

FILE NUMBER:	Z189-296(AU)	DATE FILED:	June 27, 2019
LOCATION:	South side of California Crossing Road, west of Bickham Road		
COUNCIL DISTRICT:	6	MAPSCO:	22 X
SIZE OF REQUEST:	7.662 Acres	CENSUS TRACT:	99.00

APPLICANT: Reliable Ready Mix Concrete

OWNER: Anani LLC

REPRESENTATIVE: Ida Rodriquez

REQUEST: An application for a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to develop the site to allow for the operation of a concrete batch plant.

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

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION

- The area of request is zoned an IR Industrial Research District and is an approximately seven-acre portion of a tract of land that contains over 39 acres. The 39-acre property is located along Daniels Creek, behind lots fronting California Crossing Road, and is accessible through an access easement along Allred Street, a private street.
- The property is partially developed with a nursery on the northeastern portion, with the remainder being undeveloped and located within the 100-years floodplain.
- The purpose of the request is to allow for the operation of a concrete batch plant on a 7.662-acre portion located on the northwest corner of the property and accessible from California Crossing Road through Allred Street and an access easement through the nursery.
- A concrete batch plant is considered an industrial (outside), not potentially incompatible industrial use, and is allowed in the IR Industrial Research District by SUP only.
- The applicant proposes to construct two plants at the site, each with a hopper and dust collector, storage areas for pea gravel, sand, and rock, two elevated storage towers with a maximum height of 30 feet, and respectively 25 feet, three truck washing areas, a mixed staging area for up to 20 trucks, a 10,000 square-foot detention pond, and car and truck parking with 46 parking spaces. A nine-foot solid screening fence is proposed around the perimeter of the site.

Zoning History:

There has been one zoning change in the area in the last five years.

1. **Z178-229:** On August 22, 2018 City Council approved Specific Use Permit No. 1464 for a refuse transfer station, for a ten-year period, for property located on the south line of California Crossing Road, west of Allred Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW/Width
California Crossing Road	Collector	50 feet	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction 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. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request is not consistent with the goals and policies of the Comprehensive Plan; however, a short time period can be supported to allow the proposed industrial use to be reviewed for compatibility with the existing surrounding land uses.

LAND USE POLICY PLAN

TRINITY RIVER CORRIDOR COMPREHENSIVE PLAN

The subject site is located within the Elm Fork planning district and within the Study Area 21 – Stemmons Crossroads of the Trinity River Corridor Land Use Plan adopted in March 2005 and revised in December 2009.

The plan establishes Preferred Land Use Plans that apply to each one of the seven planning districts in which the study area was divided. The area plan also created Land Use Opportunity Plans that reflect specific opportunities that can be expected in the Trinity River Corridor based upon a market response to the capital improvements in the Trinity River Corridor Project. The maps also express the land uses desired for the corridor by stakeholders who participated in the study.

The Preferred Land Use Plan for the Elm Fork District affirms its role as a location for industrial activities and business in Dallas and recognized the area west of IH-35 as a new location for Office use is identified adjacent to the Trinity River.

The Land Use Opportunity Plan for the Stemmons Crossroads study area recommends that the area between this commercial activity along the major thoroughfares and the floodplain provides the potential for a community with a mix of uses such as residential, office, retail and lodging.

While the request does not perfectly align with the vision for the area, the request of allowing the use by specific use permit allows for the evaluation of the use after a certain period of time.

Land Use:

	Zoning	Land Use
Site	IR	Undeveloped Portion of a larger property developed as a nursery, to the east side of the request site
North	IR and IM with SUP No. 1464	Nursery, industrial (inside), warehouse, outside storage, refuse transfer station, office/showroom warehouse, and commercial amusement (inside)
East	IM SUP No. 884	Office and industrial (outside) not potentially incompatible use (concrete batch plant)
South	IR	Undeveloped (LB Houston Natural Area and Daniels Creek, floodplain)
West	PD No. 444	Outside salvage

Land Use Compatibility:

The 7.662-acre request area is zoned an IR Industrial Research District and is a portion of a 39-acre property that is partially developed with a nursery and a one-story structure that operates as an office for the nursery. The applicant proposes to use the northwest corner of the property and construct two plants at the site, each with a hopper and dust collector, an 800 square-foot office, storage areas for pea gravel, sand, and rock, a 2,400 square-foot shop area, two elevated storage towers with a maximum height of 30 feet, three truck washing areas, truck parking, a mixed staging area for up to 20 trucks, and, a 10,000 square-foot detention pond. The concrete batch plant portion of the property will be accessible from California Crossing Road through Allred Street, a private street, and an access easement through the nursery portion.

A concrete batch plant is defined as an industrial (outside) not potentially incompatible use per the Dallas Development Code. This use is allowed by SUP only in the IR District.

Uses surrounding the area of request include industrial (inside), warehouse, outside storage, refuse transfer station, commercial amusement (inside) and office to the north, along California Crossing Road, an outside salvage use to the west of the site, LB Houston Natural Area and Daniels Creek to the south, and a nursery and a concrete batch plant to the east. The request site is generally located within a larger industrial and commercial service area.

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.

In general, the applicant's request for a Specific Use Permit for the industrial (outside) not potentially incompatible use is consistent with the general provisions for a Specific Use Permit and with the surrounding zoning that is intended to provide for development of industrial uses. Staff supports the applicant's request of granting an initial time period of three years to allow for all the required permits and improvements necessary for the operation of the use to be completed, because it is a short time period that will allow for the review of the compatibility of the use in the near future.

In addition to the time period, staff recommends including conditions such as screening requirements, stockpile maximum height and dust control regulations in an effort to reduce any impact on the surrounding areas. The applicant has agreed to these recommended conditions.

Parking:

Pursuant to the Dallas Development Code, off-street parking will have to be provided at a ratio of one space per every 600 square feet of floor area, plus one space per 600 square feet of outside manufacturing area.

The applicant is not proposing any building on site. The proposed site plan indicates that the total outside manufacturing area is 32,504 square feet and it includes a 12,800 square-foot portion of outside storage. Considering the proposed operation and city current practices, the outside storage portion is considered accessory use and does not need to be included in the parking requirement. Therefore, only the remaining 19,704 square feet portion of outside manufacturing will have to comply with the required parking ratio. 34 parking spaces are required for this site. A total of 73 parking spaces, 38 truck parking spaces and 35 car spaces, will be provided as depicted in the proposed site plan.

Landscaping:

At the time of development, landscaping will have to be provided in accordance with the provisions of Article X of the Dallas Development Code, as amended.

CPC Action
September 19, 2019

Motion I: It was moved to recommend **approval** of a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant for a three-year period, subject to a revised site plan and revised conditions; as briefed, with the following changes: 1) In Section 5(B) the pavement type must be asphalt or concrete, 2) In Section 9, the minimum fence height is 10 feet, 3) In Section 10, the maximum stockpile height is eight feet and 4) a revised site plan to reflect the changes on property zoned an IR Industrial Research District, on the south side of California Crossing Road, west of Bickham Road.

Maker: Carpenter
Second: Schulte
Result: Carried: 9 to 2

For: 9 - MacGregor, Schulte, Johnson, Shidid,
Carpenter, Jung, Housewright, Murphy, Ridley

Against: 2 - Brinson, Schultz
Absent: 2 - Criss, Tarpley
Vacancy: 2 - District 8, District 12

Notices: Area: 400 Mailed: 21
Replies: For: 0 Against: 5

Speakers: For: Ida Rodriguez, 2925 Branch Oaks Dr., Garland, TX, 75043
Against: Clayton Huddleston, 10525 Newkirk St., Dallas, TX, 75220

LIST OF PARTNERS

Listocon Group LLC

Walter Huerta – Owner, CEO

Augusto Huerta – Vice President

Anani, LLC

Mike Anani – Owner, CEO

CPC RECOMMENDED SUP CONDITIONS

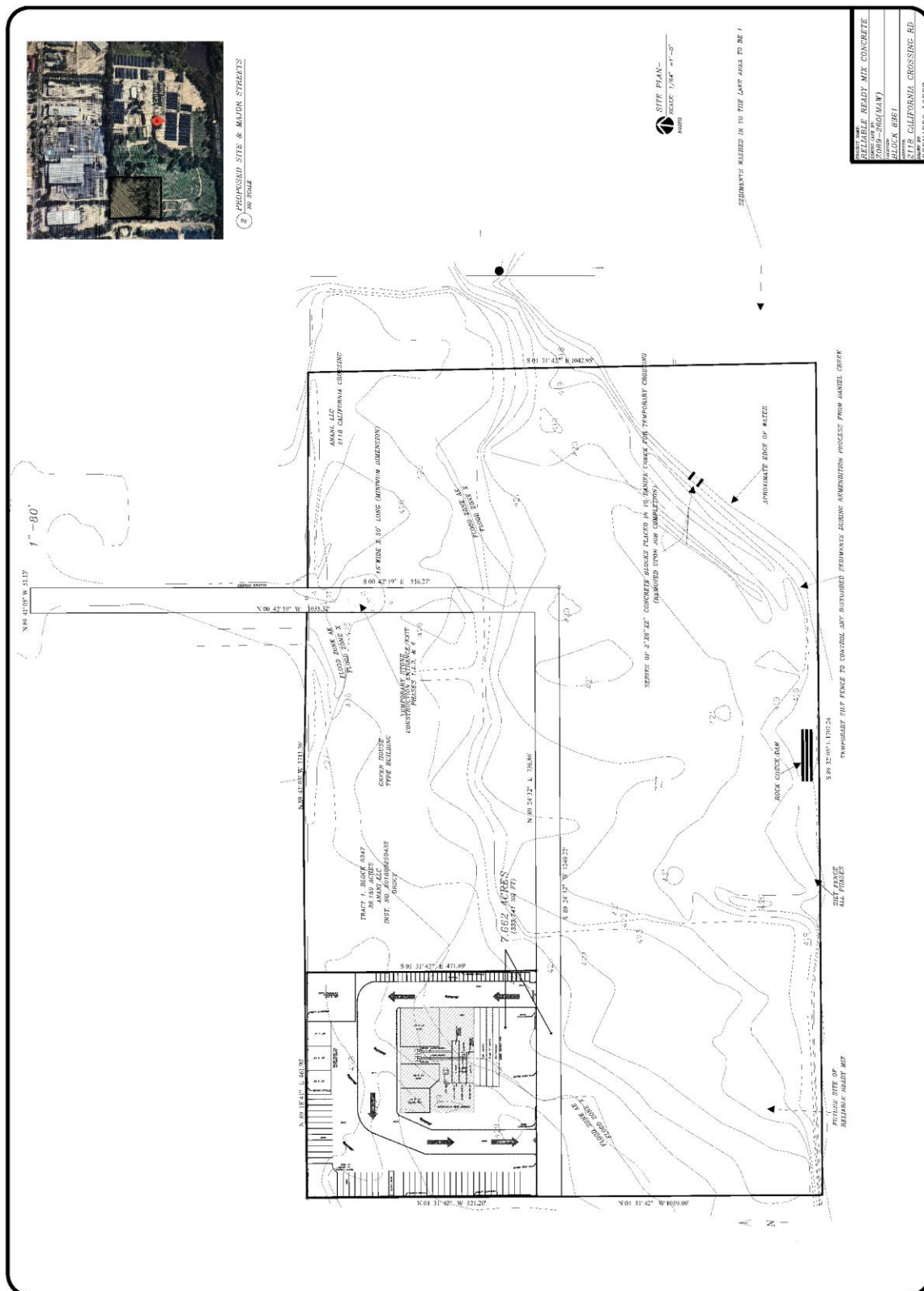
1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use to be used as a concrete batch plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three-years from the passage of this ordinance),
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. DUST CONTROL:

The following conditions must be met on an ongoing basis:

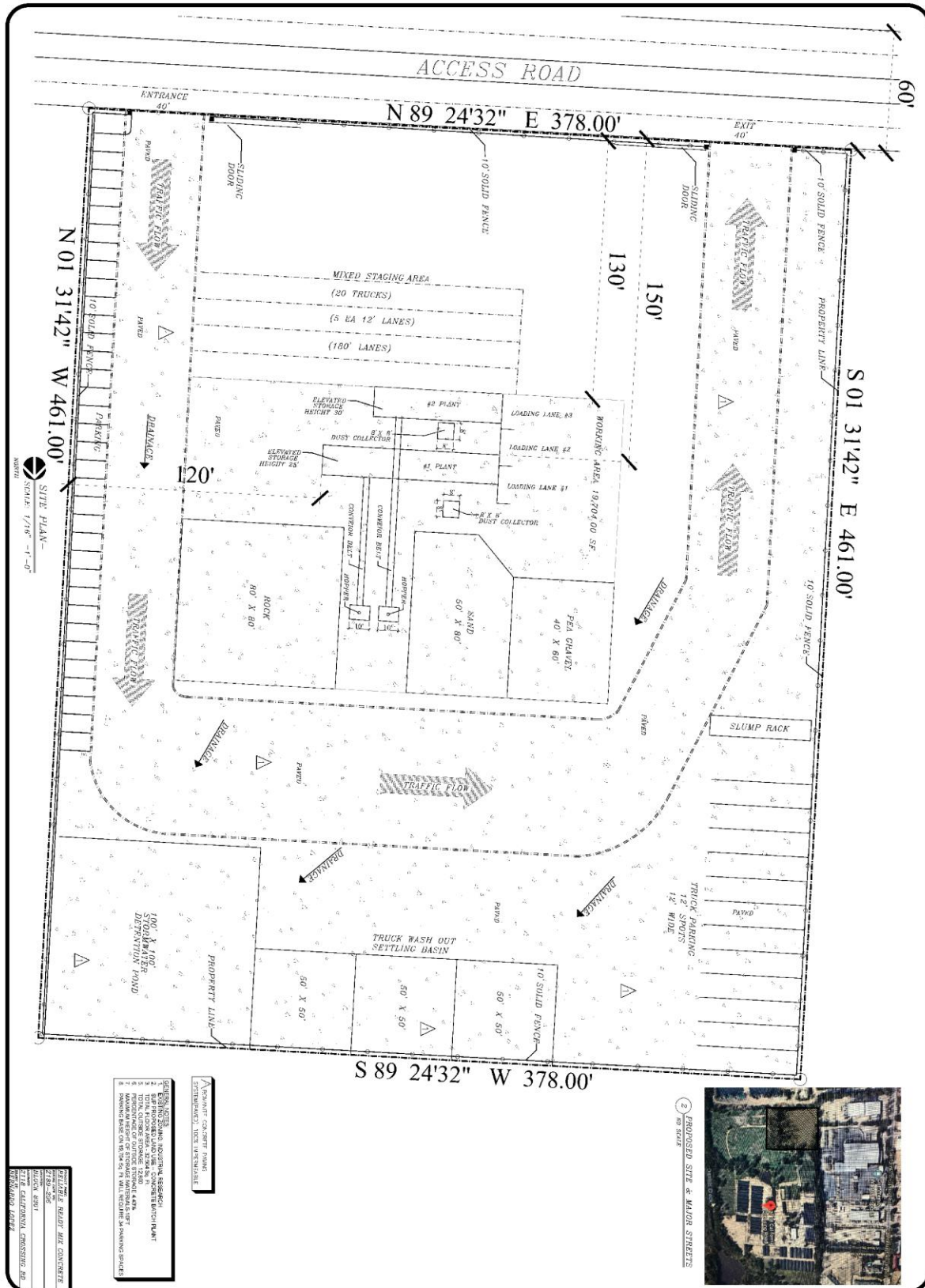
- A. Prevent dust emissions from batch drop to trucks or central mixers by one of the following methods:
 1. suction shroud with exhaust air to central fabric filter;
 2. flexible discharge spouts with water fog ring; or
 3. other types of abatement devices approved by the Texas Commission on Environmental Quality.
- B. All permanent roads inside the plant must be paved with asphalt or concrete, watered, and swept to eliminate visible dust emissions.
- C. The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate dust emissions.
- D. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.
- E. The cement storage silos, cement weigh hopper, and batch point must be vented to a fabric filter to eliminate visible dust emissions.
- F. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

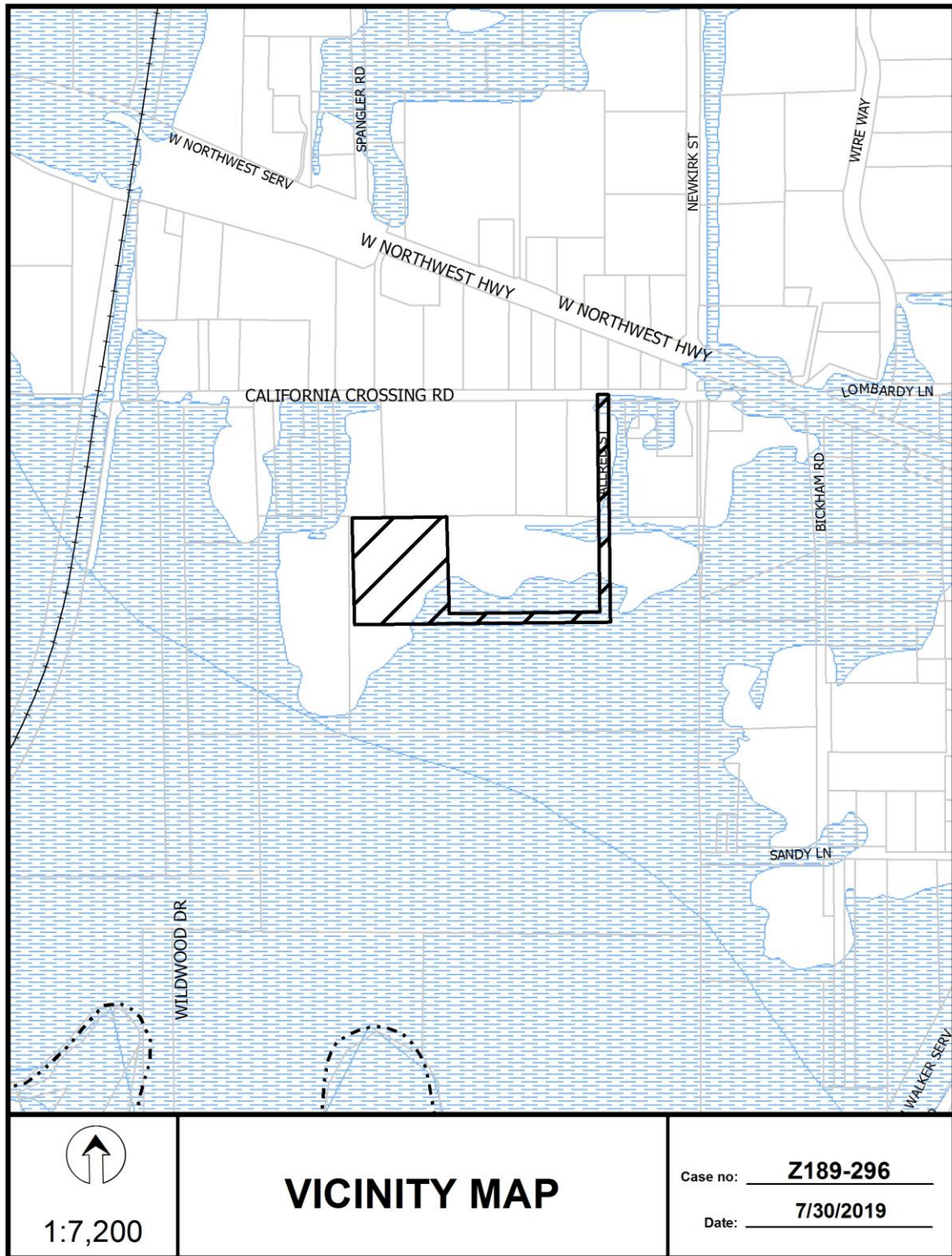
- G. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
 - H. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
 7. OFF-STREET PARKING: Parking must be provided in the location shown on the site plan.
 8. OUTSIDE STORAGE: Outside storage of materials is permitted only in bins that are screened on three sides by solid walls with a minimum height of ten feet.
 9. SCREENING: A minimum ten-foot-high solid fence must be provided in the location shown on the attached site plan.
 10. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile is eight feet.
 11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 12. 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.

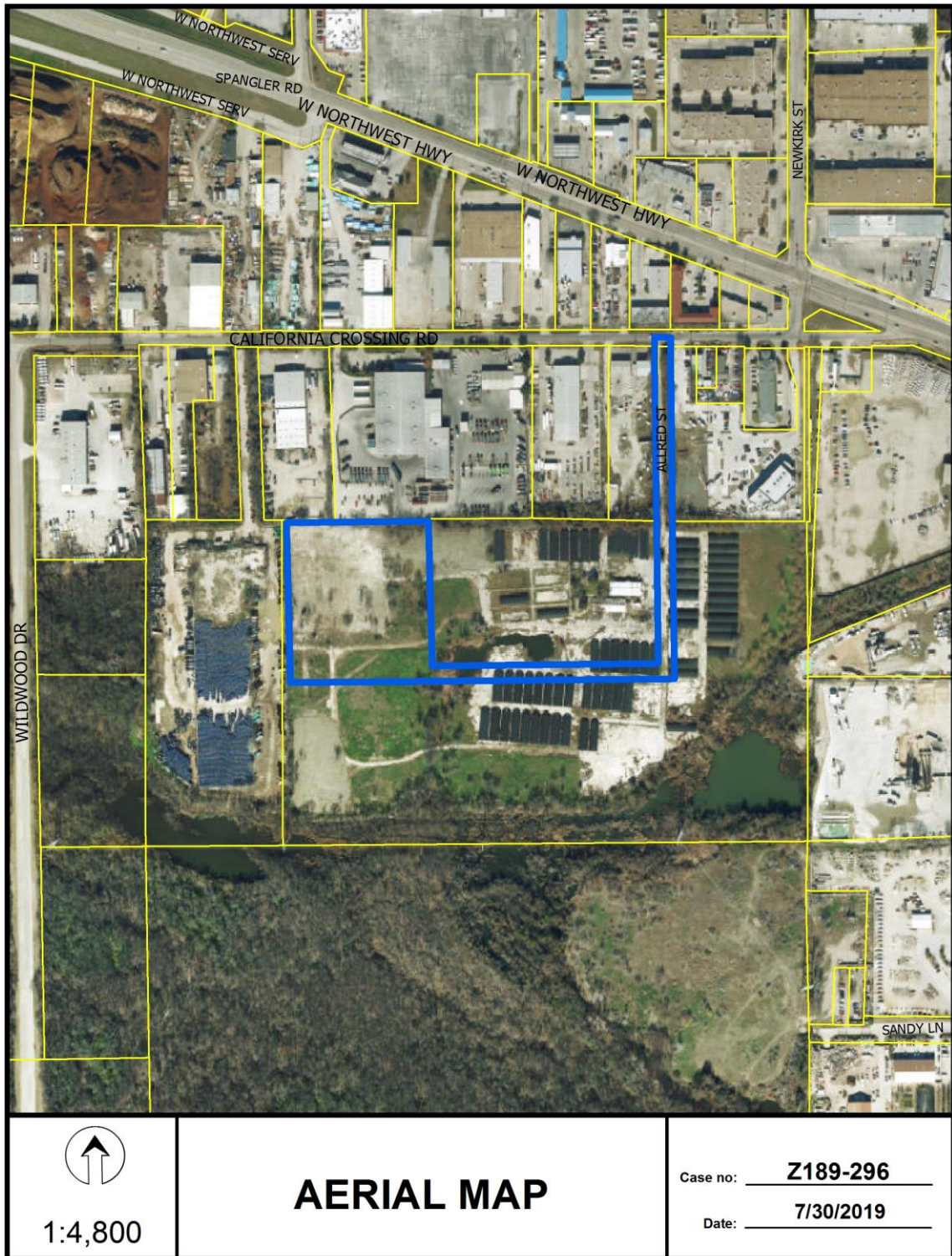
CPC RECOMMENDED OVERALL SITE PLAN

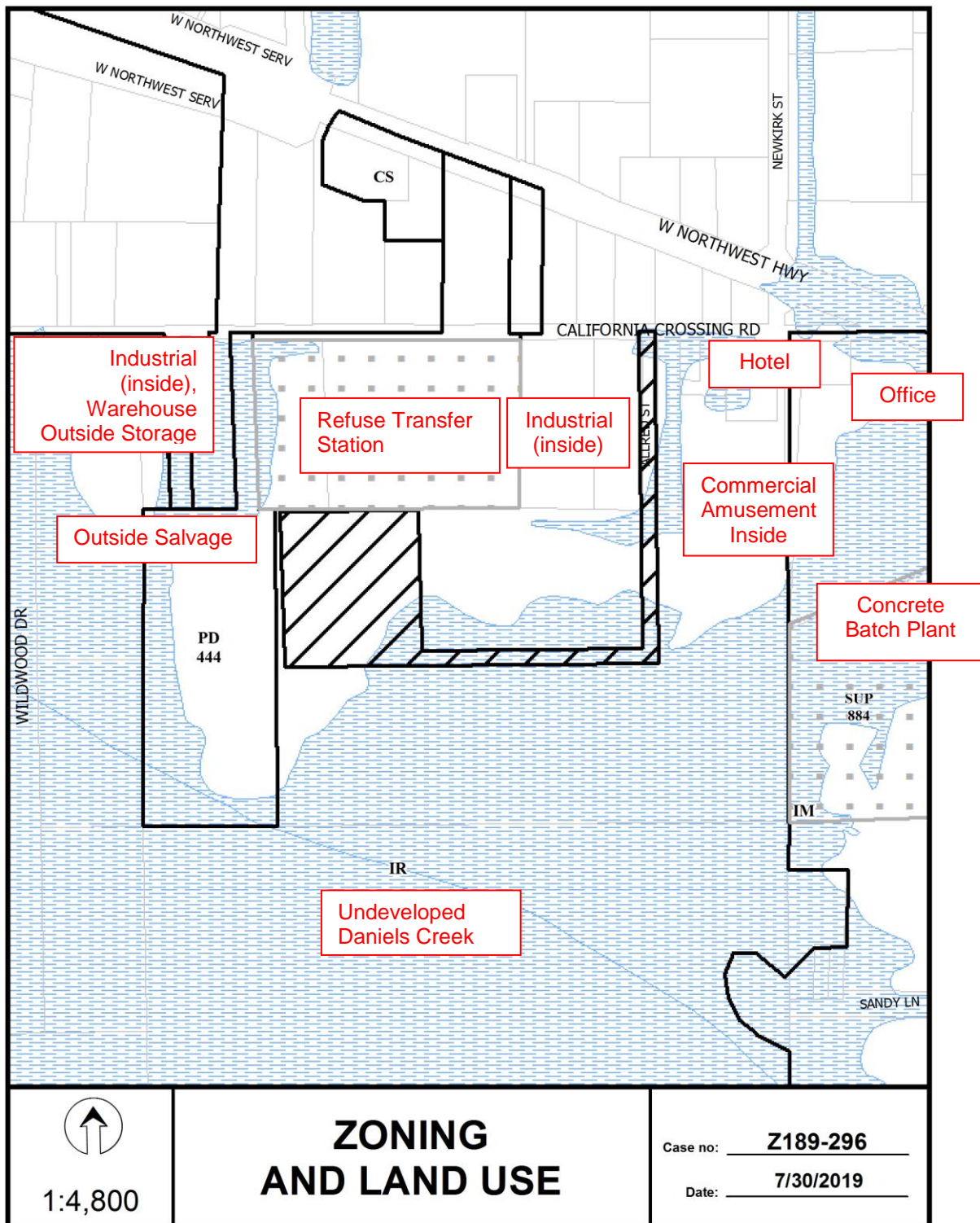


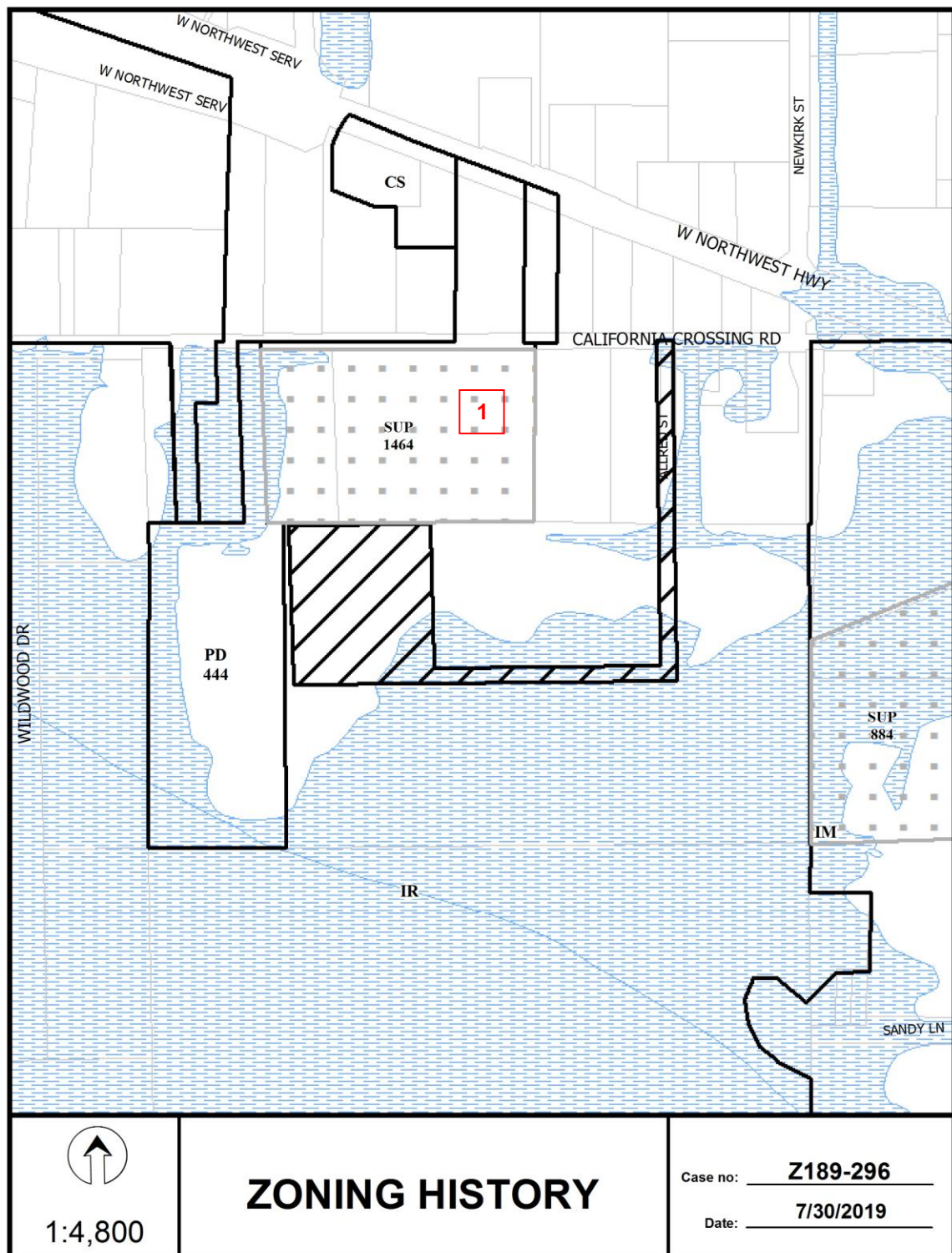
**CPC RECOMMENDED
SITE PLAN**



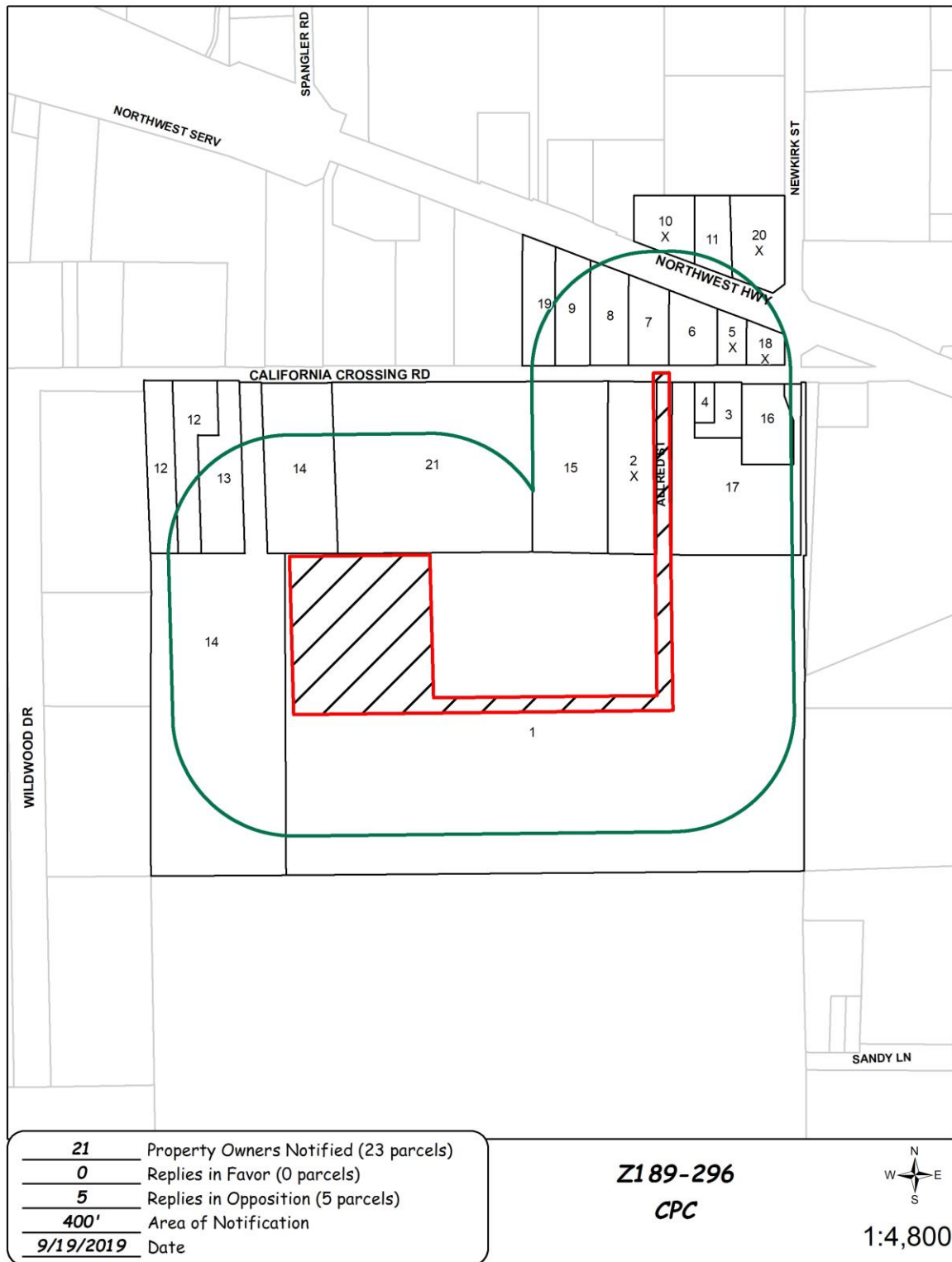








CPC RESPONSES



09/18/2019

Reply List of Property Owners***Z189-296******21 Property Owners Notified 0 Property Owners in Favor 5 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2118 CALIFORNIA CROSSING RD	TOBIN EUGENE W
X	2	2110 CALIFORNIA CROSSING RD	AHSU LLC
	3	2138 CALIFORNIA CROSSING RD	TAK HONG S
	4	2136 CALIFORNIA CROSSING RD	MARTINEZ JOSE M
X	5	2040 W NORTHWEST HWY	ROARING TIGER INVESTMENTS LTD
	6	2030 W NORTHWEST HWY	SHREE OM LODGING LLC
	7	2020 W NORTHWEST HWY	NA KI PONG &
	8	1990 W NORTHWEST HWY	PARSIYAR SAEED
	9	1970 W NORTHWEST HWY	SMBTAB LLC
X	10	2001 W NORTHWEST HWY	DANNYS LIQUOR INC
	11	2019 W NORTHWEST HWY	2019 WNW LTD
	12	1964 CALIFORNIA CROSSING RD	INTERNATIONAL SUPPLY
	13	1976 CALIFORNIA CROSSING RD	STOCKWEATHER E J &
	14	1990 CALIFORNIA CROSSING RD	TONG DEVELOPMENT LLC
	15	2040 CALIFORNIA CROSSING RD	MBSR PPTIES LLC
	16	2144 CALIFORNIA CROSSING RD	AMAR HOSPITALITY LP
	17	2150 CALIFORNIA CROSSING RD	2150 DALLAS PROPERTY INV LLC
X	18	1948 W NORTHWEST HWY	ROARING TIGER INVESTMENTS LTD
	19	1966 W NORTHWEST HWY	LONE STARR MULTI THEATRES
X	20	10525 NEWKIRK ST	MACEY FAMILY PROPERTIES LTD
	21	2010 CALIFORNIA CROSSING RD	H R DEVELOPMENT INC