

FILE NUMBER: Z223-119(JM) **DATE FILED:** December 21, 2022

LOCATION: North side of West Illinois Avenue, between South Westmoreland Road and South Hampton Road

COUNCIL DISTRICT: 1

SIZE OF REQUEST: ± 0.43 acres **CENSUS TRACT:** 48113010804

APPLICANT: Salim Khoja

OWNER: Khoja Real Estate Investments, LLC

REQUEST: An application for an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District.

SUMMARY: The purpose of the request is to renovate the existing general merchandise or food store with the parking area expanding into this parcel.

STAFF RECOMMENDATION: Approval.

Multifamily Districts [Ref. Sec. 51A-4.116(a) for MF-1(A)]:

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-76262

Mixed Use Districts [Ref. Sec. 51A-4.125(d) for MU-1]:

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-78645

BACKGROUND INFORMATION

- The area of request is zoned an MF-1(A) Multifamily District and consists of a paved undeveloped tract of land with about 18,730.8 square feet.
- The property is used as parking/maneuvering space for the adjacent general merchandise or food store to the west [Thrift Mart].
- The applicant is rezoning the property to an MU-1 Mixed Use District to redevelop the site along with the renovation of the adjacent retail use to the west.

Zoning History

There have been no recent zoning changes and one board of adjustment case requested in the area within the past five years.

1. **BDA190-020:** On May 18, 2020, Panel C of the Board of Adjustment approved a special exception to the landscape regulations at 2803 W. Illinois Avenue, zoned an MF-1(A) Multifamily District. *[east of the site]*

Thoroughfares/Streets

Thoroughfare/Street	Type	Proposed ROW
W. Illinois Ave.	Principal Arterial, M-6-D(A)	100 feet

Transportation

The Engineering Division of the Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. At the time of permitting, a description of the proposed parking lot operation and cross access easements will be required.

Comprehensive Plan

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent 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.

West Oak Cliff Area Plan

The City Council adopted the [West Oak Cliff Area Plan](#) on October 26, 2022. The West Oak Cliff planning area is envisioned as an equitable, enriching, and welcoming neighborhood that celebrates its peoples, its history, and its culture, and prioritizes the safety, health, and economic resilience of its residents. The plan provides a long-range vision for land use, urban design, transportation, mobility, infrastructure, open space, and community concerns around gentrification, displacement, and revitalization.

The West Oak Cliff Area Plan lays out a roadmap to help ensure that existing residents will be able to remain in the neighborhood, while also working to improve quality of life in the area and provide opportunities for future growth in designated locations.

The subject site is at the southern boundary along West Illinois Avenue, within a *Commercial Center/Corridor*. These areas contain regionally drawing commercial uses that typically include physically larger, oftentimes more automobile dependent, commercial businesses and uses such as big-box retail, strip centers, and drive-thru uses. That said, these areas may also contain smaller amounts of other land uses such as multifamily, office, churches, and institutions. These areas are most commonly found in areas of Dallas that developed after World War II due to the predominance of the automobile as the primary means of transportation.

The proposed MU-1 District will continue to support the Commercial Center/Corridor designation while opening the site to potential residential uses.

Land Use

	Zoning	Land Use
Site	MF-1(A) Multifamily District	Undeveloped
North	PD No. 831 (residential and public school—L.V. Stockard Middle School) and R-7.5(A) Single Family District	Public school and single family
East	MF-1(A) Multifamily District and R-7.5(A) Single Family District	Multifamily and single family
South	LI Light Industrial District and NO(A) Neighborhood Office with SUP No. 721	Transit station (Westmoreland Station), office/showroom warehouse, medical office, and daycare/private school by SUP

	Zoning	Land Use
West	CR Community Retail District	General merchandise or food store, church, adult daycare, office, and restaurant

Land Use Compatibility

The site is undeveloped but paved and used for parking/maneuvering for the adjacent general merchandise or food store to the west with the same property owner. The owner is renovating the retail store to the west and would like to improve the subject property as well. Originally, the rezoning request was for a CR District to match the adjacent retail site. However, the applicant elected for an MU-1 Mixed Use District to provide for additional flexibility for future development. No proposed land use was identified for the site.

Surrounding land uses include a public school and single family uses to the north; multifamily and single family uses to the east; a transit station (Westmoreland Station), office/showroom warehouse, medical office, and daycare/private school by SUP to the south; and, general merchandise or food store, church, adult daycare, office, and restaurant uses to the west.

Although a general zoning change does not guarantee a particular use or type of development on a property, the proposed MU-1 District is similar to the existing CR District to the west which was originally requested; however, the MU-1 District adds residential uses not permitted in the CR District.

Staff supports the requested zoning change as an appropriate transition from the CR District to the adjacent MF-1 District. While the size of the property will limit future development, the proposed mixed-use district is consistent with the area plan's vision for this area.

The following is a comparison of the adjacent CR District, existing MF-1 District, and proposed MU-1 District permitted land uses. The requested MU-1 District adds or amends provisions for uses highlighted in yellow.

<u>Land Use Comparison</u>	<u>Adjacent</u>	<u>Existing</u>	<u>Proposed</u>
<u>Use</u>	<u>CR</u>	<u>MF-1(A)</u>	<u>MU-1</u>
Crop production.	X	X	X
Building repair and maintenance shop.	RAR		
Catering Service.	X		X
Custom business services.	X		X
Electronics service center.	X		X
Labor hall.			SUP
Medical or scientific laboratory.	SUP		SUP

<u>Land Use Comparison</u>	<u>Adjacent</u>	<u>Existing</u>	<u>Proposed</u>
Tool or equipment rental.	X		
Gas drilling and production.	SUP	SUP	SUP
Temporary concrete or asphalt batching plant.	SUP	SUP	SUP
Adult day care facility.	X	SUP	X
Cemetery or mausoleum.	SUP	SUP	SUP
Child-care facility.	X	SUP	X
Church.	X	X	X
College, university, or seminary.	X	SUP	X
Community service center.	SUP	SUP	SUP
Convalescent and nursing homes, hospice care, and related institutions.		RAR	RAR
Convent or monastery.	X	X	X
Foster home.		X	X
Hospital.	SUP	SUP	SUP
Library, art gallery, or museum.	X	SUP	X
Open-enrollment charter school or private school.	SUP	SUP	SUP
Public school other than an open-enrollment charter school.	RAR	SUP	RAR
Extended stay hotel or motel.			SUP
Hotel and motel.	SUP		RAR or SUP
Lodging or boarding house.	SUP		
Overnight general purpose shelter.	Check Use		
Attached non-premise sign.	SUP		SUP
Carnival or circus (temporary).	CBO	CBO	CBO
Temporary construction or sales office.	X	X	X
Alternative financial establishment.	SUP		
Financial institution without drive-in window.	X		X
Financial institution with drive-in window.	DIR		DIR
Medical clinic or ambulatory surgical center.	X		X
Office.	X		X
Country club with private membership.	X	RAR	X
Private recreation center, club, or area.	X	SUP	X
Public park, playground, or golf course.	X	X	X
College dormitory, fraternity, or sorority house.	X	X	X
Duplex.		X	X
Group residential facility.		Check Use	Check Use
Handicapped group dwelling unit.		Check Use	Check Use

<u>Land Use Comparison</u>	<u>Adjacent</u>	<u>Existing</u>	<u>Proposed</u>
Multifamily.		X	X
Residential hotel.			X
Retirement housing.		X	X
Single family.		X	X
Alcoholic beverage establishments.	Check Use		Check Use
Ambulance service.	RAR		
Animal shelter or clinic without outside runs.	RAR		RAR
Auto service center.	RAR		RAR
Business school.	X		X
Car wash.	DIR		RAR
Commercial amusement (inside).	Check Use (SUP)		Check Use (SUP)
Commercial amusement (outside).	SUP		SUP
Commercial parking lot or garage.	RAR		RAR
Convenience store with drive-through.	SUP		
Dry cleaning or laundry store.	X		X
Furniture store.	X		X
General merchandise or food store 3,500 square feet or less.	X		X
General merchandise or food store greater than 3,500 square feet.	X		X
General merchandise or food store 100,000 square feet or more.	SUP		SUP
Home improvement center, lumber, brick or building materials sales yard.	DIR		
Household equipment and appliance repair.	X		
Liquor store.	X		
Mortuary, funeral home, or commercial wedding chapel.	X		X
Motor vehicle fueling station.	X		X
Nursery, garden shop, or plant sales.	X		X
Paraphernalia shop.	SUP		SUP
Pawn shop.	X		
Personal service uses.	X		X
Restaurant without drive-in or drive-through service.	RAR		RAR
Restaurant with drive-in or drive-through service.	DIR		DIR
Swap or buy shop.	SUP		SUP
Temporary retail use.	X		X
Theater.	X		X

<u>Land Use Comparison</u>	<u>Adjacent</u>	<u>Existing</u>	<u>Proposed</u>
Transit passenger shelter.	X	X	X
Transit passenger station or transfer center.	SUP	SUP	SUP
Commercial radio and television transmitting station.	X		X
Electrical substation.	X	SUP	X
Local utilities.	SUP/RAR	SUP	SUP/RAR
Police or fire station.	X	SUP	X
Post office.	X		X
Radio, television, or microwave tower.	SUP	SUP	SUP
Tower/antenna for cellular communication.	Check Use	Check Use	Check Use
Utility or government installation other than listed.	SUP	SUP	SUP
Mini-warehouse.	SUP		SUP
Recycling buy-back center.	Check Use		Check Use
Recycling collection center.	Check Use		Check Use
Recycling drop-off container.	Check Use	Check Use	Check Use
Recycling drop-off container for special occasion collection.	Check Use	Check Use	Check Use
Private stable.			X
Accessory helistop.	SUP	SUP	SUP
Accessory medical/infectious waste incinerator.	SUP	SUP	SUP
<p><i>X indicates permitted by right.</i></p> <p><i>SUP indicates permitted with a Specific Use Permit.</i></p> <p><i>RAR indicates permitted, but subject to Residential Adjacency Review.</i></p> <p><i>DIR indicates permitted, but subject to Development Impact Review.</i></p> <p><i>Check Use indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.</i></p> <p><i>By CBO Authorization indicates that the use may be allowed with permission from the Chief Building Official.</i></p>			
<p><i>Alternating color pattern indicates a new category of uses.</i></p>			

Development Standards

The following is a comparison table showing differences in development standards between the current MF-1(A) Multifamily District and the proposed MU-1 Mixed Use District. The adjacent CR District is provided for comparison.

District	Setbacks		Height	Lot Coverage ¹	Density/FAR	Special Standards
	Front	Side/Rear				
Existing: MF-1 Multifamily	15'	0'0' SF 5'/10' Duplex 10'/15' Other Rear reduced to 10' for Other if adjacent to MF or nonres. district.	36' RPS 26'	60% res. 25% nonres. No max stories	DUD based on bedrooms and lot size req.	RPS MIH Bonuses
Proposed: MU-1 Mixed Use	15' Urban Form	0'/0' 20'/20' res adj. Tower Spacing	80-120' and 7-9 stories depending on MUP	80%	FAR and DUD based on mix of uses. 0.4 to 1.1 FAR 10-25 DU/acre	RPS Urban Form Tower Spacing MIH Bonuses
Adjacent: CR Community Retail	15'	20' adj to res Other: No min	54' RPS 26'	60%	0.5 FAR office/ .75 for all uses (max)	RPS

¹Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

The biggest differences between the existing MF-1 District and proposed MU-1 District are the increase in lot coverage, the dwelling unit density no longer being restricted based on the lot size, and the height increase. However, the narrow property, with less than 90 feet-in-width, is still encumbered with residential adjacency requirements which maintain the setback, provide for landscaping buffers, and will keep the height of any proposed structures limited by RPS at a 1:1 ratio.

Landscaping

Landscaping must be provided in accordance with the landscaping requirements in Article X of the Dallas Development Code, as amended. If the proposed MU-1 District is granted, the applicant was made aware of the residential buffer adjacency requirement for the proposed "other use" as identified in Article X. A landscape area must be provided along that portion of the perimeter of a lot where residential adjacency exists. The residential

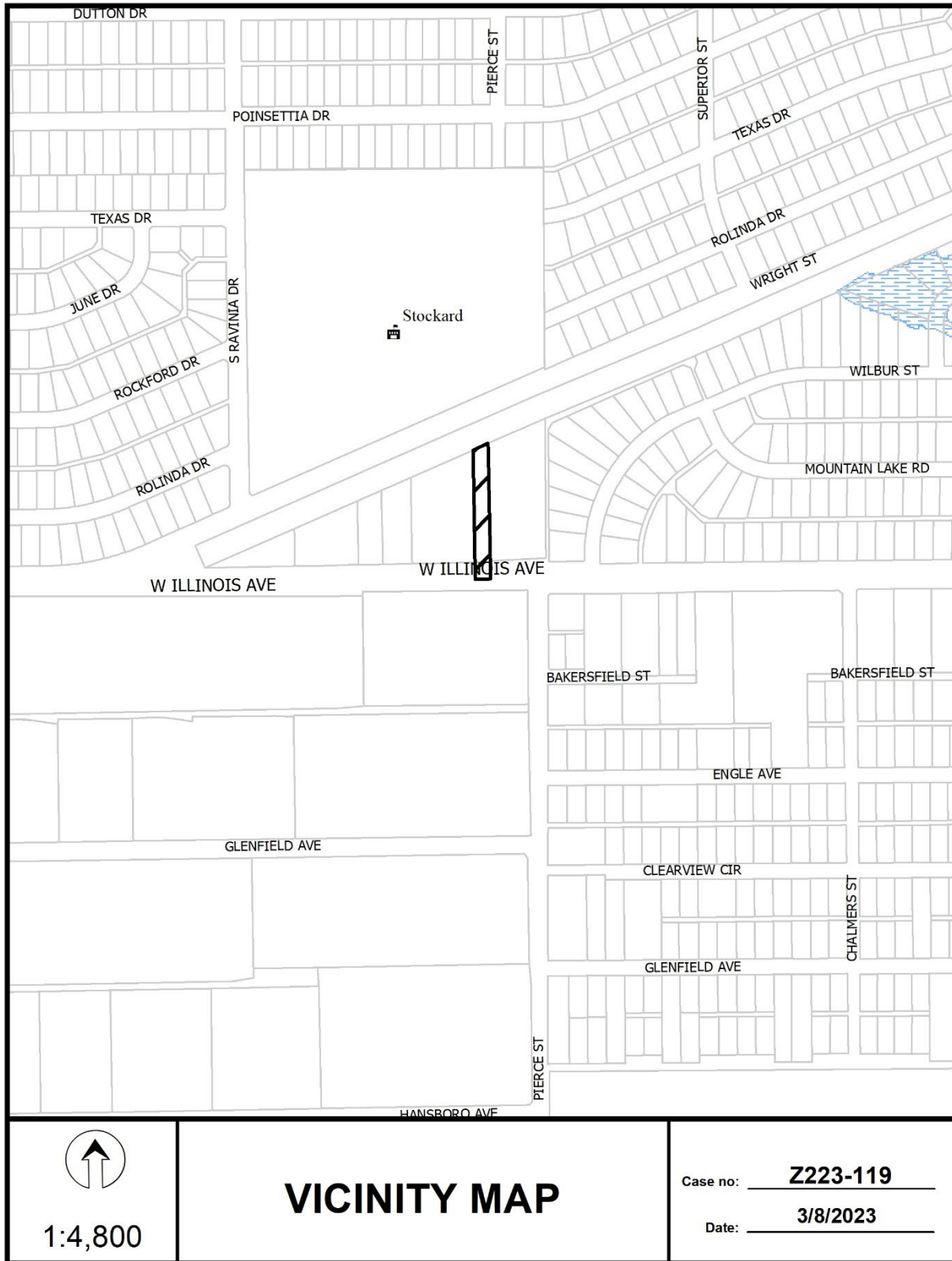
buffer zone must have an average depth of 10 feet, a minimum depth of five feet, and a maximum depth of 30 feet. No portion of the residential buffer zone may exceed 10 percent of the lot depth excluding paved surfaces at points of vehicular and pedestrian ingress or egress.

Parking

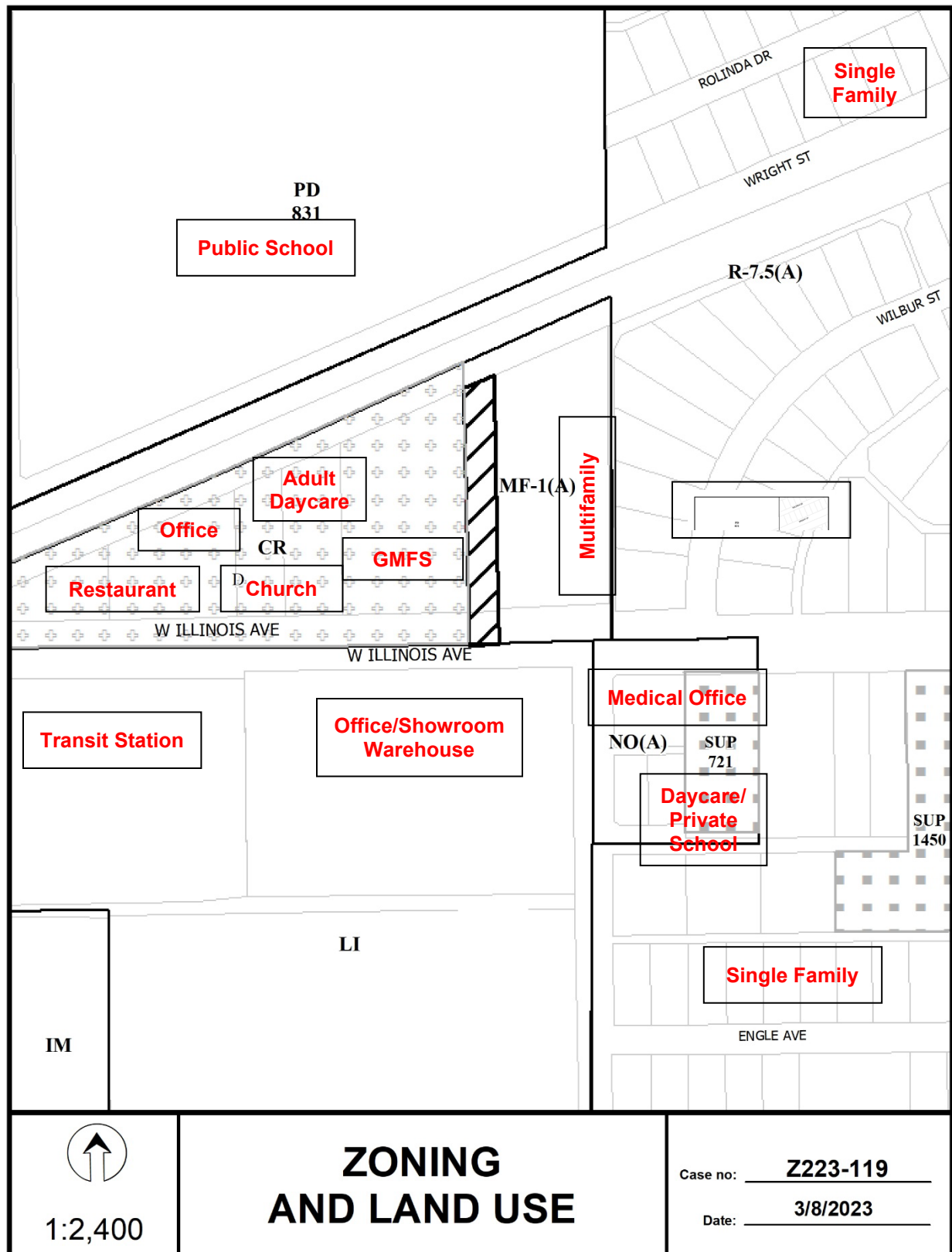
Off-street parking must be provided in accordance with Division 51A-4.200 for all uses to be located on the property. No use was proposed for consideration.

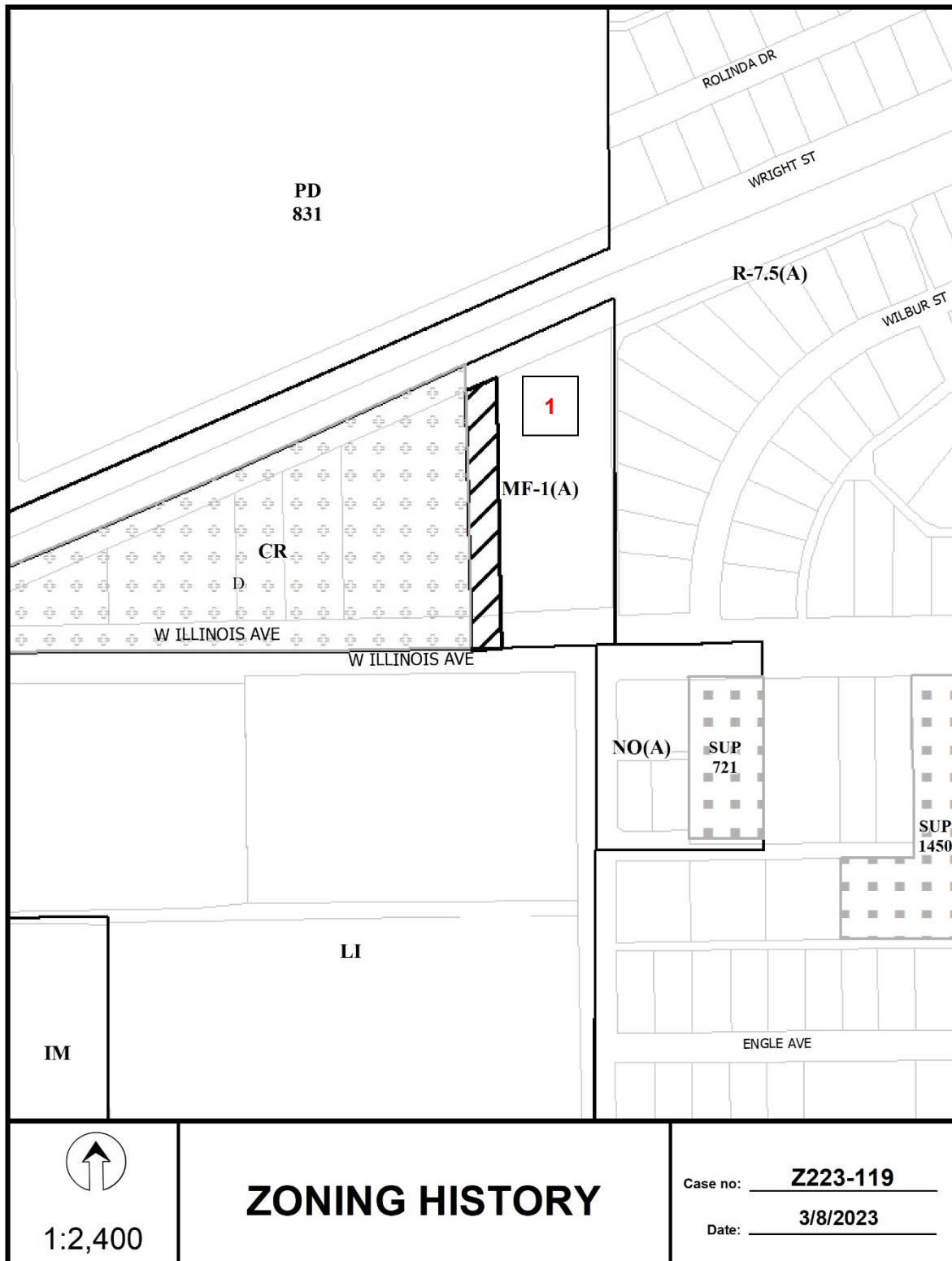
Market Value Analysis

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 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 strengths or weaknesses. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site and properties to the southeast across West Illinois Avenue are within a “G” MVA Cluster that extends eastward. The single-family neighborhoods to the northwest are within an “H” and to the northeast are within an “F” cluster.







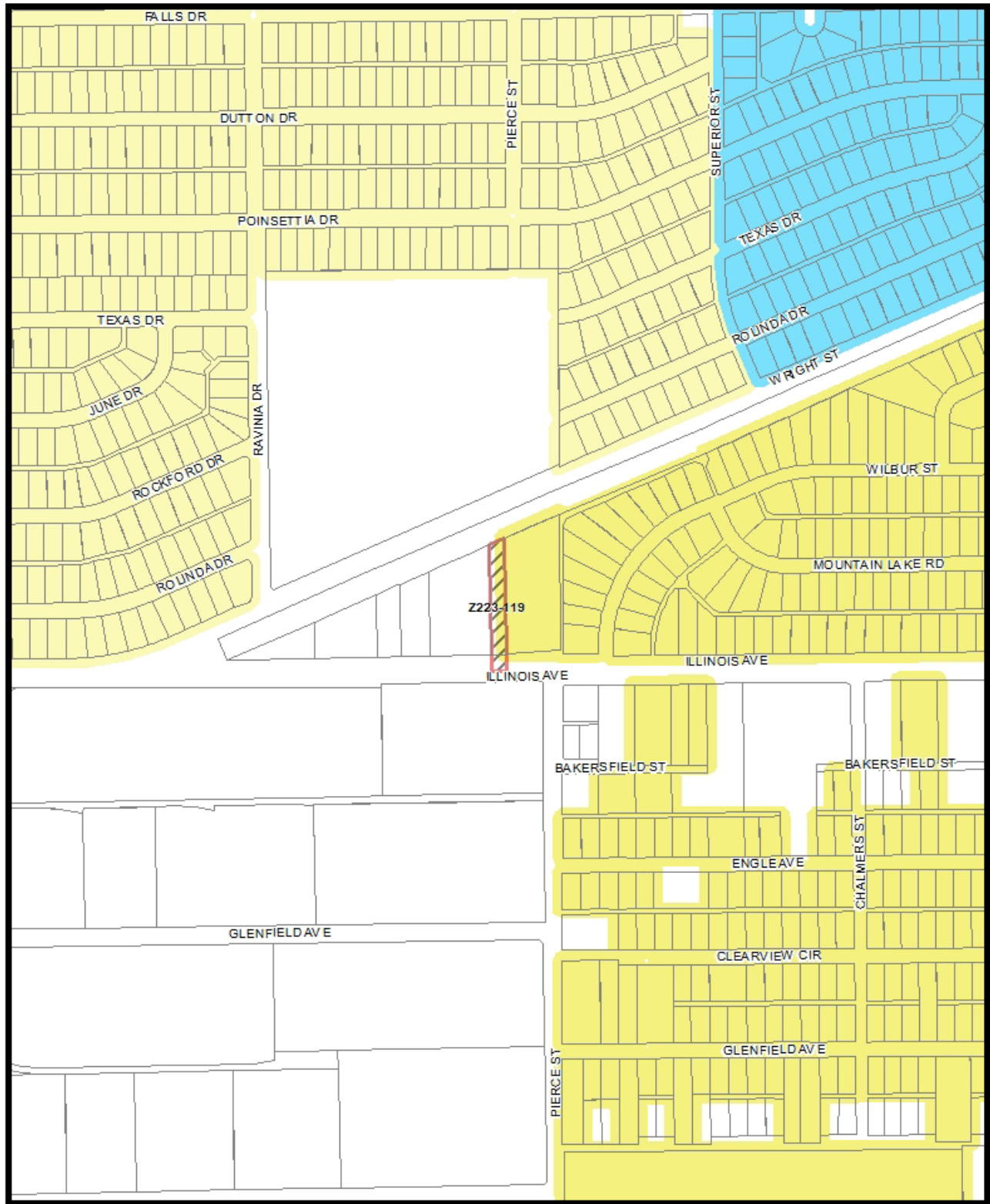


1:2,400

ZONING HISTORY

Case no: **Z223-119**

Date: **3/8/2023**



Market Value Analysis A B C D E F G H I NA



1:4,800

Market Value Analysis

Printed Date: 3/8/2023

<p>The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.</p>	<p>El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.</p>
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The number '0' indicates City of Dallas Ownership

 <p>1:2,400</p>	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; text-align: center;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; text-align: center;">13</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<p>Case no: Z223-119</p> <p>Date: 3/8/2023</p>
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03/08/2023

Notification List of Property Owners

Z223-119

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2807 W ILLINOIS AVE	KHOJA REAL ESTATE
2	2803 W ILLINOIS AVE	AHOURAMAZDA LLC
3	2819 W ILLINOIS AVE	KHOJA REAL ESTATE INVESTMENTS
4	2757 WILBUR ST	JACKSON CHRISTINE LIFE ESTATE
5	2751 WILBUR ST	CARDOZA ALFONSO G
6	2747 WILBUR ST	NORRELL MARILYN KAY &
7	2741 WILBUR ST	GAMEZ LIBORIO & IRMA
8	2737 WILBUR ST	GAMEZ LIBORIO
9	2731 WILBUR ST	PRICE BROOKE E
10	2736 W ILLINOIS AVE	KANASE HEENA N &
11	2800 W ILLINOIS AVE	Taxpayer at
12	2300 S RAVINIA DR	Dallas ISD
13	401 S BUCKNER BLVD	DART