

FILE NUMBER: Z223-212(MP) **DATE FILED:** February 22, 2023

LOCATION: Southeast corner of Prichard Lane and Scyene Road

COUNCIL DISTRICT: 5

SIZE OF REQUEST: ±6.49 acres **CENSUS TRACT:** 48113009101

REPRESENTATIVE: Mariela Estrada

APPLICANT: Raul Estrada

OWNER: Marcer Construction

REQUEST: An application for an MU-1-D Mixed Use District with a D Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

SUMMARY: The purpose of the request is to permit residential uses on the site.

STAFF RECOMMENDATION: Approval.

CPC RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is zoned a CR Community Retail District and is currently undeveloped.
- The applicant is proposing to develop the site with residential uses.
- The requested MU-1 Mixed Use District would be the most appropriate district to permit residential uses in adjacency to CR Community Retail District. MU-1 is also an appropriate transition from the residential uses to the southwest and the commercial uses along Buckner Boulevard.

Zoning History:

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

1. **Z223-256:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned with a D-1 Liquor Control Overlay, on the west side of South Buckner Boulevard, between North Scyene Road and Blossom Lane. [In progress]
2. **Z190-303:** On November 11, 2020, City Council approved an application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subarea 7 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Scyene Road	Community Collector	115 feet / 44 foot pavement, 60 foot ROW
Prichard Lane	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.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

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 5.2.1 Maintain neighborhood scale and character.

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.

NEIGHBORHOOD PLUS

Goal 4 Attract and Retain the Middle Class

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

Goal 5 Expand Homeownership

Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Policy 5.2 Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

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	CR Community Retail District with D Liquor Control Overlay	Undeveloped
North	R-7.5(A) Single Family District with SUP No. 92	Cemetery
East	CR Community Retail District with D-1 Liquor Control Overlay, R-7.5(A) Single Family District with SUP No. 92	Retail center, Cemetery
South	CR Community Retail District with D Liquor Control Overlay and D-1 Liquor Control Overlay	Multifamily, Undeveloped
West	R-7.5(A) Single Family District with SUP 1805	Open Enrollment Charter School

Land Use Compatibility:

The area of request is currently undeveloped. Property to the north and northeast are used as a cemetery under SUP No. 92. Properties to the south include a multifamily development and an undeveloped property. There is a strip retail center directly to the east. Across Prichard Lane to the west, there is an open enrollment charter school under SUP No. 1805. 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 southwest and the more intense uses of CR to the east along the South Buckner corridor. MU-1 aids in diversifying land use in the area without adding commercial intensity. MU-1 generally has slightly less commercial intensity than CR Community Retail District. Residential uses are well suited in this location, well served by transit, and within walking distance to employment and services.

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	CR	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		
Catering service	•	•
Commercial cleaning or laundry plant		
Custom business services	•	•
Custom woodworking, furniture construction, or repair		

	Existing	Proposed
Use	CR	MU-1
Electronics service center	•	•
Job or lithographic printing		
Labor hall		S
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory	S	S
Technical school		
Tool or equipment rental	•	
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
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	S	S
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		
Hospital	S	S
Library, art gallery, or museum	•	•
Open enrollment charter school or private school	S	S

	Existing	Proposed
Use	CR	MU-1
Public school other than an open enrollment charter school	R	R
LODGING USES		
Extended stay hotel or motel		S
Hotel or motel	S	R/S
Lodging or boarding house		
Overnight general purpose shelter	S	
MISCELLANEOUS USES		
Carnival or circus (temporary)	[Special]	[Special]
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	D
Medical clinic or ambulatory surgical center	•	•
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.	Prohibited by D	Prohibited by D
Ambulance service	R	
Animal shelter or clinic without outside runs	R	R
Animal shelter or clinic with outside runs		
Auto service center	R	R
Business school	•	•

Use	Existing	Proposed
	CR	MU-1
Car wash	D	R
Commercial amusement (inside)	• / S	• / S
Commercial amusement (outside)	S	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	S
Mortuary, funeral home, or commercial wedding chapel.	•	•
Home improvement center, lumber, brick or building materials sales yard	D	
Household equipment and appliance repair		
Liquor Store	Prohibited by D	Prohibited by D
Liquefied natural gas fueling station		
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		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		
Heliport		

	Existing	Proposed
Use	CR	MU-1
Helistop		
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	•	•
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	•	•
Utility or government installation other than listed	•	•
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse	S	S
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
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		
Trade center		
Vehicle storage lot		
Warehouse		

Development Standards

DISTRICT	SETBACKS		Density and FAR	Height	Lot Coverage	Special Standards
	Front	Side/Rear				
Existing CR Community Retail District	15' min* No Max	0' 20' adj res	0.5 FAR office 0.75 total FAR	54' 4 stories	60%	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

**Blockface continuity applies*

The proposed MU-1 allows appropriately sited density and height. MU-1 allows increases in height and density above its base only when including a mix of uses, as described above. This lot would have a front setback on Prichard Lane and on Scyene Road. Front setback continuity would imply a 25-foot front on these setbacks, as they share a block with R-7.5(A) zoning. Additional height and residential density are appropriate in an area well served by transit and with concentrated surface parking.

MU-1 would be a more appropriate zoning to developed residential uses on this site than would a Townhouse or Multifamily district, as these two districts would apply potentially problematic adjacency restrictions on surrounding commercial properties, including side setbacks, residential buffer zones, and residential proximity slope.

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 and tree preservation are required in accordance with 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 single family use in MU-1 is two spaces per unit. 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 “F” MVA cluster.

CPC Action
January 18, 2024

Motion: It was moved to recommend **approval** of a MU-1-D Mixed Use District with a D Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay, on the southeast corner of Prichard Lane and Scyene Road.

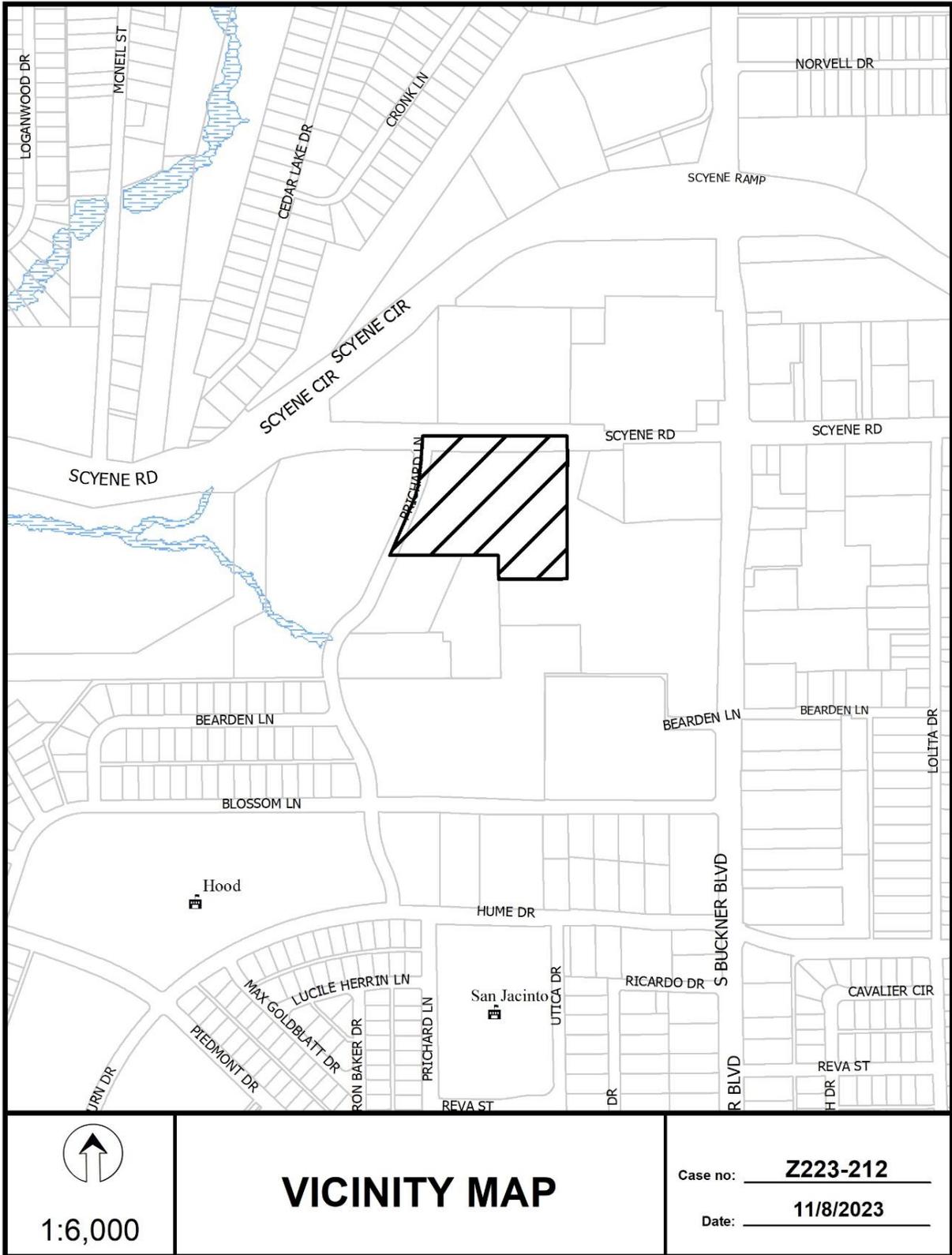
Maker: Rubin
Second: Hampton
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Treadway, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices: Area: 400 Mailed: 12
Replies: For: 0 Against: 0

Speakers: None



1:6,000

VICINITY MAP

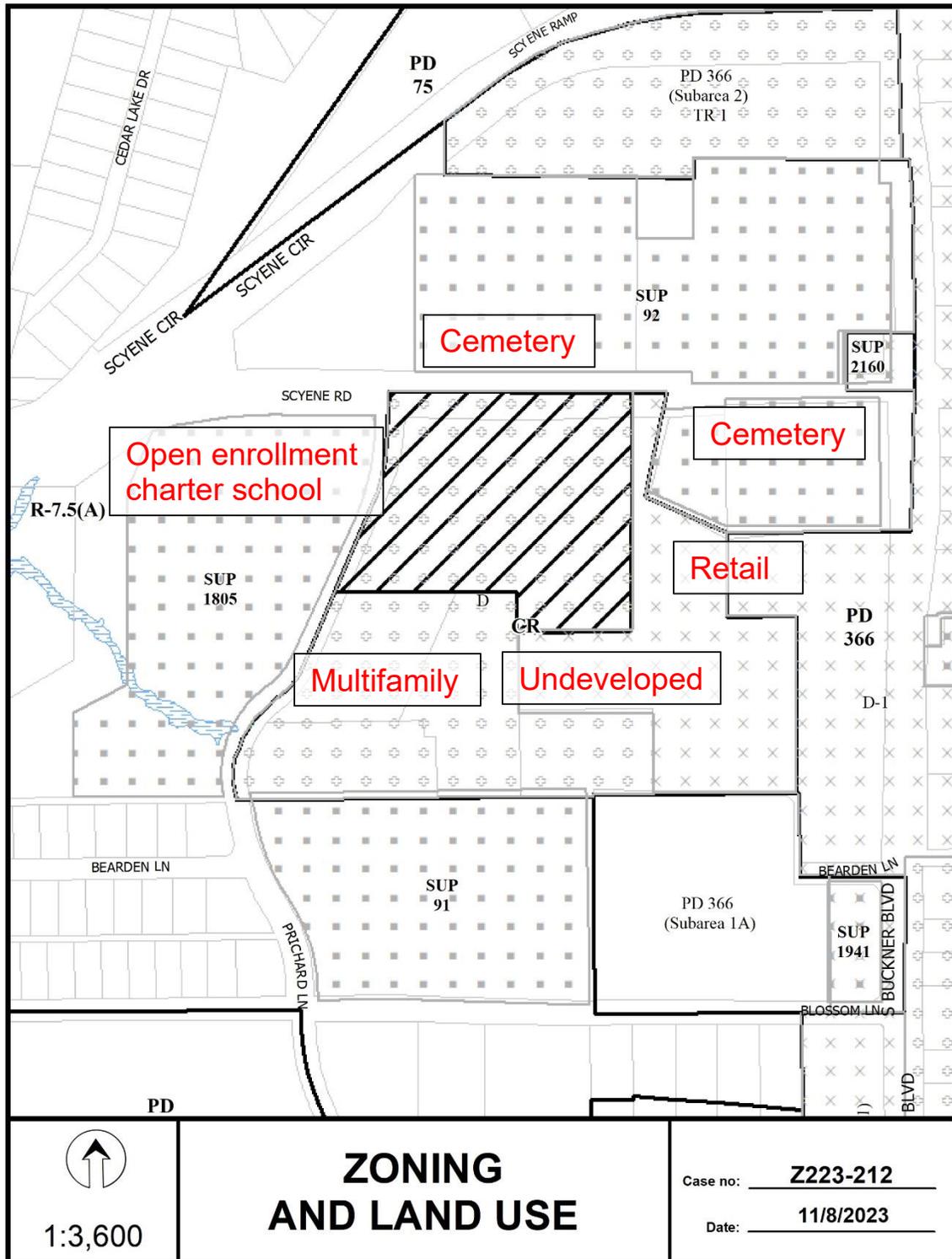
Case no: Z223-212
Date: 11/8/2023

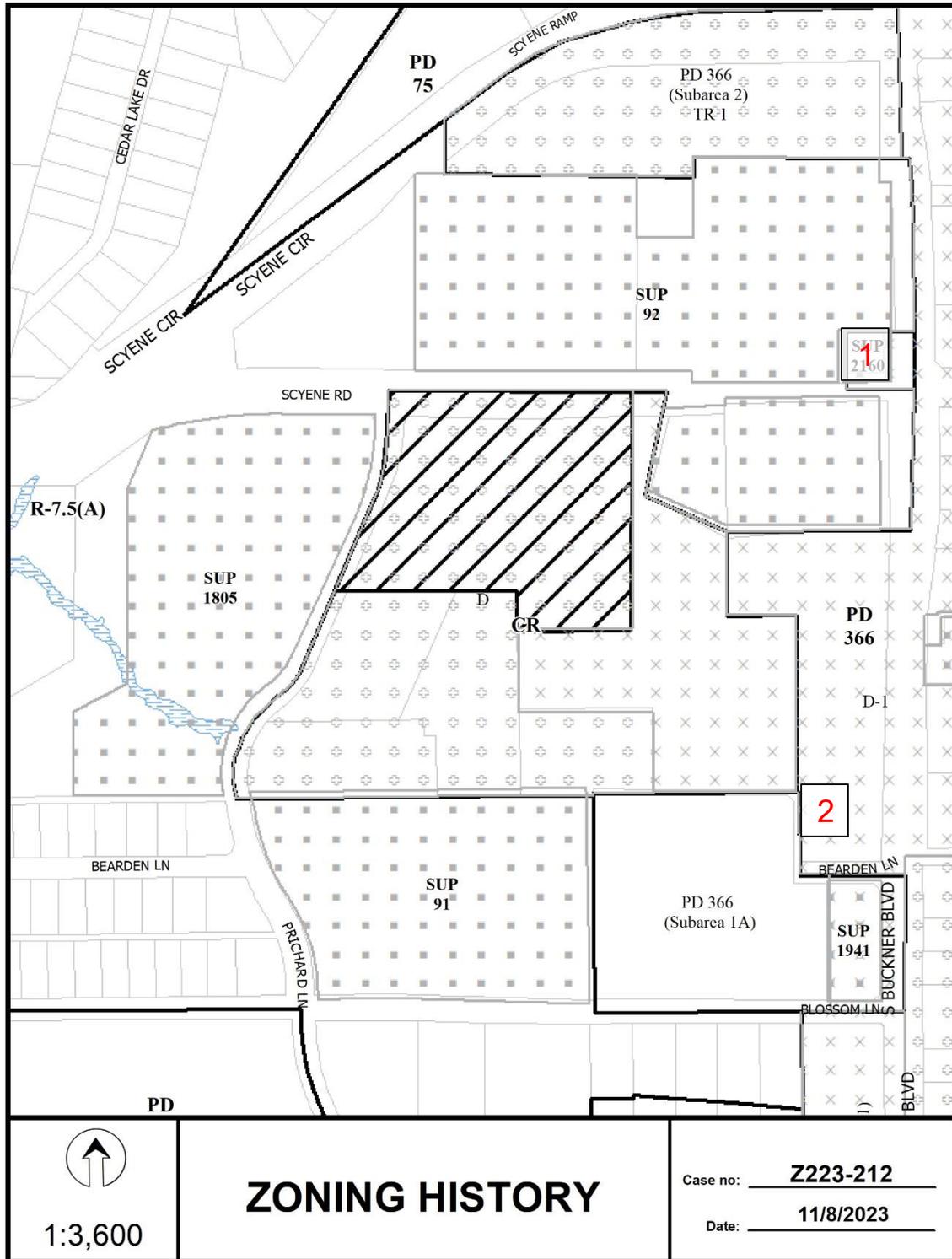


1:3,600

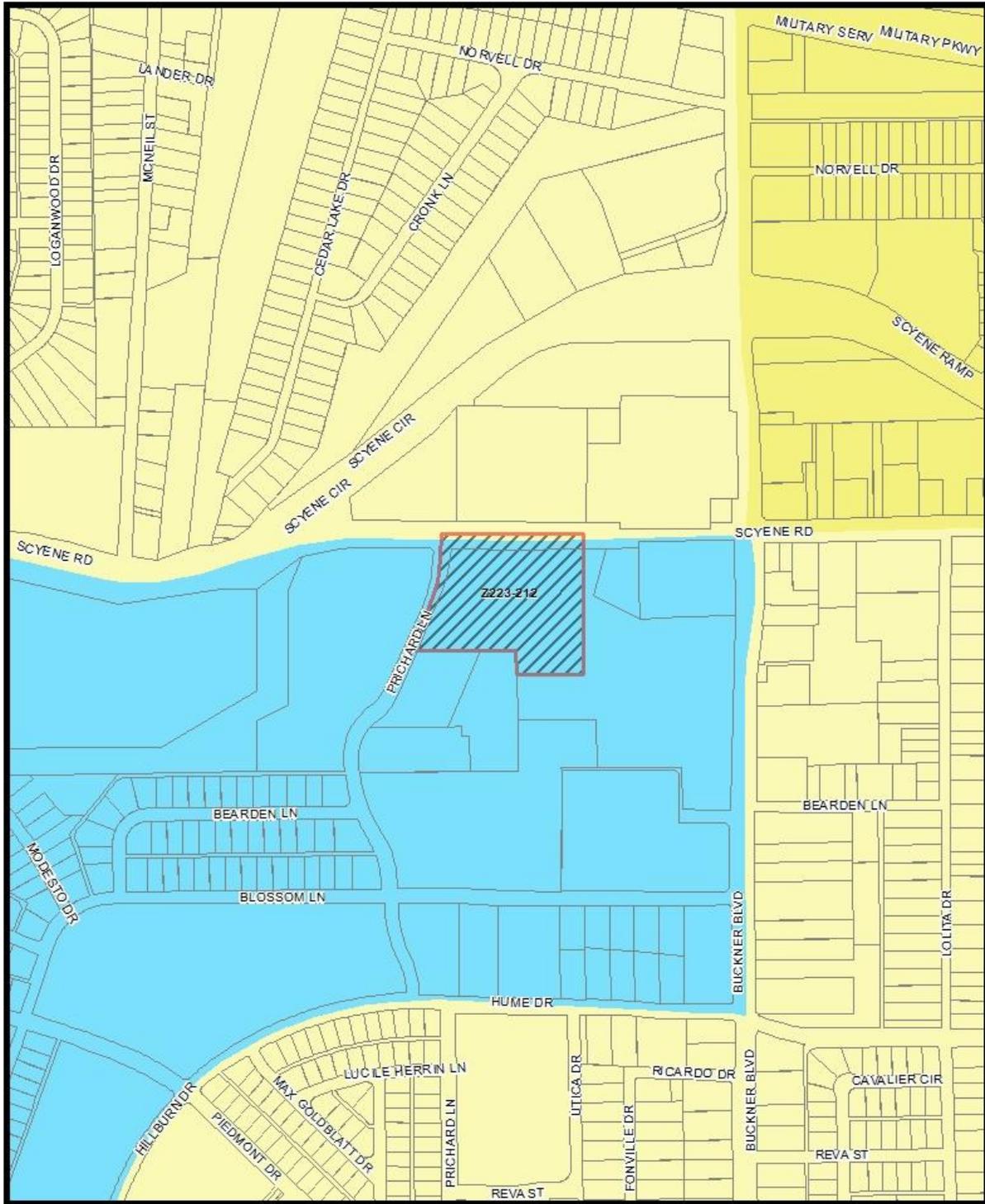
AERIAL MAP

Case no: Z223-212
Date: 11/8/2023





Z223-212(MP)

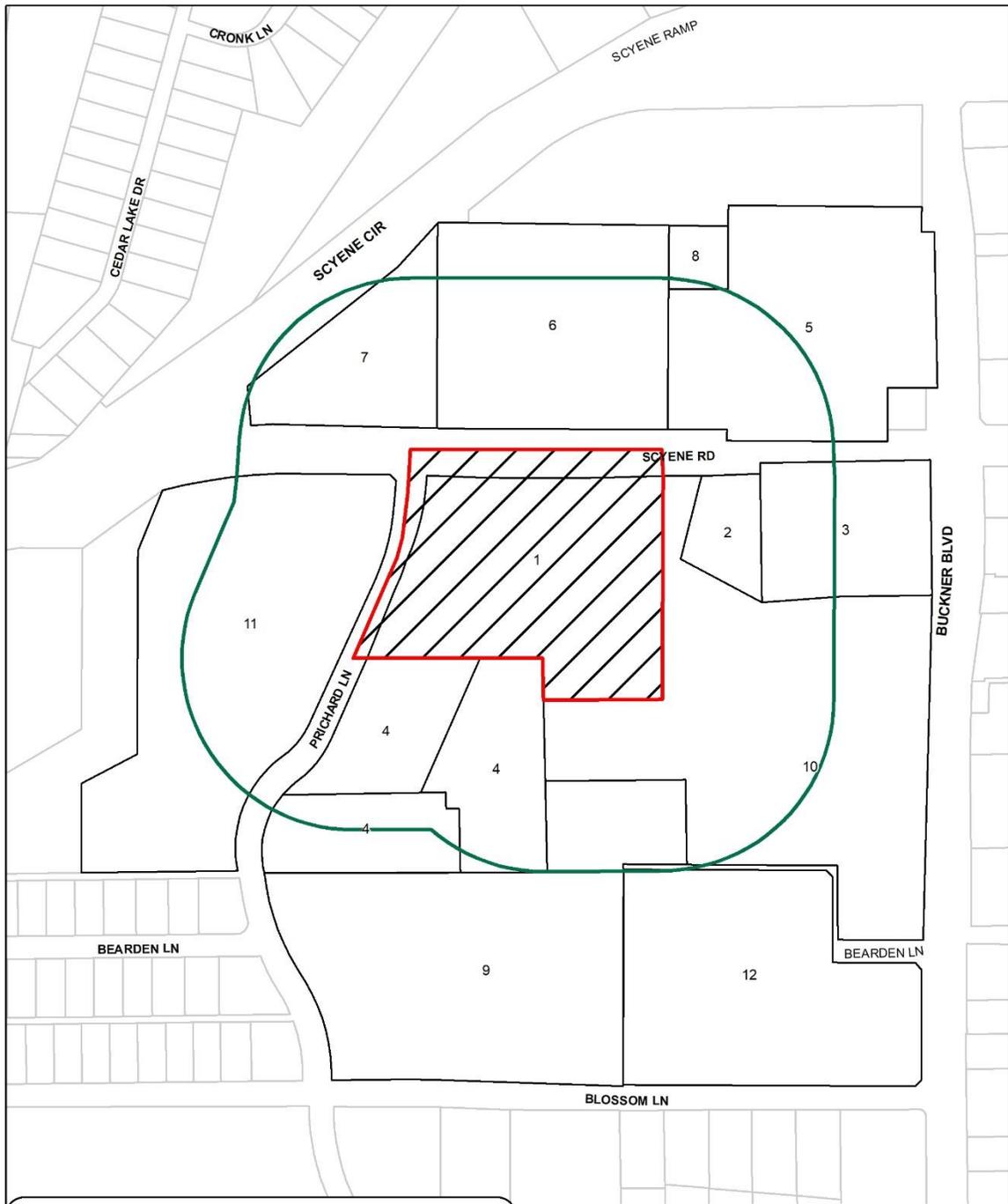


Market Value Analysis A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 1/2/2024



<u>12</u>	Property Owners Notified (14 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>400'</u>	Area of Notification
<u>1/18/2024</u>	Date

Z223-212
CPC



1:3,600

Z223-212(MP)

01/17/2024

Reply List of Property Owners

Z223-212

12 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	8000 SCYENE RD	MARCER CONSTRUCTION COMPANY
	2	8004 SCYENE RD	HERITAGE FUNERAL HOME &
	3	8050 SCYENE RD	CEMETERY
	4	2838 PRICHARD LN	VILLA LADERA APARTMENTS LLC
	5	3151 S BUCKNER BLVD	PLEASANT MOUND CEMETERY
	6	7801 SCYENE RD	CONGREGATION TIFERET ISRAEL
	7	7851 SCYENE RD	TEMPLO DE DIOS DALLAS
	8	8004 SCYENE RD	PLEASANT MOUND CEM ASSOC
	9	2818 PRICHARD LN	MINISTERIOS TIEMPO DE DIOS INC
	10	8000 SCYENE RD	BUCKNER PARTNERSHIP LP
	11	2800 PRICHARD LN	NOVA CHARTER SCHOOL
	12	2827 S BUCKNER BLVD	WAL MART REAL ESTATE BUSINESS TRUST