
FILE NUMBER: Z189-238(CY) **DATE FILED:** April 9, 2019

LOCATION: South side of Falls Drive and north side of Wright Street, east of South Franklin Street

COUNCIL DISTRICT: 1 **MAPSCO:** 53 R

SIZE OF REQUEST: Approx. 1.37 acres **CENSUS TRACT:** 64.01

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER/APPLICANT: William M. Velasco, sole owner

REQUEST: An application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of the request is to develop the site with a shared access development. The volunteered deed restrictions will limit the number of dwelling units to ten units, limit the maximum height allowed to 30 feet, require that parking spaces provided must be unenclosed, and require that the unit on the northern-most portion of the site provides a front porch facing Falls Drive.

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

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

BACKGROUND INFORMATION:

- The area of request is zoned an R-7.5(A) Single Family District and is currently undeveloped.
- The applicant initially proposed to develop the site with a shared access development with a maximum of 12 single family dwellings. At the November 7, 2019 City Plan Commission hearing, the applicant was amenable to modify the volunteered deed restrictions to limit the number of dwelling units to ten and include additional restrictions.
- The volunteered deed restrictions will limit the number of dwelling units to ten units, limit the maximum height allowed to 30 feet, require that parking spaces provided be unenclosed, and require that the unit on the northern-most portion of the site provides a front porch facing Falls Drive.
- Staff was not in support of the initially proposed density of 12 units; however, given that the applicant amended the deed restrictions at the CPC hearing to reduce the number of units, staff is now in support of the request.
- The townhouse districts are established in an effort to provide a denser single family residential character by providing minimum standards for lot area, yards, lot coverage and lot frontage.

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

1. **Z145-158** On May 5, 2015, an automatic renewal of Specific Use Permit No. 1801 for an open-enrollment charter school was approved for an additional five-year period on property located on the west line of South Hampton Road, between Falls Drive and Wright Street, east of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
Falls Drive	Minor arterial	50 ft.	50 ft.
Wright Street	Minor Arterial	60 ft.	56 ft.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined it will not significantly impact the surrounding street system.

An evaluation of sight distance at the intersection of any proposed drive with Wright Avenue will be required at the time of plan review for permitting.

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 with the volunteered deed restrictions complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS.

Policy 2.5.1 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY.

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD PLUS

GOAL 5 EXPAND HOMEOWNERSHIP

Policy 5.1 Encourage a wider range of well designed and affordable housing types as a response to emerging homeownership preferences.

Surrounding Land Uses:

	Zoning	Land Use
Site	R-7.5(A) Single family District.	Undeveloped land
North	R-7.5(A) Single family District.	Single family
East	R-7.5(A) Single Family District, SUP No.1801 and SUP No. 506	Church, open enrollment charter school.
South	R-7.5(A) Single Family District, PD No. 419	DART rail line, public school
West	R-7.5(A) Single family District.	Single family

Land Use Compatibility:

The approximate 1.37-acre site is zoned R-7.5(A) Single Family District and is currently undeveloped. Historical aerial images from 1952 and subsequent years show the area of request undeveloped with no indication of any past construction.

The area of request is surrounded by traditional detached single family uses to the north and to the west in a neighborhood that extends for several blocks in both directions. To the east, there is a church use abutting the site, followed by a charter school use further west. To the southeast, at the corner of South Hampton Road and Wright Street, there is the Dallas Area Rapid Transit (DART) Hampton Rail Station. To the south of the subject site, and across the rail lines, there is a public school use followed by additional nonresidential uses extending further south along South Hampton Road. Additional single family uses are to the southwest.

The purpose of requesting a TH-2(A) Townhouse District, is to allow for the site to be developed with a shared access development with up to 10 units. The Dallas Development Code, as amended, provides for three Townhouse Districts that are established in an effort to provide a denser single family residential character by providing minimum standards for lot area, yards, lot coverage and lot frontage. Each one of these districts have the same development standards, except for the maximum allowable dwelling density that increases from six units per acre in the TH-1(A) district, to 12 units per acre in TH-3(A).

With a maximum density of nine units per acre, the proposed TH-2(A) district would allow for the development of the 1.37-acre area of request with a maximum of 12 dwelling units¹.

Staff is in support of an increase in density in this area which is designated in the Comprehensive Plan as an urban neighborhood. The proximity of the site to the Hampton Rail Station, which is served by the Oak Cliff Segment of the DART Rail Red Line with connection to bus routes, also promotes increase in density in the area. However, the initially proposed density of 12 units in the 1.37-acre site exceeded what staff considered was appropriate for the area. As previously stated, with the modification of the initial request to reduce the number of units from 12 to ten, staff considers that the proposed increase in density is more consistent with the already established single family uses that surrounds the area of request.

In addition to limiting the number of units, the deed restrictions volunteered by the applicant will limit the maximum height allowed to 30 feet, require that parking spaces provided be unenclosed, and require that the unit on the northern-most portion of the site provides a front porch facing Falls Drive. It is staff opinion that these restrictions offer a development more consistent with the surrounding zoning and provide for an adequate transition from the existing single family neighborhood that extends to the north and west, to a desirable denser area approaching the nonresidential corridor established along South Hampton Road.

¹ 1.37 acres x 9 units/acre = 12.33 units

Additionally, it is staff's opinion that the reduction in the maximum number of units to ten, will allow the development to provide for adequate shared access area width, sufficient landscape areas, sufficient separation between units, and lot sizes more consistent with the R-7.5(A) District.

Development Standards

The table below is a comparative chart between the development standards in the existing single family district and those in the proposed townhouse district.

While the proposed zoning provides for minimum standards for lot area, yards, lot coverage, and lot frontage; due to the location of the site, the proposed shared access development will be required to provide standards more consistent with the existing R-7.5(A) Single Family District.

Regarding the front yard regulations, though the proposed TH-2(A) Townhouse District does not require a minimum front yard, the proposed development will have to maintain the block face continuity along Falls Drive and Wright Street and provide a minimum of 25-foot setback on both frontages.

In a similar way, and due to the site being surrounded by the R-7.5(A) Single Family District that requires a greater side yard than the one required for single family structures in the proposed TH-2(A) District, all proposed structures will require a minimum five-foot side yard along the east and west property boundaries.

It is important to note that the shared access development is treated as one lot for purposes of compliance with the front, side and rear yard regulations [Section 51A-4.411(f)(2) of the Dallas Development Code].

These regulations, in addition to the height restriction in the volunteered deed restrictions, allow for the proposed shared access development to be more consistent with the existing zoning.

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Minimum Lot Size	Special Standards	PRIMARY Uses
	Front	Side/Rear						
Existing R-7.5(A)	25'	5' for SFD, 10' side for other, 15' rear for other	No maximum	30'	45% for res, 25% for nonres	7,500 sf	Electrical Service for SFD	Single Family
Proposed TH-2(A)	No min.*	No min for SFD, 10' for other; 5' side for duplex, 10' rear for duplex**	Maximum 10 units	30'	60% for res. 25% other	2,000 sf for SFD, 6,000 for duplex	SFD spacing***	Single Family.
Reference TH-2(A)	No min.	No min for SFD, 10' for other; 5' side for duplex, 10' rear for duplex**	9 units /acre	36'	60% for res. 25% other	2,000 sf for SFD, 6,000 for duplex	SFD spacing***	Single Family.

* Required to maintain block-face continuity, therefore, 25 feet along Falls Drive and Wright Street.

**If abutting a district with greater side yard requirement, the most restrictive side yard setback applies.

*** Min. 15' between each group of 8 units must be provided by plat

Parking:

The Dallas Development Code, as amended, requires that for single family uses in a TH district, one off-street parking space be provided for each dwelling unit [Sec. 51A-4.209(b)(6)(C)]. Per this requirement, a total of 10 parking spaces would be required for the proposed 12 units.

In addition to this requirement, the development code also requires that shared access developments provide 0.25 unassigned spaces for each dwelling unit available for use by visitors and residents. This adds 3 off-street parking spaces to the overall requirement for the development for a total of 13 spaces.

Landscaping:

Landscaping will be required to be provided in accordance with Article X, as amended.

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.

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The site is not within an identifiable MVA Category; however, it is in proximity to an “F” MVA Cluster to the north and west; also a “D” MVA Cluster is further northeast, across South Hampton Road, and a “G” MVA Cluster is to the south across the rail line.

**CPC Action
June 20, 2019**

Motion: In considering an application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned ab R-7.5(A) Single Family District on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street, it was moved to **hold** this case under advisement until August 1, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 11 to 0

For: 11 - MacGregor, Criss, Shidid, Carpenter, Brinson,
Lewis, Jung, Housewright, Schultz, Murphy,
Ridley

Against: 0
Absent: 3 - Schulte, Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 300 Mailed: 46
Replies: For: 0 Against: 9

Speakers: For: Rob Baldwin, 3904 elm St., Dallas, TX, 75226
William Velasco, 1104 W. Jefferson Blvd., Dallas, TX, 75208
Against: Joel Castillo, 2433 Falls Dr., Dallas, TX, 75211
Travis Valderas, 2441 Falls Dr., Dallas, TX, 75211
Diana Alaniz, 1824 S. Franklin St., Dallas, TX, 75211
Addy Pino, 1902 S. Franklin St., Dallas, TX, 75211
Giovanni Valderas, 427 Marshalldale Dr., Arlington, TX, 76013
Against (Did not speak): Margarita Turner, 2508 Falls Dr., Dallas, TX, 75211
Melissa Rivera, 2509 Poinsettia Dr., Dallas, TX, 75211
Camille Hardy, 2505 Poinsettia Dr., Dallas, TX, 75211
Ryan Hardy, 2505 Poinsettia Dr., Dallas, TX, 75211

**CPC Action
August 1, 2019**

Motion: In considering an application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street, it was moved to **hold** this case under advisement until September 5, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 16

Speakers: For: Jennifer Hiromoto, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
September 5, 2019

Motion: In considering an application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street, it was moved to **hold** this case under advisement until September 19, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy*, Ridley, Tarpley
Against: 0
Absent: 1 - Criss
Vacancy: 2 - District 8, District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 17

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

CPC Action
September 19, 2019

Motion: In considering an application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street, it was moved to **hold** this case under advisement until October 3, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Criss, Tarpley
Vacancy: 2 - District 8, District 12

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 17

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

CPC Action
October 3, 2019

Motion: In considering an application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street, it was moved to **hold** this case under advisement until November 7, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 9 to 0

For: 9 - MacGregor, Hampton, Johnson, Shidid,
Carpenter, Jung, Housewright, Schultz, Ridley

Against: 0
Absent: 3 - Criss, Brinson, Murphy
Vacancy: 3 - District 8, District 12, Place 15

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 17

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

CPC ACTION
November 7, 2019

Motion: It was moved to recommend **approval** of a TH-2(A) Townhouse District, subject to amended deed restrictions volunteered by the applicant to include the following: 1) maximum of 10 units; 2) orientation of build near Falls Drive must face Falls Drive; require carports; and 3) maximum structure height of 30 feet on property zoned an R-7.5(A) Single Family District, on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street.

Maker: MacGregor
Second: Housewright
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Johnson, Shidid,
Carpenter, Brinson, Blair, Jung, Housewright,
Schultz, Schwope, Murphy, Ridley, Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 17

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: Almo Galindo, 2503 Searcy Dr., Dallas, TX, 75211
Addy Pino, 1902 S. Franklin St., Dallas, TX, 75211
Irene Delgado, 2434 Searcy Dr., Dallas, TX, 75211
Against (Did not speak): Daniel Laureano, 2504 Poinsettia Dr., Dallas, TX, 75211

VOLUNTEERED DEED RESTRICTIONS

DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF DALLAS) **KNOW ALL PERSONS BY THESE PRESENTS:**

I.

The undersigned, William M. Velasco II ("the Owner"), is the owner of the following described property ("the Property"), being a tract in City Block No. 5969, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Barbara Sue Searcy, by deed dated March 15, 2017, and recorded in Instrument Number 201700077290, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

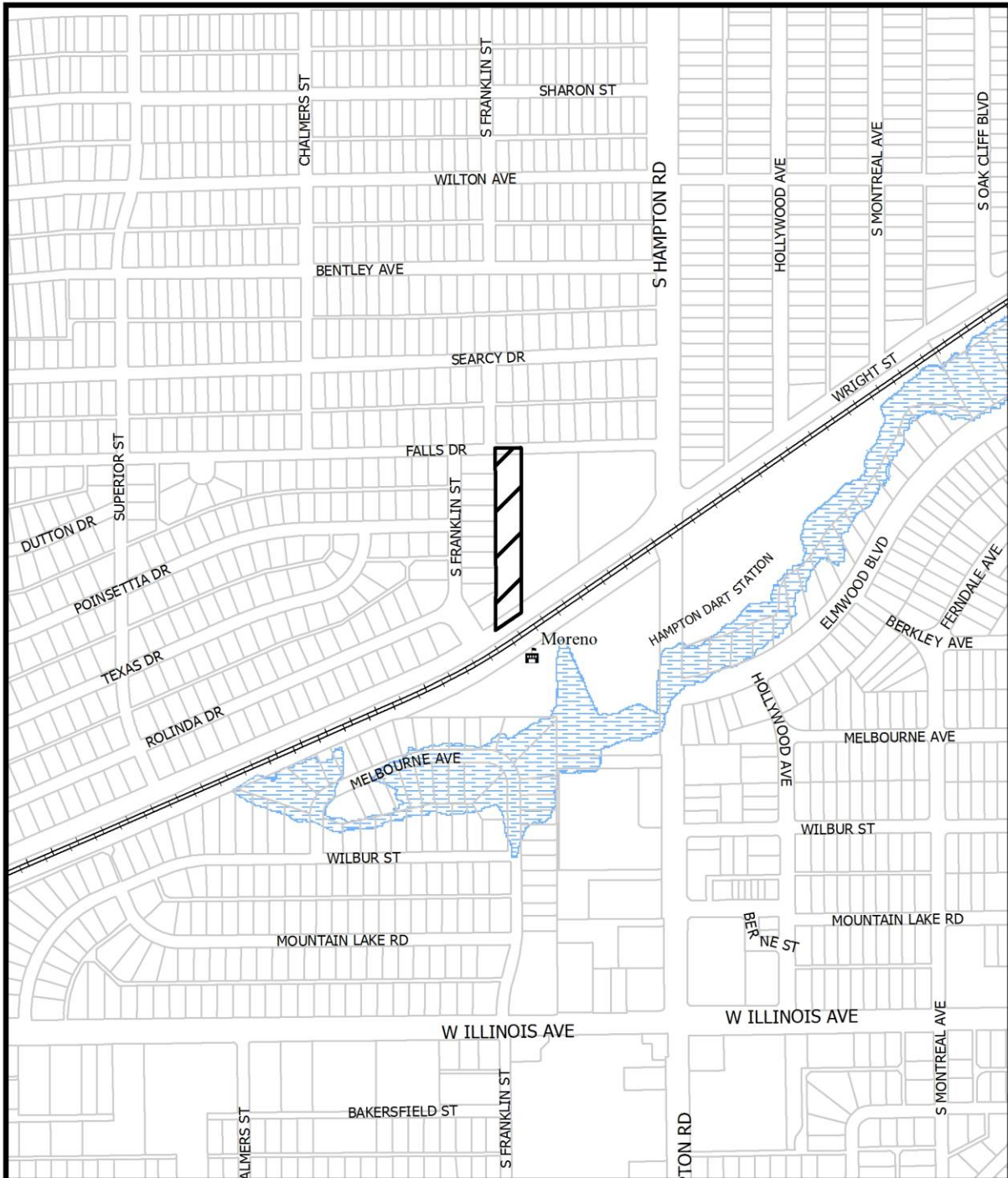
II.

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

1. Maximum number of single family lots is 10.
2. Maximum structure height is 30 feet.
3. For single family uses, the northern-most dwelling unit must provide a front porch that faces Falls Drive.
4. For single family uses, parking spaces provided must be unenclosed.

III.

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.

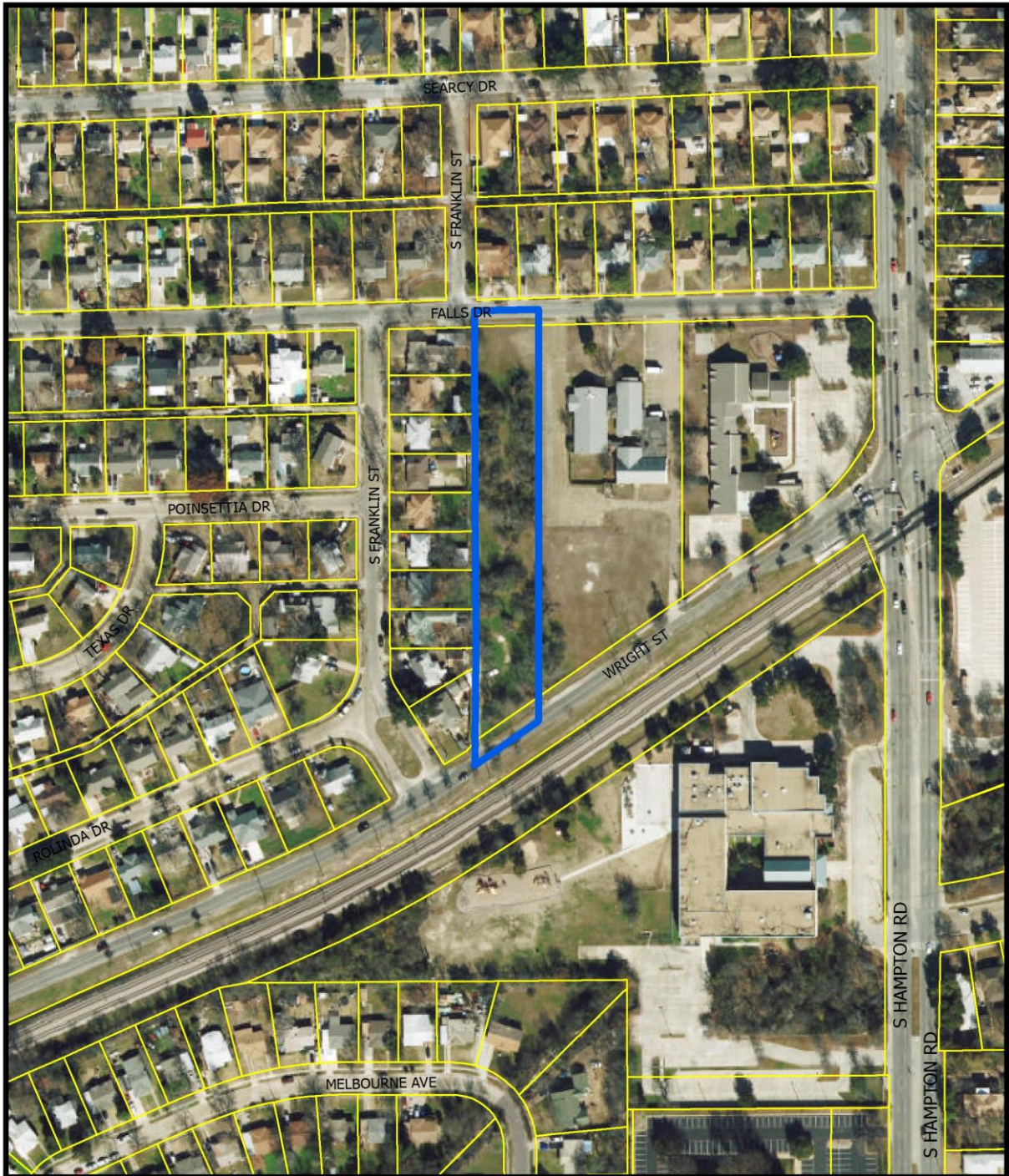


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VICINITY MAP

Case no: Z189-238

Date: 5/8/2019

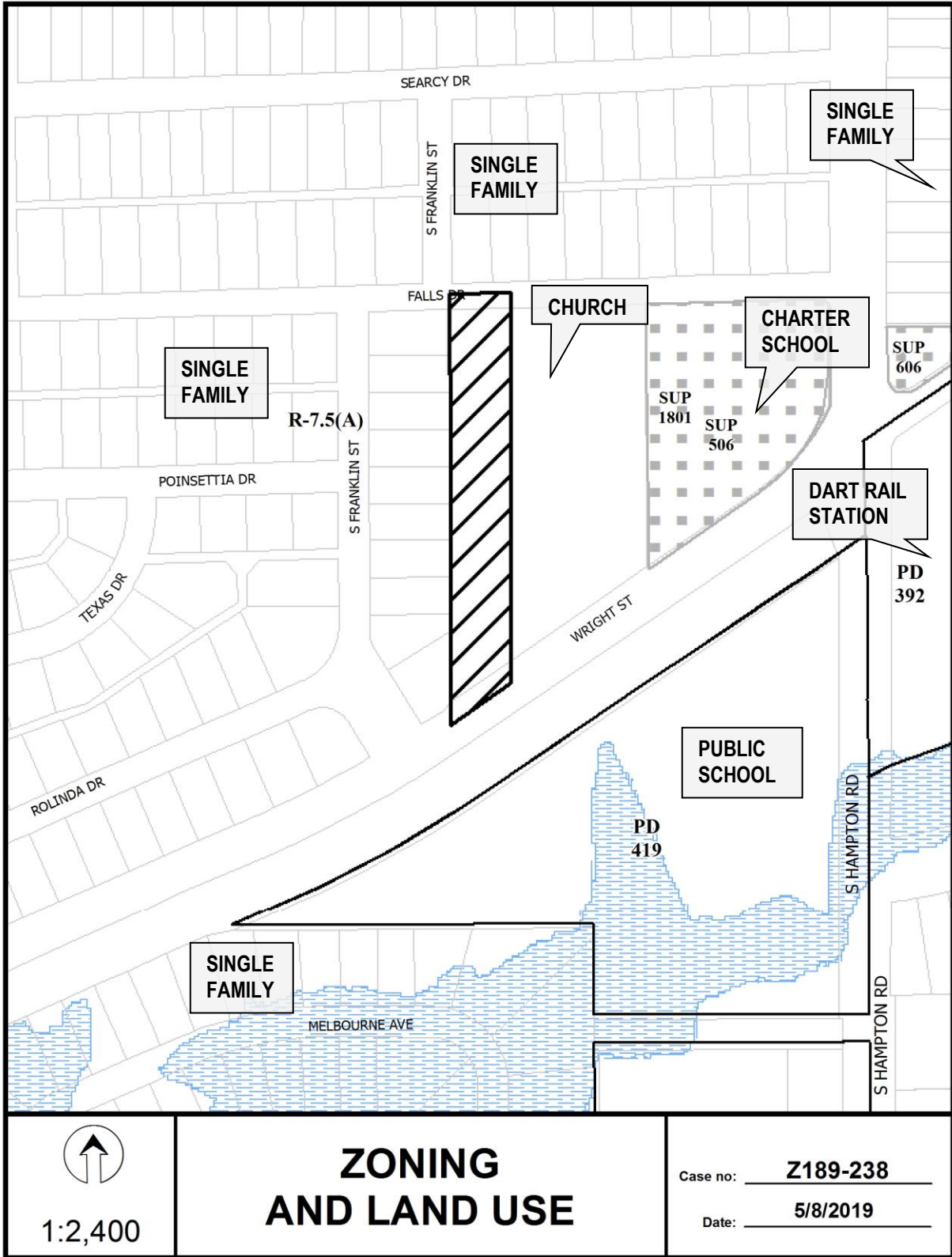


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AERIAL MAP

Case no: **Z189-238**

Date: **5/8/2019**

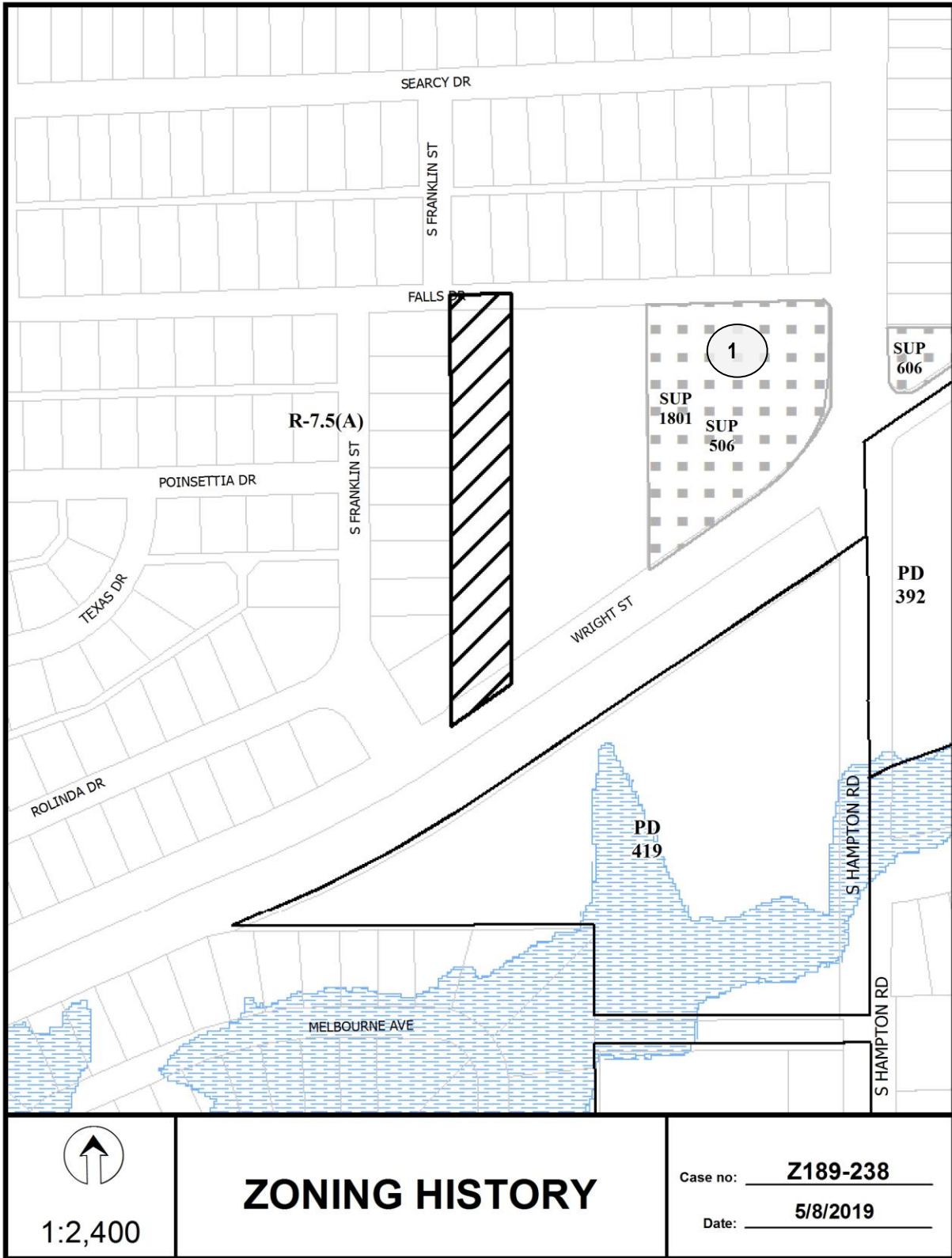


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ZONING AND LAND USE

Case no: Z189-238

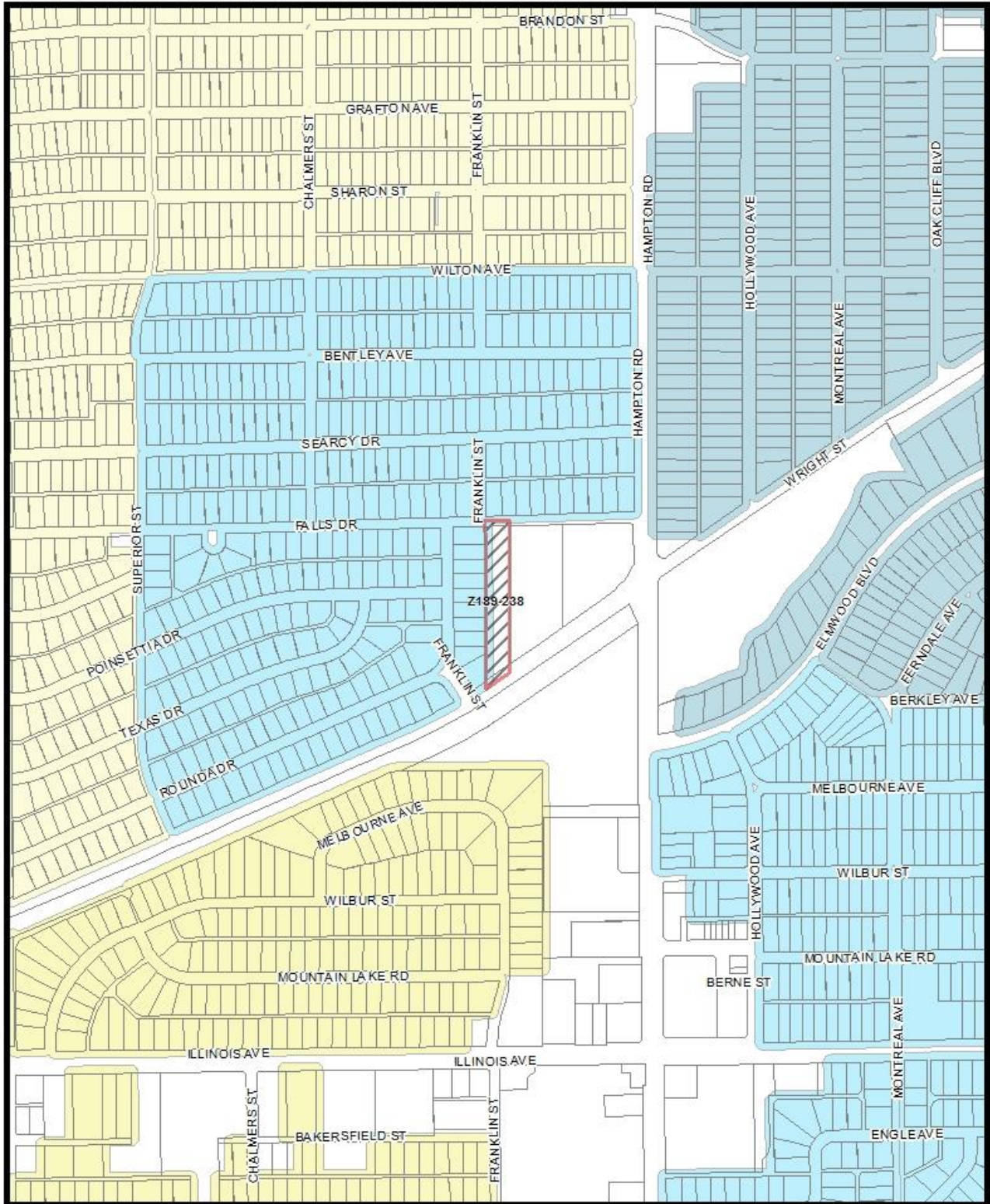
Date: 5/8/2019



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ZONING HISTORY

Case no: Z189-238
Date: 5/8/2019



MVA Cluster A B C D E F G H I NA

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Market Value Analysis

Printed Date: 5/8/2019

CPC RESPONSES



<u>46</u>	Property Owners Notified (47 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>17</u>	Replies in Opposition (17 parcels)
<u>300'</u>	Area of Notification
<u>11/7/2019</u>	Date

Z189-238
CPC



1:2,400

11/06/2019

Reply List of Property Owners**Z189-238****46 Property Owners Notified****1 Property Owners in Favor****17 Property Owners Opposed**

Reply	Label #	Address	Owner
	1	2438 FALLS DR	VELASCO WILLIAM M II
	2	2519 FALLS DR	TOLIVER PAUL ALAN
	3	2515 FALLS DR	FLORES ROGER J & ERICA
X	4	2509 FALLS DR	BARRON JOEL ETAL
	5	2505 FALLS DR	VEGA JAMES & AMANDA
X	6	2508 FALLS DR	TURNER MARGARITA
	7	2504 FALLS DR	PORCHE ANTIGUO PROPERTIES LLC
X	8	2505 POINSETTIA DR	HARDY RYAN
	9	2509 POINSETTIA DR	MARTINEZ YOLANDA
	10	2510 POINSETTIA DR	KINGSBURY MARILEE E
	11	2504 POINSETTIA DR	LAUREANO DANIEL &
X	12	1915 S FRANKLIN ST	DELUNA ALICE
	13	2505 ROLINDA DR	FERNANDEZ FELIPE J &
	14	2509 ROLINDA DR	MARTINEZ MELITON
	15	2510 ROLINDA DR	JAUREGUI JOSHUA A
	16	2504 ROLINDA DR	BARRON VELMA
X	17	1804 S FRANKLIN ST	ORTIZ JOSE L & MARIA E L
	18	1808 S FRANKLIN ST	FERNANDEZ RODOLFO
X	19	1814 S FRANKLIN ST	PARRA ALFREDO
X	20	1818 S FRANKLIN ST	GONZALES ANTIOCO ARTURO
X	22	1902 S FRANKLIN ST	PINO ADDY BEATRIZ &
	23	1906 S FRANKLIN ST	HUNDLEY RONALD LEE &
	24	1912 S FRANKLIN ST	RANGEL MARGARITO & TRINIDAD &
X	25	2020 S FRANKLIN ST	MORALES ADRIANA
	26	2006 S FRANKLIN ST	WHITE BILLY JACK
	27	2428 FALLS DR	CHURCH OF PENTECOSTES OF JESUCRISTO INC

11/06/2019

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	28	2445 FALLS DR	JUAREZ NICOLAS & ELISIA
X	29	2441 FALLS DR	VALDERAS TRAVIS RYAN & ESMERALDA
X	30	2437 FALLS DR	DIAS ROGELIA
X	31	2433 FALLS DR	CASTILLO JOEL ANDRES
O	32	2429 FALLS DR	SANDERS MAX O
	33	2423 FALLS DR	GARCIA OCTAVIO
	34	2419 FALLS DR	LUNA ALEJANDRO &
X	35	2502 SEARCY DR	CARDENAS RICHARD & AMELIA
	36	2506 SEARCY DR	VILLANUEVA JORGE A
	37	2514 SEARCY DR	VERA FAMILY TRUST
	38	2418 SEARCY DR	HERNANDEZ LETICIA
	39	2422 SEARCY DR	GORROSTIETA SANTOS
	40	2426 SEARCY DR	RIZO JUVENTINO &
	41	2430 SEARCY DR	MUNOZ JOSE & MARIA
X	42	2434 SEARCY DR	DELGADO TERESITA I
X	43	2438 SEARCY DR	RAMIREZ FELICIA A
	44	2115 S HAMPTON RD	Dallas ISD
	45	1811 S HAMPTON RD	LA ACADEMIA DE ESTELLAS
	46	401 S BUCKNER BLVD	DART
X	A1	1824 S FRANKLIN ST	ALANIZ ABEL RUIZ