

FILE NUMBER: Z190-318(LG)

DATE FILED: July 24, 2020

LOCATION: Northeast corner of Kimsey Drive and Maple Avenue

COUNCIL DISTRICT: 2

MAPSCO: 34 P

SIZE OF REQUEST: ±0.78 acres

CENSUS TRACT: 4.06

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

APPLICANT: Urban Genesis

OWNER: Red Barn Holdings LP

REQUEST: An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an MU-2 Mixed Use District and an IR Industrial Research District.

SUMMARY: The applicant proposes to develop the site with 76 multifamily units. The applicant volunteered deed restrictions regarding landscaping, screening, and design guidelines along the street frontages

CPC RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is zoned an MU-2 Mixed Use District and an IR Industrial Research District and is currently undeveloped.
- The applicant proposes to develop the property for multifamily uses.
- At the January 7, 2021 CPC meeting, the applicant volunteered deed restrictions regarding landscaping, screening, and design guidelines along the street frontages.

Zoning History: There has been one zoning change for the area of request in the past five years.

1. **Z190-319** An application for an MF-2(A) Multifamily District on property zoned a MU-2 Mixed Use District and an IR Industrial Research District (Scheduled for the February 24, 2021 City Council Meeting).

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Maple Avenue	Community Collector	60 feet/60 feet

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:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

The Neighborhood Plus Plan was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies, and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

GOAL 6. 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.

Policy 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use(s)
Site	MU-2 Mixed Use District IR Industrial Research	Undeveloped
North	MU-2 Mixed Use District with Deed Restrictions	Multifamily
East	PD No. 907 IR Industrial Research District	Single Family Office
South	IR Industrial Research District MF-2(A) Multifamily District with Deed Restrictions	Retail (Restaurants) & Office Single Family
Southwest	IM Industrial Manufacturing District	Undeveloped Land
West	MU-2 Mixed Use District	Multifamily

Land Use Compatibility:

The site is zoned an MU-2 Mixed Use District and an IR Industrial Research District and is currently undeveloped. Zoning surrounding the site consists of MU-2 Mixed Use, IM Industrial Manufacturing, MF-2(A) Multifamily and IR Industrial Research Districts. The area of request has multiple and single family uses to the north, east and west of the property. Office uses are also located to the south and to the east of the area of request. Restaurant and office uses are also south of the site. There is also an undeveloped parcel southwest of the area of request.

The applicant indicated the proposed use is a 78-unit multifamily development. The applicant volunteered deed restrictions regarding landscaping, a maximum height of 50 feet and four stories, sidewalks, and lighting. There are also deed restrictions regarding frontages along Kimsey Drive and vehicular access is limited to Maple Avenue.

The MF-2(A) District allows for Mixed Income Housing bonuses by right. If the applicant chooses to provide a mixed income housing project, this would be determined before filing for a building permit. For MVA Category "E" properties, the applicant has three different options for set aside minimums for percentage of total residential units reserved in each income band. A set aside of a minimum of 5% of the total units at income band 2 would allow for a maximum height of 51 feet and 85% lot coverage for residential uses. A set aside of a minimum of 10% of the total units at income band 2 would allow for a maximum height of 66 feet and 80% lot coverage for residential uses. A set aside of a minimum of 10% of the total units at income band 2 and 5% of the total units at income band 1 would allow a maximum height of 85 feet and 85% lot coverage for residential uses.

Overall, staff believes the proposed zoning is complimentary with the existing land uses surrounding the site due to its proximity of multifamily and single family uses abutting and within the vicinity of the site. The applicant has also proposed deed restrictions that will provide adequate landscaping and screening buffers, as well as limit the amount of increased traffic for the proposed development.

Parking:

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. A multifamily development is required to have one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if required parking is restricted to resident parking.

Landscaping:

Landscaping is required per Article X of the Dallas Development Code.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
IR Industrial Research – existing	15' adj. to expressway and thoroughfares 0' in all others	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/retail 0.5 retail	110'	80%	Residential Proximity Slope	Heavy Industrial Manufacturing
MU-2 Mixed Use District – existing	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
MF-2(A) Multifamily District -proposed	15'	Single family: no min Duplex: 5 feet / 10 feet Other: 10 feet / 15feet When other uses back MF and commercial : 10 feet	No Maximum	54 feet 4 stories RPS applies for all portions above 26 feet + 12 feet encroachments into RPS for certain elements	60% 50% non-residential	Mixed-income bonuses Spacing for single family uses	Multifamily

Market Value Analysis

Market Value Analysis (MVA) is a tool to aid residents and policymakers 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 target intervention strategies more precisely 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. A portion of the area of request site is within Category “E.”

List of Officers

Red Bar Holdings LP

- Justin Small, President

Urban Genesis

- Matt Shafieezadeh, managing member
- Rick Atwood, managing member
- Jein Gadson, member
- Pouya Feizpour, managing member
- Gahl Shalev, managing member
- Ivan Curtovic, member

CPC Action
November 19, 2020

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned an MU-2 Mixed Use District and an IR Industrial Research, on the northeast corner of Kimsey Drive and Maple Avenue, it was moved to **hold** this case under advisement until December 3, 2020.

Maker: Hampton
Second: Blair
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung, Myers,
Suhler, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 50
Replies: For: 0 Against: 2

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
December 7, 2020

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned an MU-2 Mixed Use District and an IR Industrial Research, on the northeast corner of Kimsey Drive and Maple Avenue, it was moved to **hold** this case under advisement until January 7, 2021.

Maker: Hampton
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung, Myers,
Suhler, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 50
Replies: For: 1 Against: 5

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
January 7, 2021

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant on property zoned an MU-2 Mixed Use District and an IR Industrial Research, on the northeast corner of Kimsey Drive and Maple Avenue.

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

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

Against: 0
Absent: 2 - Jackson, Myers
Vacancy: 0

Notices: Area: 200 Mailed: 50
Replies: For: 1 Against: 5

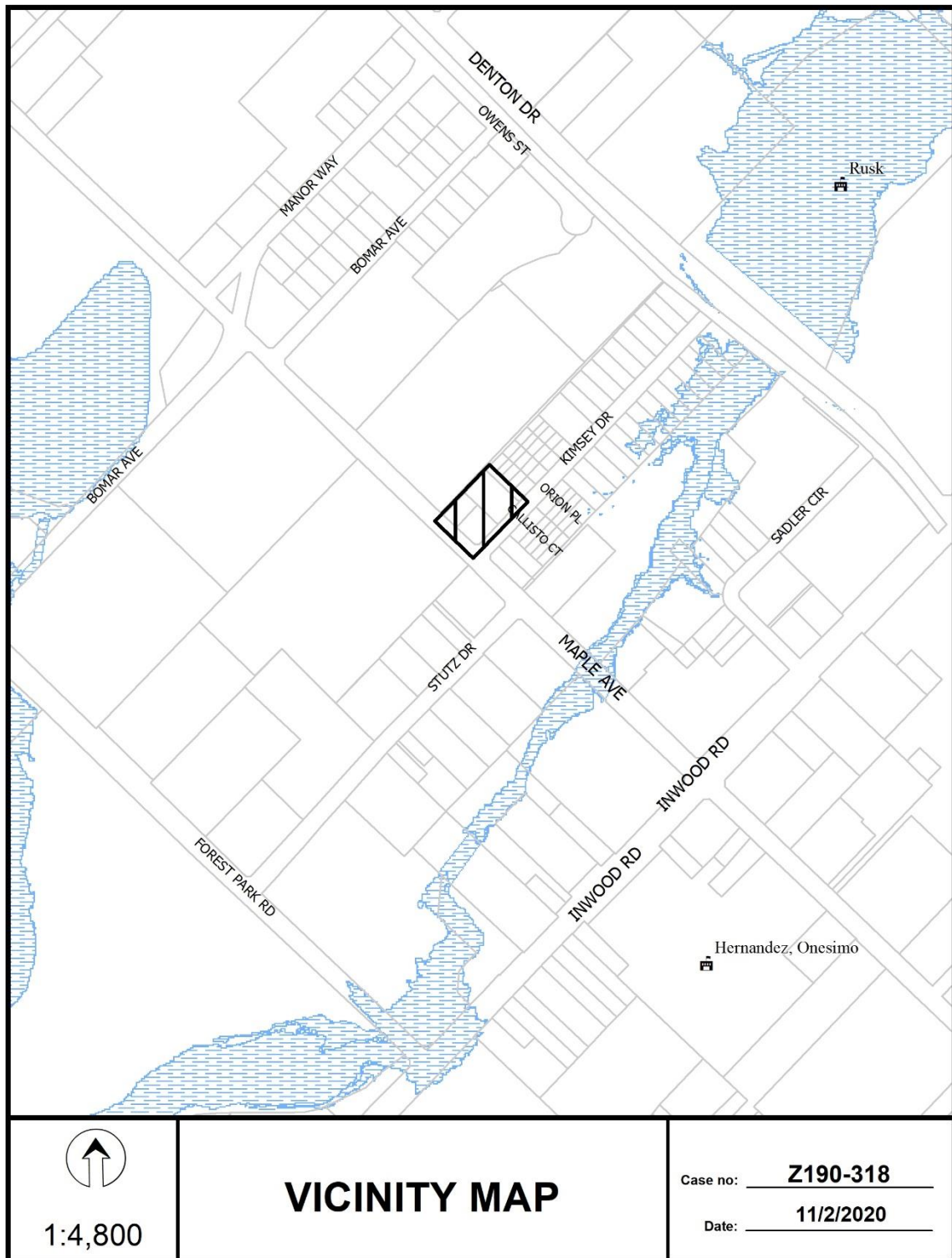
Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

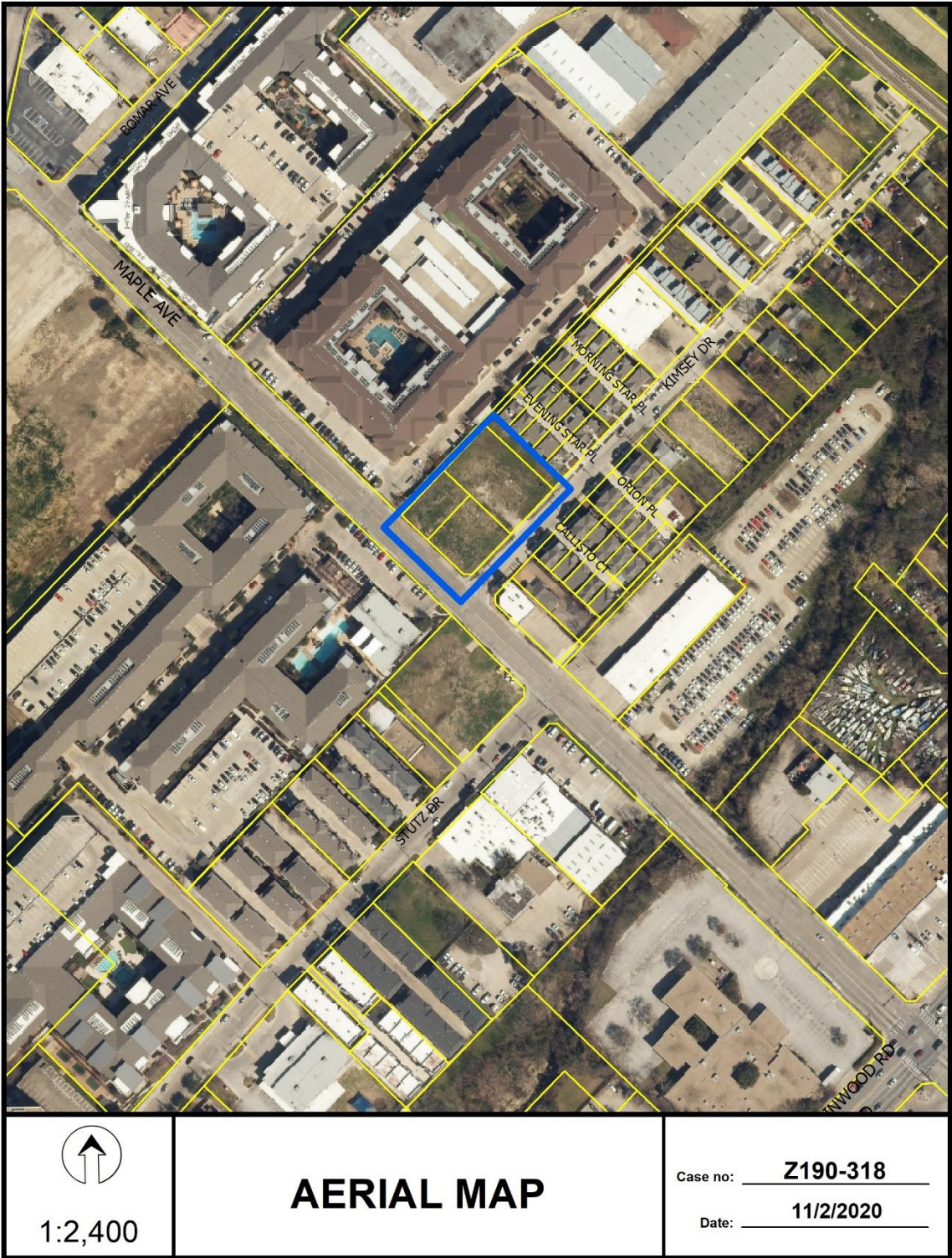
VOLUNTEERED DEED RESTRICTIONS

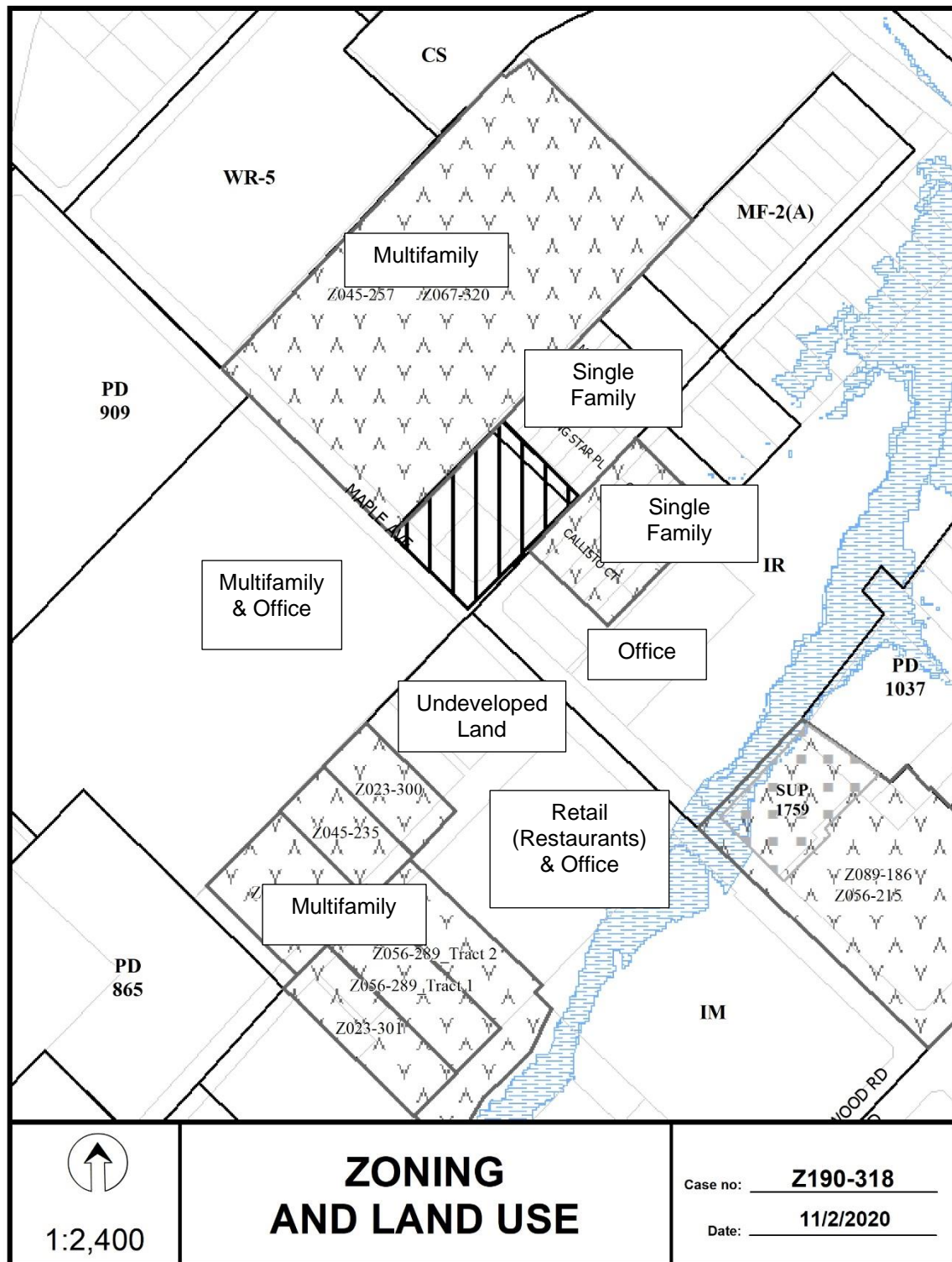
The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

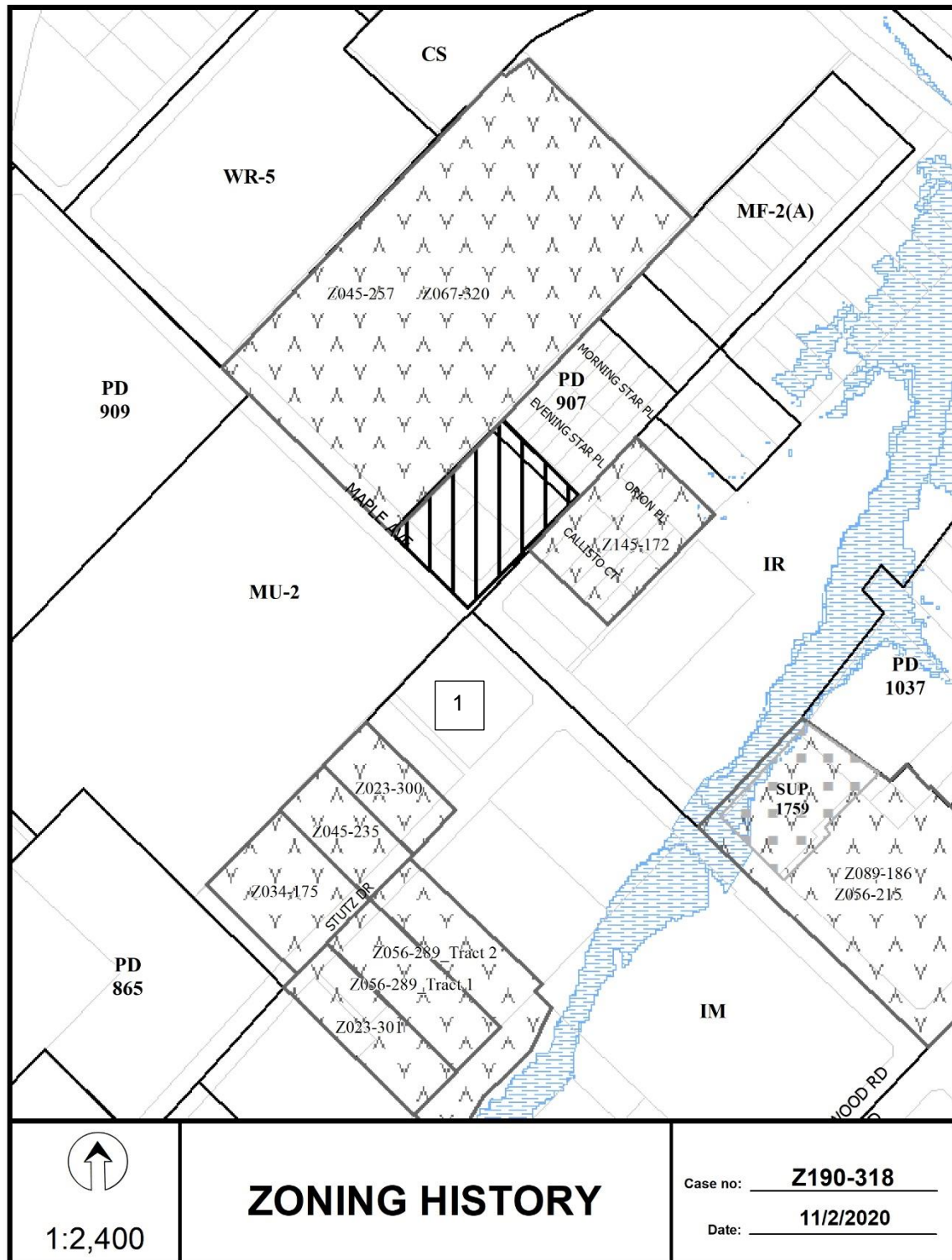
- (a) A minimum six-foot-wide landscape buffer will be provided along the eastern property line of Lot 2 with canopy tree planting 30 feet on center.
- (b) A nine-foot-tall solid fence will be provided along the eastern property line of Lot 2.
- (c) The maximum height of residential structures on the Property is fifty (50) feet and four stories.
- (d) Vehicular access to the Property is limited to Maple Avenue.
- (e) A minimum six-foot wide sidewalk is required along all street frontages.
- (f) A minimum four (4) foot wide planting strip is required between the curb and sidewalk along all street frontages.
- (g) Dumpsters are prohibited along the eastern property line of Lot 2.
- (h) All lighting shall comply with City of Dallas requirements for glare, and Dark Sky provisions.
- (i) A minimum of 70 percent of ground floor dwelling units that face Kimsey Drive must have pedestrian access to the sidewalk.
- (j) Gates are prohibited across driveways.
- (k) Pedestrian scale lighting is required along all street frontages at one light standard per 100 linear feet.
- (l) Garage facade design to be integrated with building facade, with parking stalls and drive aisles to be fully screened to a height of 42 inches above adjacent floor level.

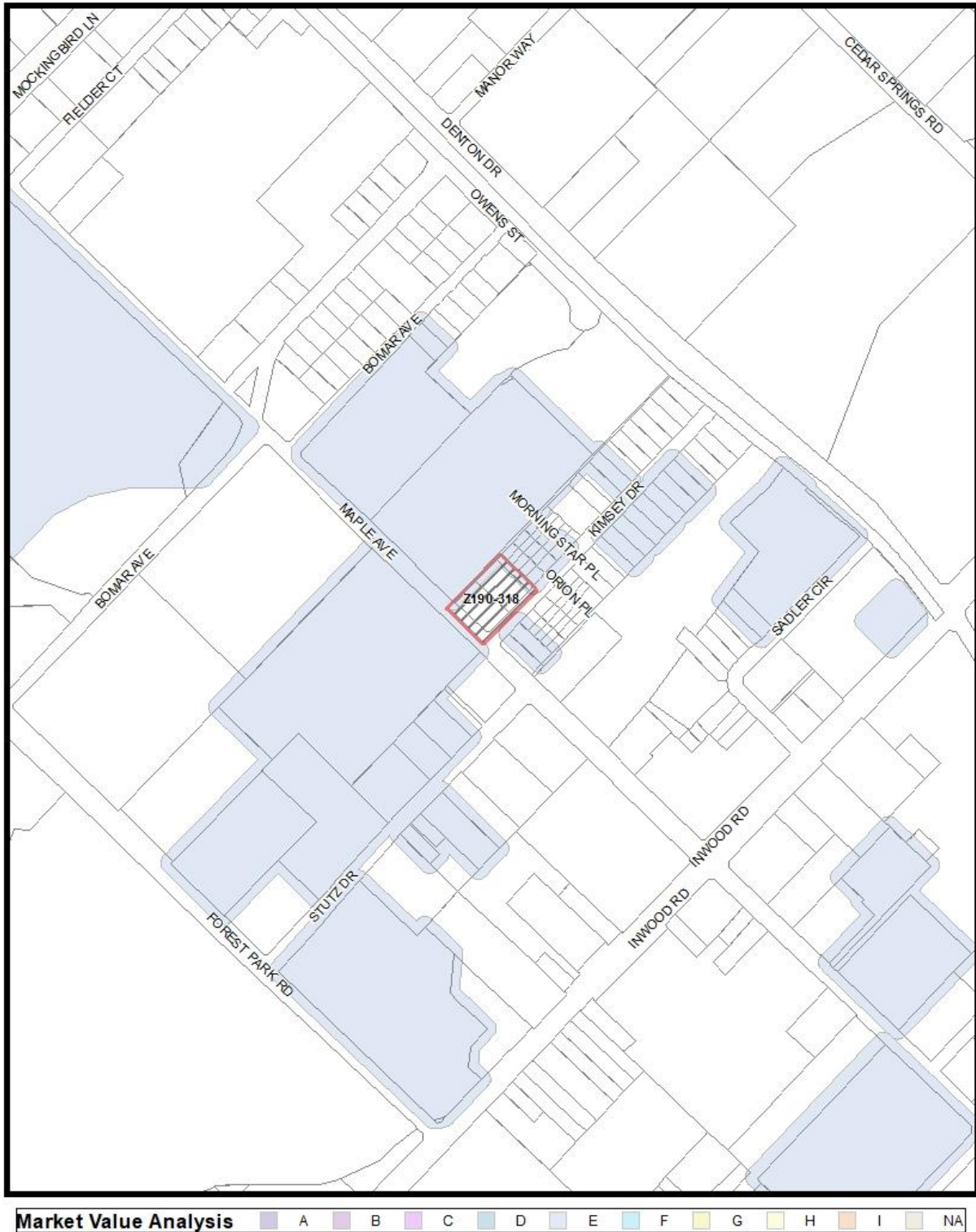
These restrictions shall continue in full force and effect for a period of 20 years from the date of execution and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.





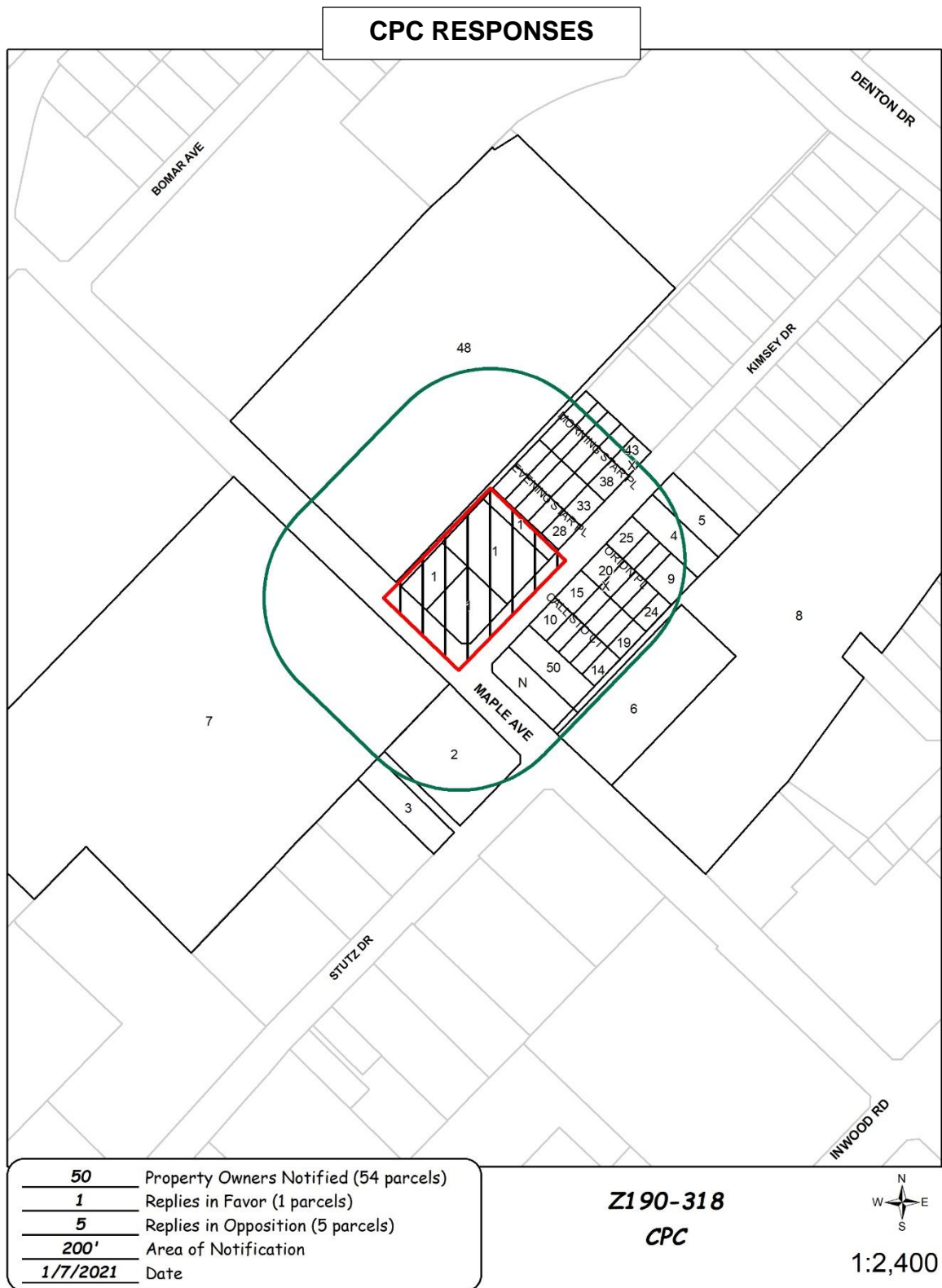






Market Value Analysis

Printed Date: 11/2/2020



01/06/2021

Reply List of Property Owners***Z190-318******50 Property Owners Notified******1 Property Owner in Favor******5 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5908 MAPLE AVE	RED BARN HOLDINGS LP
	2	5901 MAPLE AVE	KIMSEY STUTZ LLC
	3	2419 STUTZ RD	SCHIEFFER PAUL W
	4	2602 KIMSEY DR	PERKINS JANIE L
	5	2606 KIMSEY DR	KIMSEY DEVELOPMENTS INC
	6	5800 MAPLE AVE	GAS PIPE INC
	7	5959 MAPLE AVE	SOUTHWESTERN GFPG LLC
	8	5760 MAPLE AVE	ADLER PROPERTY CO LLP
	9	5822 ORION PL	KIMSEY PLACE HOMEOWNERS
	10	5877 CALLISTO CT	HEATH JAKE A
	11	5859 CALLISTO CT	ORTIZ GUSTAVO
	12	5841 CALLISTO CT	BRUMFIELD JASON WILLIAM &
	13	5823 CALLISTO CT	TRIEU ZHANTEIN R & DAVID
	14	5805 CALLISTO CT	ABIJAY JOSEPH A L & JULIET B &
	15	5876 CALLISTO CT	WEBER SCOTT &
	16	5858 CALLISTO CT	FAVORS BRADLEY
X	17	5840 CALLISTO CT	NICHOLS JERRY MARTIN &
	18	5822 CALLISTO CT	ABDULRAHIM NASHILA
	19	5804 CALLISTO CT	SANCLEMENTE JUAN &
X	20	5877 ORION PL	PHILLIPS RYAN T
	21	5859 ORION PL	SIDDIQUI RIJA & DANIEL W SYED
	22	5841 ORION PL	WILLIAMS DAYNA L
	23	5823 ORION PL	CHANG ERIC JASON &
	24	5805 ORION PL	BLAIS WILLIAM
	25	5876 ORION PL	JOGIMAHANTI ARJUN &
	26	5858 ORION PL	VARMA RACHNA

01/06/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5840 ORION PL	NAVARRO CARLOS R &
	28	5917 EVENING STAR PL	ROBERTS MICHAEL B
	29	5933 EVENING STAR PL	FUENTES ANDREW &
O	30	5949 EVENING STAR PL	GREEN MATTHEW J
	31	5965 EVENING STAR PL	PATEL RACHNA R &
	32	5981 EVENING STAR PL	BARTMESS LEIDA A
	33	5916 EVENING STAR PL	RODARTE JUSTIN AUSTIN
X	34	5932 EVENING STAR PL	SEBASTIAN BRIAN D
	35	5948 EVENING STAR PL	REYES CARLOS III &
	36	5964 EVENING STAR PL	BOBERG JOHN E
	37	5980 EVENING STAR PL	FISER KY
	38	5917 MORNING STAR PL	COLEMAN ELIZABETH J &
	39	5933 MORNING STAR PL	GOULLIER MAXIME &
X	40	5949 MORNING STAR PL	MENDOZA SCOTT &
	41	5965 MORNING STAR PL	MEEKER AMY M
	42	5981 MORNING STAR PL	RODRIGUEZ JOSE A
X	43	5916 MORNING STAR PL	LASHER JAMIE E
	44	5932 MORNING STAR PL	HUANG JIAXIN &
	45	5948 MORNING STAR PL	MEHTA AKSHITA & BRANDON QUICK
	46	5964 MORNING STAR PL	GU TONY &
	47	5980 MORNING STAR PL	SHRESTHA ANU & AMIT DAHAL
	48	6008 MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC
	49	5830 MAPLE AVE	Taxpayer at
	50	2504 KIMSEY DR	Taxpayer at