

FILE NUMBER: Z245-176(MB) **DATE FILED:** March 5, 2025

LOCATION: North line of East Wheatland Road, east of University Hills Boulevard

COUNCIL DISTRICT: 8

SIZE OF REQUEST: Approx. 64.88 ac **CENSUS TRACT:** 48113011300

REPRESENTATIVE: Jasmond Anderson

OWNER/APPLICANT: Robert Pitre [R.K.C.J. LLC]

REQUEST: An application for **(1)** a WMU-5 Walkable Mixed Use District; and **(2)** deed restrictions on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of the request is to allow mixed use development.

STAFF RECOMMENDATION: Approval of **(1)** a WMU-5 Walkable Mixed Use District.

CPC RECOMMENDATION: Approval of **(1)** a WMU-5 Walkable Mixed Use District; and **(2)** approval of deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-7.5(A) Single Family District and is mostly undeveloped.
- The surrounding area is zoned with a mix of residential districts, including R-5(A) and R-7.5(A) Single Family and MF-2(A) Multifamily, as well as a TH-2(A) Townhouse District. An MU-2 Mixed Use District and NS(A) Neighborhood Service District are also in proximity to the area of request. The site is adjacent to the DART UNT Dallas Station.
- The applicant wishes to develop the site with a range of uses, including residential and retail uses.
- During the CPC hearing, the applicant volunteered deed restrictions pertaining to allowable uses. Staff does not support the deed restrictions.
- On May 22, 2025, CPC recommended approval of a WMU-5 Walkable Mixed Use District and applicant's volunteered deed restrictions.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
East Wheatland Road	Residential Collector	60 feet
Old Ox Road	Residential Collector	Unbuilt / 60 feet proposed

Traffic:

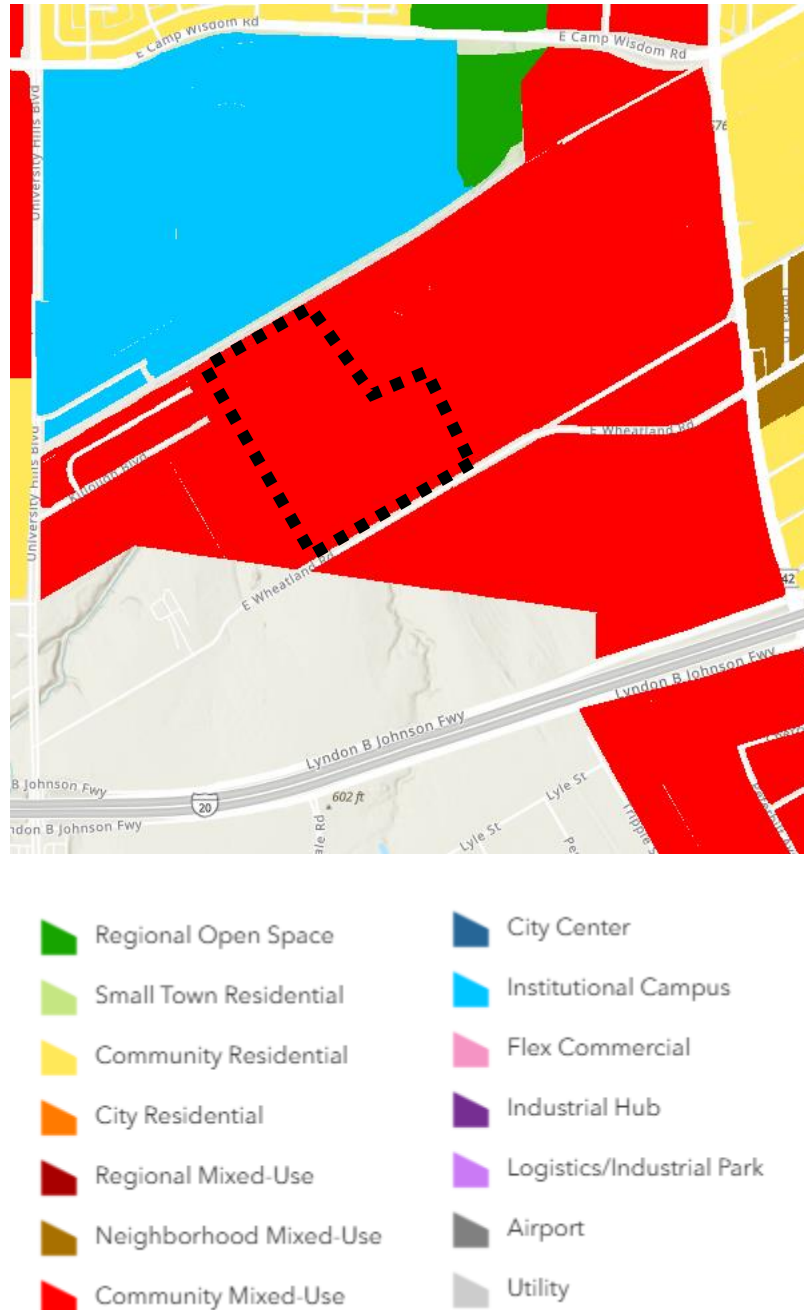
The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation and Public Works Department, reviewed the request and determined that, pending commensurate improvements, it will not significantly impact the surrounding roadway system. The project will be responsible for mitigating development impact as determined through the engineering review process.

STAFF ANALYSIS:

Comprehensive Plan:

ForwardDallas 2.0 is the citywide Comprehensive Plan for future land use in the City of Dallas. Adopted by City Council in September 2024, the plan includes a future land use map and guidance for a future vision of the City of Dallas. It also establishes goals and guidelines for land use and other decisions by the City. According to the City of Dallas's Development Code, the comprehensive plan serves merely as a guide for rezoning requests, but does not establish zoning boundaries nor does it restrict the City's authority to regulate land use.

The proposed zoning change is generally **consistent** with Forward Dallas 2.0. Mixed-Use is a primary land use in the Community Mixed-Use placetype. The proposal of Mixed-Use zoning should prioritize incorporating additional community gathering space, pedestrian amenities, and enhanced landscaping as a catalyst for more destination activity around commercial uses. The design recommendations in Forward Dallas 2.0 are applicable in this case, but this general zoning change provides only limited review of the consistency with those recommendations.



Placetype Summary

Placetypes describe the long-term vision and desired building and preservation characteristics for different places within the city including neighborhoods, mixed-use areas, employment and industry centers, and open spaces. They provide a high-level guide for the desired mix of land uses, design and the recommended intensity and scale of the different uses. Due to the macro scale of the plan, not all uses or design considerations described within the placetypes may be suitable for every individual property.

Community Mixed-Use areas are located at major intersections and along key corridors, serving multiple surrounding neighborhoods and attracting retailers and services that require a larger market area. A mix of commercial, office, residential, retail, and services are concentrated adjacent to larger nodes of activity. Commercial centers, commercial corridors, and office parks are representative of this placetype. Residential uses are accommodated within mid-rise buildings, and some mixed-use structures are connected by internal and external pedestrian pathways.

Area Plan

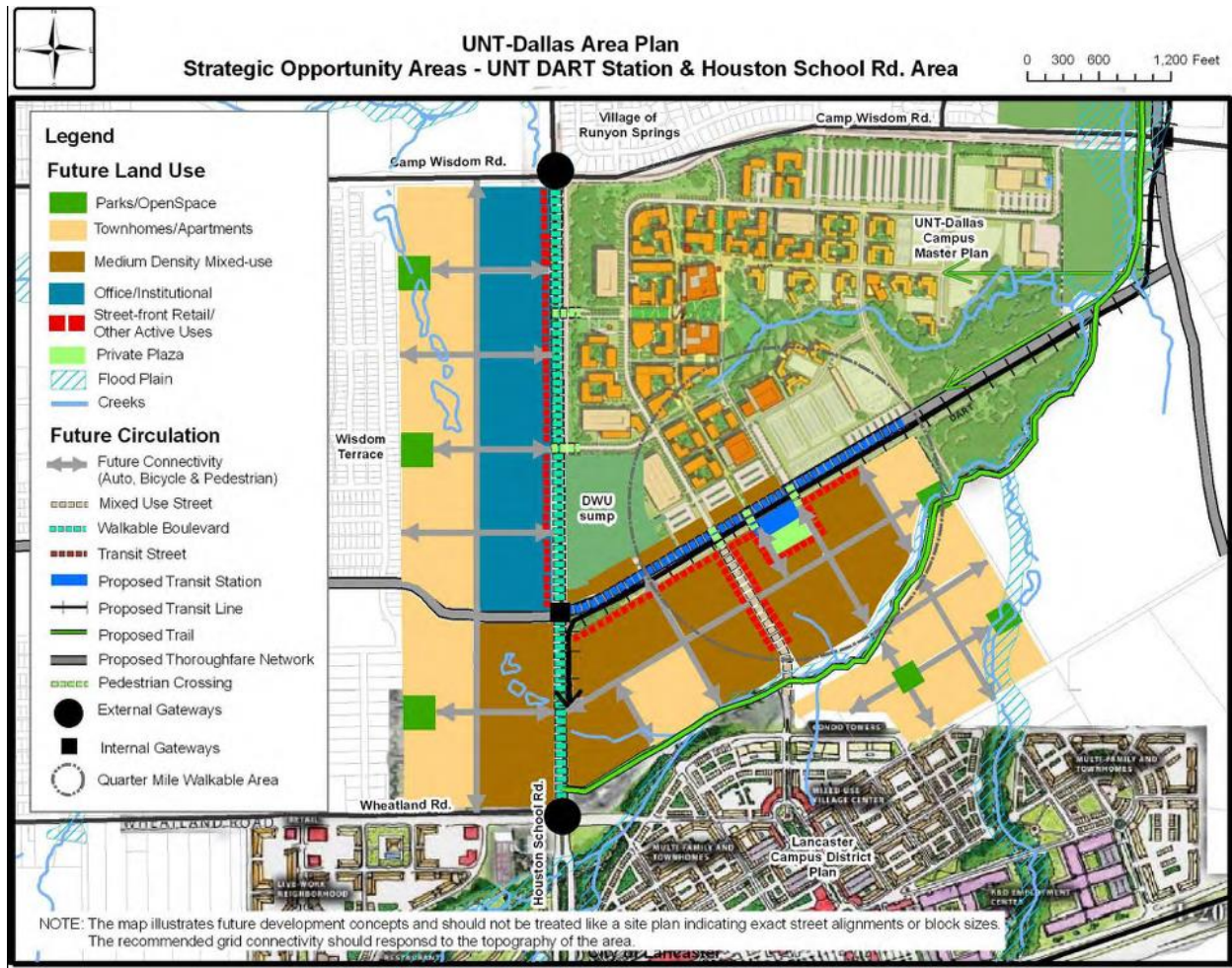
UNT Dallas Area Plan (2009)

The UNT Dallas Area Plan establishes a future development vision and strategies for implementation. The University of Texas at Dallas campus area was one of the top priority areas identified in the forwardDallas comprehensive plan for further study. The UNT-Dallas campus is the first state university to be established completely within Dallas city limits. The UNT-Dallas Area Plan has a dual purpose and is consequently organized in two components: The Vision and Policy Plan and the Implementation Program.

The Vision and Policy Plan component updates and refines the forwardDallas! Vision for the area, providing more context specific policy direction to serve as an ongoing guide for future land development. This component is incorporated into the forwardDallas! Comprehensive Plan through an amending ordinance.

The Implementation Program component focuses on defining specific actions to bring about strategic change needed to realize the vision. It focuses on a 5 to 7-year planning horizon and will require periodic review and update.

The area of request is within the UNT-DART Station Area of the plan, shown below. The plan identifies the site as appropriate for medium density mixed-use and townhomes/apartments.



Source: Long Range Planning Division, City of Dallas

MAP 4.2

The area plan envisions the neighborhood as offering “live-work, shopping, and entertainment opportunities for university students, faculty, and staff.” As such, staff finds that the requested zoning change **complies** with the UNT Dallas Area Plan.

Land Use:

	Zoning	Land Use
Site	R-7.5(A) Single Family	Undeveloped, event center
North	R-5(A) Single Family	Undeveloped, DART Light Rail
South	R-7.5(A), MF-2(A) Multifamily	Undeveloped
East	TH-2(A) Townhouse	Undeveloped
West	R-7.5(A) Single Family	Undeveloped, single family, vehicle yards

Land Use Compatibility:

The request site is largely undeveloped, with a single structure used as an event center along Wheatland Road. The applicant wishes to develop the site as a mixed-use development. The surrounding areas are also largely undeveloped, zoned primarily as R-7.5(A), TH-2(A), and MF-2(A). The site also abuts the DART UNT Dallas light rail station, and is adjacent to the City of Lancaster.

Staff supports the requested zoning change as the subject site is designated as Community Mixed-Use in Forward Dallas 2.0, and the UNT Dallas Area Plan calls for medium density mixed-use and townhomes/apartments in this area. The proposed WMU-5 Walkable Mixed Use District would allow for a variety of uses compatible with the surrounding residential districts. Residential Proximity Slope would apply to the district, limiting the impact of taller buildings on the adjacent residential districts. However, the size of the site would allow development of buildings to the maximums allowed within WMU-5 in the heart of the site, and slightly lower developments closer to the DART light rail station.

Staff does **not recommend approval of the proposed deed restrictions**. The uses delineated in the deed restrictions are not foreseen to be incompatible with surrounding uses. The nature of a form-based district limits the negative impact that these uses could have both within the district and in the surrounding area. Of particular note is the restriction on self-service storage, which would presumably be of great utility in an area with a transient population such as a university. The form-based district standards ensure that regardless of use, a building is constructed in a manner that promotes a vibrant, high-quality urban environment.

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. These, 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 WMU-5 District, which is classified as low intensity among the several WMU Walkable 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 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.

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 Comprehensive Plan. These districts are also appropriate for major job centers and

concentrations of multifamily housing where an area plan pursuant to forward Dallas! has been adopted.

Staff finds the area of request to be appropriate for a WMU-5 District due to its proximity to the UNT Dallas DART station, planned developments in the vicinity, and the UNT Dallas Area Plan. The area plan envisions this area as a major component of the UNT Dallas campus and the Lancaster Campus District, with medium-density mixed use closer to the station and townhomes / apartments closer to Wheatland Road.

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. The restaurant/bar use category and retail sales use category are allowed under the Mixed Use Shopfront (Mu) and Single Story Shopfront (Ss) development types.

The applicant's proposed use of the site would likely encompass various use categories, such as single family and multifamily living, parks or open space, offices, restaurants, retail, etc. Following is a comparison table showing differences in the permitted uses between the current R-7.5(A) Single Family District and the proposed WMU-5 District. Blank cells indicate a comparable land use is not specified for that district.

Existing: R-7.5(A)	Proposed: WMU-5
<u>Agricultural uses.</u> -- Crop production.	
<u>Commercial and business service uses.</u> None permitted	<u>Commerce use categories.</u> -- Mu, ground story or upper stories: commercial parking -- Mu, upper stories only: helistop [SUP], overnight lodging, self-service storage -- Gc, all stories: commercial parking, helistop [SUP], overnight lodging, self-service storage
<u>Industrial uses.</u> -- Gas drilling and production. [SUP] -- Temporary concrete or asphalt batching plant. [SUP]	<u>Fabrication use categories.</u> -- Gc, all stories: light manufacturing, research and development, vehicle service
<u>Institutional and community service uses.</u> -- Cemetery or mausoleum. [SUP] -- Child-care facility. [See 51A-4.204(3)] -- Church. -- College, university, or seminary. [SUP] -- Community service center. [SUP] -- Convent or monastery. [SUP] -- Foster home. [RAR] -- Library, art gallery, or museum. [SUP] -- Public or private school. [SUP]	<u>Civic use categories.</u> -- 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

Existing: R-7.5(A)	Proposed: WMU-5
	<u>Place of worship use categories.</u> -- Ss, ground story only: Place of worship -- Civ: Place of worship
<u>Lodging uses.</u> None permitted	
<u>Miscellaneous uses.</u> -- Carnival or circus (temporary). <i>[By special authorization of the building official.]</i> -- Temporary construction or sales office.	
<u>Office uses.</u> None permitted.	<u>Office use categories.</u> -- Ss, ground story only: Medical, office (office and medical only allowed along thoroughfare) -- Ts, ground story only: Office
<u>Recreation uses.</u> -- Country club with private membership. <i>[SUP]</i> -- Private recreation center, club, or area. <i>[SUP]</i> -- Public park, playground, or golf course.	<u>Civic use categories.</u> -- O: Park or open space, utilities
<u>Residential uses.</u> -- Handicapped group dwelling unit. -- Single family.	<u>Residential use categories.</u> -- 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
<u>Retail and personal service uses.</u> None permitted.	<u>Retail use categories.</u> -- Ss, ground story only: Drive-thru facility <i>[SUP]</i> , restaurant or bar, retail sales, vehicle sales <u>Service and entertainment use categories.</u> -- Ss, ground story only: Commercial amusement (inside) <i>[SUP]</i> ; indoor recreation; personal service, including animal care <u>Commerce use categories.</u> -- O: Commercial parking
<u>Transportation uses.</u> -- Private street or alley. <i>[SUP]</i> . -- Transit passenger shelter. <i>[See 51A-4.211]</i>	

Existing: R-7.5(A)	Proposed: WMU-5
-- Transit passenger station or transfer center. [SUP]	
<u>Utility and public service uses.</u> -- Electrical substation. [SUP] -- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4) .] -- Police or fire station. [SUP] -- Radio, television, or microwave tower. [SUP] -- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1) .] -- Utility or government installation other than listed. [SUP]	
<u>Wholesale, distribution, and storage uses.</u> -- 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) .]	

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 R-7.5(A) District and the proposed WMU-5 District. Included in the WMU-5 column are the development standards applicable to the Mixed use shopfront 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: R-7.5(A)	Proposed: WR-3 (Mixed use shopfront development type)
Front setback	25' min	Primary street: 5' min / 15' max
Required street frontage		Primary street: 90% min
Parking setback		Primary street: 30' min, side street: 5' min Adj single family district: 10' min
Side setback	5' min	Adj multifamily or nonresidential district: 0' or 5' min Adj single family district: 15' min

Rear setback	5' min	Adj single family district: 15' min Adj multifamily/nonresidential district: 5' min
Density / Lot Area Required	7,500 sqft min. lot size	None
Height	30' max	1 story min 5 stories / 80' max
Story height		Ground story: 15' min / 30' max Upper story: 10' min / 15' max
Lot coverage	45% max	100% max
Transparency		Ground story: 50% primary street, 25% side street Upper story: 20% primary/side streets
Entrance		Required on primary street
Blank wall area		Primary street: 20' max
Special standards		Proximity slope*

Landscaping:

Landscaping and tree preservation must be provided in accordance with Article X, as amended.

Parking:

Parking must be provided in accordance with the Dallas Development Code.

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.

APPLICANT'S PROPOSED DEED RESTRICTIONS

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

1. The following uses are prohibited:
 - (A) Commerce uses.
 - Self-service storage.
 - (B) Fabrication uses.
 - Light manufacturing.
 - Vehicle service.

CPC Action

May 22, 2025

Motion: It was moved to recommend **approval** of a WMU-5 Walkable Mixed-Use District, with deed restrictions volunteered by the applicant, on property zoned an R-7.5(A) Single Family District, on the north line of East Wheatland Road, east of University Hills Boulevard.

Maker: Franklin
Second: Hampton
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert*, Forsyth,
Shidid, Wheeler-Reagan, Franklin, Sleeper,
Housewright, Sims, Hall, Kingston, Rubin

Against: 0
Absent: 2 - Carpenter, Haqq
Vacancy: 0

*out of room, shown voting in favor

Notices:	Area: 500	Mailed: 16
Replies:	For: 1	Against: 0

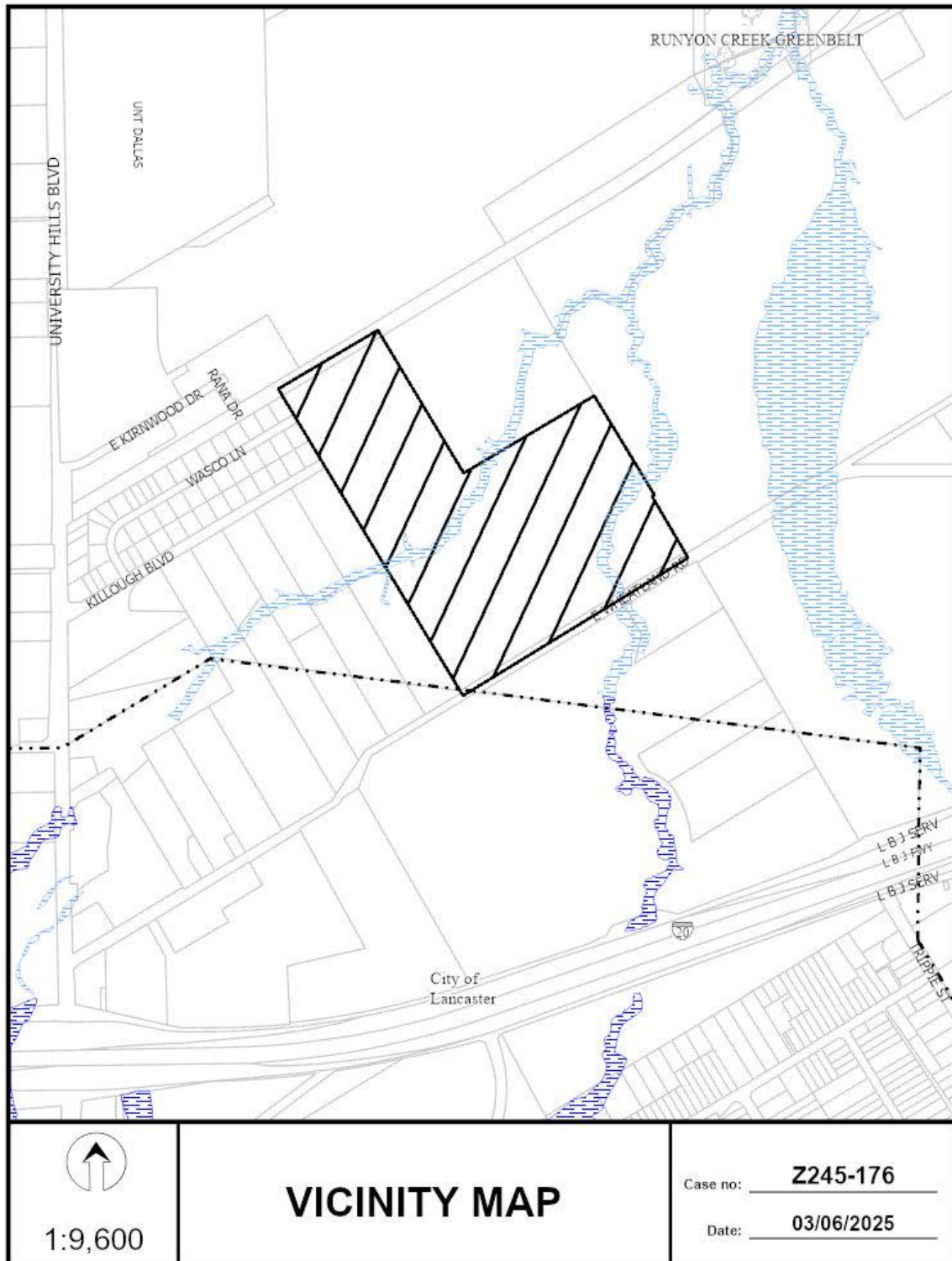
Speakers: For: Robert Petri, 1801 E. Wheatland, Dallas, TX, 75241
Against: None

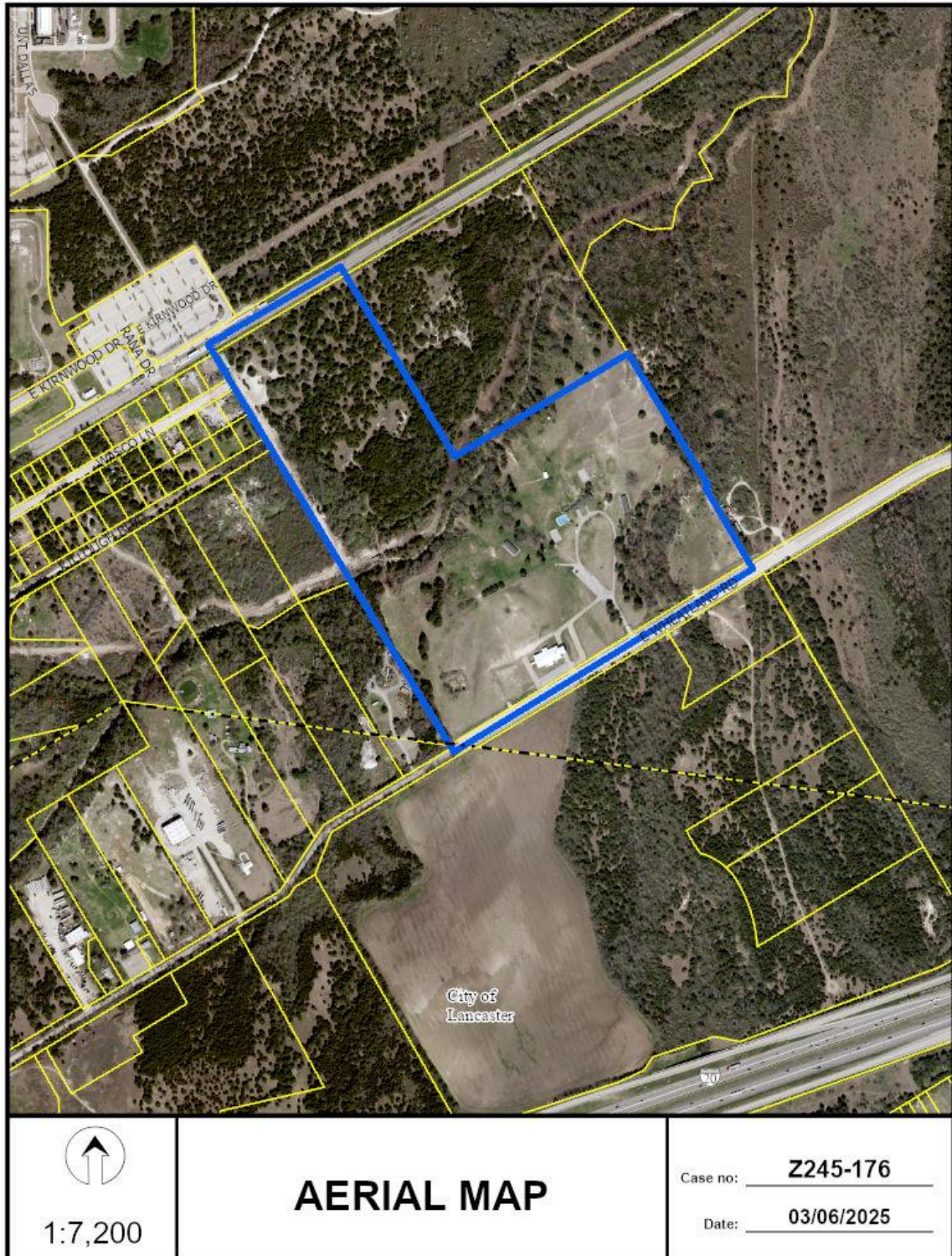
Z245-176(MB)

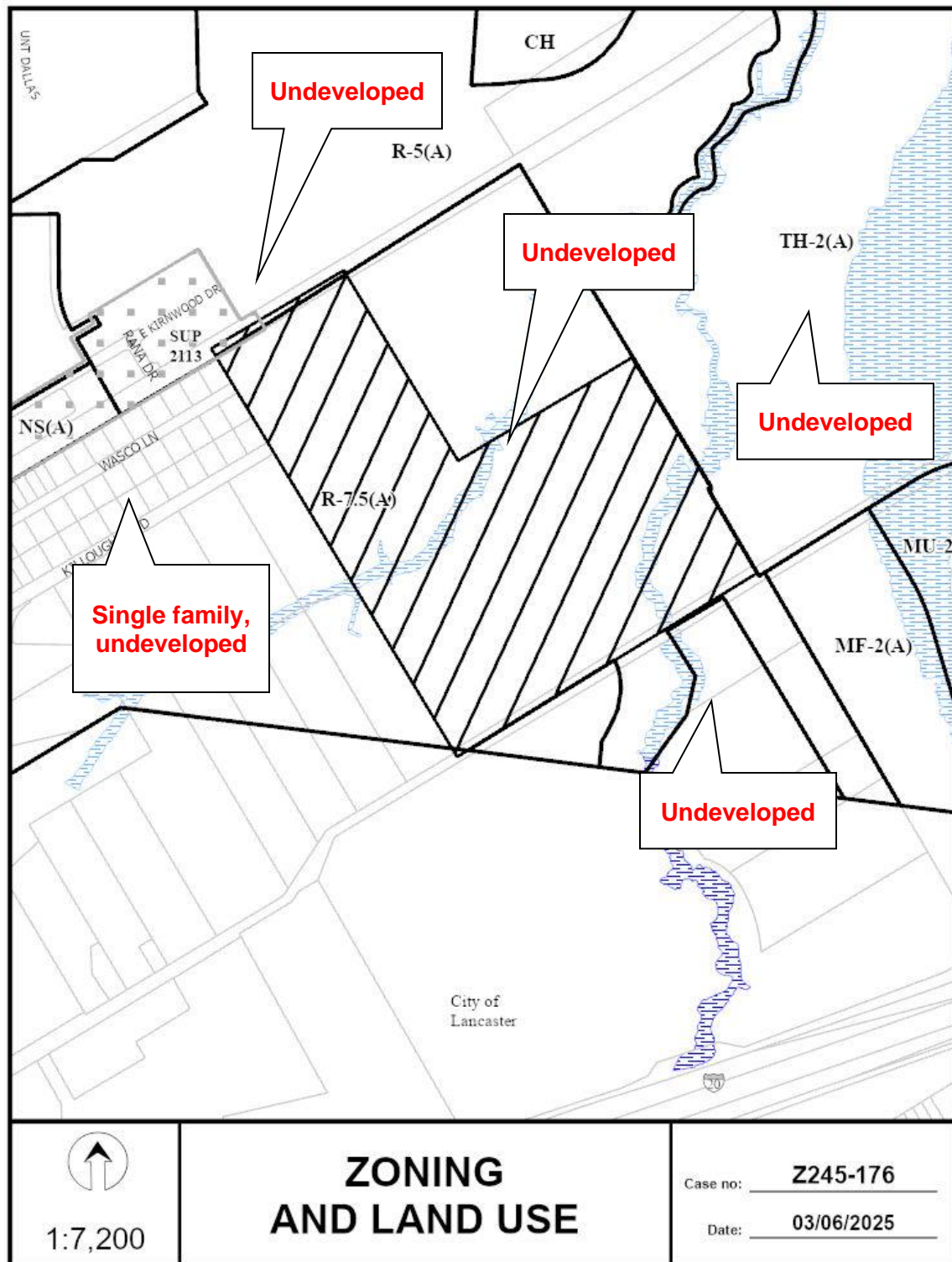
List of Officers

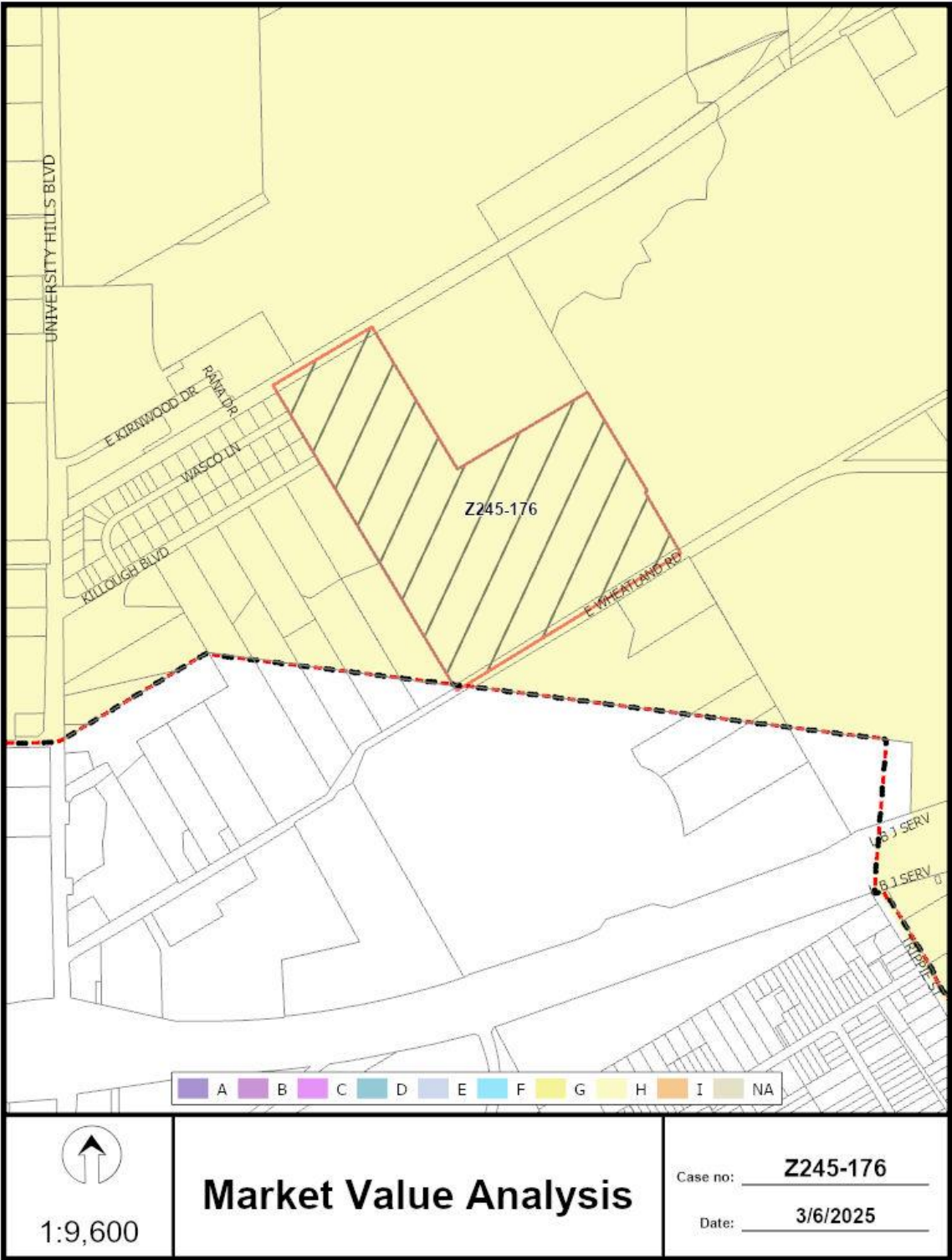
R.K.C.J LLC

Robert Pitre, Sole Owner











05/21/2025

Reply List of Property Owners***Z245-176******16 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1801 E WHEATLAND RD	RKCJ LLC
	2	1514 KILLOUGH BLVD	PORRAS JOHN
	3	7915 S LANCASTER RD	VM FUND I LLC
	4	1527 WHEATLAND RD	HENRISE JAMES & GLINDA
	5	1400 E KIRNWOOD DR	DALLAS AREA RAPID TRANSIT
	6	7894 UNIVERSITY HILLS BLVD	TEXAS STATE OF
	7	1801 E WHEATLAND RD	HICKORY POINTE LLC
	8	1505 KILLOUGH BLVD	DART
	9	1536 WASCO LN	JACKSON LEON
	10	1516 WASCO LN	BARBER OPHERS & ENVIE C
	11	1506 WASCO LN	BARBER OPHERS & ENVIE C
	12	1438 WASCO LN	CURRY VIOLA B
	13	1437 WASCO LN	BARBER GREGORY S
	14	1525 WASCO LN	SAMOL ZAQUEO TOJ
O	15	1600 E WHEATLAND RD	KEY STEPHEN &
	16	1800 E WHEATLAND RD	FELIX JOAQUIN & PABLO