

FILE NUMBER: Z201-330(RM) **DATE FILED:** September 9, 2021

LOCATION: Northwest line of Haymarket Road, northwest of the intersection of Haymarket Road and Palomino Road

COUNCIL DISTRICT: 8

SIZE OF REQUEST: Approx. 38.94 acres **CENSUS TRACT:** 171.02

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER/APPLICANT: CooperZadeh, LLC

REQUEST: An application for a Planned Development District for R-5(A) Single Family District uses on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of the request is to allow modified development standards primarily related to setbacks, lot size, and street standards to develop the site with a single family use.

CPC RECOMMENDATION: **Denial.**

STAFF RECOMMENDATION: **Approval** of an R-5(A) Single Family District on the northern portion; and **approval** of an R-7.5(A) Single Family District on the southern portion as shown on the applicant's proposed conceptual plan, in lieu of a Planned Development District for R-5(A) Single Family District uses.

BACKGROUND INFORMATION:

- The area of request is currently undeveloped with the exception of one single family use.
- The applicant proposes to develop the site with 181 single family homes with a minimum lot size of 5,250 square feet.
- To accomplish this, the applicant proposes a Planned Development District for R-5(A) District uses with modified development standards primarily related to setbacks, lot size, and street standards.
- As shown on the applicant’s proposed conceptual plan, they propose to divide the area of request into Area 1 and Area 2 where development standards will differ slightly.

Zoning History:

There have been two zoning cases in the area in the last five years.

1. **Z178-370:** On February 13, 2019, City Council approved an R-16(A) Single Family District on property zoned an A(A) Agricultural District on the northwest line of Jordan Valley Road, north of Palomino Road.
2. **Z190-222:** On March 24, 2021, City Council denied the renewal of Specific Use Permit No. 2233 for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Teagarden Road, west of Haymarket Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Haymarket Road	Community Collector	60 feet
Palomino Road	Local Street	-

Traffic:

Staff reviewed a traffic impact analysis for Teagarden Development on Haymarket Road (Phase 2) dated October 12, 2021. The report documents an evaluation of the subject site, existing infrastructure, and impact of proposed shared access development with 166 dwelling units. A previous phase already built 220 single family lots located north of the subject site with limited access to Teagarden Road. Findings show that the development can be adequately served by existing roadway infrastructure. Transportation Development Services staff has no objection to the proposed density and agrees to the applicant’s proposed language to allow the reduced right-of-way width of 53 feet; otherwise, platting would not allow this dimension without alleys. The proposed roadway dimensions also match the approved plat for Teagarden – Phase 1.

Furthermore, engineering staff recommends a revision to the applicant's proposed conceptual plan to remove the concrete and subgrade thickness shown on the street cross section to allow engineering review as part of the formal paving and drainage civil set to verify compliance with the Street Design Manual. Finally, at platting, the proposed residential road intersecting with Teagarden should be aligned with Palomino Street or create an offset for a sufficient distance away from the existing intersection to avoid conflict points and allow for pedestrian crossings.

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 applicant's request is consistent with the goals and policies marked with an asterisk (*). Staff believes staff's recommendation is consistent with these goals and policies, plus the ones not marked with an asterisk and in *italics*.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities. *

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. *

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas. *

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector. *

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life. *

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

***Policy 5.1.3** Encourage complementary building height, scale, design, and character.*

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

***Policy 5.2.1** Maintain neighborhood scale and character.*

NEIGHBORHOOD PLUS

GOAL 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety. *

GOAL 5.2 Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners. *

Area Plan

West Kleberg Community Plan

The West Kleberg community is located in the far southeastern section of the City of Dallas, bordering the cities of Seagoville, Balch Springs, and unincorporated areas of Dallas County. It is generally located south of Interstate 20, and bounded on the east by Stark Road and Dallas city limit; on the south by Seagoville city limit and the Dallas County; and on the west by St. Augustine and Haymarket Roads.

The vision for the West Kleberg Community Plan is to reflect Old Kleberg's historical heritage by promoting a strong rural atmosphere while still allowing for future growth that is sensitive to this context. The plan informs how land uses should develop and provides guidance for future zoning.

Although the area of request falls just outside the boundaries of this area plan, the plan includes goals that are relevant to the request. The plan emphasizes that the rural character of the community should be protected with new and infill residential development that maintain the existing rural densities.

The applicant's request may be considered inconsistent with the goals of the *West Kleberg Community Plan*. However, staff believes staff's recommendation for standard R-5(A) and R-7.5(A) districts complies with the goals of the *West Kleberg Community Plan*.

Land Use:

	Zoning	Land Use
Site	A(A) Agricultural District	Single family, undeveloped
North	R-5(A) Single Family District, R-7.5(A) Single Family District	Single family
East	A(A) Agricultural District	Single family, private stable, undeveloped
South	A(A) Agricultural District	Single family
West	A(A) Agricultural District, R-5(A) Single Family District, R-7.5(A) Single Family District	Single family, church, undeveloped

Land Use Compatibility:

The area of request is currently undeveloped with the exception of one single family home. The property is predominantly surrounded by single family uses and undeveloped land. Other uses in the area include private stable and church. Staff believes the applicant’s proposed land use is compatible with surrounding uses.

The applicant proposes to develop the site with 181 single family homes by requesting a Planned Development District for R-5(A) Single Family District uses. Although many of the conditions of a standard R-5(A) District will be retained, the applicant proposes deviations to setbacks, lot size, and street standards. As shown on the applicant’s proposed conceptual plan, they propose to divide the area of request into Area 1 and Area 2 where development standards will differ slightly.

The minimum front yard required in a standard R-5(A) District is 20 feet. The applicant proposes that the minimum front yard is 20 feet in Area 1 and 25 feet in Area 2. In a standard district, corner lots would be required to provide two front yards. However, the applicant proposes that corner lots need to provide only one front yard setback, plus a corner side yard setback of 10 feet. All other side and rear yards would default to the R-5(A) District standard of five feet. The applicant also proposes that along Haymarket Road, a minimum 20 foot setback is required.

In a standard R-5(A) District, minimum lot size for residential use would be 5,000 square feet. The applicant proposes a minimum lot size of 5,250 square feet, which would apply in Area 1. On their proposed conceptual plan, the applicant proposes that lots in Area 2 would be a minimum of 5,750 square feet. Lastly, the applicant proposes that internal public streets must comply with the street sections shown on the conceptual plan. The

street sections show a standard 56-foot right-of-way width in Area 1 and a reduced right-of-way width of 53 feet in Area 2.

Staff supports the applicant’s requested land use and believes this use is compatible with the surrounding area. However, staff recommends a standard R-5(A) District on the northern portion and a standard R-7.5(A) District on the southern portion as shown on the applicant's proposed conceptual plan, in lieu of the applicant’s request for a PD for R-5(A) District uses.

Staff believes the applicant’s proposed deviations to setbacks, lot size, and street standards are not substantial enough to warrant the creation of a new PD when the codified development standards of a residential district would still allow development of the site. Staff recommends an R-5(A) District for the northern portion and an R-7.5(A) District for the southern portion because these development standards are comparable to the applicant’s proposed standards for Area 1 and Area 2. Staff’s recommendation would follow the pattern of existing R-5(A) and R-7.5(A) districts north and west of the area of request, and it would create a gradual decrease in density towards the less dense residential areas to the south and east zoned an A(A) or R-16(A) district.

Development Standards

Following is a comparison table showing differences between the development standards of the existing A(A) District and the applicant’s proposed PD for R-5(A) District uses. Also included for comparison is staff’s recommendation for standard R-5(A) and R-7.5(A) districts.

District	Setback		Density	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: A(A)	50'	Side: 20' Rear: 50'	1 du/3 ac	24'	10%		Agricultural and single family
App Req: PD for R-5(A)	Area 1: 20' Area 2: 25' 20' along Haymarket Rd	Corner Side: 10' Side/Rear: 5'	1 du/ 5,250 sf	30'	45%		Single family
Staff Rec 1: R-5(A)	20'	5'	1 du/ 5,000 sf	30'	45%		Single family
Staff Rec 2: R-7.5(A)	25'	5'	1 du/ 7,500 sf	30'	45%		Single family

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a single family use is one space in an R-5(A) or R-7.5(A) district. Although parking for the single family use is not shown on the applicant's proposed conceptual plan, the site would be required to meet this parking ratio.

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 currently within an "F" MVA cluster. The request area is surrounded by other "F" MVA clusters in all compass directions.

Z201-330(RM)

List of Partners/Principals/Officers

CooperZadeh, LLC

M.T. Akhavizadeh, Director
Simmie Cooper, Director
Cyrus Akhavizadeh, Vice President

**CPC ACTION
FEBRUARY 17, 2022**

Motion: It was moved to recommend **denial** of a Planned Development District for R-5(A) Single Family District uses on property zoned an A(A) Agricultural District, on the northwest line of Haymarket Road, northwest of the intersection of Haymarket Road and Palomino Road.

Maker: Blair
Second: Hampton
Result: Carried: 12 to 0

For: 12 - Hampton, Anderson, Shidid, Carpenter,
Jackson, Blair, Jung, Housewright, Gibson,
Haqq, Stanard, Rubin

Against: 0
Absent: 1 - Popken
Vacancy: 1 - District 3
Conflict: 1 - Kingston**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 25
Replies: For: 0 Against: 7

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: Bryant Sivess, 2360 Haymarket Rd., 75253
Gayle Martensen, 10214 Teagarden Rd., Dallas, TX, 75217
Meagan, Provus, 1322 Dowdy Ferry Rd., Dallas, TX, 75217

**CPC ACTION
JANUARY 20, 2022**

Motion: In considering an application for a Planned Development District for R-5(A) Single Family District uses on property zoned an A(A) Agricultural District, on the northwest line of Haymarket Road, northwest of the intersection of Haymarket Road and Palomino Road, it was moved to **hold** this case under advisement until February 17, 2022.

Maker: Blair
Second: Popken
Result: Carried: 12 to 0

For: 12 - Popken, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Haqq, Stanard,
Kingston, Rubin

Against: 0
Absent: 1 - Gibson
Vacancy: 2 - District 3, District 10

Notices: Area: 500 Mailed: 25
Replies: For: 0 Against: 7

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
FOR (Did not speak): Christy Lambeth, 8637 CR 148, Kaufman, TX, 75142
Dean Plunk, 6750 Hillcrest Plaza Dr., Dallas, TX, 75230
Cyrus Zadeh, 12801 N. Central Expressway, Dallas, TX, 75243
Against: Gayle Martensen, 10214 Teagarden Rd., Dallas, TX, 75217
Murphy Johnston, 10214 Teagarden Rd., Dallas, TX, 75217
Against (Did not speak): Meagan Probus, 1322 Dowdy Ferry Rd., Dallas,

TX, 75217

**CPC ACTION
DECEMBER 16, 2021**

Motion: In considering an application for a Planned Development District for R-5(A) Single Family District uses on property zoned an A(A) Agricultural District, on the northwest line of Haymarket Road, northwest of the intersection of Haymarket Road and Palomino Road, it was moved to **hold** this case under advisement until January 20, 2022.

Maker: Blair
Second: Haqq
Result: Carried: 11 to 0

For: 11 - Popken, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Haqq,
Kingston, Rubin

Against: 0
Absent: 2 - Suhler, Stanard
Vacancy: 2 - District 3, District 10

Notices: Area: 500 Mailed: 25
Replies: For: 0 Against: 2

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None
Against (Did not speak): Bryant Sivess, 2360 Haymarket Rd., Dallas, TX,

7525

APPLICANT'S PROPOSED CONDITIONS

ARTICLE _____.

PD _____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the northwest side of Haymarket Street. The size of PD _____ is approximately 38.94 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (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- _____.104. EXHIBIT.

The following exhibit is incorporated into this article:

- (1) Exhibit ____A: conceptual plan.

SEC. 51P- _____.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit ____A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P- _____.106. DEVELOPMENT PLAN.

(a) For single family uses, a final plat may serve as the development plan. A final plat for single family development may make minor deviations from the lot and street configuration shown on the preliminary plat provided that the final plat does not increase the number of lots or increase the number of access points. If there is a conflict between the text of this article and a final plat, the text of this article controls.

(b) For all other uses, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district.

SEC. 51P- _____.107. MAIN USES PERMITTED.

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 DIR in this district; etc.

SEC. 51P- _____.108. 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- _____.109. 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) Front yard.

(1) Area 1. Minimum front yard is 20 feet.

(2) Area 2. Minimum front yard is 25 feet.

(3) Haymarket Road. Along Haymarket Road, a minimum 20 foot setback is required.

(4) Corner lots. Except as provided along Haymarket Road, corner lots only need to provide one front yard setback. The other setback will be considered a corner side yard.

(c) Side yard. Minimum corner side yard is 10 feet.

(d) Lot size. Minimum lot size for residential use is 5,250 square feet.

SEC. 51P- ____ .110. OFF-STREET PARKING AND LOADING.

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

SEC. 51P- ____ .111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- ____ .112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

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

SEC. 51P- ____ .113. SIGNS.

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

SEC. 51P- ____ .114. 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.

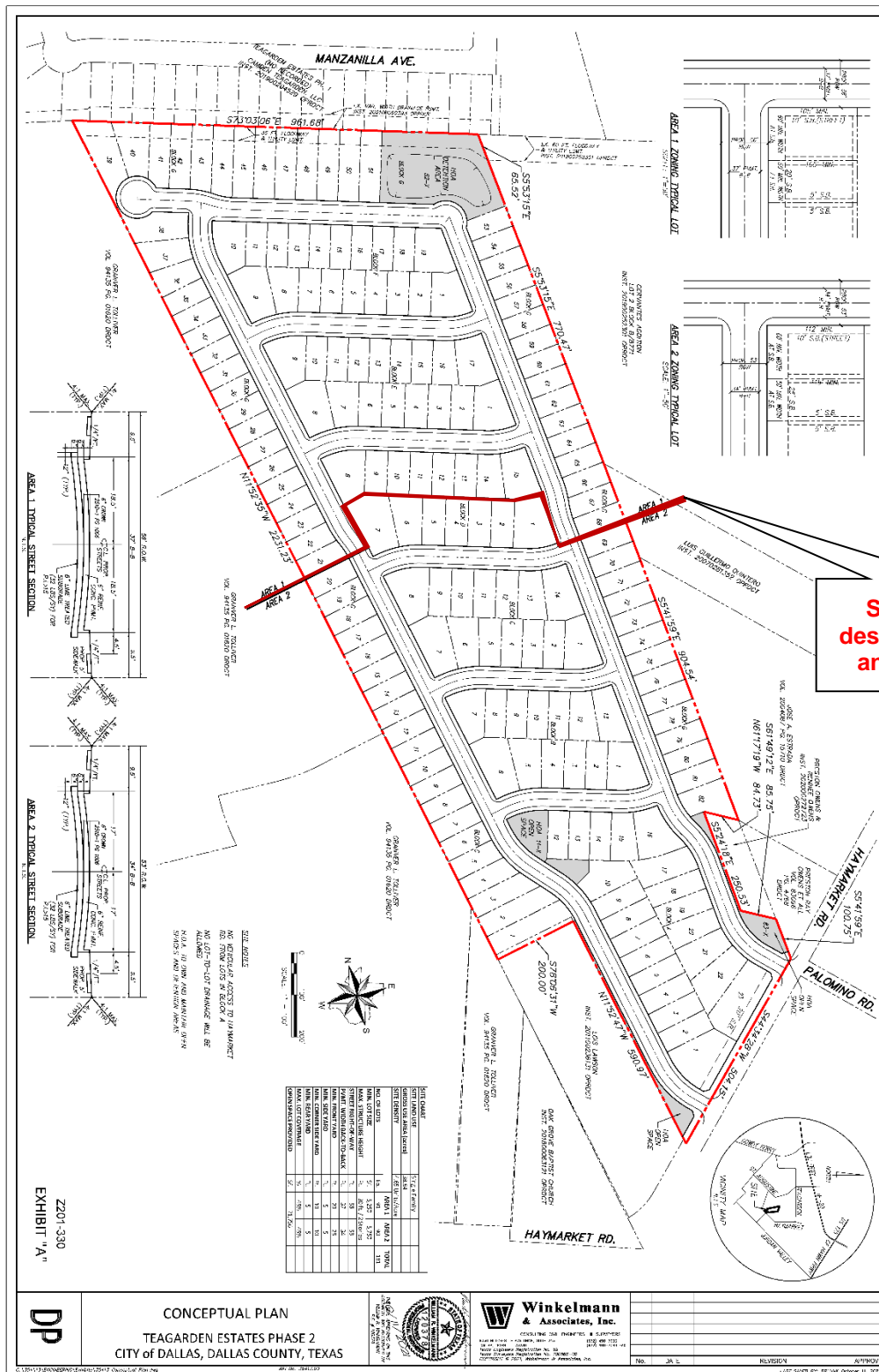
(c) Internal public streets must comply with the street sections shown on the conceptual plan.

SEC. 51P-____.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.

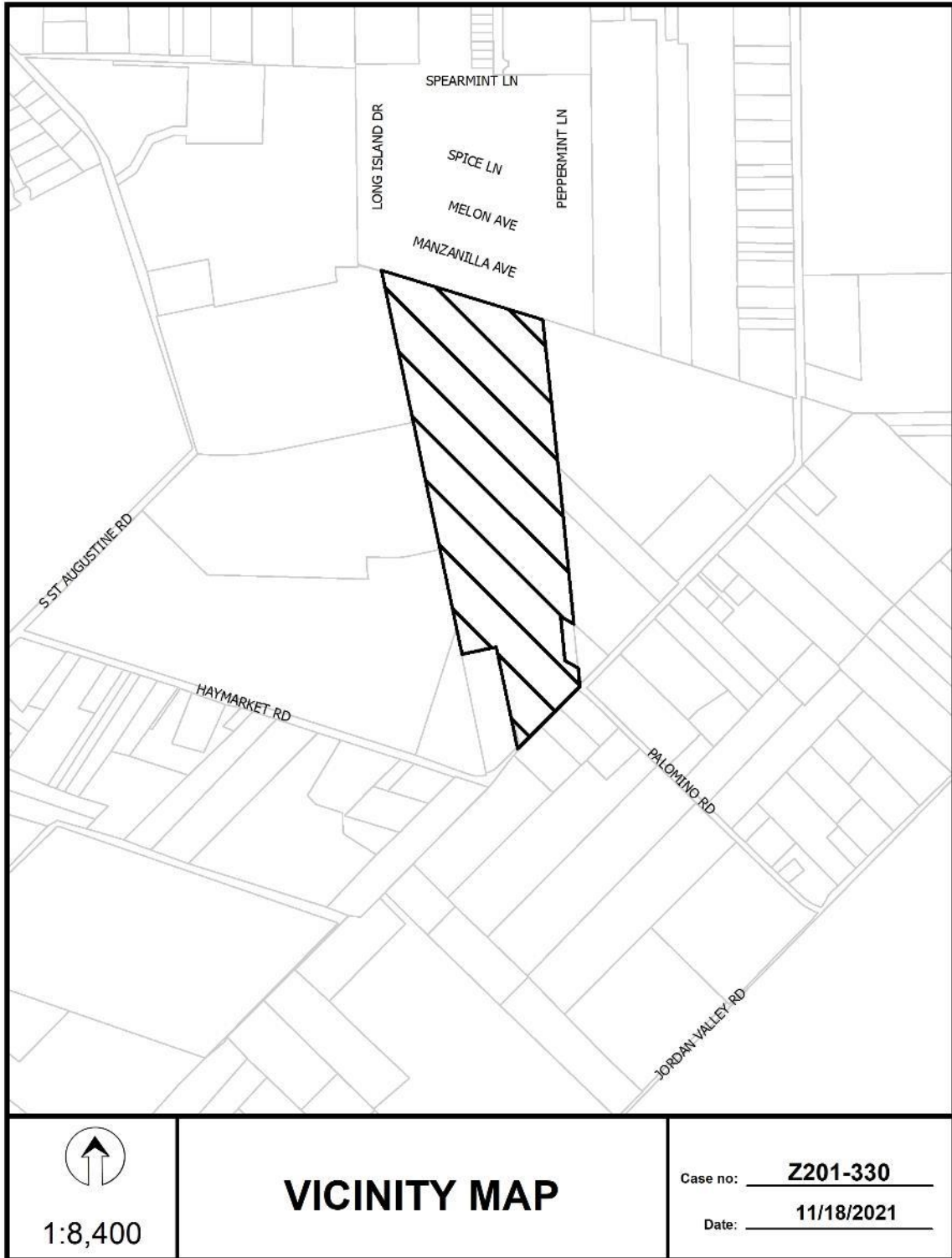
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

APPLICANT'S PROPOSED CONCEPTUAL PLAN



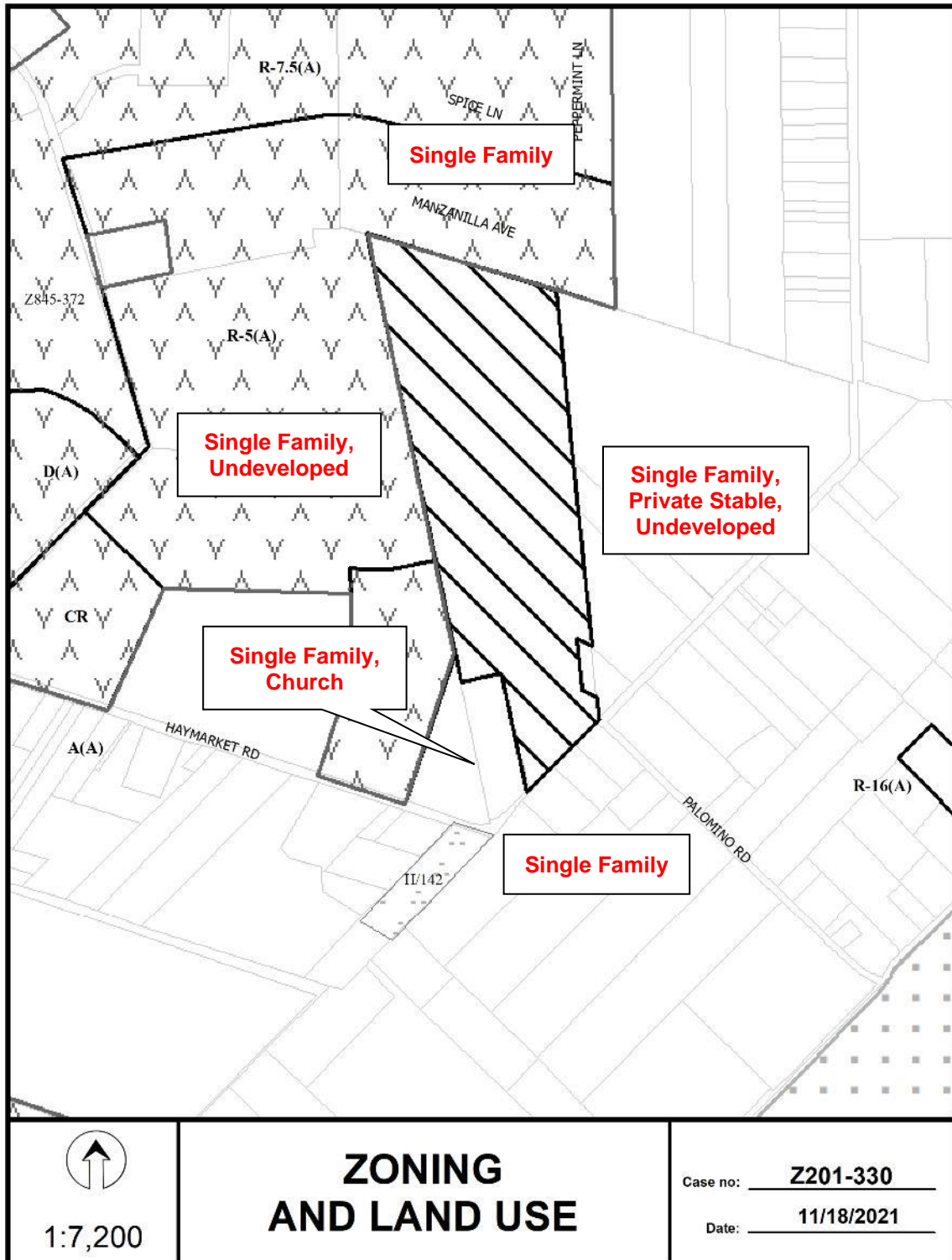
If council moves to recommend approval of the PD, staff recommends removing the concrete and subgrade thickness shown on the street cross section to allow to verify compliance with the Street Design Manual

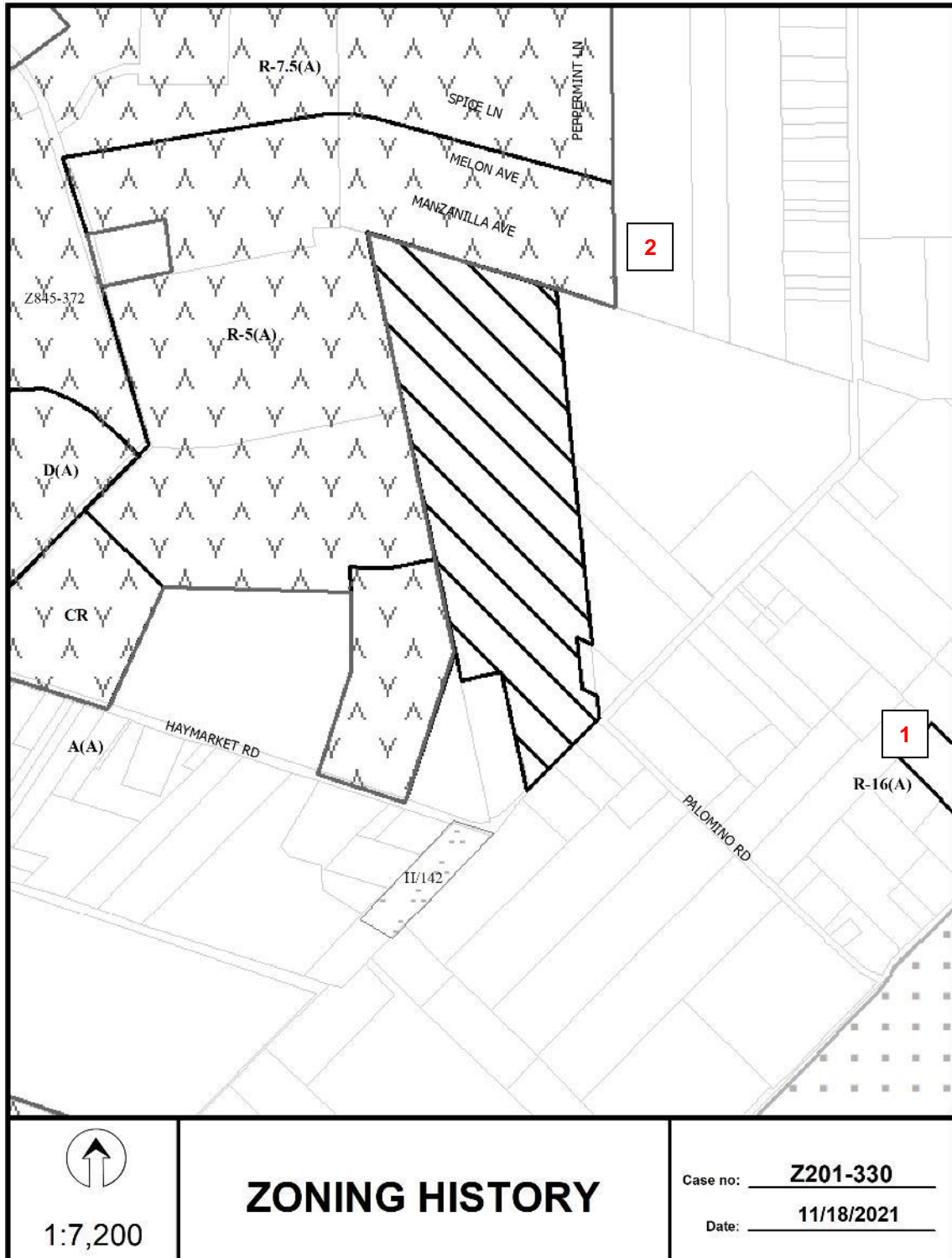
Staff recommended designation for northern and southern portion

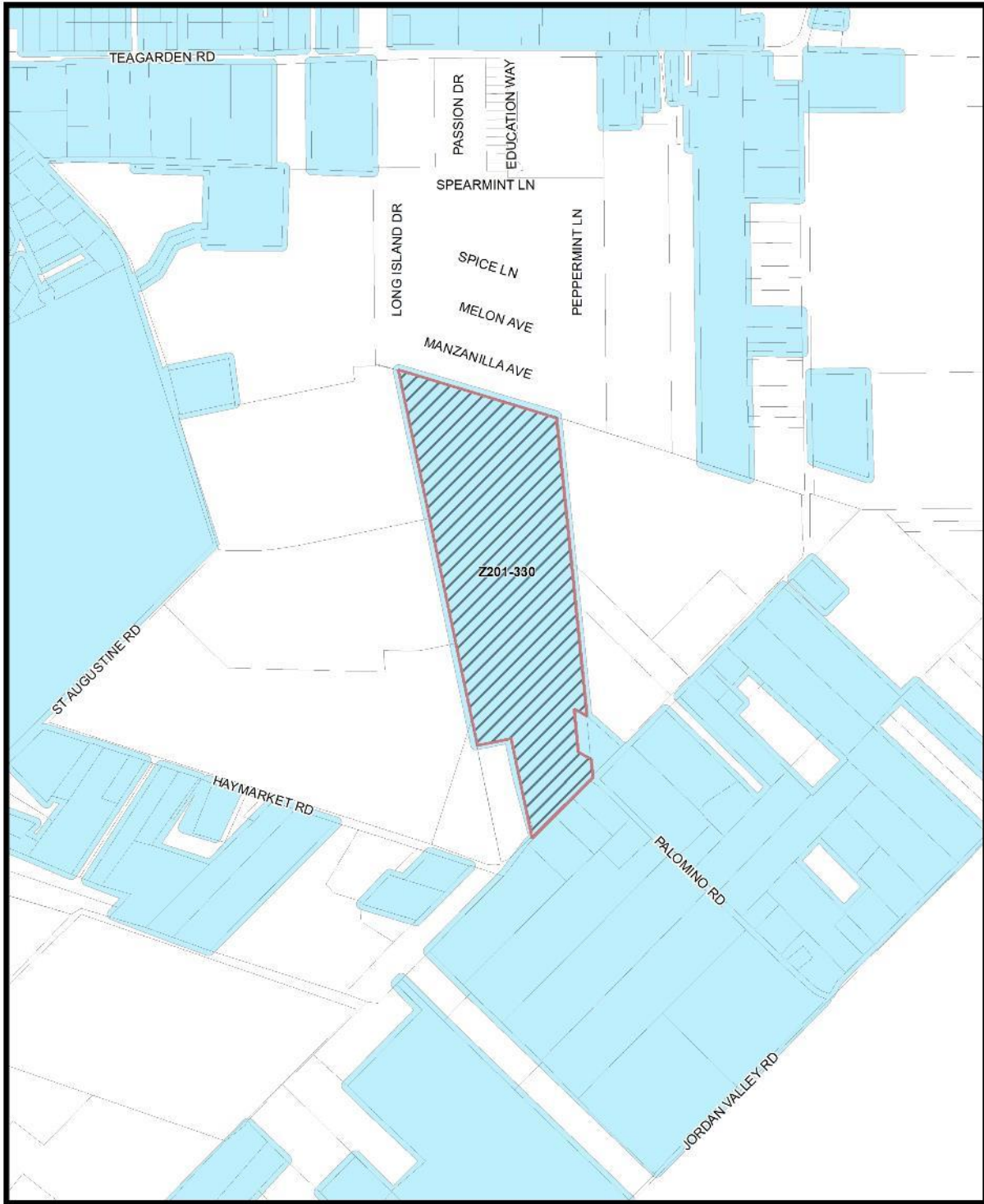




 1:7,200	AERIAL MAP	Case no: <u> Z201-330 </u> Date: <u> 11/18/2021 </u>
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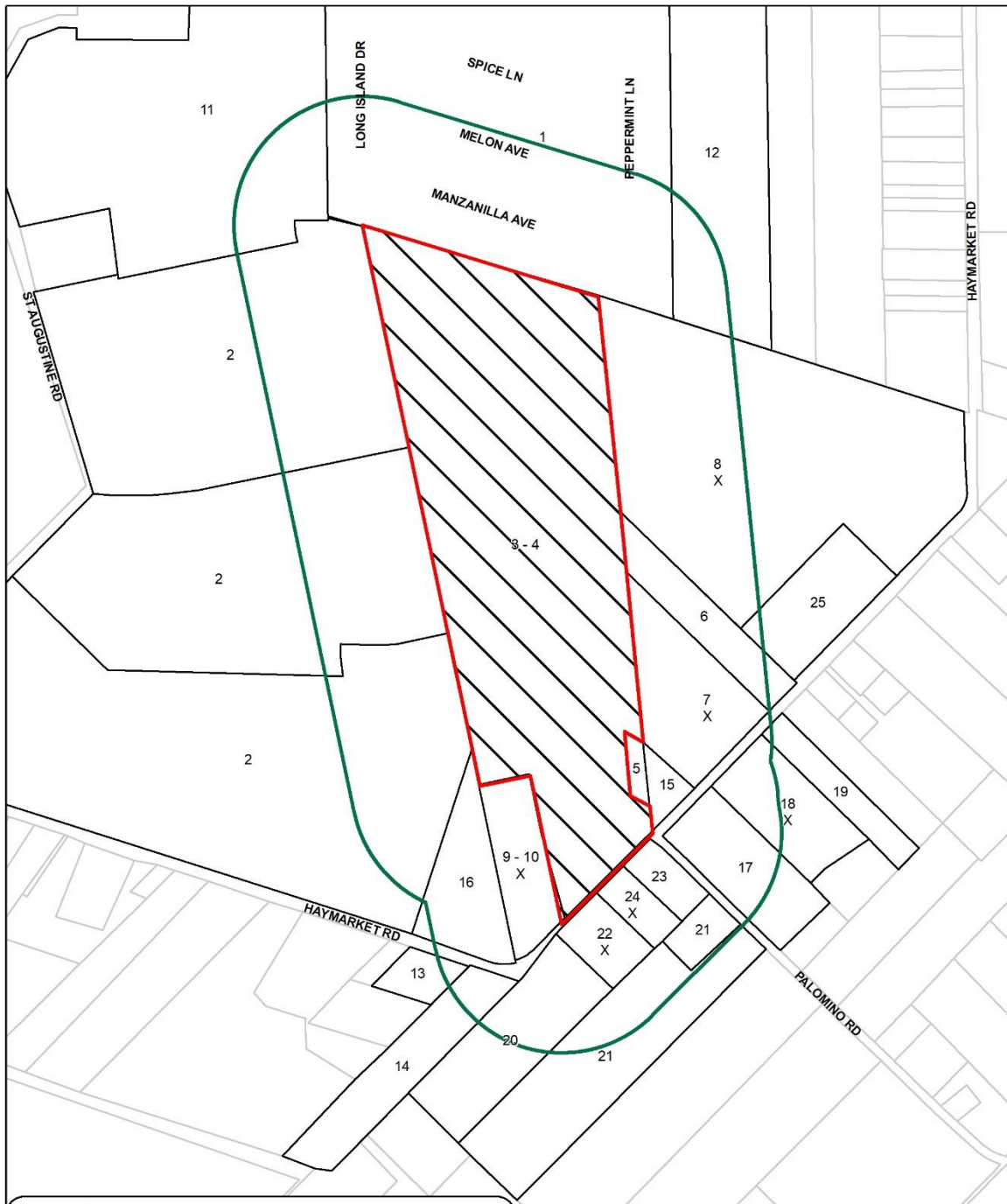


Market Value Analysis A B C D E F G H I NA

 1:8,400

Market Value Analysis

Printed Date: 11/18/2021



25	Property Owners Notified (27 parcels)
0	Replies in Favor (0 parcels)
7	Replies in Opposition (6 parcels)
500'	Area of Notification
2/17/2022	Date

Z201-330
CPC



1:6,000

02/16/2022

Reply List of Property Owners***Z201-330******25 Property Owners Notified 0 Property Owners in Favor 7 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	10020 TEAGARDEN RD	CAMDEN HOMES LLC
	2	2500 ST AUGUSTINE RD	TOLLIVER GRANVER L
	3	2411 HAYMARKET RD	WEBB WALTER E & MELISSA A
	4	2411 HAYMARKET RD	WEBB WALTER E & MELISSA A
	5	2411 HAYMARKET RD	OWENS PRESTON & RENEE
	6	2500 HAYMARKET RD	QUINTERO LUIS G
X	7	2500 HAYMARKET RD	ESTRADA JOSE A
X	8	2500 HAYMARKET RD	CERVANTES JUAN C
X	9	2445 HAYMARKET RD	LAWSON BILLY
X	10	2445 HAYMARKET RD	LAWSON BILLY
	11	2310 ST AUGUSTINE RD	SMITH STEPHEN D &
	12	10218 TEAGARDEN RD	TORRES JOEL
	13	2520 HAYMARKET RD	THOMPSON LARRY D &
	14	33 HAYMARKET RD	HERNANDEZ IRMA RAMOS
	15	2387 HAYMARKET RD	OWENS PRESTON RAY ETAL
	16	2505 HAYMARKET RD	OAK GROVE BAPTIST CH
	17	4031 PALOMINO RD	RAMIREZ J CRUZ & MARY C
X	18	2360 HAYMARKET RD	SIVESS BRYANT
	19	9999 HAYMARKET RD	BOTELLO MARIO RAZO &
	20	2430 HAYMARKET RD	MORGAN LONNY
	21	4032 PALOMINO RD	URIBE JAVIER SR &
X	22	2418 HAYMARKET RD	LAWSON BILL W
	23	2402 HAYMARKET RD	LOPEZ GUADALUPE RUIZ
X	24	2418 HAYMARKET RD	ROBINSON LARRY R
	25	2500 HAYMARKET RD	Taxpayer at