

5-21-13

ORDINANCE NO. 29012

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block 7198; fronting approximately 908.04 feet on the west line of Vinson Street south of Singleton Boulevard; and containing approximately 26.44 acres,

from an IM Industrial Manufacturing District to Planned Development District No. 886; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 886; establishing use regulations and development standards for this planned development district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property described in this ordinance; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from an IM Industrial Manufacturing District to Planned Development District No. 886 on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property").

29012

SECTION 2. That Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Article 886 to read as follows:

"ARTICLE 886.

PD 886.

SEC. 51P-886.101. LEGISLATIVE HISTORY.

PD 886 was established by Ordinance No._____, passed by the Dallas City Council on May 22, 2013.

SEC. 51P-886.102. PROPERTY LOCATION AND SIZE.

PD 886 is established on property located south of Singleton Boulevard at the terminus of Vinson Street and the Cockrell Hill Extension. The size of PD 886 is approximately 26.44 acres.

SEC. 51P-886.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) CUTTING/CONDENSING means the physical separation or shredding, without chemical processing, of metal materials for crushing, bailing, and shipping.

(2) METAL RECYCLING-RELATED USES means any one or a combination of the following uses: commercial motor vehicle parking; metal salvage facility; recycling collection center for the collection and processing of household metals, industrial metals, and recyclable materials; outside salvage or reclamation; and outside storage (with visual screening).

(3) PROCESSING means the shredding, crushing, and bailing of metal materials, including automobiles and automobile parts, but does not include metal smelting.

(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 nonresidential zoning district.

- (d) For purposes of issuing building permits, this district is considered a building site.

SEC. 51P-886.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 886A: development plan.
- (2) Exhibit 886B: traffic management plan.

SEC. 51P-886.105. 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, conceptual plan, development schedule, and landscape plan do not apply.

(b) For metal recycling-related uses, development and use of the Property must comply with the development plan (Exhibit 886A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-886.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the IM Industrial Manufacturing District, subject to the same conditions applicable in the IM Industrial Manufacturing District, as set out in Chapter 51A. For example, a use permitted in the IM Industrial Manufacturing 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 IM Industrial Manufacturing District is subject to DIR in this district; etc.

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

- Metal recycling-related uses.

SEC. 51P-886.107. ACCESSORY USES.

(a) 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.

(b) The following accessory uses are not permitted:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(c) The following accessory use is permitted by SUP only:

- Accessory medical/infectious waste incinerator. *[See Section 51A-4.217(b)(3.1).]*

SEC. 51P-886.108. 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.)

The yard, lot, and space regulations for the IM Industrial Manufacturing District apply.

SEC. 51P-886.109. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For metal recycling-related uses, a minimum of 220 off-street parking spaces must be provided in the locations shown on the development plan.

SEC. 51P-886.110. STACKING HEIGHT.

Except as provided in this section, for metal recycling-related uses:

- (1) Maximum outside storage stacking height is 30 feet.
- (2) Outside storage is prohibited within 200 feet of Vinson Lane and Cockrell Hill Road Expansion as shown on the development plan.

SEC. 51P-886.111.**TRAFFIC MANAGEMENT PLAN.**

(a) In general.

(1) The operation of metal recycling-related uses, including the loading and unloading of trucks, must comply with the traffic management plan (Exhibit 886B).

(2) For purposes of this provision, truck means commercial vehicles and does not include passenger trucks and vans.

(3) The traffic management plan must be implemented before the issuance of a certificate of occupancy for any metal recycling-related use.

(b) Queuing. Queuing is only permitted inside the Property.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by May 1, 2014.

(2) After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director when amending the development plan and by July 1 of every third year, beginning July 1, 2017.

(3) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different business days at different times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of traffic administrators and personnel assisting with loading and unloading of materials;

(D) drop-off locations of materials; and

(E) circulation.

(4) Traffic study updates must be in writing and must evaluate the traffic operations and circulation for compliance with the traffic management plan. The updates must include an evaluation of the following:

(A) ingress and egress points;

- (B) queue lengths;
- (C) number and location of traffic administrators and personnel assisting with loading and unloading;
- (D) drop-off locations of materials; and
- (E) hours of operation for customers.

(5) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(d) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-886.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-886.113. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-886.114. SIGNS.

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

29012

SEC. 51P-886.115.**SCREENING.**

For metal recycling-related uses, a nine-foot-high solid screening fence must be provided in the locations shown on the attached development plan.

SEC. 51P-886.116.**ADDITIONAL PROVISIONS.**

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

(b) 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-886.117.**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.”

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale version of Exhibit 886A (development plan) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

29012

SECTION 5. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 886 in Chapter 51P.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By

Assistant City Attorney

Passed

MAY 22 2013

29012

PROPERTY DESCRIPTION

BEING all of that certain 1,001,941 square foot, lot, tract, or parcel of land lying and being situated in the City of Dallas, Texas, and the County of Dallas, Texas, in the Horace Burnham Survey, Abstract Number 106, Dallas County, Texas, and being in City Block 7198, and being a part of that certain called 25.952 acre lot, tract or parcel of land as conveyed by California Steel Pressure Pipe Company to Ostrovitz & Gwinn, L.L.C., by Warranty Deed with Vendor's Lien dated November 4, 1996, as recorded in Volume 96216, at Page 4919, of the Deed Records of Dallas, Dallas County, Texas, and being that same called 0.4898 acre tract of land conveyed by California Steel Pressure Pipe Company to Ostrovitz & Gwinn, L.L.C., by Warranty Deed dated January 23, 1997, as recorded in Volume 97015, at Page 2022, of the Deed Records of Dallas, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" iron rebar found for corner at the intersection of the south right of way line of Singleton Boulevard, (a Variable Width R.O.W.) with the west line of Riser Street (a Undedicated 80 feet wide R.O.W.) and being the northeast corner of that certain lot, tract or parcel of land conveyed by Koch-Glitsch, LP, to 16th Avenue Holdings, LLC, by Special Warranty Deed dated April 25, 2005, as recorded in Volume 2005080, at Page 11433, of the Deed Records of Dallas, Dallas County, Texas, also being the northwest corner of the herein described tract of land;

THENCE North 90°00'00" East, departing the east line of the said 16th Avenue Holdings tract, with the south right of way line of said Singleton Boulevard, a distance of 82.83 feet, to a 1/2" iron rebar found for corner, also being the northwest corner of Lot 1, of Commercial Metals Addition, an addition to the City of Dallas, according to the Map or Plat thereof recorded in Volume 73199, at Page 1016, of the Deed Records of Dallas, Dallas County, Texas;

THENCE South 15°05'00" East, departing the south right of way line of said Singleton Boulevard, parallel with the west right of way line of said Riser Street, continuing with the west line of said Lot 1, a distance of 1427.37 feet, to a Parker Kalon (PK) nail found for corner and the **POINT OF BEGINNING** of the herein described lot, tract or parcel of land, same also being the beginning of a non-tangent curve to the right, having a radius of 323.27 feet, a chord bearing and distance of North 44°01'30" East, 331.94 feet;

THENCE northeasterly, with said curve to the right, and the south line of said Lot 1, through a central angle of 61°47'00", an arc distance of 348.59 feet, to a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner;

THENCE North 74°55'00" East, passing at a distance of 565.15 feet, the northwest corner of the said 0.4898 acre tract, and continuing in all a total distance of 715.15 feet, to a 1/2" iron rebar found for corner in the west right of way line of Vinson Street, (a 80 feet wide R.O.W.), also being the southeast corner of a tract of land conveyed by Sabin Robbins Paper Company, to Graphic Paper Corporation, by Special Warranty Deed, dated July 2, 1998, as recorded in Volume 98128, at Page 6068, of the Deed Records of Dallas, Dallas County, Texas;

THENCE South 15°05'00" East, departing the south line of the said Graphic Paper Corporation tract, with the west right of way line of said Vinson Street, passing at a distance of 237.93 a 1/2" iron rebar found for the southeast corner of the said 0.4898 acre tract, and passing at a distance of 499.84 feet, a 5/8" iron rebar found for the northwest corner of a tract of land conveyed by Seegott Real Estate Investments, LTD., to Deyulio Industries, L.L.C., by Special Warranty Deed with Vendor's Lien, dated December 19, 2003, as recorded in Volume 2003251, at Page 4376,

29012

of the Deed Records of Dallas, Dallas County, Texas, and passing at a distance of 981.37 feet, a 3/8" iron rebar found, and continuing in all a total distance of 1005.44 feet, to a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner in the north right of way line of the Texas and Pacific Railway Company;

THENCE South 74°55'00" West, with the north right of way line of the said Texas and Pacific Railway Company, a distance of 1000.00 feet, to a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner;

THENCE North 15°05'00" West, a distance of 25.00 feet, to a 1/2" iron rebar found for corner, same being in the south line the said 16th Avenue Holdings tract;

THENCE North 74°55'00" East, with the common line of the said 16th Avenue Holdings tract, a distance of 96.16 feet, to a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner, also being the beginning of a non-tangent curve to the right, having a radius of 350.27 feet, a chord bearing and distance of NORTH 43°47'00" WEST, 336.44 feet;

THENCE northwesterly, with said curve to the right, through a central angle of 57°24'16", an arc distance of 350.93 feet, to a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner;

THENCE North 15°05'00" West, passing at a distance of 32.69 feet, at a perpendicular distance right of 0.53 feet, a 1/2" iron rebar found, and continuing in all a total distance of 79.90 feet, to a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner from which point a 5/8" iron rebar with orange plastic cap stamped "R.P.L.S. 5351" found for corner in the west right of way line of said Riser Street bears, South 74°55'00" West, 14.58 feet;

THENCE North 74°55'00" East, a distance of 65.42 feet, to a point for corner;

THENCE North 15°05'00" West, a distance of 435.01 feet, to the **PLACE OF BEGINNING**, and containing 1,001,941.52 square feet, or 23.001 acres of land.

Basis of Bearings: Directional control of South 15°05'00" East, is based upon a west line of Lot 1 of Commercial Metals Addition, as recorded in Volume 73199, at Page 1016 of the Deed Records of Dallas County, Texas.

Larry Probeck, RPLS
PO Box 550695
Dallas, Texas 75355-0695
Probeck Land Surveyors
Texas Licensed Survey Firm No. 10042600

29012

TRAFFIC MANAGEMENT PLAN FOR A METAL SALVAGE FACILITY IN DALLAS, TEXAS

Prepared for:

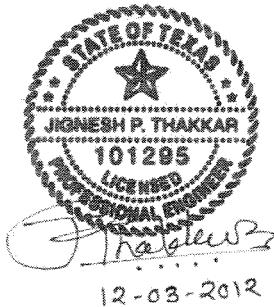
Milby, PLLC

1909 Woodall Rodgers, Suite 500
Dallas, Texas 75201

Prepared by:

DeShazo Group, Inc

Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
Phone 214/748-6740



December 3, 2012

Planned Development
District No. 886

Approved
City Plan Commission
April 18, 2013

 **DeShazo Group**
Traffic. Transportation Planning. Parking. Design.
DeShazo Project No. 12108

Traffic Management Plan for
A Metal Salvage Facility
~ DeShazo Project No. 12108 ~

Table of Contents

INTRODUCTION1	
<i>Project Description</i>	1
TRAFFIC MANAGEMENT PLAN	2
<i>Operations</i>	2
<i>Circulation</i>	2
SUMMARY.....	3



Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: Robert J. Miklos – Milby, PLLC

From: DeShazo Group, Inc

Date: December 3, 2012

Re: Traffic Management Plan for a Metal Salvage Facility in Dallas, Texas

DeShazo Project No. 12108

INTRODUCTION

The services of **DeShazo Group, Inc** (DeShazo) were retained by **Milby, PLLC** (the “Client”) on behalf of the Owner to conduct a traffic management plan (TMP) for a proposed metal salvage (recycling) facility (“the Project”).

DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

The proposed Project is located on a 26.4407-acre site located at 2401 Vinson Street in Dallas, Texas. The subject site is currently zoned IM (industrial manufacturing) and is occupied by an abandoned industrial facility. The proposed Project plans to utilize many of the existing building structures on the site. The site is bound by Vinson Street on the east, an adjacent property on the north, industrial rail spurs on the west, and the Union Pacific Rail Road (UPRR) tracks to the south. A future extension of Cockrell Hill Road (connecting to Vinson Street with an overpass at the UPRR rail line) is planned. The Project buildout and occupancy is anticipated to occur within a year (2013). A technical memorandum containing the Traffic Impact Analysis (TIA) for the Project is also prepared separately by DeShazo.

Project Description

The proposed development will feature a metal salvage (recycling) facility that will include approximately 6,935 square feet of office floor area and approximately 49,234 square feet of enclosed storage-/warehouse-related floor area. Approximately 17 acres of the total site is planned to be occupied by existing and future buildings, internal (covered) storage areas, driveways, parking areas, etc. to support the recycling facility. The remainder of the site is planned to be used as outside storage area. A new rail spur is planned to be constructed within the site separating the 17-acre primary site area and the outside storage area.

TRAFFIC MANAGEMENT PLAN

The traffic management plan summarized below utilized the proposed site plan (prepared by Baldwin Associates) to identify the circulation paths for individual users of the site — large commercial vehicles (i.e., trucks), small commercial and personal vehicles, and employees. The TMP also identified the queuing (i.e., vehicle stacking) space available on site to accommodate the large commercial vehicles.

Operations

Based upon the information obtained from the Client, the site will operate seven days per week. The planned hours of operation are:

- Monday-Friday: 7:00 AM-5:00 PM
- Saturday: 7:00 AM – 2:00 PM
- Sunday: 8:00 AM – 12:00 PM

Traffic generated by the site is anticipated to be spread throughout the day with no distinct peak periods. Based upon the existing trip generation data observed at a similar recycling facility, the following summary of approximate peak hour traffic volumes generated by the site was estimated.

- 18 and 28 trip ends related to large commercial trucks (i.e. semi-tractor-trailer trucks) during the AM and PM peak hours, respectively
- 99 and 158 trip ends related to small commercial vehicles (including pickup trucks) during the AM and PM peak hours, respectively [Employee-related trips included]

Circulation

All vehicular site access will be provided via Vinson Street—currently, a two lane, undivided local street. Under the existing roadway network, all site-related traffic will access Singleton Boulevard via Vinson Street. The majority of the site-related traffic is anticipated to come from the west on Singleton Boulevard. Based upon the information provided by the Client, large commercial vehicles (i.e., truck traffic) will access the site via site Driveway 1, while all other traffic will primarily be directed to Driveway 2.

At some time in the future (currently, unknown), Vinson Street is expected to be widened to a four lane, median-divided configuration (as indicated on the City of Dallas Thoroughfare Plan) at the time of the extension of Cockrell Hill Road. With the Cockrell Hill Road Extension in place, the majority of the site traffic is anticipated to be oriented to/from the south. But, as summarized in the TIA, DeShazo recommends that the roadway instead be reconstructed as a four-lane cross-section without a median in order to improve property accessibility and better accommodate the area's industrial traffic.

Following the reconstruction of Cockrell Hill Road/Vinson Street, all site access will continue to be provided via the two existing driveways. If a median is constructed, access via site Driveway 1 and/or Driveway 2 may be limited to right-turn-in/-out only, depending upon the location of future median openings. Based upon the current understandings, a full median opening will be provided at site Driveway 2; therefore, the majority of the site traffic would then access the site via Driveway 2. However, if no median is constructed (as recommended by DeShazo), then full left turn access can be maintained at both site driveways.

Internal traffic circulation will be dictated by the location of the site amenities such as weighing scale, administration building, parking, etc.

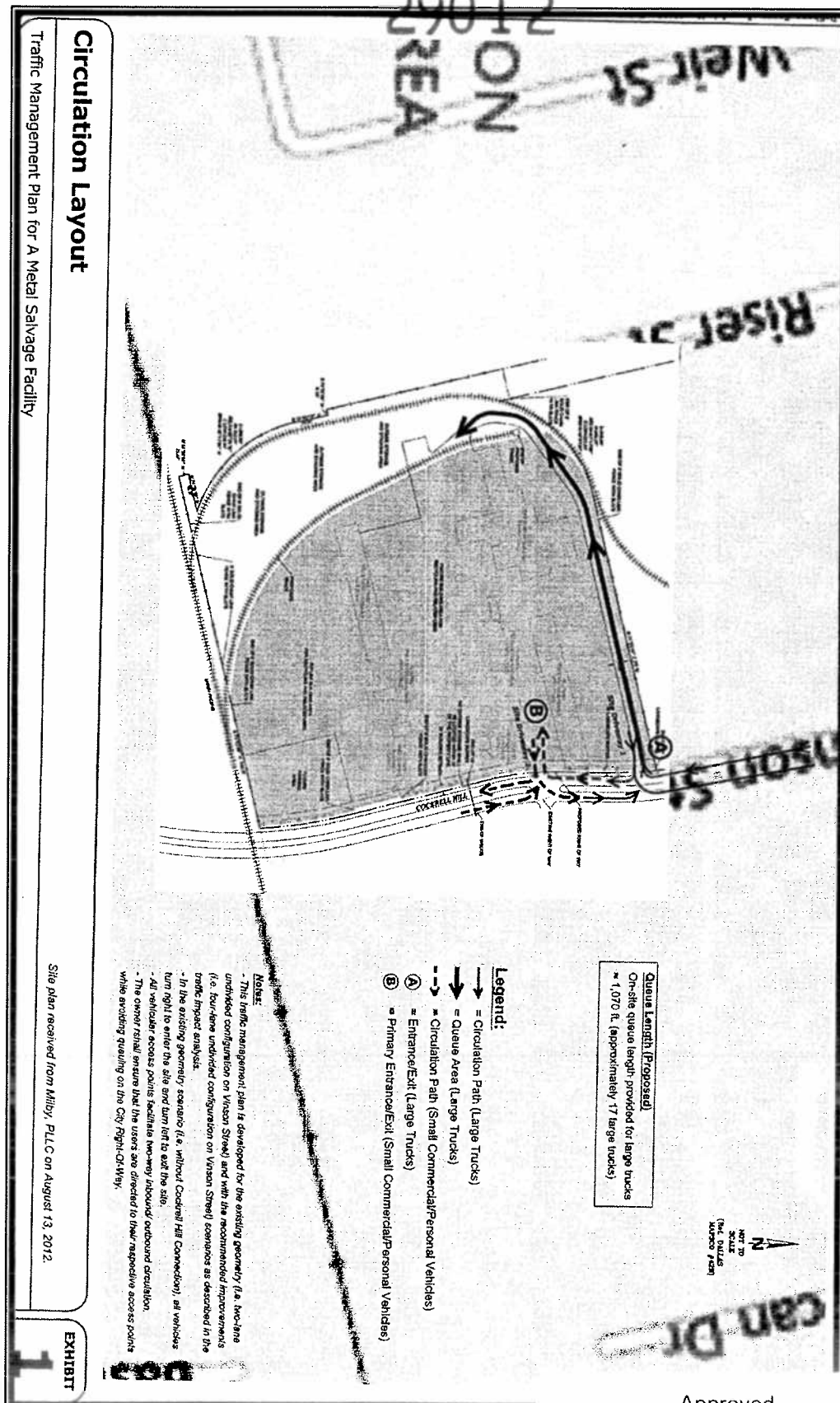
A detailed illustration of the proposed circulation plan is provided in **Exhibit 1**.

SUMMARY

This TMP is developed for the proposed metal salvage facility planned to be located at 2401 Vinson Street, Dallas, Texas. The details of the TMP shall be implemented by the Owner following the initial occupancy.

END OF MEMO

TRAFFIC MANAGEMENT PLAN



29012

WEIR ST

RISER ST

VINSON ST

FITCHBURG ST

IM

SUP
98

N COCKRELL HILL RD

LA REUNION PKWY

SUP
1728

RR

NS(A)



1:4,800

ZONING AND LAND USE

Case no: Z123-118

Date: 2/20/2013