

**FILE NUMBER:** Z190-165(JM) **DATE FILED:** December 23, 2019

**LOCATION:** Northwest corner of South Buckner Boulevard and C.F. Hawn Freeway

**COUNCIL DISTRICT:** 5 **MAPSCO:** 58 U

**SIZE OF REQUEST:** ±0.46 acres **CENSUS TRACT:** 93.04

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**REPRESENTATIVE:** Rob Baldwin, Baldwin and Associates

**APPLICANT:** Auto City Credit

**OWNER:** Bwingram Investments, LTD.

**REQUEST:** An application for a Specific Use Permit for a vehicle display, sales, and service use on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District, with a D-1 Liquor Control Overlay.

**SUMMARY:** The purpose of this request is to allow for the operation of a vehicle display, sales, and service use. The property is currently vacant, but previously maintained a SUP for the proposed use, which expired June 13, 2011.

**CPC RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, a landscape plan, and conditions.

**STAFF RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, a landscape plan, and conditions.

**BACKGROUND INFORMATION:**

- Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, was established by City Council on February 10, 1999. The PD contains seven subdistricts with over 239 acres of land. The subject site is located within Subdistrict 5—a commercial and retail subdistrict, which requires a Specific Use Permit for the proposed vehicle display, sales, and service use.
- A vehicle display, sales, and service use is defined as a facility for the display, service, and retail sale of new or used automobiles, boats, trucks, motorcycles, motor scooters, recreational vehicles, or trailers.
- The existing 2,196-square-foot structure was constructed in 2001, according to City permit records and Dallas Central Appraisal District. According to the proposed site plan the property contains approximately 3,960 square feet of outdoor vehicle display area for up to 22 cars.
- The site last operated as a vehicle display, sales, and service use under SUP No. 1442, which expired on June 13, 2011. The property has three past Certificates of Occupancy for the sale of motor vehicles from 1979, 2000, and 2001. No other COs are on record.

**Zoning History:** There have been five zoning changes requested in the area in the past five years.

1. **Z190-138:** An automatic renewal of Specific Use Permit No. 2286 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500-square-feet or less, located at the southwest intersection of CF Hawn Freeway and Great Trinity Forest Way.
2. **Z189-193:** On June 12, 2019, City Council approved Specific Use Permit No. 2337 for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, located on the southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road.
3. **Z189-203:** On June 12, 2019, City Council approved Specific Use Permit No. 2340 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay located on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway.

4. **Z189-211:** On June 12, 2019, City Council approved Specific Use Permit No. 2339 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay located on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway.
  
5. **Z167-268:** On August 9, 2017, City Council approved the renewal of SUP No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District on the southwest side of C.F. Hawn Freeway, east of Murdock Road.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
C.F. Hawn Expressway	Freeway	Variable ROW	Variable ROW
South Buckner Boulevard	Principal Arterial	107 feet	107 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and has no objection to the proposed SUP if certain conditions are met: 1) revise site plan to comply with City standards removing southern driveway adjacent to channelized right lane at CF Hawn; and, 2) reconfigure northern driveway to intersect at 90 degrees, aligned with median opening and meeting maximum width for commercial driveways (measured at property line).

The current configuration would be in conflict with City standards. While the driveways are an existing condition, the Engineering Division would not be able to approve the existing substandard conditions at permitting.

At the time of this report, the applicant submitted revised site and landscape plans in compliance with City standards and in accordance with the recommendation made by the CPC on May 21<sup>st</sup>.

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request.

**LAND USE**

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.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

The proposed vehicle display, sales, and service use would provide new jobs and expand upon the existing land use pattern and industry located along C.F. Hawn Service Road and South Buckner Boulevard.

**STAFF ANALYSIS:**

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 533, Subdistrict 5 w/D-1 Overlay	Vacant Building
<b>North</b>	PD No. 533, Subdistrict 5 w/D-1 Overlay	Auto-related
<b>East</b>	IM-D-1 Industrial Manufacturing District w/D-1 Overlay	Pawn shop, restaurant, truck rental, and vehicle display, sales, and service
<b>South</b>	RR-D-1 Regional Retail District w/D-1 Overlay and SUP Nos. 2286, 2337, 2340, and 2339	General merchandise or food store with the sale of alcohol
<b>West</b>	PD No. 533, Subdistrict 5 w/D-1 Overlay	Hotel

**Land Use Compatibility:**

The request site is surrounded by auto-related uses to the north; a pawn shop, restaurant, truck rental, and vehicle display, sales, and service uses to the east; general merchandise or food store with the sale of alcohol uses to the south; and, a hotel use to the west.

The proposed development is consistent with the mix of uses that are developed along the C.F. Hawn corridor. Uses such as vehicle display, sales, and services, auto service uses and motel uses are permitted within PD No. 533, which encourages retail and personal service uses along the C.F. Hawn corridor. The proposed vehicle display, sales and service use should not negatively impact the surrounding uses. Furthermore, the site

has historically operated as a vehicle display, sales, and service use, with the first CO for the site being issued in 1978 for this use.

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 proposed establishment would provide a service that is related to the surrounding uses and does not negatively impact adjacent properties. The SUP process of continuous review, up-keep, and public input would allow for the periodic review of the land use to ensure it continues to compliment the surrounding neighborhood over time.

**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 is not within an identifiable MVA category; however, it is in proximity to the three low-range MVA markets (G, H, and I).

**Landscaping:**

The new SUP will utilize existing structures and pavement on the property, which will require continued adherence to landscaping per Planned Development District No. 533, the CF Hawn Special Purpose District No. 1. A landscape plan has been submitted with this request and is conditioned by the SUP requirements. The City Arborist has recommended approval of the proposed landscape plan to maintain existing conditions due to inadequate water and wastewater access for the addition of new landscaping.

**Parking:**

PD No. 533 refers to the Dallas Development Code for parking regulations. Pursuant to the Dallas Development Code, the off-street parking requirement for the vehicle sales, display, and service use is one space per 500 square feet of floor area, inclusive of the display area. The proposed site plan indicates the existing floor area of 2,196 square feet of building area and a combined total of 3,960 square feet of display area will be maintained. The total of 6,156 square feet for the vehicles display, sales, and service use requires 12 off-street parking spaces. According to the site plan, 12 parking spaces are provided.

**LIST OF OFFICERS**

**Auto City Credit**

Blake Ingram, President

**BWINGRAM INVESTMENTS Ltd**

**BWINGRAM INVESTMENTS GP, LLC**

Blake Ingram, Director  
Jacquelon F. Ingram, Member

**CPC Action**  
**May 14, 2020**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a vehicle display, sales, and service use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan, revised landscape plan, and conditions on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District, with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and C.F. Hawn Freeway.

Maker: Shidid  
Second: Blair  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 1 Against: 0

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Against: None

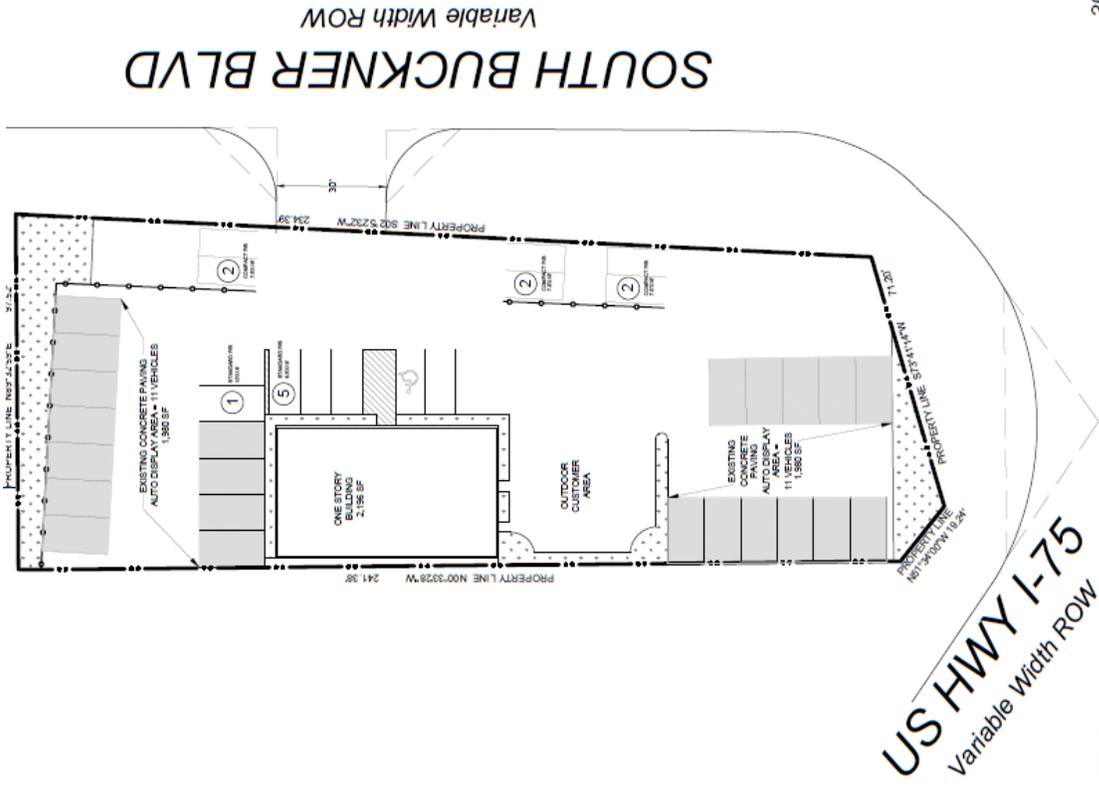
**CPC RECOMMENDED  
SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.
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 [five-years from the passage of this ordinance], but is eligible for automatic renewals for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. HOURS OF OPERATION: The vehicle display, sales, and service use may only operate between 8:00 a.m. and 8:00 p.m., Monday through Saturday.
5. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
6. LANDSCAPING.
  - a. Landscaping must be provided in accordance with the attached landscape plan.
  - b. Plant materials must be maintained in a healthy, growing condition.
7. OFF-STREET PARKING: Off-street parking must be provided in the locations shown on the attached site plan. Areas for parking, vehicle display, and maneuvering of vehicles must be paved with a nonpermeable surface.
8. SIGNS: Flags and pennants are not permitted.
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**



VICINITY MAP  
NTS



*Variable Width ROW*

**SOUTH BUCKNER BLVD**

SUP FOR VEHICLE DISPLAY, SALES, & SERVICE

- ZONING: PD533 SUB-DISTRICT 5
- LAND AREA: 0.46 ACRES
- FLOOR AREA: 2,196 SF
- SITE AREA: 3,960 SF (EXCLUDES PARKING AREA)
- HEIGHT: 21'-6"/ONE STORY
- PARKING: 1-500 FLOOR AREA & SITE AREA  
REQUIRED: 12  
PROVIDED: 12



Z190-165(JM)

**US HWY I-75**  
*Variable Width ROW*

**1 SUP SITE PLAN**  
SCALE: 1" = 30'-0"



# CPC RECOMMENDED LANDSCAPE PLAN



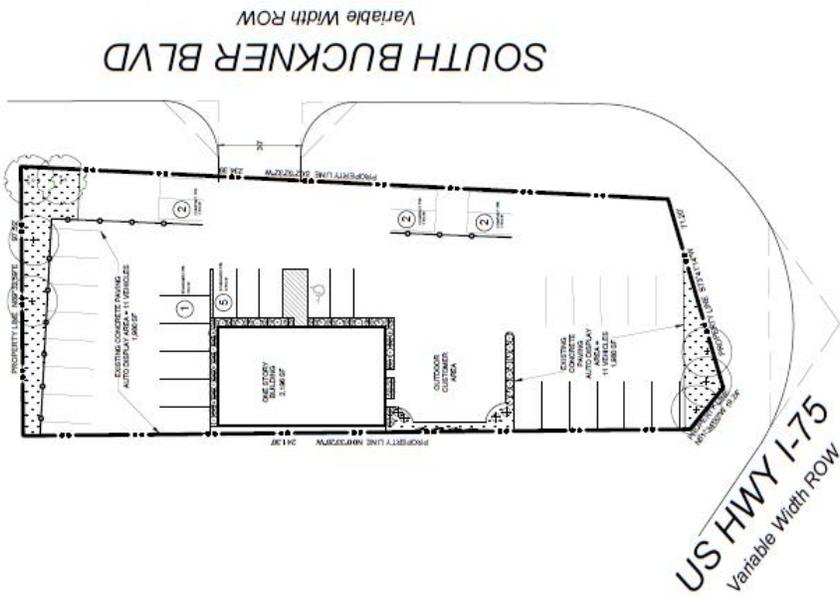
VICINITY MAP  
NTS



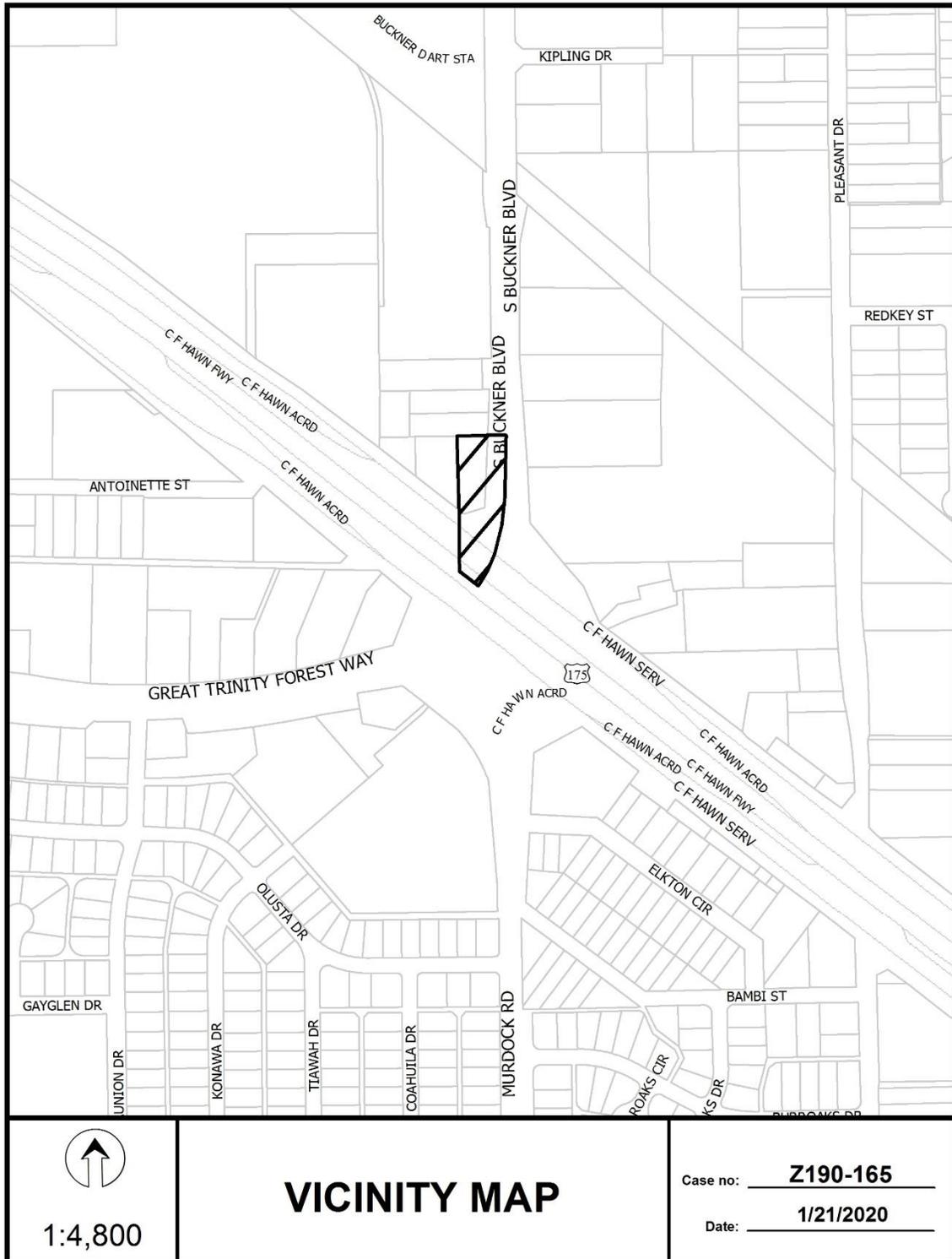
*LANDSCAPE LEGEND*

PLANT	COMMON NAME	BOTANICAL NAME	SIZE (MATURE)	SPACING	NOTES
1	BIRD STRONG	PERNIXIA BATTICATA	3' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.
2	FLORIDA GUM	LIQUIDAMBARY STYRACIUM	8' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.
3	FLORIDA GUM	LIQUIDAMBARY STYRACIUM	8' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.
4	FLORIDA GUM	LIQUIDAMBARY STYRACIUM	8' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.
5	FLORIDA GUM	LIQUIDAMBARY STYRACIUM	8' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.
6	FLORIDA GUM	LIQUIDAMBARY STYRACIUM	8' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.
7	FLORIDA GUM	LIQUIDAMBARY STYRACIUM	8' P. H. 1/2" DIA. 1/2" W. 1/2" D.	12' x 12'	SEE PLAN FOR LOCATION. STRIP FOR 12' x 12' PLANT.

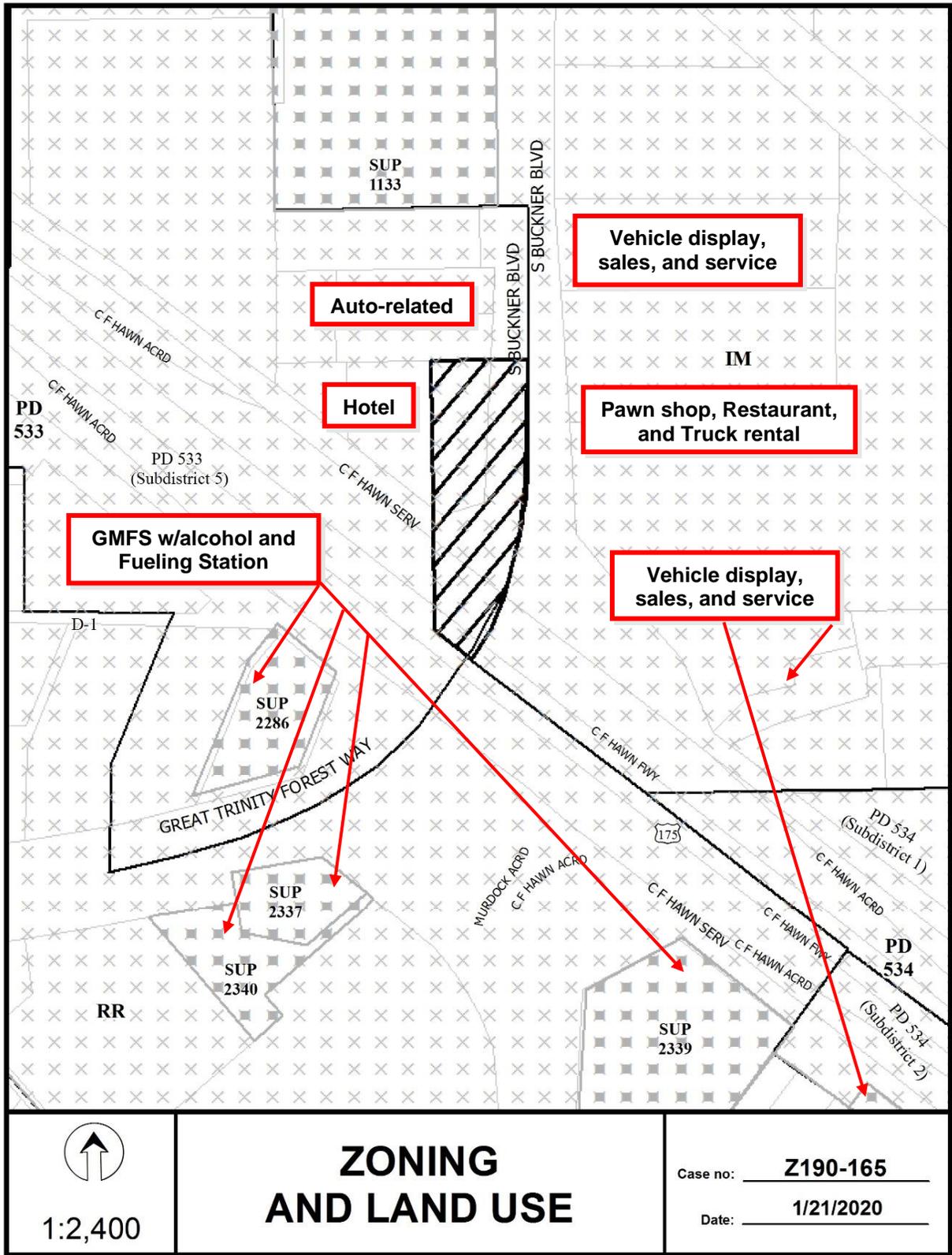
**NOTES:**  
 1) REFER TO CITY OF DALLAS INSTALLATION SPECIFICATIONS BEFORE INSTALLING.  
 2) MAKE SURE THAT ALL PLANT ROOTS ARE BEING REMOVED BY AUTOMATIC IRRIGATION SYSTEM.

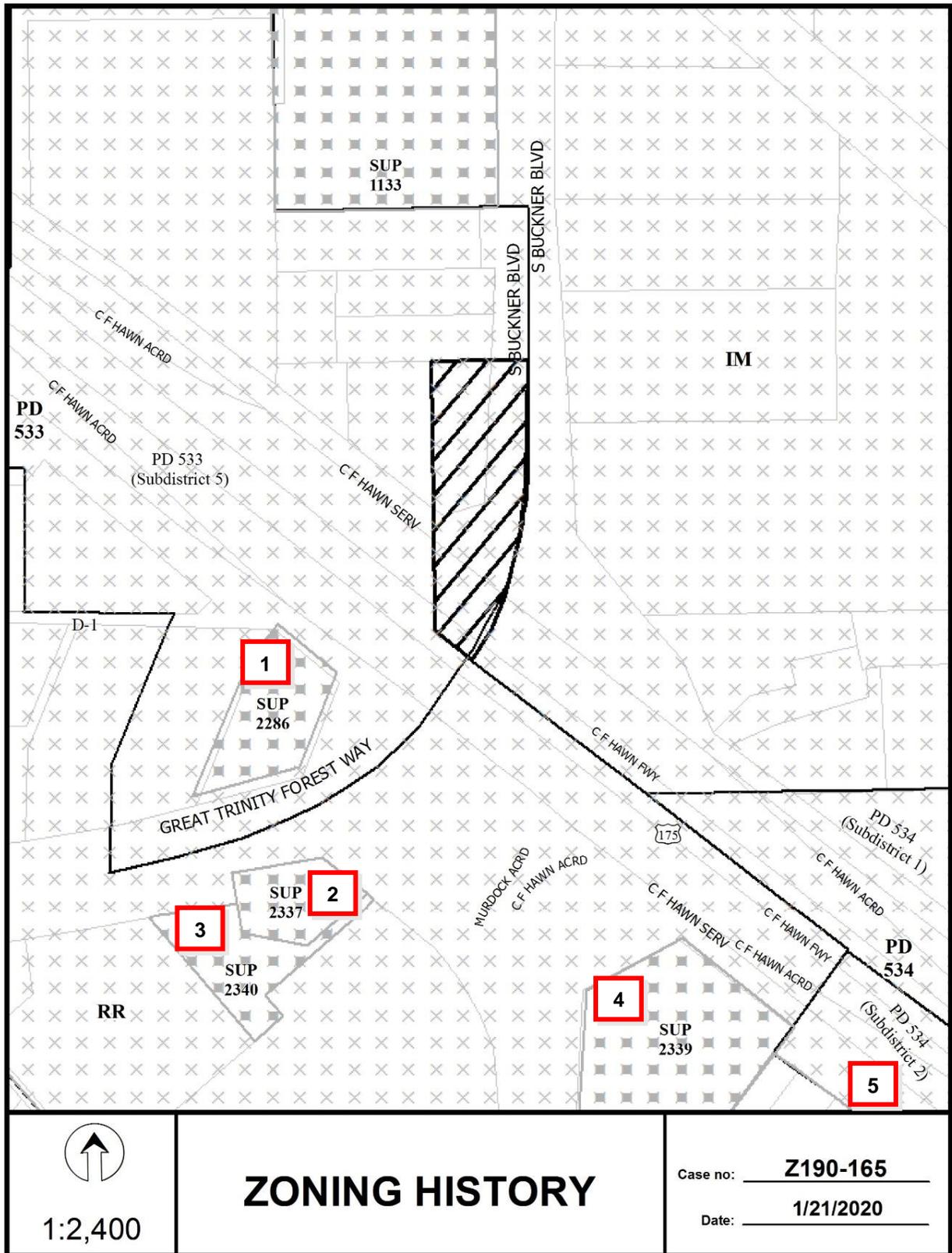


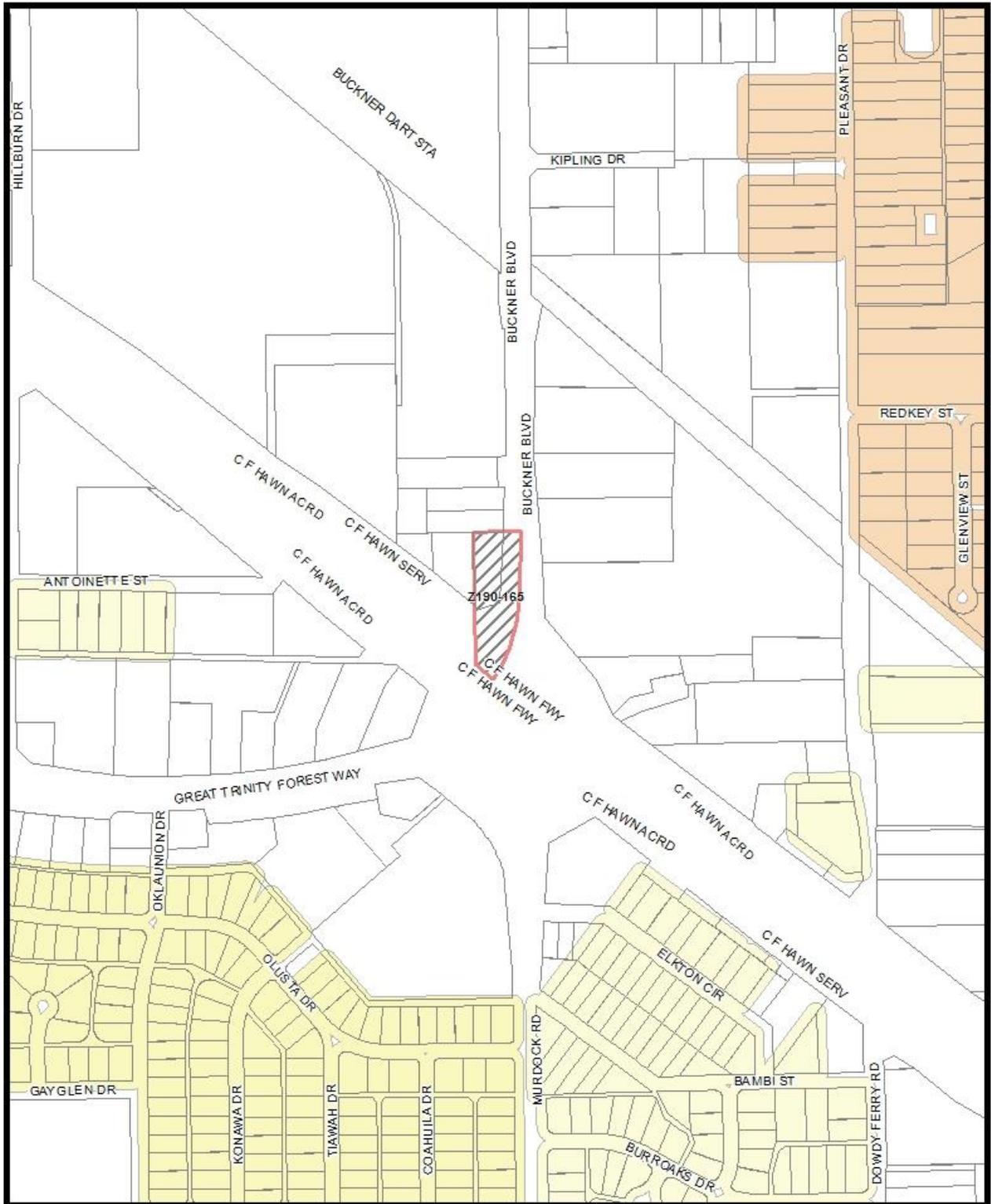
**AUTO CITY SALES STORE**  
**LANDSCAPE PLAN**  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: [Date]  
 PROJECT NO.: Z190-165  
 SHEET NO. C3











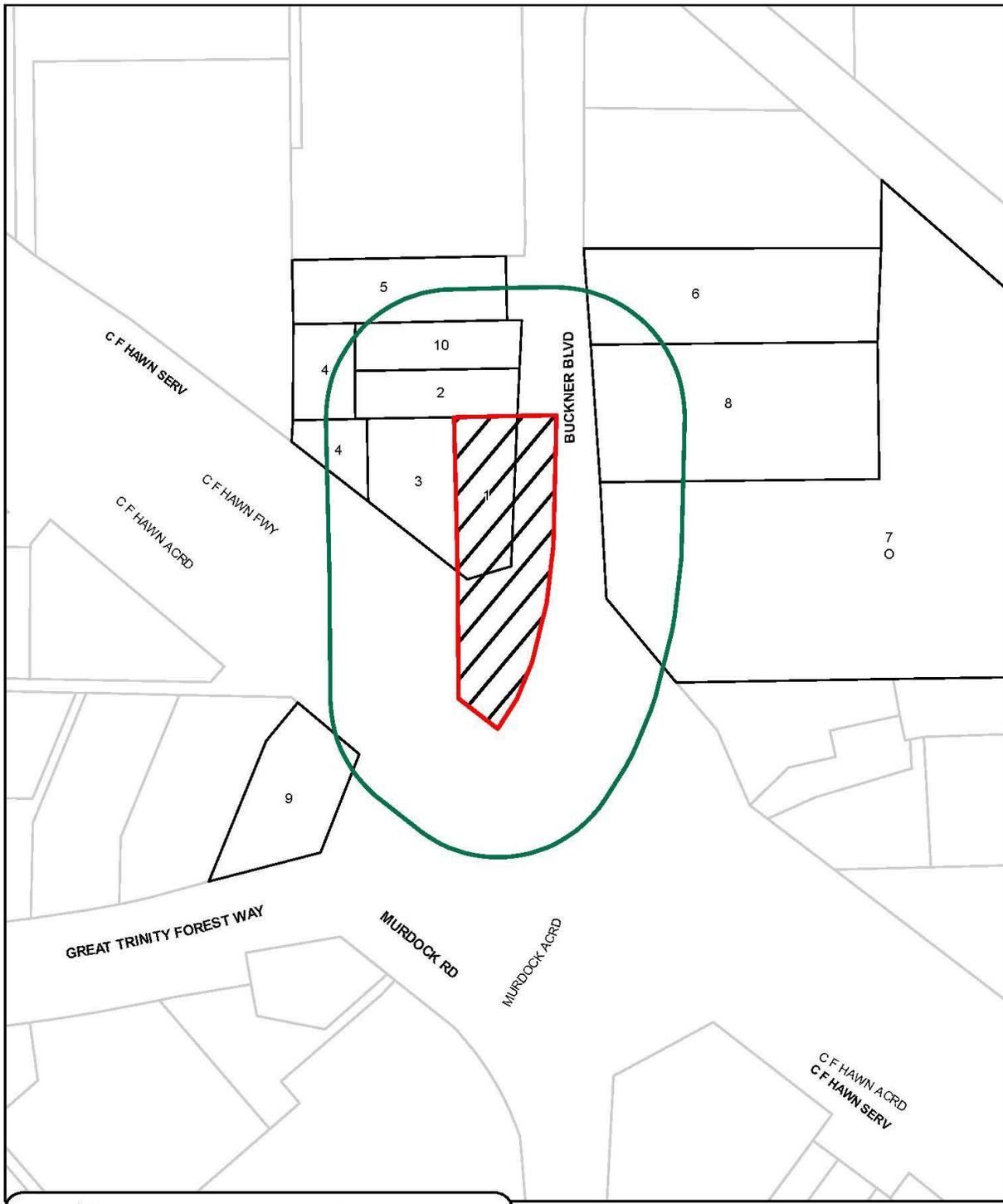
Market Value Analysis A B C D E F G H I NA



# Market Value Analysis

Printed Date: 1/21/2020

**CPC Responses**



<u>10</u>	Property Owners Notified (11 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>5/14/2020</u>	Date

**Z190-165**  
**CPC**



1:2,400

Z190-165(JM)

05/13/2020

## ***Reply List of Property Owners***

***Z190-165***

***10 Property Owners Notified***

***1 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	129 S BUCKNER BLVD	BWINGRAM INVESTMENTS LTD
	2	139 S BUCKNER BLVD	SALINAS RAQUEL
	3	8020 C F HAWN FWY	STARDUST MOTELS INC
	4	8010 C F HAWN FWY	DAL TILE CORPORATION
	5	205 S BUCKNER BLVD	MUELLER PROPERTIES LTD
	6	212 S BUCKNER BLVD	ROBERT OLDER ENTERPRISES LLC
O	7	120 S BUCKNER BLVD	BWINGRAM LTD
	8	140 S BUCKNER BLVD	VAQUERO BUCKNER PTNR LP
	9	8015 C F HAWN FWY	DFW DISTRIBUTOR PETROLEUM INC
	10	143 S BUCKNER BLVD	PRESLEY TERRY