

**FILE NUMBER:** Z190-284(PD)

**DATE FILED:** June 17, 2020

**LOCATION:** Northwest side of Hickory Street, northeast of South Malcolm X Boulevard

**COUNCIL DISTRICT:** 7

**MAPSCO:** 46 N

**SIZE OF REQUEST:**  $\pm$  0.1148 acres

**CENSUS TRACT:** 204.00

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**APPLICANT:** Rafael Jamaica

**OWNER:** Rafael Jamaica and Henrietta Jamaica

**REQUEST:** An application for the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals and recyclable materials on property zoned an IM Industrial Manufacturing District.

**SUMMARY:** The purpose of the request is to continue the operation of a recycling buy-back center. [R & E Recycling]

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

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

## BACKGROUND INFORMATION:

- The Dallas Development Code, as amended, defines *recycling buy-back center* as a facility wholly enclosed within a building or an automatic collection machine, used for the collection and temporary storage of recyclable materials.
- The recycling buy-back center use is permitted by right in the IM Industrial Manufacturing District, limited to the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics.
- The development code also establishes that to collect household metals or industrial metals<sup>1</sup> under the recycling buy-back center use, a Specific Use Permit is required. Additionally, the development code limits the time period of the use to no more than a two-year time period.
- The area of request is zoned IM Industrial Manufacturing District with Specific Use Permit No. 2087 and is currently developed with a one-story 4,477-square-foot building that includes a 493-square foot office space, an approximately 2,000-square-foot storage area for the recyclable materials, and a 1984-square-foot covered parking area.
- SUP No. 2087 was approved by City Council on August 12, 2015 for a two-year period.
- On December 13, 2017, the City Council approved the renewal of SUP No. 2087 for a two-year period with an expiration date of December 13, 2019.
- On October 23, 2019, the City Council approved the renewal of SUP No. 2087 for a one-year period with an expiration date of October 23, 2020.
- The recycling buy-back center has been in operation since 1994. Previously, the facility operated under SUP No. 1765 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials. However, SUP No. 1765 expired on August 8, 2014, due to the applicant failing to submit the application for the renewal before the expiration date.

**Zoning History:** There have been four zoning change requests in the vicinity within the last five years.

- **Z190-197** On June 24, 2020, the City Council approved an amendment to and an expansion of Planned Development District No. 346 located on the northwest

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<sup>1</sup> **Household metals** mean items that are customarily used in a residential dwelling, comprised of any quantity of ferrous or nonferrous materials such as kitchen pots, cooking tools, window screens and gardening tools.

**Industrial metals** mean pipes, wires, coils, condensers, guard rails, automotive parts, bulky appliances, and similar industrial or construction materials comprised of ferrous or nonferrous metal.

line of Hickory Street, on both sides of Jeffries Street, northeast of South Malcom X Boulevard and southwest of Chestnut Street.

- **Z189-302** On October 23, 2019, the City Council approved the renewal of SUP No. 2087 for a recycling buy-back center for the collection of household materials, industrial metals and recyclable materials for the area of request. (subject site)
- **Z167-189** On June 14, 2017, the City Council approved an MU-1 Mixed Use District located on the northwest side of Hickory Street, northeast of Malcolm X Boulevard.
- **Z167-272** On December 13, 2017 the City Council approved the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals and recyclable materials for the area of request. (subject site)

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW	Required ROW
Hickory Street	Minor Arterial	60 ft	60 ft

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested renewal and determined it 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 request complies with the following land use goals and policies of the Comprehensive Plan:

**ENVIRONMENT ELEMENT**

**Goal 2.3** INCREASE RECYCLING AND CONSERVATION OF RENEWABLE RESOURCES.

**Policy 2.3.3** Increase recycling and composting

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IM Industrial Manufacturing with SUP No. 2087	Recycling buy-back center for the collection of household metals, industrial metals and recyclable materials
<b>North</b>	PDD No. 346 w/IM Industrial Manufacturing base	Undeveloped
<b>West; Southwest</b>	PDD No. 346 w/IM Industrial Manufacturing base	Vacant office/showroom warehouse
<b>South</b>	IM Industrial Manufacturing	DISD Natatorium
<b>East</b>	IM Industrial Manufacturing	Single Family

**Land Use Compatibility:**

The area of request is zoned IM Industrial Manufacturing District with SUP No. 2087 for a Recycling buy-back center for the collection of household metals, industrial metals and recyclable materials.

The recycling buy-back center use is permitted by right in the IM Industrial Manufacturing District, when limited to the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics.

The Development Code requires a Specific Use Permit for the collection of household metals or industrial metals under the recycling buy-back center use.

Additional regulations for recycling buy-back centers include:

1. The maximum floor area for a recycling buy-back center is 10,000 square feet.
2. No more than one recycling use is permitted on a building site.
3. The use must be located at least 1,000 feet from another recycling use.
4. Materials stored at this use must be removed at least once a week or before reaching capacity.
5. Limitations of the two types of accepted metals to household and industrial metals

The existing recycling buy-back center has been in operation since 1994. Initially the use operated by right as a recycling buy-back center for the collection of aluminum cans, steel cans, glass, paper, and plastics. Subsequently, Specific Use Permit No. 1765, approved in 2009, expanded the operation to include the household metals or industrial metals. SUP No. 1765 expired in 2014. However, Specific Use Permit No. 2087 was approved by City Council on August 12, 2015 and renewed in 2017 and 2019 for two-year periods, respectively.

The purchasing, collecting, or soliciting of metals is regulated under Chapter 40B of the Dallas City Code, secondary metal recyclers. Chapter 40B requires a secondary metal recycler's license and specifies operations for secondary metal recyclers. The purpose of the regulations in Chapter 40B is to promote the recovery of stolen property, particularly property composed of certain metals.

Land uses surrounding the area of request include a vacant office/showroom warehouse use abutting the site to the east, a Dallas Independent School District natatorium facility to the south across Hickory Street, a single family use is directly adjacent to the west, and several undeveloped tracts along the north.

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.

The existing recycling buy-back center is contained entirely within a 2,146 square foot structure with a solid screening fence and gate within the front yard along Hickory Street. The required off-street parking is covered and located behind the main gates through the main driveway. The site is gated when the recycling buy-back center is not in operation. Staff has revised the conditions to include the maximum floor area as it exists today and prohibition of outside storage which is not allowed for the use. Staff supports approval of the request since the continued operation of the use is not foreseen to have a negative impact on the surrounding area. Therefore, staff recommends approval for a two-year period subject to a revised site plan and revised conditions.

### **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 site is not within an identifiable MVA Category; however, proximity to an “E” MVA Cluster lies to the southeast and northeast.

**Parking:**

The off-street parking requirement for a recycling buy-back center is one space per 500 square feet of floor area. The applicant is required to provide 4 off-street parking spaces for the covered floor area, measuring approximately 2,146 square feet [ $2,146/500=4.29 \sim 4$  spaces]. As depicted on the existing site plan, the required parking spaces are provided on site.

**Landscaping:**

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant’s request will not trigger any Article X requirements, as no new construction is proposed.

**Dallas Police Department:**

The Dallas Police Department monitors compliance with the Chapter 40B license for the operation of a recycling buy-back center. However, staff has not yet received confirmation of compliance with the license for the request but can ensure that confirmation will be available prior to the public hearing.

**CPC ACTION:**  
**March 4, 2021**

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals and recyclable materials for a two-year period, subject to a revised site plan and revised conditions on property zoned an IM Industrial Manufacturing District, generally on the northwest side of Hickory Street, northeast of South Malcolm X Boulevard.

Maker: Jackson  
Second: Murphy  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 10

**Notices:** Area: 300 Mailed: 22  
**Replies:** For: 0 Against: 0

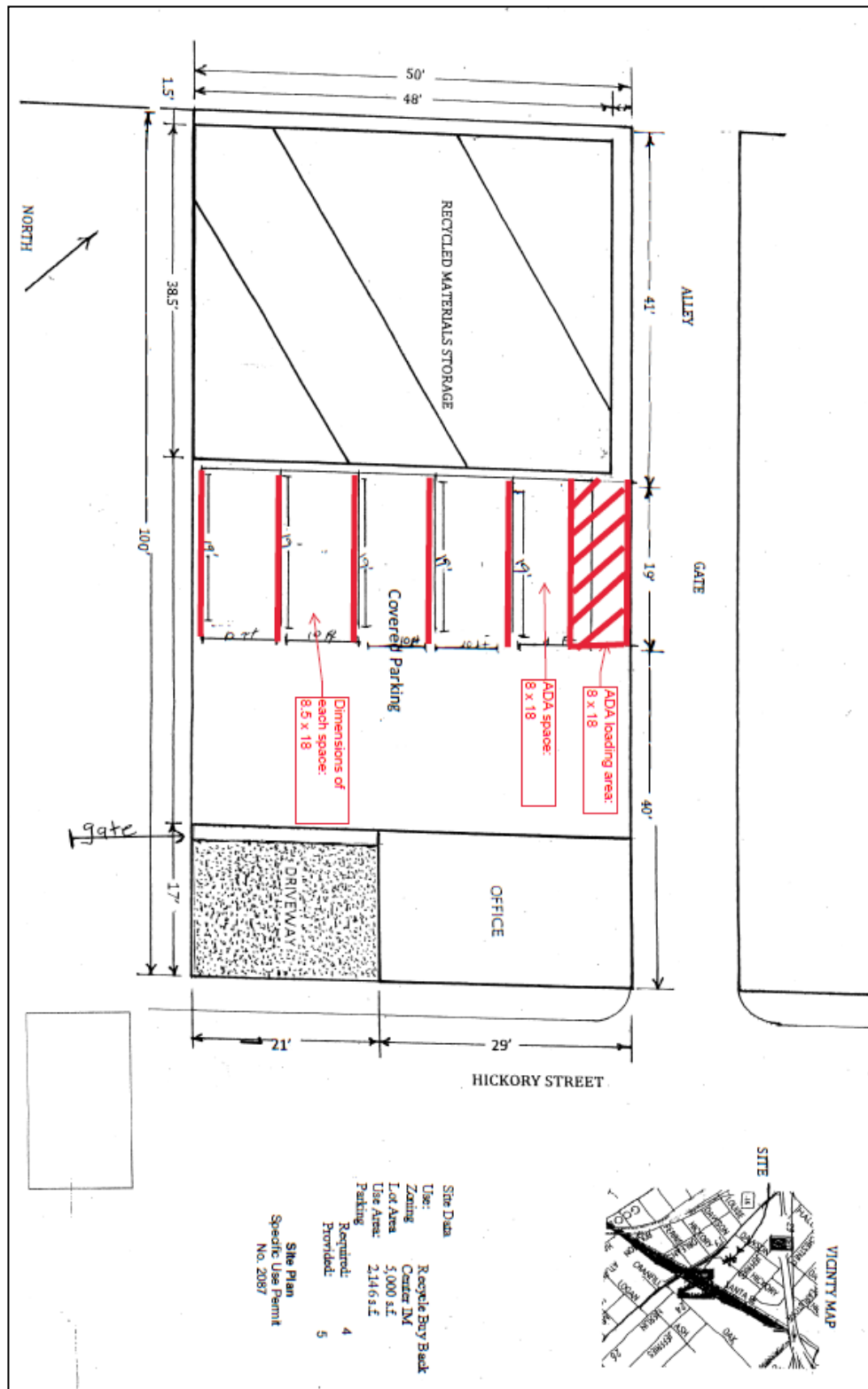
**Speakers:** For: None  
For (Did not speak): Randal Omohundro, 4219 Gladewater Rd., Dallas, TX. 75216  
Against: None

### **CPC RECOMMENDED SUP CONDITIONS**

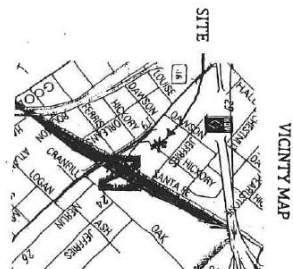
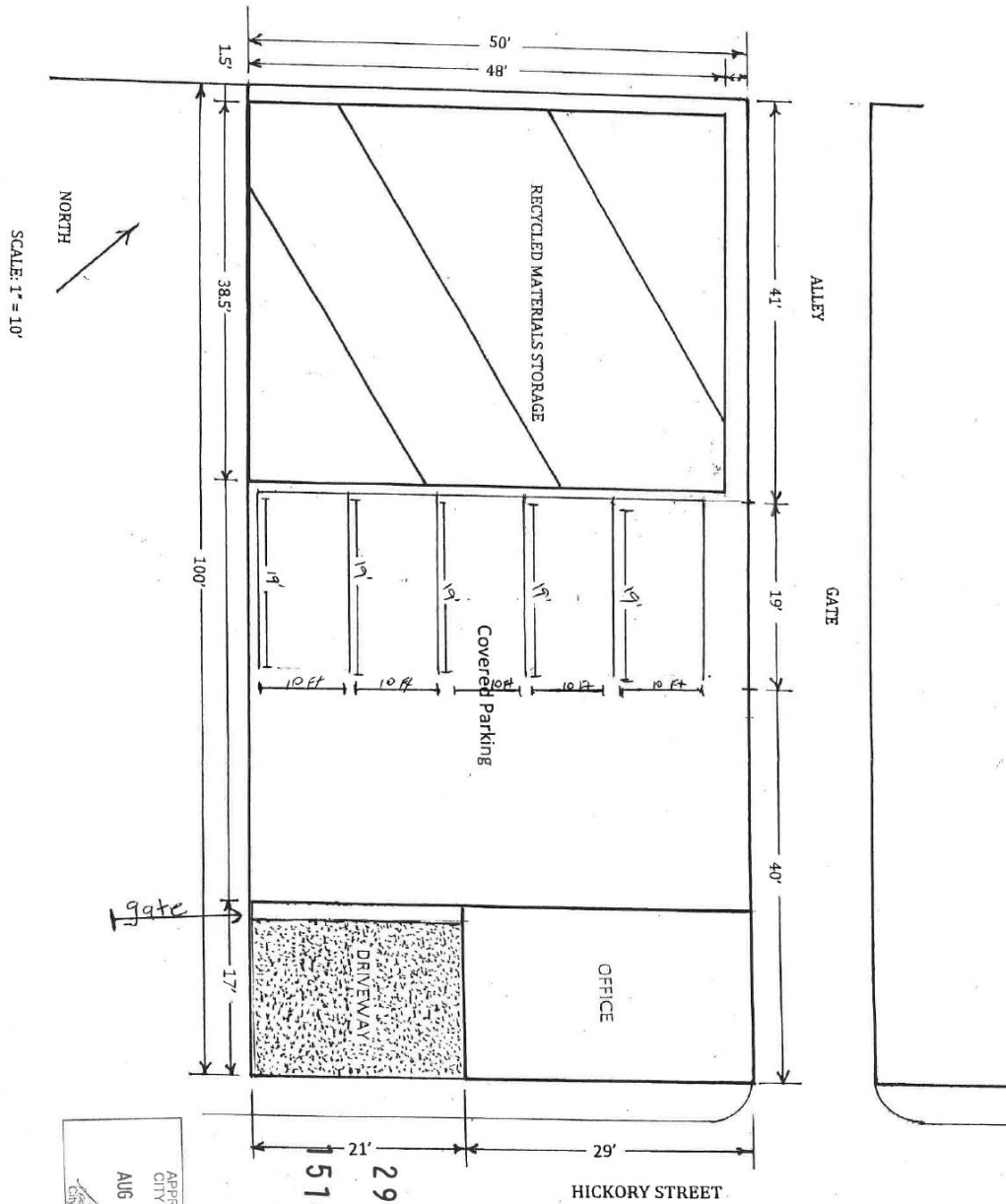
1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials. No other materials may be collected or recycled.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~October 23, 2020~~, (2 years from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area is 2,146 square feet.
5. GATE: The driveway gate abutting Hickory Street must remain open during the hours of operation.
6. HOURS OF OPERATION: The recycling buy-back center may only operate between 8:00 am. and 7:00 p.m., Monday through Sunday.
7. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. OUTSIDE STORAGE: Outside storage is prohibited.
9. PARKING: Off-street parking must be located as shown on the attached site plan.
10. REGULATED PROPERTY LICENSE: The operator of this use must have a secondary metal recycler's license under Dallas City Code Chapter 40B.
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 SITE PLAN



# EXISTING SITE PLAN

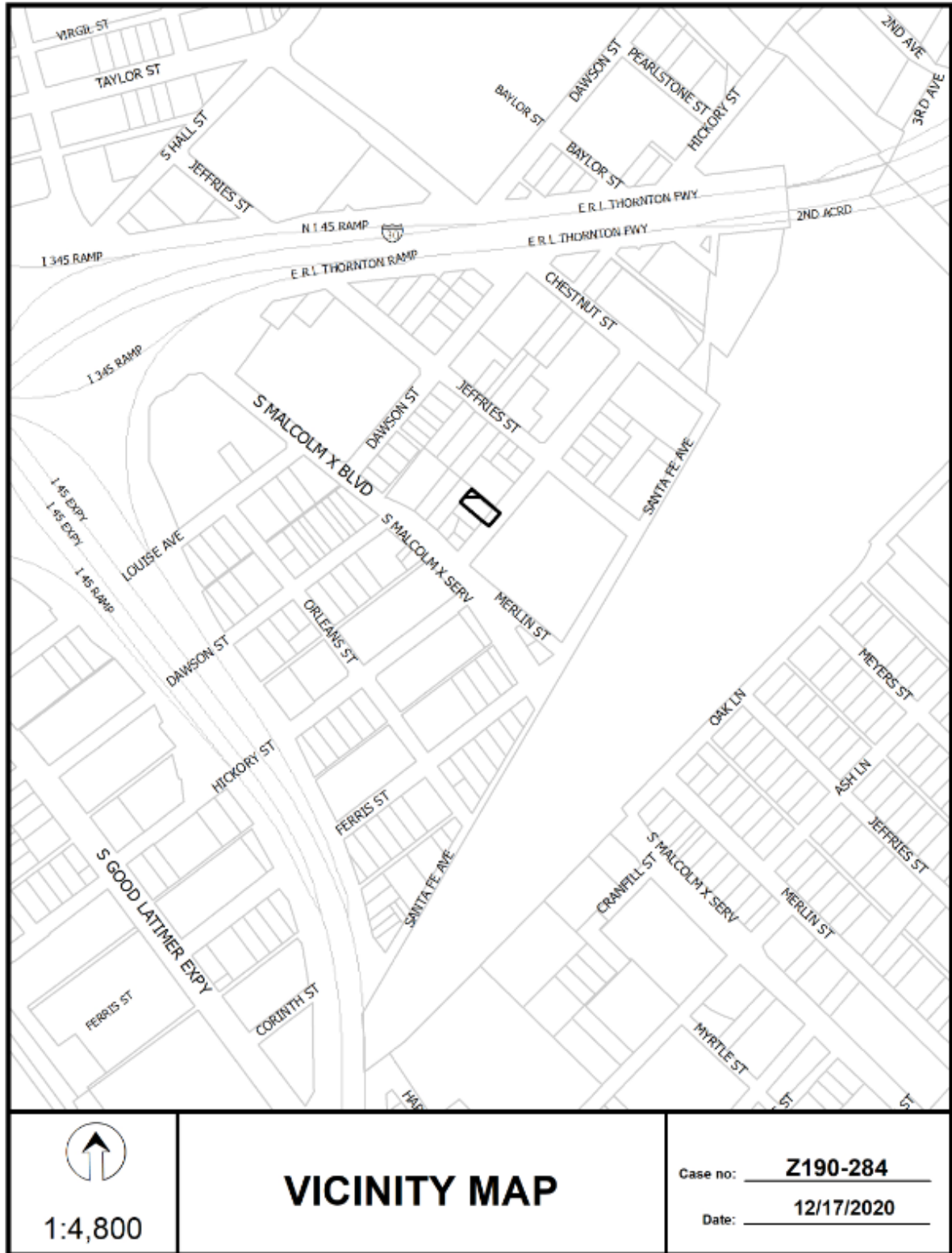


Site Data  
 Use: Recycle Buy Back Center  
 Zoning: IM  
 Lot Area: 5,000 s.f.  
 Use Area: 2,000 s.f.  
 Required: 5  
 Provided: 5

Site Plan  
 Specific Use Permit  
 No. 2087  
 Approved  
 City Plan Commission  
 June 18, 2015

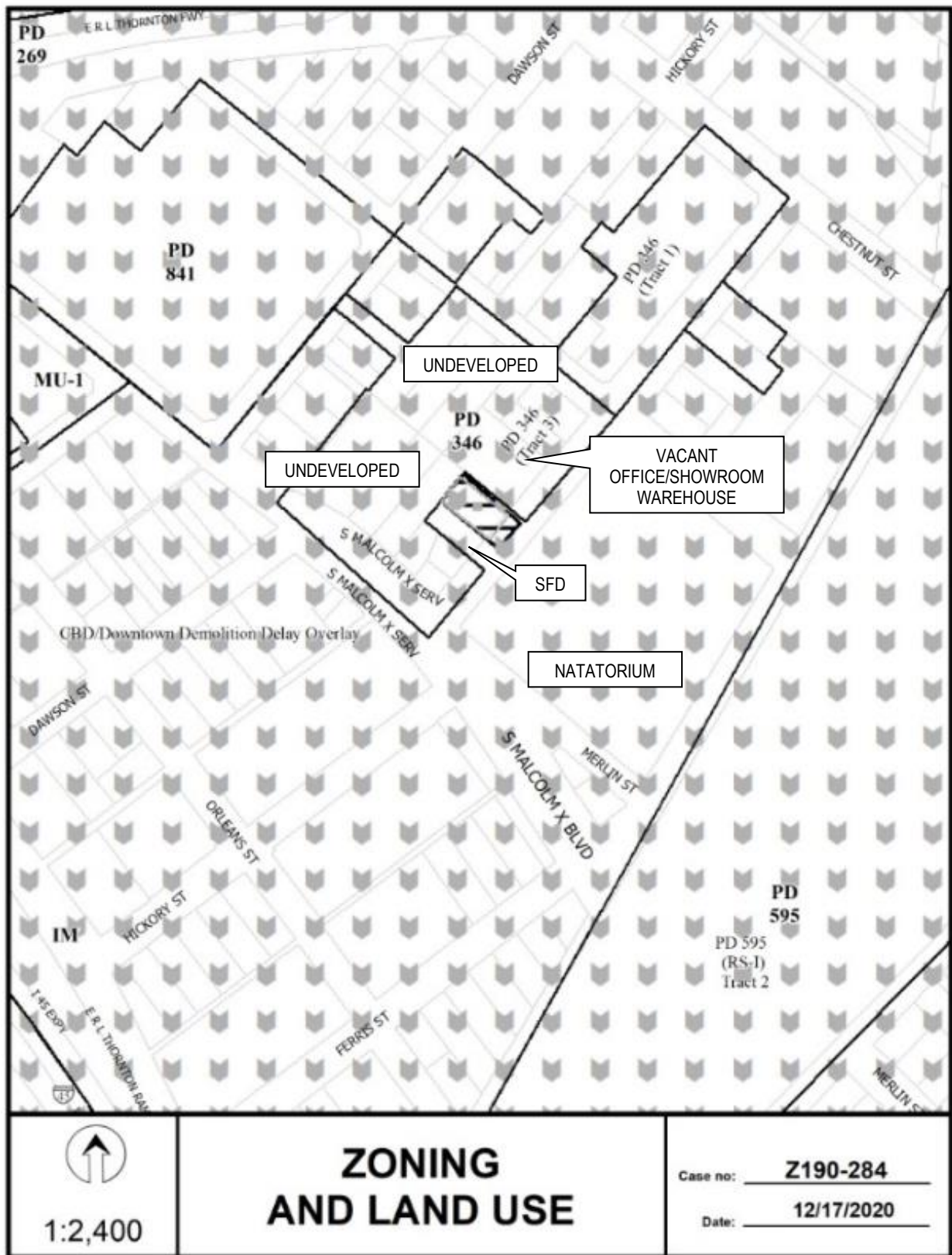
APPROVED BY  
 CITY COUNCIL  
 AUG 12 2015  
*[Signature]*  
 City Secretary

Z145-226  
 SITE PLAN

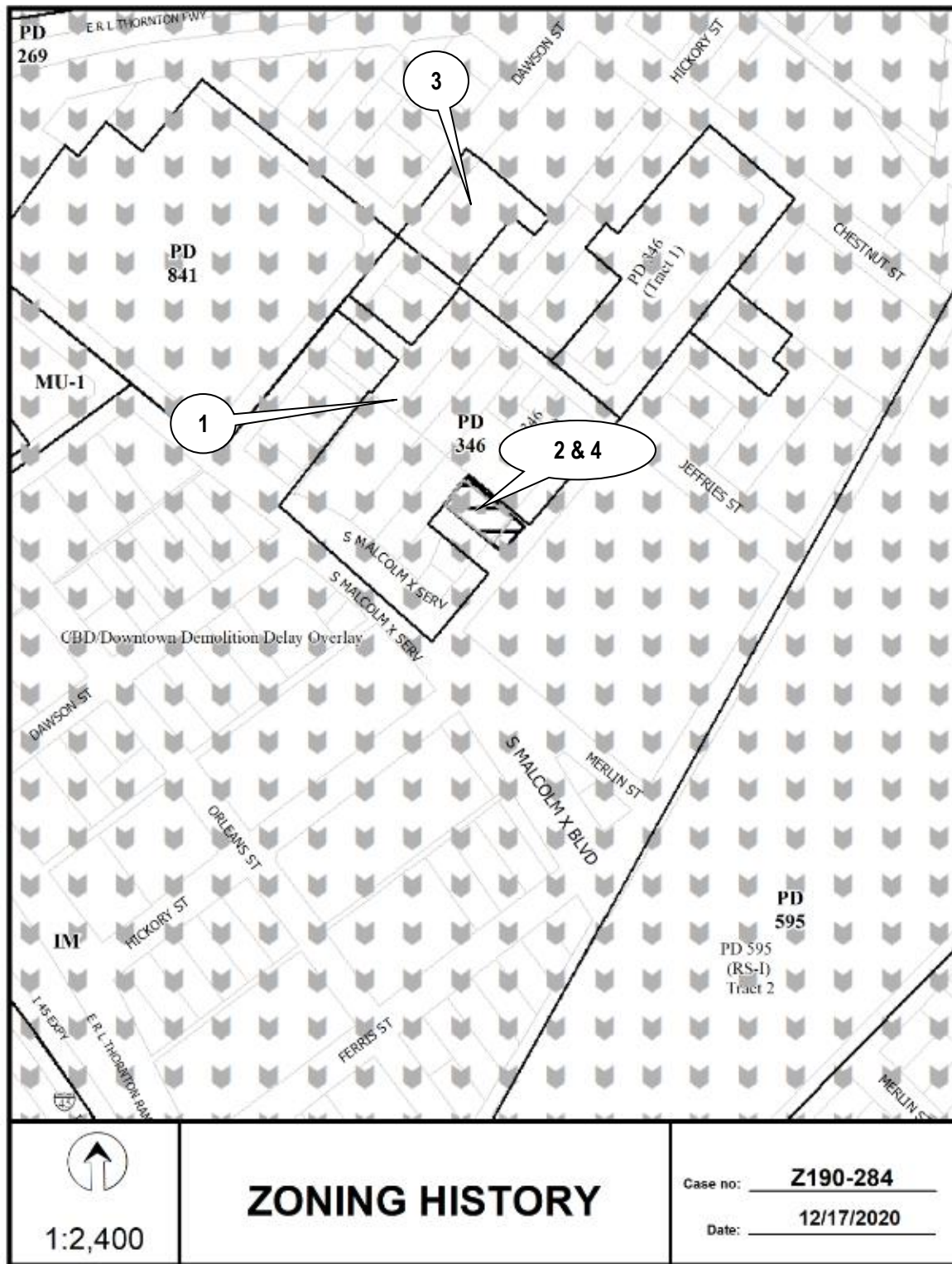












Z190-284(PD)



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

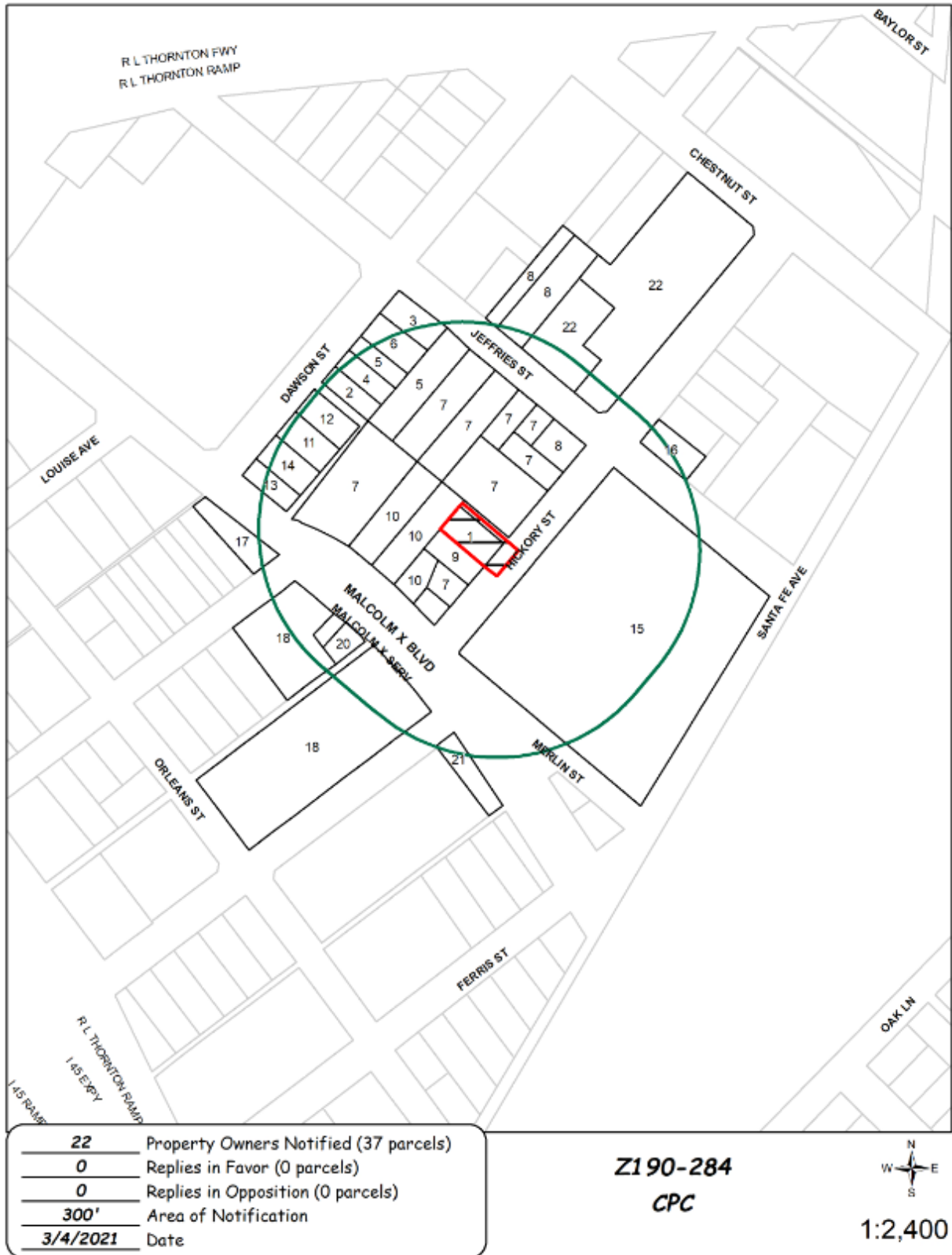


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## Market Value Analysis

Printed Date: 12/17/2020

# CPC RESPONSES





03/03/2021

***Reply List of Property Owners******Z190-284******22 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	2813	HICKORY ST	JAMAICA RAFAEL &
2	2814	DAWSON ST	CRABTREE J M EST
3	2826	DAWSON ST	ALLIED ROOFING OF TEX INC
4	2816	DAWSON ST	TOVAR DOMINGA &
5	2818	DAWSON ST	SHELTER MINISTRIES OF DALLAS
6	2822	DAWSON ST	SILVA PEDRO & JOSE
7	1715	JEFFRIES ST	SHELTER MINISTRIES OF DALLAS
8	2827	HICKORY ST	SHELTER MINISTRIES OF DALLAS
9	2811	HICKORY ST	JAMAICA RAFAEL & HENRIETTA
10	1824	S MALCOLM X BLVD	SHELTER MINISTRIES OF DALLAS
11	2808	DAWSON ST	RAMIREZ HERMAN
12	2812	DAWSON ST	GARCIA FRED
13	2800	DAWSON ST	CITY SQUARE
14	2804	DAWSON ST	SERRANO ROSEMARY RODRIGUEZ
15	1940	S MALCOLM X BLVD	Dallas ISD
16	2900	HICKORY ST	SHELTER MINISTRIES OF
17	2723	DAWSON ST	JONES BERNICE
18	2711	HICKORY ST	VISHNUKRIPA LLC
19	1805	S MALCOLM X BLVD	MARTINEZ MARIA DOLORES
20	1807	S MALCOLM X BLVD	MONROY BENJAMIN &
21	2728	HICKORY ST	LARA RAFAEL JAMAICA
22	2929	HICKORY ST	SHELTER MINISTRIES OF