

FILE NUMBER: Z201-171(RM) **DATE FILED:** January 14, 2021

LOCATION: East line of San Marino Avenue, south of Turin Drive

COUNCIL DISTRICT: 5 **MAPSCO:** 58 Z

SIZE OF REQUEST: Approx. 2.04 acres **CENSUS TRACT:** 116.02

REPRESENTATIVE: Jokabet Anaya

OWNER/APPLICANT: Richard Jessup, Jessup Charitable Remainder Trust

REQUEST: An application for (1) a new Planned Development Subdistrict for LI Light Industrial District uses; and (2) a Specific Use Permit for a commercial motor vehicle parking use on property zoned Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow for a commercial motor vehicle parking use on the site.

CPC RECOMMENDATION: **Approval** of a new Planned Development Subdistrict for LI Light Industrial District uses, subject to conditions; and **approval** of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of a new Planned Development Subdistrict for LI Light Industrial District uses, subject to conditions; and **approval** of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay. The site is currently undeveloped.
- The applicant proposes to develop the property with commercial motor vehicle parking, defined as a facility for the temporary, daily, or overnight parking of commercial motor vehicles. This means a vehicle that is designed or used for the transportation of cargo; has a gross weight, registered weight, or gross weight rating in excess of 26,000 pounds; and is not owned or operated by a governmental entity. The use also allows motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles. Storage of vehicles can be provided for no charge or for a fee, regardless of whether that fee is charged independently of any other use on the lot, if the parking is not accessory to a main use on the lot.
- Subdistrict 1 within PD 534 does not currently allow commercial motor vehicle parking. With this request, the applicant proposes to create a new subdistrict within PD 534 to allow commercial motor vehicle parking by SUP.
- The applicant also requests an SUP to allow the commercial motor vehicle parking use.

Zoning History:

There have been two zoning changes in the area in the last five years.

1. **Z201-239:** On April 19, 2021, an application was submitted for 1) a CS Commercial Service District on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, partially within a D-1 Liquor Control Overlay, and an R-7.5(A) Single Family District; and 2) the termination of deed restrictions [Z889-170] on property zoned a CS Commercial Service District on the southwest line of C.F. Hawn Frontage Road, east of Dowdy Ferry Road. The application is currently under advisement by City Plan Commission.
2. **Z201-244:** On September 2, 2021, City Council recommended approval of an application for a Specific Use Permit for vehicle or engine repair or maintenance for a three-year period, subject to a site plan and conditions, on property zoned Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay at the northeast corner of San Marino Avenue and Turin Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
San Marino Avenue	Local Street	-
La Paz Street	Local Street	-

Traffic:

The Engineering Division of the Sustainable Development and Construction 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. 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:

LAND USE ELEMENT**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

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 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

TRANSPORTATION ELEMENT**GOAL 1.1** PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.4 Promote the safe and efficient movement of goods.

Land Use:

	Zoning	Land Use
Site	Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay	Undeveloped
Northeast	R-7.5(A) Single Family District	Public park, playground, or golf course
Southeast	Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay	Office showroom/warehouse
Southwest	Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay	Vehicle or engine repair or maintenance, industrial (inside)
Northwest	Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay	Auto service center

Land Use Compatibility:

The area of request is currently undeveloped. Directly northeast of the area of request is a public park zoned an R-7.5(A) Single Family District. To the southeast, southwest, and northwest are commercial and industrial uses including office showroom/warehouse, vehicle or engine repair or maintenance, industrial (inside), and auto service center. The proposed land use is compatible with the surrounding commercial and industrial uses. To provide greater compatibility with the public park use and single family residential zoning to the northeast, the applicant proposes an eight-foot-high solid screening fence along the boundary of the property, plus a landscape screening buffer along the rear property line. The railroad right-of-way between the rear property line and the public park will also provide separation between the two uses.

The applicant proposes to develop the site with commercial motor vehicle parking. Subdistrict 1 within PD 534 does not currently allow commercial motor vehicle parking. With this request, the applicant proposes to create a new subdistrict within PD 534 to allow commercial motor vehicle parking by SUP. No other changes are proposed to the existing conditions of PD 534. With this application, the applicant also requests an SUP to allow the commercial motor vehicle parking use.

Permitted uses and development standards in Subdistrict 1 of PD 534 largely conform to those of an LI Light Industrial District. In a standard LI District, commercial motor vehicle parking is typically permitted by right, but if the property is located within 500 feet of a residential district, the use is permitted by SUP only. Because the request area is within 500

feet of a residential district, staff believes it is appropriate that the use be permitted by SUP only within the new subdistrict proposed by the applicant.

In addition to the SUP conditions for landscaping and fencing, the applicant proposes that ingress and egress of commercial motor vehicles is prohibited between the hours of 10:00 p.m. and 7:00 a.m., Monday through Sunday, to restrict the flow of heavy commercial traffic to and from the site. They also propose a time limit of two years with no eligibility for automatic renewals of the SUP.

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 supports the applicant's request to create a new subdistrict within PD 534 because it would allow the proposed commercial motor vehicle parking use by SUP only. This request is in line with the requirements that would apply in a standard LI District for this use. Staff also supports the request for an SUP for commercial motor vehicle parking use because the proposed use is compatible with the surrounding industrial uses to the southeast, southwest, and northwest. The applicant has included additional SUP conditions to provide greater compatibility with the public park use and single family residential zoning to the northeast. Lastly, the proposed two-year time limit with no eligibility for automatic renewals would allow the use to be reevaluated in a short period of time.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. A landscape screening buffer will be required along the rear property line to provide greater compatibility with the abutting single family residential zoning.

Parking:

Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, refers to the Dallas Development Code for parking regulations. Pursuant to the Dallas Development Code, there is no off-street parking requirement for commercial motor vehicle parking. Per the proposed site plan, the site will provide a total of 27 parking spaces for commercial motor vehicles.

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 not located within an MVA cluster. To the southeast and northwest of the area of request are two “H” MVA clusters. Further southwest of the area of request, across Interstate 175, is another large “H” MVA cluster. Further east of the area of request is a large “F” MVA cluster.

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List of Partners/Principals/Officers

Jessup Charitable Remainder Trust

Richard Jessup, Trustee

**CPC ACTION
NOVEMBER 4, 2021**

Motion: It was moved to recommend 1) **approval** of a new Planned Development Subdistrict for LI Light Industrial District uses; subject to revised conditions; and 2) **approval** of a Specific Use Permit for a commercial motor vehicle parking use for a two-year period, subject to a site plan and conditions on property zoned Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay, on the east line of San Marino Avenue, south of Turin Drive.

Maker: Shidid
Second: Suhler
Result: Carried: 12 to 0

For: 12 - Hampton, Anderson, Shidid, Carpenter, Jackson,
Blair, Jung, Suhler, Haqq, Stanard, Kingston,
Rubin

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 3, District 10

Notices: Area: 500 Mailed: 19
Replies: For: 0 Against: 0

Speakers: For: Jokabet Anaya, 6805 San Marino Ave., Dallas, TX, 75089
Against: None

**CPC ACTION
OCTOBER 21, 2021**

Motion: In considering an application for 1) a new Planned Development Subdistrict for LI Light Industrial District uses; and 2) a Specific Use Permit for a commercial motor vehicle parking use on property zoned Subdistrict 1 within Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a D-1 Liquor Control Overlay, on the east line of San Marino Avenue, south of Turin Drive, it was moved to **hold** this case under advisement until November 4, 2021.

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

For: 13 - MacGregor, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Suhler, Haqq,
Stanard, Kingston, Rubin

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 10

Notices: Area: 500 Mailed: 19
Replies: For: 0 Against: 0

Speakers: For: Jokabet Anaya, 8605 San Marino Ave., Dallas, TX, 75217
Against: None

CPC RECOMMENDED PD CONDITIONS

ARTICLE 534.

PD 534.

C.F. Hawn Special Purpose District No. 2

SEC. 51P-534.101. LEGISLATIVE HISTORY.

PD 534 was established by Ordinance No. 23987, passed by the Dallas City Council on August 25, 1999. Ordinance No. 23987 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23987; 25164;)

SEC. 51P-534.102. PROPERTY LOCATION AND SIZE.

PD 534 is established on property generally located on both sides of C.F. Hawn Freeway (U.S. Highway 175) between Buckner Boulevard and the T. & N. O. Railroad. The size of PD 534 is approximately 117.00 acres. (Ord. Nos. 23987; 25164)

SEC. 51P-534.103. DEFINITIONS.

Unless otherwise stated, the definitions in Chapter 51A apply to this article. In this article:

- (1) **FULL CUT-OFF LIGHT FIXTURE** means a light fixture that does not emit light above the fixture's horizontal angle. Full cut-off fixtures direct light down to the ground.
- (2) **PARKWAY** means that portion of the street right-of-way located between the street curb and the front lot line.
- (3) **SUBDISTRICT** means one of the subdistricts referred to in Section 51P-534.106 of this article.
- (4) **THIS DISTRICT** means the entire planned development district created by Ordinance No. 23987. (Ord. Nos. 23987; 25164)

SEC. 51P-534.104. INTERPRETATIONS.

- (a) Unless otherwise stated, all code references are to CHAPTER 51A.
- (b) The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans, conceptual plans, and development plans do not apply to this district.
- (c) Section 51A-2.101, "Interpretations," applies to this article.
- (d) The following rules apply in interpreting the use regulations in this article:
 - (1) The absence of a symbol appearing after a listed use means that the use is permitted

by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800.)

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(e) This district is considered to be a nonresidential zoning district. (Ord. Nos. 23987; 25164)

SEC. 51P-534.105. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 534A: subdistrict boundary descriptions.
- (2) Exhibit 534B: subdistrict map. (Ord. Nos. 23987; 25164; 28694)

SEC. 51P-534.106. CREATION OF SEPARATE SUBDISTRICTS.

This district is divided into ~~four~~ **five** subdistricts: Subdistricts 1, **1A**, 2, 2A, and 3. The boundaries of all subdistricts are verbally described in Exhibit 534A. A map showing the boundaries of the various subdistricts is Exhibit 534B. In the event of a conflict, the verbal descriptions in Exhibit 534A control over the graphic description in Exhibit 534B.” (Ord. Nos. 23987; 25164; 28694)

SEC. 51P-534.107. MAIN USES PERMITTED.

- (a) Subdistricts 1, **1A**, and 3 (Light Industrial Subdistricts).
 - (1) Agricultural uses.
 - None permitted.
 - (2) Commercial and business service uses.
 - Building repair and maintenance shop. *[SUP]*
 - Bus or rail transit vehicle maintenance or storage facility. *[RAR]*
 - Catering service.
 - Commercial cleaning or laundry plant. *[RAR]*

- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Labor hall. *[By right when located at least 1000 feet from all conforming residential uses and 500 feet from all "public school" uses; otherwise, by SUP.]*
- Machine or welding shop. [SUP]
- Machinery, heavy equipment, or truck sales and services. [SUP]
- Medical or scientific laboratory. [SUP]
- Technical school.
- Tool or equipment rental. [SUP]
- Vehicle or engine repair or maintenance. [SUP]

(3) Industrial uses.

- Industrial (inside).
- Industrial (inside) for light manufacturing.
- Industrial (outside). *[By SUP if "potentially incompatible" (See Subsection (a) of Section 51A-4.203); otherwise, by right with RAR required.]*
- Metal salvage facility. [SUP]
- Outside salvage or reclamation. [SUP]

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Hospital. [SUP]
- Public or private school. [SUP]

(5) Lodging uses.

- Hotel or motel. [SUP]

(6) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [RAR]
- Medical clinic or ambulatory surgical center. [SUP]
- Office.

(8) Recreation uses.

- Country club with private membership.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- None permitted.

(10) Retail and personal service uses.

- Auto service center. [SUP]
- Car wash. [RAR]
- Commercial amusement (inside). [SUP]
- **Commercial motor vehicle parking. [In Subdistrict 1A only by SUP only]**
- Commercial parking lot or garage. [RAR]
- Drive-in theater. [SUP]
- Dry cleaning or laundry store.
- Furniture store. [SUP]
- General merchandise or food store 3,500 square feet or less.
- Home improvement center, lumber, brick, or building materials sales yard. [RAR]
- Household equipment and appliance repair.
- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [DIR]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Commercial bus station and terminal. [RAR]
- Heliport. [SUP]
- Helistop. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211(10)(E).]

(12) Utility and public service uses.

- Commercial radio and television transmitting station.
- Electrical generating plant. [SUP]
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [RAR]
- Tower/antenna for cellular communication.
- Utility or government installation other than listed. [SUP]
- Water treatment plant. [RAR]

(13) Wholesale, distribution, and storage uses.

- Contractor's maintenance yard. [SUP]
- Mini-warehouse. [SUP]
- Office showroom/warehouse. [SUP]
- Trade center.
- Vehicle storage lot. [SUP]
- Warehouse. [RAR]

(b) Subdistricts 2 and 2A (Commercial and Retail Subdistrict).

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

- Building repair and maintenance shop. [SUP]
- Bus or rail transit vehicle maintenance or storage facility. [RAR]
- Catering service.
- Commercial cleaning or laundry plant. [RAR]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing.
- Labor hall. [SUP]
- Machine or welding shop. [SUP]
- Machinery, heavy equipment, or truck sales and services. [SUP]
- Medical or scientific laboratory. [SUP]
- Technical school.
- Tool or equipment rental. [SUP]
- Vehicle or engine repair or maintenance.

(3) Industrial uses.

- Industrial (inside) light manufacturing.

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school.

(5) Lodging uses.

- Hotel or motel. *[SUP]*
- (6) Miscellaneous uses.
 - Carnival or circus (temporary). *[By special authorization of the building official.]*
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window. *[DIR]*
 - Medical clinic or ambulatory surgical center. *[SUP]*
 - Office.
- (8) Recreation uses.
 - Country club with private membership.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.
- (9) Residential uses.
 - None permitted.
- (10) Retail and personal service uses.
 - Ambulance service. *[RAR]*
 - Auto service center. *[SUP in Subdistrict 2. By right in Subdistrict 2A.]*
 - Business school.
 - Commercial amusement (inside). *[SUP]*
 - Commercial amusement (outside). *[SUP]*
 - Commercial parking lot or garage. *[RAR]*
 - Dry cleaning or laundry store.
 - Furniture store. *[SUP in Subdistrict 2. By right in Subdistrict 2A.]*
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet.
 - Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
 - Motor vehicle fueling station. *[SUP]*
 - Nursery, garden shop, or plant sales.
 - Personal service uses.
 - Restaurant with drive-in or drive-through service. *[DIR]*
 - Restaurant without drive-in or drive-through service. *[RAR]*
 - Temporary retail use.
 - Theater.
 - Vehicle display, sales, and service. *[SUP]*
- (11) Transportation uses.
 - Commercial bus station and terminal. *[DIR]*
 - Heliport. *[SUP]*
 - Helistop. *[SUP]*

- Transit passenger shelter.
- Transit passenger station or transfer center. *[SUP or city council resolution. See Section 51A-4.211(10)(E).]*

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication.
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Manufactured building sales lot. *[SUP]*
- Mini-warehouse. *[SUP]*
- Office showroom/warehouse. *[SUP]*

(Ord. Nos. 23987; 25164; 28694)

SEC. 51P-534.108.

ACCESSORY USES.

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

(b) The following accessory uses are not permitted in Subdistricts 1 and 3:

- Accessory community center (private).
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(c) The following accessory uses are not permitted in Subdistricts 2 and 2A:

- Accessory community center (private).
- Home occupation.
- Private stable.

(Ord. Nos. 23987; 25164; 28694)

SEC. 51P-534.109.

YARD, LOT, AND SPACE REGULATIONS.

(a) Subdistricts 1, 1A, and 3. The yard, lot, and space regulations of the LI Light Industrial District, contained in Section 51A-4.123(b)(4), apply in these subdistricts. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division

51A-4.400 controls.)

(b) Subdistricts 2 and 2A. The yard, lot, and space regulations of the CR Community Retail District, contained in Section 51A-4.122(b)(4), apply in this subdistrict. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.) (Ord. Nos. 23987; 25164; 28694)

SEC. 51P-534.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. (Ord. Nos. 23987; 25164)

SEC. 51P-534.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23987; 25164)

SEC. 51P-534.112. LANDSCAPING.

(a) Application of section.

(1) Parkway landscaping provisions become applicable to a lot when an application is made for a building permit for construction work that increases building height, floor area ratio, required parking, or nonpermeable coverage of the lot. Parkway improvements on state highways are subject to Texas Department of Transportation approval. If this approval cannot be obtained, parkway improvements must be located within that portion of the required front yard immediately adjacent to the parkway.

(2) Site area landscaping, front yard strip landscaping, screening, and sidewalk provisions become applicable to a lot when an application is made for a building permit for construction work that increases either the floor area ratio, building height, or nonpermeable coverage of the lot by more than 20 percent. For purposes of this section, compliance with Article X must include incorporating two of the following six design standards: enhanced vehicular pavement, permeable vehicular pavement, pedestrian facilities, foundation planting strip, understory preservation, or enhanced pedestrian walkways.

(3) Front yard strip landscaping and screening provisions may be imposed during required development impact or residential adjacency review procedures.

(b) Parkway landscaping. One tree at least three and one-half caliper inches, or two trees at least one and one-half caliper inches, must be provided between the street curb and the sidewalk for each 30 feet of lot frontage, exclusive of driveways, visibility triangles, and access-ways at points of ingress and egress. No underground irrigation system is required for parkway landscaping.

(c) Front yard strip landscaping.

(1) The 10-foot-wide strip of land along the entire length of the front yard and immediately adjacent to the property line must be landscaped as follows:

(A) Forty percent of the surface must be permeable.

(B) Ten percent must be landscaped with trees, shrubs, or a combination of

trees and shrubs that have the potential to attain a minimum height of 30 inches within a three-year time period.

(C) One tree at least three and one-half caliper inches, or two trees at least one and one-half caliper inches, must be provided between the street curb and the sidewalk for each 30 feet of lot frontage, exclusive of driveways, visibility triangles, and access-ways at points of ingress and egress.

(D) An underground irrigation system must be provided.

(2) Front yard strip landscaping must be approved by the building official.

(d) Site area landscaping. The remainder of the lot must be landscaped in accordance with the provisions contained in Article X. An underground irrigation system must be provided.

(e) Screening.

(1) A six-foot-high solid screening fence must be provided along all rear and side lot lines that are adjacent to residential districts.

(2) Off-street parking must be screened from an abutting street right-of-way with:

(A) a minimum three-foot-high solid fence, with an 18-inch-wide planting bed located on its street side; or

(B) shrubs with the potential to attain a minimum height of 30 inches within a three-year time period.

(3) Outside industrial uses must be screened with a minimum six-foot-high fence with a screening factor of less than 66 percent, and an 18-inch-wide planting bed located on its street side.

(f) Sidewalks. A sidewalk with a minimum width of six feet must be provided in the parkway. On state highways, this sidewalk must be provided in the parkway, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, the property is exempt from this requirement.

(g) Completion. All landscaping must be completed in accordance with the provisions contained in Article X.

(h) General maintenance.

(1) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city. If a property owner fails to replace landscaping required under this section within 90 days, the property owner shall be subject to a fine of up to \$2,000 per day for each day that the violation exists.

(2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area located in a utility easement, it is the obligation of the property owner to replace the plant materials within 90 days.

(i) Landscape plan.

(1) A landscape plan must be submitted to and approved by the building official prior to the installation of landscaping required by this article.

(2) Upon the submission of a plan for or including the installation of parkway landscaping, the building official shall circulate it to all affected city departments and all utility and communication companies for review and comment. If, after receiving comments from affected city departments and utility and communication companies, the building official determines that the construction and planting proposed is in compliance with this article, and will not be inconsistent with and will not impair the public utility or communications company use of the right-of-way, the building official shall approve the landscape plan; otherwise, the building official shall disapprove the plan.

(3) If the building official disapproves the plan on the basis that the installation of the landscaping within the parkway will be inconsistent with, or will unreasonably impair the public utility or communication company use of the street right-of-way, a new plan incorporating the parkway landscaping requirements within the required front yard shall be submitted to the building official for approval.

(j) Private license granted.

(1) The city council hereby grants a private license to each of the abutting property owners of the property in the C.F. Hawn Special Purpose District No. 2 for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. An abutting property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with Chapter 52 of the Dallas City Code, as amended. This private license shall not terminate at the end of any specific time period; however, the city council retains the right to terminate this license whenever in its judgement the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(2) To the extent that the provisions contained in this section conflict with the applicable licensing provisions contained in Chapter 43 of the Dallas City Code, the provisions contained in Chapter 43 are waived.

(3) In no event shall the license granted by this section be construed to grant an easement or real property interest of any kind to the licensees. (Ord. Nos. 23987; 25164)

SEC. 51P-534.113.

SIGNS.

(a) In general. Signs within Subdistricts 1, **1A**, 2, 2A, and 3 must comply with the provisions for business zoning districts contained in Article VII. In addition, all signs within this district must comply with the following regulations.

(b) Non-premise signs. Non-premise signs are prohibited within this planned development district.

(c) Detached premise signs.

(1) Location. No portion of any detached premise sign may be located within 15 feet of the right-of-way line.

(2) Height. No portion of any detached premise sign located within 25 feet of the right-of-way line may exceed 10 feet in height.

(3) Size. No detached sign located within 25 feet of the right-of-way line may exceed 150 square feet in effective area. (Ord. Nos. 23987; 25164; 28694)

SEC. 51P-534.114. LIGHTING.

(a) In general. In addition to the provisions of Section 51A-4.301(e), "Lighting Regulations for Off-street Parking," the following lighting regulations apply within this district.

(b) Glare. Full cut-off luminaries are required for any fixture.

(c) Intensity. The intensity of lighting on the parking surface must be:

(1) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(2) a minimum at any point of at least 0.6 footcandle initial, and at least 0.4 footcandle maintained or one-third of the average footcandle measurement for the lighted area, whichever is greater.

(d) Light source. Metal halide must be used as the lighting source for lighting required under this section. High pressure sodium may not be used as a lighting source.

(e) Location. Light fixtures within the district must include luminaries located between 10 and 14 feet above grade. (Ord. Nos. 23987; 25164)

SEC. 51P-534.115. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) 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.

(c) Any outside storage area within this district must be screened from the street right-of-way. See Section 51A-4.602(b).

(d) For an auto service center in Subdistrict 2A, overnight parking of vehicles is prohibited within 200 feet of the northeastern property line. (Ord. Nos. 23987; 25164; 26102; 28694)

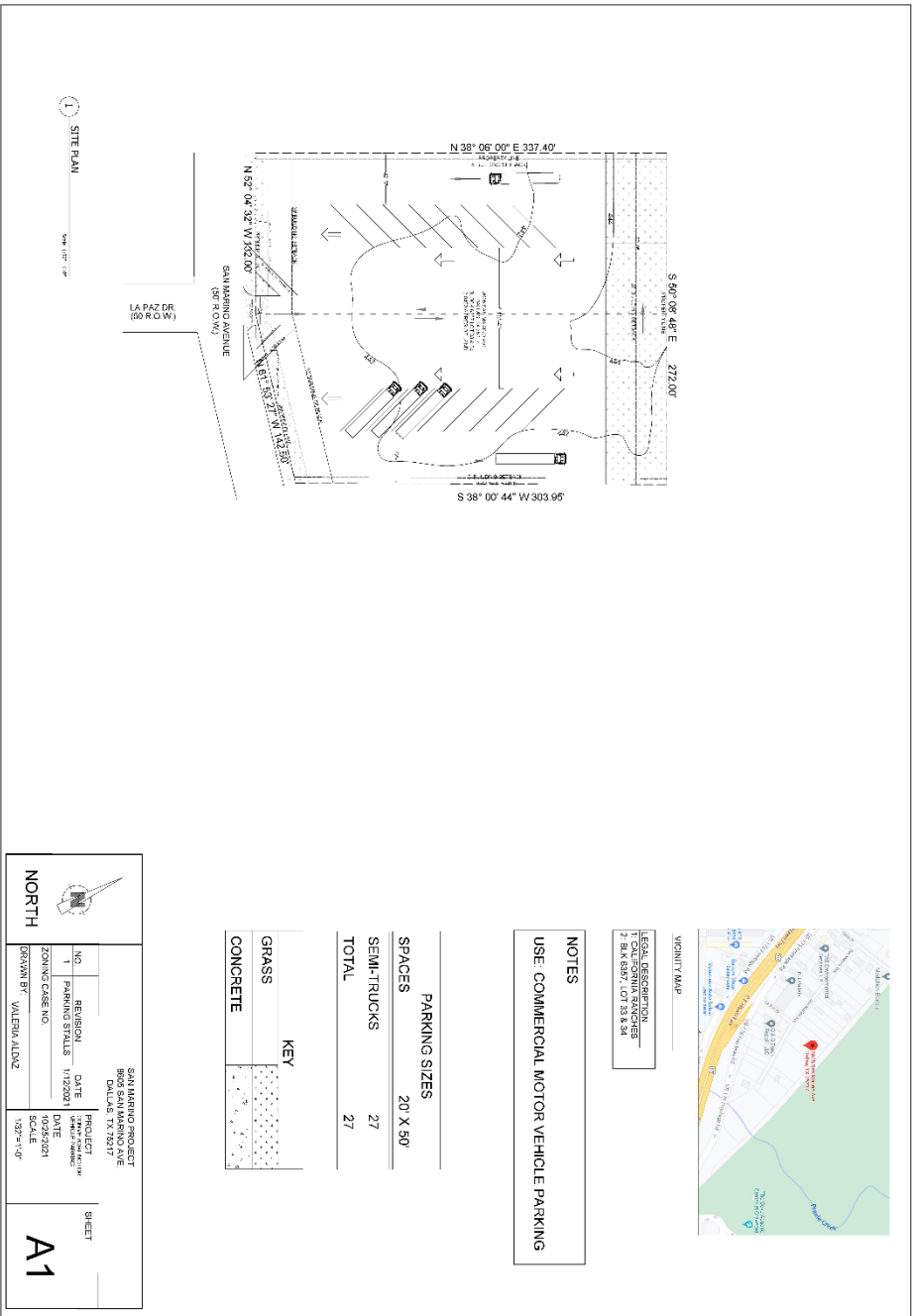
SEC. 51P-534.116. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 23987; 25164; 26102)

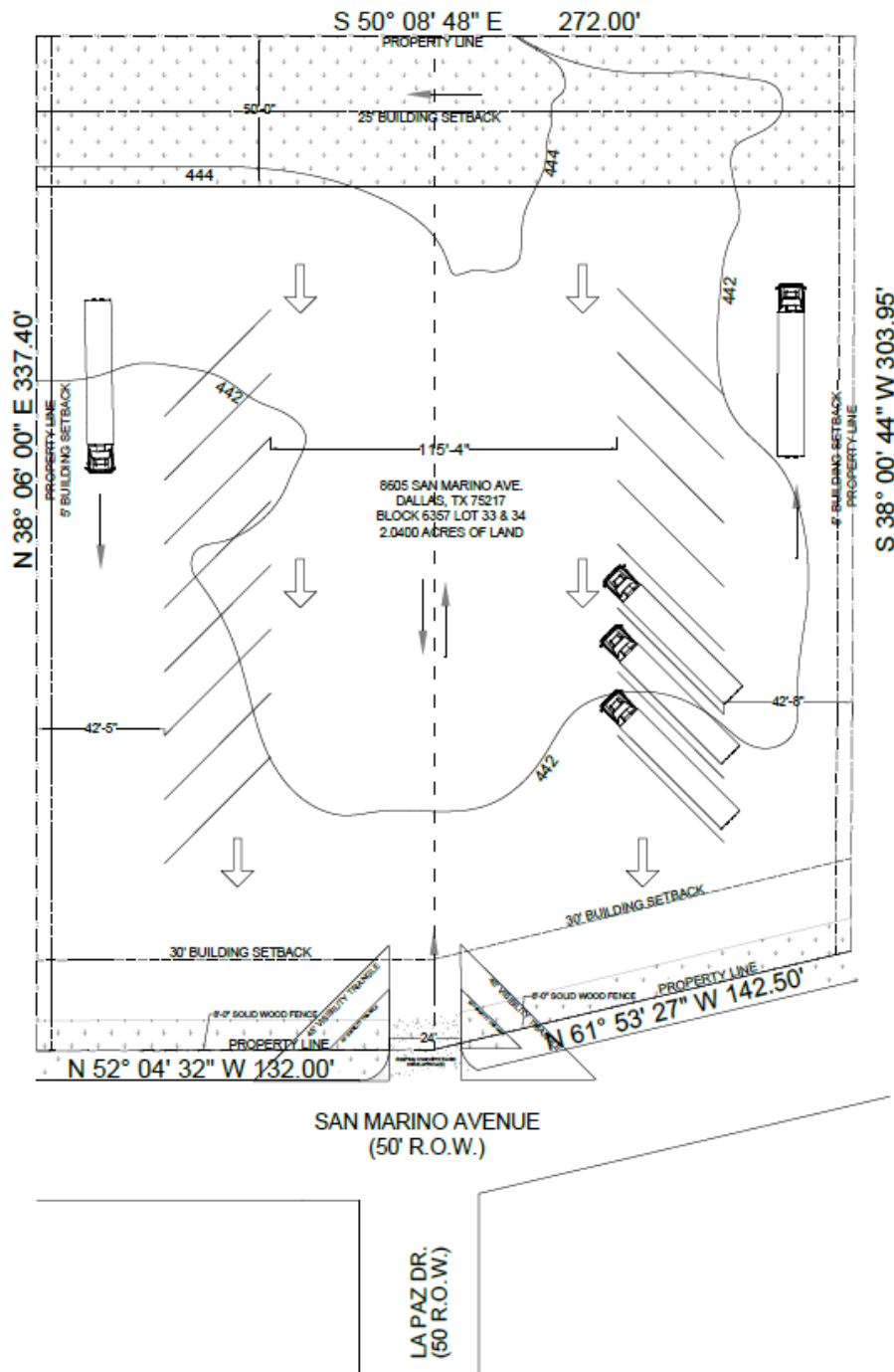
CPC RECOMMENDED SUP CONDITIONS

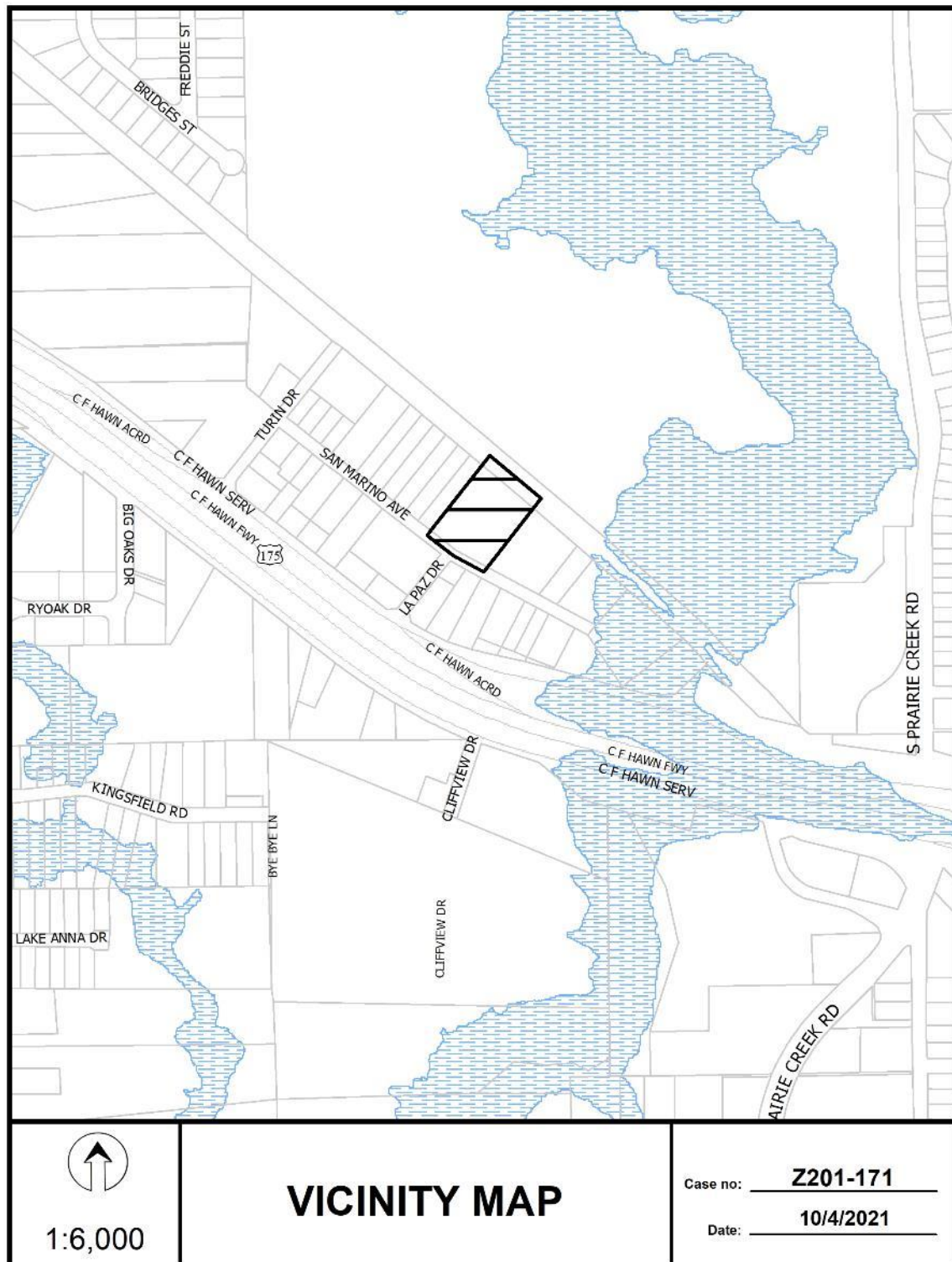
1. USE: The only use authorized by this specific use permit is commercial motor vehicle parking.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of this ordinance).
4. LANDSCAPING: A screening buffer shall be provided along the rear property line adjacent to single family residential zoning.
5. FENCING: An eight-foot-high solid screening fence must be maintained along the boundary of the property as shown on the attached site plan.
6. INGRESS/EGRESS: Ingress and egress of commercial motor vehicles is prohibited between the hours of 10:00 p.m. and 7:00 a.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.

CPC RECOMMENDED SUP SITE PLAN

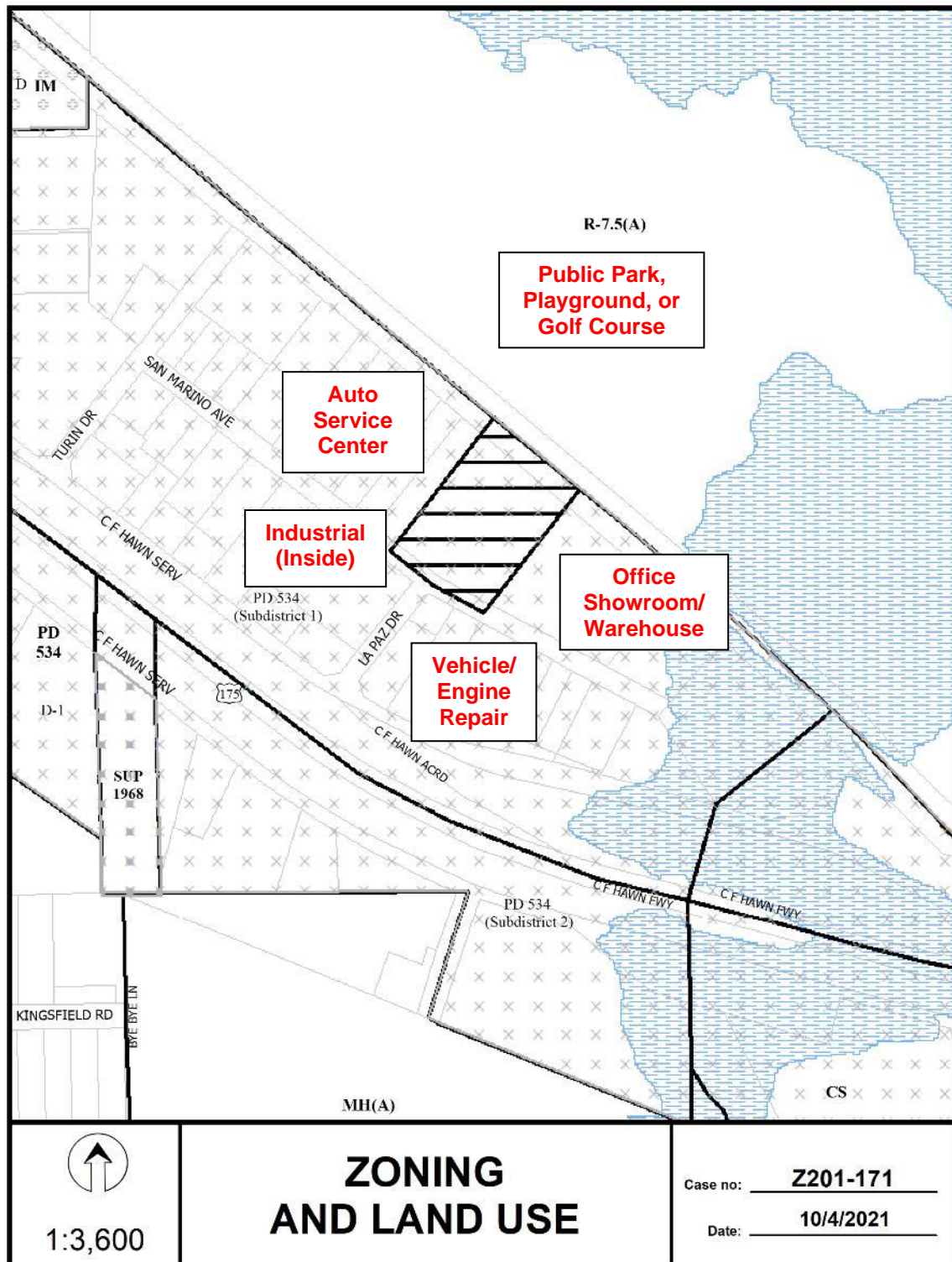


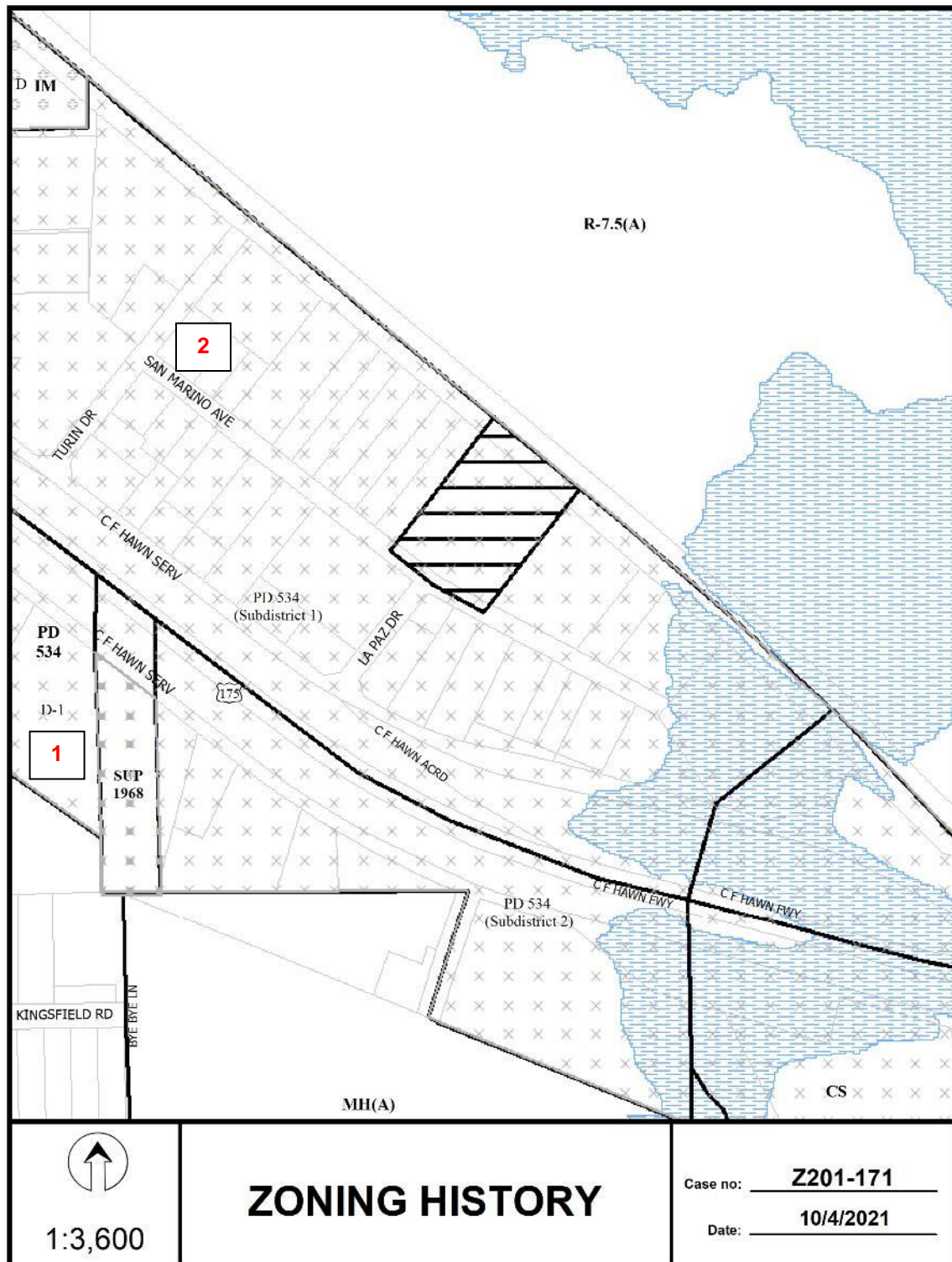
CPC RECOMMENDED SUP SITE PLAN (ENLARGED)

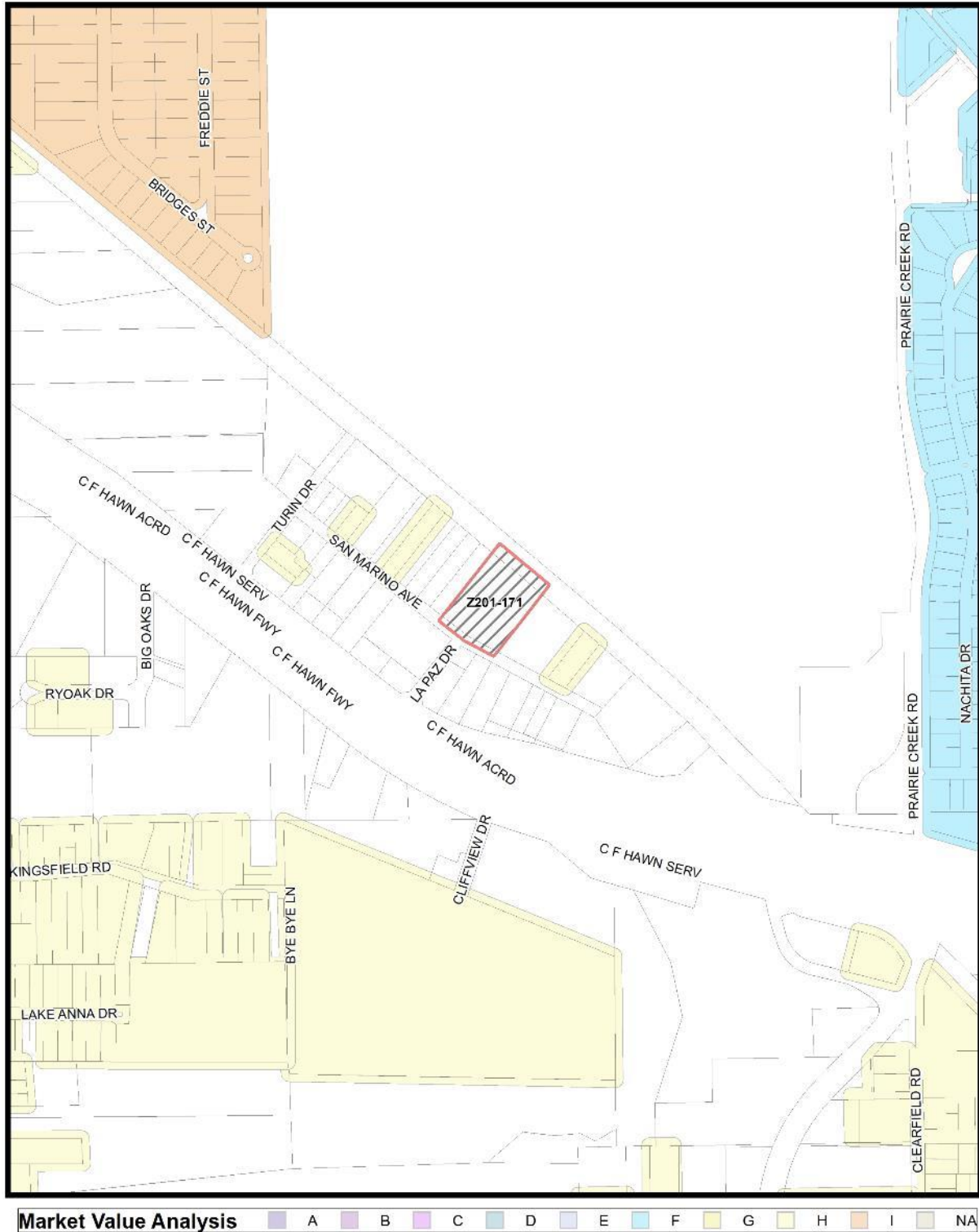










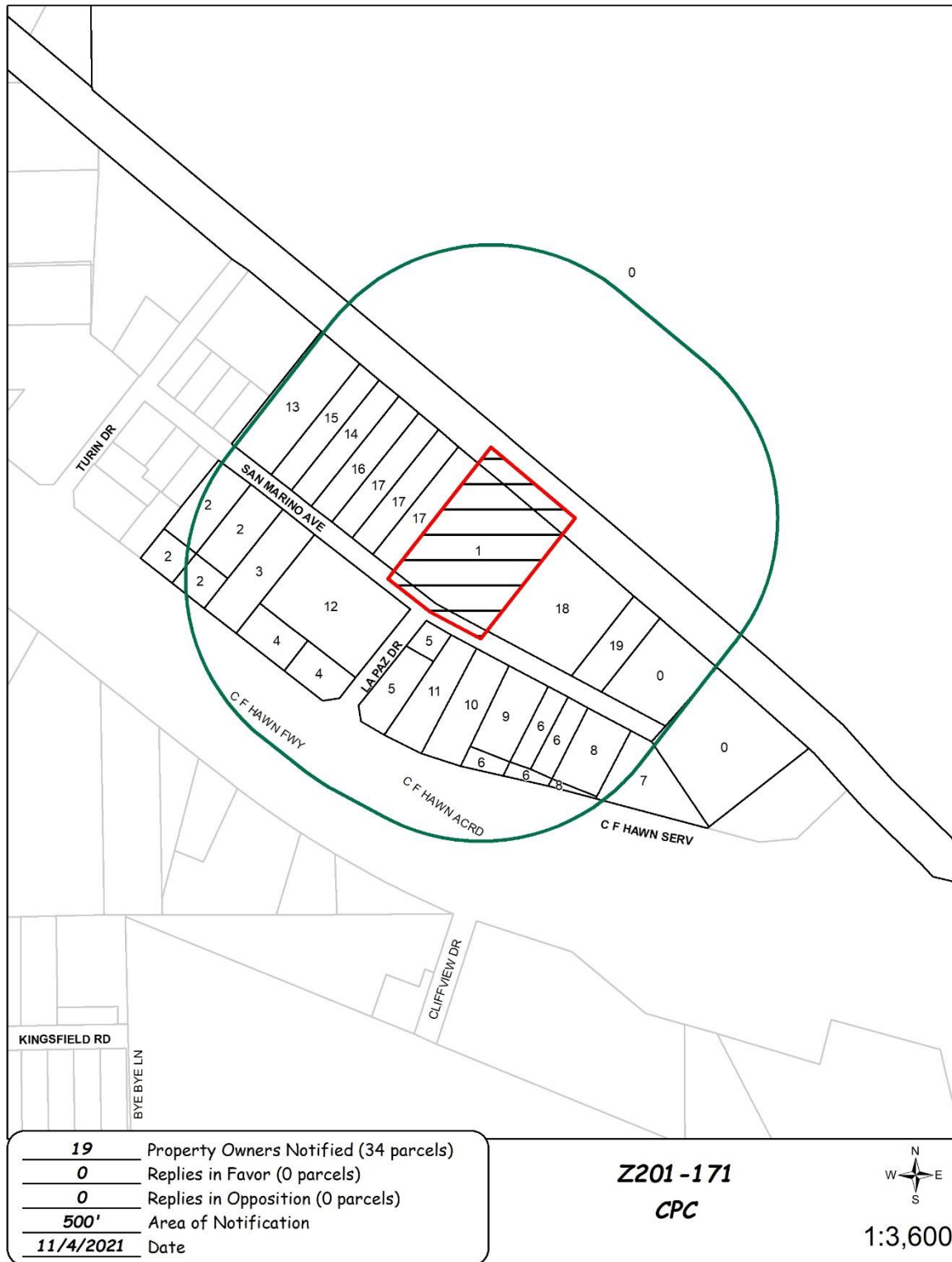


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Market Value Analysis

Printed Date: 10/4/2021

CPC RESPONSES



11/03/2021

Reply List of Property Owners***Z201-171******19 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	8605	SAN MARINO AVE	Taxpayer at
2	8510	C F HAWN FWY	DELMARVA LLC
3	8524	C F HAWN FWY	HOUSE DEARL
4	8528	C F HAWN FWY	CERVANTES JOSE
5	8606	C F HAWN FWY	HOOKS KENNETH R JR
6	8628	C F HAWN FWY	MENDOZA ELI
7	8668	C F HAWN FWY	PURPLE SPRINGS LLC
8	8640	C F HAWN FWY	FAH BRIAN T
9	8616	SAN MARINO AVE	MENDOZA ELI
10	8608	SAN MARINO AVE	MORALES JOSE H
11	8618	C F HAWN FWY	PATTEN 8618 HAWN LLC
12	121	LA PAZ DR	Taxpayer at
13	8517	SAN MARINO AVE	WOOD LUCY A ET AL ESTATE OF
14	8531	SAN MARINO AVE	OLIVER DON W
15	8527	SAN MARINO AVE	MENDOZA JUAN R
16	8535	SAN MARINO AVE	MARTINEZ ROGELIO E & MARIA DE LOURDES
17	8539	SAN MARINO AVE	FERRIS KELLY
18	8615	SAN MARINO AVE	PADILLA ADALBERTO
19	8631	SAN MARINO AVE	GUITERREZ ANSELMA