

FILE NUMBER: Z223-153(MP) **DATE FILED:** November 16, 2022

LOCATION: East line of Executive Drive, northeast of the intersection of Executive Drive and Data Drive

COUNCIL DISTRICT: 9

SIZE OF REQUEST: ±2.29 acres **CENSUS TRACT:** 48113013010

REPRESENTATIVE: Andrew Ruegg, Masterplan

OWNER/APPLICANT: KKMD Investments, LLC

REQUEST: An application for an MU-1 Mixed Use District on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to allow development of the site with lodging, retail, and multifamily uses.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is zoned a CS Commercial District and is currently undeveloped.
- The applicant is proposing to develop the site with hotel, retail, and residential uses.
- The requested MU-1 Mixed Use District is more appropriate than the existing CS Commercial Service District in proximity to nearby residential and would help form a buffer between residential uses and CS zoning to the north and east.

Zoning History:

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

1. **Z190-327:** On February 24, 2021, the City Council denied the renewal of Specific Use Permit No. 2294 for an alcoholic beverage establishment limited to a private club – bar and a commercial amusement (inside) limited to a dance hall on property zoned a CS Commercial Service District on the west line of McCree Road, north of East Northwest Highway.
2. **Z223-247:** An application for a Specific Use Permit for a utility or government installation other than listed limited to an elevated water storage reservoir on property zoned a CS Commercial Service District on the east line of Executive Drive, north of East Northwest Highway. [In progress, scheduled for City Council on December 13, 2023]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Executive Drive	Local	55 feet

Traffic:

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.

STAFF ANALYSIS:

Comprehensive Plan:

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

An MU-1 Mixed Use District 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 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.1 Promote pedestrian friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Policy 5.3.3 Encourage transit-oriented developments and transit centers.

Overall, the proposed change advances the Comprehensive Plan's goals to encourage a healthy mix of land uses and strengthening neighborhood character and identity through complimentary development.

Land Use:

	Zoning	Land Use
Site	CS Commercial Service District	Undeveloped
North	CS Commercial Service District	Surface parking associated with General Merchandise or Food Store > 100,000 sqft
East	CS Commercial Service District with SUP No. 1756	Surface parking associated with General Merchandise or Food Store > 100,000 sqft.
South	CS Commercial Service District	Undeveloped
West	MF-2(A) Multifamily District	Multifamily

Land Use Compatibility:

The area of request is currently undeveloped. Property to the north and east is used as surface parking associated with two general merchandise or food stores greater than 100,000 square feet. Properties to the south include a 15-foot water easement and an undeveloped property. There is a multifamily complex to the west across Executive Drive. Staff finds that the proposed district is complementary with surrounding uses and zoning districts.

The proposed MU-1 District would serve as a more appropriate buffer between the residential uses to the west and the more intense entitlements of CS to the east. MU-1 aids in diversifying land use in the area without adding commercial intensity. Multifamily uses are well suited in this location, well served by transit, and within walking distance to employment and services. Lodging uses are currently permitted on the site and are appropriate for the area, but MU-1 may be necessary to achieve development standards that typically accommodate lodging uses.

Land Use Comparison:

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200 as applicable

	Existing	Proposed
Use	CS	MU-1
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop	R	
Bus or rail transit vehicle maintenance or storage facility	R	
Catering service	•	•
Commercial cleaning or laundry plant	R	
Custom business services	•	•
Custom woodworking, furniture construction, or repair	•	
Electronics service center	•	•
Job or lithographic printing	R	
Labor hall	S	S
Machine or welding shop	R	
Machinery, heavy equipment, or truck sales and services	R	
Medical or scientific laboratory	•	•
Technical school	•	
Tool or equipment rental	•	
Vehicle or engine repair or maintenance	R	
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing	•	
Industrial (outside)		

	Existing	Proposed
Use	CS	MU-1
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	★	•
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	•	•
Cemetery or mausoleum	S	S
Child-care facility	•	•
Church	•	•
College, university, or seminary	•	•
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery	•	•
Foster home		•
Halfway house	S	
Hospital	R	S
Library, art gallery, or museum		•
Open enrollment charter school or private school	S	S
Public school other than an open enrollment charter school	R	R
LODGING USES		
Extended stay hotel or motel	S	S
Hotel or motel	R/S	R/S
Lodging or boarding house	•	
Overnight general purpose shelter	★	
MISCELLANEOUS USES		
Carnival or circus (temporary)	★	•
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment	S	
Financial institution without drive-in window	•	•
Financial institution with drive-in window	•	D
Medical clinic or ambulatory surgical center	•	•

	Existing	Proposed
Use	CS	MU-1
Office	•	•
RECREATION USES		
Country club with private membership	•	•
Private recreation center, club, or area	•	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house	•	•
Duplex		•
Group residential facility		•
Handicapped group dwelling unit		•
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		
Retirement housing		•
Single family		•
RETAIL AND PERSONAL SERVICE USES		
Alcoholic beverage establishments.	S	S
Ambulance service	R	
Animal shelter or clinic without outside runs	R	•
Animal shelter or clinic with outside runs	R	
Auto service center	R	R
Business school	•	•
Car wash	R	R
Commercial amusement (inside)	★	S
Commercial amusement (outside)	D	S
Commercial motor vehicle parking	★	
Commercial parking lot or garage	R	R
Convenience store with drive-through	S	
Dry cleaning or laundry store	•	•
Furniture store	•	
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 100,000 square feet or more.		S
Mortuary, funeral home, or commercial wedding chapel.	•	•
Home improvement center, lumber, brick or building materials sales yard	R	

	Existing	Proposed
Use	CS	MU-1
Household equipment and appliance repair	•	
Liquefied natural gas fueling station	S	
Motor vehicle fueling station	•	•
Nursery, garden shop, or plant sales	•	•
Outside sales		
Paraphernalia shop	S	S
Pawn shop	•	
Personal service use	•	•
Restaurant without drive-in or drive-through service	R	R
Restaurant with drive-in or drive-through service	D	D
Surface parking		
Swap or buy shop	S	S
Taxidermist	•	
Temporary retail use	•	•
Theater	•	•
Truck stop	S	
Vehicle display, sales, and service	R	
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal	D	
Heliport	S	
Helistop	S	
Private street or alley		
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	•	•
Transit passenger station or transfer center	★	•
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station	•	•
Electrical generating plant		
Electrical substation	•	•
Local utilities	★	•
Police or fire station	•	•
Post office	•	•
Radio, television, or microwave tower	R	•
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	★	•

	Existing	Proposed
Use	CS	MU-1
Utility or government installation other than listed	S	•
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction	S	
Building mover's temporary storage yard	S	
Contractor's maintenance yard	R	
Freight terminal	R	
Livestock auction pens or sheds		
Manufactured building sales lot	R	
Mini-warehouse	•	S
Office showroom/warehouse	•	
Outside storage	R	
Petroleum product storage and wholesale	S	
Recycling buy-back center	★	
Recycling collection center	★	•
Recycling drop-off container	★	•
Recycling drop-off for special occasion collection	★	•
Sand, gravel, or earth sales and storage	S	
Trade center	•	
Vehicle storage lot	S	
Warehouse	R	

Development Standards

<u>DISTRICT</u>	SETBACKS		Density and FAR	Height	Lot Coverage	Special Standards
	Front	Side/Rear				
Existing CS Commercial Service	0' min No Max	0' 20' adj res	0.5 FAR lodging, office, retail 0.75 total FAR	45'	80%	Proximity Slope
Proposed MU-1 Mixed Use District	15' min No Max	0' 20' adj res	0.4 – 1.1 FAR No min lot size Base: 15, 20, and 25 DUAC 5% at 61%-80% AMI: + 65 DUAC 10% at 61%-80% AMI: +80 DUAC 10% at 61%-80% AMI & 5% at 81%-100% AMI: +105 DUAC	No MUP: 80' MUP No Retail: 90' MUP Retail: 120'	80%	Proximity Slope UFS Tower Spacing

The proposed MU-1 allows appropriately sited density and height. MU-1 only allows increases in height and density when including a mix of uses. The FAR and lot coverage of MU-1 are similar to the existing CS zoning. This lot would only have a front setback on Executive Drive to the west. Additional height and density are appropriate in an area well served by transit and with concentrated surface parking.

The applicant has not stated any intent to include mixed income housing units, but the density bonuses available to multifamily uses allowed broadly in MU-1 are also listed above. Those bonuses would also entail the requirement of the design standards of 4.1107.

Landscaping:

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

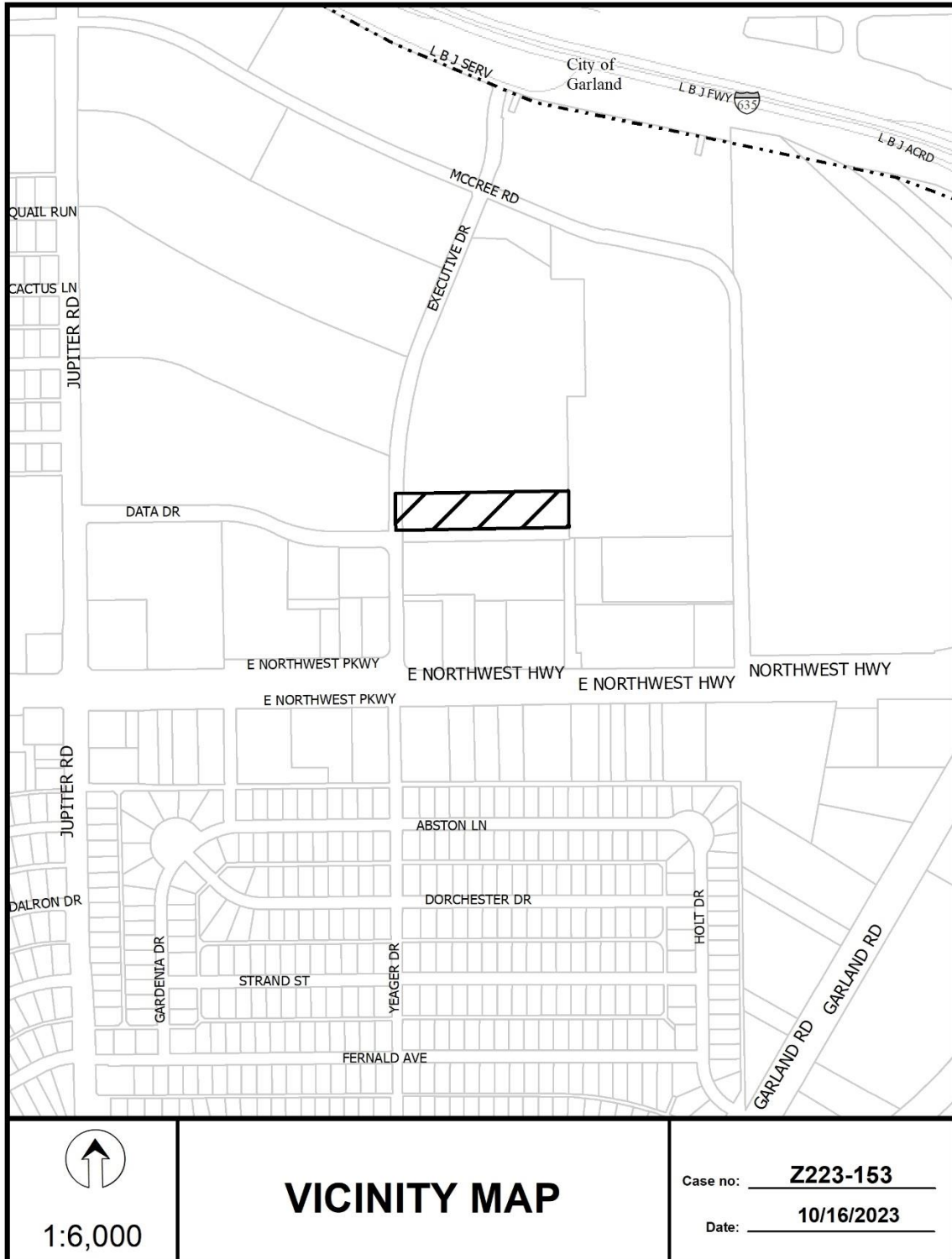
Parking:

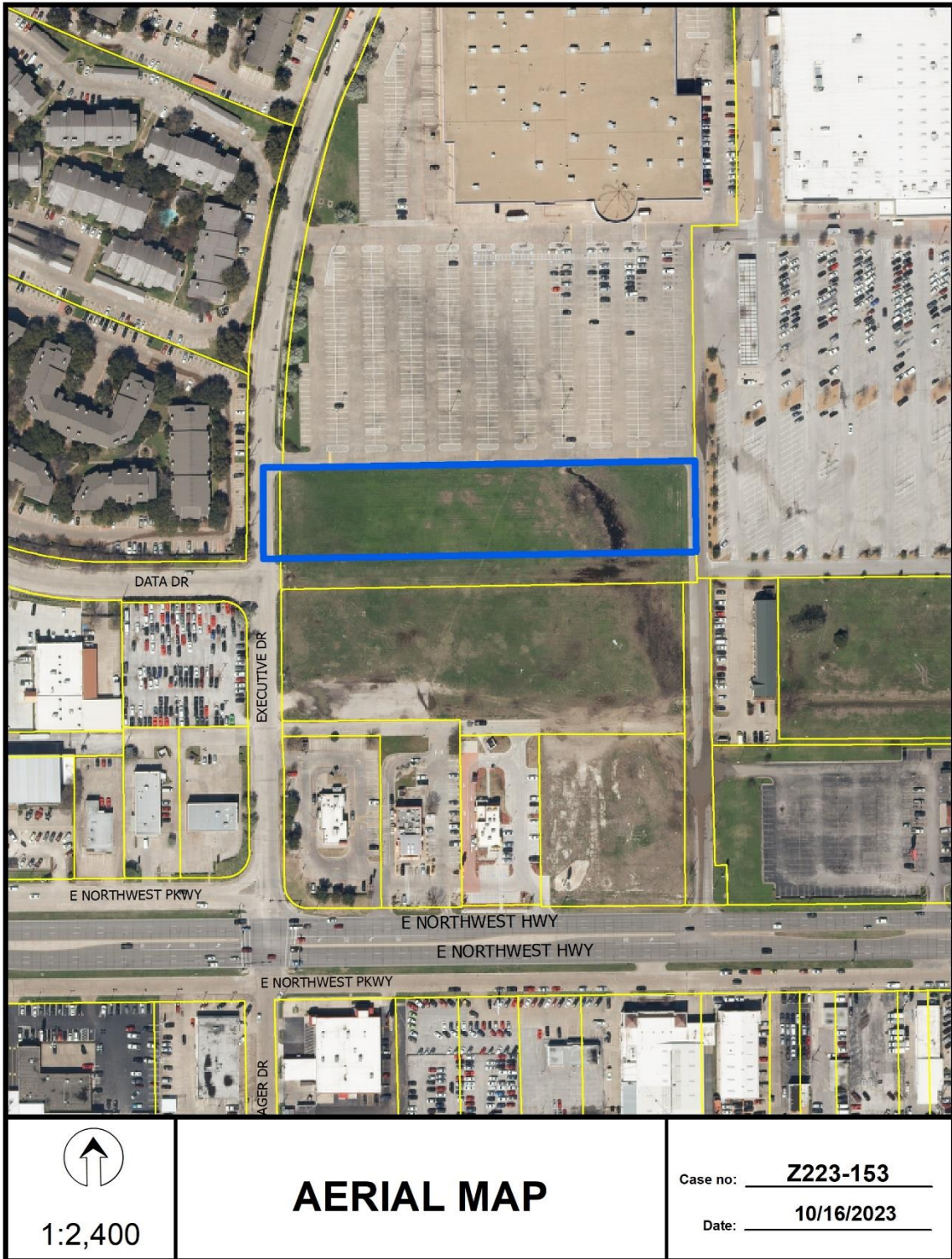
Off-street parking must be provided pursuant to the Dallas Development Code, as amended. The off-street parking requirement for a motel or hotel use is one space for each unit for units 1 to 250. The off-street parking requirement for a multifamily use is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. Should the applicant include a mixed income housing component, this requirement would be reduced to one-half space per unit. The off-street parking requirements for retail and personal services uses are variable but range from one space per 100 square feet of floor area to 300 square feet of floor area.

As with any minimum required parking, these ratios only reflect the minimum amount required. The developer may provide additional parking beyond these.

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 currently in an “E” MVA cluster.

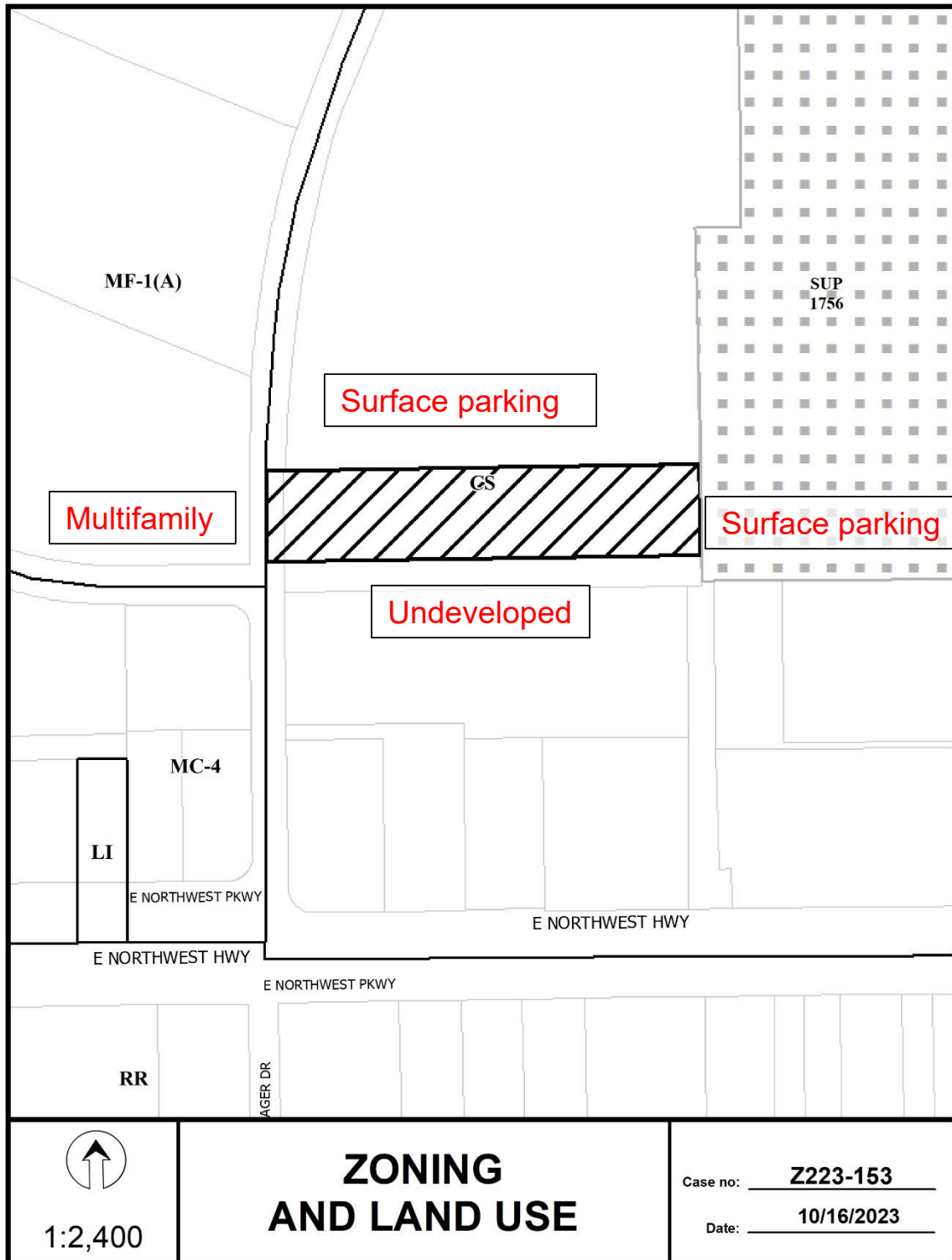


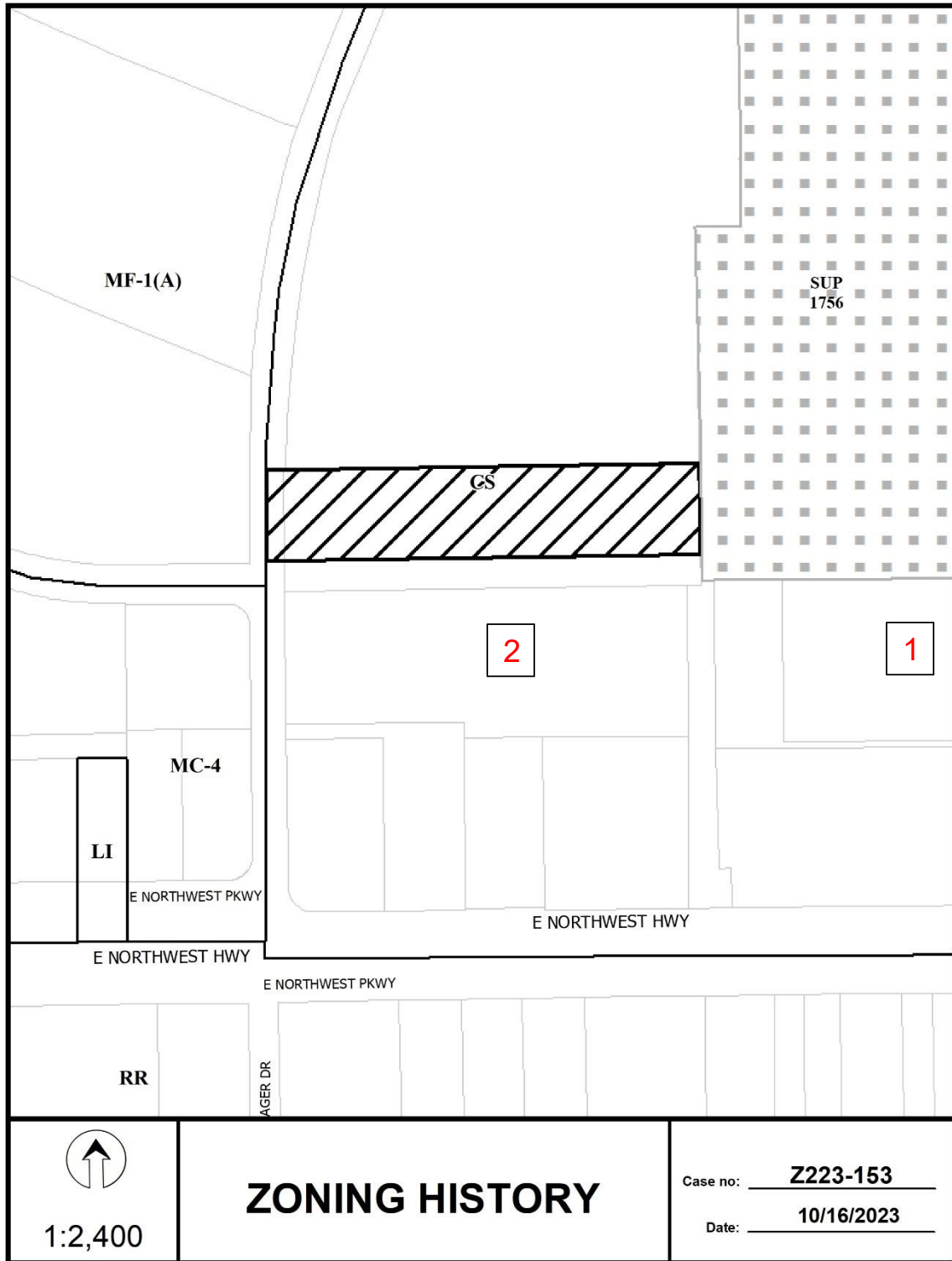


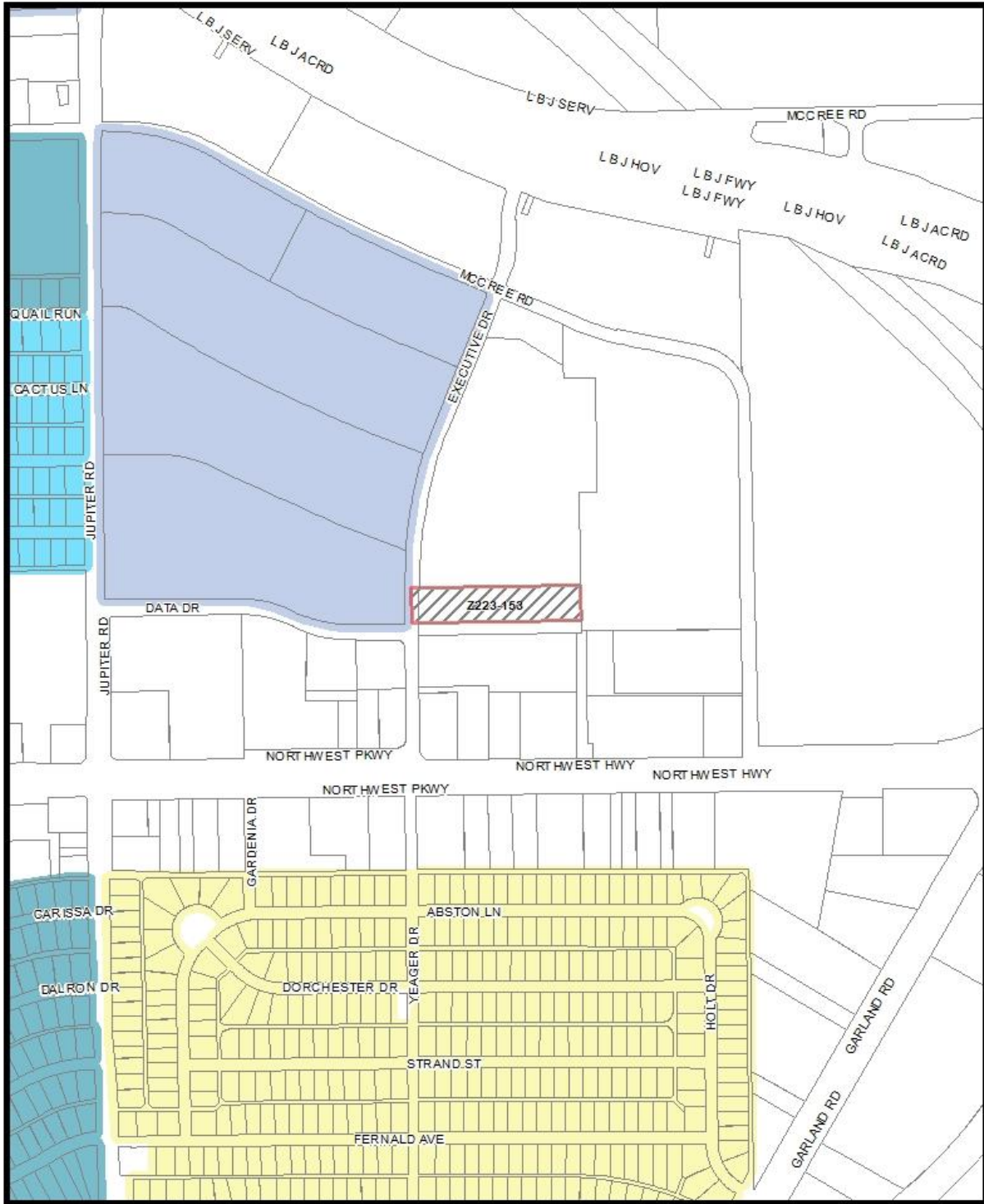
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AERIAL MAP

Case no: Z223-153
Date: 10/16/2023





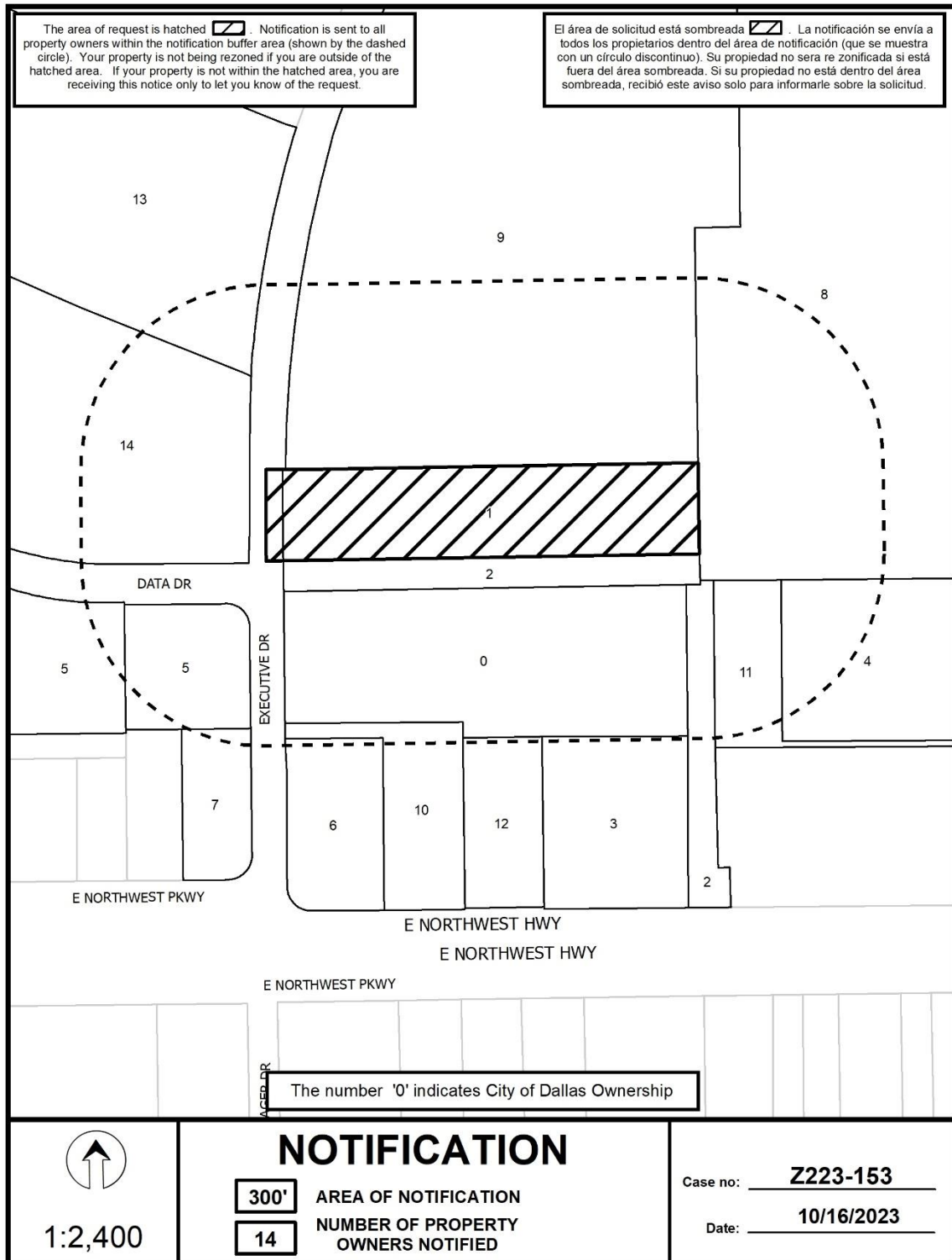


Market Value Analysis A B C D E F G H I NA

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Market Value Analysis

Printed Date: 10/16/2023



10/16/2023

Notification List of Property Owners

Z223-153

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	206 EXECUTIVE DR	KKMD INESTMENTS LLC
2	11921 E NORTHWEST HWY	SAMS EAST INC
3	11809 E NORTHWEST HWY	DFW VENTURE NO 1
4	11921 E NORTHWEST HWY	Taxpayer at
5	11510 DATA DR	GAMINO REYES
6	11701 E NORTHWEST HWY	WENDYS PROPERTIES LLC
7	11613 E NORTHWEST HWY	CLYDE AQUILL HOLDINGS LLC
8	12000 MCCREE RD	SAMS REAL ESTATE BUS TR
9	12710 EXECUTIVE DR	DAY DALLAS LLC
10	11721 E NORTHWEST HWY	WHATABURGER OF MESQUITE
11	12124 MCCREE RD	CHRISTIAN BRO AUTO CORP
12	11805 E NORTHWEST HWY	PKK INVESTMENTS LLC
13	12660 JUPITER RD	CEAI SOUTH POINTE LLC
14	12610 JUPITER RD	12610 JUPITER ROAD PROPERTY