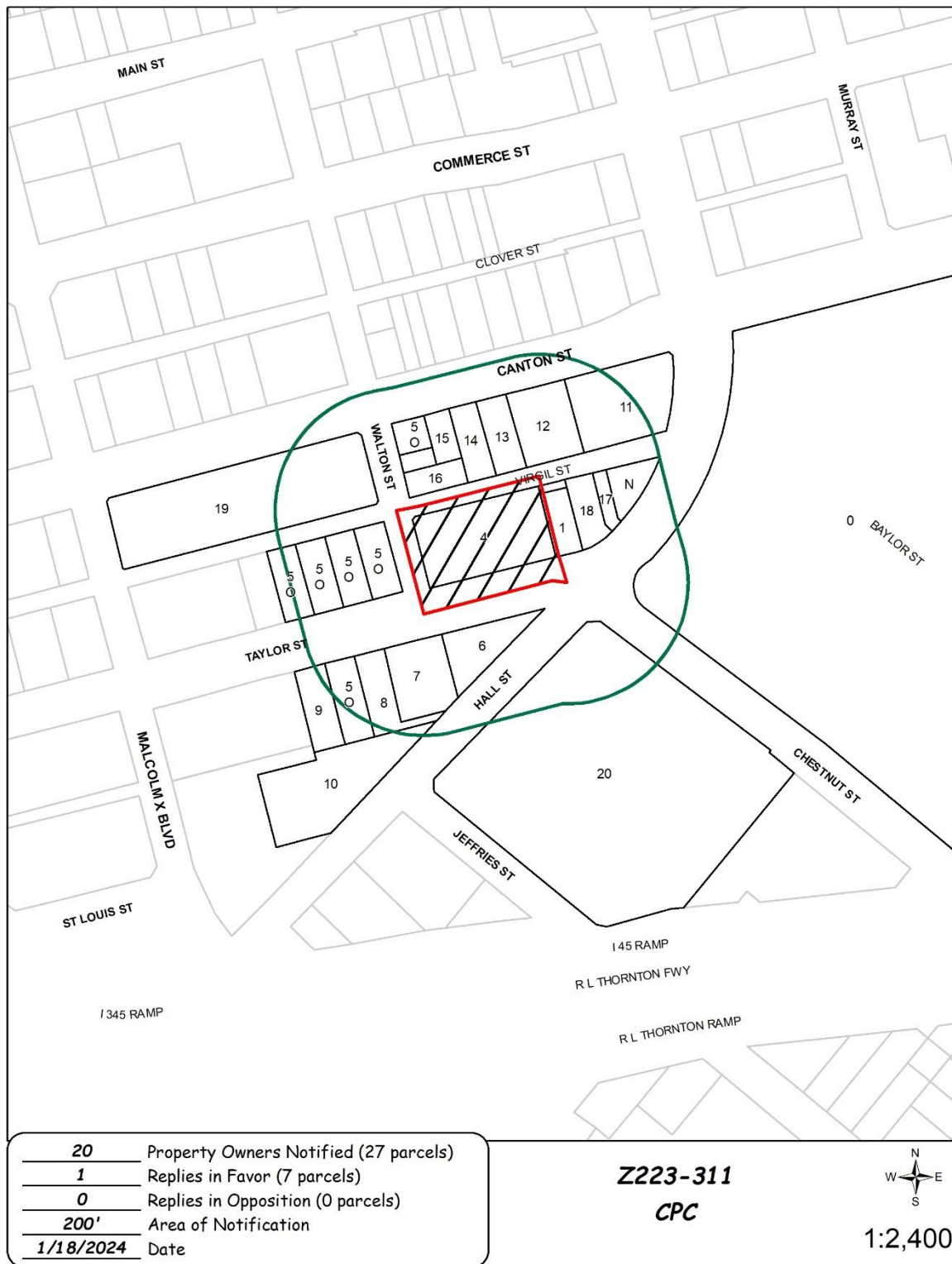












01/17/2024

Reply List of Property Owners***Z223-311******20 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	3025 TAYLOR ST	NEWTON JEFFREY PAUL
	2	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
	3	9999 NO NAME ST	UNION PACIFIC RR CO
	4	3015 TAYLOR ST	RADICAL COMPUTING, INC.
O	5	2921 TAYLOR ST	RADICAL COMPUTING INC
	6	2934 TAYLOR ST	TRW REALTY HOLDING LLC
	7	2934 TAYLOR ST	TRW REALTY HOLDING LLC
	8	2928 TAYLOR ST	TRW REALTY HOLDINGS LLC
	9	2920 TAYLOR ST	MEGHANI PARTNERSHIP INC
	10	441 S HALL ST	TRAVERTINE LLC
	11	3030 CANTON ST	DEEP CANTON 3030 LLC
	12	3020 CANTON ST	LONE STAR CLAIM CARE LLC
	13	3012 CANTON ST	LALCO INC
	14	3008 CANTON ST	3008 CANTON STREET VENTURE LLC
	15	3004 CANTON ST	RADICAL COMPUTING INC
	16	310 S WALTON ST	GAETA FLP I LTD PS
	17	335 S HALL ST	Taxpayer at
	18	3027 TAYLOR ST	TILLERY BRYCE
	19	2900 CANTON ST	EQR DEEP ELLUM LP
	20	400 S HALL ST	NP CROSBY LLC