

ACM: Majed Al-Ghafry

<b>FILE NUMBER:</b>	Z190-104(JM)	<b>DATE FILED:</b>	October 4, 2019
<b>LOCATION:</b>	Northwest line of Ross Avenue and southeast line of Munger Avenue, between North Prairie Avenue and Annex Avenue		
<b>COUNCIL DISTRICT:</b>	2	<b>MAPSCO:</b>	46 A
<b>SIZE OF REQUEST:</b>	± 2.25 acres	<b>CENSUS TRACT:</b>	8.00

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**REPRESENTATIVE:** Audra Buckley, Permitted Development

**APPLICANT/OWNER:** 4621 Ross Ave. LP

**REQUEST:** An application for **(1)** a P(A) Parking District with deed restrictions volunteered by the applicant; **(2)** the termination of Specific Use Permit No. 600 for an institutional use; and **(3)** the termination of Specific Use Permit No. 1568 for an open-enrollment charter school use on property zoned an MF-2(A) Multifamily District and Subarea 4 within Planned Development District No. 298, the Bryan Area Special Purpose District.

**SUMMARY:** The purpose of this request is to allow for the existing building to be refurbished and occupied with a mix of office and retail uses, as allowed by the regulations in Subarea 4 of PD District No. 298. The previous institutional uses, including the open-enrollment charter school, will no longer occupy the site. The SUPs for the institutional uses will be terminated and the existing parking lots, currently located in the MF-2(A) Multifamily District facing Munger Avenue, must be rezoned to serve the proposed office and retail uses facing Ross Avenue. Volunteered deed restrictions will prohibit access from the existing parking lots onto Munger Avenue.

**CPC RECOMMENDATION:** Approval of a P(A) District on the MF-2(A) District lots, subject to a site plan and deed restrictions volunteered by the applicant; approval of the termination of Specific Use Permit No. 600; and approval of the termination of Specific Use Permit No. 1568.

**STAFF RECOMMENDATION:** Approval of a P(A) District on the MF-2(A) District lots, subject to a site plan and deed restrictions volunteered by the applicant; approval of the termination of Specific Use Permit No. 600; and approval of the termination of Specific Use Permit No. 1568.

**BACKGROUND INFORMATION:**

- The site consists of 2.25 acres with frontage along the south side of Munger Avenue and the north side of Ross Avenue, all part of the remainder of Lot 2B.
- Parking for nonresidential uses is not allowed in residential districts. The property is dually zoned an MF-2(A) Multifamily District along Munger Avenue, and Subarea 4 within Planned Development District No. 298, the Bryan Area Special Purpose District. The portion of the property zoned an MF-2(A) District provides parking for the existing structure within PD No. 298 facing Ross Avenue.
- The parking lots served the structure legally when the site operated under SUP No. 1568 for an open-enrollment charter school and SUP No. 600 for an institutional use, YWCA, formerly the “Young Women’s Christian Association of the United States of America, Inc.” Institutional uses are allowed by SUP in an MF-2(A) District. The institutional uses no longer exist and termination of the two SUPs is requested. The site is being renovated and is planned to operate with office and retail uses which are not allowed in the residential district.
- The Dallas Development Code, as amended establishes that a P(A) Parking District must be either contiguous to or perpendicularly across an adjoining street or alley from a main use. The main use for these two parking lots faces Ross Avenue, contiguous to the parking lots in the MF-2(A) District, and contains a three-story, 50,135-square foot building erected in 1973. Additionally, a P(A) District requires approval of a site plan.
- Deed restrictions volunteered by the applicant limit access onto Munger Avenue for emergency service vehicles use only, by requiring a gate.

**Zoning History:** There have been three recent zoning requests in the area within the last five years.

1. **Z156-172:** On May 25, 2016, the City Council approved Specific Use Permit No. 2200 for a child-care facility on property zoned an MF-2(A) Multifamily District on the southeast line of Munger Avenue, between Annex Avenue and North Prairie Avenue.
2. **Z167-160:** On June 14, 2017, the City Council approved Planned Development District No. 987 for MF-2(A) Multifamily District uses, on property zoned an MF-2(A) Multifamily District and a P(A) Parking District on the northwest line of San Jacinto Street, between Annex Avenue and Grigsby Avenue.
3. **Z178-186:** On April 25, 2018, City Council approved the establishment of a demolition delay overlay district, Oak Lawn and East Dallas – DDO-4, for approximately 3,277 acres located in Downtown and Uptown Dallas.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Ross Avenue	Community Collector	80 feet	--
Munger Avenue	Local	60 feet	--

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing 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 applicant's request generally complies with the following goals and policies of the Comprehensive Plan.

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

**URBAN DESIGN**

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.1 Maintain neighborhood scale and character.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

The existing parking lots continue to serve the building erected in 1973. The continued use of the parking lots adjacent to multifamily structures allows the reutilization of the building along Ross Avenue, a contributing structure to the urban landscape along the major thoroughfare.

**Surrounding Land Uses:**

Area	Zoning	Land Use
<b>Site</b>	MF-2(A) and Subarea 4 w/in PD No. 298 w/SUP Nos. 600 & 1568	Vacant and Parking
<b>Northwest</b>	MF-2(A)	Multifamily
<b>Northeast</b>	MF-2(A) and Subarea 4 w/in PD No. 298	Multifamily, Child care facility, Mini-warehouse, and Financial institution with drive through
<b>Southeast</b>	Subarea 4 w/in PD No. 298	Restaurant with drive through and Convalescent nursing home
<b>Southwest</b>	MF-2(A) and Subarea 4 w/in PD No. 298	Multifamily

**Land Use Compatibility:**

The site consists of 2.25 acres with frontage along the south side of Munger Avenue and the north side of Ross Avenue, all part of the remainder of Lot 2B. The request to rezone the parking lots from an MF-2(A) District to a P(A) Parking District is required with the transition of the existing structure from institutional uses, allowed in the residential district by SUP, to nonresidential uses, as allowed by Subarea 4 of PD No. 298.

The parking lots served the structure legally when the site operated under SUP No. 1568 for an open-enrollment charter school and SUP No. 600 for an institutional use, YWCA, formerly the “Young Women’s Christian Association of the United States of America, Inc.” Institutional uses are allowed by SUP in an MF-2(A) District. The institutional uses no longer exist and termination of the two SUPs is requested. The site is being renovated and is planned to operate with office and retail uses which are not allowed in the residential district.

Deed restrictions volunteered by the applicant limit access onto Munger Avenue for emergency service vehicles use only, by requiring a gate.

Surrounding land uses consist of multifamily and a child-care facility to the northwest and northeast; mini-warehouse, financial institution with drive-through, restaurant with drive-through, and convalescent nursing home to the southeast; and, multifamily to the southwest.

Staff supports the request, subject to volunteered deed restrictions which protect the residential neighborhood to the northwest along Munger Avenue from the traffic generated by the new office and mixed-use development.

When considering a P(A) Parking District within Chapter 51A, Dallas Development Code, the following should be considered:

- 1) Parking must be contiguous or directly across an alley or street from the main use(s) it serves;
- 2) The lot in a parking district contiguous to a residential district shall provide and maintain a minimum front yard of ten feet;
- 3) The lot must detail all landscaping required, including screening, that meets the requirements of Article X;
- 4) All parking lot lighting must meet the requirements of Sec.51A-4.301(e); and

The site plan must show curb cuts for vehicular access designed to direct traffic to the nearest thoroughfare and must meet all requirements set forth in the Off-Street Parking and Driveway Handbook.

The subject parking lots meet the requirements for a P(A) District. The minimum front yard is provided along Munger Avenue. A screening fence and landscaping are provided at the Munger Avenue access points, which are locked for access only to emergency vehicles. The parking lots have served the contiguous building facing Ross Avenue for over 40 years. The existing building would not be usable for a mix of uses as allowed by PD No. 298 without these parking lots.

#### **Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</b>		<b>Height</b>	<b>Lot Cover- age</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>				
<b>MF-2(A) –</b> existing Multifamily	15'	5'	30'	45%	RPS	Residential and institutional.
<b>P(A) - proposed</b> Parking District	10' adj. to res.	No Min. Screening Req.	N/A	N/A	RPS	Commercial parking lot, surface parking lot
<b>PD No.298, Subarea 4 –</b> existing, but adjacent to rezoning request	15'	0'/5'	54'	90%	RPS	Retail and personal service, office, lodging, institutional and community service, commercial and business service, and commercially compatible single family uses.

#### **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 to orange, representing the weakest markets. The area of request is partially located within an “E” MVA cluster, as well as many surrounding properties.

**Parking:**

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. The Dallas Development Code requires no off-street parking for a surface parking lot or commercial parking lot. Parking must be maintained per the approved site plan. The two parking lots currently exist and provide 95 regular and 51 compact off-street parking spaces for a total of 146 parking spaces including five handicapped accessible spaces.

**Landscaping:**

Landscaping per Article X has not been triggered by the current request.

Z190-104(JM)

<b>List of Officers</b>
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**Property Owner:** 4621 Ross Ave. LP

**General Partner:** 4621 Ross Ave. GP, LLC

**Managing Member:** Susan Gruppi

**CPC Action**  
**January 9, 2020**

**Motion:** It was moved to recommend 1) **approval** of a P(A) Parking District on the MF-2(A) District lots, subject to a site plan and deed restrictions volunteered by the applicant with additional language to Item 1 regarding the gate and the limiting of ingress and egress on Munger Avenue; and 2) **approval** of the termination of Specific Use Permit No. 600 for an institutional use; and 3) **approval** of the termination of Specific Use Permit No. 1568 for an open-enrollment charter school use on property zoned an MF-2(A) Multifamily District and Subarea 4 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the northwest line of Ross Avenue and southeast line of Munger Avenue, between North Prairie Avenue and Annex Avenue.

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

For: 14 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy\*, Garcia, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 3

\*out of the room, shown voting in favor




**Notices:** Area: 300 Mailed: 50  
**Replies:** For: 0 Against: 0

**Speakers:** For: Audra Buckley, 1414 Belleview St., Dallas, TX, 75215  
Against: None



## Proposed Site Plan

### LEGEND

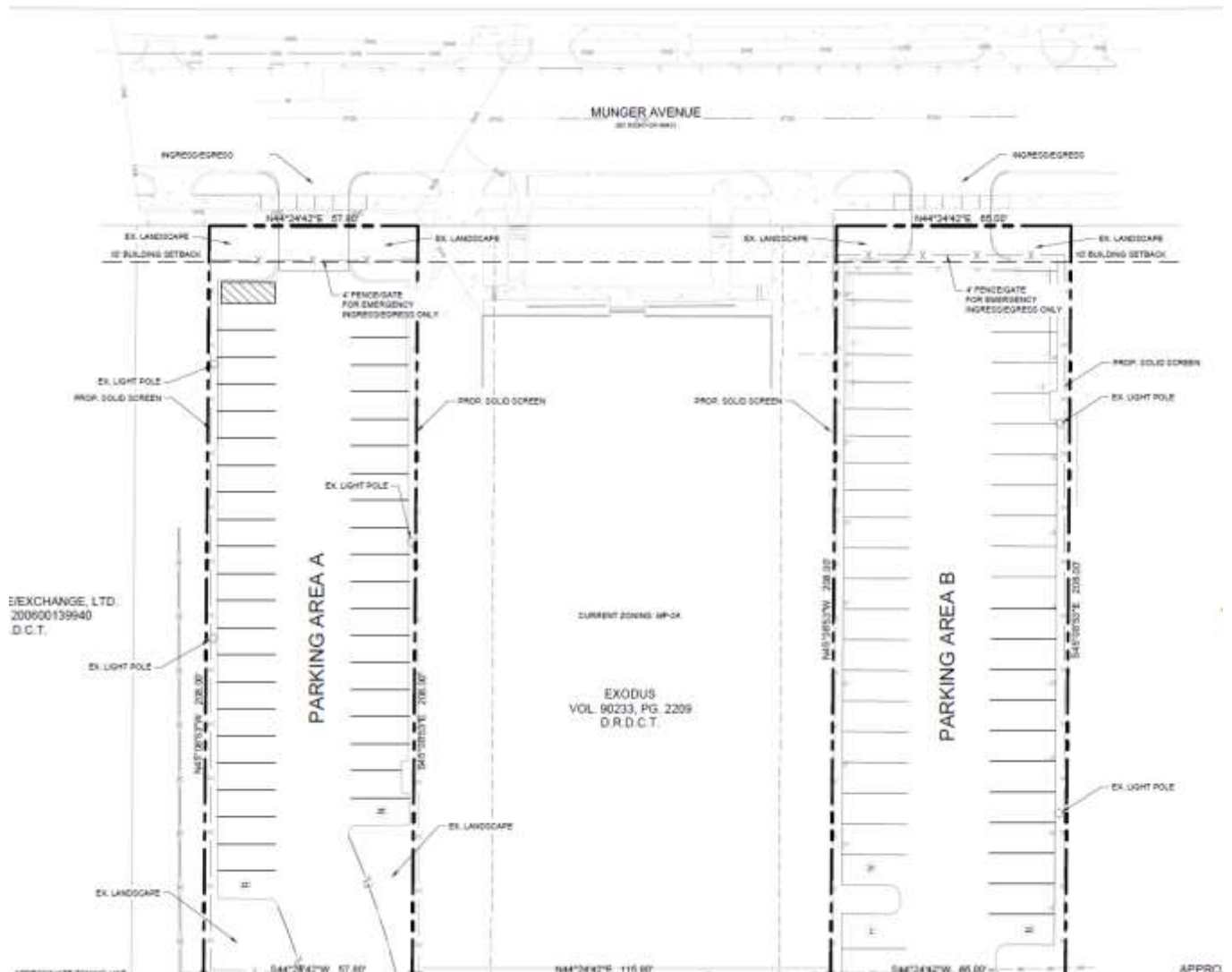
	PROPERTY LINE
	EXISTING FENCE
	PARKING COUNT

### PARKING TABLE

PARKING AREA A	42 SPACES
PARKING AREA B	45 SPACES



NOTE: LIGHTING TO BE PROVIDED PER SEC 51A-4.301(e)



**Volunteered Deed Restrictions**

THE STATE OF TEXAS     )  
                                      )     KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS     )

I.

The undersigned, 4621 Ross Ave LP, a Texas limited partnership ("the Owner"), is the owner of the following described property ("the Property"), being a tract of land situated in the J. Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, being a portion of Lot 2B, Block B/652 of the YWCA/Ross Avenue Addition, an addition to the City of Dallas, Dallas County, Texas, more accurately described in Exhibit A and being that same tract of land conveyed to America CAN! by deed recorded in Volume 2004232, Page 7545, contained in instrument number 201900159606 in the Deed Records of Dallas County, Texas, and being more particularly described hereto:

"Exhibit A"

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

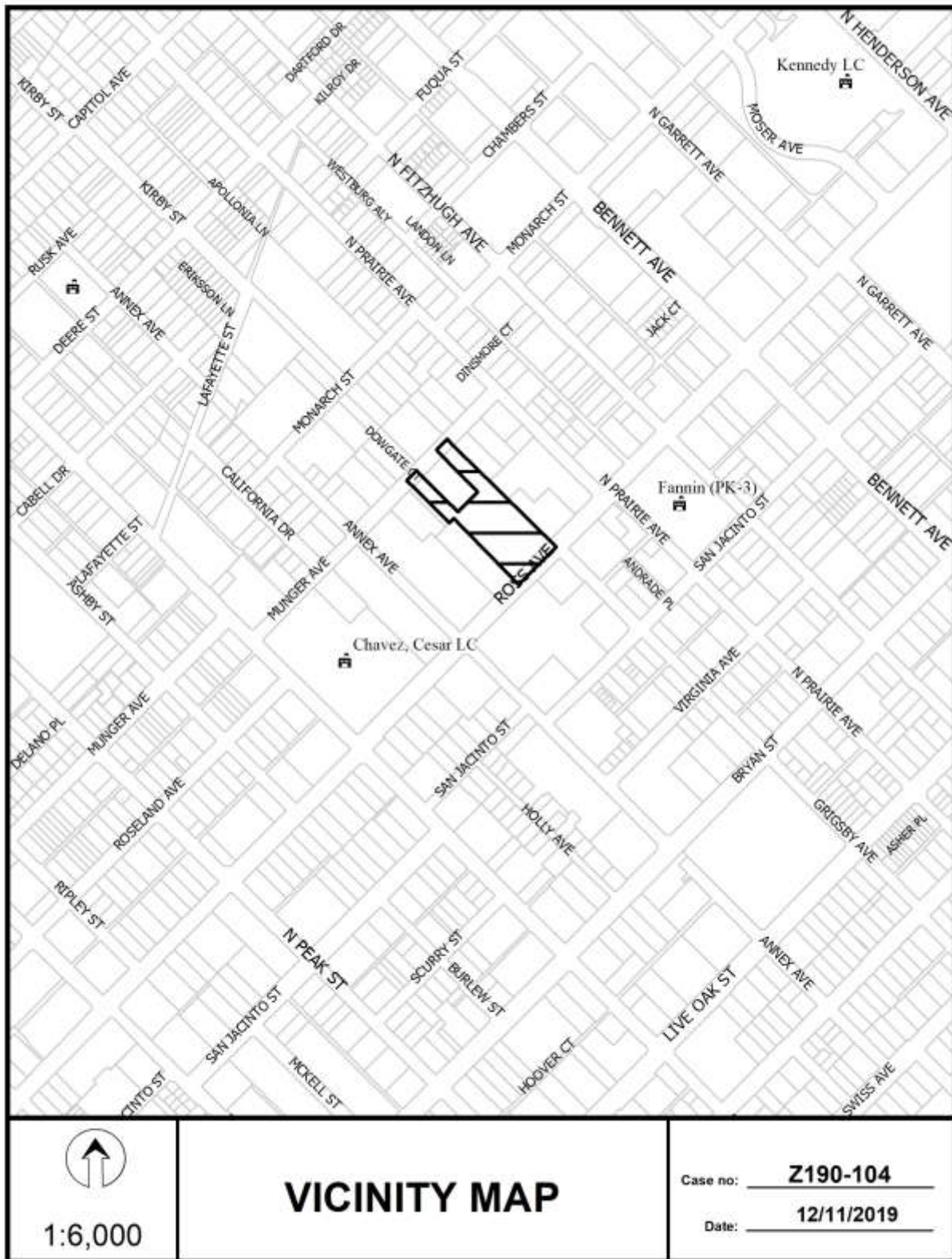
1. Ingress/Egress to the property from Munger Avenue shall be gated and limited to emergency service vehicle use only.
2. The maximum height for the fence and gate along Munger Avenue is four feet.
3. Parking shall only be used for structures located at 4621 Ross Avenue.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

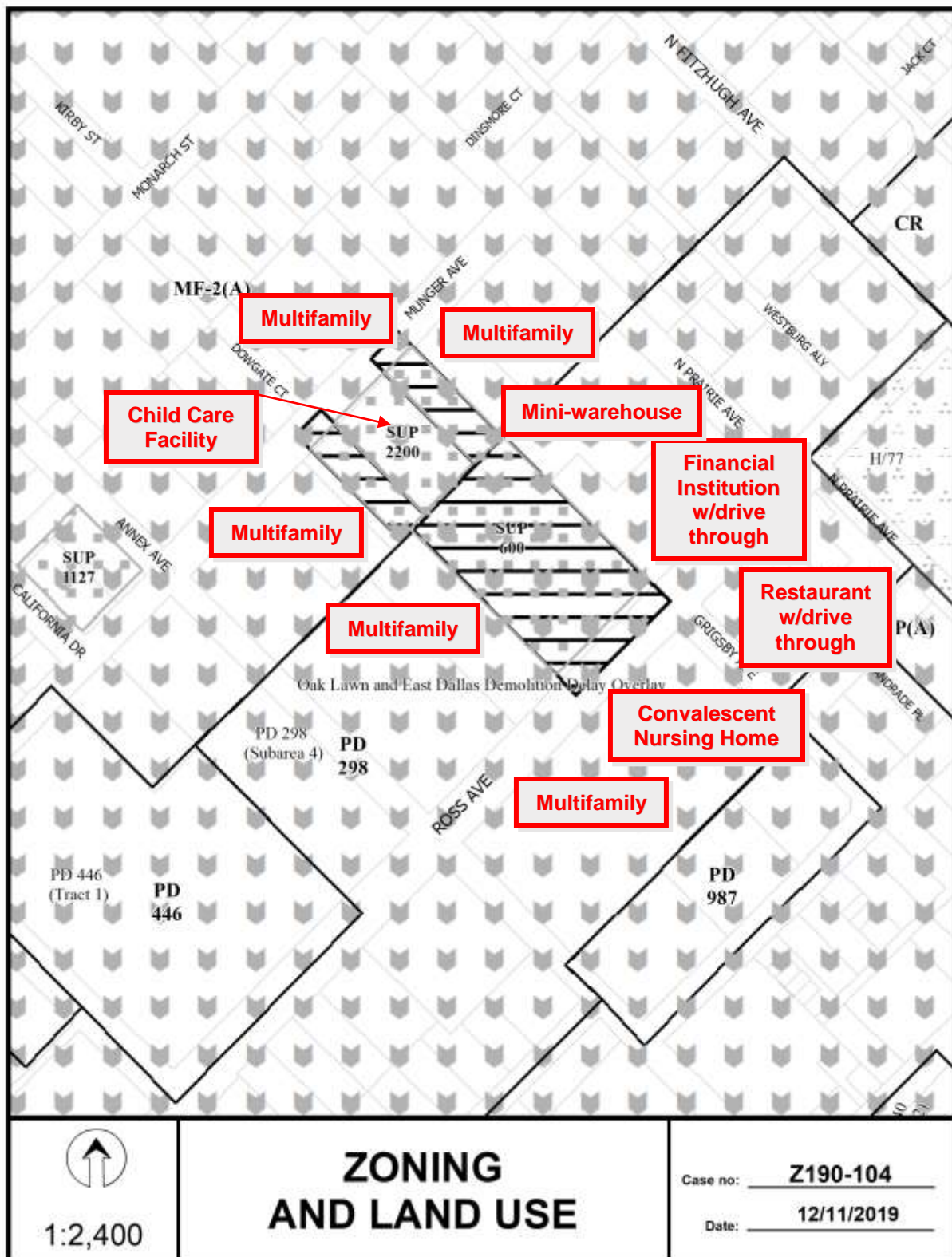
IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public

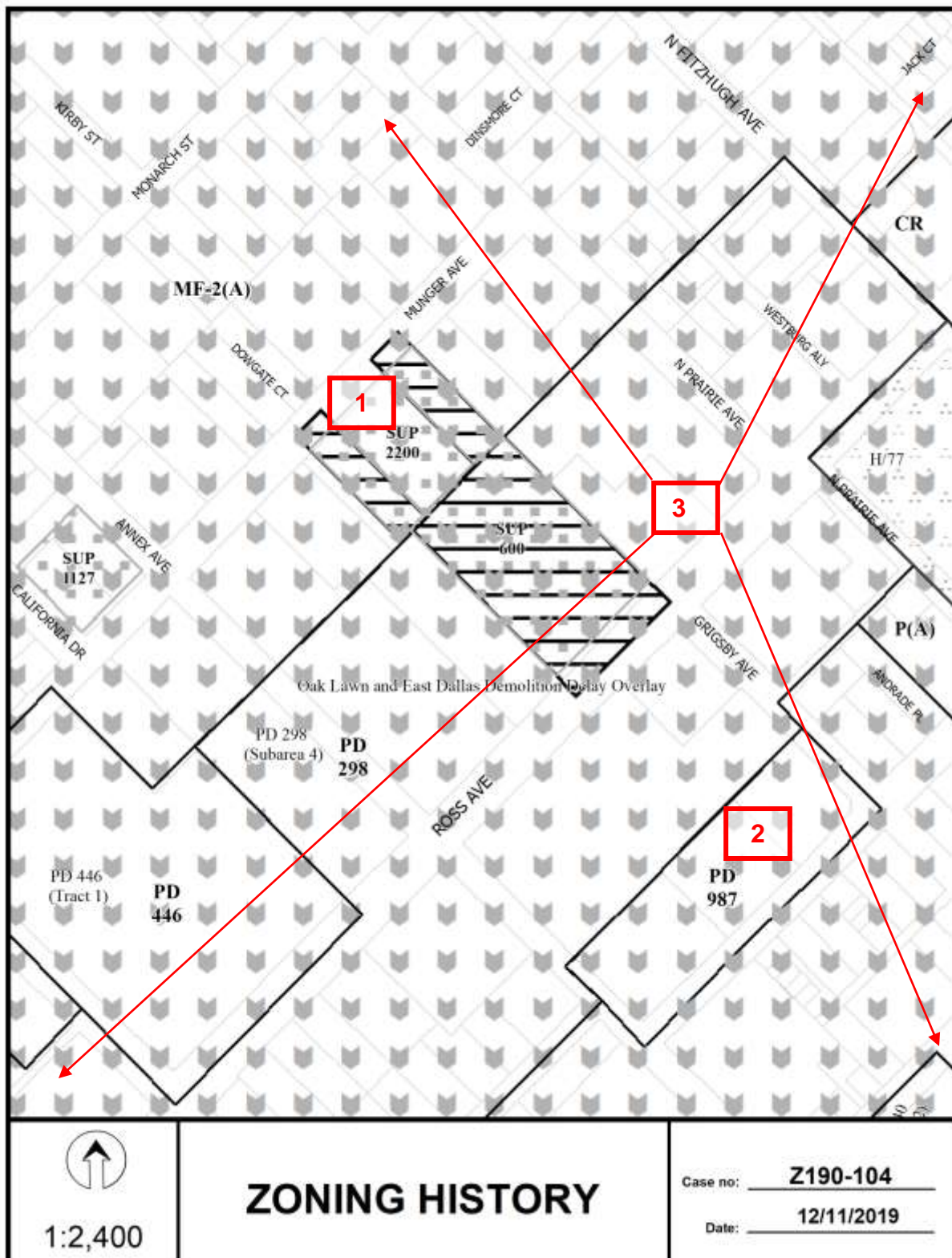




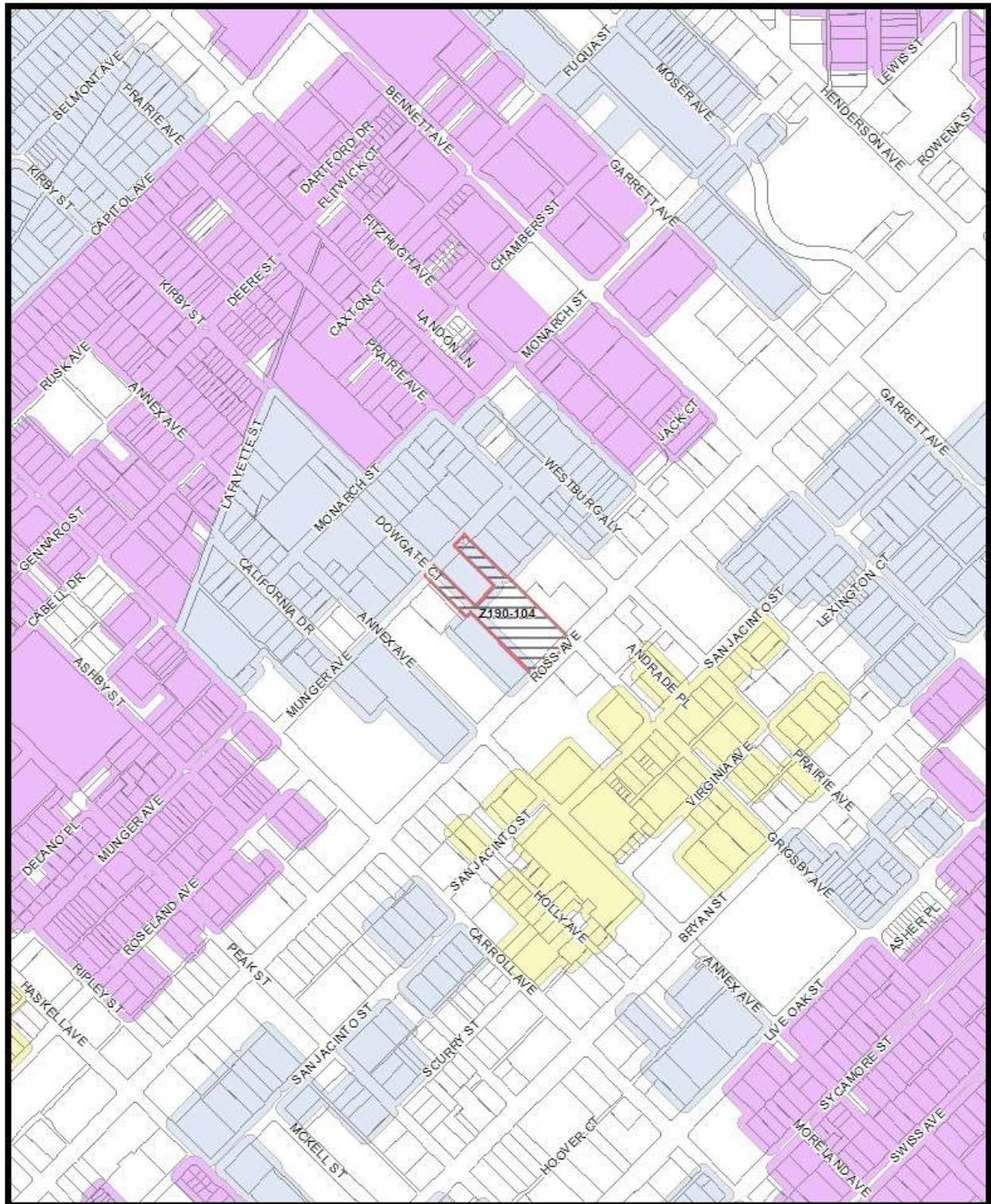












MVAC Cluster    A    B    C    D    E    F    G    H    I    NA



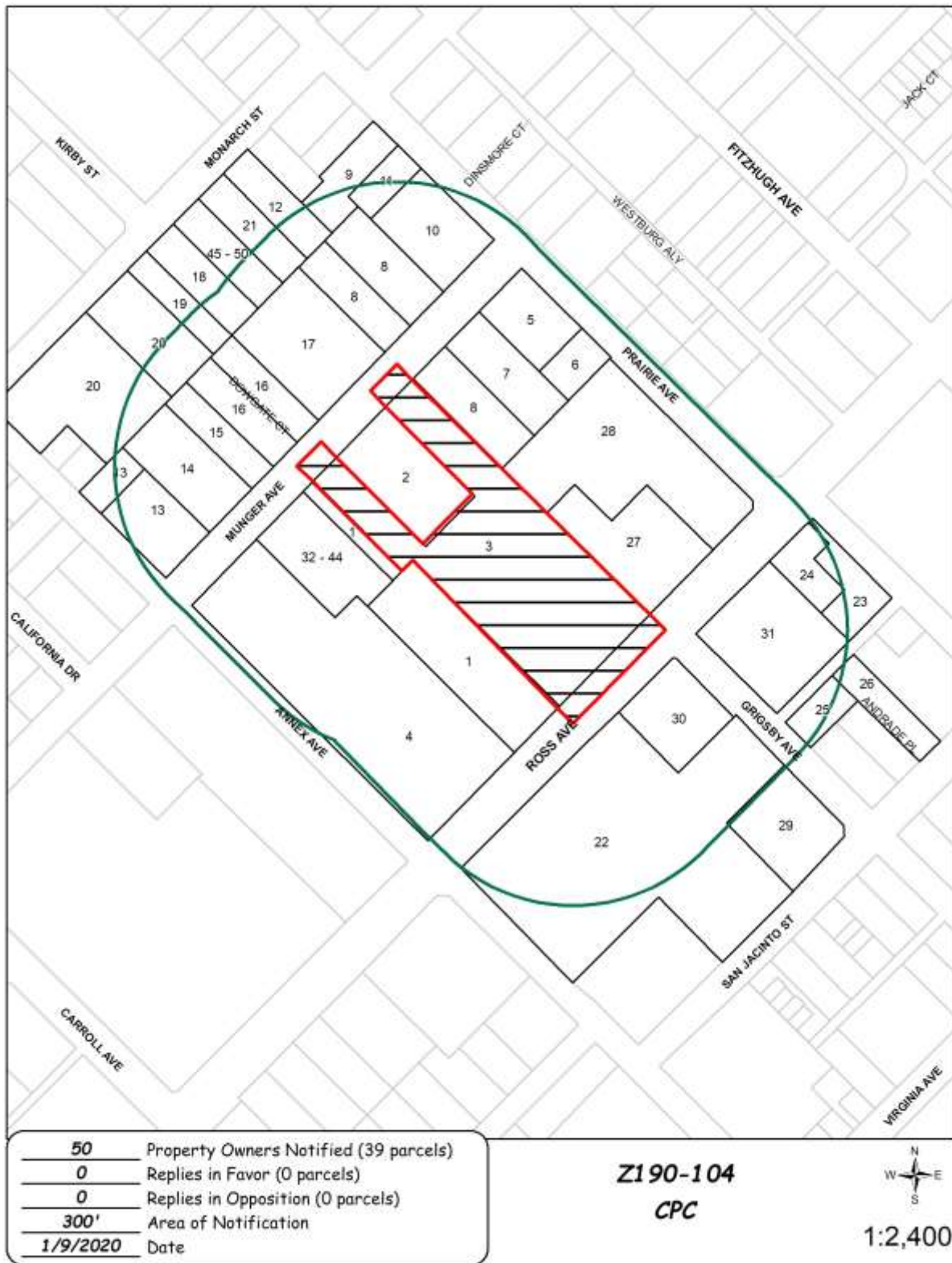
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# Market Value Analysis

Printed Date: 12/11/2019



**CPC Responses**





01/08/2020

***Reply List of Property Owners******Z190-104******50 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4619	ROSS AVE	HETRICK DENNIS W &
2	4630	MUNGER AVE	EXODUS
3	4621	ROSS AVE	4621 ROSS AVE LP
4	4601	ROSS AVE	DALLAS WOMANS FORUM
5	4718	MUNGER AVE	GUTIERREZ ELIAS & ANGELA
6	1725	N PRAIRIE AVE	ROGERS STEPHEN J
7	4710	MUNGER AVE	DAISHO INC
8	4640	MUNGER AVE	YNS INVESTMENTS LP
9	1921	N PRAIRIE AVE	KESSLER PARK PROPERTIES INC
10	4715	MUNGER AVE	BESTWESTERMAN FAMILY
11	1915	N PRAIRIE AVE	VALDATA JUSTIN R
12	4704	MONARCH ST	ALCALA MARIBEL
13	1914	ANNEX AVE	COG DALLAS HOMES II LLC
14	4611	MUNGER AVE	CUTCHINC PROPERTIES LLC
15	4619	MUNGER AVE	FINSTROM LARRY & DIANE
16	4621	MUNGER AVE	COG DALLAS HOMES II LLC
17	4627	MUNGER AVE	4627 MUNGER LLC
18	4634	MONARCH ST	COG DALLAS II LLC
19	4626	MONARCH ST	COG DALLAS HOMES II LLC
20	4622	MONARCH ST	TAKASHIMA YUJI
21	4700	MONARCH ST	MARRUFO JOSE
22	4600	ROSS AVE	4600 ROSS MFI LP
23	1621	N PRAIRIE AVE	VALUE WASH
24	4716	ROSS AVE	MFT ENTERPRISES INC TR
25	1612	GRIGSBY AVE	BEACH DEVELOPMENTS LLC
26	4709	SAN JACINTO ST	SAN JACINTO CENTRAL REAL ESTATE

01/08/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4709	ROSS AVE	4709 ROSS AVE LLC
28	4721	ROSS AVE	PS LPT PPTIES INVESTORS
29	1625	GRIGSBY AVE	CAPTAIN CAPITAL LLC
30	4636	ROSS AVE	DALLAS 24 HOUR CLUB INC
31	4700	ROSS AVE	GONZALES MARIA R TR
32	4620	MUNGER AVE	MARTAYAN SOFIK M
33	4620	MUNGER AVE	WCFLP RE MUNGER LP
34	4620	MUNGER AVE	ARSHAN LLC
35	4620	MUNGER AVE	MUNGER AVE INVESTMENTS LLC
36	4620	MUNGER AVE	LEWIS JOHN MICHAEL
37	4620	MUNGER AVE	KOSZEWSKI IVAN
38	4626	MUNGER AVE	POLCYN SCOTT D
39	4626	MUNGER AVE	COLTON HIGHTOWER
40	4626	MUNGER AVE	GERICKE DEAN
41	4626	MUNGER AVE	FLEXER DARY A & ERIK
42	4626	MUNGER AVE	LIN SARAH
43	4626	MUNGER AVE	CAUDILL AUSTIN
44	4626	MUNGER AVE	KRIZMONICS RITA E
45	4690	MONARCH ST	HAM WILLIAM &
46	4690	MONARCH ST	LIU YIHENG
47	4690	MONARCH ST	DESAI DEESHA
48	4690	MONARCH ST	POGGETTO VICTORIA DAL &
49	4690	MONARCH ST	MIHELICK ALEX M
50	4690	MONARCH ST	WELCH CHRISTOPHER A