

**HONORABLE MAYOR AND COUNCIL**

**WEDNESDAY, MAY 27, 2020**

**ACM: Majed Al-Ghafry**

**FILE NUMBER:** Z190-131(CT)

**DATE FILED:** November 12, 2019

**LOCATION:** Southeast corner of West Kiest Boulevard and South Tyler Street

**COUNCIL DISTRICT:** 4

**MAPSCO:** 54 X

**SIZE OF REQUEST:** Approx. 14,768 sq. ft.

**CENSUS TRACT:** 60.01

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**APPLICANT:** Nathaniel Barrett

**OWNER:** Kiest Incremental, LLC

**REQUEST:** An application for an NS(A) Neighborhood Service District on property zoned an NO(A) Neighborhood Office District.

**SUMMARY:** The purpose of this request is to allow for a general merchandise or food store 3,500 square feet or less use on the subject site. The applicant seeks the NS(A) district to serve as the least intrusive means for the addition of the aforementioned use for a future tenant.

**CPC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

## BACKGROUND INFORMATION:

- The area of request is zoned NS(A) Neighborhood Service District with and is currently developed with a 3,567 square foot commercial structure, formerly used as a church.

**Zoning History:** There has been one zoning change for the area of request in the past five years.

1. **Z156-265** On October 26, 2016, City Council approved an application for a CR Community Retail District on property zoned MF-2(A) Multifamily District on property located on the south east corner of West Kiest Boulevard and Polk Street.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Kiest Boulevard	Principal Arterial	100 feet	100 feet
Tyler Street	Local	50 feet	50 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 request complies with the following land use goals and policies of the Comprehensive Plan:

## **ECONOMIC ELEMENT**

### **GOAL 2.1 PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**URBAN DESIGN****GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE**

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	NO(A) Neighborhood Office District	Retail Structure
<b>North</b>	TH-3(A) Townhome District	Single Family
<b>East</b>	MF-2(A) Multifamily District	Single Family Church
<b>South</b>	MF-2(A) Multifamily District	Single Family
<b>West</b>	MF-2(A) Multifamily District CR Community Retail District	Multi Family Retail

**Land Use Compatibility:**

The approximate 0.34-acre site is zoned an NO(A) Neighborhood Service District and is currently developed with a 3,567-square-foot structure.

The property located to the north of the area of request, across Kiest Boulevard is zoned TH-3(A) Townhouse District and is developed with single family dwellings. Northeast of the site across Kiest Boulevard is an NO(A) Neighborhood Office District which is developed with a child-care facility. To the immediate east, west, and south there is a MF-2(A) Multifamily District developed with single family dwellings.

The applicant's request for an NS(A) Neighborhood Service District will provide the flexibility to lease space with certain uses within the building. The current NO(A) Neighborhood Office District limits certain main uses to the entire building. The main uses designated as a "limited use" may not have a floor area that in combination with the floor area of other limited uses in the building exceeds 10 percent of the floor area of the building. In addition, a limited use must have no exterior public entrance except through the general building entrances and have no exterior advertising signs on the same lot.

The NO(A) District and the NS(A) District have similar main uses that can be allowed on a site. However, there is a small variation in the specific uses for each district and the chart below shows the limitations and differences between the two districts.

<b>NO(A) Neighborhood Office – existing</b>	<b>NS(A) Neighborhood Service District – proposed</b>
Business School [SUP]	Dry Cleaning or laundry store
Personal service uses up to 1,000 sq. ft. in floor area [L]	General merchandise or food store 3,500 sq. ft. or less
Restaurant without drive-in or drive through service [SUP]	Motor vehicle fueling station [SUP]
	Personal service uses
	Restaurant without drive-in or drive through service [RAR]

### Development Standards:

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
NO(A) – existing Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office
NS(A) – proposed Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office

Additionally, the Development Code includes regulations such as residential proximity slope, and an increased setback to mitigate potential compatibility concerns with the adjoining residential uses, particularly with the multifamily use to the east. Staff recommends approval of the request.

### **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. The existing building will be reduced in size to accommodate required parking.

### **Landscaping:**

Landscaping is required per Article X of the Dallas Development Code.

### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policymakers 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 Site is not within an identifiable MVA Category; however, it is in proximity to a “F” MVA Cluster to the north of the subject site and an “G” MVA Cluster to the south.

**List of Officers**

**Kiest Incremental, LLC**

**Members**

**Brian Badway**

**Keff Falin**

**Mary Barrett**

**Bradley Barrett**

**Steven Von der Linden**

**Kathryn Von der Linden**

**Community Focused Ventures, LLC (Sole Member – Peter Cioe)**

**Barrett Urban Development, LLC (Sole Member – Nathaniel Barrett)**

**CPC ACTION**  
**February 6, 2020**

**Motion:** It was moved to recommend **approval** of an NS(A) Neighborhood Service District on property zoned an NO(A) Neighborhood Office District, on the southeast corner of West Kiest Boulevard and South Tyler Street.

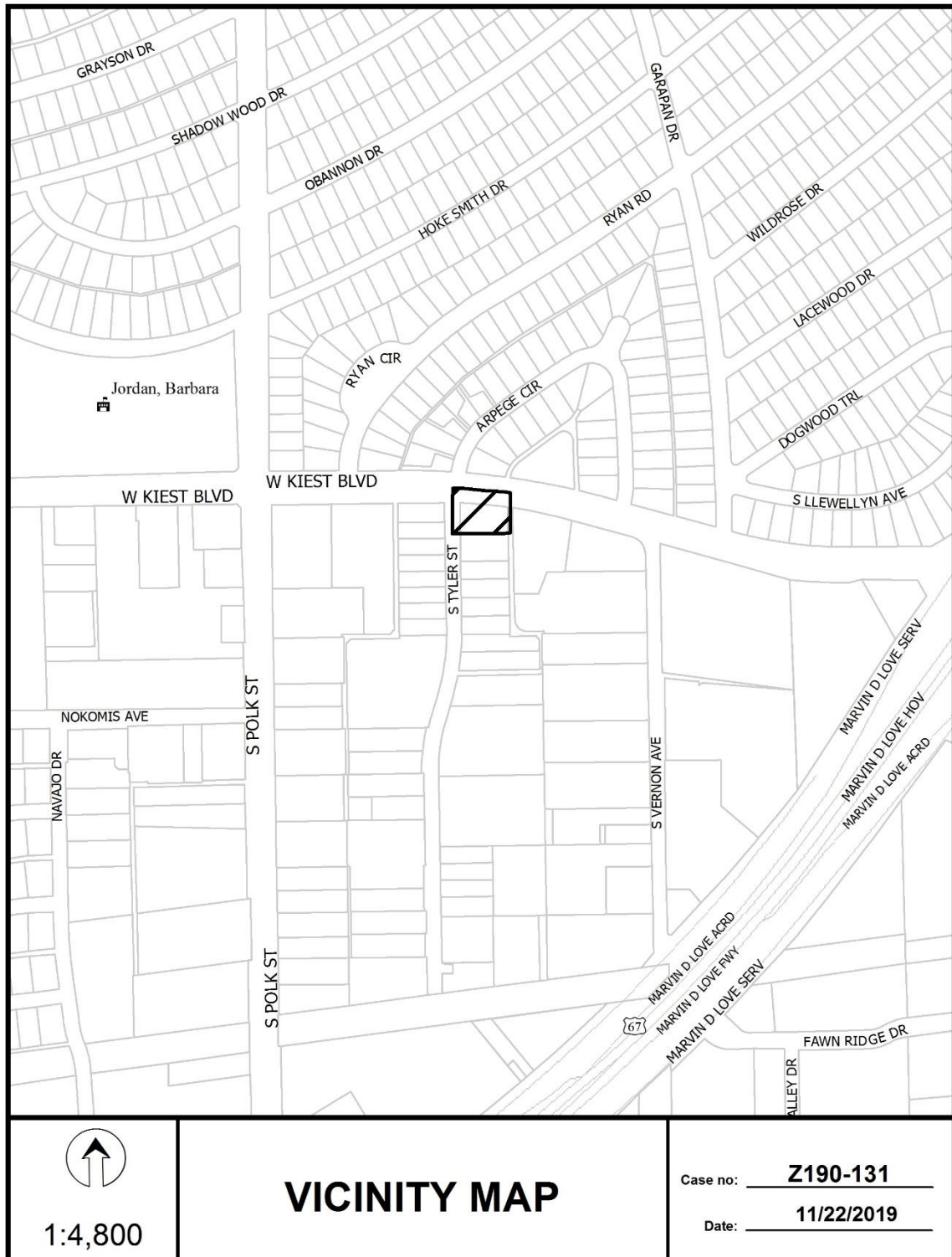
Maker: Johnson  
Second: MacGregor  
Result: Carried: 14 to 0

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

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

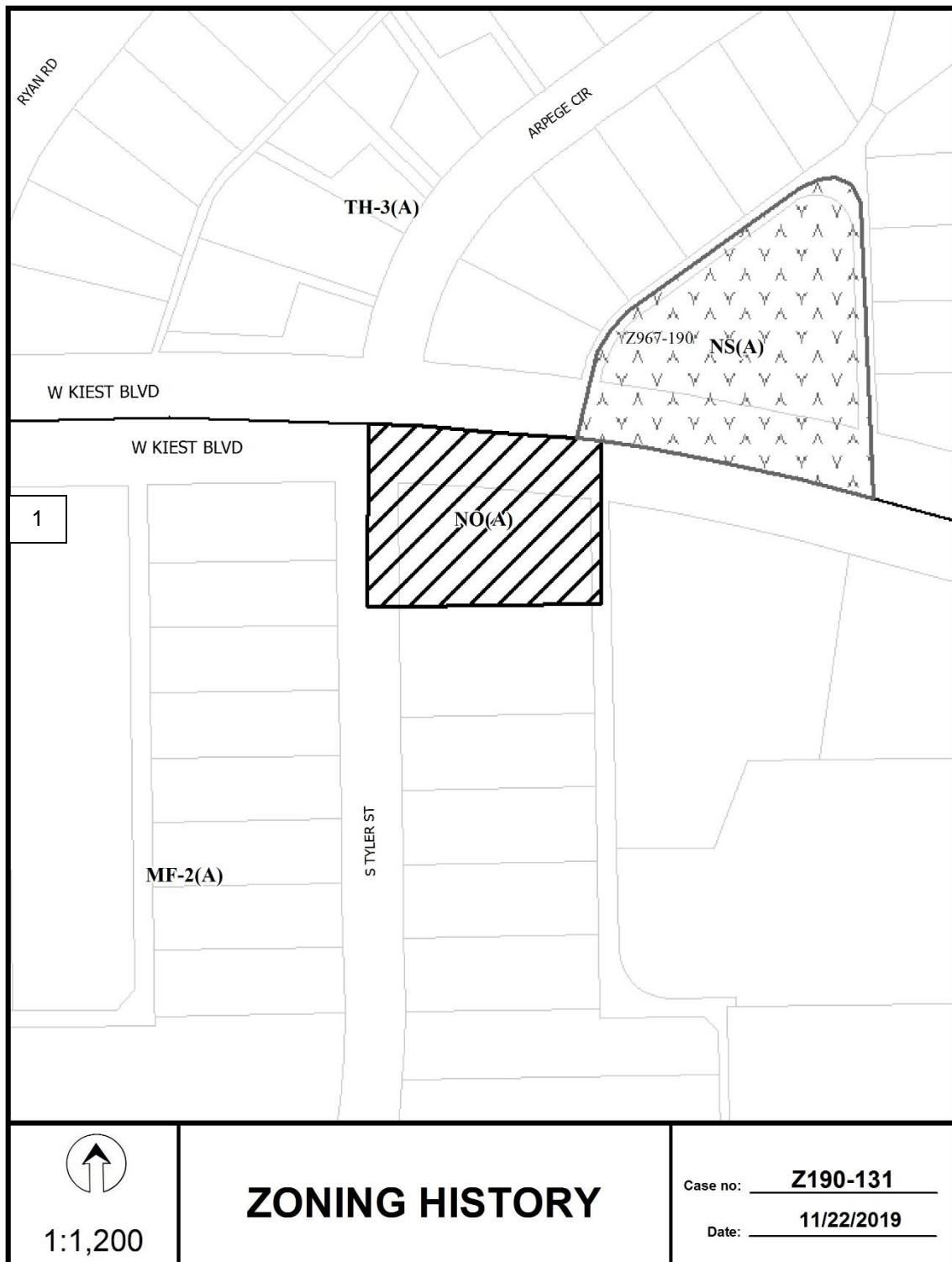
**Notices:** Area: 200 Mailed: 26  
**Replies:** For: 0 Against: 0

**Speakers:** For: Nathaniel Barrett, 4526 Rieger Ave., Dallas, TX, 75246  
For (Did not speak): Peter Cide, 1826 Maryland Ave., Dallas, TX, 75216  
Against: None



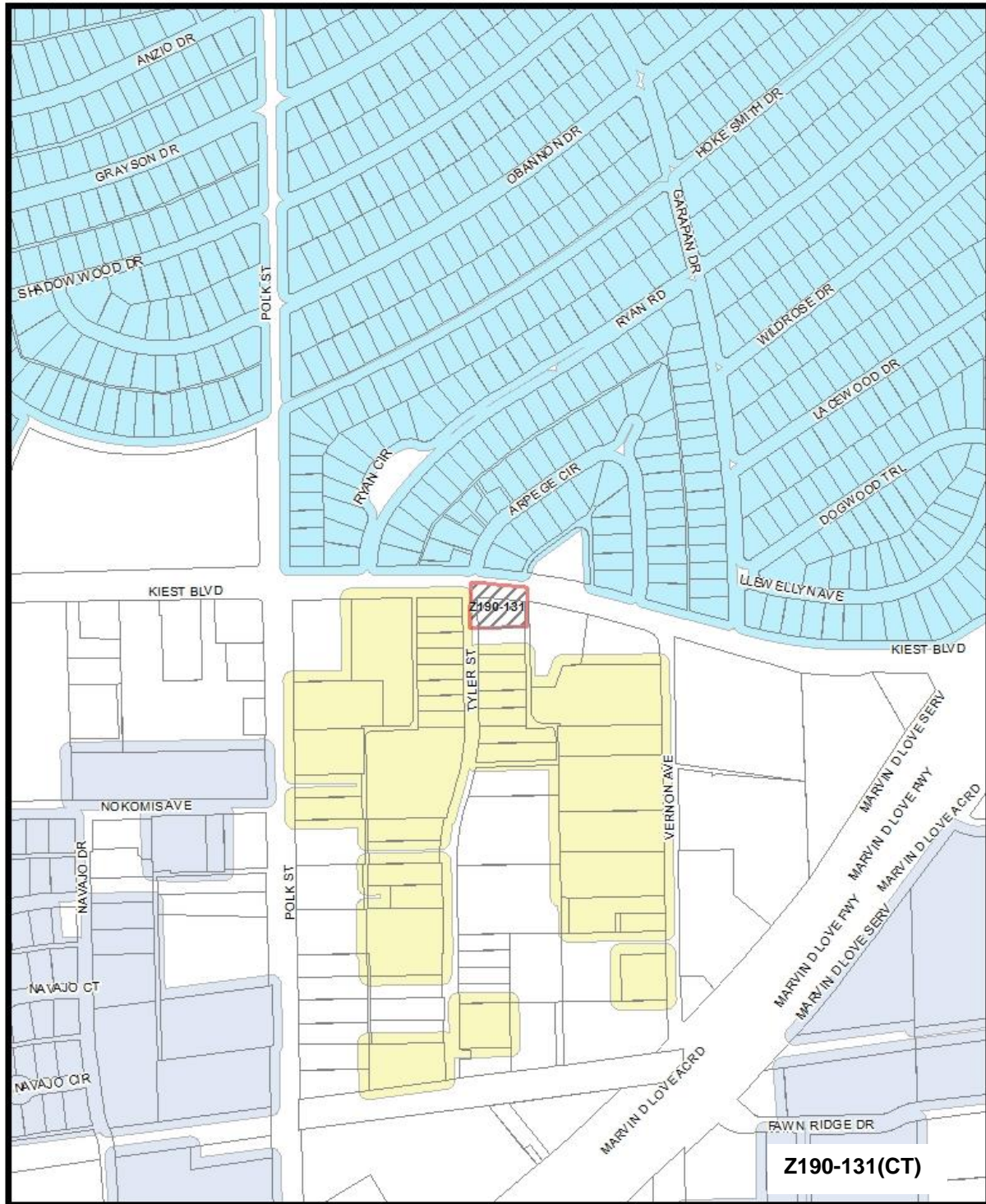








Z190-131(CT)



Market Value Analysis



1:4,800

## Market Value Analysis

Printed Date: 11/22/2019

A B C D E F G H I NA

**CPC Replies**



02/05/2020

***Reply List of Property Owners******Z190-131******26 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	880	W Kiest Blvd	Williams Claude
2	960	Ryan Rd	Rodriguez Antonio &
3	966	Ryan Rd	Aranda Mirna &
4	855	Arpege Cir	Sosa Raul & Ena A
5	857	Arpege Cir	London Kenneth
6	851	Arpege Cir	Peralta Jose
7	849	Arpege Cir	Santibanez Rene &
8	847	Arpege Cir	Santibanez Rene &
9	845	Arpege Cir	Santibanez Jesus &
10	836	Arpege Cir	Santibanez Rene
11	840	Arpege Cir	Almanza Erika
12	844	Arpege Cir	Aguirre Maria M &
13	852	Arpege Cir	Santibanez Custodio
14	801	W Kiest Blvd	Santibanez Rene
15	3207	S Tyler St	Ray Willie B
16	3203	S Tyler St	Wright Gwendolyn
17	3211	S Tyler St	Govan Julia E
18	3219	S Tyler St	Armenta Juan A & Maria
19	3215	S Tyler St	Salas Maricela &
20	3221	S Tyler St	Peters Margaret
21	3211	S Vernon Ave	Biscayne Apts LLC
22	806	W Kiest Blvd	Last Covenant Church Inc
23	3205	S Vernon Ave	Friendship West Baptist
24	3218	S Tyler St	Cox Charles W
25	3222	S Tyler St	Cox Charles
26	950	W Kiest Blvd	Sailfish LP