

FILE NUMBER: Z201-173(ND)

DATE FILED: January 15, 2021

LOCATION: Southwest corner of Bexar Street and Vesper Street

COUNCIL DISTRICT: 7

MAPSCO: 56 L

SIZE OF REQUEST: ±1.49 acres

CENSUS TRACT: 115.00

APPLICANT/

REPRESENTATIVE: Michael Westfall, Westfall Engineering

OWNER: Citybuild Development Corporation

REQUEST: An application for an amendment to and an expansion of Planned Development District No. 936 on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, and Planned Development District No. 936.

SUMMARY: The purpose of this request is to create a new subdistrict to allow multifamily, office, and an outdoor market and to amend the existing PD to allow restaurants, retail, and other uses in conjunction with the urban agriculture use. [Bonton Farms]

CPC RECOMMENDATION: Approval, subject to a revised development plan, a revised landscape plan, and conditions.

STAFF RECOMMENDATION: Approval, subject to a revised development plan, a revised landscape plan, and conditions.

BACKGROUND INFORMATION:

- PD No. 936 was established by the City Council on February 25, 2015 and contains 1.258 acres of land for R-5(A) District uses and an urban agriculture use.
- On January 23, 2019, City Council approved the addition of a 5,000 square-foot lot and the creation of Subdistrict 1. The structure was designated as a welcome center for guests and volunteers.
- The current proposal is to add approximately 10,000 square feet for separate subdistrict and to amend provisions that have not been complied with in the existing PD.

Zoning History:

There have been no zoning requests within the area in the last five years.

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.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bexar Street	Community Collector	50 feet	50 feet
Vesper Street	Local	50 feet	50 feet

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 is consistent with the following goal.

LAND USE ELEMENT

GOAL 1.1 Align land use strategies with economic development priorities.

Policy 1.1.2 Focus on Southern Sector development opportunities.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 936 and R-5(A) within PD No. 595	Undeveloped, general merchandise or food store, restaurant, urban agriculture
North	R-5(A) within PD No. 595 and PD No. 856	Office and Multifamily
East	R-5(A) within PD No. 595	Single Family, Church, Public Park
South	R-5(A) within PD No. 595 and MF-1(A) within PD No. 595	Undeveloped Land, Public Park w/ Public Utilities within the Floodplain
West	PD No. 856	Multifamily

Land Use Compatibility:

The request site is developed with an urban agriculture use and related uses (general merchandise or food store, restaurant, welcome center). The two parcels proposed to be added to PD No. 936 are vacant but being used as storage for the urban agriculture use.

Surrounding land uses include: multifamily and office to the north; single family, church, and public park to the east; undeveloped land and a park and public utilities within the floodplain to the south; and multifamily to the west.

Currently in PD No. 936, an urban agriculture use is defined as an area managed and maintained to raise chickens, goats, rabbits, and fish and to grow and harvest crops. The on-site sale of food crops, ornamental crops, and eggs produced on the property is allowed. The PD does not allow other items to be sold on the property. The general merchandise or food stores and restaurants on site sell items other than those grown or raised on the site.

The purpose of the creation of Subdistrict 1 in 2019 was to allow for the use of a renovated single-family structure to become a welcome center used to organize, gather, and facilitate farm employees and volunteers. The welcome center was expanded both in size and use and is now a restaurant and general merchandise or food store in addition to the welcome center.

The creation of Subdistrict 2 by adding the two lots to the PD would allow three dwelling units, office space, and an outdoor market. The intent for the dwelling units is for use by farm workers. The outdoor market allows an opportunity to sell the produce grown on site and provide fresh produce to the neighborhood. Additional uses are being proposed but only in conjunction with the urban agriculture use.

The continued use of the urban agriculture and related uses with the addition of the two lots is complementary with the surrounding uses.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Lot Size	Primary Uses
	Front	Side/Rear					
PD No. 936							
Subdistrict 3* PD No. 936 (original PD)	20' Bexar 10' Vesper	5'/5'	0.35	30'	35%	5,000 sq. ft.	Urban agriculture
Subdistrict 1* PD No. 936	18'	2'/2'	0.4	30'	40%	5,000 sq. ft.	Urban agriculture
Subdistrict 2* PD No. 936 (addition to PD)	20' Bexar	5'/5'	0.4 3 DU max	30'	40%	5,000 sq. ft.	Urban agriculture
R-5(A) Single Family PD No. 595	20'	5'-SF 10'-others	0.35	30'	35%	5,000 sq. ft.	Single family

* Refers to R-5(A) Single Family Subdistrict for all but urban agriculture and related uses

The proposed Subdistrict 2 will match the development standards of Subdistrict 1 with a few exceptions. The front yard will be 20 feet along Bexar Street with planter beds allowed to encroach into this area as shown on the revised development plan. Additionally, a maximum of three dwelling units are proposed in Subdistrict 2.

Parking:

Pursuant to PD No. 936, for an urban agriculture use parking is required as shown on the development plan. Five parking spaces exist for the multi-use building at the southwest corner of Vesper Street and Bexar Street. No additional parking is proposed with this request. The use also utilizes parking spaces that exist in the cul-de-sac adjacent to the southeastern border of the property as well as on-street parking. The applicant indicated of the 10 workers on site, five have cars as do five volunteers.

Parking for the three dwelling units is not being required as the tenants will be farm workers many of whom use public transportation. This request was reviewed by the Engineering Division and found to be acceptable.

Landscaping:

Landscaping will be provided per the proposed revised landscape plan. The existing landscape plan has been augmented with the addition of four new trees along Bexar Street in Subdistrict 2.

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 subject site is within and adjacent to the northwest to a Category E. Further northwest within the multifamily development and to the east across Bexar Street is Category NA.

List of Officers

City Build, LLC

- Trae Williams, President
- Kevin Smith, Secretary
- Daryl Halbert, Treasurer
- Dennis Oliver, Member
- Travis Westbrook, Member
- Trey Holloway, Member

CPC Action:
May 6, 2021

Motion: It was moved to recommend **approval** of an amendment to and an expansion of Planned Development District No. 936, subject to a revised development plan, a revised landscape plan, and conditions on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, and Planned Development District No. 936, at the southwest corner of Bexar Street and Vesper Street.

Maker: Jackson
Second: Suhler
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Suhler, Schwope, Murphy, Rubin

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

Notices:	Area: 500	Mailed: 43
Replies:	For: 0	Against: 0

Speakers: None

CPC Recommended Conditions

PD 936.

SEC. 51P-936.101. LEGISLATIVE HISTORY.

PD 936 was established by Ordinance No. 29664, passed by the Dallas City Council on February 25, 2015.

SEC. 51P-936.102. PROPERTY LOCATION AND SIZE.

PD 936 is established on property generally bounded by Canaan Street on the west, Vesper Street on the north, Bexar Street on the east, and the Trinity River levee on the south. The size of PD 936 is approximately ~~1.258~~ **1.49** acres.

SEC. 51P-936.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) **BED COVER** means a hoop-house, shade structure, or similar structure located above a planting bed to assist with the growing or shading food crops or ornamental crops.

(2) **URBAN AGRICULTURE** means an area managed and maintained to raise chickens, goats, rabbits, and fish and to grow and harvest food crops and ornamental crops for personal or group use, consumption, sale, or donation. **No slaughtering of animals on site.**

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-936.104. EXHIBITS.

The following Exhibits are incorporated into this article:

- (1) Exhibit 936A: development plan.
- (2) Exhibit 936B: landscape plan.

SEC. 51P-936.104.1. SUBDISTRICT.

This district contains the following subdistrict as shown on the development plan (Exhibit 936A): Subdistrict 1, Subdistrict 2, and Subdistrict 3.

SEC. 51P-936.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, and development schedule do not apply.

(b) For urban agriculture and restaurant, office, general merchandise or food store 3,5000 square feet or less, general merchandise or food store greater than 3,5000 square feet, multifamily, and outside sales uses only in conjunction with an urban agriculture use development and use of the Property must comply with the development plan (Exhibit 936A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-936.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-5 (A) Single Family District, subject to the same conditions applicable in the R-5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-5(A) Single Family District is subject to the DIR in this district; etc.

(b) The following additional main uses is are permitted by right:

- Urban agriculture.
- Restaurant use only in conjunction with an urban agriculture use.
- Office use only in conjunction with an urban agriculture use.
- General merchandise or food store 3,500 square feet or less only in conjunction with an urban agriculture use.
- General merchandise or food store greater than 3,500 square feet only in conjunction with an urban agriculture use.
- Multifamily use limited to three units only in conjunction with an urban agriculture use.
- Outside sales only in conjunction with an urban agriculture use.

SEC. 51P-936.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-936.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-5(A) Single Family District apply.

(b) Urban agriculture.

(1) Front yard along Bexar Street.

(A) Except as provided in this paragraph, minimum front yard is 20 feet.

(B) For Subdistrict 1, minimum front yard is 18 feet.

(2) Front yard along Vesper Street. Minimum front yard is 10 feet.

(3) Side and rear yard.

(A) Except as provided in this paragraph, minimum side and rear yard is five feet.

(B) For Subdistrict 1, minimum side yard is two feet.

(4) Density. ~~No maximum dwelling unit density.~~ Multifamily use in Subdistrict 2 is limited to three units.

(5) Floor area.

(A) Subdistrict 3. Maximum floor area is ~~16,000~~ 21,500 square feet. Structures that assist in the growing of vegetation, such as bed covers and raised planting beds, are not included in floor area calculations.

(B) Subdistrict 1. Maximum floor area is 2,000 square feet.

(C) Subdistrict 2. Maximum floor area is 3,500 square feet.

(6) Floor area ratio.

(A) ~~Except as provided in this paragraph, In Subdistrict 3,~~ maximum floor area ratio is 0.35.

(B) In Subdistricts 1 and 2, maximum floor area ratio is 0.40.

(7) Height.

(A) In general. Except as provided in this paragraph, maximum structure height is 30 feet.

(B) Bed covers. Except as provided in this subparagraph, maximum height of a bed cover is four feet from the top of planting bed or eight feet above grade, whichever is less. Within the required front yard, maximum height of a bed cover is four feet above grade.

(8) Lot coverage.

(A) ~~Except as provided in this paragraph, In Subdistrict 3,~~ maximum lot coverage is 35 percent.

(B) In Subdistricts 1 and 2, maximum lot coverage is 40 percent.

(C) Structures that assist in the growing of vegetation, such as bed covers and raised planting beds, are not included in lot coverage calculations. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(9) Stories. Maximum number of stories above grade is two.

SEC. 51P-936.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A- 4.200 for the specific off-street parking and loading requirements for each use.

(b) For urban agriculture, and restaurant, office, general merchandise or food store 3,5000 square feet or less, general merchandise or food store greater than 3,5000 square feet, multifamily, and outside sales uses only in conjunction with an urban agriculture use off-street parking must be provided as shown on the development plan. Off-street loading is not required.

SEC. 51P-936.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-936.111. LANDSCAPING.

(a) For urban agriculture, and restaurant, office, general merchandise or food store 3,5000 square feet or less, general merchandise or food store greater than 3,5000 square feet, multifamily, and outside sales uses only in conjunction with an urban agriculture use landscaping must be provided as shown on the landscape plan (Exhibit 936B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) For all other uses, landscaping must be provided in accordance with Article X.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-936.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P-936.113. URBAN AGRICULTURE REGULATIONS.

(a) The keeping and raising of animals is limited to chickens, goats, rabbits, and fish.

(b) Minimum area for each animal must be provided as follows:

(1) Chickens. Nine cubic feet per chicken in each chicken coop. Five squarefeet per chicken in each chicken run.

(2) Goats. Nine square feet per goat in each animal enclosure.

(3) Rabbits. Four cubic feet per rabbit in each animal enclosure.

(4) Fish. Three gallons of water per one pound of fish.

(c) Structures may be erected for pens, barns, sheds, and silos for the raising, treating, and storing of products raised on the Property in Subdistrict 3 in the locations shown on the development plan.

(d) Fences for animal enclosures must be of sufficient height and strength to retain the animals. Animal enclosures are only permitted in Subdistrict 3 in the locations shown on the development plan.

(e) Small animal runs and pasturage may overlap to allow for comingling of animals.

(f) A bed cover may only cover one planting bed.

(g) The on-site sale of food crops, ornamental crops, and eggs produced on the Property is allowed. ~~No other items may be sold on the Property.~~

(h) The structure shown on the development plan in Subdistrict 1 may be used as a welcome center to organize, gather, and facilitate farm employees and volunteers.

SEC. 51P-936.114. ADDITIONAL PROVISIONS.

(a) ~~The minimum space between exterior walls of a multifamily dwelling in Section 51A-4.209(b)(5)(E) does not apply in this district.~~

(b) The Property must be properly maintained in a state of good repair and neat appearance.

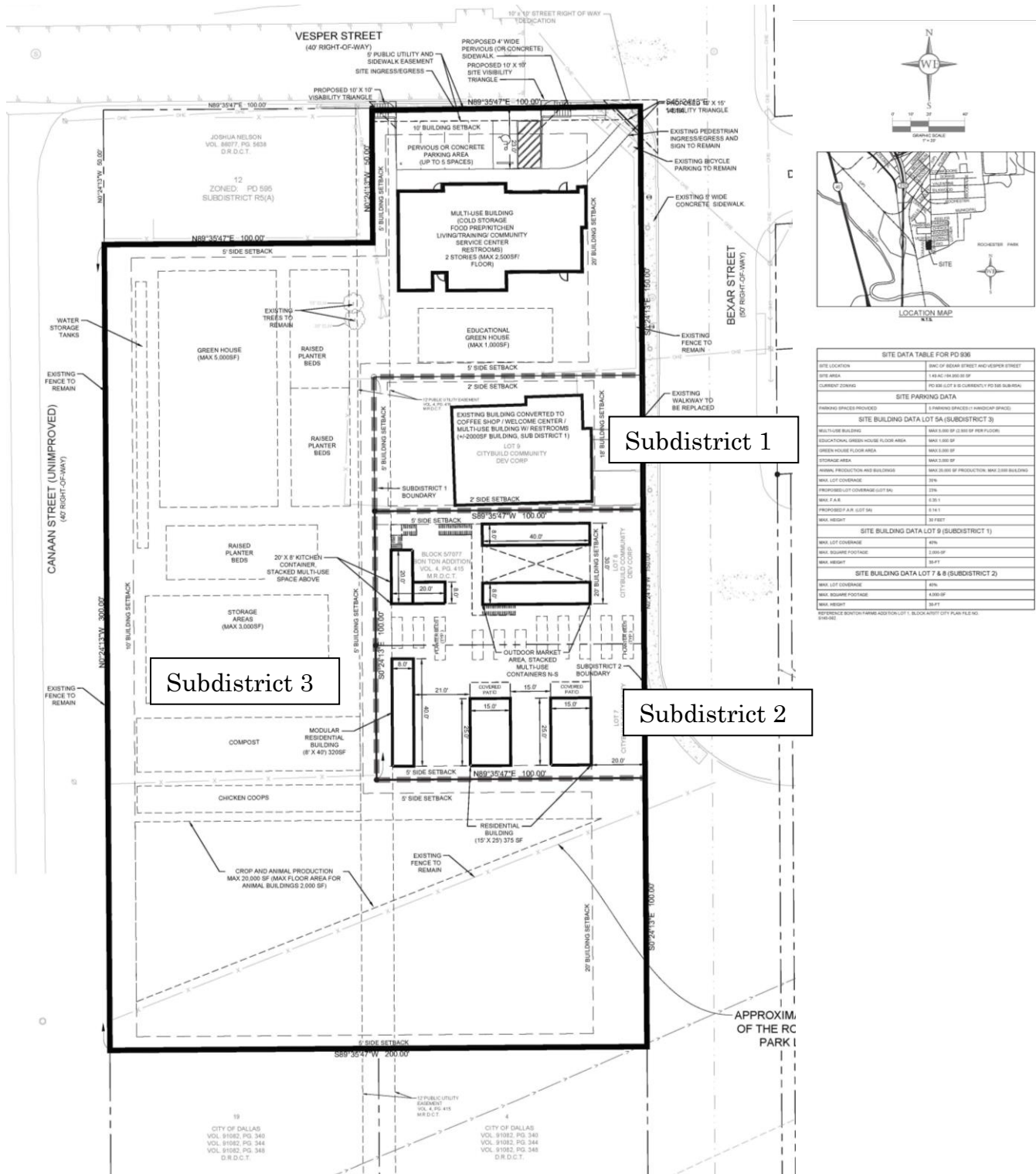
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-936.115. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

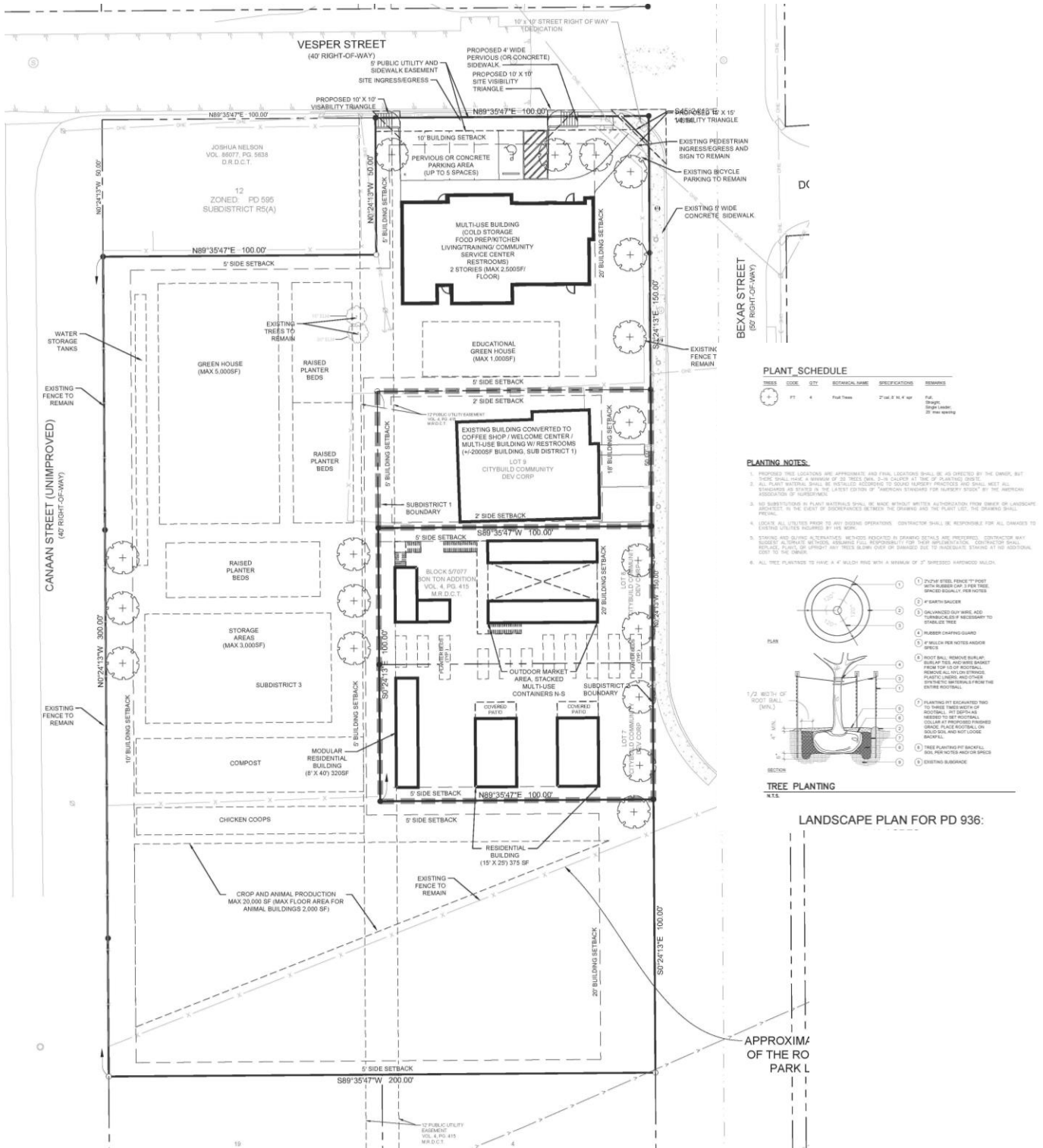
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

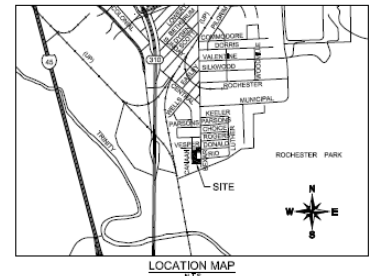
CPC Recommended Development Plan






CPC Recommended Landscape Plan





PLANT SCHEDULE					
THREE	CODE	QTY	BOTANICAL NAME	SPECIFICATIONS	REMARKS
	FT	25	Fruit Trees	2" cal. 8' ht. 4" spr	Ful. Straight, Single Leaves, 50' max spacing

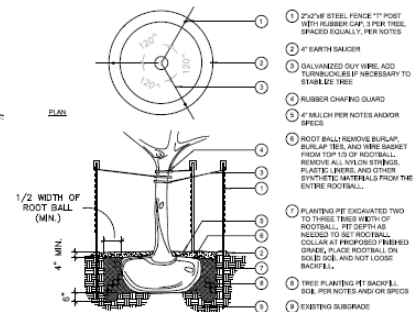
1. ALL PLANT MATERIAL SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES AND SHALL MEET ALL STANDARDS AS STATED IN THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" BY THE AMERICAN SOCIETY OF HORTICULTURE.

2. NO SUBSTITUTIONS IN PLANT MATERIALS SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION FROM OWNER OR LANDSCAPE ARCHITECT. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE DRAWING AND THE PLANT LIST, THE DRAWING SHALL PREVAIL.

3. PLANT MATERIAL UTILIZED RIGOR BY ANY BOCCING OPERATIONS, CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EQUIPMENT UTILIZED INCURRED BY HIS WORK.

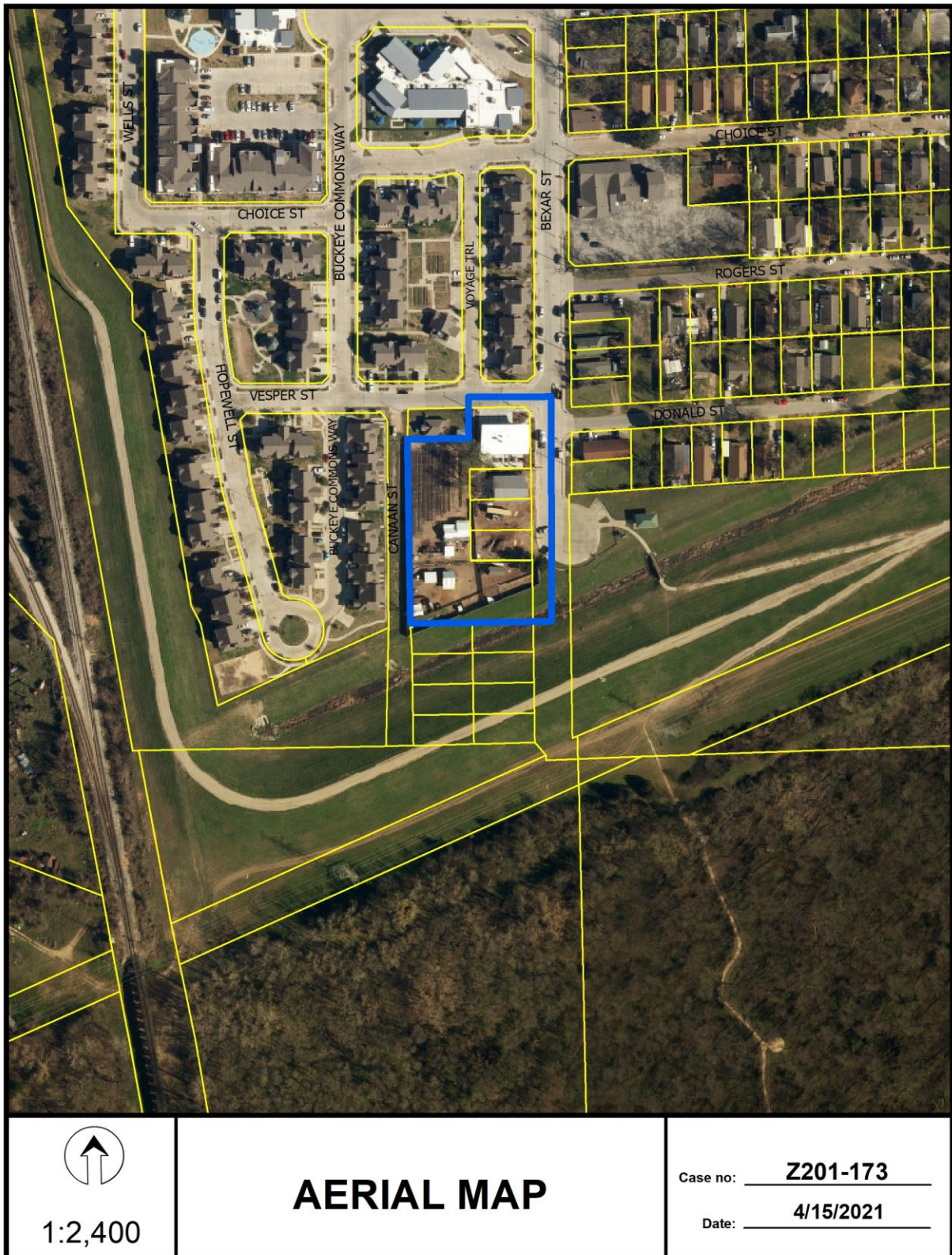
4. STAKING AND GUYING MATERIALS: METHODS INDICATED IN DRAWING DETAILS ARE PREFERRED. CONTRACTOR MAY SUBSTITUTE EQUIVALENT METHODS PROVIDED THEY ARE APPROVED BY THE ARCHITECT. CONTRACTOR SHALL REPLACE PLANT OR UPRIGHT ANY TREES BLOWN OVER OR DAMAGED DUE TO UNNECESSARY STAKING AT NO ADDITIONAL CHARGE TO THE OWNER.

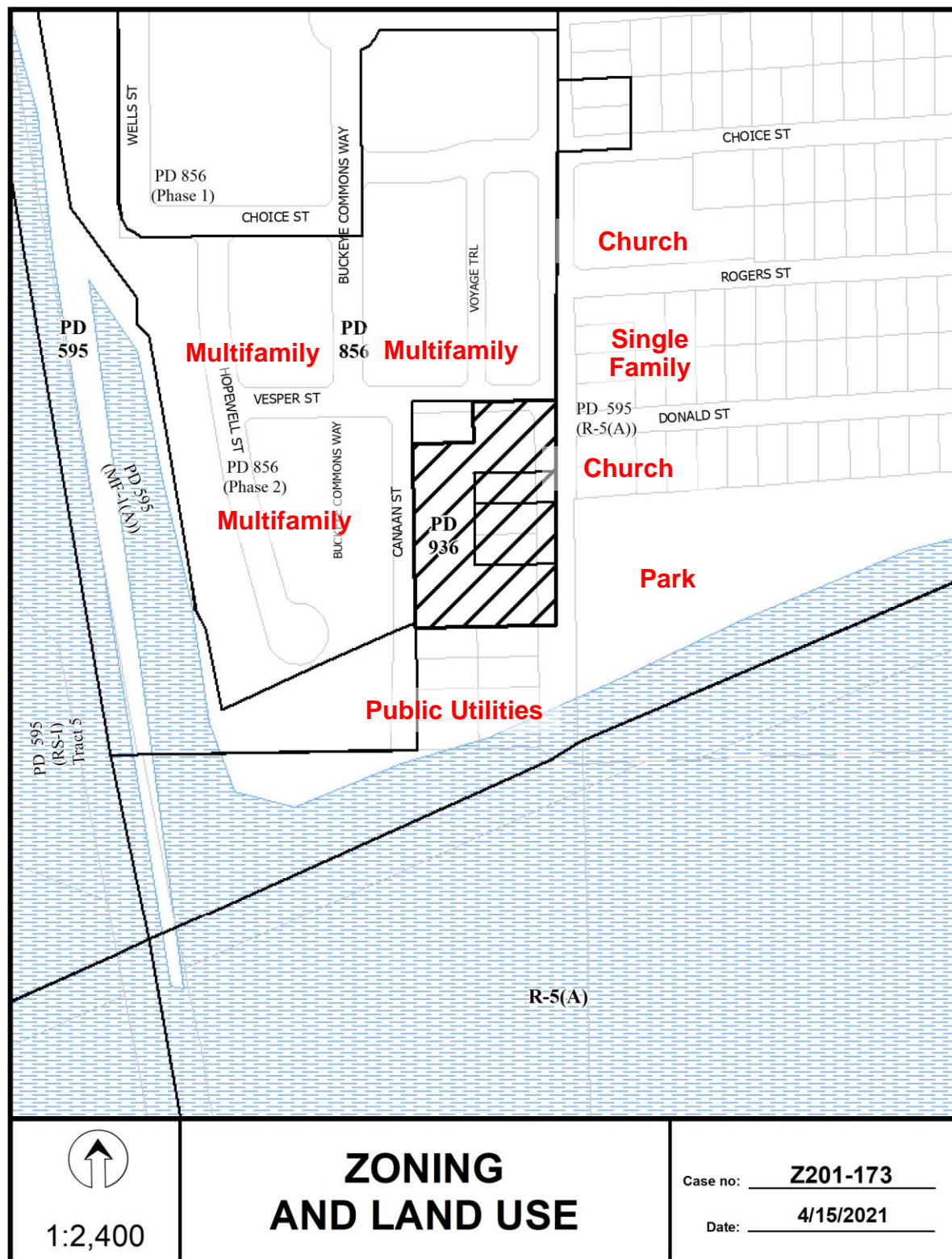
5. ALL TREES PLANTED TO HAVE A 4" CULCH RING WITH A MINIMUM OF 3" THICKNESS HARDWOOD MATERIAL.



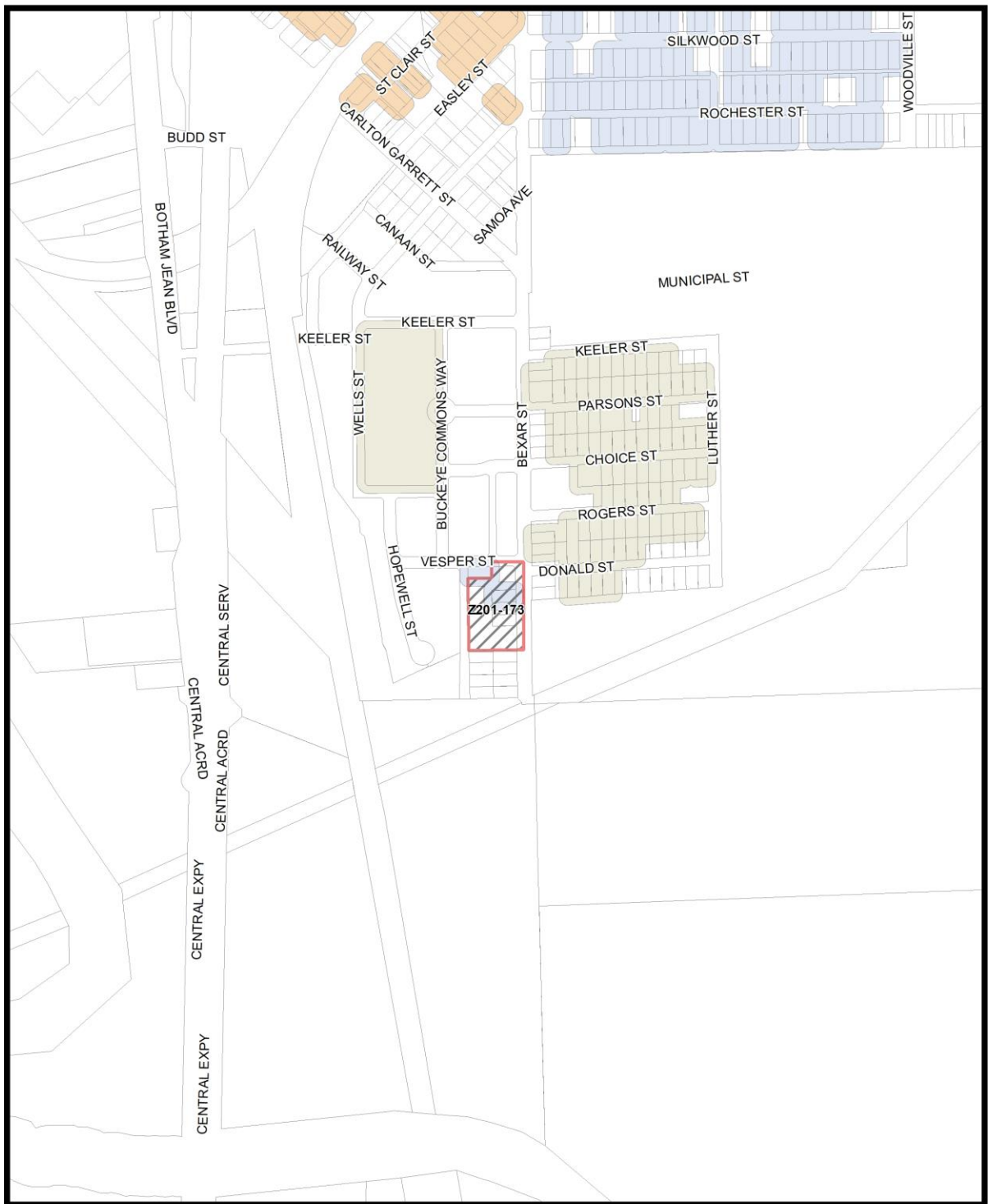
TREE PLANTING

N.T.S.





Z201-173(ND)



Market Value Analysis

A	B	C	D	E	F	G	H	I	NA
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1:6,000

Market Value Analysis

Printed Date: 4/15/2021

CPC Responses



05/05/2021

Reply List of Property Owners***Z201-173******43 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6919	BEXAR ST	SHEPHERD STAN
2	6911	BEXAR ST	CITYBUILD COMMUNITY DEV CORP
3	6907	BEXAR ST	CITYBUILD COMMUNITY DEVELOPMENT
4	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
5	9999	NO NAME ST	UNION PACIFIC RR CO
6	6710	BEXAR ST	Taxpayer at
7	6714	BEXAR ST	Taxpayer at
8	2621	CHOICE ST	MEDICI US ASSETS LP
9	2617	CHOICE ST	JONES ANNITRA
10	2613	CHOICE ST	ELINSKI TIMOTHY
11	2624	CHOICE ST	STEWARDSHIP PROPERTIES LLC
12	2628	CHOICE ST	ROMERO RODOLFO & MARIA
13	2704	CHOICE ST	DANIELS LISA K
14	2707	ROGERS ST	PINA JOSE & MARIA PINA
15	2703	ROGERS ST	FLORES GERMAN & JULIA
16	2627	ROGERS ST	RAMIREZ HUMBERTO &
17	6800	BEXAR ST	INDEPENDENT MISSIONARY
18	6804	BEXAR ST	LOVE LEOLIS
19	6808	BEXAR ST	ESCALANTE MERLIN ELIU MELGAR
20	6812	BEXAR ST	SPIRITUAL LIFE C O G I C
21	2616	ROGERS ST	LANGLEY LUCILLE JONES
22	2620	ROGERS ST	JONES WAYNE HAROLD &
23	2624	ROGERS ST	CITYBUILD COMMUNITY DEV CORP
24	2628	ROGERS ST	ATTAWAY KATRINA
25	2704	ROGERS ST	NARVAEZ DAVID G
26	2708	ROGERS ST	DEHARO BENJAMIN &

Z201-173(ND)

05/05/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2712	ROGERS ST	NARVAEZ GERARDO & MARIA
28	2707	DONALD ST	MURILLO LIBRADO &
29	2703	DONALD ST	TREJO CIRILA & JUAN CARLOS HERNANDEZ
30	2623	DONALD ST	HTOO KRAW KRA
31	2611	DONALD ST	BALL ROBERT N
32	6900	BEXAR ST	SPIRITUAL LIFE COGIC
33	6906	BEXAR ST	SPIRITUAL LIFE CHURCH OF
34	2612	DONALD ST	SPIRITUAL LIFE CHURCH OF GOD IN CHRIST
35	2614	DONALD ST	MENDOZA INOCENCIO & MARIA
36	2620	DONALD ST	ESPINOZA VICTOR & LOURDES
37	2624	DONALD ST	GONZALEZ GLORIA EST OF
38	2628	DONALD ST	PORRAGAS SANDRA
39	6902	CANAAN ST	CITYBUILD COMMUNITY
40	7000	BEXAR ST	ONCOR ELECTRIC DELIVERY CO
41	7002	BEXAR ST	ONCOR ELECRTIC DELIVERY COMPANY
42	6722	BEXAR ST	LORDS MISSIONARY BAPTIST
43	6655	BUCKEYE COMMONS WAY	DALLAS HOUSING AUTHORITY