

**FILE NUMBER:** Z223-103(RM) **DATE FILED:** October 4, 2022

**LOCATION:** Southeast line of Empire Central Drive, northeast of Harry Hines Boulevard

**COUNCIL DISTRICT:** 2

**SIZE OF REQUEST:** Approx. 1.85 acres **CENSUS TRACT:** 48113000409

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**OWNER:** Robert Bard and Maria Colmenaro [Sole Owners]

**APPLICANT:** Slate Properties

**REQUEST:** An application for an WMU-5 Walkable Urban Mixed-Use District on property zoned an IR Industrial/Research District.

**SUMMARY:** The purpose of the request is to allow multifamily on the site.

**CPC RECOMMENDATION:** Approval of a WMU-5 Walkable Urban Mixed Use District, in lieu of an MU-2 Mixed Use District.

**STAFF RECOMMENDATION:** Approval of a WMU-5 Walkable Urban Mixed Use District, in lieu of an MU-2 Mixed Use District.

## **BACKGROUND INFORMATION:**

- The area of request is currently zoned an IR Industrial/Research District and is developed with office, warehouse, and commercial amusement (inside) uses.
- The applicant proposes to redevelop the property with multifamily.
- To accomplish this, they request an MU-2 Mixed Use District.
- According to Chapter 51A, the MU-2 District is intended to provide for the development of medium density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites; and to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.
- The applicant has not indicated an intent to provide affordable units as part of the development. However, an MU-2 District would be entitled to development bonuses if affordable units are provided. These bonuses are detailed in the report.
- On March 23, 2023, the City Plan Commission held this item under advisement to April 20, 2023 with instructions to staff to advertise for a WMU-5 Walkable Urban Mixed Use District. The request now includes consideration of a WMU-5 District.

## **Zoning History:**

There have been three zoning cases in the area in the last five years.

1. **Z201-200:** On November 10, 2021, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the northwest line of Empire Central Drive, southwest of Mohawk Drive.
2. **Z201-201:** On August 11, 2021, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the northwest side of the intersection of Empire Central Drive and Forest Park Road.
3. **Z223-115:** On March 23, 2023, City Plan Commission recommended approval of an application for an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant at the hearing, on property zoned an IR Industrial/Research District on the northwest line of Empire Central Drive, northeast of Harry Hines Boulevard. [Scheduled for the May 10, 2023 City Council meeting]

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Empire Central Drive	Community Collector	60 feet
Harry Hines Boulevard	Principal Arterial	130 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

**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 original request for an MU-2 District is consistent with the goals and policies marked with an asterisk (\*). A WMU-5 District is consistent with the goals and policies marked with a dagger (†).

**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. †

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.1** 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 2.5 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. †

## **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 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

## **NEIGHBORHOOD PLUS**

**POLICY 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety. †

**POLICY 5.1** Encourage a wider range of well designed and affordable housing types as a response to emerging homeownership preferences. \*†

**GOAL 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners. †

**POLICY 6.2** Expand affordable housing options and encourage its distribution throughout the city and region. \*†

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR	Office, warehouse, commercial amusement (inside)
<b>Northwest</b>	IR, MF-2(A)	Outside storage, single family, multifamily
<b>Northeast</b>	IR	Outside storage, office showroom/warehouse
<b>East</b>	Subdistrict 2A within PD No. 759	Multifamily
<b>Southeast</b>	IR, MU-2	Office showroom/warehouse, commercial parking lot or garage
<b>Southwest</b>	IR, MU-2	Office, community service center, commercial parking lot or garage

**Land Use Compatibility:**

The area of request is currently developed with office, warehouse, and commercial amusement (inside) uses. Northwest of the request area along Empire Central Drive are outside storage and multifamily uses zoned an IR District. Further northwest are single family and multifamily uses zoned an MF-2(A) Multifamily District. To the northeast are outside storage and office showroom/warehouse uses zoned an IR District.

Due east of the site is multifamily zoned Subdistrict 2A within PD No. 759. Southeast of the request area is office showroom/warehouse zoned an IR District, plus a commercial parking lot or garage zoned an MU-2 District. To the southwest are office and community service center uses zoned an IR District, plus the same commercial parking lot or garage zoned an MU-2 District.

Although surrounding zoning districts and land uses are varied, staff finds the applicant's request to be compatible with surrounding uses in the area.

On March 23, 2023, the City Plan Commission held this item under advisement to April 20, 2023 with instructions to staff to advertise for a WMU-5 Walkable Urban Mixed Use District. The request now includes consideration of a WMU-5 District. The enhanced development standards of a WMU-5 District emphasize walkability and a pedestrian friendly environment. This is appropriate for the surrounding area, which is gradually transitioning from a predominantly industrial area to a denser, urban style residential neighborhood.

## 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 request now includes consideration of a WMU-5 District, which is classified as low intensity among the several WMU Walkable Urban Mixed Use districts available in Article XIII. The WMU districts are intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian friendly environment. Although parcels of any size are eligible for a WMU 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 an 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 WMU districts are intended for use in the vicinity of rail transit stations, immediately adjacent to the Central Business District, and in the 23 study areas of the Trinity River Corridor Comprehensive Land Use Study. These districts are

also appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to *forwardDallas!* has been adopted.

Staff recommends approval of a WMU-5 District, in lieu of the originally requested MU-2 District. Staff finds the area of request to be appropriate for a WMU-5 District due to its proximity to existing multifamily and mixed-use zoning, as well as comparable planned development zoning. The request area is located in the vicinity of a large tract of MU-2 District zoning as well as MF-2(A) District zoning. Also, in the vicinity is PD No. 759, which permits mixed uses and is currently developed with high density multifamily and commercial uses in a pedestrian oriented style.

Although the area of request is not located within the boundaries of an adopted area plan, it is located just outside the boundaries of both the Stemmons Corridor – Southwestern Medical District Area Plan and the Trinity River Corridor Comprehensive Land Use Study. Both of these area plans recommend high density zoning and land uses in addition to an enhanced pedestrian experience. The property is not located within the immediate vicinity of a rail transit station, but it is located within a 10-minute walk of a proposed rail line. It is also located within a mile of the Inwood/Love Field DART station, which is identified as a strategic opportunity area in the Stemmons Corridor – Southwestern Medical District Area Plan.

### **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 located to the rear of the building, 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 WMU-5 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, the originally requested MU-2 District, and consideration of a WMU-5 District. Blank cells indicate a comparable land use is not specified for that district.

### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
<u>Agricultural uses.</u> -- Crop production.	<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 <a href="#">51A-4.202</a> (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.	<u>Commercial and business service uses.</u> -- Catering service. -- Custom business services. -- Electronics service center. -- Labor hall. [SUP] -- Medical or scientific laboratory. -- Tool or equipment rental.	
<u>Industrial uses.</u> -- Alcoholic beverage manufacturing. [RAR] -- Gas drilling and production. [SUP] -- Industrial (inside). [See Section <a href="#">51A-4.203(b)(1)</a> .]	<u>Industrial uses.</u> -- Gas drilling and production. [SUP] -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]	<u>Fabrication use categories.</u> -- Gc: light manufacturing, research and development, vehicle service



### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
<ul style="list-style-type: none"> <li>-- Industrial (inside) for light manufacturing.</li> <li>-- Industrial (outside). <i>[See Section <a href="#">51A-4.203(b)(2).</a>]</i></li> <li>-- Medical/infectious waste incinerator. <i>[SUP]</i></li> <li>-- Municipal waste incinerator. <i>[SUP]</i></li> <li>-- Organic compost recycling facility. <i>[SUP]</i></li> <li>-- Pathological waste incinerator. <i>[SUP]</i></li> <li>-- Temporary concrete or asphalt batching plant. <i>[By special authorization of the building official.]</i></li> </ul>		
<u>Institutional and community service uses.</u> <ul style="list-style-type: none"> <li>-- Adult day care facility.</li> <li>-- Cemetery or mausoleum. <i>[SUP]</i></li> <li>-- Child-care facility.</li> <li>-- Church.</li> <li>-- College, university, or seminary.</li> <li>-- Community service center.</li> <li>-- Hospital. <i>[RAR]</i></li> <li>-- Public or private school. <i>[SUP]</i></li> </ul>	<u>Institutional and community service uses.</u> <ul style="list-style-type: none"> <li>-- Adult day care facility.</li> <li>-- Cemetery or mausoleum. <i>[SUP]</i></li> <li>-- Child-care facility.</li> <li>-- Church.</li> <li>-- College, university or seminary.</li> <li>-- Community service center. <i>[SUP]</i></li> <li>-- Convalescent and nursing homes, hospice care, and related institutions. <i>[RAR]</i></li> <li>-- Convent or monastery.</li> <li>-- Foster home.</li> <li>-- Halfway house. <i>[SUP]</i></li> <li>-- Hospital. <i>[SUP]</i></li> <li>-- Library, art gallery, or museum.</li> <li>-- Open-enrollment charter school or private school. <i>[SUP]</i></li> <li>-- Public school other than an open-enrollment charter school. <i>[RAR]</i></li> </ul>	<u>Civic use categories.</u> <ul style="list-style-type: none"> <li>-- Mu, ground story and upper stories: community service <i>[SUP]</i>, museum, library; daycare; educational; government service, except detention center, jail, or prison; social service <i>[SUP]</i>; transit station</li> <li>-- Ss, ground story only: community service <i>[SUP]</i>, museum, library; daycare; educational; government service, except detention center, jail, or prison; social service <i>[SUP]</i>; transit station</li> <li>-- Gc: community service <i>[SUP]</i>, museum, library; daycare; educational; government service; detention center, jail, or prison <i>[SUP]</i>; social service <i>[SUP]</i>; transit station</li> <li>-- Ts, ground story only: community service <i>[SUP]</i>, museum, library</li> <li>-- Civ: Community service <i>[SUP]</i>, museum, library; daycare; educational; government service;</li> </ul>

### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
		detention center, jail, or prison <i>[SUP]</i> ; transit station -- O: park or open space, utilities  <u>Place of worship use categories.</u> -- Mu, ground story and upper stories: place of worship -- Ss, ground story only: place of worship -- Gc: place of worship -- Civ: place of worship
<u>Lodging uses.</u> -- Extended stay hotel or motel. <i>[SUP]</i> -- Hotel or motel. <i>[RAR]</i> -- Lodging or boarding house. -- Overnight general purpose shelter. <i>[See Section 51A-4.205(2.1).]</i>	<u>Lodging uses.</u> -- Extended stay hotel or motel. <i>[SUP]</i> -- Hotel or motel. <i>[RAR]</i> -- Overnight general purpose shelter. <i>[See Section 51A-4.205(2.1).]</i>	
<u>Miscellaneous uses.</u> -- Attached non-premise sign. <i>[SUP]</i> -- Carnival or circus (temporary). <i>[By special authorization of the building official.]</i> -- Hazardous waste management facility. <i>[Except when operated as a hazardous waste incinerator.]</i> -- Temporary construction or sales office.	<u>Miscellaneous uses.</u> -- Attached non-premise sign. <i>[SUP]</i> -- Carnival or circus (temporary). <i>[By special authorization of the building official.]</i> -- Temporary construction or sales office.	
<u>Office uses.</u> -- 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.	<u>Office uses.</u> -- Alternative financial establishment. <i>[SUP]</i> -- Financial institution without drive-in window. -- Financial institution with drive-in window. <i>[DIR]</i> -- Medical clinic or ambulatory surgical center. -- Office.	<u>Office use categories.</u> -- Mu, ground story and upper stories: medical, office -- Ss, ground story only: medical, office -- Gc: medical, office -- Ts, ground story only: office

### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
<u>Recreation uses.</u> -- Country club with private membership. -- Private recreation center, club, or area. -- Public park, playground, or golf course.	<u>Recreation uses.</u> -- Country club with private membership. -- Private recreation center, club, or area. -- Public park, playground, or golf course.	
<u>Residential uses.</u> -- None permitted.	<u>Residential uses.</u> -- College dormitory, fraternity, or sorority house. -- Duplex. -- Group residential facility. [See Section <a href="#">51A-4.209(3).</a> ] -- Multifamily. -- Residential hotel. -- Retirement housing.	<u>Residential use categories.</u> -- Mu, upper stories only: single-family living, multifamily living, group living -- Apt: multifamily living, group living -- Ts, ground story and upper stories: single-family living, multifamily living, group living -- Th: single-family living, multifamily living, group living -- Mh: single-family living, multifamily living, group living
<u>Retail and personal service uses.</u> -- Alcoholic beverage establishments. [See Section <a href="#">51A-4.210(b)(4).</a> ] -- Animal shelter or clinic without outside runs. -- Animal shelter or clinic with outside runs. [SUP may be required. See Section <a href="#">51A-4.210(b)(2).</a> ] -- Auto service center. [RAR] -- Business school. -- Car wash. [RAR] -- Commercial amusement (inside). [SUP may be required. See Section <a href="#">51A-4.210(b)(7)(B).</a> ] -- Commercial motor vehicle parking. [By SUP only if within 500 feet of a residential district.] -- Commercial parking lot or garage. [RAR]	<u>Retail and personal service uses.</u> -- Alcoholic beverage establishments. [See Section <a href="#">51A-4.210(b)(4).</a> ] -- Animal shelter or clinic without outside runs. [RAR] -- Auto service center. [RAR] -- Business school. -- Car wash. [RAR] -- Commercial amusement (inside). [SUP may be required. See Section <a href="#">51A-4.210(b)(7)(B).</a> ] -- Commercial amusement (outside). [SUP] -- Commercial parking lot or garage. [RAR] -- Convenience store with drive-through. [SUP] -- Dry cleaning or laundry store. -- Furniture store.	<u>Retail use categories.</u> -- Mu, ground story only: drive-thru facility [SUP], restaurant or bar, retail sales, vehicle sales -- Ss, ground story only: drive-thru facility [SUP], restaurant or bar, retail sales, vehicle sales -- Gc: drive-thru facility [SUP]  <u>Service and entertainment use categories.</u> -- Mu, ground story and upper stories: commercial amusement (inside) [SUP]; indoor recreation; personal service, including animal care -- Ss, ground story only: commercial amusement (inside) [SUP]; indoor recreation; personal service, including animal care -- Gc: commercial amusement (inside) [SUP];

### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
<ul style="list-style-type: none"> <li>-- Convenience store with drive-through. <i>[SUP]</i></li> <li>-- Dry cleaning or laundry store.</li> <li>-- Furniture store.</li> <li>-- General merchandise or food store 3,500 square feet or less.</li> <li>-- Home improvement center, lumber, brick or building materials sales yard. <i>[RAR]</i></li> <li>-- Household equipment and appliance repair.</li> <li>-- 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></li> <li>-- Motor vehicle fueling station.</li> <li>-- Paraphernalia shop. <i>[SUP]</i></li> <li>-- Pawn shop.</li> <li>-- Personal service uses.</li> <li>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></li> <li>-- Restaurant with drive-in or drive-through service. <i>[DIR]</i></li> <li>-- Taxidermist.</li> <li>-- Temporary retail use.</li> <li>-- Theater.</li> <li>-- Truck stop. <i>[SUP]</i></li> <li>-- Vehicle display, sales, and service. <i>[RAR]</i></li> </ul>	<ul style="list-style-type: none"> <li>-- General merchandise or food store 3,500 square feet or less.</li> <li>-- General merchandise or food store greater than 3,500 square feet.</li> <li>-- General merchandise or food store 100,000 square feet or more. <i>[SUP]</i></li> <li>-- Household equipment and appliance repair.</li> <li>-- Liquor store.</li> <li>-- Mortuary, funeral home, or commercial wedding chapel.</li> <li>-- Motor vehicle fueling station.</li> <li>-- Nursery, garden shop, or plant sales.</li> <li>-- Paraphernalia shop. <i>[SUP]</i></li> <li>-- Personal service uses.</li> <li>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></li> <li>-- Restaurant with drive-in or drive-through service. <i>[DIR]</i></li> <li>-- Swap or buy shop. <i>[SUP]</i></li> <li>-- Temporary retail use.</li> <li>-- Theater.</li> </ul>	<p>indoor recreation; personal service, including animal care</p> <p><u>Commerce use categories.</u></p> <ul style="list-style-type: none"> <li>-- Mu, ground story and upper stories: commercial parking</li> <li>-- Mu, upper stories only: passenger terminal limited to a helistop <i>[SUP]</i>, overnight lodging, self-service storage <i>[SUP]</i></li> <li>-- Gc: commercial parking, passenger terminal limited to a helistop <i>[SUP]</i>, overnight lodging, self-service storage <i>[SUP]</i></li> <li>-- O: commercial parking <i>[SUP]</i></li> </ul>
<p><u>Transportation uses.</u></p> <ul style="list-style-type: none"> <li>-- Airport or landing field. <i>[SUP]</i>.</li> <li>-- Commercial bus station and terminal. <i>[RAR]</i>.</li> <li>-- Heliport. <i>[RAR]</i></li> <li>-- Helistop. <i>[RAR]</i></li> </ul>	<p><u>Transportation uses.</u></p> <ul style="list-style-type: none"> <li>-- Helistop. <i>[SUP]</i></li> <li>-- Railroad passenger station. <i>[SUP]</i></li> <li>-- Transit passenger shelter.</li> <li>-- Transit passenger station or transfer center. <i>[By SUP or</i></li> </ul>	

### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
<ul style="list-style-type: none"> <li>-- Railroad passenger station. [SUP]</li> <li>-- STOL (short take off or landing) port. [SUP]</li> <li>-- Transit passenger shelter.</li> <li>-- Transit passenger station or transfer center. [By SUP or city council resolution. See Section <a href="#">51A-4.211.</a>]</li> </ul>	<p><i>city council resolution. See Section <a href="#">51A-4.211.</a></i></p>	
<p><u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> <li>-- Commercial radio or television transmitting station.</li> <li>-- Electrical substation.</li> <li>-- Local utilities. [SUP or RAR may be required. See Section <a href="#">51A-4.212(4).</a>]</li> <li>-- Police or fire station.</li> <li>-- Post office.</li> <li>-- Radio, television, or microwave tower. [RAR]</li> <li>-- Tower/antenna for cellular communication. [See Section <a href="#">51A-4.212(10.1).</a>]</li> <li>-- Utility or government installation other than listed. [SUP]</li> <li>-- Water treatment plant. [SUP]</li> </ul>	<p><u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> <li>-- Commercial radio or television transmitting station.</li> <li>-- Electrical substation.</li> <li>-- Local utilities. [SUP or RAR may be required. See Section <a href="#">51A-4.212(4).</a>]</li> <li>-- Police or fire station.</li> <li>-- Post office.</li> <li>-- Radio, television, or microwave tower. [SUP]</li> <li>-- Tower/antenna for cellular communication. [See Section <a href="#">51A-4.212(10.1).</a>]</li> <li>-- Utility or government installation other than listed. [SUP]</li> </ul>	
<p><u>Wholesale, distribution, and storage uses.</u></p> <ul style="list-style-type: none"> <li>-- Freight terminal. [RAR]</li> <li>-- Manufactured building sales lot. [RAR]</li> <li>-- Mini-warehouse.</li> <li>-- Office showroom/warehouse.</li> <li>-- Outside storage. [RAR]</li> <li>-- Recycling buy-back center. [See Section <a href="#">51A-4.213(11).</a>]</li> <li>-- Recycling collection center. [See Section <a href="#">51A-4.213(11.1).</a>]</li> </ul>	<p><u>Wholesale, distribution, and storage uses.</u></p> <ul style="list-style-type: none"> <li>-- Mini-warehouse. [SUP]</li> <li>-- Recycling buy-back center [See Section <a href="#">51A-4.213(11).</a>]</li> <li>-- Recycling collection center. [See Section <a href="#">51A-4.213(11.1).</a>]</li> <li>-- Recycling drop-off container. [See Section <a href="#">51A-4.213(11.2).</a>]</li> <li>-- Recycling drop-off for special occasion collection. [See Section <a href="#">51A-4.213(11.3).</a>]</li> </ul>	

### Land Use Comparison Chart

Existing: IR	Original Request: MU-2	Consideration: WMU-5
-- Recycling drop-off container. [See Section <a href="#">51A-4.213(11.2).</a> ] -- Recycling drop-off for special occasion collection. [See Section <a href="#">51A-4.213(11.3).</a> ] -- Trade center. -- Warehouse. [RAR]		

### 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, the originally requested MU-2 District, and consideration of a WMU-5 District. Included in the WMU-5 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 particular site. Blank cells indicate a requirement is not specified for that development standard.

Standard	Existing: IR	Original Request: MU-2	Consideration: WMU-5
Front setback	15' min	15' min	Primary street: 5' min / 15' max
Required street frontage, primary street*			Primary street: 70% min
Parking setback			Primary street: 30' min Abutting multifamily, nonresidential district, alley: 5' min
Side setback	30' adj to res Other: No min	20' adj to res Other: No min	Abutting multifamily, nonresidential district: 0' or 5' min
Rear setback	30' adj to res Other: No min	20' adj to res Other: No min	Abutting nonresidential district: 0' or 5' min
FAR	2.0 FAR overall 0.75 office/retail 0.5 retail	1.6 FAR base 2.0 FAR max + bonus for res	None

<b>Standard</b>	<b>Existing: IR</b>	<b>Original Request: MU-2</b>	<b>Consideration: WMU-5</b>
Density	No max	50 du/ac (No MUP) 75 du/ac (MUP=2) 100 du/ac (MUP=3)	None
Height	200' 15 stories	135' 10 stories 180' 14 stories w/retail	1 story min 5 stories / 80' max
Story height			Ground story: 10' min / 15' max Upper story: 10' min / 15' max
Lot coverage	80%	80%	80% max
Transparency			Ground story, primary street façade: 30% Upper story, primary street façade: 20%
Entrance			Required on primary street Entrance spacing: None
Blank wall area			Primary street: 30' max
Special standards	Proximity slope Visual intrusion	Proximity slope Urban form setback Tower spacing Visual intrusion	Proximity slope

\* Empire Central Drive is designated as a primary street

### **Mixed Income Housing**

Although the applicant has not indicated an intent to provide affordable units as part of the development, the originally requested MU-2 District would be entitled to development bonuses if affordable units are provided. These incentives for mixed-income housing would not be available under a WMU-5 District. Following is a detail of the development bonuses available in an MU-2 District if affordable units are provided at various percentages and income bands.



District	Density	FAR
MU-2 5% at 61-80%*	90 du/ac (No MUP) 115 du/ac (MUP=2) 140 du/ac (MUP=3)	Remove FAR for res
MU-2 10% at 61-80%*	105 du/ac (No MUP) 125 du/ac (MUP=2) 155 du/ac (MUP=3)	Remove FAR for res
MU-2 10% at 61-80%, 5% at 81-100%*	125 du/ac (No MUP) 150 du/ac (MUP=2) 175 du/ac (MUP=3)	Remove FAR for res

\* Property is located in an “E” MVA area

To obtain the development bonuses listed above for an MU-2 District, the applicant would also need to 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.

### **Landscaping:**

Under the originally requested MU-2 District, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

Under a WMU-5 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 eight percent 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 originally requested MU-2 District, 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 are limited principally to residents.



If the applicant were to provide affordable units as part of the development under an MU-2 District, the off-street parking requirement for multifamily can be reduced to a minimum of 0.5 space per dwelling unit, provided that at least 15 percent of the required parking is available for guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum.

Under a WMU-5 District, the site would need to 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.

**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 currently in an MVA cluster, but there is an “H” MVA cluster to the north. There are also some “E” MVA clusters to the northeast and east.

Z223-103(RM)

**List of Officers**

Slate Properties

Reid Beucler, Manager

**CPC Action**  
**April 20, 2023**

**CPC Action**  
**March 23, 2023**

**Motion:** In considering an application for an MU-2 Mixed Use District on property zoned an IR Industrial/Research District, on the southeast line of Empire Central Drive, northeast of Harry Hines Boulevard, it was moved to **hold** this case under advisement until April 20, 2023, and to instruct staff to re-advertise for a WMU-5 District.

Maker: Hampton  
Second: Blair  
Result: Carried: 12 to 0

For: 12 - Hampton, Herbert, Anderson, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Jung,  
Treadway, Haqq\*, Kingston, Rubin\*

Against: 0  
Absent: 2 - Housewright, Stanard  
Vacancy: 1 - District 1

\*out of the room, shown voting in favor

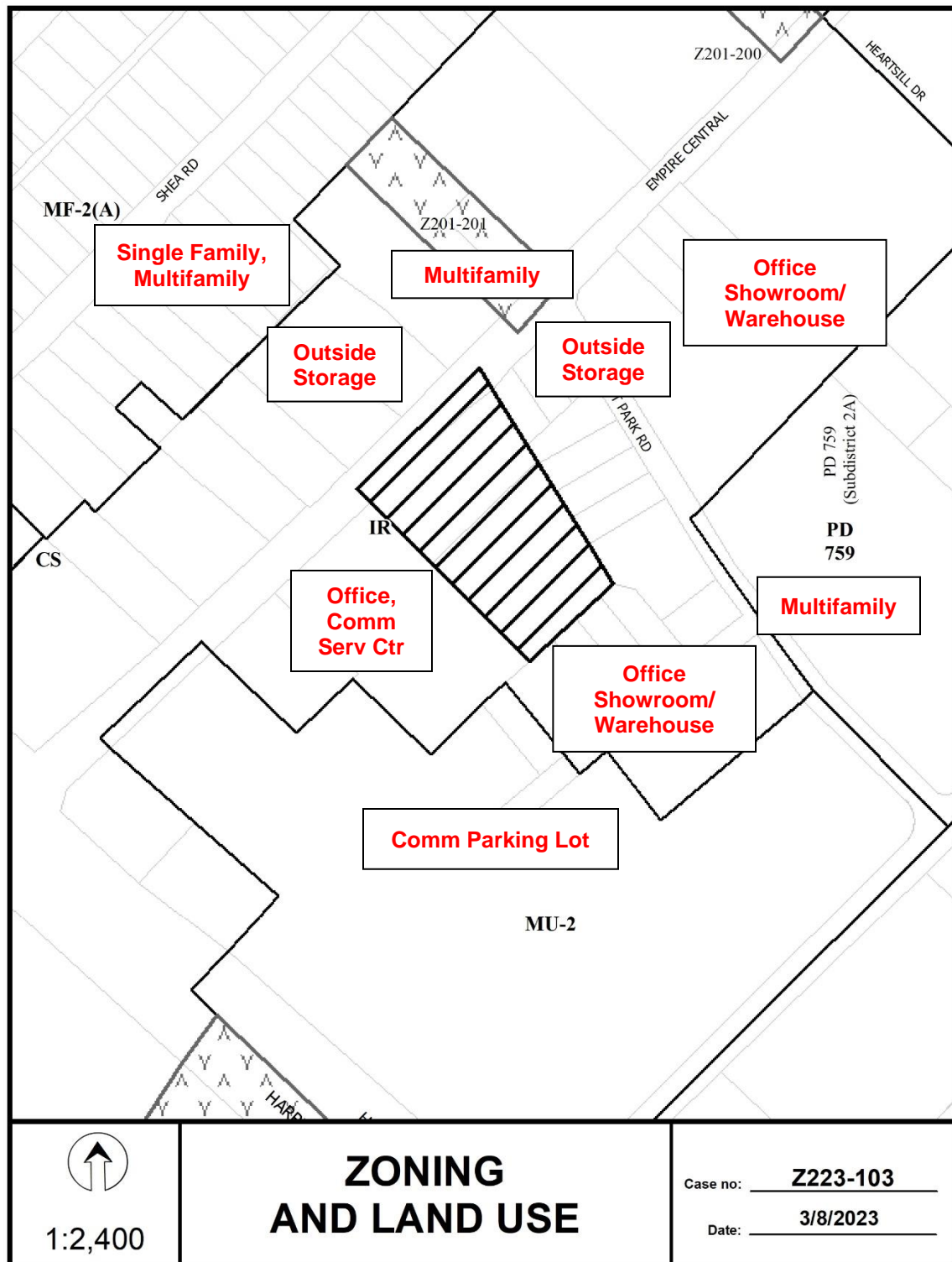
<b>Notices:</b>	Area: 300	Mailed: 35
<b>Replies:</b>	For: 1	Against: 0

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

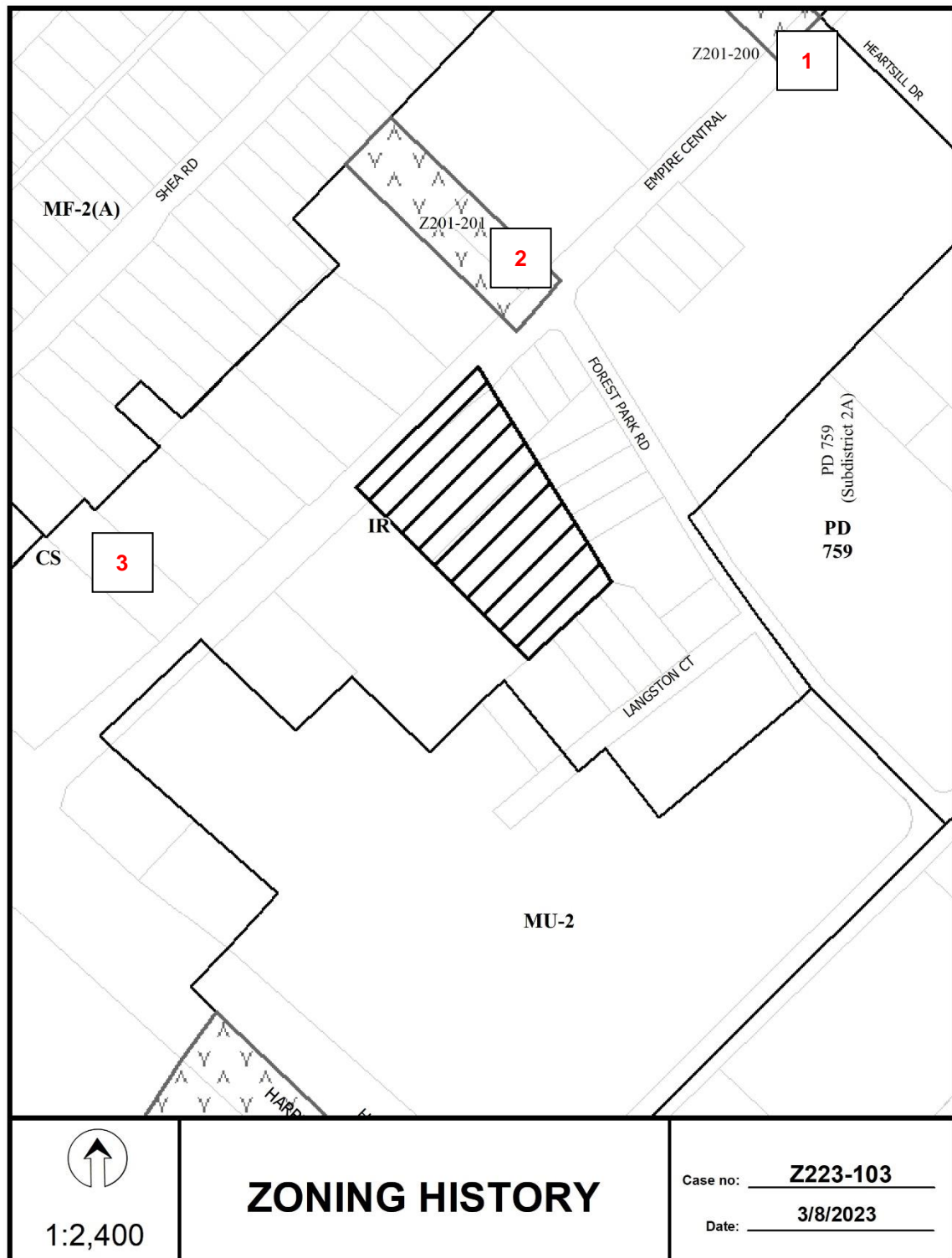


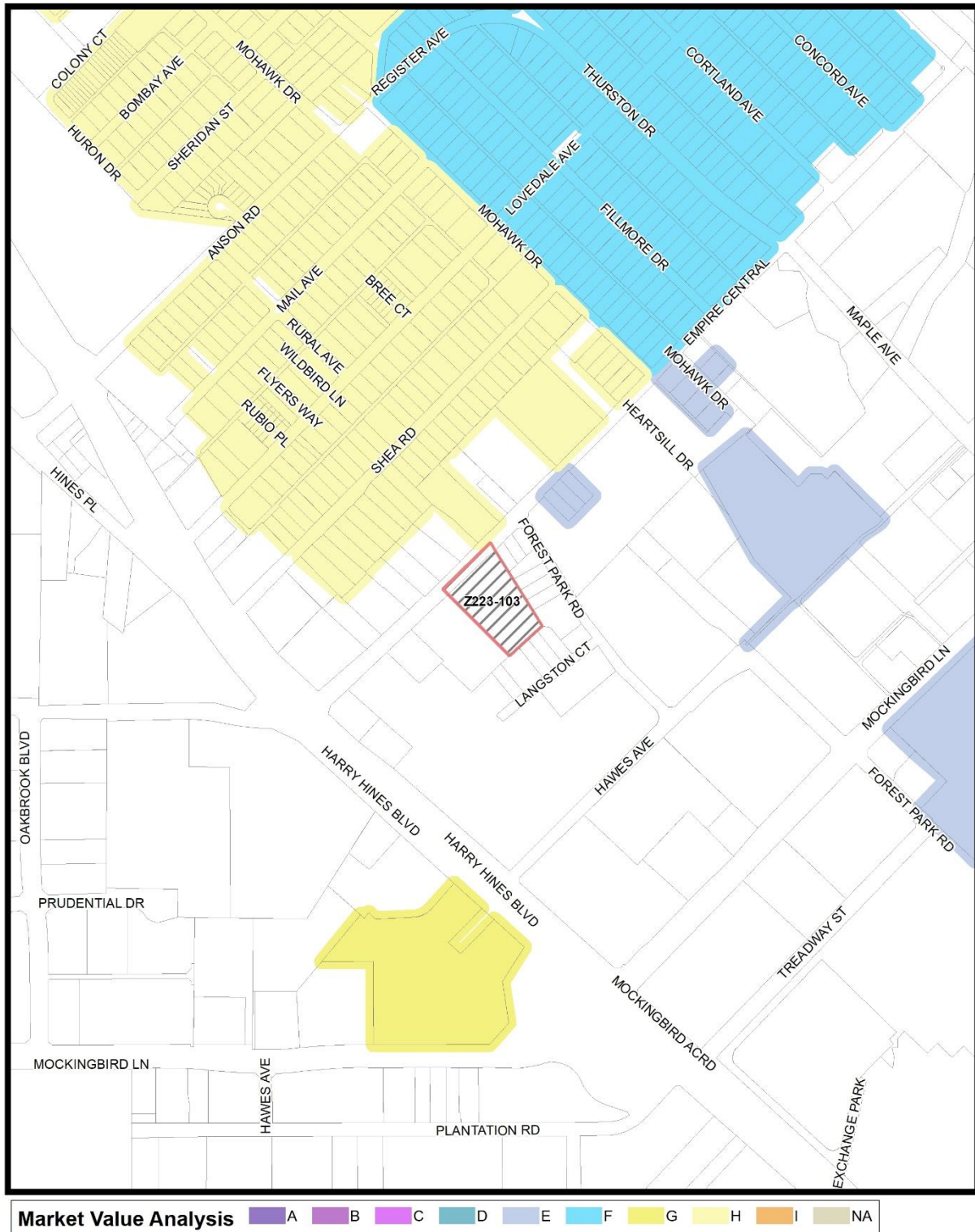












1:6,000

## Market Value Analysis

Printed Date: 3/8/2023





04/19/2023

***Reply List of Property Owners******Z223-103******35 Property Owners Notified    0 Property Owners in Favor    0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2102	EMPIRE CENTRAL	BARD ROBERT E &
2	2106	SHEA RD	JIMENEZ ASHLEY &
3	2103	EMPIRE CENTRAL	Taxpayer at
4	2145	EMPIRE CENTRAL	IGLESIA DE CRISTO EMPIRE CENTRAL
5	2121	EMPIRE CENTRAL	WSP EMPIRE CENTRAL LLC
6	2102	SHEA RD	PEREZ DANIEL C &
7	2116	SHEA RD	SHEA LOTS I LP
8	2115	EMPIRE CENTRAL	Taxpayer at
9	2033	EMPIRE CENTRAL	Taxpayer at
10	2043	EMPIRE CENTRAL	VANDELAY MUSIC LLC
11	2133	EMPIRE CENTRAL	Taxpayer at
12	2137	EMPIRE CENTRAL	Taxpayer at
13	2046	SHEA RD	MY3GT LIVING TRUST
14	2050	SHEA RD	GARZA JUAN SANCHES
15	2053	EMPIRE CENTRAL	Taxpayer at
16	2148	EMPIRE CENTRAL	Taxpayer at
17	2030	EMPIRE CENTRAL	CIK LP
18	6814	HARRY HINES BLVD	DLF HINES LLC
19	2040	EMPIRE CENTRAL	GIRLS INCORPORATED OF
20	6835	FOREST PARK RD	SONG JIN HEE
21	2119	LANGSTON CT	DERUTA LLC
22	2123	LANGSTON CT	FORESTPARK SERVICES LLC
23	2127	LANGSTON CT	VALDEZ FRANCISCO EST OF
24	2131	LANGSTON CT	MCRAE MICHAEL C
25	6901	FOREST PARK RD	FORD LEVERNE R &
26	6911	FOREST PARK RD	6911 FOREST PARK LLC

Z223-103(RM)

04/19/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6921	FOREST PARK RD	IMPRUNETTA LLC
28	6925	FOREST PARK RD	Taxpayer at
29	6929	FOREST PARK RD	Taxpayer at
30	6931	FOREST PARK RD	Taxpayer at
31	2130	EMPIRE CENTRAL	Taxpayer at
32	2126	EMPIRE CENTRAL	Taxpayer at
33	2122	EMPIRE CENTRAL	Taxpayer at
34	6930	FOREST PARK RD	Taxpayer at
35	2223	HAWES AVE	JDFW IV LLC