

**ACM: Majed Al-Ghafry****FILE NUMBER:** Z190-129(JM) **DATE FILED:** November 5, 2019**LOCATION:** North side of West Kiest Boulevard, west of South Cockrell Hill Road**COUNCIL DISTRICT:** 3 **MAPSCO:** 52 Z**SIZE OF REQUEST:** ± 2.43 acres **CENSUS TRACT:** 108.05

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**REPRESENTATIVE:** Audra Buckley, Permitted Development**APPLICANT/OWNER:** Gabon Properties, LP**REQUEST:** An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District.**SUMMARY:** The purpose of this request is to allow for the development of a business park with office showroom warehouse uses. Proposed deed restrictions volunteered by the applicant would eliminate several of the incompatible uses, reduce the maximum lot coverage to 60 percent, reduce the maximum building height to 22 feet, and add a 25 foot residential adjacency buffer with required landscaping screening and prohibit the placement of dumpsters or driveways within that buffer.**CPC RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.**STAFF RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

## **BACKGROUND INFORMATION:**

- The site contains 2.43 acres of undeveloped land zoned for CR Community Retail District uses. The property has residential adjacency to the west.
- The applicant proposes to construct a multi-tenant business park with most tenants being classified as an office showroom/warehouse use. The office showroom/warehouse use is not currently allowed in the CR District.
- Volunteered deed restrictions associated with this request will limit the development standards to the original CR District requirements. Additionally, the maximum height has been reduced to 22 feet. The residential adjacency setback has been increased to 25 feet, where driveways, dumpsters, and loading will be prohibited.
  - Staging, loading, or idling of commercial vehicles in a service area is prohibited between the hours of 4:00 p.m. and 9:00 a.m. Signs prohibiting staging, loading, or idling of commercial vehicles between the hours of 4:00 p.m. and 9:00 a.m. must be posted every 100 feet adjacent to the service area.
  - The first required off-street loading space must be of the medium size and at least 40 percent of the required off-street loading spaces must be of the medium size.
- The proposed CS District with volunteered deed restrictions would prohibit 65 land uses and add the following three uses: 1) custom woodworking furniture construction or repair; (2) job or lithographic printing (RAR); and, (3) office showroom/warehouse uses; and restrict an alcoholic beverage establishment by limiting the use to a microbrewery, distillery or winery solely. All other alcoholic beverage establishments would now be prohibited.

**Zoning History:** There has been one recent zoning request in the area within the last five years.

1. **Z178-179:** On May 9, 2018, the City Council approved the renewal of Specific Use Permit No. 1842 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 Community Retail District with a D-1 Liquor Control Overlay, located on the northwest corner of West Kiest Boulevard and South Cockrell Hill Road.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Kiest Boulevard	Principal Arterial	100 feet	100 feet

**Traffic:**

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

**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 applicant's request generally complies with the following 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.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

**GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS**

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

**NEIGHBORHOOD ELEMENT**

**GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS**

Policy 7.1.2 Promote neighborhood-development compatibility.

A CS District would not be ideal adjacent to low-density single-family uses. However, the applicant has offered deed restrictions which return the development rights and land uses to the CR District, and further restrict some items currently allowed. These changes will enhance the compatibility of the proposed land uses at the site with the residential properties nearby.

**Surrounding Land Uses:**

<b>Area</b>	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CR	Undeveloped
<b>North</b>	R-7.5(A) and CR	Single family and general merchandise or food store
<b>East</b>	CR and SUP No. 1842	Office, commercial amusement (inside), general merchandise or food store with the sale of alcohol, and restaurant
<b>South</b>	R-16(A)	Undeveloped
<b>West</b>	R-7.5(A) and CR	Single family and general merchandise or food store

**Land Use Compatibility:**

The site contains 2.43 acres of undeveloped land zoned for CR Community Retail District uses. The surrounding land uses include single family and general merchandise or food store to the north and west; and, office, commercial amusement (inside), general merchandise or food store with the sale of alcoholic beverages, and restaurant to the east.

The applicant proposes to construct a multi-tenant business park with most tenants being classified as an office showroom/warehouse use. The office showroom/warehouse use is not currently allowed in the CR District.

The proposed CS District with volunteered deed restrictions would prohibit 65 land uses and add the following three uses: 1) custom woodworking furniture construction or repair; (2) job or lithographic printing (RAR); and, (3) office showroom/warehouse uses; and restrict an alcoholic beverage establishment by limiting the use to a microbrewery, distillery or winery solely. All other alcoholic beverage establishments would now be prohibited.

Staff does have concerns that the three new uses may present compatibility issues; however, the enhanced residential adjacency setback where driveways, dumpsters, and loading will be prohibited beside the residences and taller evergreen screening offered with the volunteered deed restrictions will provide greater relief from any nonresidential uses. Finally, prohibiting 30 of the land uses currently allowed in the CR District and limiting the category of new uses allowed by the proposed CS District has made the proposed development of the site more compatible with the adjacent residential neighborhood. Staff supports the request, subject to the deed restrictions volunteered by the applicant.

**Development Standards:**

DISTRICT	SETBACKS		Density	Lot Size	FAR	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear						
<b>Existing:</b> CR Community Retail	15'	20' w/Res Adj  0' Others	--	No Min.	0.5 Office  0.75 Combined	54' RPS applies	60%	Institutional and community service, retail and personal service, and office.
<b>Proposed:</b> CS Commercial Service with DRs*	<b>15'</b> ** When adj. to expressway/ Thoroughfare  0' others	20' <b>25'</b> w/Res Adj  0' Others	--	No Min.	0.5 combo  0.75 all uses	45' <b>22'</b> RPS applies.	<del>80%</del> <b>60%</b>	Institutional and community service, retail, office, and wholesale, distribution, and storage uses with <b>*alcoholic beverage establishment limited to a microbrewery, distillery or winery only.</b>

\*\*Sec.4.401(a)(6) requires block continuity, thereby making the minimum front yard in this case, 15 feet due to adjacency and remainder of the block maintaining the CR District requirements.

The proposed deed restrictions associated with this request will limit the development standards to the original CR District requirements. Additionally, the maximum height has been reduced to 22 feet. The residential adjacency setback has been increased to 25 feet, where driveways, dumpsters, and loading will be prohibited.

**Land Use Comparison:**

The proposed CS District would add approximately 37 land uses and remove SUP requirements for eight additional uses. The applicant has offered deed restrictions which will prohibit 35 of the new land uses. Additionally, 30 of the existing CR District land uses would now be prohibited. Finally, an alcoholic beverage establishment—limited to a microbrewery, distillery or winery would be allowed, but all other alcoholic beverage establishments would now be prohibited. The newly allowed land uses include: (1) custom woodworking furniture construction or repair; (2) job or lithographic printing (RAR); and, (3) office showroom/warehouse uses, as highlighted in the table below. Strikethrough items have been prohibited. Bolded items were new uses per the proposed CS District. Red font are uses which would no longer require a SUP. Overall, the three uses highlighted in yellow are the new uses added by the zoning change.

USE	CR Community Retail	CS Commercial service
<b>AGRICULTURAL USES</b>	CROP PRODUCTION	CROP PRODUCTION
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>	<del>BUILDING REPAIR AND MAINTENANCE SHOP (RAR)</del>	<del>BUILDING REPAIR AND MAINTENANCE SHOP (RAR)</del>
	<del>1</del>	<del><b>BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY (RAR)</b></del>
	CATERING SERVICE	CATERING SERVICE
	<del>2</del>	<del><b>COMMERCIAL BUS STATION AND TERMINAL (DIR)</b></del>
	<del>3</del>	<del><b>COMMERCIAL CLEANING OR LAUNDRY PLANT (RAR)</b></del>
	CUSTOM BUSINESS SERVICES	CUSTOM BUSINESS SERVICES
	<b>4</b>	<b>CUSTOM WOODWORKING FURNITURE CONSTRUCTION OR REPAIR</b>
	ELECTRONICS SERVICE CENTER	ELECTRONICS SERVICE CENTER
	<b>5</b>	<b>JOB OR LITHOGRAPHIC PRINTING (RAR)</b>
	<del>6</del>	<del><b>LABOR HALL (SUP)</b></del>
	<del>7</del>	<del><b>MACHINE OR WELDING SHOP (RAR)</b></del>
	<del>8</del>	<del><b>MACHINERY, HEAVY EQUIPMENT, OR TRUCK SALES AND SERVICE (RAR)</b></del>
	<del><b>MEDICAL OR SCIENTIFIC LABORATORY (SUP)</b></del>	<del><b>MEDICAL OR SCIENTIFIC LABORATORY</b></del>
	<del>9</del>	<del><b>TECHNICAL SCHOOL</b></del>
	TOOL OR EQUIPMENT RENTAL	TOOL OR EQUIPMENT RENTAL
	<del>10</del>	<del><b>VEHICLE OR ENGINE REPAIR OR MAINTENANCE (RAR)</b></del>
<b>INDUSTRIAL USES</b>	<del>GAS DRILLING AND PRODUCTION (SUP)</del>	<del>GAS DRILLING AND PRODUCTION (SUP)</del>
	<del>11</del>	<del><b>INDUSTRIAL (INSIDE) FOR LIGHT MANUFACTURING</b></del>
	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>	ADULT DAY CARE FACILITY	ADULT DAY CARE FACILITY
	CEMETERY OR MAUSOLEUM (SUP)	CEMETERY OR MAUSOLEUM (SUP)
	<del>CHILD CARE FACILITY</del>	<del>CHILD CARE FACILITY</del>
	CHURCH	CHURCH
	COLLEGE, UNIVERSITY OR SEMINARY	COLLEGE, UNIVERSITY OR SEMINARY

	COMMUNITY SERVICE CENTER (SUP)	COMMUNITY SERVICE CENTER (SUP)
	CONVENT OR MONASTERY	CONVENT OR MONASTERY
	<b>12</b>	<b>HALFWAY HOUSE (SUP)</b>
	<del>HOSPITAL (SUP)</del>	<del>HOSPITAL (RAR)</del>
	LIBRARY, ART GALLERY OR MUSEUM	1
	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)
	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)
<b>LODGING USES</b>	<b>13</b>	<b>EXTENDED STAY HOTEL OR MOTEL (SUP)</b>
	HOTEL AND MOTEL (SUP)	HOTEL OR MOTEL (RAR or SUP)
	<del>LODGING OR BOARDING HOUSE (SUP)</del>	<del>LODGING OR BOARDING HOUSE</del>
	OVERNIGHT GENERAL PURPOSE SHELTER	OVERNIGHT GENERAL PURPOSE SHELTER
<b>MISCELLANEOUS USES</b>	ATTACHED NON-PREMISE SIGN (SUP)	ATTACHED NON-PREMISE SIGN (SUP)
	CARNIVAL OR CIRCUS (TEMPORARY) (By special authorization of the BO)	CARNIVAL OR CIRCUS (TEMPORARY) (By special authorization of the BO)
	TEMPORARY CONSTRUCTION OR SALES OFFICE	TEMPORARY CONSTRUCTION OR SALES OFFICE
<b>OFFICE USES</b>	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)
	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW
	FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (DIR)	FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (RAR)
	MEDICAL OR AMBULATORY SURGICAL CENTER	MEDICAL OR AMBULATORY SURGICAL CENTER
	OFFICE	OFFICE
<b>RECREATION USES</b>	COUNTRY CLUB WITH PRIVATE MEMBERSHIP	COUNTRY CLUB WITH PRIVATE MEMBERSHIP
	PRIVATE RECREATION CENTER, CLUB OR AREA	PRIVATE RECREATION CENTER, CLUB OR AREA
	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	PUBLIC PARK, PLAYGROUND OR GOLF COURSE
<b>RESIDENTIAL USES</b>	<del>COLLEGE DORMITORY, FRATERNITY OR SORORITY HOUSE</del>	<del>COLLEGE DORMITORY, FRATERNITY OR SORORITY USE</del>

RETAIL AND PERSONAL SERVICE USES	ALCOHOLIC BEVERAGE ESTABLISHMENT	ALCOHOLIC BEVERAGE ESTABLISHMENT* limited to microbrewery, distillery, or winery only.
	AMBULANCE SERVICE (RAR)	AMBULANCE SERVICE (RAR)
	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS (RAR)	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS (RAR)
	<b>14</b>	<b>ANIMAL SHELTER OR CLINIC WITH OUTSIDE RUNS (SUP)</b>
	AUTO SERVICE CENTER (RAR)	AUTO SERVICE CENTER (RAR)
	BUSINESS SCHOOL	BUSINESS SCHOOL
	CAR WASH (DIR)	CAR WASH (RAR)
	COMMERCIAL AMUSEMENT (INSIDE) (SUP may be required)	COMMERCIAL AMUSEMENT (INSIDE) (SUP)
	COMMERCIAL AMUSEMENT (OUTSIDE) (SUP)	COMMERCIAL AMUSEMENT (OUTSIDE) (DIR)
	COMMERCIAL PARKING LOT OR GARAGE (RAR)	COMMERCIAL MOTOR VEHICLE PARKING (SUP IF WITHIN 500' OF A RES-DISTRICT)
	<b>15</b>	<b>COMMERCIAL PARKING LOT OR GARAGE (RAR)</b>
	CONVENIENCE STORE WITH DRIVE-THROUGH (SUP)	CONVENIENCE STORE WITH DRIVE- THROUGH (SUP)
	<b>16</b>	<b>DRIVE-IN THEATER (SUP)</b>
	DRY CLEANING OR LAUNDRY STORE	DRY CLEANING OR LAUNDRY STORE
	FURNITURE STORE	FURNITURE STORE
	GENERAL MERCHANDISE OR FOOD STORE 3,500 SQUARE FEET OR LESS	GENERAL MERCHANDISE OR FOOD STORE 3,500 SQUARE FEET OR LESS
	GENERAL MERCHANDISE OR FOOD STORE GREATER THAN 3,500 SQUARE FEET	GENERAL MERCHANDISE OR FOOD STORE GREATER THAN 3,500 SQUARE FEET
	GENERAL MERCHANDISE OR FOOD STORE 100,000 SQUARE FEET OR MORE (SUP)	GENERAL MERCHANDISE OR FOOD STORE 100,000 SQUARE FEET OR MORE (SUP)
	HOME IMPROVEMENT CENTER, LUMBER, BRICK OR BUILDING MATERIALS SALES YARD (DIR)	HOME IMPROVEMENT CENTER, LUMBER, BRICK OR BUILDING MATERIALS SALES YARD (RAR)
	HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR.	HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR.
	<b>17</b>	<b>LIQUEFIED NATURAL GAS FUELING STATION (SUP)</b>
	LIQUOR STORE	LIQUOR STORE
	MORTUARY, FUNERAL HOME OR COMMERCIAL WEDDING CHAPEL	MORTUARY, FUNERAL HOME OR COMMERCIAL WEDDING CHAPEL
	MOTOR VEHICLE FUELING	MOTOR VEHICLE FUELING STATION



	STATION	
	NURSERY, GARDEN SHOP OR PLANT SALES.	NURSERY, GARDEN SHOP OR PLANT SALES.
	<b>18</b>	<b>OUTSIDE SALES (SUP)</b>
	<del>PARAPHERNALIA SHOP (SUP)</del>	<del>PARAPHERNALIA SHOP (SUP)</del>
	PAWN SHOP	PAWN SHOP
	PERSONAL SERVICE USES	PERSONAL SERVICE USES
	RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (RAR)	RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (RAR)
	RESTAURANT WITH DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)	RESTAURANT WITH DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)
	SWAP OR BUY SHOP (SUP)	SWAP OR BUY SHOP (SUP)
	<b>19</b>	<b>TAXIDERMIST</b>
	TEMPORARY RETAIL USE	TEMPORARY RETAIL USE
	<del>THEATER</del>	<del>THEATER</del>
	<b>20</b>	<b>TRUCK STOP (SUP)</b>
	<b>21</b>	<b>VEHICLE DISPLAY, SALES AND SERVICE (RAR)</b>
TRANSPORTATION USES	<b>22</b>	<b>COMMERCIAL BUS STATION AND TERMINAL (DIR)</b>
	<b>23</b>	<b>HELIPORT (SUP)</b>
	<b>24</b>	<b>HELISTOP (SUP)</b>
	<b>25</b>	<b>RAILROAD PASSENGER STATION (SUP)</b>
	TRANSIT PASSENGER SHELTER	TRANSIT PASSENGER SHELTER
	TRANSIT PASSENGER STATION OR TRANSFER CENTER (SUP)	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)
UTILITY AND PUBLIC SERVICE USES	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION
	ELECTRICAL SUBSTATION	ELECTRICAL SUBSTATION
	LOCAL UTILITIES (SUP or RAR may be required)	LOCAL UTILITIES (SUP or RAR may be required)
	POLICE OR FIRE STATION	POLICE OR FIRE STATION
	POST OFFICE	POST OFFICE
	<b>RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)</b>	<b>RADIO, TELEVISION, OR MICROWAVE TOWER (RAR)</b>
	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	TOWER/ANTENNA FOR CELLULAR COMMUNICATION
	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)

<b>WHOLESALE, DISTRIBUTION AND STORAGE USES</b>	<b>26</b>	<b>AUTO-AUCTION (SUP)</b>
	<b>27</b>	<b>BUILDING MOVER'S TEMPORARY STORAGE YARD (SUP)</b>
	<b>28</b>	<b>CONTRACTOR'S MAINTENANCE YARD (RAR)</b>
	<b>29</b>	<b>FREIGHT TERMINAL (RAR)</b>
	<b>30</b>	<b>MANUFACTURED BUILDING SALES LOT (RAR)</b>
	<del>MINI-WAREHOUSE (SUP)</del>	<del>MINI-WAREHOUSE</del>
	<b>31</b>	<b>OFFICE SHOWROOM / WAREHOUSE</b>
	<b>32</b>	<b>OUTSIDE STORAGE (RAR)</b>
	<b>33</b>	<b>PRETROLEUM PRODUCT STORAGE AND WHOLESALE (SUP)</b>
	RECYCLING BUY-BACK CENTER	RECYCLING-BUY-BCK CENTER
	RECYCLING COLLECTION CENTER	RECYCLING COLLECTION CENTER
	RECYCLING DROP-OFF CONTAINER	RECYCLING DROP-OFF CONTAINER
	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION
	<b>34</b>	<b>SAND, GRAVEL, OR EARTH SALES AND STORAGE. (SUP)</b>
	<b>35</b>	<b>TRADE CENTER.</b>
	<b>36</b>	<b>VEHICLE STORAGE LOT. (SUP)</b>
	<b>37</b>	<b>WAREHOUSE. (RAR)</b>

### **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. While the area of request is not located within an MVA cluster, surrounding properties are categorized as being within a "G" MVA cluster adjacent to the west and north.

**Parking:**

Parking is required for each use on the property pursuant to Section 51A-4.200 of the Dallas Development Code. There are no existing structures or proposed uses with this general zone change request. For reference, an office showroom/warehouse use requires one parking space per 333 square feet of floor area for the office portion of the use, and one space per 1,000 square feet of floor area for the first 20,000 square feet of showroom/warehouse floor area; then one space per 4,000 square feet of floor area in excess of 20,000 square feet.

**Landscaping:**

A general zone change does not automatically trigger landscaping requirements. Article X, as amended, becomes applicable to a lot or tract when the nonpermeable coverage on the lot or tract is increased by more than 2,000 square feet within a 24-month period, not including portions of pedestrian pathways, that are between three feet in width and 15 feet in width, or when an application is made for a building permit for construction work that (1) increases the number of stories and increases the height of a building on the lot; or, (2) increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period.

As a nonresidential lot, landscaping requirements generally include: a street buffer zone of varying average depth depending on the type of street, urban streetscape, right-of-way planting, one three-inch caliper tree for every 40 linear feet of street frontage, residential buffer zone, interior zone, and surface parking lot trees and islands depending on the number of parking spaces provided.

The residential buffer zone is a landscape area along that portion of the perimeter of a lot where residential adjacency exists. The residential buffer zone must have an average depth of 10 feet, a minimum depth of five feet, and a maximum depth of 30 feet. The buffer is required to include a minimum of one plant group for every 40 feet. The plant group where screening is required includes one three-inch caliper tree.

**Screening:**

The residential adjacency buffer requirement is a screening mechanism that adds landscaping or a solid screen to separate and protect residential zoning beside properties with nonresidential zoning/uses. Sec.51A-4.602(b) provides standards for required screening, which must not be less than six feet in height and solid in nature. Evergreen material may be used so long as the plantings are capable of obtaining a solid appearance within three years. The proposed deed restrictions volunteered add to this requirement by making the evergreen screening a minimum of eight feet in height within the three-year period.

<b>List of Officers</b>
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**KIEST BUSINESS PARK LLC**

Gary Gluckman, Manager  
Mervyn Blieden, Manager

**GABON PROPERTIES, LP**

Gary Gluckman, Director

**Gabon Management, LLC**

Gary Gluckman, Manager

**CPC Action**  
**February 20, 2020**

**Motion:** It was moved to recommend **approval** of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant to include the following: 1) limit truck traffic from 9:00 a.m. to 4:00 p.m., and 2) require off-street loading spaces be the minimum size with large size loading zones prohibited on property zoned a CR Community Retail District, on the north side of West Kiest Boulevard, west of South Cockrell Hill Road.

Maker: Schultz  
Second: Carpenter  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Jackson\*, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 3

\*out of the room, shown voting in favor

<b>Notices:</b>	Area: 200	Mailed: 26
<b>Replies:</b>	For: 1	Against: 1

**Speakers:** For: Audra Buckley, 1414 Belleview St., Dallas, TX, 75215  
Against: None

**Volunteered Deed Restrictions**

DEED RESTRICTIONS

THE STATE OF TEXAS     )  
  )     KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS     )

I.

The undersigned, GABON PROPERTIES LP, a Texas limited partnership, ("the Owner"), is the Owner of the following described property ("the Property"), being in particular a tract of land out of New Calvery Church of God in Christ Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded under Clerk's File No. 200600005939, Map Records, Dallas County, Texas., City Block A/6966, City of Dallas ("City"), Dallas County Texas, and being the same tract of land conveyed to the Owner by the Interbank, by deeds dated March 31, 2017, and recorded in Instrument No. 201700090082 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Block A/6966 Lot 5

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

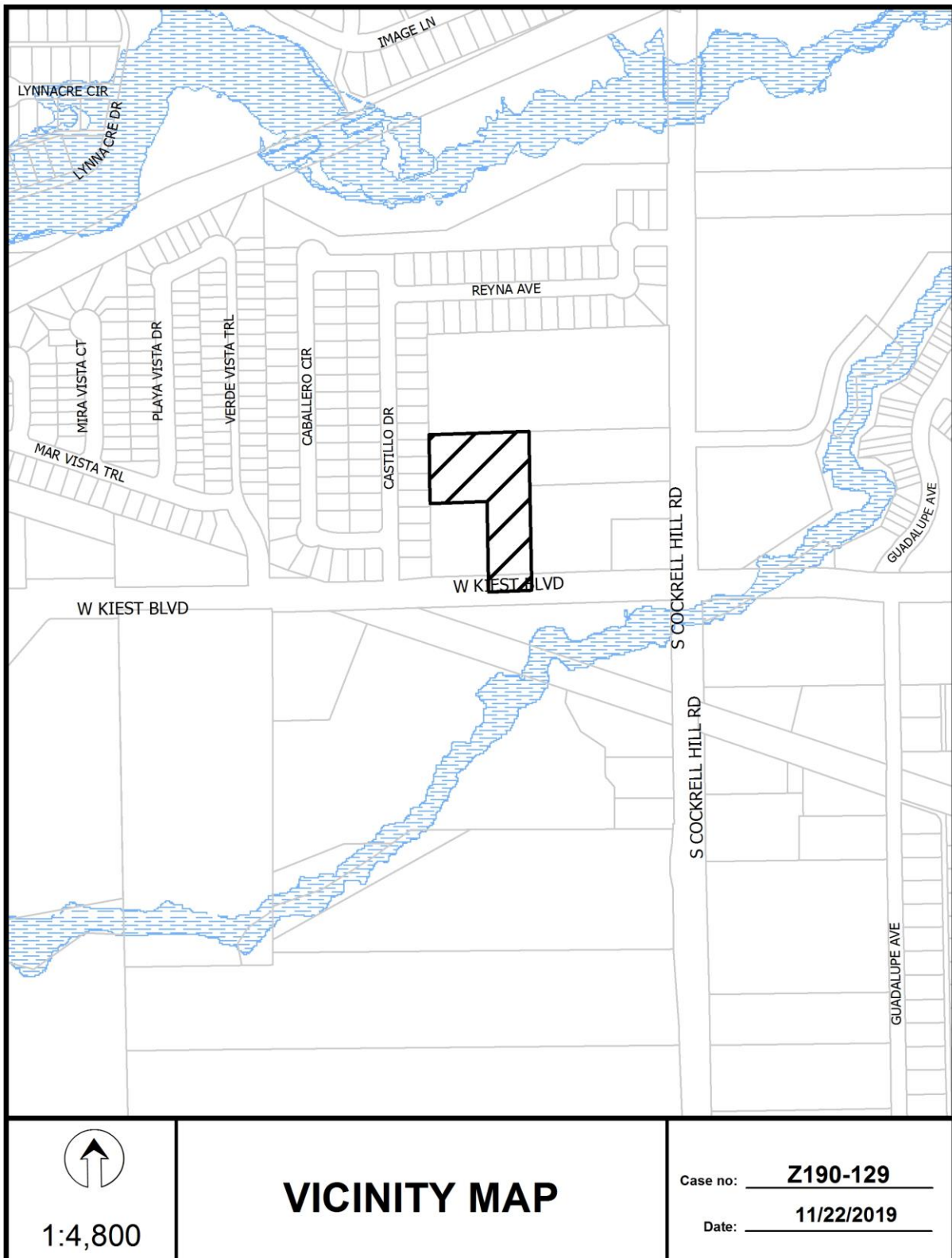
1. The following uses are prohibited:

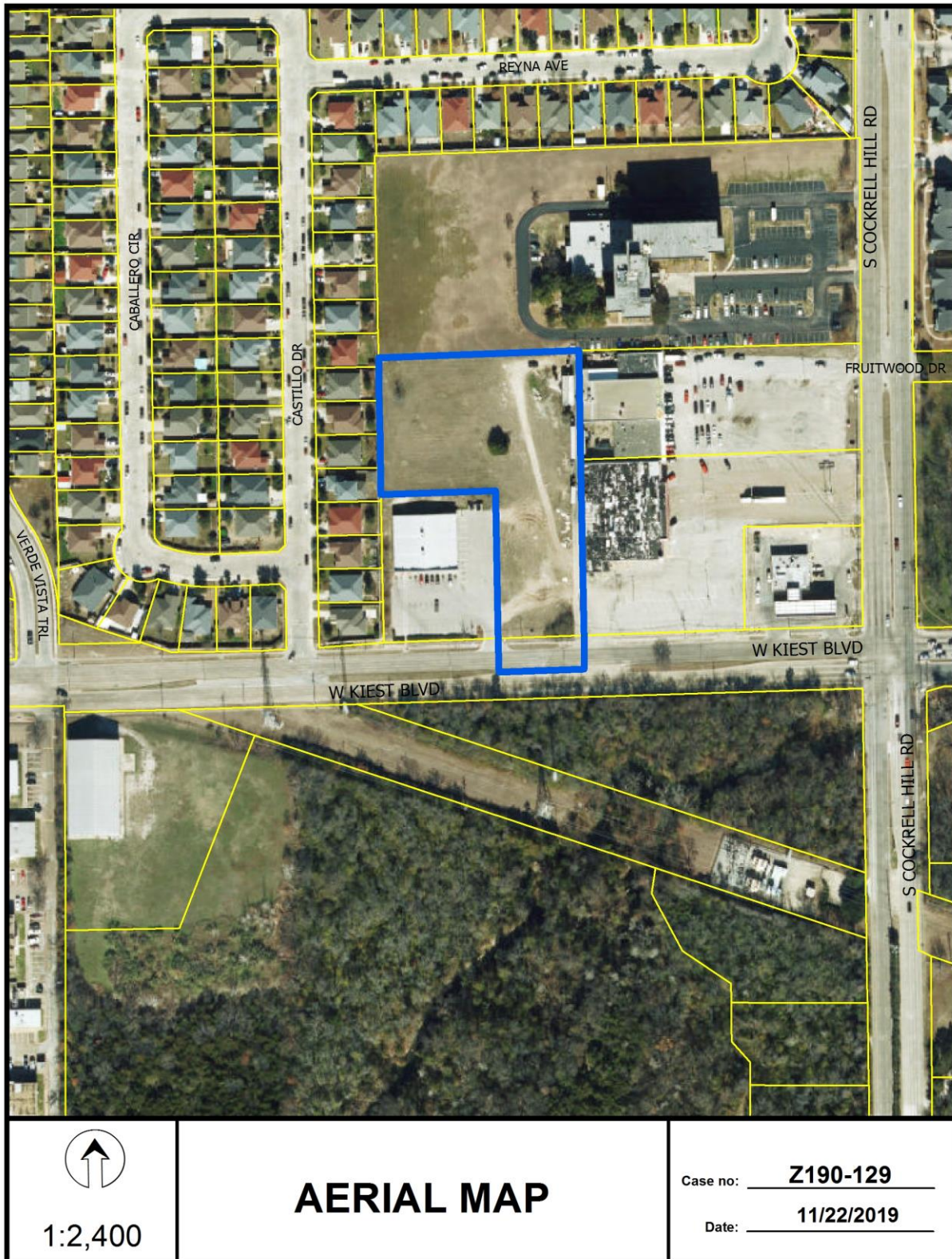
- (A) Commercial and business service uses.
  - Building repair and maintenance shop.
  - Bus or rail transit vehicle maintenance or storage facility.
  - Commercial bus station and terminal.
  - Commercial cleaning or laundry plant.
  - Labor hall.
  - Machine or welding shop.
  - Machinery, heavy equipment, or truck sales and services.
  - Technical school.
  - Vehicle or engine repair or maintenance.
- (B) Industrial uses.
  - Gas drilling and production.
  - Industrial (inside) for light manufacturing.
- (C) Institutional and community service uses.
  - Adult day care facility.
  - Child-care facility.

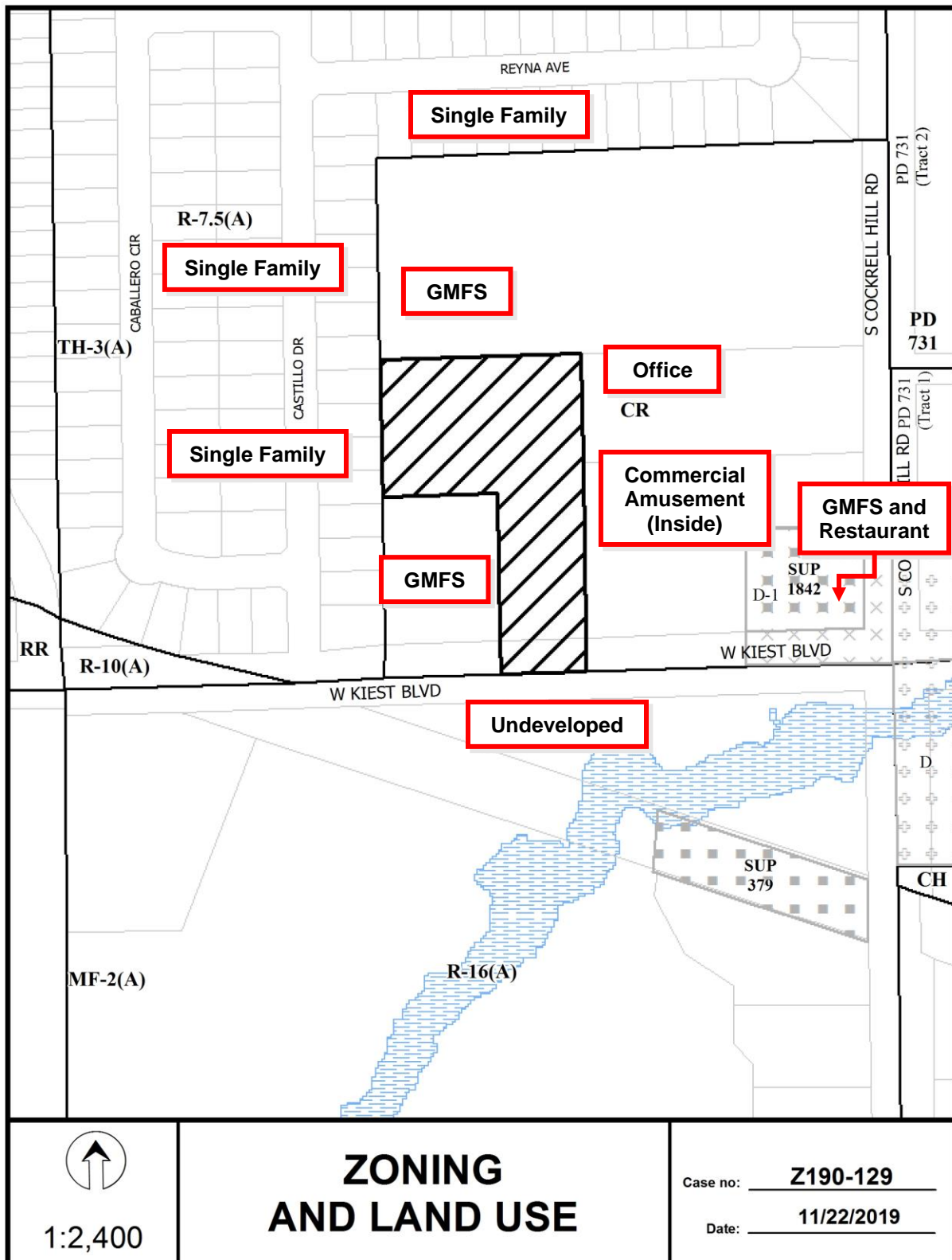
- Halfway house.
- Hospital.
- Open-enrollment charter school or private school.
  
- (D) Lodging uses.
  - Extended stay hotel or motel.
  - Hotel or motel.
  - Lodging or boarding house.
  
- (E) Office uses.
  - Alternative financial establishment.
  - Financial institution with drive-in window.
  
- (F) Residential uses.
  - College dormitory, fraternity, or sorority house.
  
- (G) Retail and personal service uses.
  - Animal shelter or clinic without outside runs.
  - Animal shelter or clinic with outside runs.
  - Auto service center.
  - Business school.
  - Car wash.
  - Commercial amusement (inside)
  - Commercial amusement (outside)
  - Commercial motor vehicle parking.
  - Commercial parking lot or garage.
  - Convenience store with drive-through.
  - Drive-in theater.
  - General merchandise or food store 100,000 square feet or more.
  - Home improvement center, lumber, brick or building materials sales yard.
  - Liquefied natural gas fueling station.
  - Liquor store.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Paraphernalia shop.
  - Outside sales.
  - Pawn shop.
  - Restaurant with drive-in or drive-through service
  - Swap or buy shop.
  - Taxidermist.
  - Theater.
  - Truck stop.
  - Vehicle display, sales, and service.

- (H) Transportation uses.
    - Commercial bus station and terminal.
    - Heliport.
    - Helistop.
    - Railroad passenger station.
  - (I) Wholesale, distribution, and storage uses.
    - Auto auction.
    - Building mover's temporary storage yard.
    - Contractor's maintenance yard.
    - Freight terminal.
    - Manufactured building sales lot.
    - Mini-warehouse.
    - Outside storage.
    - Petroleum product storage and wholesale.
    - Recycling buy-back center.
    - Sand, gravel, or earth sales and storage.
    - Trade center.
    - Vehicle storage lot.
    - Warehouse
2. Alcoholic beverage establishment is limited to a microbrewery, distillery or winery by SUP only.
  3. Building setback adjacent to single-family residential uses is 25 feet.
  4. Maximum lot coverage is 60 percent.
  5. Maximum building height is 22 feet.
  6. Driveways, dumpsters and loading zones are prohibited within 25 feet of adjacent single-family uses.
  7. Solid landscape screening is required where single-family adjacency exists. Screening shall include shrubs that will reach a height of eight feet within a three-year period.
  8. Staging and loading of commercial vehicles in a service area is prohibited between the hours of 9:00 a.m. and 4:00 p.m. Signs prohibiting staging and loading of commercial vehicles between the hours of 9:00 a.m. and 4:00 p.m. must be posted every 100 feet adjacent to the service area.
  9. The first required off-street loading space must be of the medium size and at least 40 percent of the required off-street loading spaces must be of the medium size.
  10. Large loading spaces are prohibited.

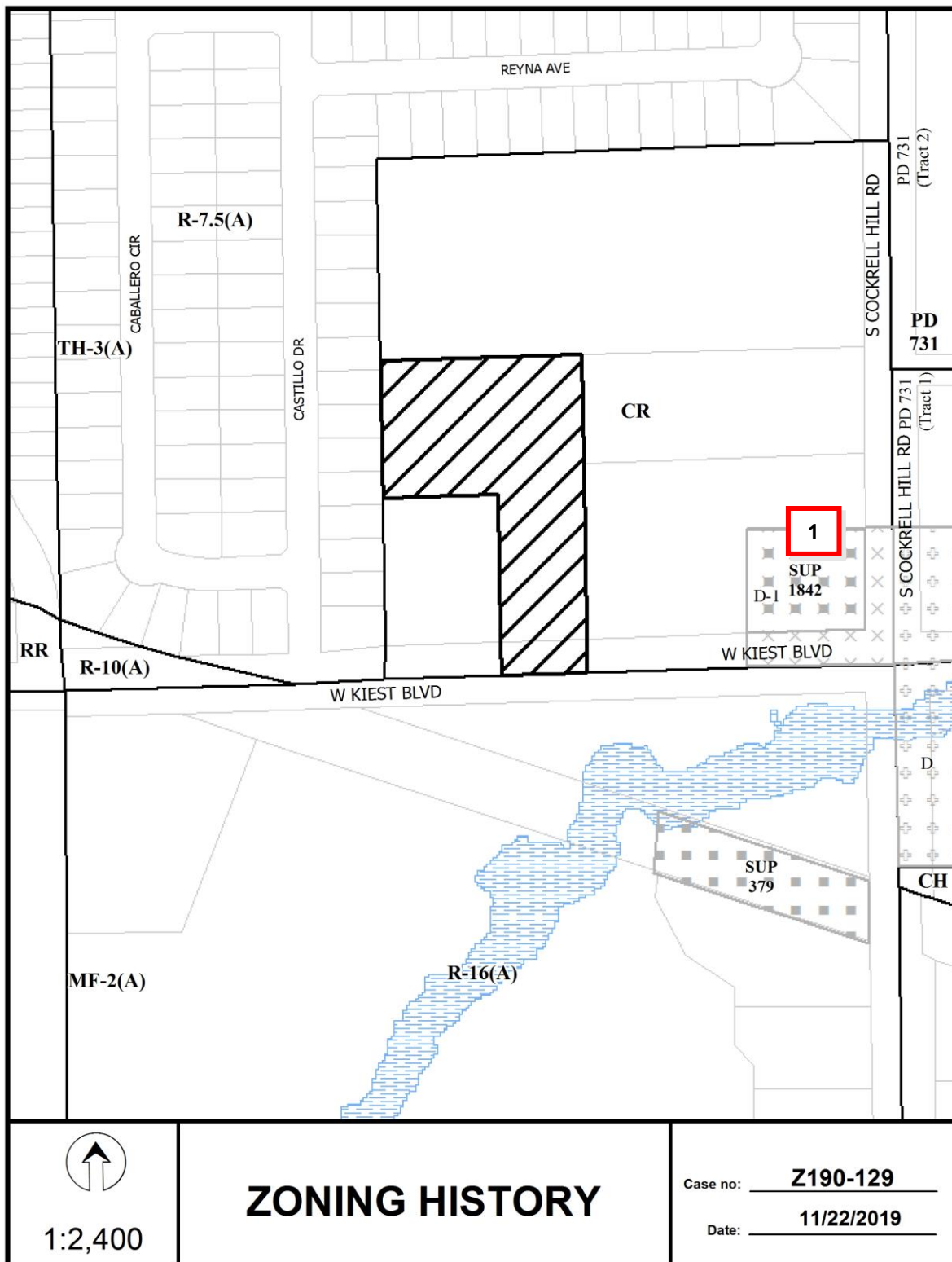


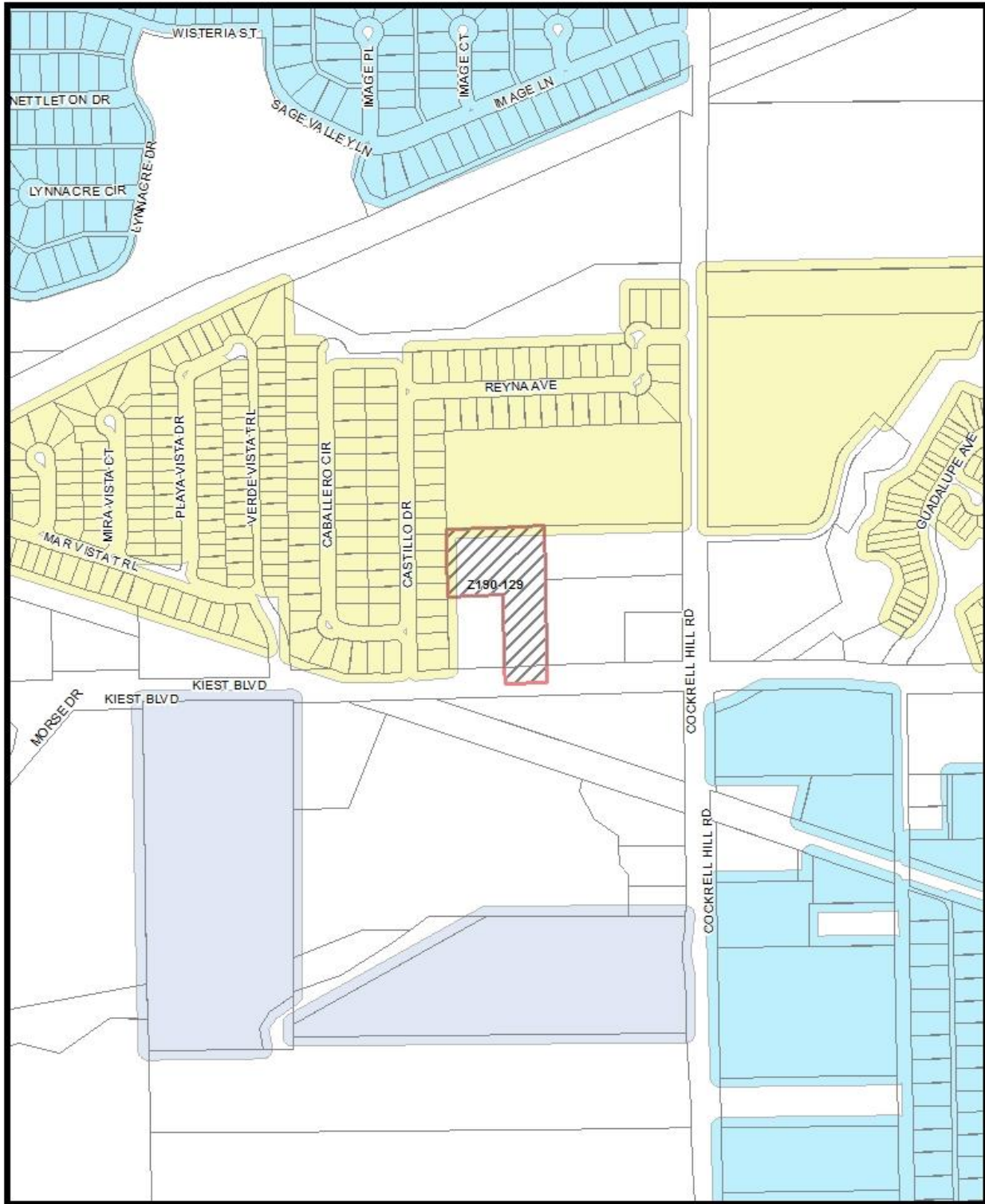












Market Value Analysis

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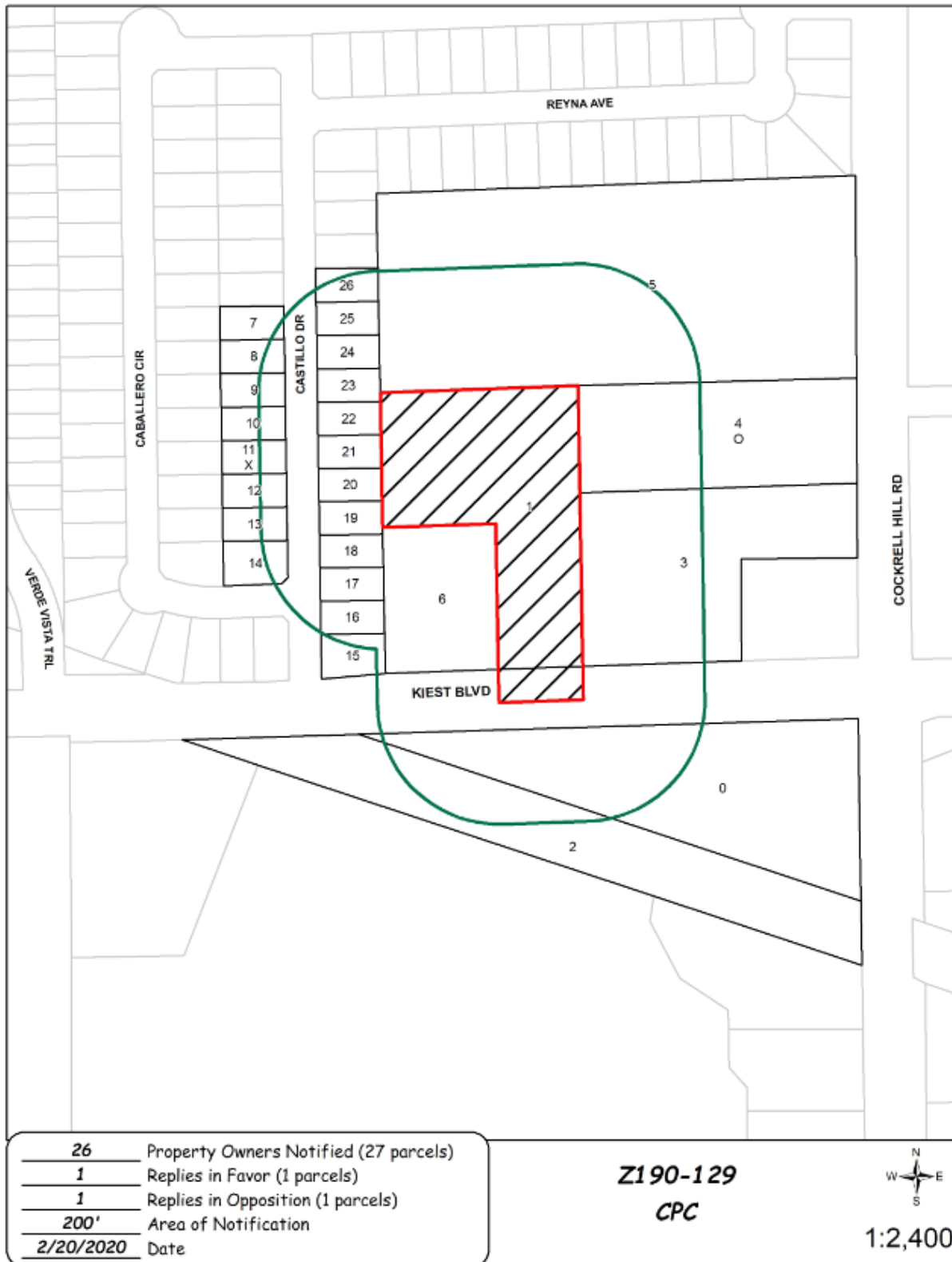


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Market Value Analysis

Printed Date: 11/22/2019

**CPC Responses**



02/19/2020

***Reply List of Property Owners******Z190-129******26 Property Owners Notified******1 Property Owners in Favor******1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	4421 W Kiest Blvd	GABON PROPERTIES LP
	2	3251 S Cockrell Hill Rd	ONCOR ELECTRIC DELIVERY COMPANY
	3	4431 W Kiest Blvd	NORMAN QUINTERO MINISTRIES INC
O	4	3107 S Cockrell Hill Rd	GABON PROPERTIES LP
	5	3033 S Cockrell Hill Rd	ODD FELLOWS & REBEKAH
	6	4421 W Kiest Blvd	JP PROPERTIES LLC &
	7	3031 Castillo Dr	CASARES ADELA BERNICE
	8	3035 Castillo Dr	LEMUS JOSE & MARIA
	9	3105 Castillo Dr	CONTRERAS SIXTO J
	10	3109 Castillo Dr	BELL MARIA L
X	11	3113 Castillo Dr	MORENO HECTOR &
	12	3117 Castillo Dr	NAVARRETE ERIKA
	13	3121 Castillo Dr	ESCOBAR FREDDY I &
	14	3125 Castillo Dr	ROMAN LUIS F
	15	3138 Castillo Dr	ALEJANDRO GUSTAVO
	16	3134 Castillo Dr	ROMANJIMENEZ YURIDIA
	17	3130 Castillo Dr	RAMIREZ CARLOS A
	18	3126 Castillo Dr	CABALLERO ARMINDA C
	19	3122 Castillo Dr	ROMAN LUIS &
	20	3118 Castillo Dr	ROMERO AVILLIO
	21	3114 Castillo Dr	ROSALES CARIDAD &
	22	3110 Castillo Dr	MEJIA JUAN ELENILSON &
	23	3106 Castillo Dr	AGUINAGAGARCIA RICARDO
	24	3034 Castillo Dr	MENDEZ JOSE C & ESTELA
	25	3030 Castillo Dr	VANEGAS CORNELIO &
	26	3026 Castillo Dr	MOLINA JUAN PABLO &