

FILE NUMBER: Z201-201(RM) **DATE FILED:** March 5, 2021
LOCATION: Northwest side of the intersection of Empire Central and Forest Park Road
COUNCIL DISTRICT: 2 **MAPSCO:** 34 N
SIZE OF REQUEST: Approx. 0.92 acre **CENSUS TRACT:** 004.06

REPRESENTATIVE: Laura Evans, MASTERPLAN

APPLICANT: HTG

OWNER: 1250 WDT LTD; 2033 EC LTD

REQUEST: An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.

SUMMARY: The purpose of the request is to allow for a multifamily development onsite.

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

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an IR Industrial Research District and is undeveloped.
- The applicant proposes to develop the site with a multifamily use.
- The applicant proposes to provide affordable units as part of the development, which will allow them to achieve development bonuses to standard MF-2(A) district requirements.
- The site will be developed in conjunction with the property on the northwest line of Empire Central, southwest of Mohawk Drive, which is also currently being considered as a zoning case (Z201-200).

Zoning History:

There has been one zoning case in the area in the past five years.

1. **Z201-200:** An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the northwest line of Empire Central, southwest of Mohawk Drive. [Awaiting City Council action on August 11, 2021]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Empire Central	Community Collector	60 feet
Forest Park Road	Local Street	-

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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT OPPORTUNITIES

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

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

NEIGHBORHOOD PLUS

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

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

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

Land Use:

	Zoning	Land Use
Site	IR Industrial Research District	Undeveloped
North	MF-2(A) Multifamily District, IR Industrial Research District	Single family, church
East	Subdistrict 2B within Planned Development District No. 759, IR Industrial Research District	Single family, office showroom/warehouse
South	IR Industrial Research District	Multifamily, outside storage, office, event center
West	IR Industrial Research District, MF-2(A) Multifamily District	Multifamily, single family

Land Use Compatibility:

The area of request is currently undeveloped. Many of the surrounding uses are single-family and multifamily. To the east and south are several commercial uses including office showroom/warehouse, outside storage, and an office building. As many of the adjacent uses are residential, the applicant’s proposal is not foreseen to be detrimental to surrounding properties.

The applicant requests an MF-2(A) district, and they indicated the intention of providing affordable units as part of the development, which will allow them to achieve development bonuses. These bonuses can be applied to maximum height and maximum lot coverage; however, an additional 10-foot front yard setback is required for that portion of a structure above 45 feet in height. Additionally, requirements for minimum lot area per dwelling unit do not apply.

Development Standards

Following is a comparison table showing differences between the current IR district, the proposed MF-2(A) district, and the development bonuses available with mixed-income housing. The area of request falls in the “H” MVA category, which requires a minimum of 5% of total residential units at Income Band 1 (81-100% of AMFI) to qualify for the development bonuses.

District	Setback		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/ Rear					
Existing: IR	15'	30' adj to res Other: No min	2.0 FAR overall 0.75 office/retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution and storage, supporting office and retail
Proposed: MF-2(A)	15'	15'	Min lot 1,000 sf 800 sf – E 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
Proposed: MF-2(A) with MIH	15' +10' UFS above 45'	15'	No min lot area per dwelling unit	85'	85%	Proximity Slope Urban Form Setback	Multifamily, duplex, single family

To obtain development bonuses, the applicant must also adhere to the design standards for mixed-income housing provided in Chapter 51A. In general, these standards prioritize pedestrians and follow design principles compatible with the City of Dallas Complete Streets program. Development must also follow additional regulations related to fencing, parking location and design, transparency, and ground-floor doorways. Development must also include sidewalks, pedestrian lighting, and open space.

Staff supports the request because it presents an opportunity to increase affordable housing stock while maintaining the development standards required of mixed-income housing in Chapter 51A. With a variety of zoning and land uses in the surrounding area, Staff does not anticipate negative impact of the proposed zoning.

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 multifamily is 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 the

required parking is restricted to resident parking only. No additional parking is required for accessory uses that limited principally to residents.

If the applicant provides affordable units as part of the development, the off-street parking requirement for multifamily can be reduced to 1.25 spaces per dwelling unit, provided that at least 15 percent of the required parking is available for guest parking.

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 not located within an MVA cluster. To the north and west of the area of request is an “H” MVA cluster. Further north is an “F” MVA cluster. East and southeast are “E” MVA clusters.

Z201-201(RM)

List of Partners/Principals/Officers

1250 WTD LTD.

Louis H. Lebowitz, President

2033 EC LTD.

Louis H. Lebowitz, President

HTG Team

Randy Rieger – Chairman and Founder
Matthew Rieger, Esq. – President and CEO
Karen Weller – Chief Financial Officer
Humberto Del Valle – Executive Vice President of Construction
Quinn Gormley – Executive Vice President
Max Cruz – Executive Vice President of Development
Mario Robaina II – Senior Vice President of Finance
Al Hernandez – Senior Vice President
Chris Suarez – Senior Vice President of Development
Elon Metoyer – Senior Vice President of Development
Rodrigo Paredes – Senior Vice President
Jake Zunamon – Vice President of Development
Jason Larson – Vice President of Development
Jon Christine – Vice President of Development
Valentin DeLeon – Vice President of Development
Bryan K. Finnie – Vice President of Development
Charice Heywood – Vice President of Development
Kate Sosa, PhD – Vice President of Human Resources
Olga Chata – Corporate Controller
Doris M. Arbaiza – Controller for Development
Jose A. Salinas – Controller for Property Management

Z201-201(RM)

**CPC ACTION
MAY 6, 2021**

Z201-201(RM)

Planner: Ryan Mulkey

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant to: 1) Provide 50' setback for structures over 26' in height from the northwest property line, and 2) Three large canopy trees per Article X are required spaced a maximum of 30' apart along the northwest property line, on property zoned an IR Industrial Research District, on the northwest side of the intersection of Empire Central and Forest Park Road.

Maker: Hampton
Second: Rubin
Result: Carried: 10 to 2

For: 10 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Jackson, Blair, Jung, Suhler, Rubin

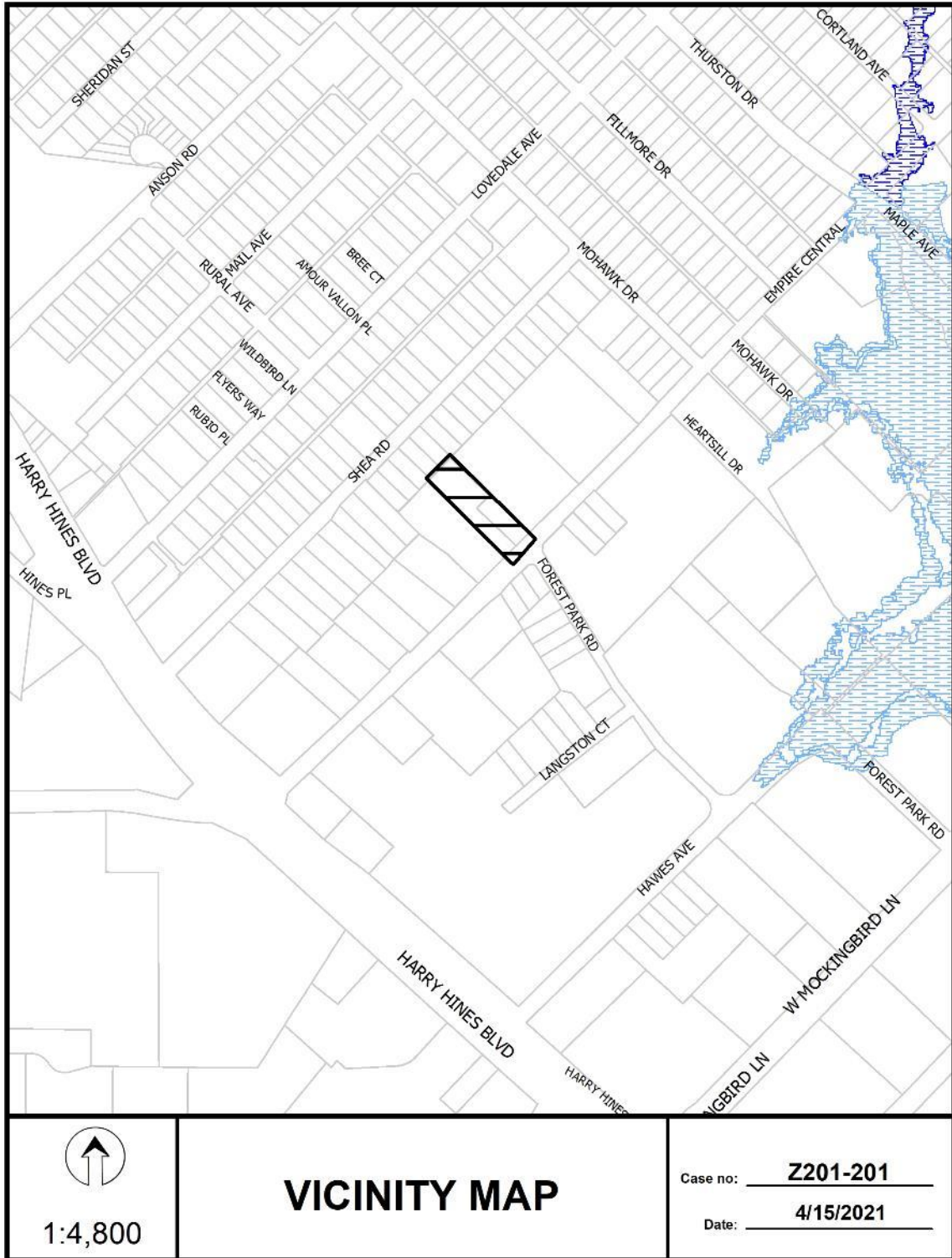
Against: 2 - Carpenter, Murphy
Absent: 2 - Schwope, Garcia
Vacancy: 1 - District 10

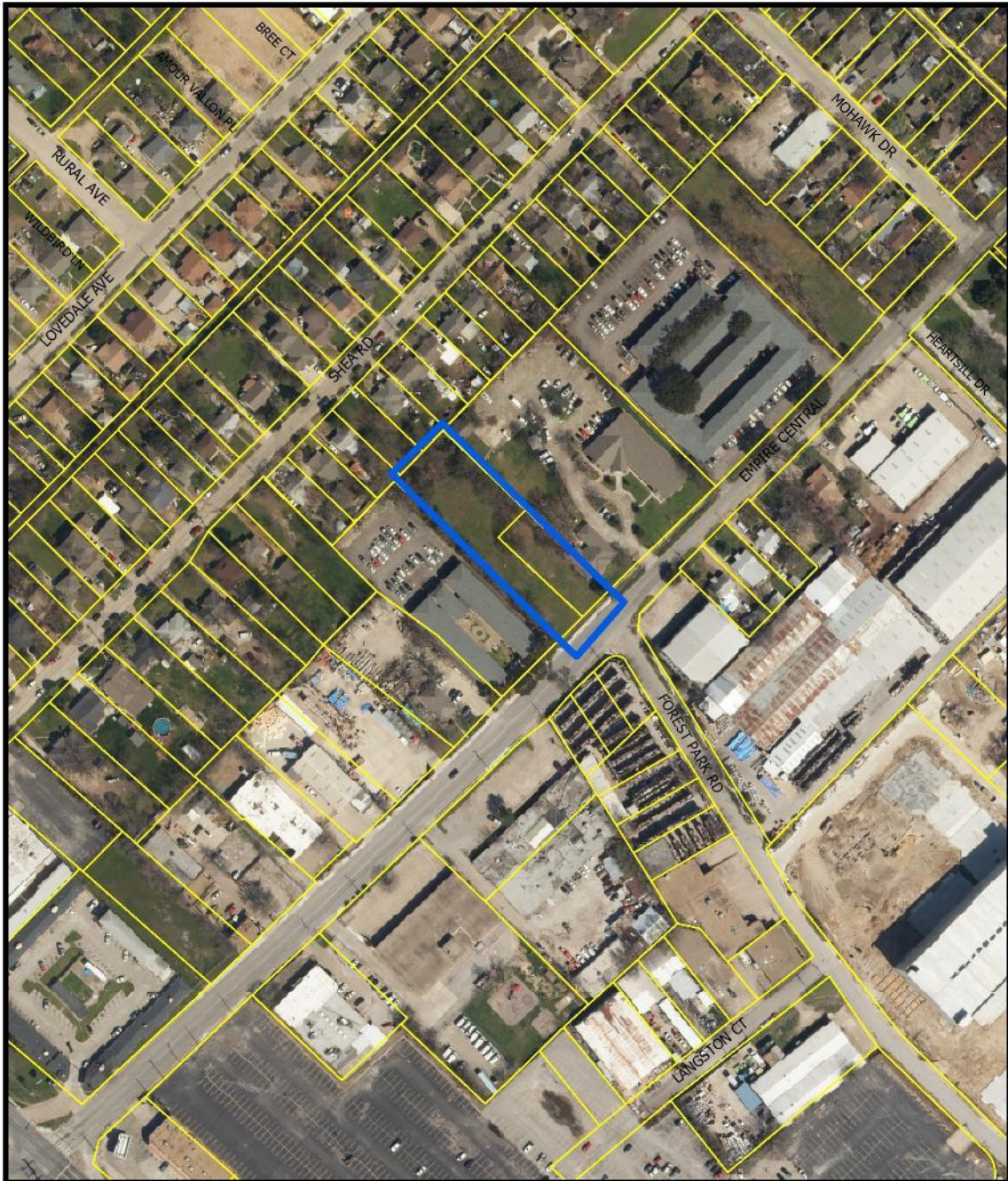
Notices: Area: 200 Mailed: 27
Replies: For: 4 Against: 0

Speakers: For: Andrew Ruegg, 2201 Main St., Dallas, TX, 75201
Valentin DeLeon, 7035 Bee Caves Rd., Austin, TX, 78746
Jason Haskins, 703 Elder Way, Round Rock, TX, 78664
For (Did not speak): Dallas Cothrum, 2201 Main St., Dallas, TX, 75201
Against: None

DEED RESTRICTIONS VOLUNTEERED BY THE APPLICANT

1. A minimum fifty-foot setback is required along the northwest line of the Property for structures over 26 feet in height.
2. Three large canopy trees spaced a maximum of 30 feet apart are required along the northwest line of the Property.



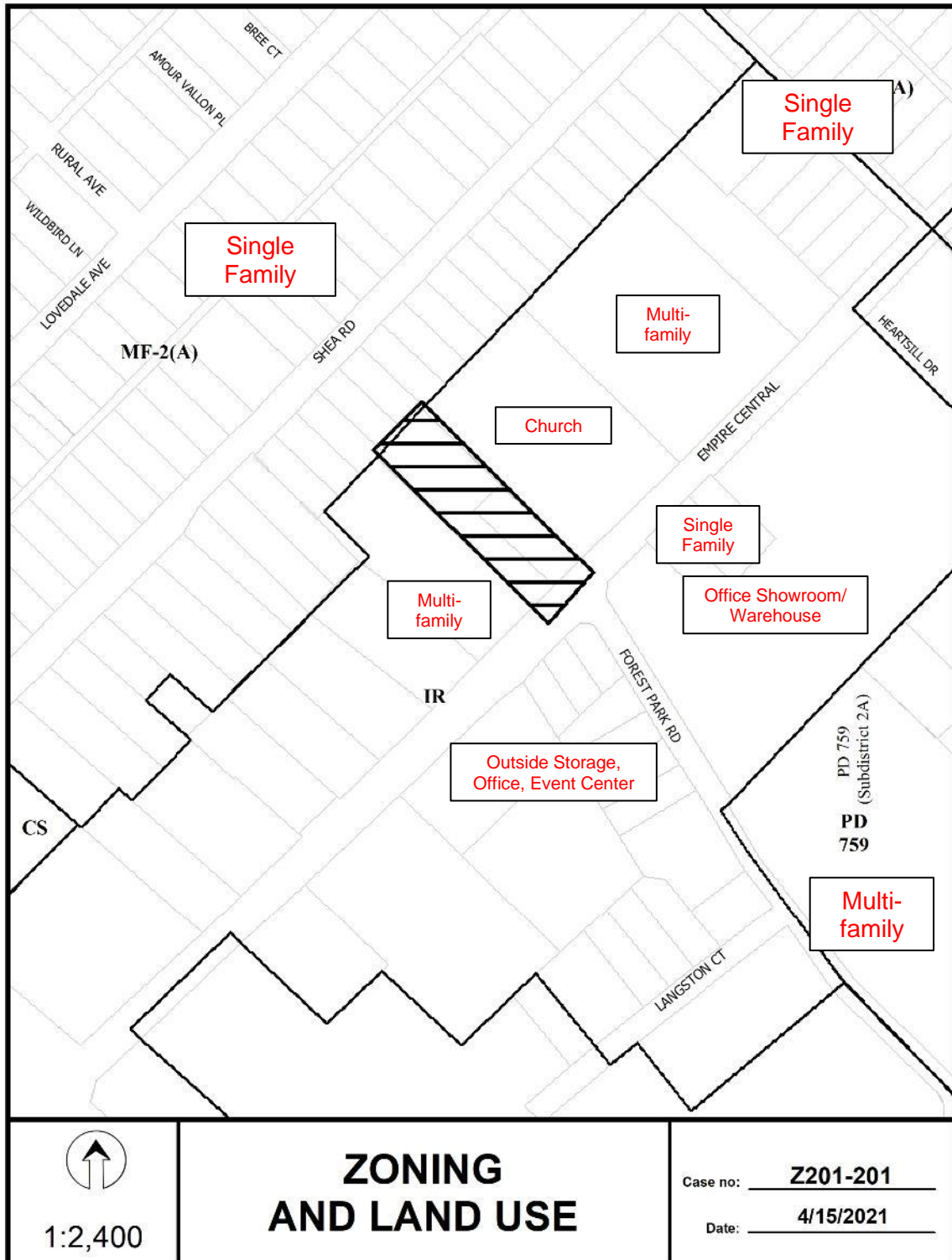


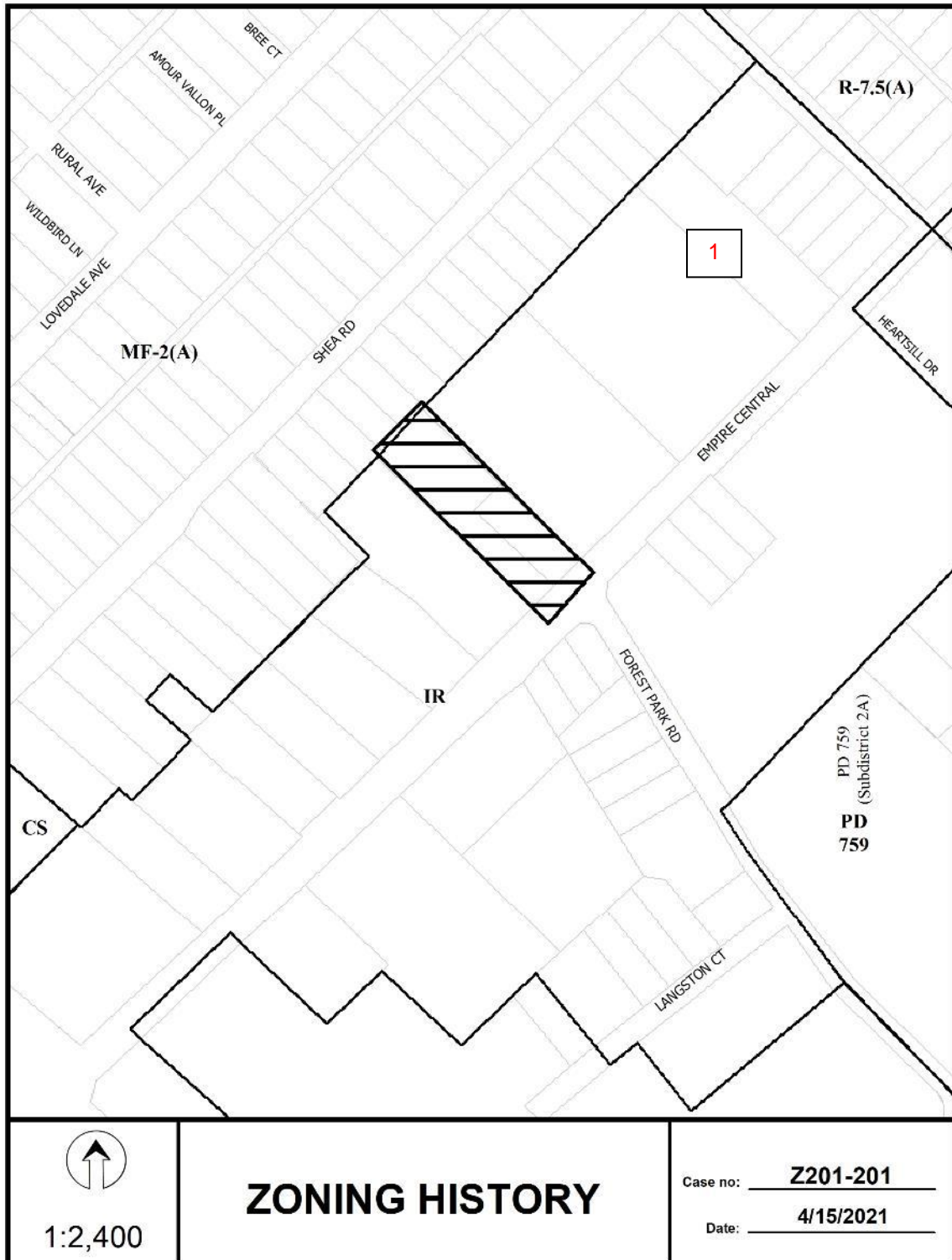
1:2,400

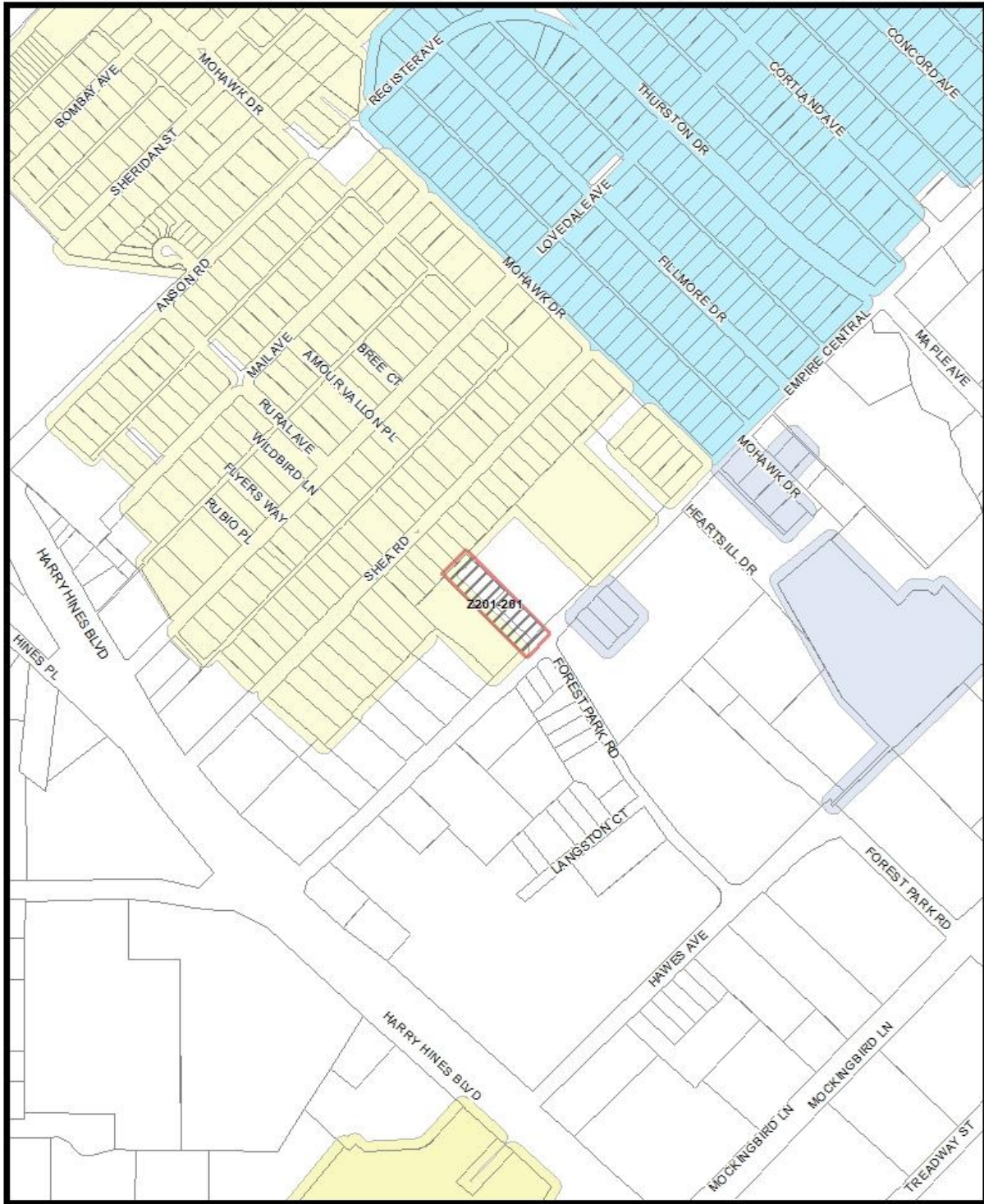
AERIAL MAP

Case no: Z201-201

Date: 4/15/2021







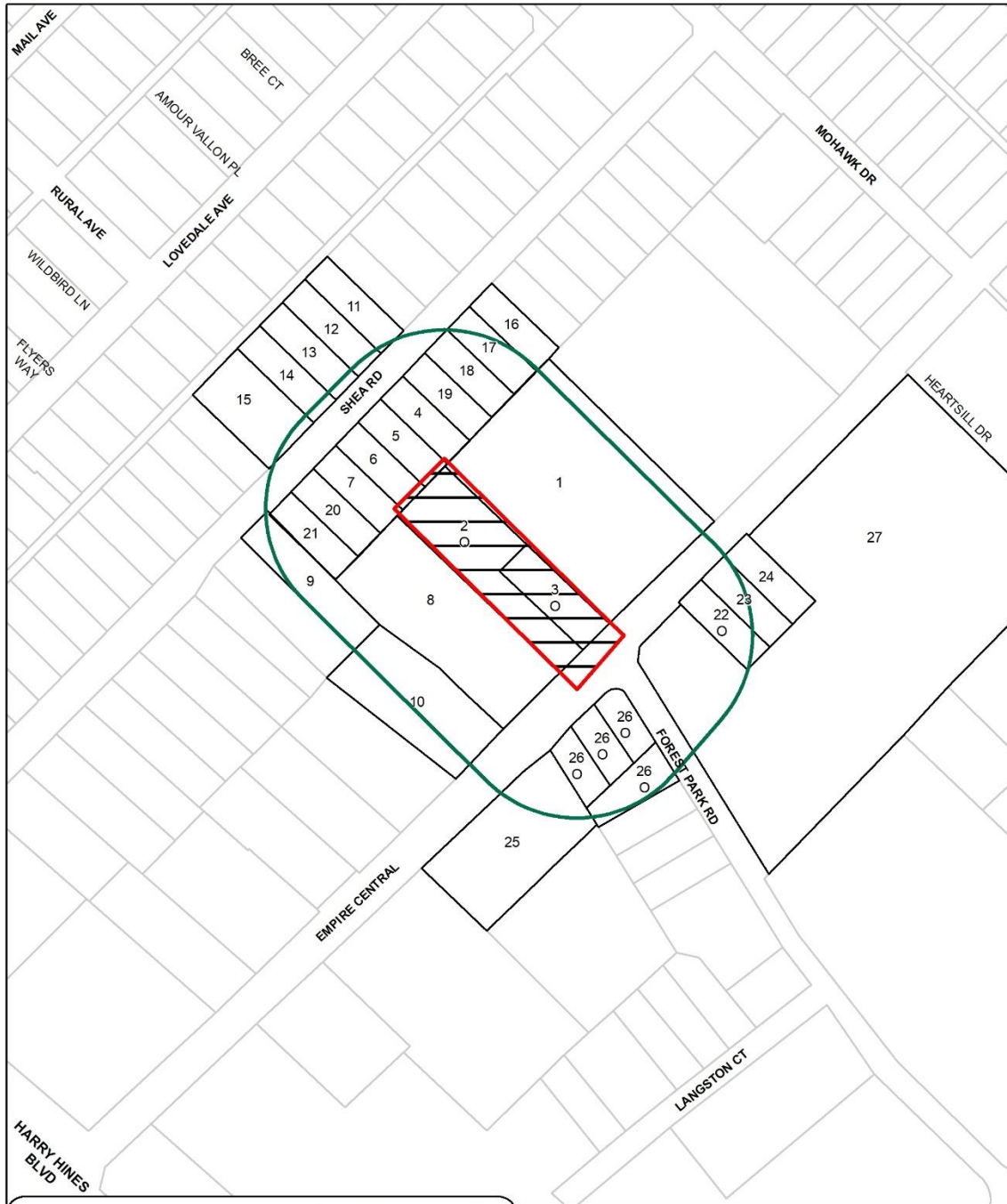
MVACluster A B C D E F G H I NA

 1:4,800

Market Value Analysis

Printed Date: 4/15/2021

CPC RESPONSES



27	Property Owners Notified (30 parcels)
4	Replies in Favor (7 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
5/6/2021	Date

Z201 - 201
CPC



1:2,400

05/05/2021

Reply List of Property Owners***Z201-201******27 Property Owners Notified 4 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2145 EMPIRE CENTRAL	IGLESIA DE CRISTO EMPIRE CENTRAL
O	2	2133 EMPIRE CENTRAL	1250 WDT LTD
O	3	2137 EMPIRE CENTRAL	2033 EC LTD
	4	2142 SHEA RD	SALAZAR MANUEL &
	5	2138 SHEA RD	SOSA JUAN &
	6	2134 SHEA RD	KAMINSKI CUSTOM BUILDERS LLC
	7	2130 SHEA RD	SHEA MED DEVELOPMENT 1 LLC
	8	2121 EMPIRE CENTRAL	WSP EMPIRE CENTRAL LLC
	9	2116 SHEA RD	SHEA LOTS I LP
	10	2115 EMPIRE CENTRAL	2115 EMPIRE CENTRAL LLC
	11	2147 SHEA RD	GARCIA EFRAIN E & MARIA E
	12	2143 SHEA RD	GARCIA EFRAIN E
	13	2139 SHEA RD	KAMINSKI CUSTOM BLDRS LLC
	14	2135 SHEA RD	MARROQUIN ARTURO
	15	2127 SHEA RD	BELMARES ERNEST
	16	2158 SHEA RD	ALVARADO ALEJANDRO &
	17	2154 SHEA RD	OLIVAREZ AUGUSTINA
	18	2150 SHEA RD	FAZ JOSE &
	19	2146 SHEA RD	FAZ JOSE S
	20	2126 SHEA RD	GONZALEZ MARIA ELVA &
	21	2122 SHEA RD	CAMACHO BRIGIDA D
O	22	2148 EMPIRE CENTRAL	BFH LTD
	23	2152 EMPIRE CENTRAL	SOLIS GLORIA B
	24	2156 EMPIRE CENTRAL	HERNANDEZ DAVID PAEZ &
	25	2102 EMPIRE CENTRAL	BARD ROBERT E &
O	26	6931 FOREST PARK RD	IMPRUNETTA LLC
	27	6930 FOREST PARK RD	BFH LTD