

ACM: Majed Al-Ghafry

FILE NUMBER: Z190-119(PD) **DATE FILED:** October 21, 2019
LOCATION: Southeast corner of Corral Drive and South Cockrell Hill Road
COUNCIL DISTRICT: 3 **MAPSCO:** 62 R; V
SIZE OF REQUEST: ± 1.648 acres **CENSUS TRACT:** 109.03

REPRESENTATIVE: Clint Herrington
APPLICANT/OWNER: Max Alley Investments, LLC & Cockrell Hill Plaza, LLC
REQUEST: An application to amend Planned Development District No. 234.
SUMMARY: The purpose of the request is to allow an attached sign to exceed the minimum effective area.

CPC RECOMMENDATION: **Approval**, subject to revised conditions.

STAFF RECOMMENDATION: **Approval**, subject to revised conditions.

BACKGROUND INFORMATION:

- On May 14, 1986, City Council approved PDD No. 234 which encompasses two tracts (Tracts I and II).
- The proposed development is within Tract I of the PDD. Tract I provides for retail uses as well as a day care center permitted by right.
- On June 28, 2017, the City Council approved an amendment to PDD No. 234 to allow 1) a one-story retail food store [Family Dollar]; 2) off-street parking as shown on the development plan; 3) landscaping to comply with Article X instead of the development/conceptual plan; 4) increase of the floor area ratio to a maximum 0.220 from a maximum 0.215; 5) a reduction of the minimum front yard setback along Corral Drive from 25 feet to 10 feet; and 6) limit the hours of operation from 6:30am to 9:00pm., at the subject site.
- The request site is currently being developed with an 8,320 square foot building [Family Dollar].

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

1. **Z167-241:** On June 2017, the City Council approved an amendment to PDD No. 234 on property zoned Tract I and Tract II within PDD No. 234 located on the southeast corner of Corral Drive and Cockrell Hill Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Cockrell Hill	Principal Arterial	100

Traffic:

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

Surrounding Land Uses:

	Zoning	Land Use
Site	PD 234	Undeveloped
North	R-10 (A)	Undeveloped
South	MF-1(A) w/deed restrictions	Multifamily
East	MF-1(A) w/deed restrictions	Undeveloped
West	City of Duncanville	Church

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 because the proposed changes increase the opportunities for the request site to be developed and be a vibrant retail shopping area.

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

STAFF ANALYSIS:

Land Use Compatibility:

The request site is zoned Tract I within Planned Development District No. 234. The request site is currently under construction with an 8,320-square-foot general merchandise or food store greater than 3,500 square feet use [Family Dollar].

For general non-business zoning, Chapter VII allows one premise sign per façade not to exceed 40 square feet. Detached signs (may not exceed a 2:1 setback-to-height slope or 35 feet, whichever is less) are allowed in conjunction with attached signs as long as the attached signs do not project more than 18 inches from the building. One sign is allowed per non-residential premise that projects up to 4 feet from the building. If a non-residential premise sign is proposed, then no detached signs are allowed.

The applicant is requesting to exceed the 40 square feet maximum effective area by 45 square feet for a premise sign not to exceed 85 square feet. Staff supports the request

Z190-119(PD)

because the applicant is restricting the number of signs to one attached sign and one pylon sign on the site.

The surrounding land uses are single family residential to the northwest and multifamily residential to the south. The site is immediately adjoined by undeveloped land to the north and east. To the west is a church with a surface parking lot that lies within the limits of the City of Duncanville.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

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 categorized as being within an MVA cluster, surrounding properties to the northeast is located within an "F" Category. Properties located immediately south is designated within an "E" Category.

Parking:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200 which has a requirement of one space per 200 square feet of floor area. Therefore, the 8,320 square foot use will require a total of 42 off-street spaces as shown on the development/conceptual plan.

List of Partners/Principals/Officers

Max Alley Investment, LLC:

Curt Green – Managing Partner
James Herrington - Managing Partner

Cockrell Hill Plaza, LLC:

Zahra Makhani – Managing member

CPC Action
February 20, 2020

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 234, subject to revised conditions (as briefed) on the southeast corner of Corral Drive and Cockrell Hill Road.

Maker: Rubin
Second: Schultz
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

Notices:	Area: 500	Mailed: 31
Replies:	For: 1	Against: 0

Speakers: None

CPC Recommended Proposed Amendments

ARTICLE 234.

PD 234.

SEC. 51P-234.101. LEGISLATIVE HISTORY.

PD 234 was established by Ordinance No. 19156, passed by the Dallas City Council on May 14, 1986. Ordinance No. 19156 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 19156 was amended by Ordinance No. 22553, passed by the Dallas City Council on September 13, 1995. (Ord. Nos. 10962; 19156; 22553; 25711)

SEC. 51P-234.102. PROPERTY LOCATION AND SIZE.

PD 234 is established on property generally located at the southeast corner of Corral Drive and Cockrell Hill Road. The size of PD 234 is approximately 1.648 acres. (Ord. Nos. 19156; 25711)

SEC. 51P-234.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions contained in Chapter 51 apply to this article.
- (b) Unless otherwise stated, all code references are to Chapter 51.
- (c) The Property is divided into two tracts, Tract I and Tract II, as shown on the development/conceptual plan (Exhibit 234A).
- (d) This district is considered to be a nonresidential zoning district. (Ord. Nos. 22553; 25711)

SEC. 51P-234.103.1. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 234A: development/conceptual plan. (Ord. 30536)

SEC. 51P-234.104. DEVELOPMENT/CONCEPTUAL PLAN.

Development and use of Tract I of the Property must comply with the development/conceptual plan. This plan serves as the development plan for Tract I and the conceptual plan for Tract II. In the event of a conflict between the provisions of this article and the development/conceptual plan, the provisions of this article control. (Ord. Nos. 22553; 25711)

SEC. 51P-234.105. DEVELOPMENT PLAN FOR TRACT II.

A development plan must be approved by the city plan commission before issuance of any building permit for Tract II. Development and use of Tract II of the Property must comply with the approved development plan. The development plan and any amendments must comply with the conceptual plan and this article. (Ord. Nos. 22553; 25711)

SEC. 51P-234.106. MAIN USES PERMITTED.

- (a) Except as stated below, the only uses permitted on the Property are those retail uses permitted in an NS Neighborhood Service District.
- (b) A day care center is permitted by right on Tract I of this district.
- (c) A retail food store is permitted by right on Tract I of this district.
- (d) A service station is permitted subject to a specific use permit. (Ord. Nos. 22553; 25711; 30536)

SEC. 51P-234.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51-4.217. For more information regarding accessory uses, consult Section 51-4.217.

- (b) The following accessory uses are not permitted in this district:
 - (1) Private stable.
 - (2) Community center (private).
 - (3) Amateur communication tower.
 - (4) Open storage. (Ord. Nos. 22553; 25711)

SEC. 51P-234.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51-4.400. If there is a conflict between this section and Divisions 51-4.400, this section controls.)

- (a) Front yard.
 - (1) Except as provided in the subsection, minimum front yard is 25 feet.
 - (2) For Corral Drive, minimum front yard is 10 feet.
- (b) Side and rear yard. Minimum side and rear yard is 10 feet.
- (c) Dwelling unit density. No maximum dwelling unit density.
- (d) Floor area ratio. Maximum floor area ratio is 0.220.
- (e) Height. Maximum structure height is 24 feet.

Z190-119(PD)

(f) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above-grade is two. Parking garages are exempt from this requirement but must comply with the height regulations of Subsection (e). (Ord. Nos. 22553; 25711; 30536)

SEC. 51P-234.109. OFF-STREET PARKING AND LOADING.

Consult the use regulations (Division 51-4.300) for the specific off-street parking and loading requirements for each use. Off-street parking for Tract I must be located as shown on the development/conceptual plan. (Ord. Nos. 22553; 25711)

SEC. 51P-234.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22553; 25711)

SEC. 51P-234.111. ACCESS.

Ingress and egress for Tract I must be provided as shown on the development/conceptual plan. (Ord. Nos. 22553; 25711)

SEC. 51P-234.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22553; 25711; 35036)

SEC. 51P-234.113. SCREENING.

A minimum six-foot-high solid fence must be installed on Tract I as shown on the development/conceptual plan. (Ord. Nos. 22553; 25711; 35036)

SEC. 51P-234.114. SIGNS.

Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII. In Tract 1, one attached sign a maximum of 85 square feet in effective sign area is allowed on the western façade that does not project more than 18" from the surface it is mounted. No other attached signs may be located on the building. (Ord. Nos. 22553; 25711)

SEC. 51P-234.115. ADDITIONAL PROVISIONS.

(a) The following provisions apply to the day care center permitted in Tract I:

(1) The outdoor play area must be enclosed by a minimum four-foot-high fence.

Z190-119(PD)

- (2) The hours of operation are limited to the hours between 6:30 a.m. and 6:30 p.m.
- (3) A minimum of 50 square feet of indoor floor area must be provided for each child in attendance.
- (4) A minimum of 100 square feet must be provided for each child in the play area. The outdoor play area must be located as shown on the development/conceptual plan.
- (b) The retail food store permitted in Tract I may only operate between 6:30 a.m. and 9:00 p.m.
- (c) The Property must be properly maintained in a state of good repair and neat appearance.
- (d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 22553; 25711; 30536)

SEC. 51P-234.116.

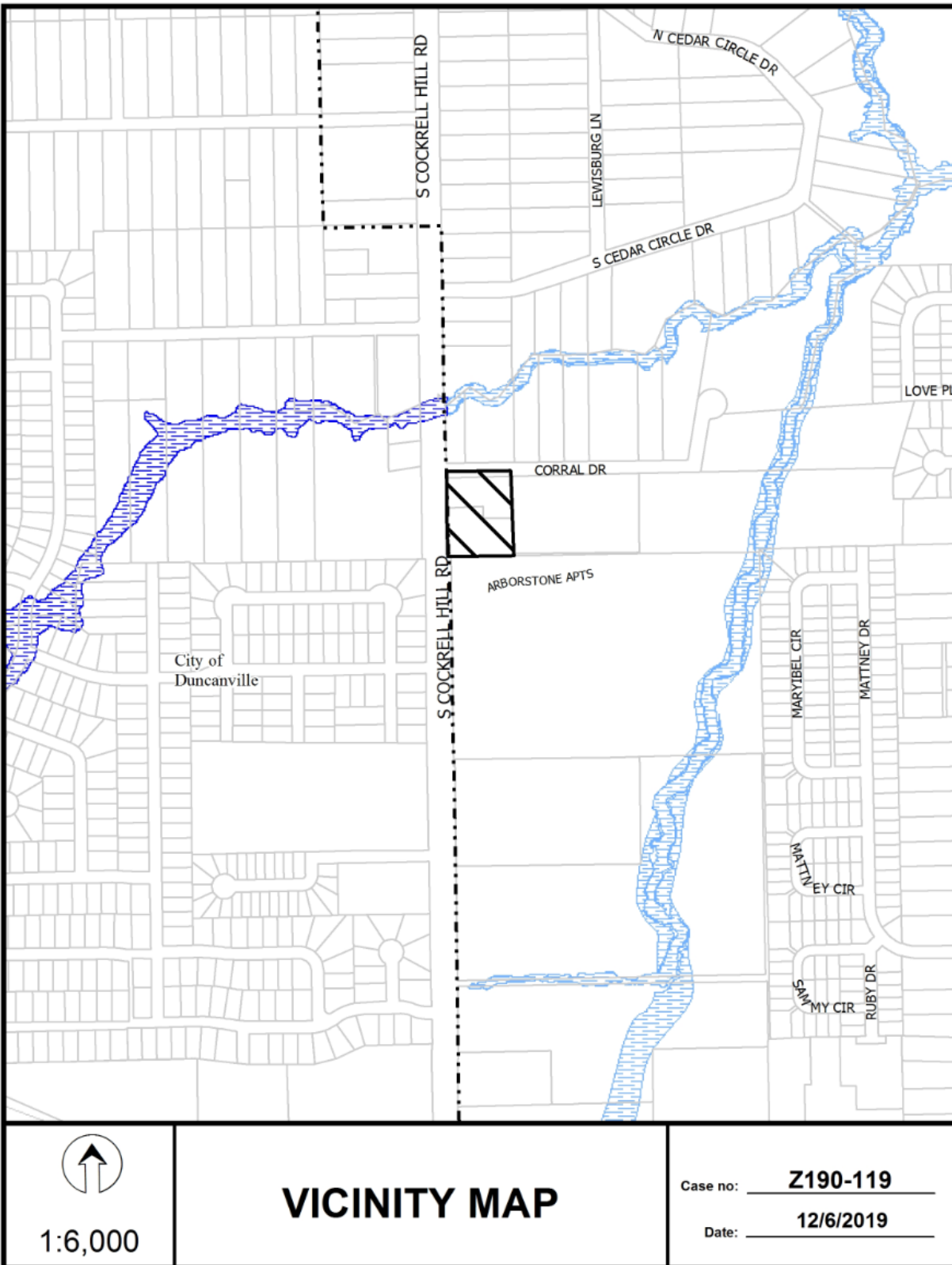
GENERAL REQUIREMENTS.

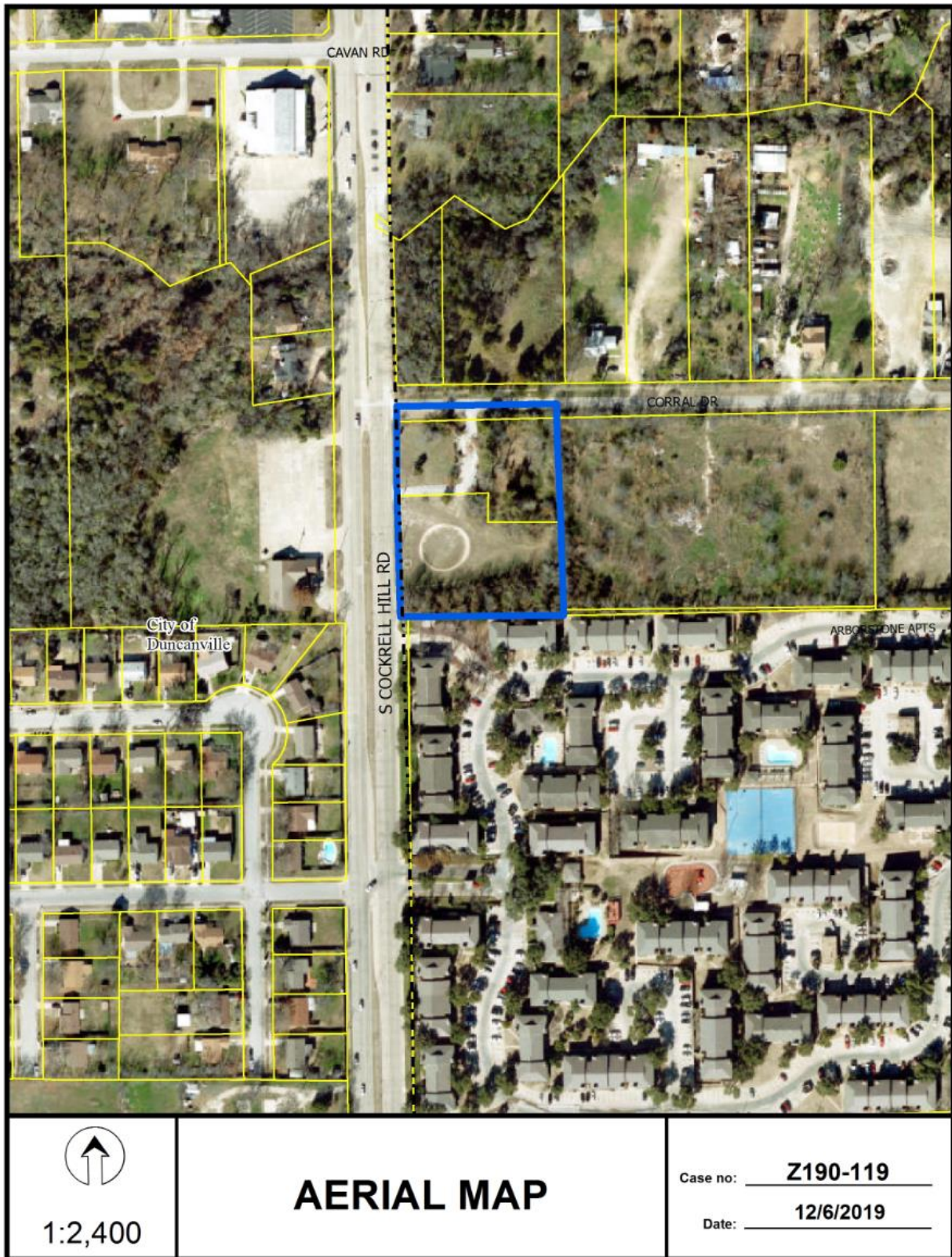
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 22553; 25711)



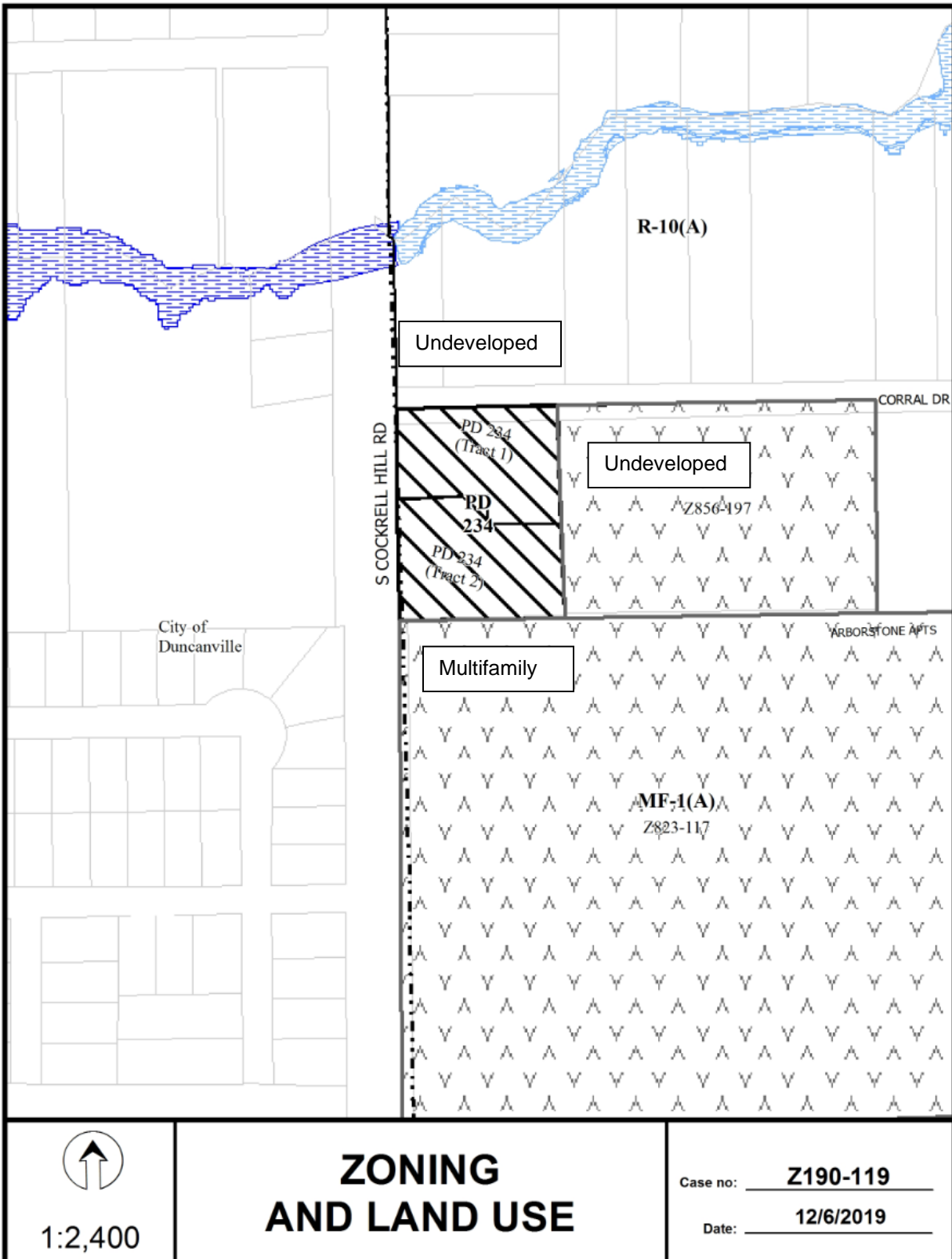
Proposed Rendering
(For Illustrative purposes only)

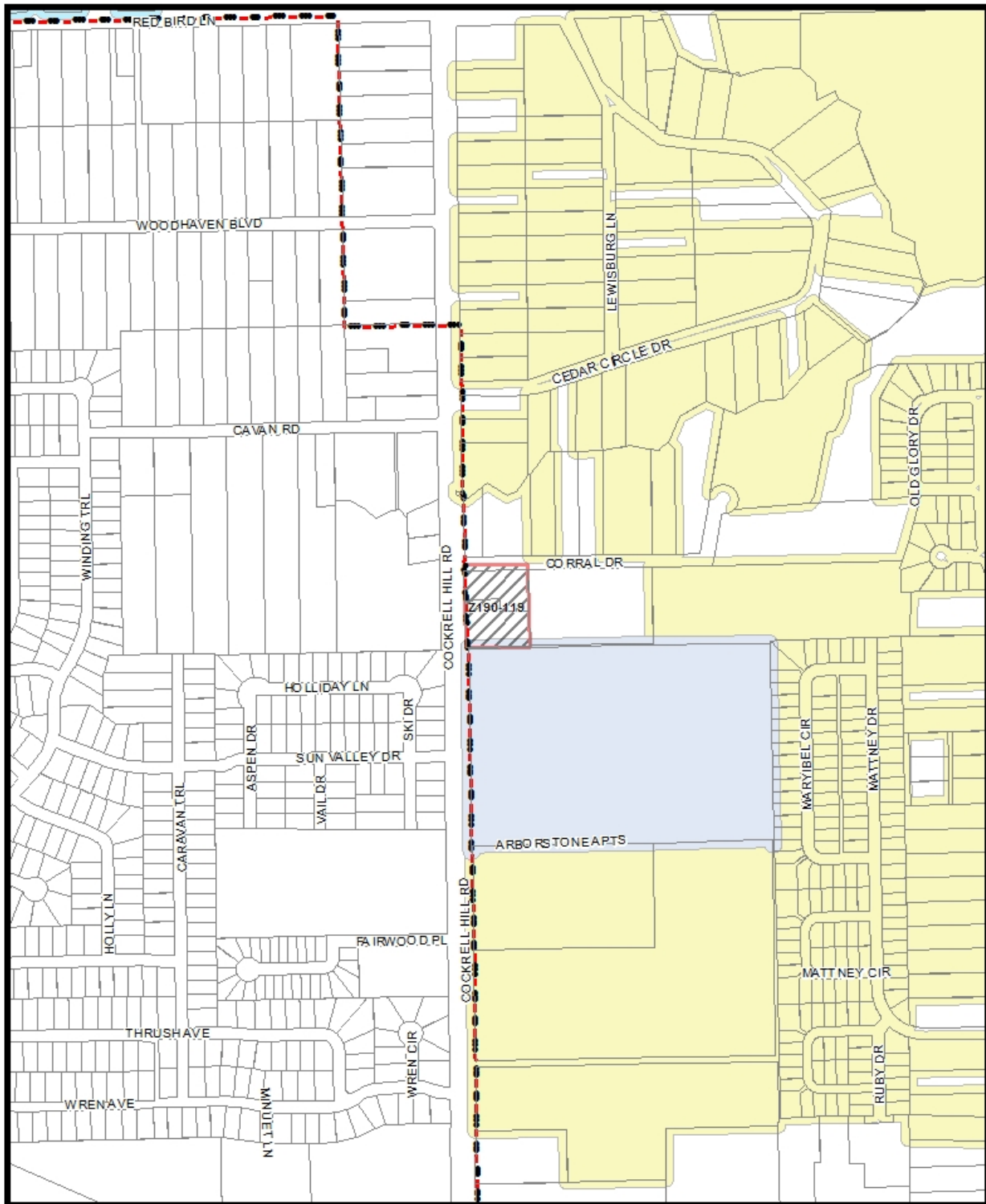












Market Value Analysis

A	B	C	D	E	F	G	H	I	NA
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1:6,000

Market Value Analysis

Printed Date: 12/6/2019

CPC Responses



02/19/2020

Reply List of Property Owners***Z190-119******31 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	6430 S COCKRELL HILL RD	HEATLEY PROPERTIES INC
O	2	6404 S COCKRELL HILL RD	MAX ALLEY INVESTMENTS LLC
	3	4324 CORRAL DR	CARTER TIMOTHY
	4	4339 CORRAL DR	HERNANDEZ HUGO & JUANA
	5	4323 CORRAL DR	HERNANDEZ HUGO & JUANA
	6	4247 CORRAL DR	RAMIREZ LUZ M
	7	6210 S COCKRELL HILL RD	ENOBAXHARE PETER &
	8	4324 S CEDAR CIRCLE DR	SHOOK MAURICE O
	9	4316 S CEDAR CIRCLE DR	SHOOK MAURICE O & G ELKE
	10	6500 S COCKRELL HILL RD	ICAP CS ARBORSTONE HLDGS LLC
	11	731 HOLLIDAY LN	VEASLEY GABRIEL
	12	735 HOLLIDAY LN	SANDATE CIPRIANO LOPEZ
	13	739 HOLLIDAY LN	PEQUENO SANTIAGO
	14	743 HOLLIDAY LN	GORDON JAMES
	15	747 HOLLIDAY LN	REYNA RAMIRO
	16	1218 SKI DR	JACKSON MARY ELIZABETH
	17	1214 SKI DR	MACDONALD ARTHUR H III
	18	1206 SKI DR	CEBRIAN CESAR &
	19	1202 SKI DR	CARDOZA JUVENTINO
	20	726 HOLLIDAY LN	SANCHEZ RAMON &
	21	730 HOLLIDAY LN	FLORIDO RAMIREZ JUAN A &
	22	734 HOLLIDAY LN	ESPOSITO ADAM
	23	738 HOLLIDAY LN	EANES SHUANDRA
	24	739 SUN VALLEY DR	YORK DANFORD NATALIE F
	25	735 SUN VALLEY DR	MARTINEZ RICARDO
	26	731 SUN VALLEY DR	BRISENO NORA H & ALEJANDRO

Z190-119(PD)

02/19/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1146	SKI DR	TAH HOLDING LP
28	1203	N COCKRELL HILL RD	HEAVENS EMBASSY CHURCH
29	734	CAVAN RD	TRINITY CHURCH OF THE ASSEMBLIES OF GOD
30	1219	N COCKRELL HILL RD	JOHNSON LOUIS E JR &
31	1215	N COCKRELL HILL RD	MELENDEZ MARIA ENCARNACION RAMOS