

FILE NUMBER: Z234-233(LG) **DATE FILED:** May 13, 2024
LOCATION: Southeast line of Kimsey Drive, northeast of Maple Avenue
COUNCIL DISTRICT: 2
SIZE OF REQUEST: 18,338 square feet **CENSUS TRACT:** 48113000409

REPRESENTATIVE: Patrick Robertson
APPLICANT: Momentous Estates, LLC
OWNER: JMH 2020 GST Trust
REQUEST: An application for a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District.
SUMMARY: The purpose of the request is to permit residential uses.
STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request consists of two parcels, the southeast parcel is undeveloped and the parcel on the southwest is the developed with a single-family structure, which was erected in 1936, per DCAD records.
- The applicant proposes to redevelop the site with multifamily under the standards of a WR-3 Walkable Urban Residential District from Article XIII, “Form Districts,” of Chapter 51A. The applicant plans to develop eight units of multifamily on the area of request.
- There has been a trend of lots within the vicinity being rezoned from the industrial zoning to allow multifamily uses, most recently to WR-3 Walkable Urban Residential.

Zoning History:

There has been four zoning cases in the area in the last five years.

1. **Z234-241:** On May 22, 2024, staff received an application for a MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue. [Under review]
2. **Z212-249:** On January 25, 2023, City Council approved a WR-3 Walkable Urban Residential District, in lieu of an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue.
3. **Z212-231:** On January 11, 2023, City Council approved a WR-3 Walkable Urban District on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of the intersection of Kimsey Drive and Maple Avenue.
4. **Z212-175:** On August 10, 2022, City Council approved a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Kimsey Drive	Local Street	--

Traffic:

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system pending commensurate improvements.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request is consistent 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 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.3 Create housing opportunities throughout Dallas.

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE, AND THE ENVIRONMENT

Policy 1.4.2 Develop a multi-modal transportation network.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on street and off-street walking and biking paths.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.1 Promote pedestrian friendly streetscapes.

Policy 5.1.2 Define urban character in Downtown and urban cores.

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

Policy 5.1.4 Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

NEIGHBORHOOD PLUS

GOAL 4 ATTRACT AND RETAIN THE MIDDLE CLASS

Policy 4.1 Promote Dallas as a city of neighborhoods and publicize neighborhood assets and programs.

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

GOAL 5 EXPAND HOMEOWNERSHIP

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

Area Plans

The comprehensive plan identifies the Stemmons Corridor – Southwestern Medical District area as an area of growth and stresses the need for an area plan to guide this growth to foster desirable development patterns. The study area has numerous assets and opportunities including the Southwestern Medical District, DART light rail and Trinity Railway Express, Love Field Airport, the Victory Plaza and American Airlines Center area, stable single-family neighborhoods, trails and connectivity potential, Market Center, the Design District, and the Trinity River Park.

The plan designates the area of request as part of an Urban Residential – Medium area and as part of the DART Inwood Station strategic opportunity area. Urban Residential – Medium is characterized as offering a diversity of housing options ranging from townhomes to condos with a height of up to seven stories with limited commercial in a mixed-use format encouraged on main corridors. The goals of the Dart Inwood Station strategic opportunity area include the following:

- Increase connectivity in the area uniting existing and new amenities
- Use DART Green Line right-of-way for trail
- Create new pedestrian connections
- Enhance area streets amenities to encourage pedestrian activity
- Encourage mixed use development with ground-floor retail
- Ensure appropriate transitions to adjacent single-family neighborhoods

Staff finds the applicant’s request for a WR-3 Walkable Urban Residential District to be compatible with the goals of the Stemmons Corridor – Southwestern Medical District Area Plan because it would provide design standards in an urban form as well as an enhanced pedestrian experience along the street frontage.

Land Use:

	Zoning	Land Use
Site	IR Industrial Research	Undeveloped and single family
Northeast	IR Industrial Research	DART ROW
Southeast	IR Industrial Research	Undeveloped

Southwest	IR Industrial Research	Single family
Northwest	IR Industrial Research and MF-2(A)	Multifamily

Land Use Compatibility:

The area of request consists of two lots measuring approximately 0.421 acres, a single-family structure is developed on the southwest lot and the other lot is undeveloped. The area of request currently abuts a train tract to the northeast, undeveloped land to the southeast, and single family use zoned an IR Industrial Research to the southwest. To the northwest of the site, multifamily use is developed. Staff finds the applicant’s requested land use to be compatible with existing land uses in the surrounding area.

The applicant proposes to redevelop the site with multifamily under the standards of a WR-3 Walkable Urban Residential District from Article XIII, “Form Districts,” of Chapter 51A. Staff supports the applicant’s request because the enhanced development standards of a WR-3 District emphasize walkability and a pedestrian friendly environment, which are appropriate for this denser, urban style neighborhood with immediate proximity to the Inwood/Love Field DART station.

Overview of Form Districts

Form-based zoning differs from traditional zoning in that development standards focus primarily on the form of the building rather than its intended land use. Under form-based zoning, the desired form of buildings is typically more urban in style. Buildings are constructed with multiple stories and are located at the front of the site, closer to the street. This, coupled with enhanced standards for transparency, building articulation, and pedestrian amenities, are intended to ensure an active streetscape.

Another key feature that lends itself to a more urban development form is a requirement that buildings fill a percentage of the width of the lot with the building façade. This street frontage requirement creates a streetscape that encourages and supports pedestrian activity and screens parking. Benefits to property owners include additional buildable area on the site; increased height, density, and floor area; and reduced parking requirements that encourage the use of multi-modal transportation.

The applicant’s request is for a WR-3 District, which is classified as low intensity among the several WR Walkable Urban Residential districts available in Article XIII. The WR districts are intended to create residential neighborhoods with mixed housing options in a pedestrian friendly environment. Although parcels of any size are eligible for a WR

district, Article XIII indicates these districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed-use development exists or is definitely planned. This critical mass is present when:

- A. The surrounding area consists of at least 40 acres of existing or definitely planned WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics.
- B. The surrounding area consists of at least 25 acres proposed by and is part of and adopted area plan pursuant to forwardDallas! for WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics; or
- C. The applicant demonstrates that the surrounding area is at least 25 acres and is or will be a mix of dense residential, commercial, and other uses that will achieve the intent of this article for increased walkability, reduced vehicular trip generation, and reduced parking demand.

Article XIII also states that the WR districts are appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to forwardDallas! has been adopted.

Staff finds the area of request to be appropriate for a WR-3 District due to its proximity to existing high density multifamily and mixed-use zoning, comparable planned development zoning, and other existing form districts to the immediate northwest and west of Kimsey Drive. There is also a recently approved WR-3 District to the southeast of the site along Kimsey Drive (Z212-249, Z212-175, and Z212-231). Southeast of the request area along Inwood Road are other comparable planned development zoning and form districts as well as the Inwood/Love Field DART station. The area of request is also part of the adopted Stemmons Corridor – Southwestern Medical District Area Plan, which recommends high density zoning and land uses in addition to an enhanced pedestrian experience.

This is further supported by the Vision Illustration map of the comprehensive plan, which designates the request area as compatible with the recommendations for the Campus building block associated with the Southwestern Medical District. This style of development focuses on areas around large, master-planned educational, institutional, or business facilities outside downtown. Such areas include a range of single family and multifamily housing as well as a variety of offices, shops, services, and open space to support the major campus employer and area residents. Campus areas should also have convenient transit options as an integral component.

Development Standards

Beyond the regulation of land uses through development types in Article XIII, each development type includes more traditional development standards (setbacks, density, height, etc.) in addition to enhanced development standards that contribute to a pedestrian friendly environment (street frontage, parking setbacks, transparency, etc.).

Following is a comparison table showing differences between the development standards of the current IR District and the proposed WR-3 District. Included in the WR-3 column are the development standards applicable to the Apt. development type. Development standards have been consolidated to indicate what is applicable to the context of this site. Blank cells indicate a requirement is not specified for that development standard.

Standard	Existing: IR	Proposed: WR-3
Front setback	15' min	Primary street: 5' min / 15' max
Required street frontage		Primary street: 70% min May exempt 30' driveway access
Parking setback		Primary street: 30' min Adj nonresidential district: 5' min
Side setback	30' adj to res Other: No min	Adj nonresidential district: 0' or 5' min
Rear setback	30' adj to res Else: No min	Adj nonresidential district: 0' or 5' min
Density / Lot Area Required	2.0 FAR overall 0.75 office/retail 0.5 retail	No max
Height	200' 15 stories	1 story min 3.5 stories / 50' max
Story height		Ground story: 10' min / 15' max Upper story: 10' min / 15' max
Lot coverage	80%	80% max
Transparency		Ground story: 30% Upper story: 20%
Entrance		Required on primary street
Blank wall area		Primary street: 30' max
Special standards	Proximity slope	Proximity slope

Land Use Comparison

Form-based zoning in Article XIII achieves complementary urban form by regulating land uses through several development types that allow different use categories. For example, the multifamily living use category is allowed under the Apartment (Apt.) development type.

A development containing three or more dwelling units consolidated into a single structure qualifies for the Apt. development type. Standards for the Apt. development type further specify that an apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building must be pulled up to the street. On-site surface parking must be situated away from the front of the property, and no on-site surface parking is permitted between the building and the street. Primary entrances must be prominent and street facing, and an elevated ground floor for residential uses is recommended to ensure privacy.

The applicant’s proposed use of the site would fall under the multifamily living use category within the Apt. development type. However, the WR-3 District would also allow other development types and use categories. Following is a comparison table showing differences in the permitted uses between the current IR District and the proposed WR-3 District. Blank cells indicate a comparable land use is not specified for that district.

Existing: IR	Proposed: WR-3
<u>Agricultural uses.</u> -- Crop production.	
<u>Commercial and business service uses.</u> -- Building repair and maintenance shop. [RAR] -- Bus or rail transit vehicle maintenance or storage facility. [RAR] -- Catering service. -- Commercial cleaning or laundry plant. [RAR] -- Custom business services. -- Custom woodworking, furniture construction, or repair. -- Electronics service center. -- Job or lithographic printing. [RAR] -- Labor hall. [SUP may be required. See Section 51A-4.202 (8.1).] -- Machine or welding shop. [RAR] -- Machinery, heavy equipment, or truck sales and services. [RAR] -- Medical or scientific laboratory. -- Technical school. -- Tool or equipment rental. -- Vehicle or engine repair or maintenance.	

Existing: IR	Proposed: WR-3
<p><u>Industrial uses.</u></p> <ul style="list-style-type: none"> -- Alcoholic beverage manufacturing. [RAR] -- Gas drilling and production. [SUP] -- Industrial (inside). [See Section 51A-4.203(b)(1).] -- Industrial (inside) for light manufacturing. -- Industrial (outside). [See Section 51A-4.203(b)(2).] -- Medical/infectious waste incinerator. [SUP] -- Municipal waste incinerator. [SUP] -- Organic compost recycling facility. [SUP] -- Pathological waste incinerator. [SUP] -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.] 	
<p><u>Institutional and community service uses.</u></p> <ul style="list-style-type: none"> -- Adult day care facility. -- Cemetery or mausoleum. [SUP] -- Child-care facility. -- Church. -- College, university, or seminary. -- Community service center. -- Hospital. [RAR] -- Public or private school. [SUP] 	<p><u>Civic use categories.</u></p> <ul style="list-style-type: none"> -- Ss, ground story only: Community service [SUP], museum, library; daycare; educational; government service, except detention center, jail, or prison; social service [SUP]; transit station -- Ts, ground story only: Community service [SUP], museum, library -- Civ: Community service [SUP], museum, library; daycare; educational; government service, except detention center, jail, or prison; detention center, jail, or prison [SUP]; transit station <p><u>Place of worship use categories.</u></p> <ul style="list-style-type: none"> -- Ss, ground story only: Place of worship -- Civ: Place of worship
<p><u>Lodging uses.</u></p> <ul style="list-style-type: none"> -- Extended stay hotel or motel. [SUP] -- Hotel or motel. [RAR] -- Lodging or boarding house. -- Overnight general-purpose shelter. [See Section 51A-4.205(2.1).] 	
<p><u>Miscellaneous uses.</u></p> <ul style="list-style-type: none"> -- Attached non-premise sign. [SUP] -- Carnival or circus (temporary). [By special authorization of the building official.] 	

Existing: IR	Proposed: WR-3
<ul style="list-style-type: none"> -- Hazardous waste management facility. <i>[Except when operated as a hazardous waste incinerator.]</i> -- Temporary construction or sales office. 	
<p><u>Office uses.</u></p> <ul style="list-style-type: none"> -- Alternative financial establishment. <i>[SUP]</i> -- Financial institution without drive-in window. -- Financial institution with drive-in window. <i>[RAR]</i> -- Medical clinic or ambulatory surgical center. -- Office. 	<p><u>Office use categories.</u></p> <ul style="list-style-type: none"> -- Ss, ground story only: Medical, office (office and medical only allowed along thoroughfare) -- Ts, ground story only: Office
<p><u>Recreation uses.</u></p> <ul style="list-style-type: none"> -- Country club with private membership. -- Private recreation center, club, or area. -- Public park, playground, or golf course. 	<p><u>Civic use categories.</u></p> <ul style="list-style-type: none"> -- O: Park or open space, utilities
<p><u>Residential uses.</u></p> <ul style="list-style-type: none"> -- None permitted. 	<p><u>Residential use categories.</u></p> <ul style="list-style-type: none"> -- Ts: Single-family living, multifamily living, group living -- Th: Single family living, multifamily living, group living -- Mh: Single-family living, multifamily living, group living -- Apt: Multifamily living, group living
<p><u>Retail and personal service uses.</u></p> <ul style="list-style-type: none"> -- Alcoholic beverage establishments. <i>[See Section 51A-4.210(b)(4).]</i> -- Animal shelter or clinic without outside runs. -- Animal shelter or clinic with outside runs. <i>[SUP may be required. See Section 51A-4.210(b)(2).]</i> -- Auto service center. <i>[RAR]</i> -- Business school. -- Car wash. <i>[RAR]</i> -- Commercial amusement (inside). <i>[SUP may be required. See Section 51A-4.210(b)(7)(B).]</i> -- Commercial motor vehicle parking. <i>[By SUP only if within 500 feet of a residential district.]</i> -- Commercial parking lot or garage. <i>[RAR]</i> -- Convenience store with drive-through. <i>[SUP]</i> -- Dry cleaning or laundry store. 	<p><u>Retail use categories.</u></p> <ul style="list-style-type: none"> -- Ss, ground story only: Drive-thru facility <i>[SUP]</i>, restaurant or bar, retail sales, vehicle sales <p><u>Service and entertainment use categories.</u></p> <ul style="list-style-type: none"> -- Ss, ground story only: Commercial amusement (inside) <i>[SUP]</i>; indoor recreation; personal service, including animal care <p><u>Commerce use categories.</u></p> <ul style="list-style-type: none"> -- O: Commercial parking

Existing: IR	Proposed: WR-3
<ul style="list-style-type: none"> -- Furniture store. -- General merchandise or food store 3,500 square feet or less. -- Home improvement center, lumber, brick or building materials sales yard. <i>[RAR]</i> -- Household equipment and appliance repair. -- Liquefied natural gas fueling station. <i>[By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]</i> -- Motor vehicle fueling station. -- Paraphernalia shop. <i>[SUP]</i> -- Pawn shop. -- Personal service uses. -- Restaurant without drive-in or drive-through service. <i>[RAR]</i> -- Restaurant with drive-in or drive-through service. <i>[DIR]</i> -- Taxidermist. -- Temporary retail use. -- Theater. -- Truck stop. <i>[SUP]</i> -- Vehicle display, sales, and service. <i>[RAR]</i> 	
<p><u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Airport or landing field. <i>[SUP]</i>. -- Commercial bus station and terminal. <i>[RAR]</i>. -- Heliport. <i>[RAR]</i> -- Helistop. <i>[RAR]</i> -- Railroad passenger station. <i>[SUP]</i> -- STOL (short take-off or landing) port. <i>[SUP]</i> -- Transit passenger shelter. -- Transit passenger station or transfer center. <i>[By SUP or city council resolution. See Section 51A-4.211.]</i> 	
<p><u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Commercial radio or television transmitting station. -- Electrical substation. -- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4).]</i> -- Police or fire station. -- Post office. 	

Existing: IR	Proposed: WR-3
<ul style="list-style-type: none"> -- Radio, television, or microwave tower. [RAR] -- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).] -- Utility or government installation other than listed. [SUP] -- Water treatment plant. [SUP] 	
<p><u>Wholesale, distribution, and storage uses.</u></p> <ul style="list-style-type: none"> -- Freight terminal. [RAR] -- Manufactured building sales lot. [RAR] -- Mini-warehouse. -- Office showroom/warehouse. -- Outside storage. [RAR] -- Recycling buy-back center. [See Section 51A-4.213(11).] -- Recycling collection center. [See Section 51A-4.213(11.1).] -- Recycling drop-off container. [See Section 51A-4.213(11.2).] -- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).] -- Trade center. -- Warehouse. [RAR] 	

Landscaping:

Under the proposed WR-3 District, landscaping for multifamily living uses in an Apt. development type must be in accordance with Article X, as amended. Additionally, Article XIII requires that at least 8% of the net land area of a building site in a form district be provided as open space. Compliance with the open space requirement must be demonstrated at the time of application for a building permit.

Parking:

Under the proposed WR-3 District, the site must comply with the parking requirement for household living uses in Article XIII. This requirement is 1.15 spaces per one-bedroom or smaller multifamily living unit, 1.65 spaces per two-bedroom multifamily living unit, and two spaces per three-bedroom or larger multifamily living unit. Article XIII offers parking reductions for residential based on proximity to transit stations, tandem parking, or on street parking.

Market Value Analysis:

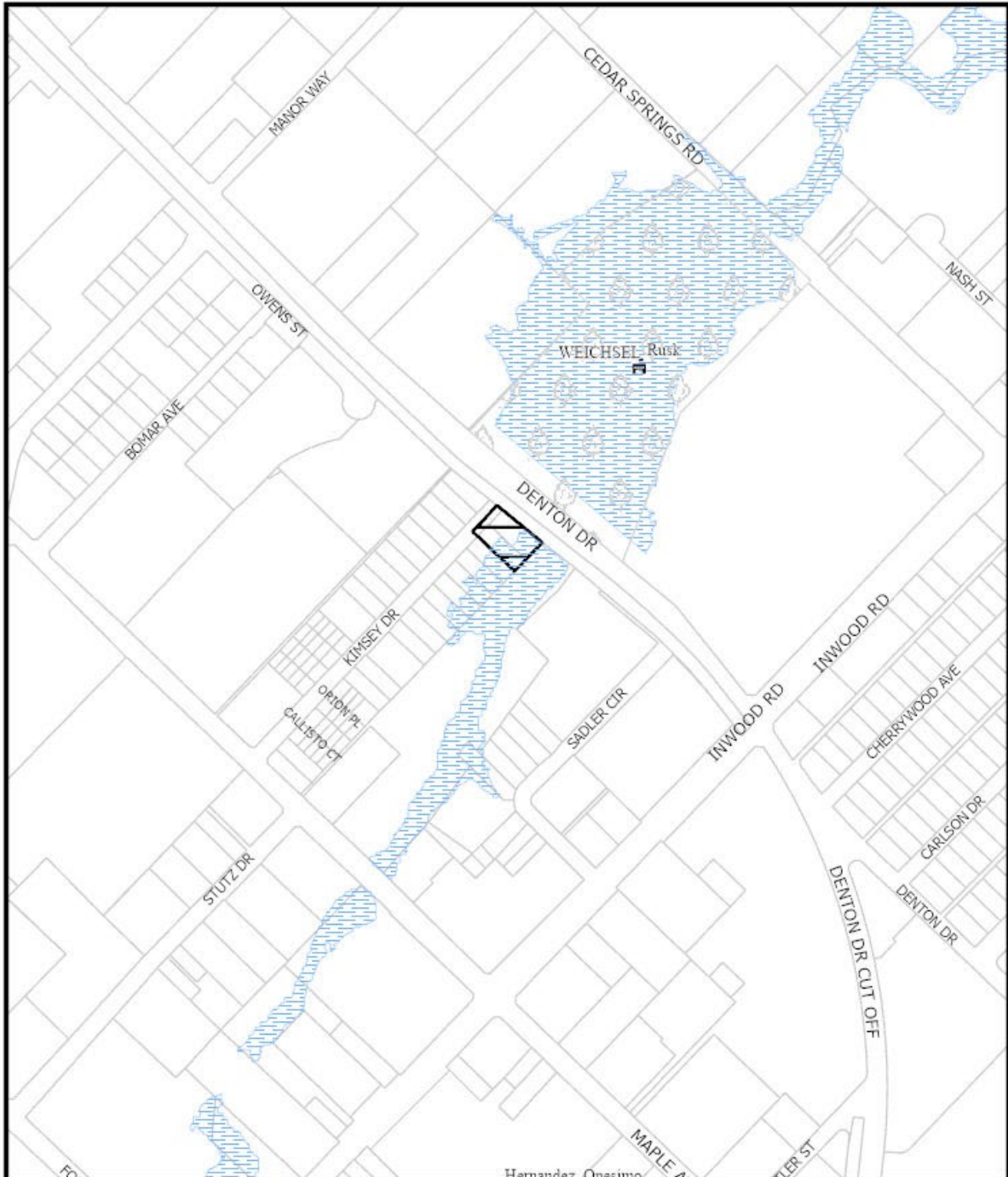
Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas 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 currently within an “C” MVA area.

Z234-233(LG)

List of Officers

JMH 2020 GST Trust

Jon Heimburger, Sole Trustee



1:4,800

VICINITY MAP

Case no: **Z234-233**

Date: **08/16/2024**

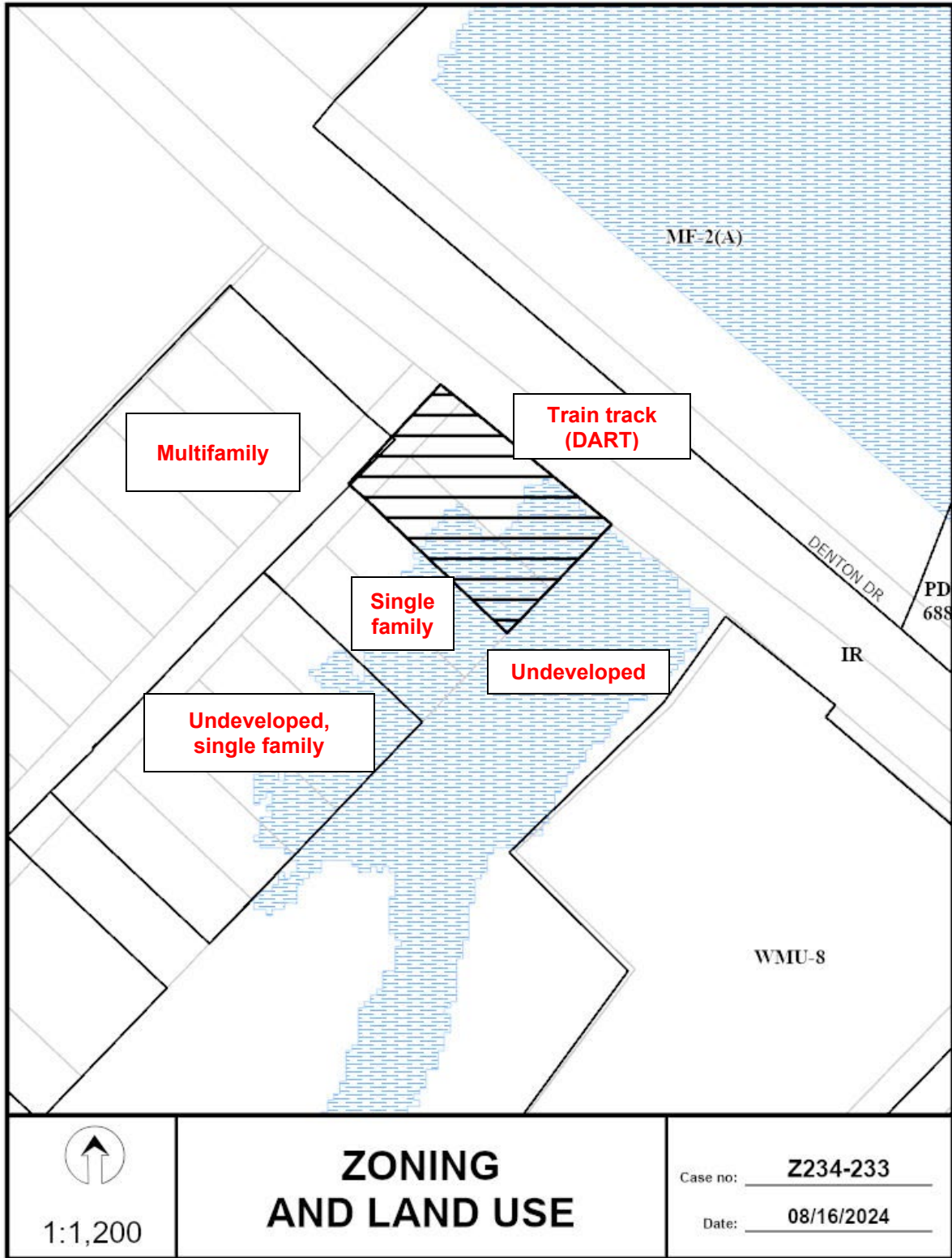


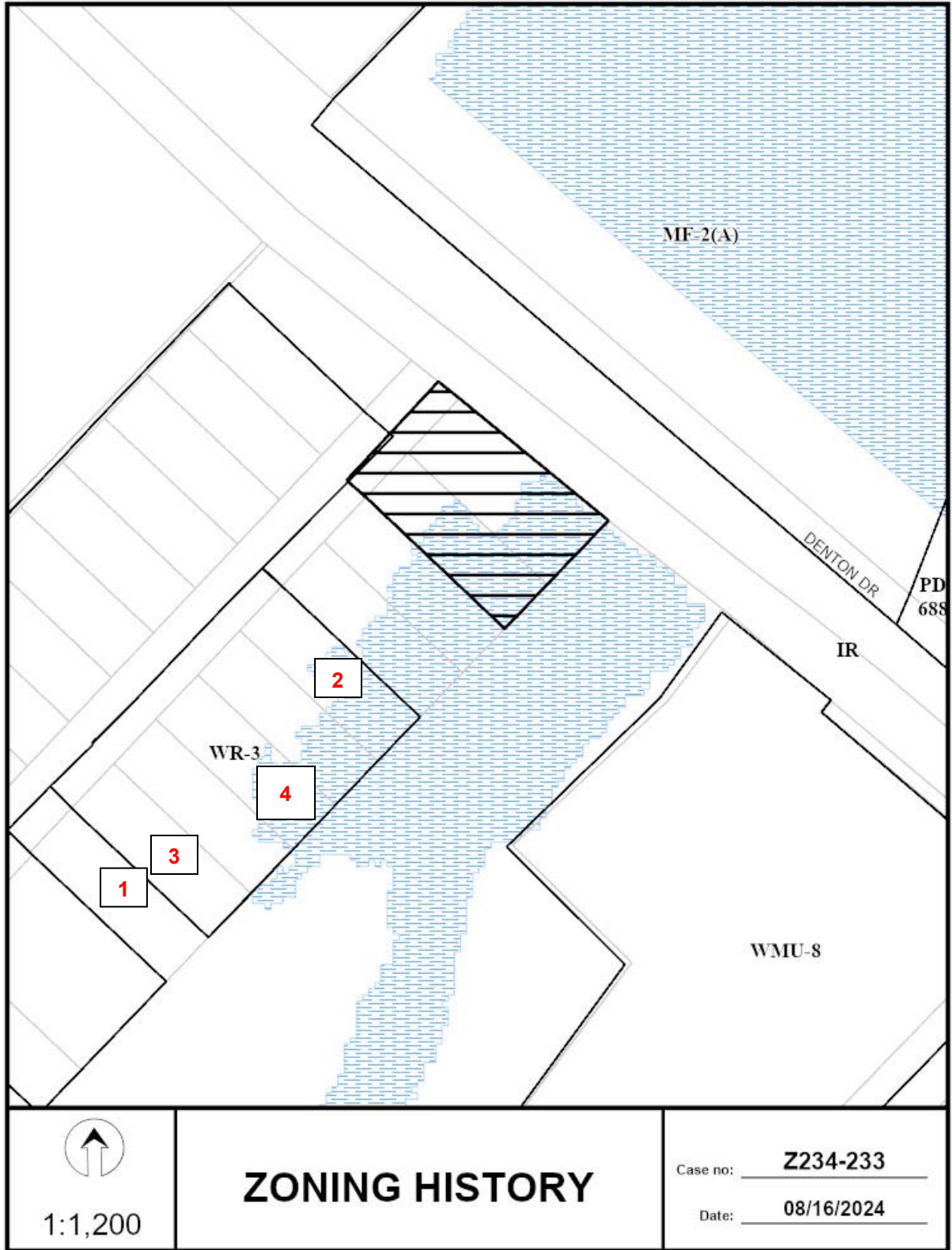
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AERIAL MAP

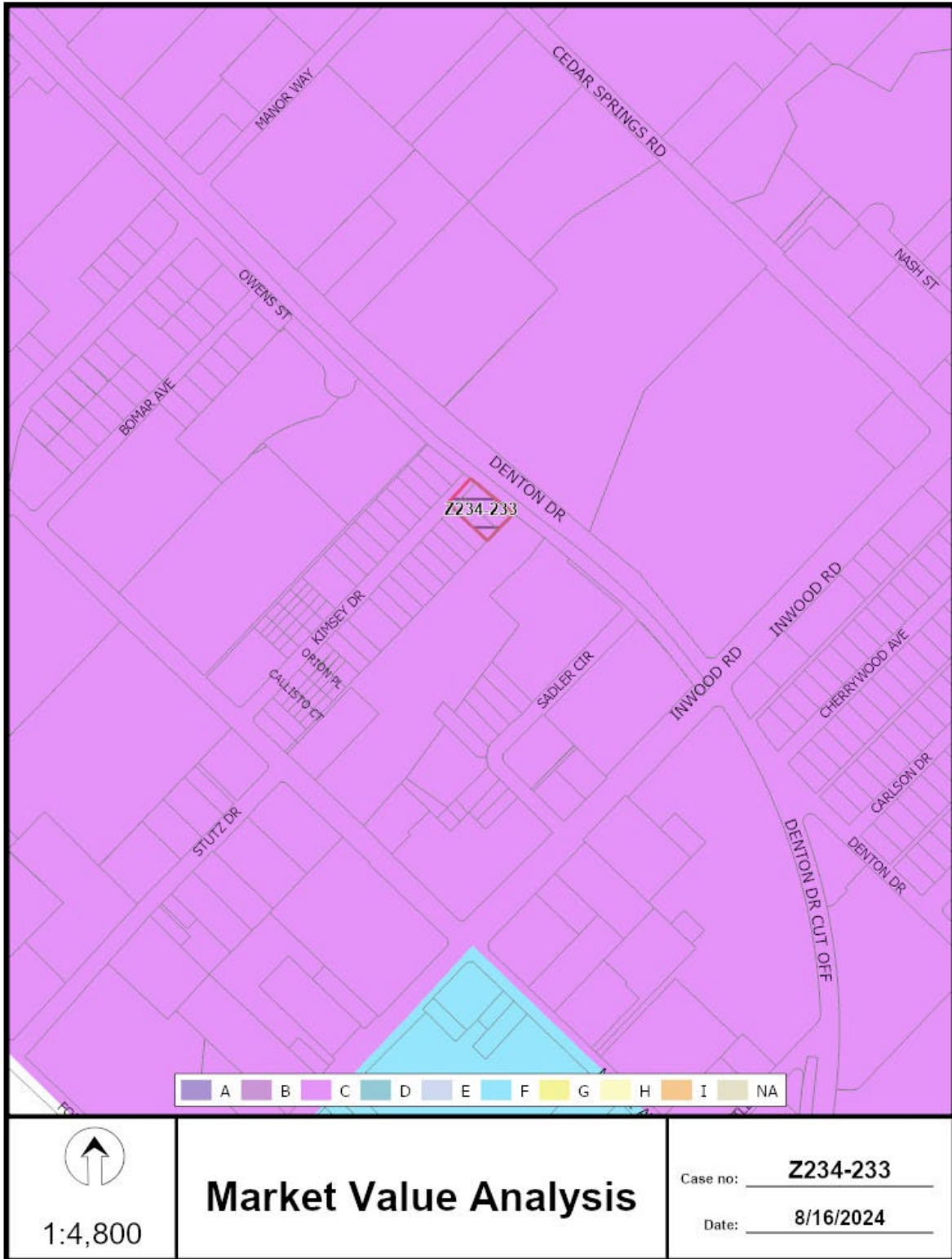
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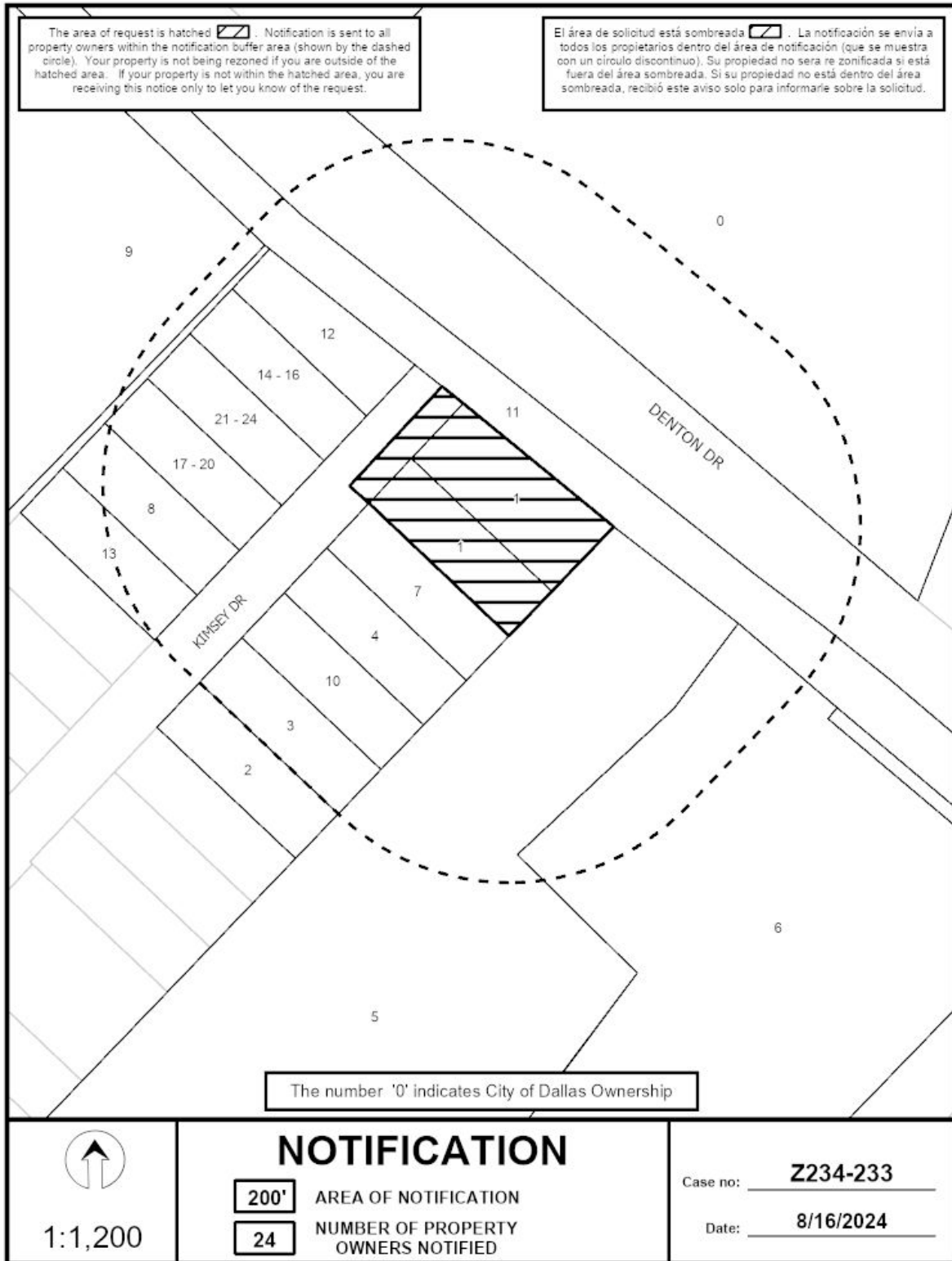
Date: 08/16/2024





Z234-233(LG)





08/16/2024

Notification List of Property Owners

Z234-233

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2722 KIMSEY DR	JMH 2020 GST TRUST
2	2702 KIMSEY DR	RG SHEKINAH LLC
3	2706 KIMSEY DR	RG SHEKINAH LLC
4	2714 KIMSEY DR	RAMOS MAYRA ISABEL &
5	5760 MAPLE AVE	LITHIA REAL ESTATE INC
6	5747 SADLER CIR	NTHP INWOOD INC
7	2718 KIMSEY DR	SOTO GERARDO
8	2711 KIMSEY DR	ASAI RYO
9	6025 OWENS ST	STANHOPE OAKS LLC
10	2710 KIMSEY DR	CORONADO JOSE & ANA M
11	555 2ND AVE	DART
12	2727 KIMSEY DR	DALLAS AREA RAPID TRANSIT
13	2707 KIMSEY DR	CASTELLO CORPORATION
14	2723 KIMSEY DR	ROKA KIMSEY LLC
15	2723 KIMSEY DR	KARICOD ROBERT
16	2723 KIMSEY DR	KARICOD ROBERT
17	2715 KIMSEY DR	COPLEY RORY
18	2715 KIMSEY DR	BERTL ERIK
19	2715 KIMSEY DR	WEISS TRACY LEE
20	2715 KIMSEY DR	LABARBA STEPHANIE
21	2719 KIMSEY DR	LEET KHRIS ALLAN
22	2719 KIMSEY DR	MCCAIN ANTHONY RAY JR
23	2719 KIMSEY DR	HALE DAVID JR
24	2719 KIMSEY DR	ROBBINS DION JARED