

**FILE NUMBER:** Z234-268(MB) **DATE FILED:** June 27, 2024

**LOCATION:** Northeast line of Middlefield Road, southeast of Bicentennial Lane

**COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** 22.8 acres **CENSUS TRACT:** 48113017102

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**OWNER:** Land Link Realty, LLC

**APPLICANT:** Century Communities, Inc.

**REPRESENTATIVE:** Tommy Mann, Winstead PC

**REQUEST:** An application for an amendment to a portion of deed restrictions [Z045-239] on property zoned an R-10(A) Single Family District with deed restrictions [Z045-239].

**SUMMARY:** The purpose of the request is to remove restrictions related to building façade materials and modify restrictions related to minimum floor area.

**CPC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned an R-10(A) Single Family District.
- The site is undeveloped.
- The property is subject to deed restrictions [Z045-239] which impose requirements and restrictions on materials used for facades of dwelling units as well as a minimum floor area for single family dwelling units.
- The applicant proposes to continue developing the site with single family.
- To accomplish this, they request that the deed restrictions on the site be amended.
- On March 6, 2025, the City Plan Commission moved to recommend approval of the requested amendment of deed restrictions, as circulated to the commission by the applicant and briefed by staff.

**Zoning History:**

There have been no zoning cases in the area in the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Middlefield Road	Community Collector	60 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on traffic.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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 PRIORITIES**

Policy 1.1.2   Focus on Southern Sector development opportunities.

### **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.

### **West Kleberg Community Plan:**

The West Kleberg Community Plan is an area plan that sets a clear, cohesive vision for the West Kleberg community, guiding the area to continued, long-term success. The plan was adopted by City Council in April 2007. The area of request is located within Sub-Area 3 of the study area of the plan. The West Kleberg Community Plan was developed in collaboration with residents to promote preservation of the area as a “bedroom community” with low- and medium-density residential, neighborhood-serving businesses, and open space and recreational facilities. The plan’s vision statement is “to reflect ‘Old Kleberg’s’ historical heritage, to promote a strong rural atmosphere, to allow for future growth with sensitivity to future amenities and infrastructure of a modern urban environment.”

Per the analysis in the West Kleberg Community Plan, the preferred development pattern in Sub-Area 3 is for low-density residential in order to preserve the area as agricultural or open space, protecting the rural character. The proposed reduction in minimum square footage would only apply to the structures, retaining the envisioned small town character. As such, staff finds that the request complies with the West Kleberg Community Plan.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-10(A) Single Family with deed restrictions [Z045-239]	Single family, undeveloped
<b>North</b>	A(A) Agricultural	Undeveloped
<b>South</b>	A(A)	Single family
<b>East</b>	A(A)	Undeveloped
<b>West</b>	A(A)	Single family

**Land Use Compatibility:**

The area of request is currently undeveloped and is adjacent to a subdivision with single family houses. The existing houses are detached and are generally subject to the development standards of the R-10(A) Single Family District, with additional requirements imposed by the deed restrictions.

Staff supports the proposed amendment of the deed restrictions as their removal is not seen as detrimental to the character or general welfare of the neighborhood. The remaining deed restrictions, as well as the development standards of the R-10(A) Single Family District, would still require large lot sizes of at least 10,000 square feet and setbacks that preserve the nature of such a subdivision.

**Landscaping:**

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

**Parking:**

Parking requirements are delineated within the existing deed restrictions, as follows:

A minimum of two enclosed parking spaces must be provided for each single family dwelling unit. In addition to the enclosed parking spaces, a minimum of two additional off-street parking spaces must be provided on each single family lot. The additional non-enclosed parking spaces may be provided in the required front yard and must be on an all-weather surface and must be configured such that one space is not in front of the other space.

No changes to these requirements imposed by the deed restrictions are proposed with this amendment.

**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 within an “H” MVA area.

## **List of Officers**

### Century Communities, Inc.

- Dale Francescon (Director and CEO)
- Robert Francescon (Director and CEO)
- David Messenger (CFO)
- Keith Guericke (Director)
- James Lippman (Director)
- John Box (Director)
- Patricia Arvielo (Director)
- David Aughinbaugh (Division President)
- Steve Duck (Director of Land Acquisition)

### Land Link Realty, LLC

- Farrukh Azim (Member)
- Huma Azim (Member)

## CPC Action

**February 6, 2025**

**Motion:** In considering an application to amend a portion of deed restrictions [Z045-239] on property zoned an R-10(A) Single Family District with deed restrictions [Z045-239], on the northeast line of Middlefield Road, southeast of Bicentennial Lane, it was moved to **hold** this matter under advisement until March 6, 2025.

Maker: Franklin  
Second: Hampton  
Result: Carried: 10 to 0

For: 10 - Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Franklin, Housewright,  
Nightengale, Hall, Kingston

Against: 0

Absent: 5 - Chernock, Wheeler-Reagan, Sleeper, Haqq,  
Rubin

Vacancy: 0

<b>Notices:</b>	Area: 500	Mailed: 98
<b>Replies:</b>	For: 0	Against: 1

**Speakers:** None

**March 6, 2025**

**Motion:** It was moved to recommend **approval** to amend a portion of deed restrictions [Z045-239] on property zoned an R-10(A) Single Family District with deed restrictions [Z045-239], on the northeast line of Middlefield Road, southeast of Bicentennial Lane.

Maker: Franklin  
Second: Carpenter  
Result: Carried: 14 to 1

For: 14 - Chernock, Hampton, Herbert, Forsyth,  
Shidid, Carpenter, Franklin, Sleeper,  
Housewright, Nightengale, Haqq, Hall,  
Kingston, Rubin

Against: 1 - Wheeler-Reagan

Absent: 0

Vacancy: 0

Z234-268(MB)

<b>Notices:</b>	Area: 500	Mailed: 98
<b>Replies:</b>	For: 0	Against: 1

**Speakers:** For: Tommy Mann, 500 Winstead Bldg., Dallas, TX 75201  
Against: David Carranza, 14464 Kleberg Rd., Dallas, TX, 75253  
Bill Freeman, 13815 Kleberg Rd., Dallas, TX, 75253



## **EXISTING DEED RESTRICTIONS**

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

The minimum lot size is 10,000 square feet.

The maximum number of single family dwelling units is 160.

A minimum of two enclosed parking spaces must be provided for each single family dwelling unit. In addition to the enclosed parking spaces, a minimum of two additional off-street parking spaces must be provided on each single family lot. The additional non-enclosed parking spaces may be provided in the required front yard and must be on an all-weather surface and must be configured such that one space is not in front of the other space.

Each single family dwelling unit must at a minimum have a sodded front yard in the area between the structure and the front property line, excluding those areas used for parking and sidewalks.

A minimum of 500 square feet of common landscaped open space must be provided at each entry to the Property from Middlefield Road.

A minimum eight-foot-high (except where height of the fence is limited by its location in a front yard) solid screening fence must be provided as shown on Exhibit B. The required fence shown on Exhibit must be constructed with metal posts. A minimum six-foot-high solid screening fence must be provided for the rear yard of each single family dwelling unit. Fences must be constructed prior to the final inspection of the dwelling unit on the lot where the fence is to be constructed.

A minimum of 85 percent of the total facades of each dwelling unit and 100 percent of any facade facing the street must be brick, stone, or stucco, excluding doors, windows, eaves, roofs, dormers, and gables. Non-masonry portions of a dwelling unit must be sided with a cementitious material.

The minimum floor area of any single family dwelling unit is 1600 square feet, exclusive of the required enclosed parking spaces. No more than 50 percent of the total number of single family dwelling units may have a floor area between 1600 square feet and 1800 square feet.

No structures shown on Exhibit B may exceed one story.

## **CPC RECOMMENDED AMENDMENTS TO DEED RESTRICTIONS**

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

The minimum lot size is 10,000 square feet.

The maximum number of single family dwelling units is 160.

A minimum of two enclosed parking spaces must be provided for each single family dwelling unit. In addition to the enclosed parking spaces, a minimum of two additional off-street parking spaces must be provided on each single family lot. The additional non-enclosed parking spaces may be provided in the required front yard and must be on an all-weather surface and must be configured such that one space is not in front of the other space.

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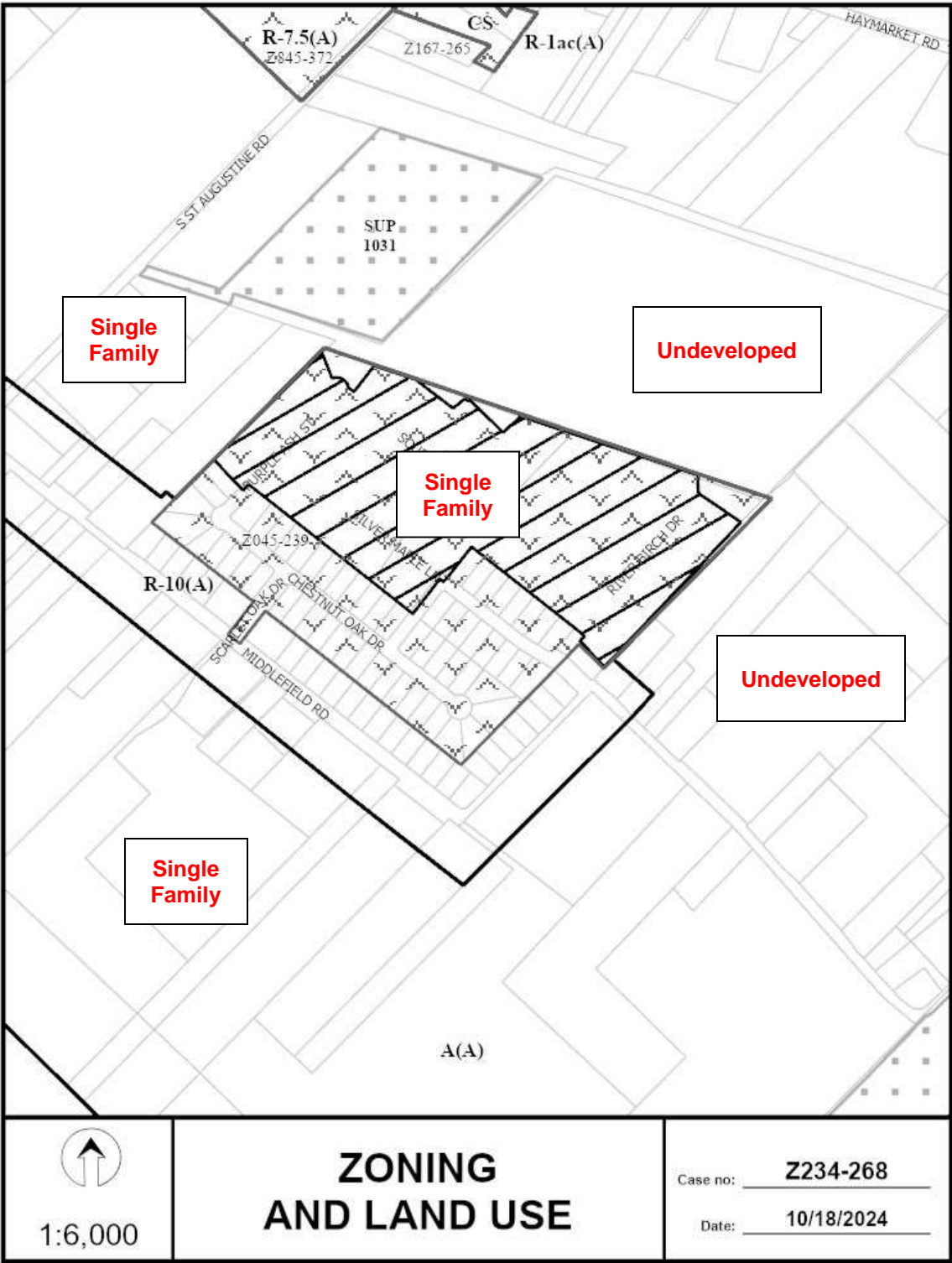
~~The minimum floor area of any single family dwelling unit is 1,600~~ 1,440 square feet, exclusive of the required enclosed parking spaces. No more than 20 single family dwelling units may have a floor area between 1,440 and 1,600 square feet and no more than 50 percent of the total number of single family dwelling units may have a floor area between 1,600 square feet and 1,800 square feet.

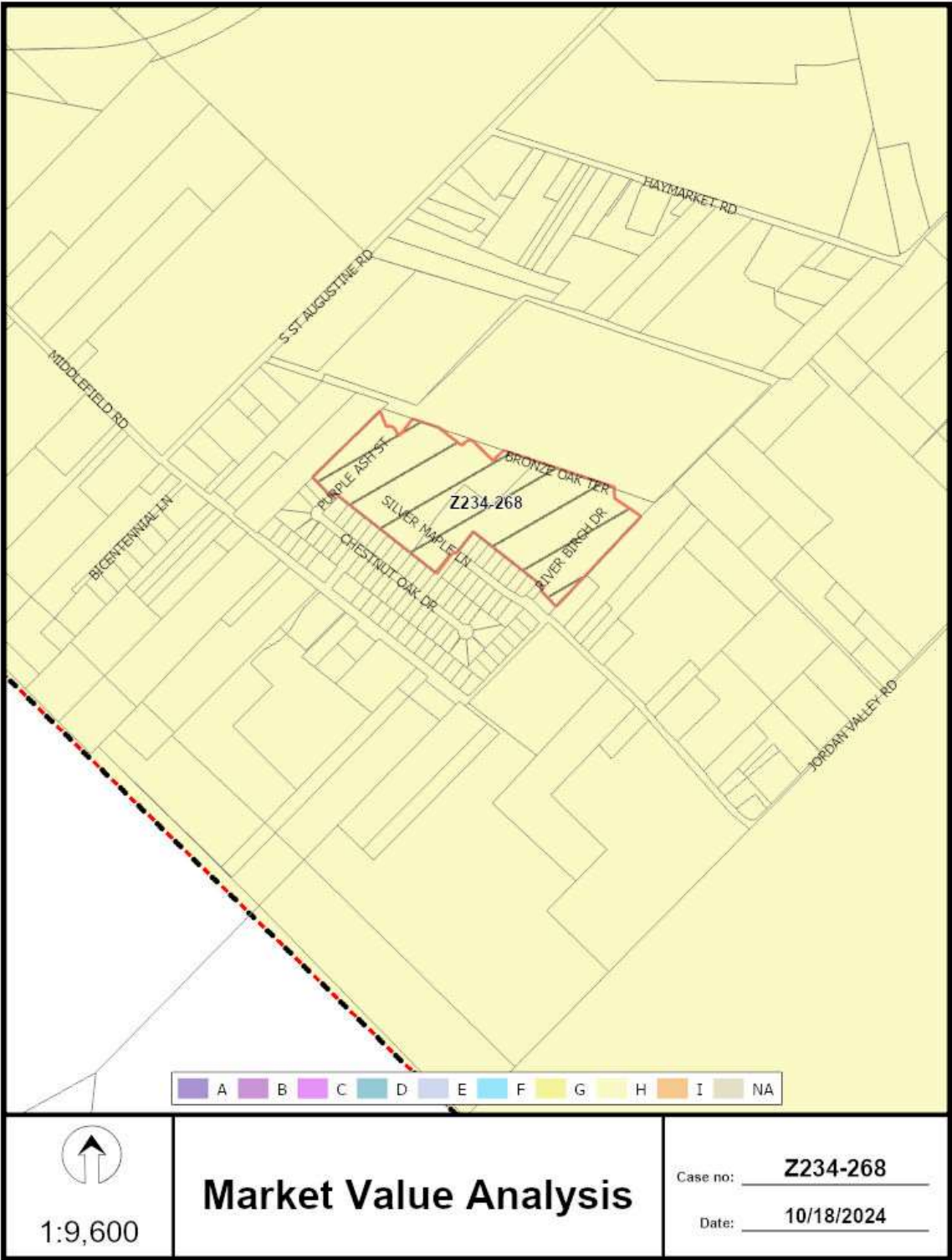
No structures shown on Exhibit B may exceed one story.













03/05/2025

***Reply List of Property Owners******Z234-268******98 Property Owners Notified    0 Property Owners in Favor    1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3065	S ST AUGUSTINE RD	LAND LINK REALTY LLC
2	4011	MIDDLEFIELD RD	BATY GARY D & MARY J
3	3410	MIDDLEFIELD RD	Taxpayer at
4	3410	MIDDLEFIELD RD	LAND LINK REALTY LLC
5	3514	MIDDLEFIELD RD	NOAWAY DEVELOPMENT LLC
6	3735	MIDDLEFIELD RD	DIAZ ELFEGO
7	3300	MIDDLEFIELD RD	SALAZAR ADRIAN OMAR & MICHELLE
8	3404	MIDDLEFIELD RD	GRANBERRY JEFFREY DEAN
9	3220	S ST AUGUSTINE RD	FAZ ANTONIO
10	3130	S ST AUGUSTINE RD	MOJICA MODESTO RENDON & PATRICIA
11	3116	ST AUGUSTINE RD	TINSLEYMATHIAS AMANDA &
12	3322	MIDDLEFIELD RD	NELMS KENNETH JERAL & VICKI LYNN
13	3330	MIDDLEFIELD RD	NELMS MICHAEL
14	4107	JORDAN VALLEY RD	DIAZ OMAR
15	4035	MIDDLEFIELD RD	BARRON LORENZA
16	4023	MIDDLEFIELD RD	CHILDERS STEPHEN R
17	4023	MIDDLEFIELD RD	CHILDERS STEPHEN R EST OF
18	4017	MIDDLEFIELD RD	HOBBS GRADY T SR EST OF
19	4005	MIDDLEFIELD RD	SALDANA LEEANDER
20	4007	JORDAN VALLEY RD	HICKS HENRY EDWARD
21	3120	S ST AUGUSTINE RD	CRAIG TONY
22	3110	ST AUGUSTINE RD	3110 ST AUGUSTINE LLC
23	3530	MIDDLEFIELD RD	ANDREWS JAMES E SR
24	3534	MIDDLEFIELD RD	MARTINEZ JUAN E
25	3538	MIDDLEFIELD RD	CALDERON AGUSTIN
26	3610	MIDDLEFIELD RD	ALVARADO GABRIELA



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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3614 MIDDLEFIELD RD	PAYNE SHAMIENA
	28	3618 MIDDLEFIELD RD	ELLIOTT DERRICK
	29	3622 MIDDLEFIELD RD	JIMENEZ MARIA ELENA & RAUL
	30	3822 MIDDLEFIELD RD	SMITH CASANDRA & ISSA
	31	3826 MIDDLEFIELD RD	MEZA LIZARDO JR &
	32	3830 MIDDLEFIELD RD	CARRILLO PAUL A
	33	3834 MIDDLEFIELD RD	HAWKINS SHARON D
	34	3838 MIDDLEFIELD RD	CENTURY LAND HOLDINGS
	35	3846 MIDDLEFIELD RD	MONTAGE DEVELOPMENT COMPANY
	36	3452 MIDDLEFIELD RD	CASTILLO RUBEN BANDA
	37	3456 MIDDLEFIELD RD	WILSON DAVID R & NICOLE D WILSON
	38	3460 MIDDLEFIELD RD	RICOORDONEZ JUAN
	39	3502 MIDDLEFIELD RD	OLMEDA SALVADOR &
	40	3522 MIDDLEFIELD RD	PEREZ PEDRO &
	41	3526 MIDDLEFIELD RD	PEREZ PEDRO & FANNY M LIRA
	42	3551 CHESTNUT OAK DR	IDARA GLORIA AMAKA
	43	3557 CHESTNUT OAK DR	BRADLEY MARIAH & MILTON
	44	3563 CHESTNUT OAK DR	LU ANDREW WILLIAM &
	45	3569 CHESTNUT OAK DR	LEDESMA JOSUE
	46	3575 CHESTNUT OAK DR	VALDEZ ANDRES & ODILIA MACEDO
	47	3581 CHESTNUT OAK DR	JOHNSON HENRY J III
	48	3605 CHESTNUT OAK DR	CODERO SIGFREDO ACEVEDO &
	49	3617 CHESTNUT OAK DR	Taxpayer at
	50	3623 CHESTNUT OAK DR	RAMIREZ XOCHITL SOLEDA &
	51	3629 CHESTNUT OAK DR	BATHULA SRAVAN KUMAR
	52	3635 CHESTNUT OAK DR	DAVIS TONETTE &
	53	3641 CHESTNUT OAK DR	WIGFALL SHIRLENE &
	54	3647 CHESTNUT OAK DR	MCLEAN COREY DEANDREA
	55	3646 CHESTNUT OAK DR	MUZERWA DEO &
	56	3640 CHESTNUT OAK DR	SILVA MALIA MERCEDES
	57	3634 CHESTNUT OAK DR	VARIKUTI CYNTHIA ELAINE &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	3628 CHESTNUT OAK DR	OKWARA CHINEDU E
	59	3622 CHESTNUT OAK DR	ANDRADE SAMUEL ISAC PERDOMO &
	60	3616 CHESTNUT OAK DR	RAMANATHAN MURUGAN
	61	3610 CHESTNUT OAK DR	PEREZ BRENDA PAOLA RIVERA &
	62	3607 SILVER MAPLE LN	BEBOUT CAROLINE
	63	3613 SILVER MAPLE LN	OJEH BRIDGET &
	64	3619 SILVER MAPLE LN	FUJIMORE DIVINA GRACIA &
	65	3625 SILVER MAPLE LN	ROMO JUAN
	66	3631 SILVER MAPLE LN	MARABLE MILES JR & PEARL
	67	3637 SILVER MAPLE LN	ADEDIMEJI TEMITOPE
	68	3643 SILVER MAPLE LN	BUTLER LAVAYHA & JORDAN
	69	3649 SILVER MAPLE LN	CHAVEZ JUAN CARLOS GARCIA
	70	3514 CHESTNUT OAK DR	ALVI MOHAMME HUMAID &
	71	3520 CHESTNUT OAK DR	MYRICKS TERA & CLAYTON LEE JR
	72	3526 CHESTNUT OAK DR	MARTINEZ VALERIA GOMEZ
	73	3532 CHESTNUT OAK DR	RUBI ALLAN JOSUE
	74	3538 CHESTNUT OAK DR	PANTON KAMARLEY
	75	3544 CHESTNUT OAK DR	FLORES ELVA &
	76	3550 CHESTNUT OAK DR	ALEXANDRE EDWIDGE SERGE
	77	3556 CHESTNUT OAK DR	LAVU SIVARAMABABU &
	78	3562 CHESTNUT OAK DR	FRANCIS MICHAEL
	79	3568 CHESTNUT OAK DR	CLAROS RONALDO EFRAIN
	80	3574 CHESTNUT OAK DR	CRUZ ADRIAN A &
	81	3580 CHESTNUT OAK DR	CROSSLIN MYSHARA &
	82	3606 SILVER MAPLE LN	GUTIERREZ VICTOR &
	83	3612 SILVER MAPLE LN	RUBIO EDGAR ALEJANDRO &
	84	3618 SILVER MAPLE LN	HERNANDEZ ROMULO M
	85	3624 SILVER MAPLE LN	ALEBACHEW ADDIS
	86	3630 SILVER MAPLE LN	ESCOBAR MARTHA B &
	87	3636 SILVER MAPLE LN	Taxpayer at
	88	3642 SILVER MAPLE LN	BALASQUIDE HECTOR X VILLANUEVA &

Z234-268(MB)

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	3533 CHESTNUT OAK DR	LOWE DEWOYNE T
	90	3527 CHESTNUT OAK DR	THOMAS ABRAHAM & KARUNA
	91	3521 CHESTNUT OAK DR	OVIEDO GEMA &
	92	3515 CHESTNUT OAK DR	QUINTERO JULLY RAMOS &
	93	3509 CHESTNUT OAK DR	LUNA JOE LOUIS AYALA &
X	94	3503 CHESTNUT OAK DR	EPPS CORDERALL
	95	3243 PURPLE ASH ST	WHITE JOEL P
	96	3237 PURPLE ASH ST	VELEZ IVAN ULYSSES &
	97	3231 PURPLE ASH ST	FLORES LIZBETH
	98	4111 MIDDLEFIELD RD	GUTIERREZ CRUZ & REYNA