

FILE NUMBER: Z212-281(MP) **DATE FILED:** May 9, 2022
LOCATION: West corner of Scyene Road and Lagow Street
COUNCIL DISTRICT: 7
SIZE OF REQUEST: Approx. 4,792.01 S.F. **CENSUS TRACT:** 48113002703

REPRESENTATIVE: Blanca Cardenas

APPLICANT: Andres Barragan

OWNER: Felix Cruz

REQUEST: An application for a Specific Use Permit for an auto service center on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of the request is to develop a new auto service center on the site.

STAFF RECOMMENDATION: **Denial.**

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and revised conditions.

Planned Development District No. 595

<https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20595.pdf>

BACKGROUND INFORMATION:

- The area of request is currently zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District. The site is currently undeveloped.
- The applicant proposes a new auto service center.
- Among the permitted main uses in the PD, auto service center is permitted by Specific Use Permit only.
- Staff recommends denial based on proximity to nearby residential properties and the vision set for the area in the Hatcher Station Area Plan.

Zoning History:

There have not been any zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Scyene Road	Principal Arterial	100 feet / 100 feet Bike Plan
Lagow Street	Local	65-foot ROW

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 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request conflicts with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT

Policy 1.4.3 Embrace environmental sustainability.

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 5.2.3 Ensure attractive gateways into the city.

The proposed change does not further the goals of the Comprehensive Plan in regard to complementary building forms, appropriate development, or sustainability.

Hatcher Station Area Plan:

The Hatcher Station Area Plan details specific initiatives to create a better future for the area, with particular attention to improving safety and multi-modal connectivity, reinvigorating affordable housing, and establishing strategies and guidelines to create a thriving transit-oriented neighborhood over the long term.

VISION:

The Hatcher area is envisioned as a safe, walkable mixed-use neighborhood that provides a range of neighborhood serving retail, housing options and vocational enrichment opportunities.

The area of request is designated by the area plan as "Urban Mixed-use". The plan defines this as "Urban Mixed-Use includes a vibrant mix of employment, retail and housing. Buildings in this area may range from small shops and townhomes to mid-rise commercial and residential, with appropriate transitions to single-family neighborhoods. This area should provide strong pedestrian-friendly links to transit with streetscape enhancements along Scyene Road and Hatcher Street."

Table 7.3: Zoning Strategies

Strategy: Use the area plan to facilitate mixed-use, transit-oriented zoning and

appropriate redevelopment over time.

Action:

- Use the land use concept plan as a guide for all ongoing rezoning activity in the area.
- Work closely with development partners on catalyst sites to expedite zoning consistent with the land use concept plan

The proposed change does not further the goals of the Hatcher Station Area Plan.

The land use concept plan for the site and surrounding area envisions a walkable vertical mixed use neighborhood and recommends a form-based zoning district to accomplish it. The proposed SUP and use do not further diverse land uses in the area or achieve transit support density. Potential activities from an auto service center would not enhance a pedestrian environment on Scyene Road or on Lagow Street.

Land Use:

	Zoning	Land Use
Site	CC Community Commercial Subdistrict within PD No. 595	Undeveloped
North	R-5(A) Single Family Subdistrict within PD No. 595	Single family
East	R-5(A) Single Family Subdistrict within PD No. 595, RS-I Regional Service Industrial Subdistrict within PD No. 595	Office Showroom/Warehouse
South	CC Community Commercial Subdistrict within PD No. 595, RS-I Regional Service Industrial Subdistrict within PD No. 595	Undeveloped, Warehouse
West	CC Community Commercial Subdistrict within PD No. 595	Restaurant with drive-in or drive-through service

Land Use Compatibility:

North and northeast of the site across Lagow Street is a single family neighborhood. Property east of the site is developed as an office showroom/warehouse. Directly south across Scyene Road, there is undeveloped property and a warehouse. Within the same block, to the west, there is a restaurant with drive-in or drive-through service. The Hatcher DART Station is further to the southwest, within 200 feet.

The current zoning, CC Community Commercial Subdistrict within PD No. 595, allows a variety of commercial and retail uses by right including restaurant uses, personal service uses, and office, similar to a CR Community Retail District in Chapter 51A. However, the proposed auto service center requires approval of an SUP. Staff finds that the proposed use within 60 feet of residential properties could fail to meet criteria (1); (2); and (3)(A), (B), (C), and (D) for the evaluation of a specific use permit, noted below.

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 holds that approval of a specific use permit should, as it constitutes the approval and evaluation of a single use on a site, be reserved for sites that are specifically well suited for the use. Staff finds that to meet the requirements of city code and the principles of safely designed spaces, the small size and shape of the site in conjunction with the use would detract from the pedestrian oriented spaces envisioned in the Hatcher Station Area Plan. The ingress and egress of cars being serviced along Lagow Street could pose safety and quality of life concerns to pedestrians and homes on the north side of the site. Generally, based on the area plan, a zoning district with a diverse mix of uses, including housing, would be more appropriate on this block.

Landscaping:

The development must provide landscaping per Article X and PD No. 595 as amended. Beyond typical Article X requirements, the PD calls for the following additional requirements:

Front yard landscaping:

(b) Front yard landscaping. If a 15-foot front yard is provided in the CC Community Commercial Subdistrict, it must be landscaped as follows:

(1) At least 40 percent of the front yard 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.

(2) One tree having a caliper of at least three and one-half inches, or two trees each

having a caliper of at least one and one-half inches, must be provided in the front yard for each 30 feet of

lot frontage, exclusive of driveways, visibility triangles, and points of ingress or egress.

(3) No more than 60 percent of the front yard may be landscaped with walkways, plazas, courtyards, or other non-plant decorative landscape features.

Parking screening:

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

Screening for off-street parking must be a brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence that is not less than six feet in height. The wall or fence may not have more than ten square inches of open area for each square foot of surface area, and may not contain any openings or gates for vehicular access.

Given the nature of the use, the layout of the site plan, and the size of the site, staff has identified significant difficulty in meeting these requirements of the code. As a result, the proposed site plan does not include space for these code-required plantings.

Additionally, the small size of the site and the orientation of the site plan entails that the dumpster area for the business is located on the residential facing façade of the property, presenting quality of life impacts for nearby residential.

Parking:

Parking must be provided pursuant to the Dallas Development Code.

An auto service center requires 1 space per 500 square feet of floor area. The site plan depicts 800 square feet of building area, which would require 2 spaces. The plan provides 5 parking spaces.

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 property is located within a “G” MVA area.

CPC Action

January 18, 2024

Motion: It was moved to recommend **approval** of a Specific Use Permit for an auto service center for a two-year period, subject to a site plan and conditions to include the following addition provision: 1) maintain a 6-foot solid screen fence between the parking area and the sidewalk on the south side of the property on Scheme Road on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the west corner of science Road and Lagow Street.

Maker: Wheeler-Reagan
Second: Herbert
Result: Carried: 11 to 3

For: 11 - Chernock, Herbert, Shidid, Wheeler-Reagan,
Blair*, Sleeper, Housewright, Treadway, Haqq,
Hall, Kingston

Against: 3 - Hampton, Carpenter, Rubin

Absent: 0

Vacancy: 1 - District 4

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 20

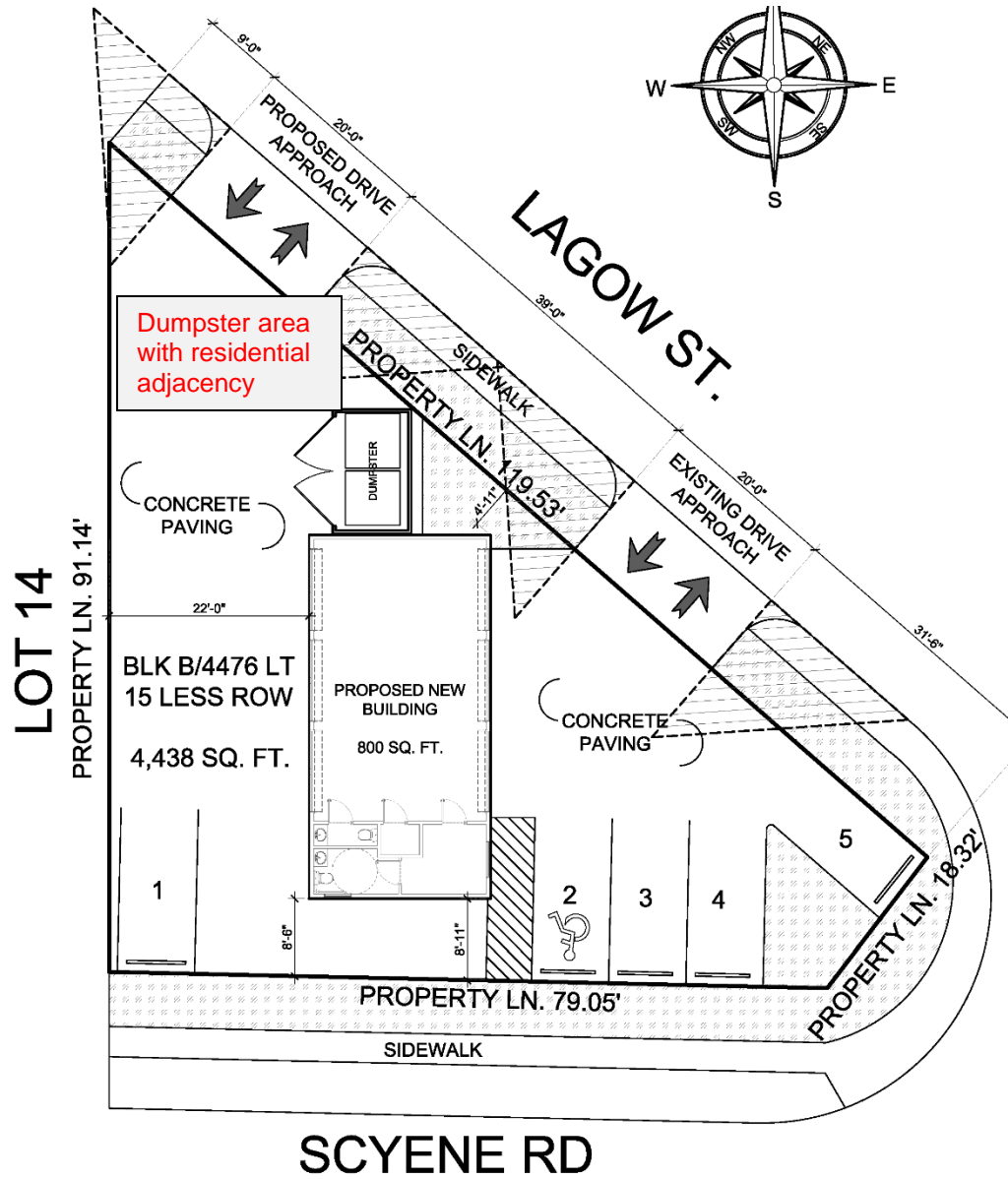
Replies: For: 1 Against: 5

Speakers: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is an auto service center.
2. SITE PLAN: Use and development of the Property must comply with the submitted site plan.
3. TIME LIMIT: This specific use permit expires on (two years from date of approval).
4. FLOOR AREA: The maximum floor area for the use is 800 square feet.
5. HOURS OF OPERATION: The use may only operate between 7 am-7 pm, 7 days per week.
6. OUTSIDE SPEAKERS: Outside speakers or audio amplification devices are prohibited.
7. SCREENING: A minimum of 6-foot solid screening must be provided along the Scyene Road frontage between the parking area and sidewalk.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. 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 SITE PLAN (ENLARGED)
(Same for both uses)

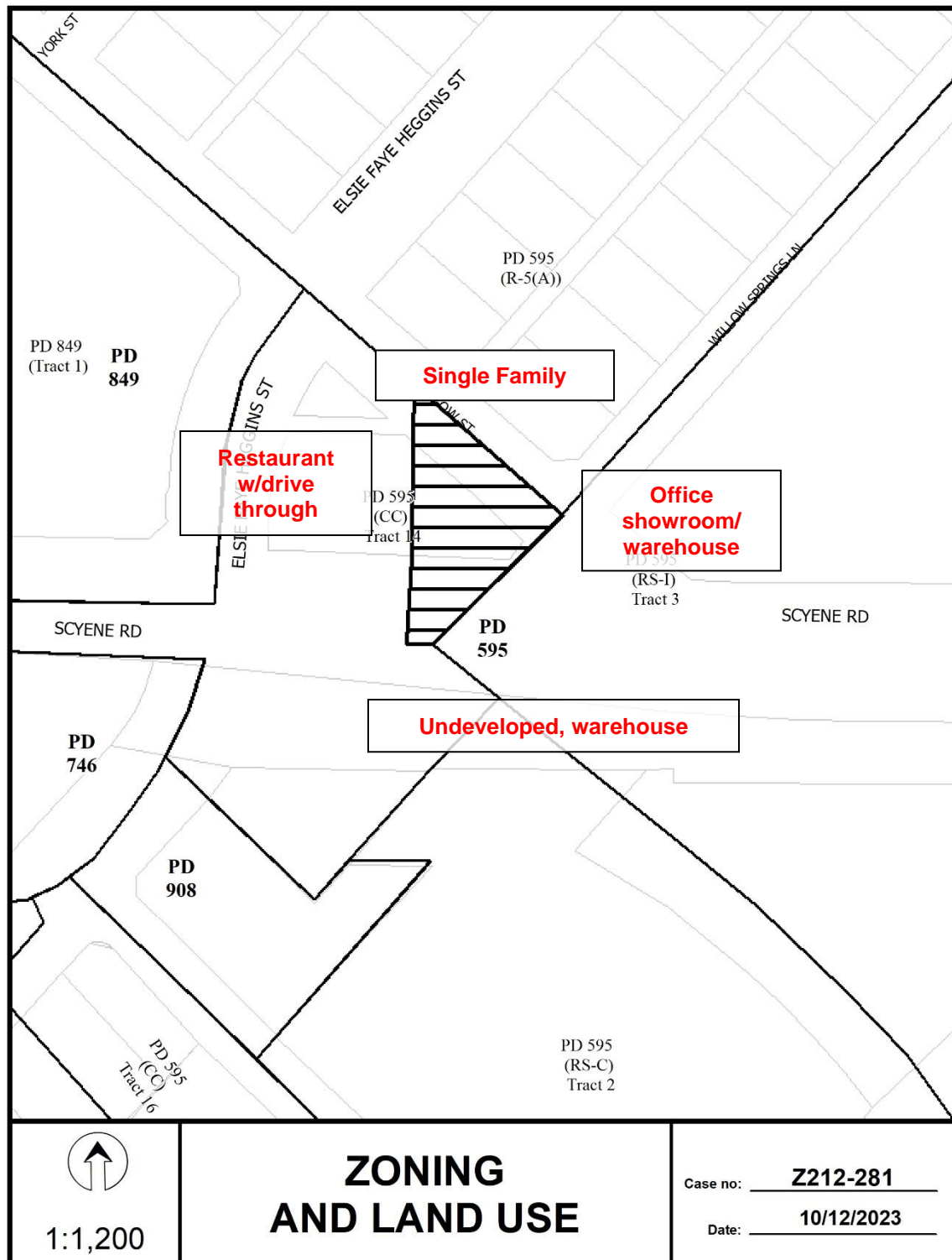


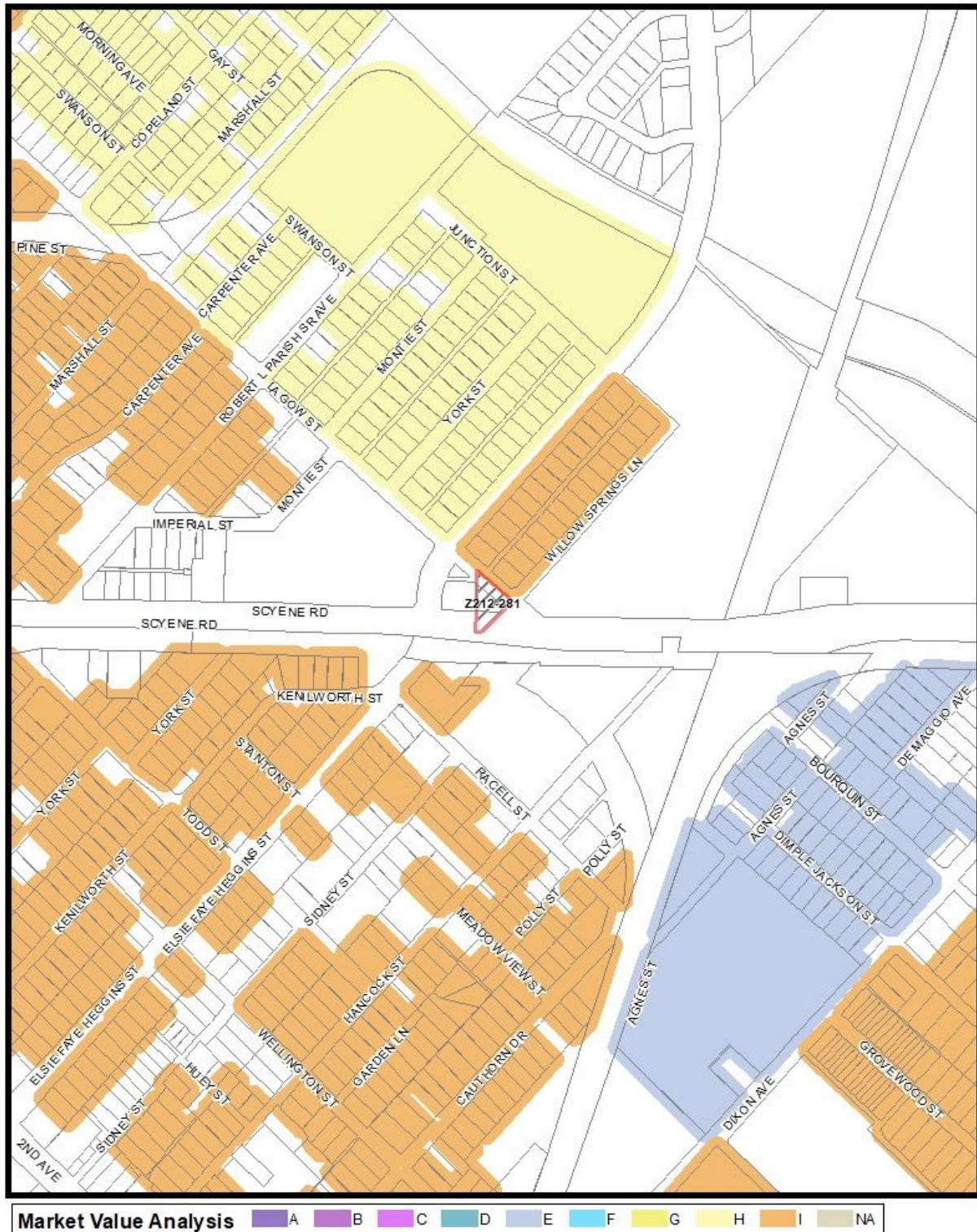
SITE PLAN

SCALE 1" = 20'-0"











01/17/2024

Reply List of Property Owners***Z212-281******20 Property Owners Notified 1 Property Owners in Favor 5 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	4658 SCYENE RD	CRUZ FELIX AMADO &
	2	4107 HANCOCK ST	KIRK RAGSDALE 1 LLC
	3	4828 RACELL ST	HUSSAIN FAREED &
X	4	4700 SCYENE RD	BLAINES MOTOR SUPPLY INC
	5	4203 ELSIE FAYE HEGGINS ST	WILLIAMS LESS ESTATE OF
X	6	4207 ELSIE FAYE HEGGINS ST	COLEMAN LILLIE MAE EST OF
X	7	4202 ELSIE FAYE HEGGINS ST	TOLLIVER LUTHER M
	8	4206 ELSIE FAYE HEGGINS ST	TOLLIVER LUTHER M JR
X	9	4210 ELSIE FAYE HEGGINS ST	JONES ROBERTNETTA
	10	4214 ELSIE FAYE HEGGINS ST	A&R TEXAS PROPERTIES LLC
	11	4203 WILLOW SPRINGS LN	HOOKER JULIUS JR EST OF
	12	4207 WILLOW SPRINGS LN	EDMOND DAPHENE ETAL
	13	4211 WILLOW SPRINGS LN	BAKER LAVERNE
X	14	4215 WILLOW SPRINGS LN	BROOKS NATHANIEL TRUST
	15	4656 SCYENE RD	SPERRY SHANNON
	16	4132 ELSIE FAYE HEGGINS ST	SPERRY SHANNON
	17	4006 ELSIE FAYE HEGGINS ST	DART
	18	4002 ELSIE FAYE HEGGINS ST	KKBK PROPERTIES LLC
	19	4600 SCYENE RD	DALLAS COUNTY HOSPITAL DISTRICT
	20	401 S BUCKNER BLVD	DART