

FILE NUMBER: Z201-153(RM) **DATE FILED:** December 18, 2020

LOCATION: Southwest corner of Ellenwood Drive and C.F. Hawn Freeway

COUNCIL DISTRICT: 8 **MAPSCO:** 69 H

SIZE OF REQUEST: Approx. 1.17 acres **CENSUS TRACT:** 117.02

APPLICANT/OWNER: Salvador Jimenez

REQUEST: An application for the renewal of Specific Use Permit No. 2276 for vehicle display, sales, and service on property zoned Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay

SUMMARY: The purpose of the request is to continue the use of the property as a vehicle display, sales, and service use. [Sal's Auto Sales and Parts].

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

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

BACKGROUND INFORMATION:

- The area of request is currently zoned Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, and is being used for vehicle display, sales, and service.
- The vehicle display, sales, and service use requires a Specific Use Permit in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3.
- The 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.
- On February 28, 2018, the City Council approved a Specific Use Permit for vehicle display, sales, and service for a three-year period on the request site.
- Since approval of the original SUP, the applicant has added paved area in a location originally designated as pervious area. Staff has worked with the applicant to revise the original site plan to reflect current site conditions. This revised site plan is included in the case report.

Zoning History:

There have been four zoning changes for the area of request in the past five years.

1. **Z167-298:** On October 5, 2017, staff approved an automatic renewal of Specific Use Permit No. 1717 for a vehicle display, sales, and service use for a three-year period on property zoned Planned Development District No. 535, Subdistrict 1 Tract 2, located at the northwest corner of C.F. Hawn Freeway and Haymarket Street.
2. **Z167-399:** On February 28, 2018, the City Council approved Specific Use Permit No. 2276 for a vehicle display, sales, and service use on property zoned Subdistrict 1 within Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay. [Subject Site]
3. **Z189-171:** On June 12, 2019, City Council approved an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned R-7.5(A) Single Family District.
4. **Z201-116:** On February 4, 2021, the City Plan Commission recommended approval of the renewal of Specific Use Permit No. 2088 for a vehicle display, sales, and service use for a three-year period on property zoned Planned Development District

No. 535, the C.F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay. The request is pending approval by City Council.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Ellenwood Drive	Local Street	-
C.F. Hawn Freeway	Highway	-

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:

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

Land Use:

	Zoning	Land Use
Site	Planned Development District No. 535, Subdistrict 1 Tract 2	Vehicle Display, Sales & Service
North	Planned Development District No. 535, Subdistrict 1 Tract 2; SUP No. 1717	Vehicle Display, Sales & Service
East	Planned Development District No. 535, Subdistrict 1 Tract 2	Undeveloped
South	CS Commercial Service District	Vehicle Display, Sales & Service
West	Planned Development District No. 535, Subdistrict 1 Tract 2, and Subdistrict 2 Tract 4	Building Repair & Maintenance Shop

Land Use Compatibility:

The area of request is being used for a vehicle display, sales, and service use. North of the area of request, across C.F. Hawn Freeway, is another vehicle display, sales, and service use. East of the property is undeveloped, and south is another vehicle display, sales, and service use. Directly west of the area of request is a building repair and maintenance shop.

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.

Staff supports the request because the use is not foreseen to be detrimental to surrounding properties. Uses immediately surrounding the area of request include other vehicle display, sales, and service uses, undeveloped land, and a building repair and maintenance shop. Rather than recommend an additional three-year period, staff

recommends approval for a two-year period because this would allow the site to be more closely monitored for any additional improvements.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3.

Parking:

Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, refers to the Dallas Development Code for parking regulations. Pursuant to the Dallas Development Code, the off-street parking requirement for the vehicle display, sales, and service use is one space per 500 square feet of floor area, inclusive of the display area.

Because the applicant has added additional display area to the site since approval of the original site plan, the required parking calculation has increased from the original 12 required spaces. The combined floor area of the existing and proposed structures is approximately 4,494 square feet. The new display area is approximately 4,859 square feet. In total, the applicant is now required to provide 19 spaces. As illustrated on the revised site plan, 22 spaces are provided.

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 (A through C) to orange, representing the weakest markets (G through I). The area of request is located within a “G” MVA cluster. Southeast of the area of request is another “G” MVA cluster along Haymarket Road. North and east of the area of request, across C.F. Hawn Freeway is a “G” MVA cluster. South of the area of request along Cade Road is an “F” MVA cluster.

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**CPC ACTION
APRIL 22, 2021**

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Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2276 for vehicle display, sales, and service for a two-year period, subject to a revised site plan and conditions on property zoned Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay, at the southwest corner of Ellenwood Drive and C.F. Hawn Freeway.

Maker: Blair
Second: Rubin
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

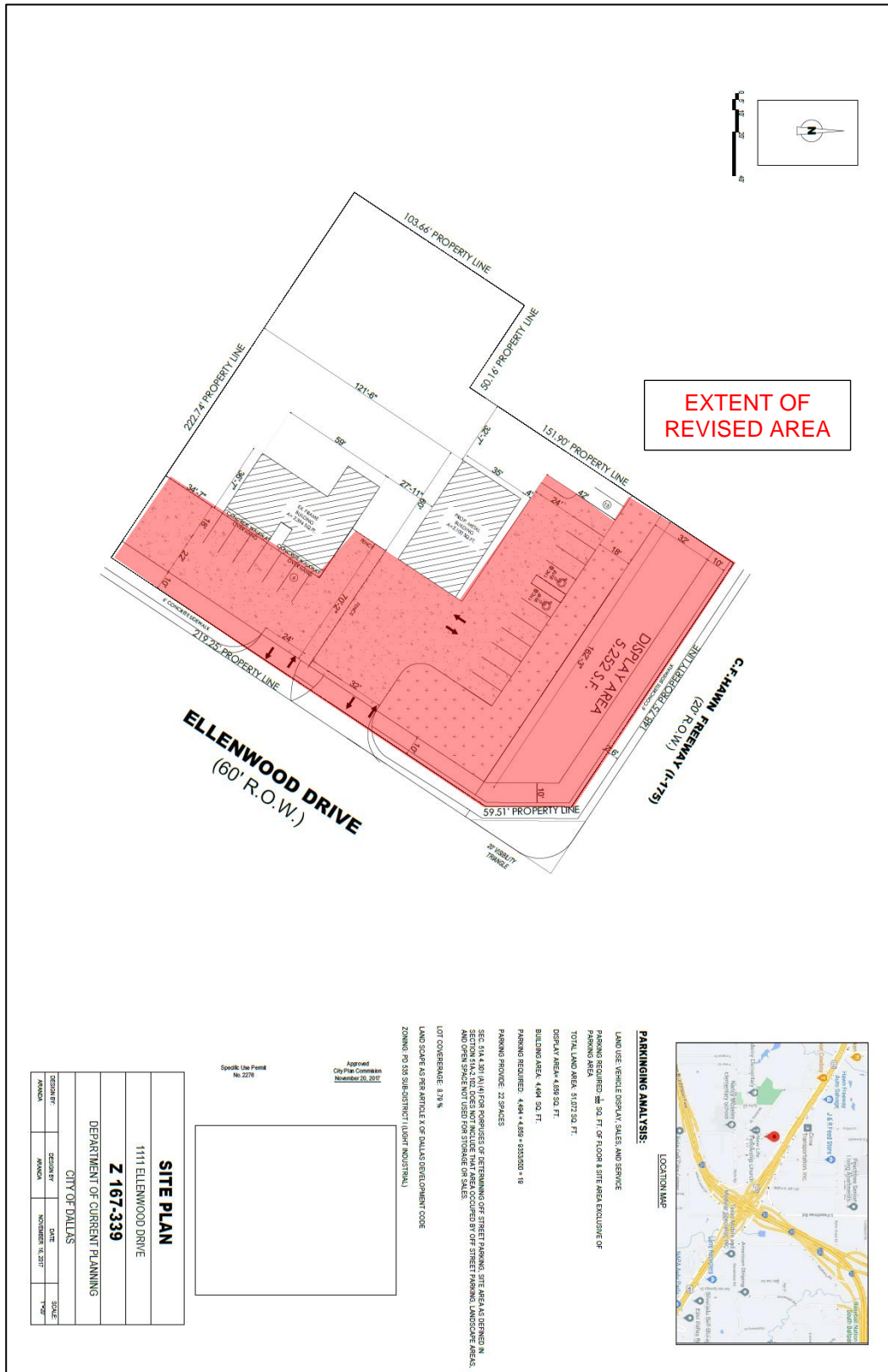
Notices:	Area: 300	Mailed: 13
Replies:	For: 1	Against: 0

Speakers: For: Salvador Jimenez, 1111 Ellenwood St., Dallas, TX, 75217
Against: None

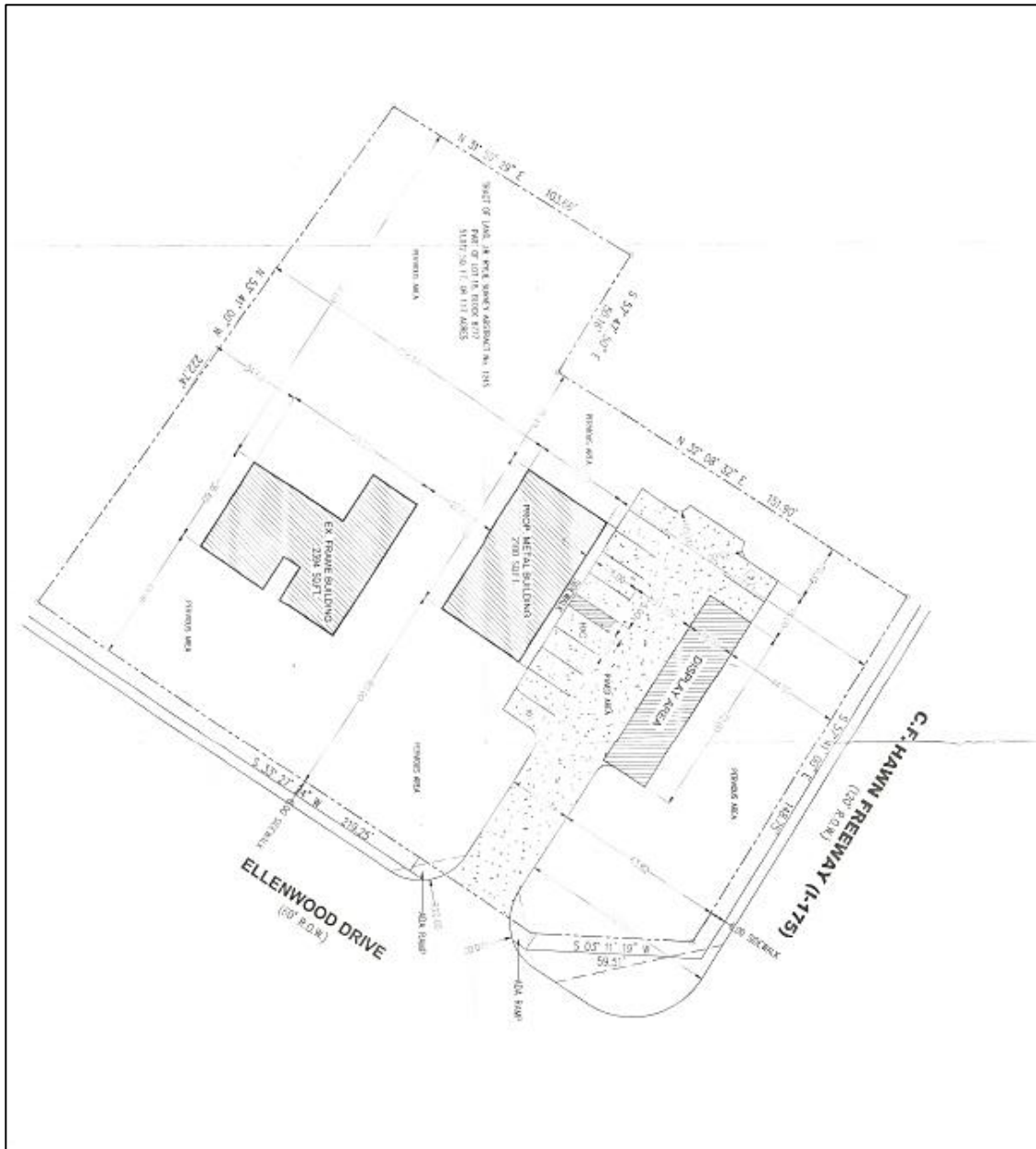
CPC RECOMMENDED CONDITIONS

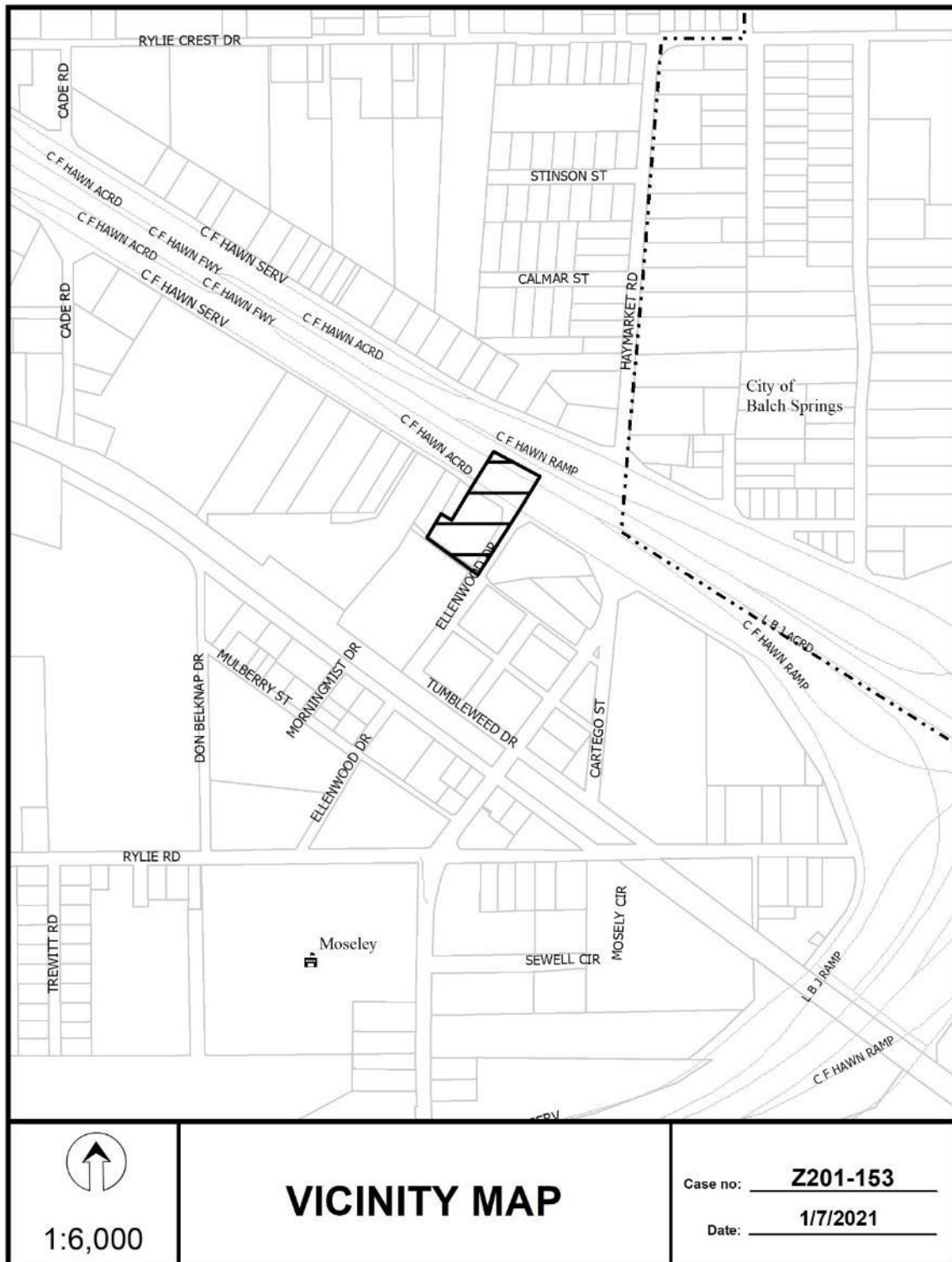
1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires ~~February 28, 2024~~ (two years from the passage of this ordinance).
4. FENCING: A six-foot high wrought iron fence must be maintained along the boundary of the Property.
5. 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.
6. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Parking must be located as 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 prohibited.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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

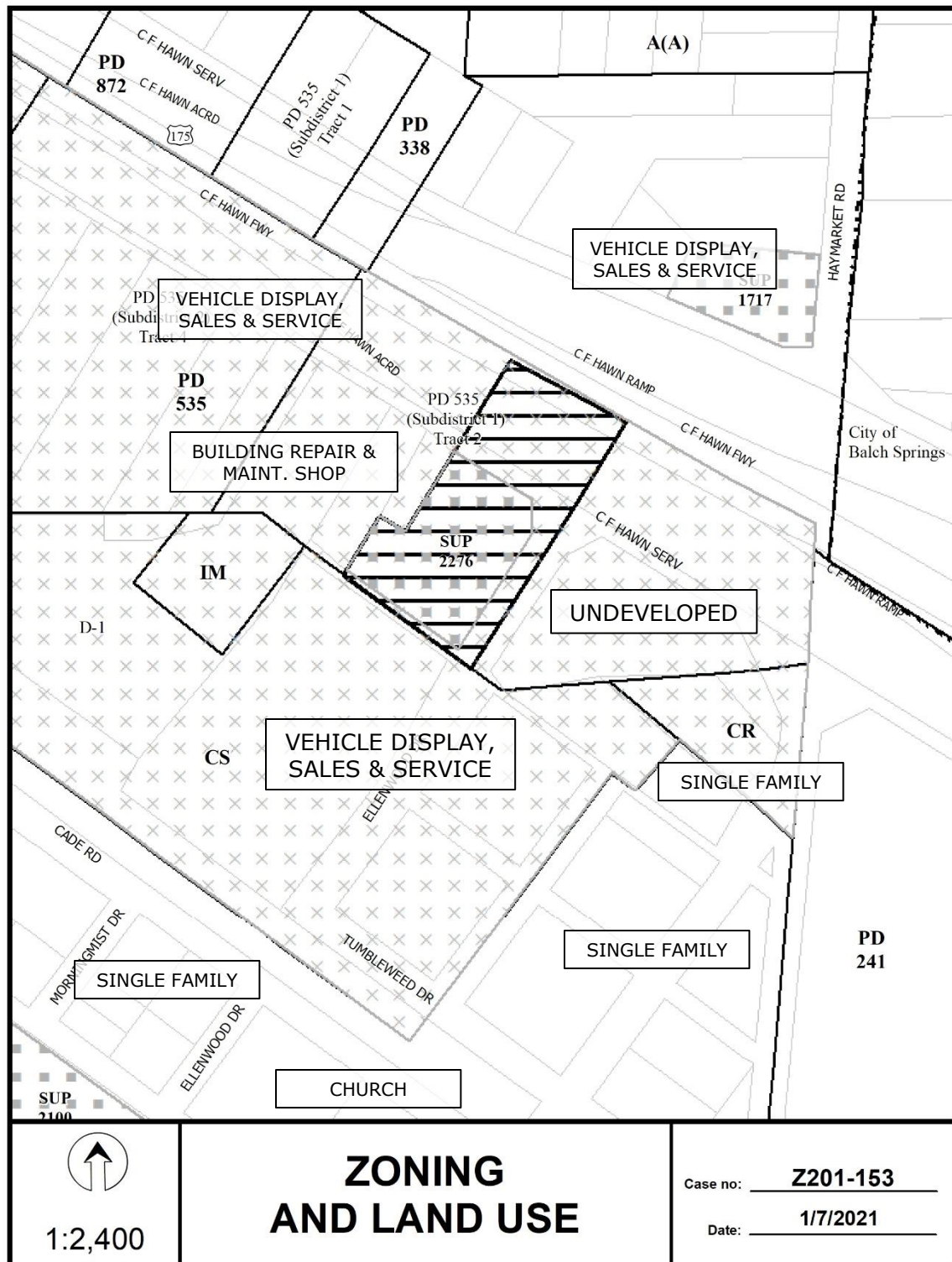


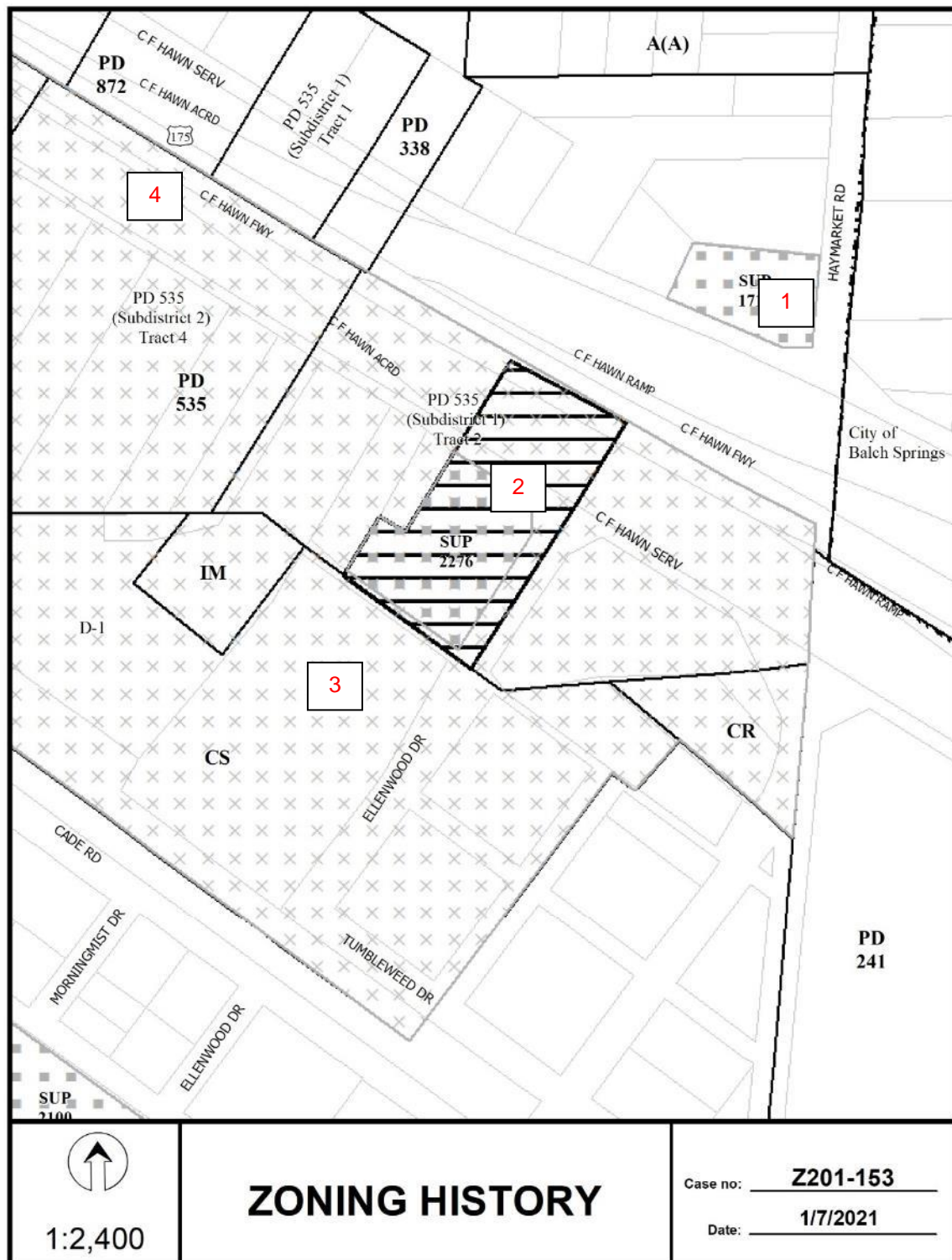
EXISTING SITE PLAN

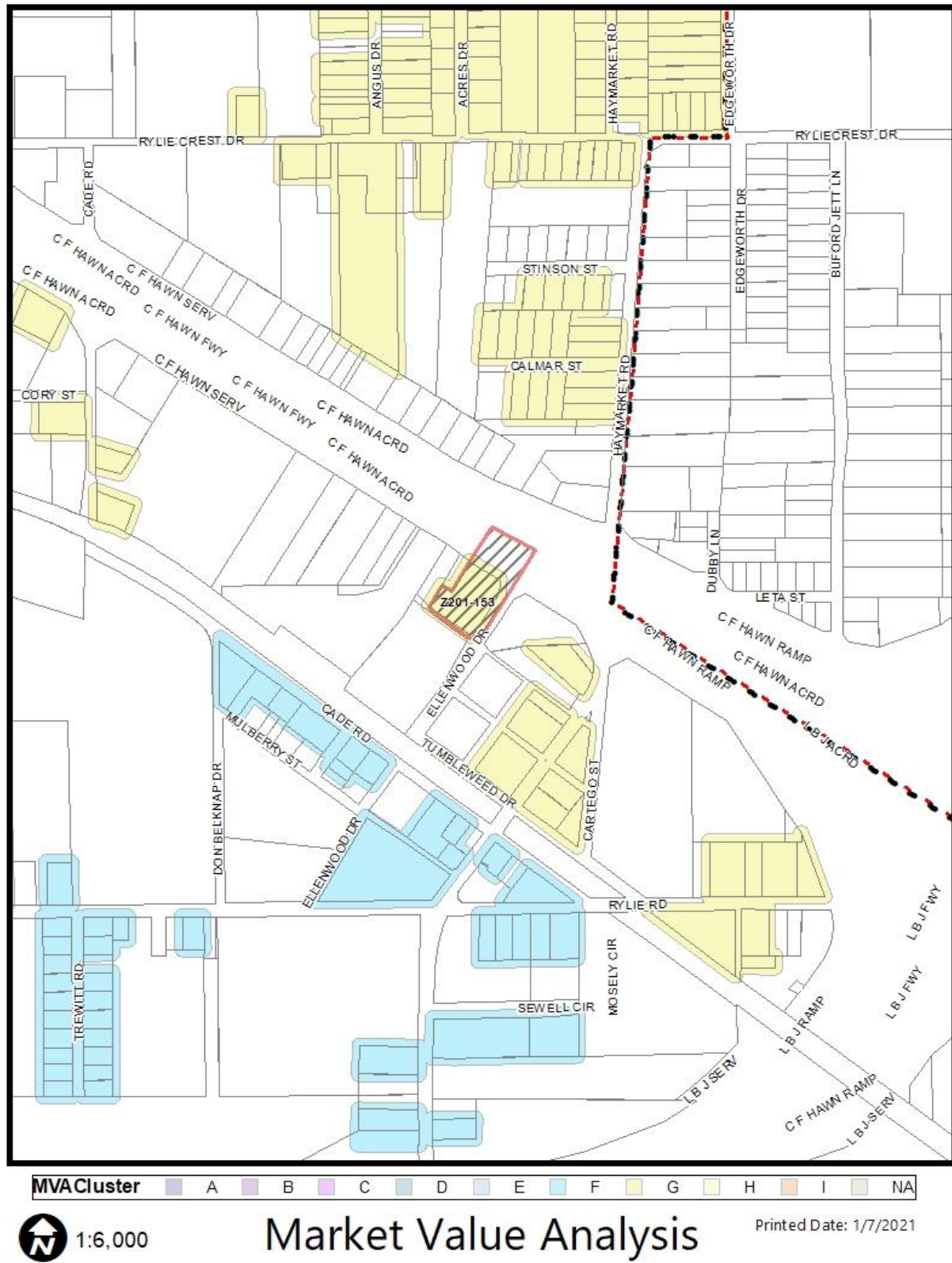














04/21/2021

Reply List of Property Owners***Z201-153******13 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1111 ELLENWOOD DR	JIMENEZ SALVADOR
	2	10900 C F HAWN FWY	GALEANO CARLOS
	3	1119 HAYMARKET RD	ORTIZ BEDER BRISENO
	4	1115 HAYMARKET RD	HERNANDEZ ROLAND & ROCIO
	5	1115 ELLENWOOD DR	MM RYLIE HOLDINGS LLC
	6	10818 C F HAWN FWY	OMEGA INDUSTRIES INC
O	7	10820 C F HAWN FWY	ROKU PARTNERS LLC
	8	10822 C F HAWN FWY	SAUCEDO JUAN A &
	9	10750 C F HAWN FWY	CEDANO ALBERTO M
	10	10829 C F HAWN FWY	SULE ETC LLC
	11	10821 C F HAWN FWY	EGBUNA JOHN
	12	10931 C F HAWN FWY	MARTINEZ OSCAR R
	13	10831 C F HAWN FWY	BROWN FRANK