

FILE NUMBER: Z201-112(CT) **DATE FILED:** October 13, 2020

LOCATION: South line of West Kiest Boulevard and the east line of Boulder Drive

COUNCIL DISTRICT: 3 **MAPSCO:** 53 X

SIZE OF REQUEST: Approx. 2.704 acres **CENSUS TRACT:** 108.03

OWNER/APPLICANT: BoulHold 1, LLC / Sean Wahrmund.

REQUEST: An application for the renewal of Specific Use Permit No. 2317 for a multifamily use on property zoned Planned Development District No. 407

SUMMARY: The applicant proposes the continued operation of the multifamily development on the site.[Agave Azul on Boulder]

CPC RECOMMENDATION: Approval for a five-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a five-year period, subject to conditions.

BACKGROUND INFORMATION:

- The area of request is zoned Planned Development District No. 407 and is currently developed with five, two-story buildings containing 66 dwelling units and one, one-story building for laundry and maintenance.
- According to Dallas Central Appraisal District, the apartment buildings were constructed in 1965.
- The earliest Certificate of Occupancy found in POSSE was issued on May 11, 1990, for a multifamily use. There is a previous permit from 1978, also for a multifamily use.
- On August 25, 1994, the City Plan Commission authorized a hearing to determine proper zoning on property zoned CR-D Community Retail with a Dry Liquor Control Overlay with consideration given to establishing a Planned Development District for multifamily uses and TH-2(A) Townhouse District uses for the subject site.
- On November 9, 1994, the City Council established Planned Development District No. 407 for TH-2(A) Townhouse District uses plus multifamily use by Specific Use Permit and approved Specific Use Permit No. 1221 for multifamily uses for a time period of three and one-half years subject to a site plan, landscape plan and conditions. [Expired May 9, 1999]
- On February 10, 1999, and on December 13, 2001, City Council denied a Specific Use Permit for a multifamily use for the area of request.
- On February 26, 2003, the City Council approved an amendment to PD No. 407 to allow Retirement Housing use by right.
- The most recent Certificate of Occupancy for a multifamily use on the property was issued by Building Inspections on March of 2004. This CO has been updated on two occasions to reflect changes in ownership and name of business (doing business as –DBA), one in 2015 and the second one in 2016.
- On February 27, 2019, the City Council approved Specific Use Permit No. 2317 for a multifamily use for a two-year period.

Zoning History: There have been no zoning change in the vicinity in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
West Kiest Boulevard	Principal Arterial	100 feet	100 feet
Boulder Drive	Minor Arterial	60 feet	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and recommended reducing or limiting the number of dwelling units and compliance with the corresponding off-street parking requirements.

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:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas

NEIGHBORHOOD PLUS

GOAL 6.0 ENHANCE RENTAL HOUSING OPTIONS

Policy 6.1 Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance towards chronic offenders.

Action 6.1.3 Strengthen regulatory standards and provide incentives for volume single family and multi-family developers to provide a range of housing unit sizes and include family-friendly amenities such as play areas or open/green space for active, healthy living.

Land Use:

	Zoning	Land Use
Site	PD No. 407, SUP No. 2317	Multifamily
North	CR-D Community Retail with D Liquor Control Overlay and R-10-(A) Single Family	Auto Service Center, Undeveloped Land, Public Park
East	R-10(A) Single Family	Single-family
South	R-10(A) Single Family	Single-family
West	CR-D Community Retail with D Liquor Control Overlay and R-10-(A) Single Family	Single-family, Auto Service Center

Land Use Compatibility:

The site is zoned Planned Development District No. 407 and is currently developed with five two-story buildings containing 66 dwelling units and one one-story building for the complex's laundry and maintenance office.

The applicant seeks to renew Specific Use Permit No. 2317 and continue the multifamily use on the property. There have been no changes to the site plan.

Planned Development District No. 407 requires a Specific Use Permit for a multifamily use. The previous SUP conditions provided for regulations as to maximum number of dwelling units allowed, off-street parking required and maximum number of stories. The conditions will remain with the addition of five year period for the SUP.

Uses surrounding the area of request include primarily single family uses in the R-10(A) District that abuts the site to the west, south and east. A public park is located to the north across West Kiest Boulevard followed by a multifamily use further north in an MF-2(A) District. Along West Kiest Boulevard and to the northwest of the area of request, there is a mix of auto service center and retail and personal service uses in a CR Community Retail with a D Liquor Control Overlay District on a portion.

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.

In general, the applicant's request is consistent with the general provisions for a Specific Use Permit. Staff recommends approval for a five-year period. The site is in compliance with the SUP site plan and the conditions on the site.

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 and surrounding areas are within an “F” MVA Cluster.

Parking:

The property was developed as a multifamily use in 1965 when the LR-3 District allowed the use by right. Off-street parking requirements for the use in the LR-3 District were calculated at a ratio of one off-street parking space per each dwelling unit, at which the use would have required 66 off-street parking spaces.

The renewal of the SUP as previously approved required 96 parking spaces as depicted on the site plan. There have been no changes to the site plan.

Landscaping:

The landscape regulations in Planned Development District No. 407 establish that if the property is developed with a multifamily use, all landscaping must be provided as shown on the landscape or site plan attached to an ordinance granting a specific use permit. The landscape shown on the proposed site plan depicts the existing landscaping on site, no trees are proposed to be removed or added. Landscaping is in compliance with the site plan.

**LIST OF OFFICERS.
BouldHold 1, LLC**

- Sean Wahrmund --- Managing member
- Beazer Family Trust
- Bethany Ulteig
- Chirstopher Sims
- Donald Crosby
- Eric Saavedra
- Jean Roscovius
- Mondsee SDIRA, LLC
- Lawrence Dsouza
- Lin & Cathy Chen
- GBM Assets, LLC
- Zachary Beazer
- Tyler Burningham
- Jay Personius
- Gaven Schneider
- Chris & Lisa Bean
- Shahid Mehmood
- Tom Ruth & Ann Smith
- Michael Moran
- Kerry Clark
- Craig Shelton
- Josh Correa
- Todd Szuch
- Lelon Ginn
- Jack Waldenmaier
- 2021 REI, LLC
- Sperry Family Trust
- Ryan & Andrea yager
- Charles Ho
- Su Vin Enterprises, LLC
- Paul Moody
- Rivera Perkins 401k Plan
- Binu Aramath
- Arturo Alcaza
- ARBK Management, LLC
- Larry & Melanie mastellar
- Todd Jach
- Pezhman Hajbandeh
- Barry Rodgers
- Christina Stone
- Quest IRA Inc. FBO Jodie L Mow IRA
- Four Star Legacy, LLC
- Kuuipo Enterprises

**CITY PLAN COMMISSION ACTION
FEBRUARY 4, 2021**

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2317 for a multifamily use for a five-year period, subject to conditions on property zoned Planned Development District No. 407, on the south line of West Kiest Boulevard, and the east side of Boulder Drive.

Maker: Stinson
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

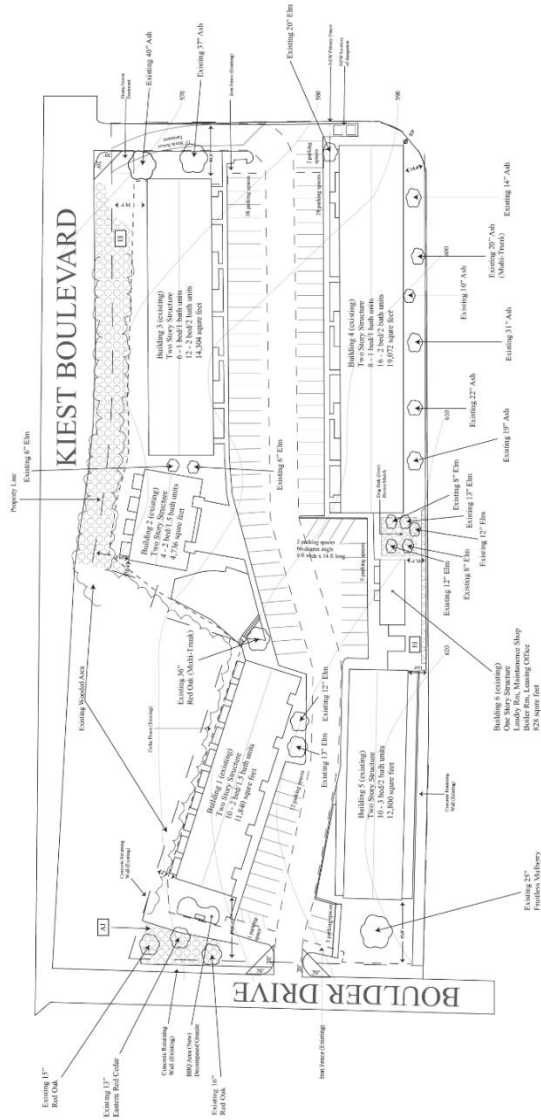
Notices: Area: 300 Mailed: 38
Replies: For: 0 Against: 1

Speakers: For: Sean Wahrumund, 4511 Ridge Rd., Dallas, TX, 75229
Against: None

CPC RECOMMENDED SUP CONDITIONS

1. **USE:** The only use authorized by this specific use permit is a multifamily 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 on ~~February 27, 2024~~ (five-years from the passage of this ordinance)
4. **LANDSCAPING:** Landscaping must be provided as shown on the attached site plan.
5. **DENSITY:** Maximum number of dwelling units is 66.
6. **HEIGHT:** Maximum number of stories is two.
7. **PARKING:** Off-street parking must be provided in accordance to the Dallas Development Code, as amended. No less than 96 off-street parking spaces must be provided in the location shown on the attached site plan. Delta Credits, as defined in Section 51A-4.704(b)(4) may be used to meet the off-street parking requirement.
8. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
9. **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.

**EXISTING SITE PLAN
(No Changes)**



Boulder Ridge Apartments

3130 Springwood Lane, Dallas, Texas 75233

Site Plan

Scale: 1" = 40'

Prepared: September 12, 2018

Revised: December 17, 2018

Zoning Case No: Z178-380

Site Plant Table

Key	Common Name	Botanical Name	Remarks
HI	English Ivy	Hedera Helix	Existing
AJ	Asian Jasmine	Trachelospermum Asiaticum	Existing

Parking Table

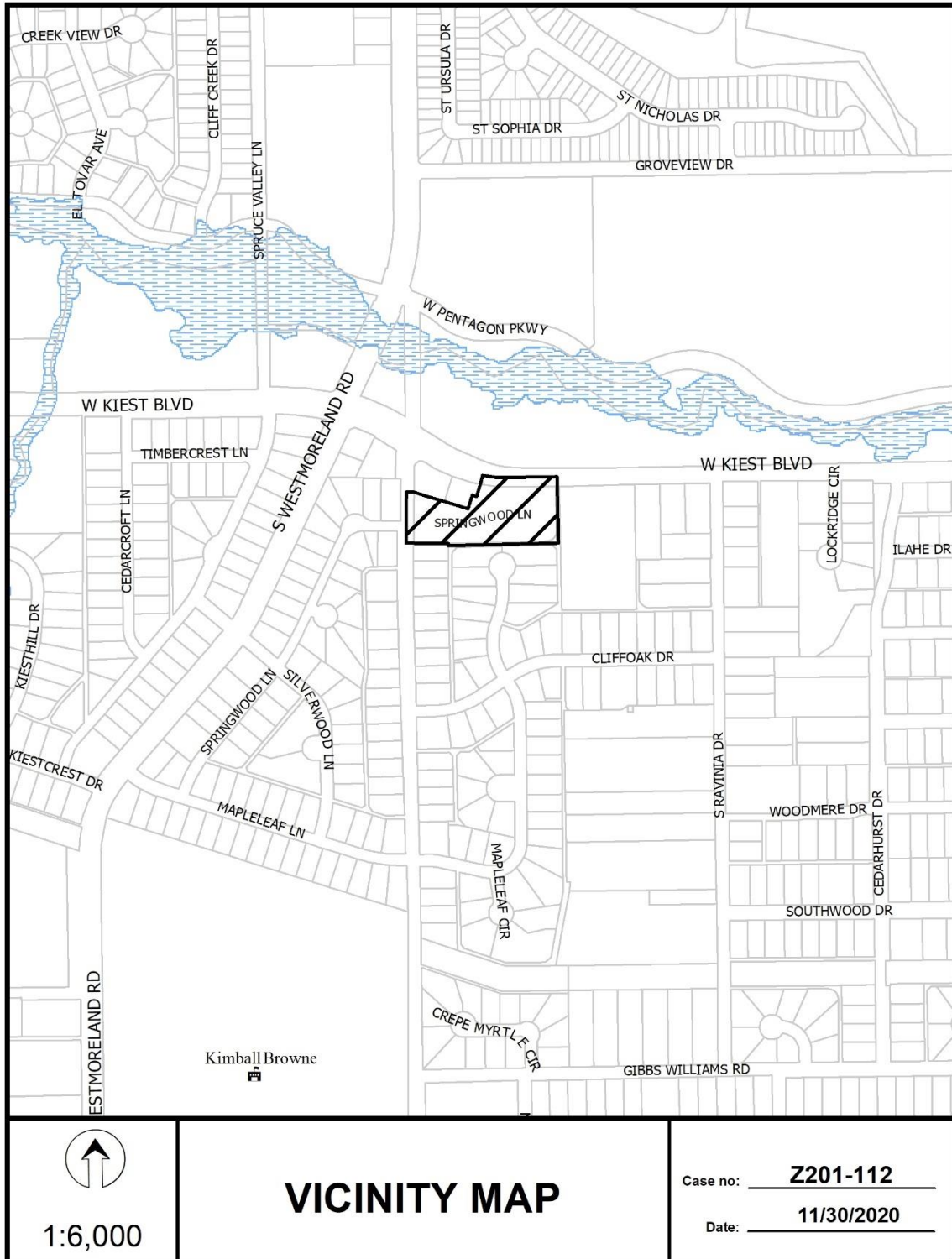
Provided Parking	96 spaces (existing)
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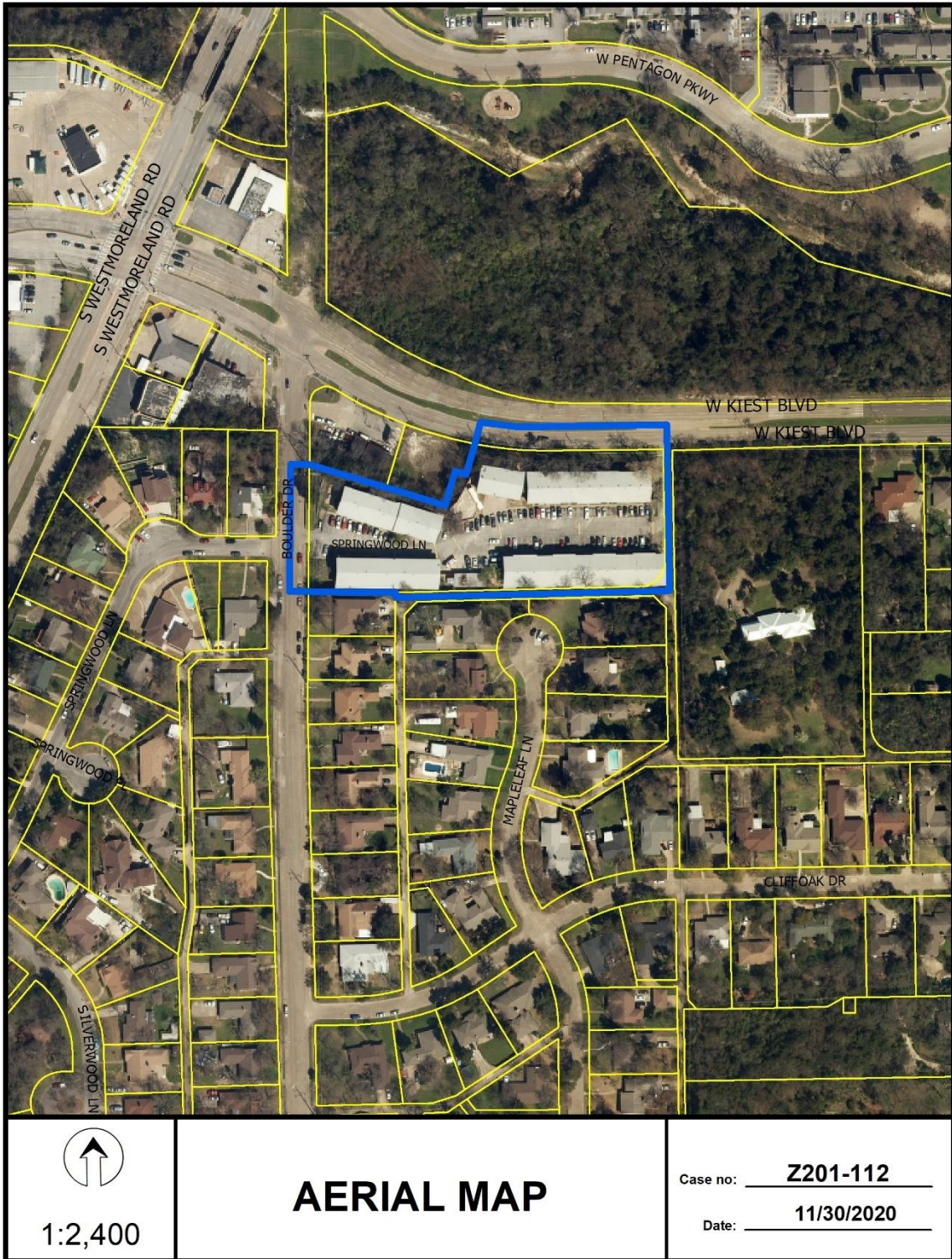
Site Data Table

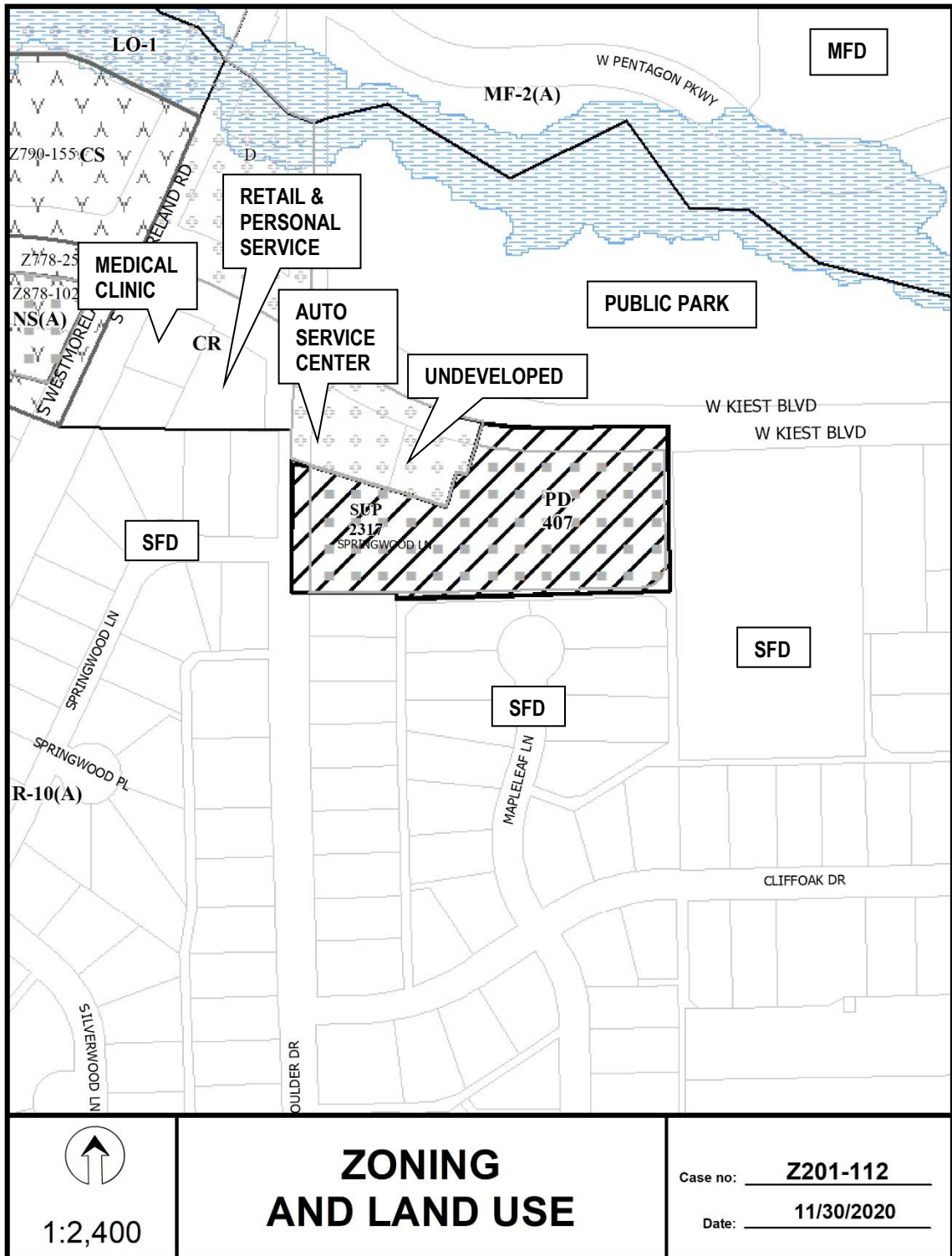
Unit Type	Number of Unit Type	Square Footage of Unit
1 Bed - 1 Bath	14	662
2 Bed - 2 Bath	28	891
2 Bed - 1.5 Bath	14	1,148
3 Bed - 2 Bath	10	1,200

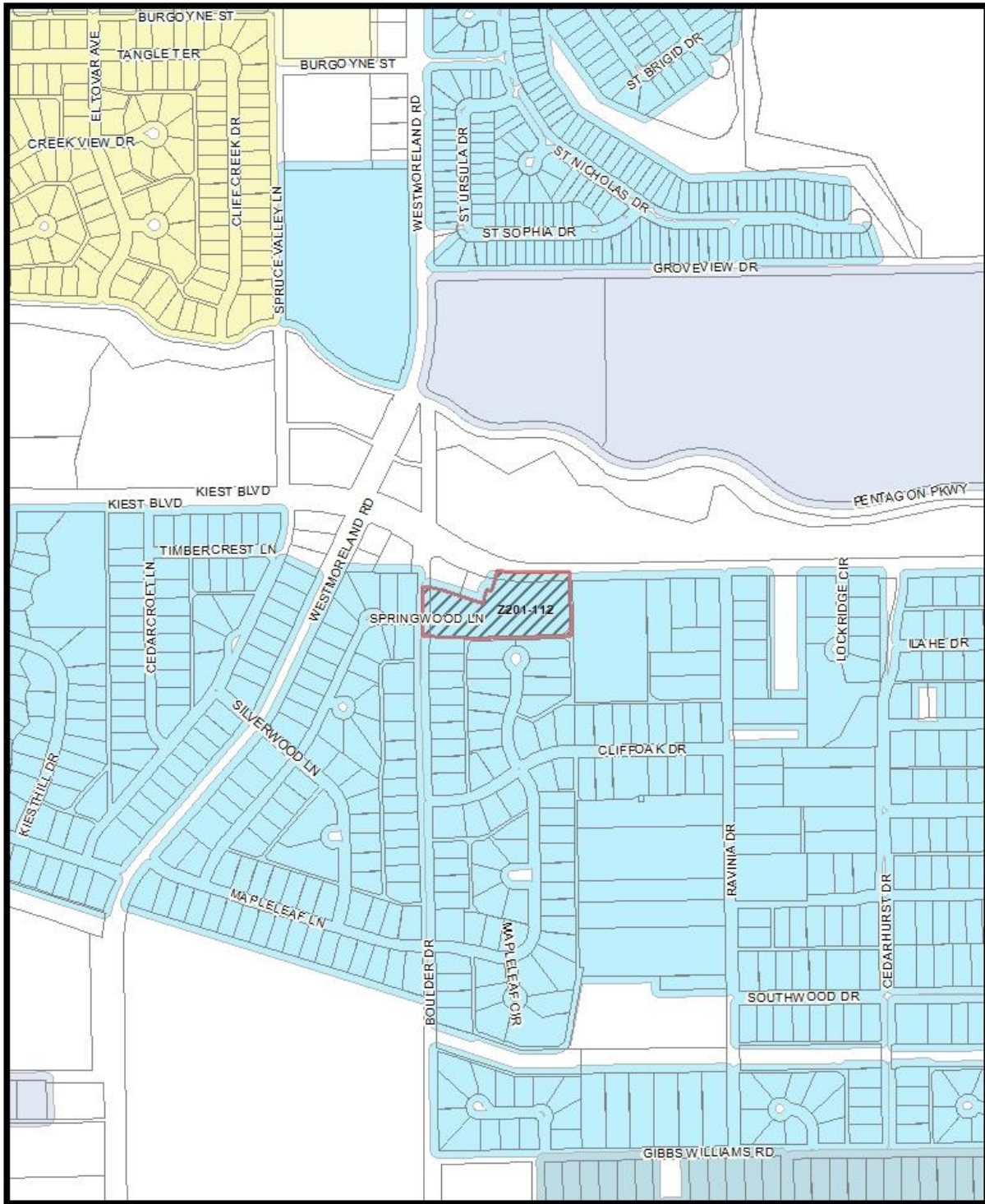
Impervious Coverage

Total Lot Size (sq ft)	Impervious Cover (existing)
130,375 sq ft	86,699 sq ft
source: Dallas County, Appraisal District	source: survey
	66.5% Impervious Cover









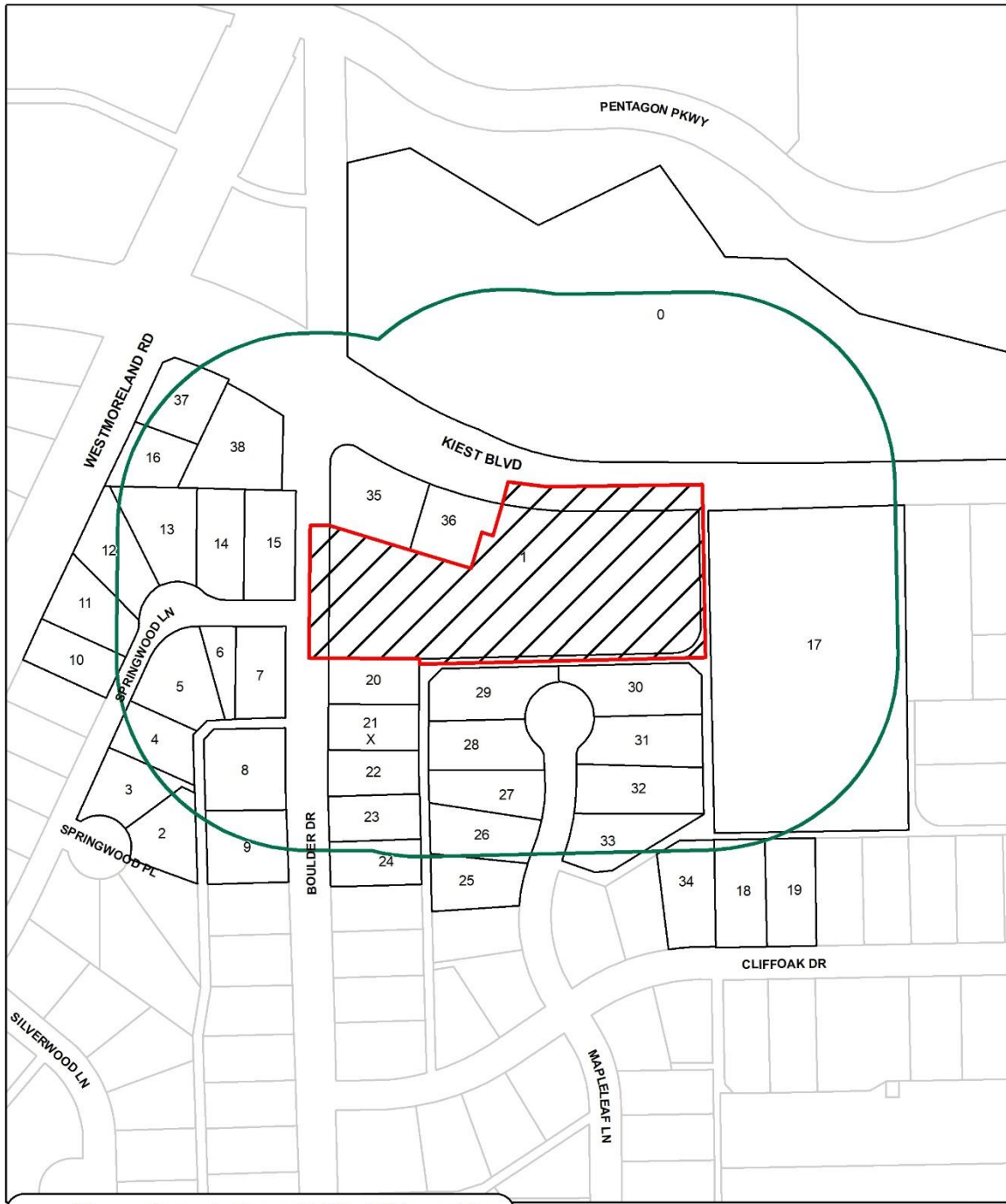
Market Value Analysis A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 1/22/2021

CPC RESPONSES



<u>38</u>	Property Owners Notified (39 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>300'</u>	Area of Notification
<u>2/4/2021</u>	Date

Z201-112
CPC



1:2,400

02/03/2021

Reply List of Property Owners**Z201-112****38 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed**

Reply	Label #	Address	Owner
	1	3130 SPRINGWOOD LN	BOULDHOLD 1 LLC
	2	3310 SPRINGWOOD PL	BRITT KAREEN G
	3	3306 SPRINGWOOD PL	NANCE LATANYA L &
	4	3240 SPRINGWOOD LN	SBY 2014 I BORROWER LLC
	5	3230 SPRINGWOOD LN	WILLIS PHILLIP
	6	3212 SPRINGWOOD LN	BUSH RHONDA LYNN &
	7	3206 SPRINGWOOD LN	Taxpayer at
	8	3317 BOULDER DR	Taxpayer at
	9	3331 BOULDER DR	BADILLO EDGAR M
	10	3235 SPRINGWOOD LN	MORA BRENDA G &
	11	3229 SPRINGWOOD LN	BARRON JOSE &
	12	3223 SPRINGWOOD LN	PECINA LAURA ANGELICA & GILBERT
	13	3217 SPRINGWOOD LN	BEHARRY RAJENDRA
	14	3211 SPRINGWOOD LN	ECHELON EQUITY PARTNERS LLC
	15	3205 SPRINGWOOD LN	CHAMBERS LARRY R
	16	3224 S WESTMORELAND RD	ONATE OSCAR HUGO
	17	3110 W KIEST BLVD	MARQUIS DAVID M &
	18	3123 CLIFFOAK DR	WILLIAMS MARLENE
	19	3117 CLIFFOAK DR	MAROHN KRISTIE A
	20	3308 BOULDER DR	SALAZAR JAVIER
X	21	3314 BOULDER DR	HOLDEN JAMES & JANAVA
	22	3320 BOULDER DR	LUGO JOSE
	23	3326 BOULDER DR	MILLER BILLY GLEN & ANNETTA
	24	3332 BOULDER DR	BELL CYNTHIA
	25	3027 MAPLELEAF LN	THOMPSON COURTNEY C
	26	3021 MAPLELEAF LN	HUGHES CHRISTOPHER W &

02/03/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3015 MAPLELEAF LN	LANEY EDDIE N
	28	3009 MAPLELEAF LN	MEDINA BELEN A & FRANK J
	29	3005 MAPLELEAF LN	REYES IVAN & PEREZ THALIA N
	30	3006 MAPLELEAF LN	THOMPSON SAMUEL & DOROTHY
	31	3010 MAPLELEAF LN	RODRIGUEZ LORENA & JOSE ANGEL
	32	3016 MAPLELEAF LN	PETERMAN DAVID
	33	3022 MAPLELEAF LN	BROWN DWAYNE C
	34	3129 CLIFFOAK DR	Taxpayer at
	35	3242 W KIEST BLVD	Taxpayer at
	36	3236 W KIEST BLVD	Taxpayer at
	37	3314 W KIEST BLVD	STANDIFER JEFFREY
	38	3308 W KIEST BLVD	Taxpayer at