

FILE NUMBER: Z201-244(LG) **DATE FILED:** April 27, 2021**LOCATION:** Northeast corner of San Marino Avenue and Turin Avenue**COUNCIL DISTRICT:** 5 **MAPSCO:** 58 Z**SIZE OF REQUEST:** \pm 0.59 acres **CENSUS TRACT:** 116.02

REPRESENTATIVE: Wes Hoblit, MASTERPLAN**APPLICANT/OWNER:** Larry Cleere, Sole Owner**REQUEST:** An application for a Specific Use Permit for vehicle or engine repair or maintenance use on property zoned Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, Subdistrict 1 with D-1 Liquor Control Overlay.**SUMMARY:** The purpose of the request is to allow for a vehicle or engine repair or maintenance use to be permitted on the site.**CPC RECOMMENDATION:** Approval for a three-year period, subject to a site plan and conditions.**STAFF RECOMMENDATION:** Approval for a three-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- According to Sec.51A-4.213(14)(A), a vehicle or engine repair or maintenance use is defined as a facility A facility for the repair, maintenance, or restoration of motor vehicles, motor vehicle engines, electrical motors, or other similar items. This use is permitted by right in RR Regional Retail, CS Commercial Service, industrial, and central area districts.
- A specific use permit is required to operate a vehicle or engine repair or maintenance in PD No. 534, The C.F. Hawn Special Purpose District No. 2, Subdistrict 1.
- The request site consists of three parcels and is currently developed with one existing building totaling 3,200 SF and 6 parking spaces (five regular, one accessible). The applicant intends to redevelop the site for a vehicle or engine repair or maintenance use. The remaining parcels will consist of grass and will not be developed at this time. The existing building is currently vacant.

Zoning History:

There have been no recent zoning cases requested in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
San Marino Avenue	Local Street	-
Turin Avenue	Local Street	-

Traffic:

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

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 economic goal and policy of the Comprehensive Plan:

ECONOMIC ELEMENT

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.

Surrounding Land Uses:

Area	Zoning	Land Use
Site	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Vehicle Storage Lot, Vehicle or engine repair or maintenance (Proposed)
West	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Undeveloped Land
Northwest	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Outside Storage
North	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Office Showroom Warehouse
Northeast	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Undeveloped Land
Southeast	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Single Family
South	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	General merchandise or food store
Southwest	PD No. 534 (2) Subdistrict 1 with D-1 Liquor Control Overlay	Vehicle, engine repair or maintenance

STAFF ANALYSIS

Land Use Compatibility:

Although there are a mix of land uses within the area, the applicant proposes a use that is required by a Specific Use Permit and this use already exists within the vicinity of the area. The applicant's site plan shows existing fencing, and the use will be contained within an enclosed building that will minimize the possibility to be a nuisance to the single family uses east and southeast of the site. There are also pockets of undeveloped land within the area, and more intense industrial uses such as outside storage and an office showroom/warehouse.

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.

According to the applicant, the site will not be used for vehicle storage and will be used to maintain and repair the owner's tow trucks as well as other vehicles. Based on the provided information, Building Inspection determined that the proposed use is classified as vehicle or engine repair or maintenance. A notation has been added to the site plan confirming the empty lots will not be used for outside storage.

Staff is in support of this use because it is compatible with existing industrial uses within the area. The time period of three years is appropriate since this is the first specific use permit application for the applicant and will allow for a reevaluation within a short period of time. Staff is not in support for automatic renewal, since this is the first time the applicant has applied for an SUP.

Parking:

Pursuant to §51A-4.204 of the Dallas Development Code, the parking requirement for a vehicle or engine repair or maintenance use is one space per 500 square feet of floor area; a minimum of five spaces is required. Parking spaces that are used to repair vehicles and located in a structure are not counted in determining the required parking. Based on the applicant's building square footage of 3,200 the applicant would be required to provide a total of seven spaces. The applicant has provided five spaces on the outside of the building and two parking spaces in the interior of the building for staff. Staff recommended demonstrating all seven required spaces on the site plan to meet code to avoid issues at permitting, and the applicant indicates on the revised site plan the purpose of the interior parking spaces will not be used for repairs. Therefore, staff is in support of the parking proposed by the applicant because it meets the Code requirements.

Landscaping:

Landscaping must be provided in accordance with PD No. 534 under Sec 51P-534.112.

Market Value Analysis

Market Value Analysis (MVA) is a tool to aid residents and policymakers 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

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strongest markets to orange, representing the weakest markets. The subject site is uncategorized. Adjacent properties to the east and south are within MVA Category "H."

CPC ACTION
September 2, 2021

Motion: It was moved to recommend **approval** of a Specific Use Permit for vehicle or engine repair or maintenance use for a three-year period, subject to a site plan and staff's recommended conditions with an added SUP provision for Hours of Operation from 8:00 a.m. to 5:00 p.m., Monday through Sunday on property zoned Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, Subdistrict 1 with D-1 Liquor Control Overlay, at the northeast corner of San Marino Avenue and Turin Avenue.

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

For: 13 - MacGregor, Hampton, Stinson, Shidid,
Carpenter, Jackson, Blair, Jung, Suhler,
Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 2 - District 4, District 10

Notices: Area: 200 Mailed: 15
Replies: For: 0 Against: 0

Speakers: For: Wes Hoblit, 2201 Main St., Dallas, TX, 75201
Against: None

CPC Recommended SUP Conditions

1. **USE**: The only use authorized by his specific use permit is a vehicle or engine repair or maintenance use.
2. **SITE PLAN**: Use and development of the Property must comply the attached site plan.

CPC Recommendation:

3. **TIME LIMIT**: This specific use permit expires on _____ (three years from the passage of this ordinance.)

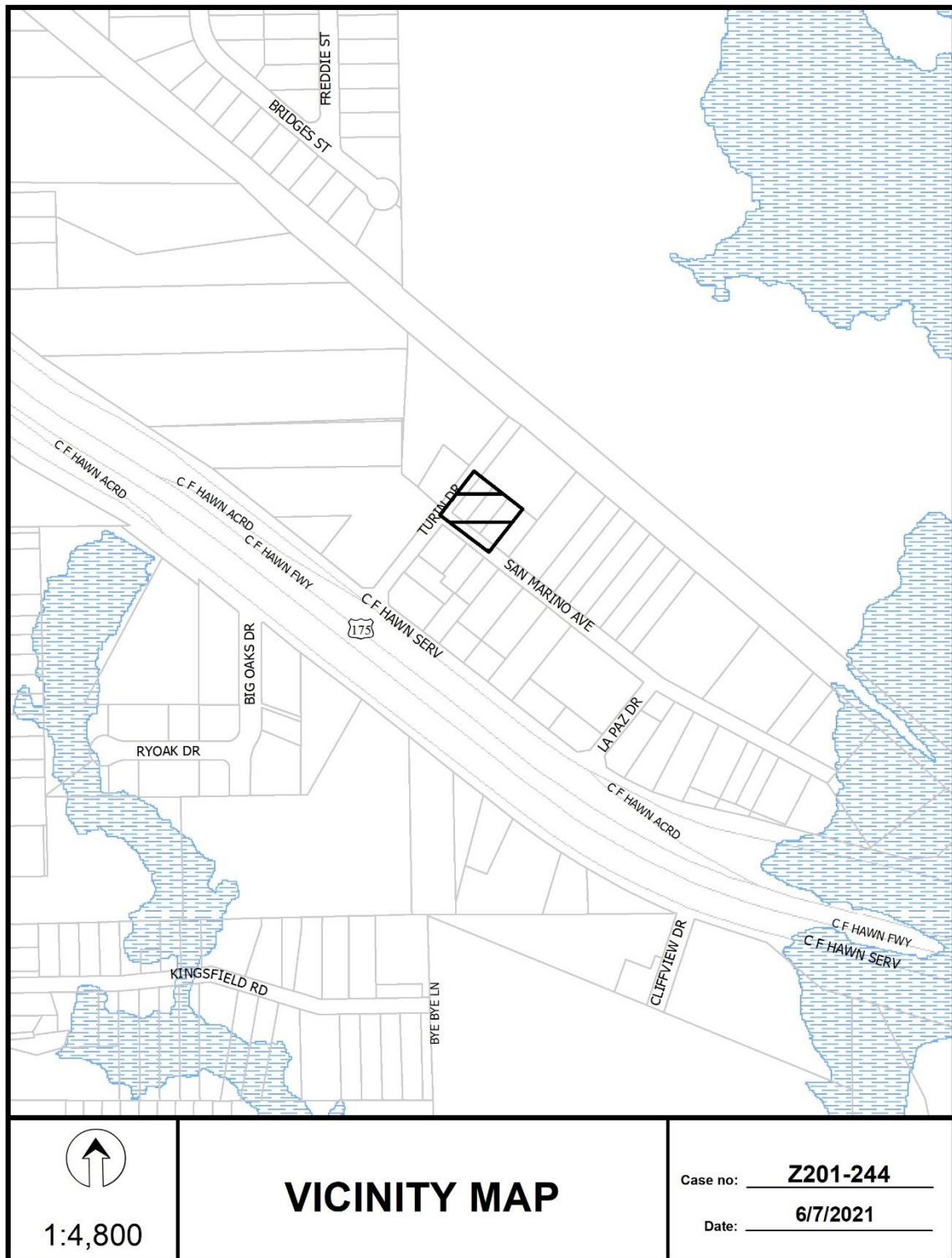
Applicant's Request:

3. **TIME LIMIT**: This specific use permit expires on _____ (five years) but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

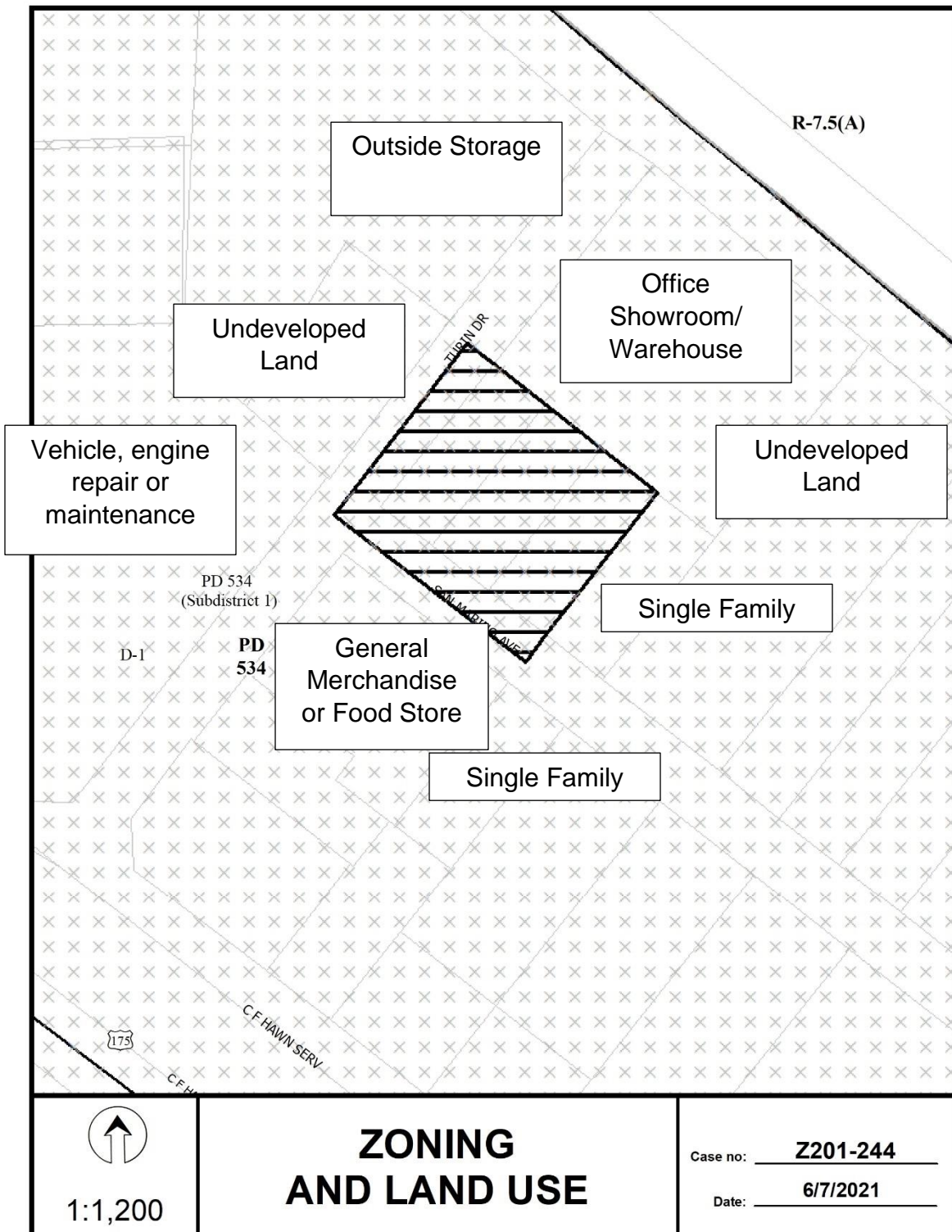
4. **PARKING**: No vehicles can be parked or stored outside on the property besides the parking spaces noted on the site plan.
5. **MOTOR VEHICLE REPAIR**: Motor vehicle repair shall be contained within the existing structure.
6. **HOURS OF OPERATION**: The vehicle or engine repair or maintenance use may only operate between 8:00 a.m. to 5:00 p.m., Monday through Sunday
7. **MAINTENANCE**: The Property must be properly maintained in a state of good repair and neat appearance.
8. **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.













Market Value Analysis



1:4,800

Market Value Analysis

Printed Date: 6/7/2021

CPC RESPONSES



09/01/2021

Reply List of Property Owners***Z201-244******15 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	8509	SAN MARINO AVE	EHRENBERGER BOBBY
2	8505	SAN MARINO AVE	EHRENBERGER THOMAS
3	8501	SAN MARINO AVE	EHRENBERGER BOB
4	8360	C F HAWN FWY	HOPKINS STANLEY
5	236	TURIN DR	GAMINO HUMBERTO
6	8508	C F HAWN FWY	DELMARVA LLC
7	8506	SAN MARINO AVE	M G ENTERPRISES CONCRETE
8	120	TURIN DR	BANDA JOSE G &
9	8514	SAN MARINO AVE	ALLBRITTON MARY M
10	8513	SAN MARINO AVE	DIAZ MARIO &
11	8510	SAN MARINO AVE	BANDA JOSE & MARIA
12	8435	SAN MARINO AVE	NOVATECH LLC
13	225	TURIN DR	NINO LUIS &
14	8517	SAN MARINO AVE	WOOD LUCY A ET AL ESTATE OF
15	8527	SAN MARINO AVE	MENDOZA JUAN R