

FILE NUMBER: Z189-288(PD)

DATE FILED: June 7, 2019

LOCATION: Bounded by West Mockingbird Lane, Lemmon Avenue and Roper Street

COUNCIL DISTRICT: 2

MAPSCO: 34 L

SIZE OF REQUEST: ±1.3 acres

CENSUS TRACT: 71.02

OWNER/APPLICANT: NWH Land LP

REPRESENTATIVE: Kirk Williams & Laura Hoffmann, Winstead PC

REQUEST: An application for a CR Community Retail District on property zoned Planned Development District No. 934 for CR Community Retail District uses.

SUMMARY: The proposed request will allow community retail uses to be developed on the subject site in accordance with the CR district standards.

CPC RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The request site is approximately 1.34 acres of land and currently undeveloped.
- The City Council approved Planned Development District No. 934 on December 10, 2014 for CR Community Retail District uses and a vehicle display and sales use.
- The request seeks to rezone the property back to a CR Community Retail District to ensure that the property will not be held to compliance with the approved development plan for PDD No. 934.

Zoning History: There has been one recent zoning change in the area within the past five years.

1. **Z134-285:** On December 10, 2014, the City Council approved Planned Development District No. 934 for CR Community Retail District uses and a vehicle display and sales use on property zoned a CR Community Retail District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
West Mockingbird Lane	Local	100 feet
Lemmon Avenue	Principal Arterial	90 feet
Roper Street	Principal Arterial	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the request will not significantly impact the surrounding street 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 requested zoning change meets the following goals and objectives of the Comprehensive Plan.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 934	Undeveloped
North	CR, PD No. 67, PD No. 947 & R-7.5(A)	Retail, Single Family & Financial Institution
East	IR & PD No. 738	Retail & personal service
South	IR	Retail
West	IR	Industrial

Land Use Compatibility:

The property is a 1.3-acre, undeveloped lot bounded by West Mockingbird Lane, Lemmon Avenue and Roper Drive. The applicant is proposing to develop the property with CR Community Retail uses rather than the vehicle, display and sales use. While the site is regulated by Planned Development District No. 934 with a base zoning of CR Community Retail District uses, the PDD requires compliance with an approved development plan and landscape plan for all future uses. To ensure that the site is developed in conformance to the CR development standards, a zoning change is required.

Staff advised the applicant to consider amended the existing PDD conditions to include language that would also allow all uses in the CR District thereby not stripping the site of an additional use that could be utilized in the future. However, in conversations with the neighborhood, the applicant agreed to remove the use to satisfy the neighborhood's request.

The property is surrounded by retail, financial institution and residential to the north and east; vehicle display sales and services, and industrial to the south; and undeveloped,

retail and restaurant to the west. Surrounding uses are financial institutions, retail and vehicle display sales and service uses.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing/Proposed							
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping:

Landscaping of the property must be provided in accordance with Article X, as amended.

CPC Action
September 5, 2019

Motion: It was moved to recommend **approval** of a CR Community Retail District on property zoned Planned Development District No. 934 for CR Community Retail District uses bounded by West Mockingbird Lane, Lemmon Avenue, and Roper Street.

Maker: Schulte
Second: Carpenter
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Johnson, Shidid,
Carpenter, Brinson, Housewright, Schultz,
Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Criss
Vacancy: 2 - District 8, District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 300 Mailed: 39
Replies: For: 2 Against: 0

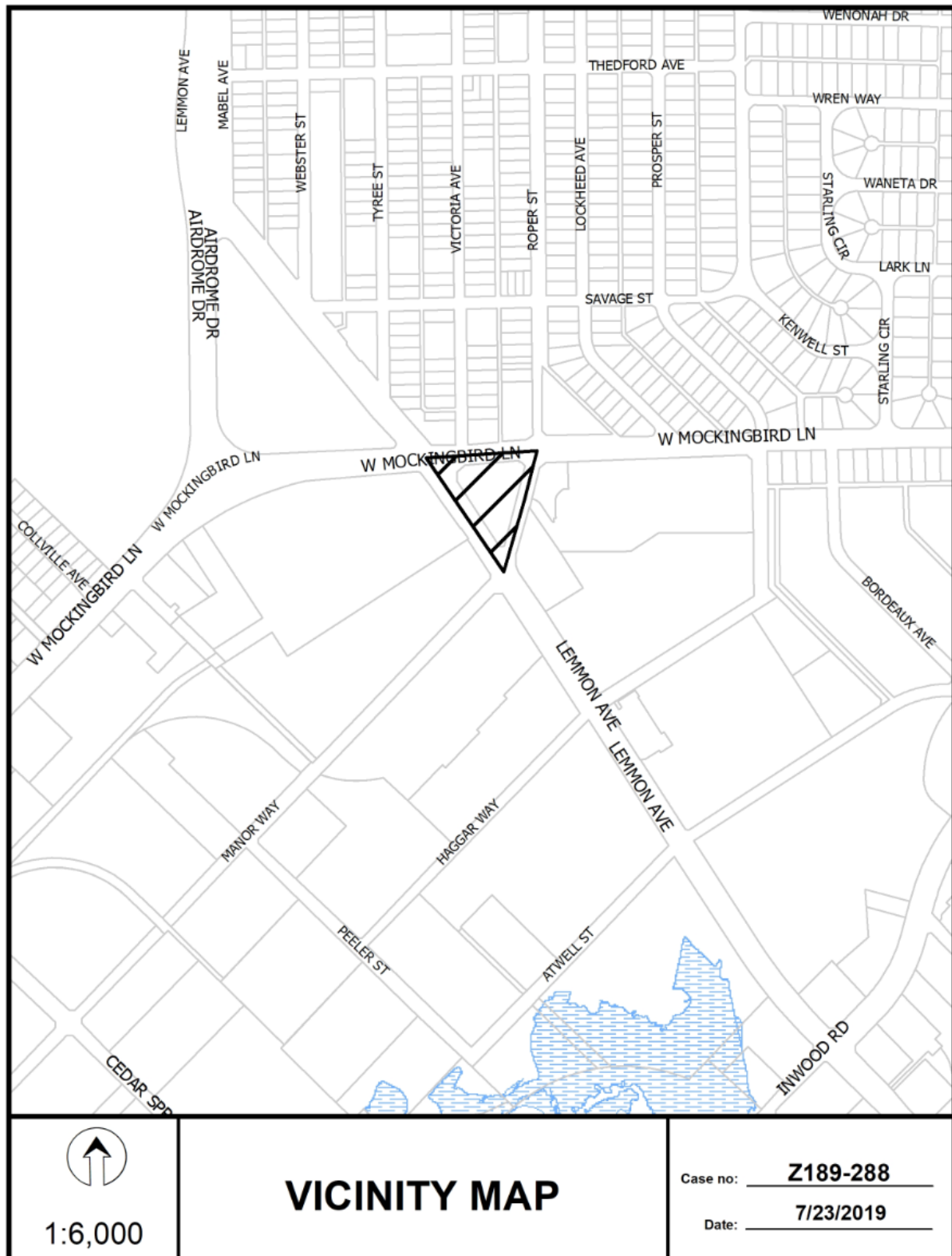
Speakers: None

List of Officers & Directors

Owner/Applicant: NWH Land LP

General Partner: PP Land GP, LLC

President:	Kenneth L. Schnitzer
Manager:	Kenneth L. Schnitzer
Manager:	Douglas W. Schnitzer
Vice President:	Douglas W. Schnitzer
Secretary:	Aubrey Bennett
Chief Financial Officer:	Rick Stone
Vice President:	Rick Stone



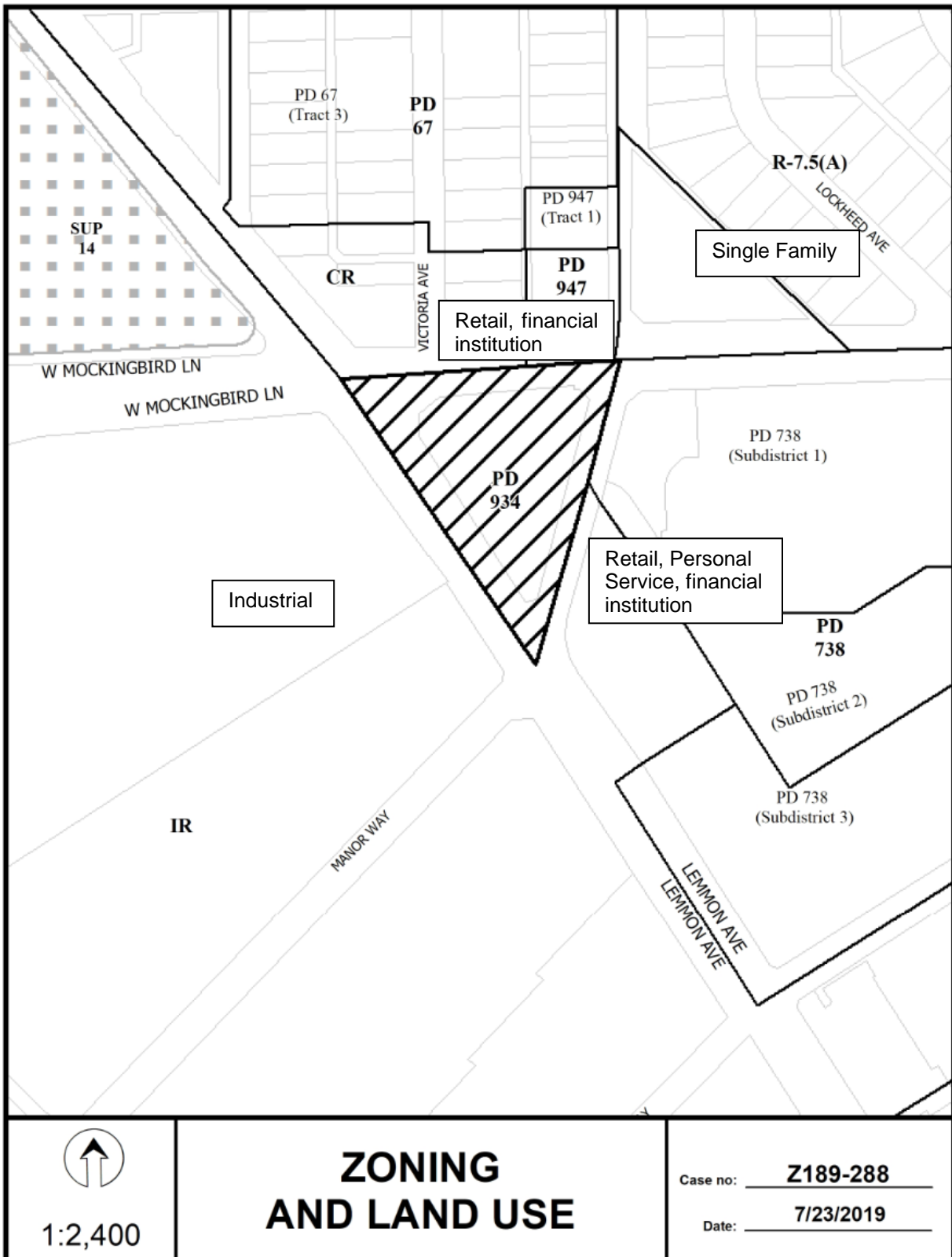


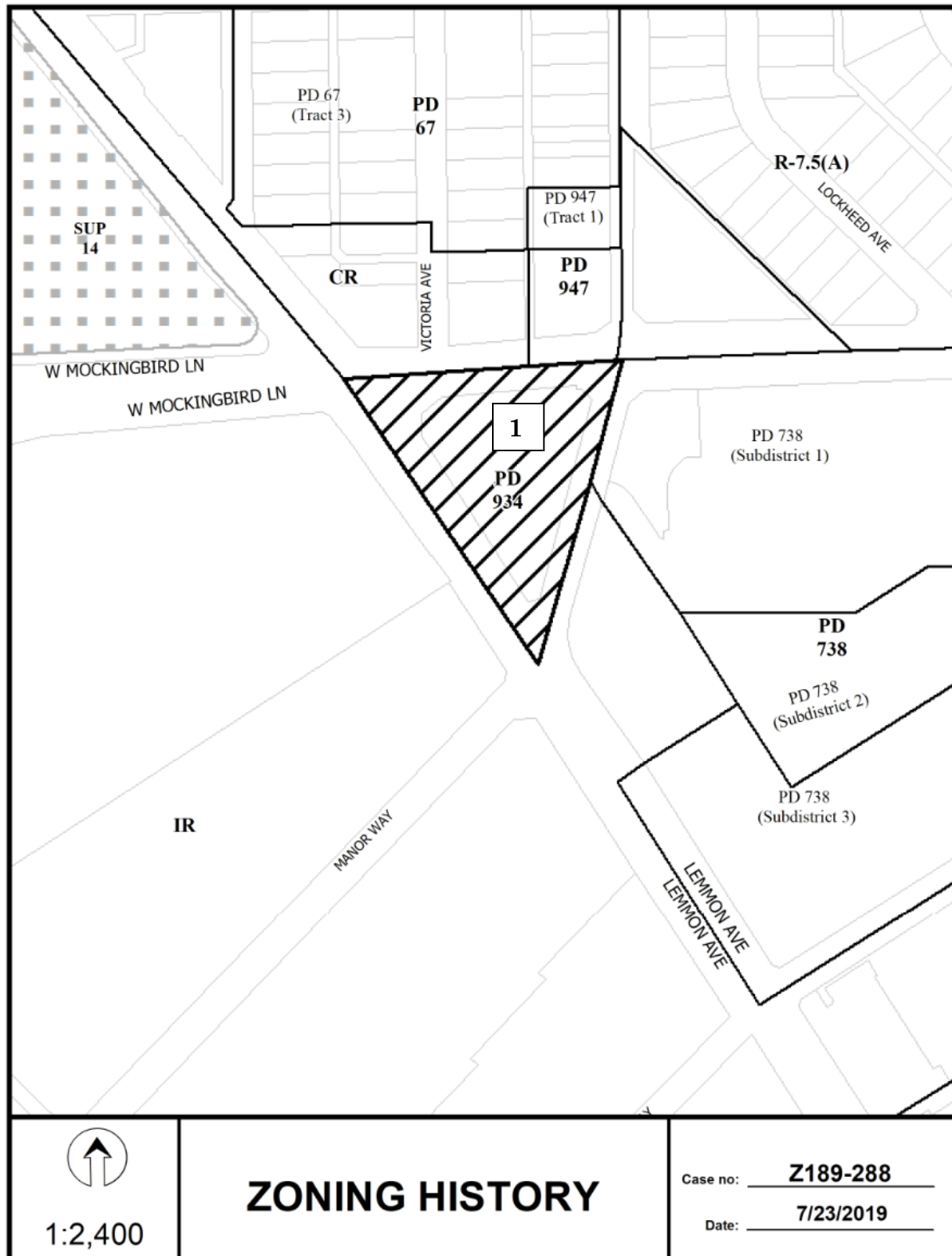
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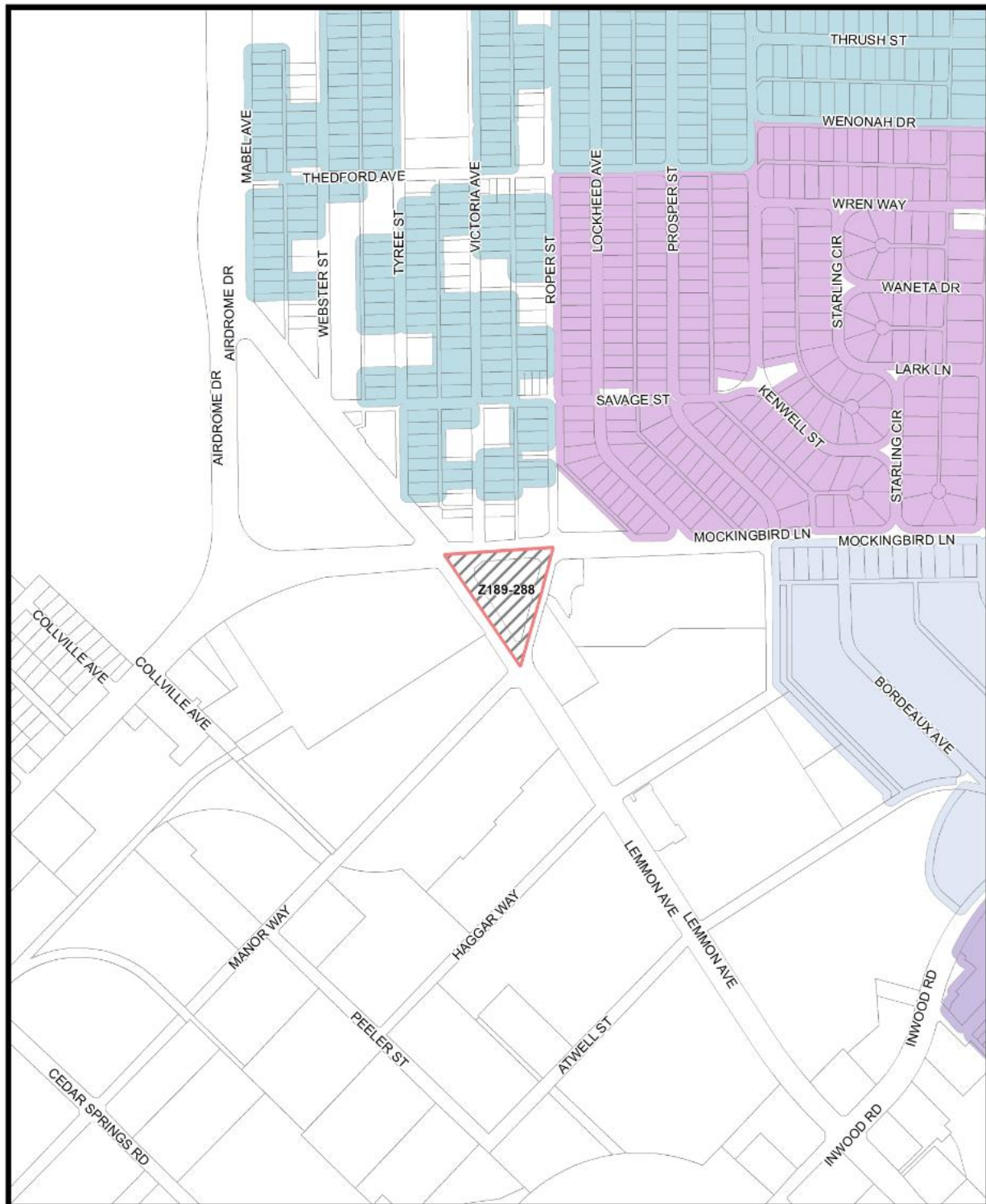
AERIAL MAP

Case no: Z189-288

Date: 7/23/2019







MVAC Cluster A B C D E F G H I NA



1:6,000

Market Value Analysis

Printed Date: 8/23/2019

CPC RESPONSES



09/04/2019

Reply List of Property Owners***Z189-288******39 Property Owners Notified******2 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	6410 LEMMON AVE	NWH LAND
	2	6524 VICTORIA AVE	BONILLA NIDIA M
O	3	6520 VICTORIA AVE	JDAL PROPERTIES INC
	4	6516 VICTORIA AVE	MSC-I LTD
	5	6512 VICTORIA AVE	4407 CORPORATION
	6	6525 ROPER ST	NGUYEN LOC TRONG
	7	6504 TYREE ST	N & D PREMIER REALTY INC
	8	6522 LEMMON AVE	N & D PREMIER REALTY
	9	6502 LEMMON AVE	POP HOLDINGS LP
	10	6511 VICTORIA AVE	CHURCHS FRIED CHICKEN INC
	11	6517 VICTORIA AVE	MSC I LTD
	12	6521 VICTORIA AVE	GREATER NORTH PARK
	13	6527 VICTORIA AVE	ESCALANTE MARICRUZ
	14	6529 LOCKHEED LN	SIMS LINDA &
	15	6525 LOCKHEED LN	PARKER WILLIAM H
	16	6521 LOCKHEED LN	638 TURNER LLC
	17	6517 LOCKHEED LN	BARNES DOROTHY B
	18	6513 LOCKHEED LN	VAZQUEZ ANGEL R & OFELIA H
	19	6445 LEMMON AVE	COCA COLA CO THE
	20	3500 MANOR WAY	SEWELL CORPORATION
	21	4415 W MOCKINGBIRD LN	SBLFT/OF I LTD
	22	6310 LEMMON AVE	LOVE FIELD FINANCIAL
	23	6200 LEMMON AVE	AN LUXURY IMPORTS LTD
	24	4550 W MOCKINGBIRD LN	MOCKINGBIRD DUNHILL LLC
	25	4560 W MOCKINGBIRD LN	LG CV MOCK AND LEMMON LLC
O	26	4515 W MOCKINGBIRD LN	PEGASUS BANK

09/04/2019

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6421	LEMMON AVE	CALISTO PROPERTY COMPANY
28	6421	LEMMON AVE	CALISTO PROPERTY COMPANY
29	2702	LOVE FIELD DR	SOUTHWEST AIRLINES CO
30	8020	DENTON DR	JACKS AUTO SUPPLY
31	7212	HERB KELLEHER WAY	HERTZ RENT A CAR
32	7020	HERB KELLEHER WAY	AVIS RENT A CAR
33	3407	HAWES AVE	HERTZ CORPORATION
34	8333	LEMMON AVE	SOUTHWESTERN BELL
35	3410	HAWES AVE	EAN HOLDINGS LLC
36	8611	LEMMON AVE	BUSINESS JET CENTER
37	3250	LOVE FIELD DR	MLT DEVELOPMENT
38	3232	LOVE FIELD DR	MLT DEVELOPMENT COMPANY
39	7366	CEDAR SPRINGS RD	ENTERPRISE HOLDINGS