

**FILE NUMBER:** Z189-308(ND)      **DATE FILED:** July 12, 2019

**LOCATION:** Northwest corner of Bengal Street and Macatee Drive

**COUNCIL DISTRICT:** 2      **MAPSCO:** 34 Y

**SIZE OF REQUEST:** Approx. 11.848 acres      **CENSUS TRACT:** 4.01

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**REPRESENTATIVE:** Tommy Mann and Brad Williams, Winstead PC

**APPLICANT:** Ronald McDonald House of Dallas Family Assistance Foundation

**OWNERS:** Ronald McDonald House of Dallas Family Assistance Foundation and SPUS8 VIBE, LP

**REQUEST:** An application for an amendment to Planned Development District No. 663 for UC-2 Urban Corridor District uses.

**SUMMARY:** The purpose of the request is to revise the boundaries of the subareas and provide a revised conceptual plan. The applicant [Ronald McDonald House Charities] is requesting to amend the front yard setback requirement on Macatee Drive to only have a minimum front yard setback and remove the requirement that a portion of the building to be within 20 feet of the street.

**CPC RECOMMENDATION:** Approval, subject to a revised conceptual plan, revised Area 2 development plan, and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a revised conceptual plan, revised Area 2 development plan, and conditions.

**BACKGROUND INFORMATION:**

- On October 8, 2003, the City Council approved Planned Development District No. 663 which consists of two parcels: the 4.4708-acre subject site and a 7.1-acre multifamily development that was constructed in 2008 to the northwest.
- April 24, 2008, the City Plan Commission recommended approval of the first phase of the Ronald McDonald House of Dallas on the subject site. This phase included 60 transient residential rooms within a two-story *convalescent, nursing home, and related institutions* use with approximately 60,440 square feet of floor area.
- On October 4, 2018, the City Plan Commission approved a minor amendment to a development plan to construct a 17,065-square-foot, two-story, 30-unit addition to the existing structure on the subject site at the wrong setback.
- After construction was started on the addition, the error in the setback was identified. The applicant submitted this application to propose that Macatee Drive have no maximum setback as required by the PD.
- The applicant secured authorization from the second property owner with PD No. 663 to adjust the boundary separation between the two subareas to match ownership lines.

**Zoning History:** There have been five recent zoning changes requested on three properties in the vicinity in the past five years.

**1. Z201-126:** On April 24, 2021, the City Council approved the creation of a Planned Development District on property zoned an IR Industrial Research District located Southwest corner of Maple Avenue and Medical District Drive.

**2. BDA190-008:** On January 21, 2020, the Board of Adjustment granted a special exception to the parking regulations for a hotel or motel use at 4860 Harry Hines Boulevard.

**Z189-257:** On September 25, 2019, the City Council approved an MU-2 Mixed Use District on property zoned an IR Industrial Research District located northeast of Harry Hines Boulevard, between Medical District Drive and Kendall Drive.

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**3. Z189-247:** On October 23, 2019, the City Council approved an amendment to Planned Development District No. 748 and an amendment to Specific Use Permit No. 1385 for pedestrian skybridges on the northwest and southwest corners of Medical District Drive and Southwestern Medical Avenue, and east line of Medical District Drive.

**Z167-202:** On May 10, 2017, the City Council approved the creation of Tract 2 within Planned Development District No. 748 located on the northwest and northeast corner of Medical District Drive and Southwestern Medical Avenue.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>ROW</b>
Bengal Street	Local	50 feet
Macatee Drive (AKA Kendall Drive)	Local	50 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* has no goals that relate specifically to the request.

**Area Plans:**

The area of request is within the Southwestern Medical District Area Plan, adopted by City Council in June 2010.

The area of request is identified as “Urban Residential – Medium” on the Development vision in the Southwestern Medical District Area Plan and abuts the Medical campus area on two sides. The vision for this area is two to seven stories with a diversity of housing options with an easy walk to DART stations. The Urban Residential – Medium

can support up to 10 percent office or institutional uses. Both uses, multifamily and institutional uses are supported at this location by the area plan.

**STAFF ANALYSIS:**

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 663	Convalescent, nursing home, and related institutions; multifamily
<b>Northeast</b>	PD No. 712	Warehouse; Office showroom/warehouse; multifamily
<b>Southeast</b>	IR	Office showroom/warehouse, Mini-warehouse
<b>Southwest</b>	IR, MU-2	Ambulatory surgical center; Office showroom/warehouse
<b>Northwest</b>	IR, SUP No. 1645	Medical clinic, DART station

**Land Use Compatibility:**

The area of request is zoned PD No. 663 which has a base of a UC-2 Urban Corridor District. Urban Corridor Districts’ purpose is to include a mixture of uses on a site with design guidelines to be pedestrian friendly and reduce traffic and encourage transit options. The site is developed with a multifamily use on two-thirds of the property and a convalescent, nursing home, and related institutions on the other portion.

Property surrounding the site is zoned IR Industrial Research District on three sides – northwest, southwest, and southeast – developed with medical clinic, DART station, medical uses, mini-warehouse, and office showroom/warehouse uses. To the northeast is PD No. 712, which is developed with a multifamily use, warehouse use, and an office showroom/warehouse use.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
<b>Existing:</b> PD No. 663	Min: 10'  70% street frontage b/t min/max  Max: 20'  except a corner lot on Motor and Bengal: 20' Motor; 43' or 20' Bengal.	None, but if provided at least 5'	None	Subarea 1: 180' and 14 stories  Subarea 2: 120' and 9 stories	80%	Mixed uses
<b>Proposed:</b> PD No. 663	Min: 10'  70% street frontage b/t min/max  Max: 20'  except a corner lot on Motor and Bengal: 20' Motor; 43' or 20' Bengal  except on Macatee – no max	None, but if provided at least 5'	None	Subarea 1: 180' and 14 stories  Subarea 2: 120' and 9 stories	80%	Mixed uses

The applicant’s request is two-fold. The primary reason for the request is to remove the maximum setback on Macatee Drive. City Plan Commission approved a minor amendment in 2018 showing a building addition outside of the required maximum setback. The applicant began constructing the building based on the approved minor amendment. Subsequently, it was determined that the building did not meet the setback requirement that at least 70 percent of the street frontage required a maximum 20-foot setback.

The second portion of the request is to align the subareas with the property ownership. The multifamily development is in both Subareas 1 and 2 and the institutional use is in

Subarea 2. The proposal is to move the current boundary to the south along the common property line. The difference between Subarea 1 and Subarea 2 are the height. Subarea 1 has a maximum height of 180 feet (14 stories) and Subarea 2 has a maximum height of 120 feet (nine stories).

Staff supports both portions of the request. Utility equipment exists along the Macatee Drive street frontage and prevents a building from occupying that space. An option could have been to design the building around the utility equipment and have the building addition occupy what is currently parking. However, there would still be the utility equipment along the property edge. Currently there is a play area between the utility equipment and the building.

Altering the boundary between the subareas would allow the multifamily property to be under one set of regulations. The additional height given to the middle portion of the property should not have an adverse effect on the surrounding property as IR District allows a maximum height of 200 feet.

**Parking:**

Parking for multifamily uses in PD No. 663 are based on the unit size which is different from the Code. Parking requirement is from one space for units less than 900 square feet and less than two bedrooms to one and one-half spaces for units more than 900 square feet and less than two bedrooms to one space per bedroom for units with two bedrooms or more.

Parking reductions are given for pedestrian amenities for nonresidential uses. No changes are proposed to the parking regulations.

**Landscaping:**

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. The proposed changes would not affect the landscaping.

**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

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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 "E" MVA category.

<b>Officers</b>
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**Ronald McDonald House Dallas**

**Trustees**

Place One – Sandy Phillips

Place Two – Nancy Skochdopole

Place Three – Cynthia O'Brien (Chair)

Place Four – Nancy Kerr

Place Five – Cile Crouch

**SPUS 8 VIBE GP, LLC**

Ming Lee, Vice President

John Gilb, Vice President



**CPC Action**  
**May 6, 2021**

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 663 for UC-2 Urban Corridor District uses, subject to a revised conceptual plan, revised Area 2 development plan, and conditions at the northwest corner of Bengal Street and Macatee Drive.

Maker: Jackson  
Second: Suhler  
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Carpenter, Jackson, Blair, Jung,  
Suhler, Schwope, Murphy, Rubin

Against: 0  
Absent: 1 - Garcia  
Vacancy: 1 - District 10

**Notices:** Area: 500 Mailed: 28  
**Replies:** For: 1 Against: 0

**Speakers:** For: None  
For (Did not Speak): Brad Williams, 2728 N. Harwood St., Dallas, TX,  
Jill Cumnock, 4707 Bengal St., Dallas, TX, 75235  
Against: None

**CPC RECOMMENDED CONDITIONS**

**SEC. 51P-663.101. LEGISLATIVE HISTORY.**

PD 663 was established by Ordinance No. 25398, passed by the Dallas City Council on October 8, 2003.

**SEC. 51P-663.102. PROPERTY LOCATION AND SIZE.**

PD 663 is established on property bounded by Motor Street, Bengal Street, Macatee Street and the M.K. & T. Railroad right-of-way. The size of PD 663 is approximately 11.848 acres.

**SEC. 51P-663.103. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
- (c) This district is considered to be a nonresidential zoning district.

**SEC. 51P-663.104. MAIN USES PERMITTED.**

The uses permitted in this district are the same as those uses permitted in the UC-2 Urban Corridor District, subject to the same conditions applicable in the UC-2 Urban Corridor District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the UC-2 Urban Corridor District only by specific use permit (SUP) is permitted in this PD only by SUP; a use subject to development impact review (DIR) in the UC-2 Urban Corridor District is subject to DIR in this PD; etc.

**SEC. 51P-663.105. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A- 4.217.

SEC. 51P-663.106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 663A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control.

SEC. 51P-663.107. DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before issuance of any building permit.

SEC. 51P-663.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Minimum front yard. Buildings must be set back at least 10 feet from the back of the street curb. No minimum front yard setback for structures other than buildings.

(b) Maximum front yard.

(1) A maximum front yard must be observed for at least 70 percent of the linear distance of any street frontage exclusive of each of the following:

(A) five feet for each side yard provided;

(B) any area comprising a pedestrian plaza as defined in the urban corridor district regulations; and

(C) for corner lots, the depth of the maximum front yard extending from the adjacent frontage.

(2) For a corner lot fronting on both Motor Street and Bengal Street:

(A) the Motor Street maximum front yard is 20 feet;

(B) the Bengal Street maximum front yard is 43 feet if ground floor uses will include retail, personal service, or office uses and a minimum 5-foot pedestrian clear zone is maintained between building facade and the street, otherwise the Bengal Street maximum front yard is 20 feet; ~~and~~

- (3) In Area 2, there is no maximum front yard along Macatee Drive.
- (4) ~~f~~For all other lots, maximum front yard is 20 feet.

(c) Urban form setback. An additional front yard setback of one foot for each two feet in height above 55 feet is required for that portion of a building above 55 feet in height up to a total setback of 30 feet. This subsection does not require a front yard setback greater than 30 feet.

(d) Side and rear yard.

(1) Minimum side or rear yard. No side or rear yard is required. However, if a side or rear yard is provided, it must be at least five feet wide.

(2) Tower spacing. Except for side or rear yards on lot lines adjacent to rail right-of-way, an additional side or rear yard setback of one foot for each two feet in height above 55 feet is required for that portion of a building above 55 feet in height, up to a total setback of 30 feet. This paragraph does not require a total side or rear setback greater than 30 feet.

(e) Permitted encroachments. Canopies, balconies, stoops, bay windows, awnings, other ordinary building projections, signs, street furniture, planting beds, and outdoor eating areas may extend into a setback or right-of-way provided that a minimum sidewalk clearance of five feet is maintained. Extensions into a right-of-way require the approval of a license pursuant to Chapter 43 of the Dallas City Code. A turret, spire, or tower not exceeding a floor area of 10 percent of the ground floor area may encroach into an urban form setback or tower spacing setback.

(f) Height.

(1) Maximum structure height in Area 1 as shown on the conceptual plan is 180 feet, exclusive of roof top mechanicals, parapet walls, and elevator penthouses.

(2) Maximum structure height in Area 2 as shown on the conceptual plan is 120 feet, exclusive of roof top mechanicals, parapet walls, and elevator penthouses.

(g) Stories.

1) Maximum number of stories above grade in Area 1 as shown on the conceptual plan is 14.

2) Maximum number of stories above grade in Area 2 as shown on the conceptual plan is nine.

h) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations, surface parking lots and underground parking structures are not.

(i) Floor area ratio. The total floor area of all uses within this PD may not exceed a maximum floor area ratio of 2.0.

(j) Dwelling unit density. No maximum dwelling unit density.

(k) Pedestrian access to buildings. A building facing a street must have a primary pedestrian entrance on the ground floor of a facade facing either the street or a pedestrian plaza with street frontage.

SEC. 51P-663.109. OFF-STREET PARKING AND LOADING.

(a) In general. The off-street parking requirements of Division 51A-4.200 and the off-street parking and loading regulations of Division 51A-4.300 apply, except as otherwise provided in this section.

(b) Multifamily uses. For a multifamily use, the minimum off-street parking requirements are:

(1) one space for each dwelling unit having a floor area of 900 or less square feet and less than two separate bedrooms;

(2) one and one-half spaces for each dwelling unit having a floor area of more than 900 square feet and less than two separate bedrooms; and

(3) one space per bedroom for each dwelling unit having two or more bedrooms.

(c) Nonresidential uses. If more than three pedestrian amenities as described in the pedestrian amenities section of the site design requirements in the urban corridor district regulations are provided, nonresidential uses shall be granted reductions of four percent of total parking requirements for each additional pedestrian amenity up to a maximum 20 percent reduction. If a reduction in parking requirements is sought, bicycle parking must be provided as an amenity type. The additional pedestrian amenities must be provided within the curb-to-building area or in a pedestrian plaza and must serve to enhance pedestrian pathways from building entrances to light rail or transit stops.

(d) On-street parallel parking. On-street parallel or head-in parking spaces located on Macatee Street or Bengal Street and adjacent to a lot may be counted toward the off-street parking requirements for that lot. Notwithstanding the foregoing, nothing in this section shall abrogate the authority granted to the City's traffic engineer

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by Chapter 28 of the Dallas City Code to regulate traffic, including parking on public streets.

(e) Shared parking. Total required parking may be adjusted pursuant to the Shared Parking Table provided in the urban corridor district regulations. Up to 20 percent of parking for residential uses may be used as commercial parking between 7:30 a.m. and 6:30 p.m.

SEC. 51P-663.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-663.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with the requirements of Article X, except that if a reduction in off-street parking requirements is sought pursuant to Section 51P-663.109(c), landscaping and open space must be provided in accordance with the landscape and open space provisions in the urban corridor district regulations.

(b) Landscaping must be installed within six months after the issuance of a certificate of occupancy.

SEC. 51P-663.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P-663.113. ADDITIONAL PROVISIONS.

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-663.114. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or certificate of

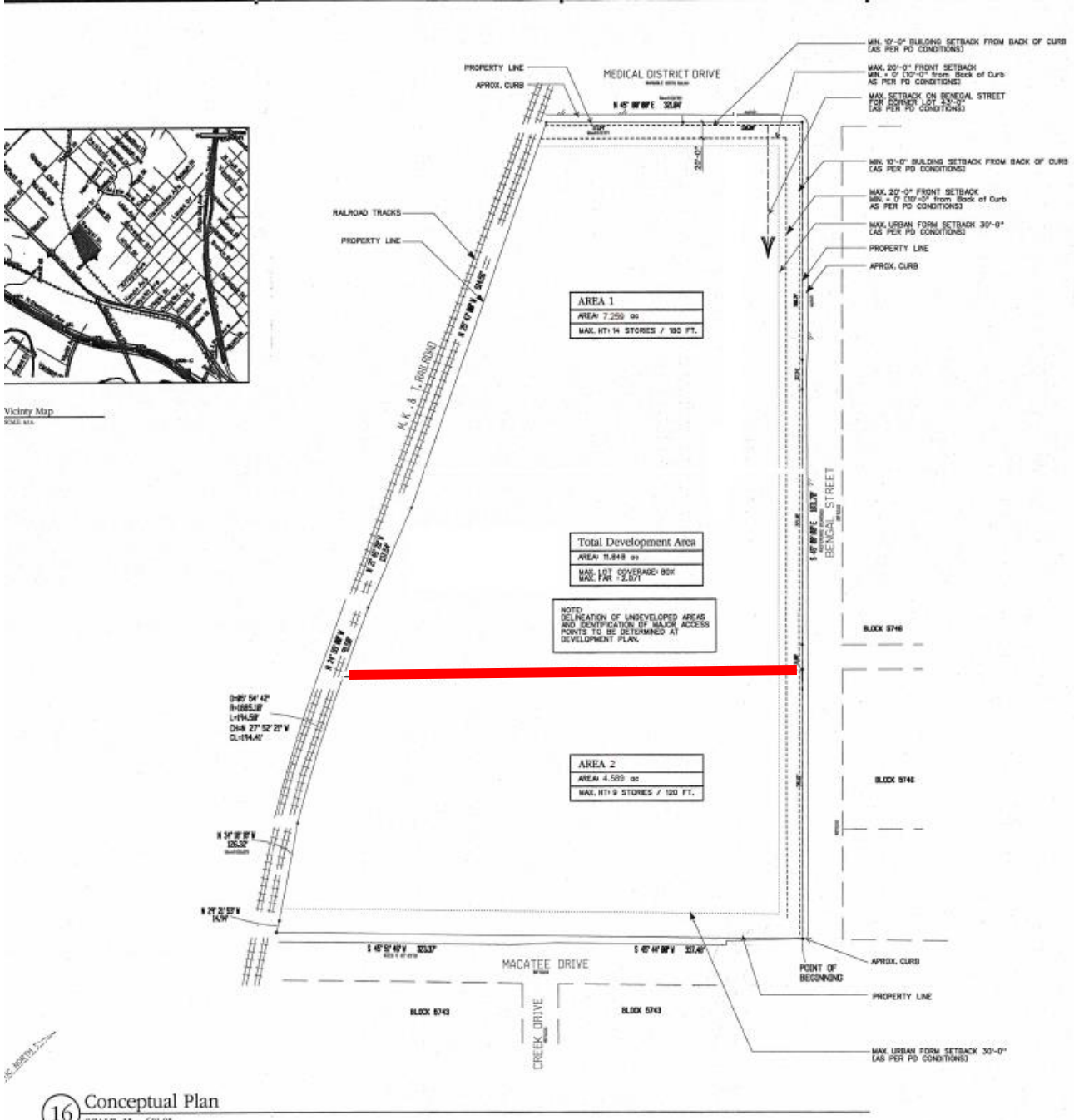
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occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

~~SEC. 51P-663.115. ZONING MAP.~~

~~PD 663 is located on Zoning Map No. I-6.~~

CPC Recommended Conceptual Plan



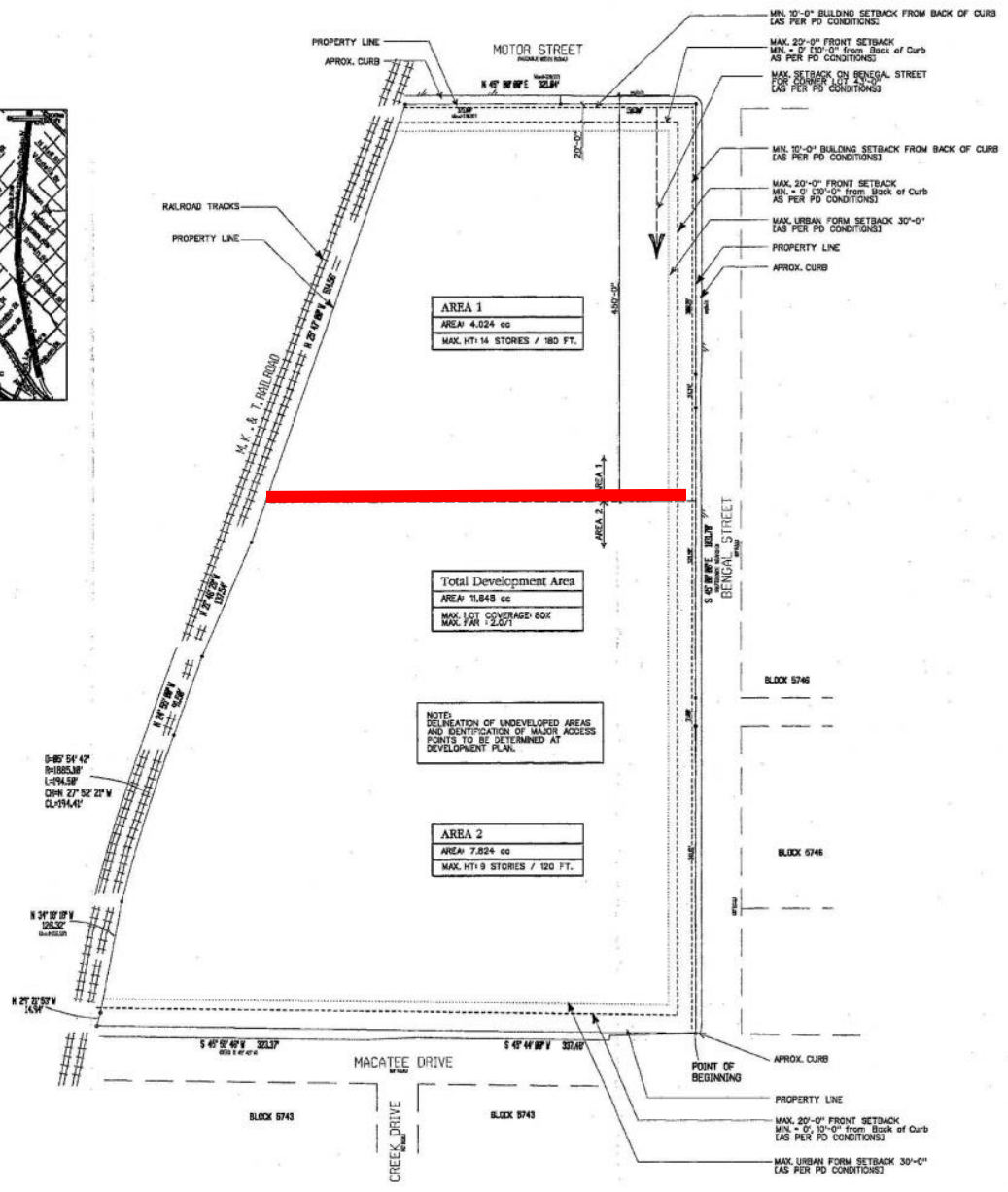
16 Conceptual Plan  
 SCALE: 1" = 60'-0"



Existing Conceptual Plan



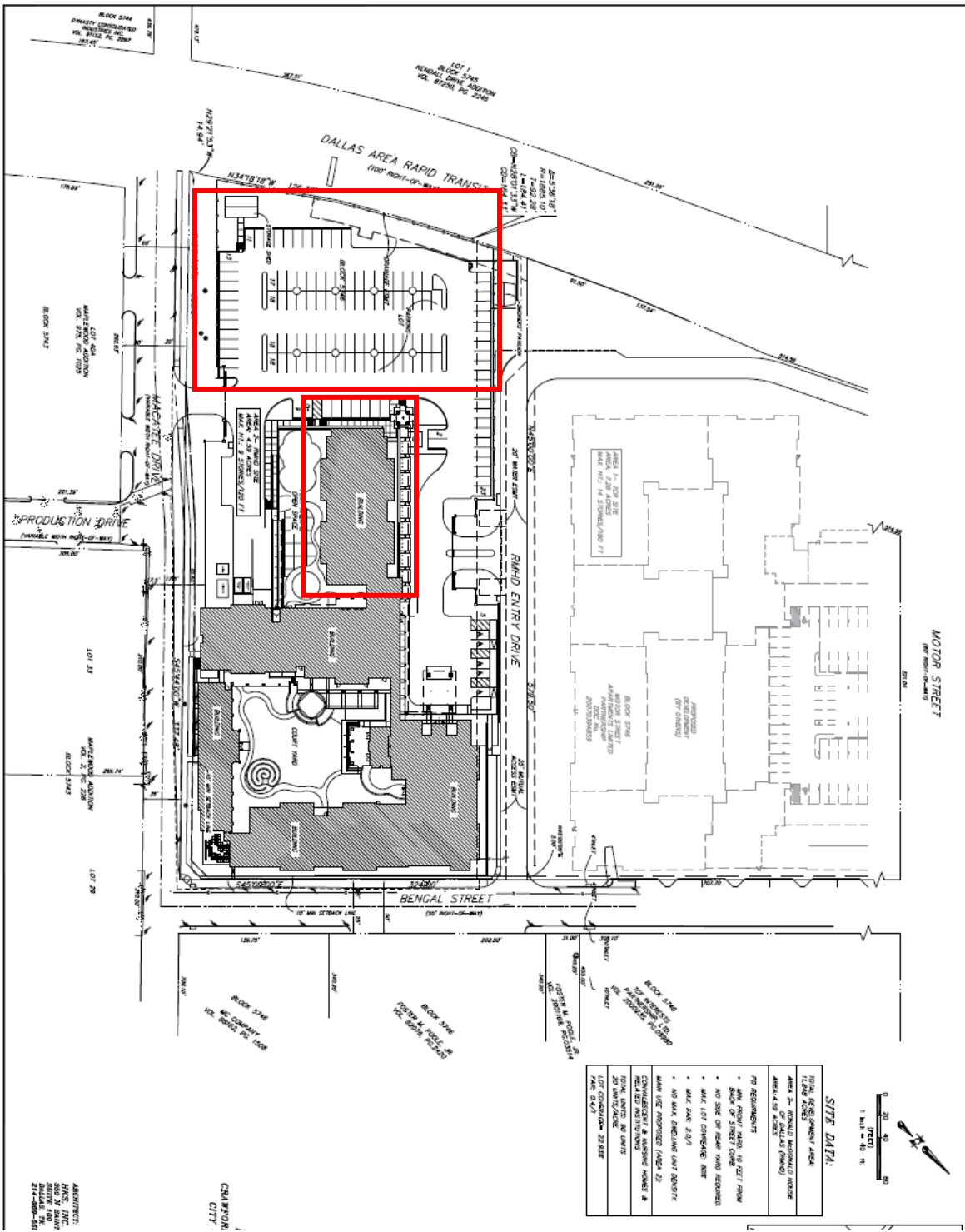
Map



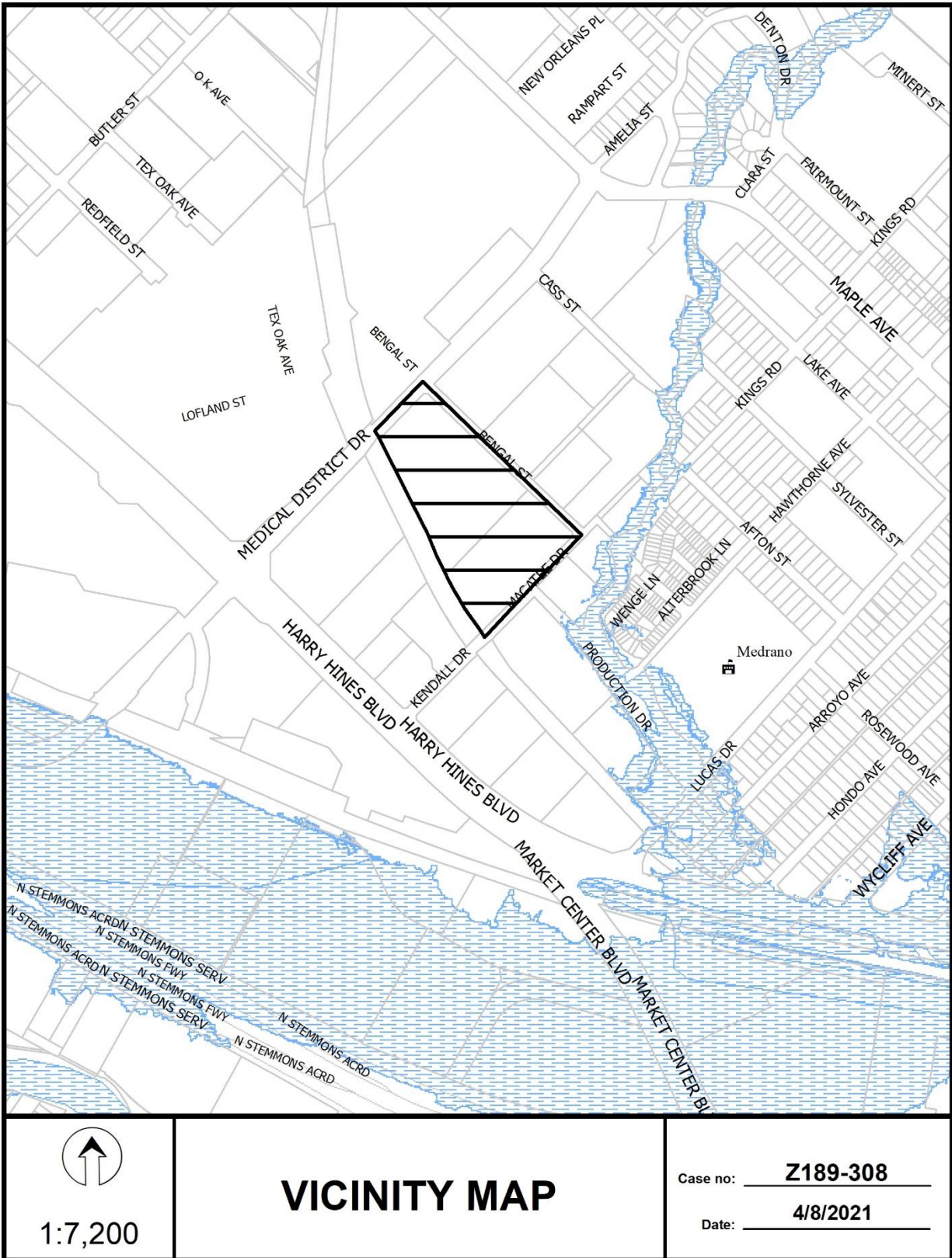
16 Conceptual Plan  
 SCALE: 1" = 60'-0"

Zon

### CPC Recommended Development Plan







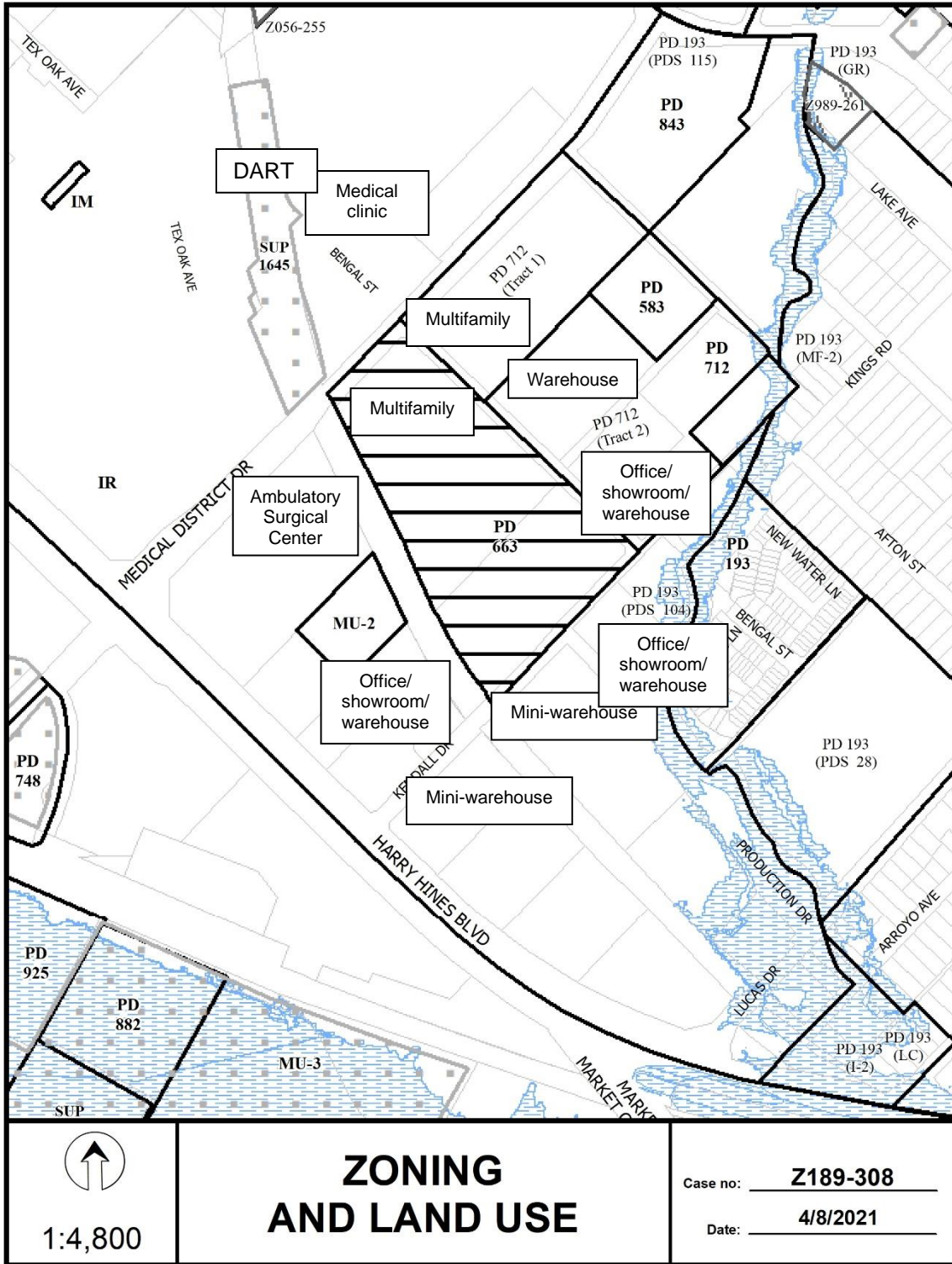


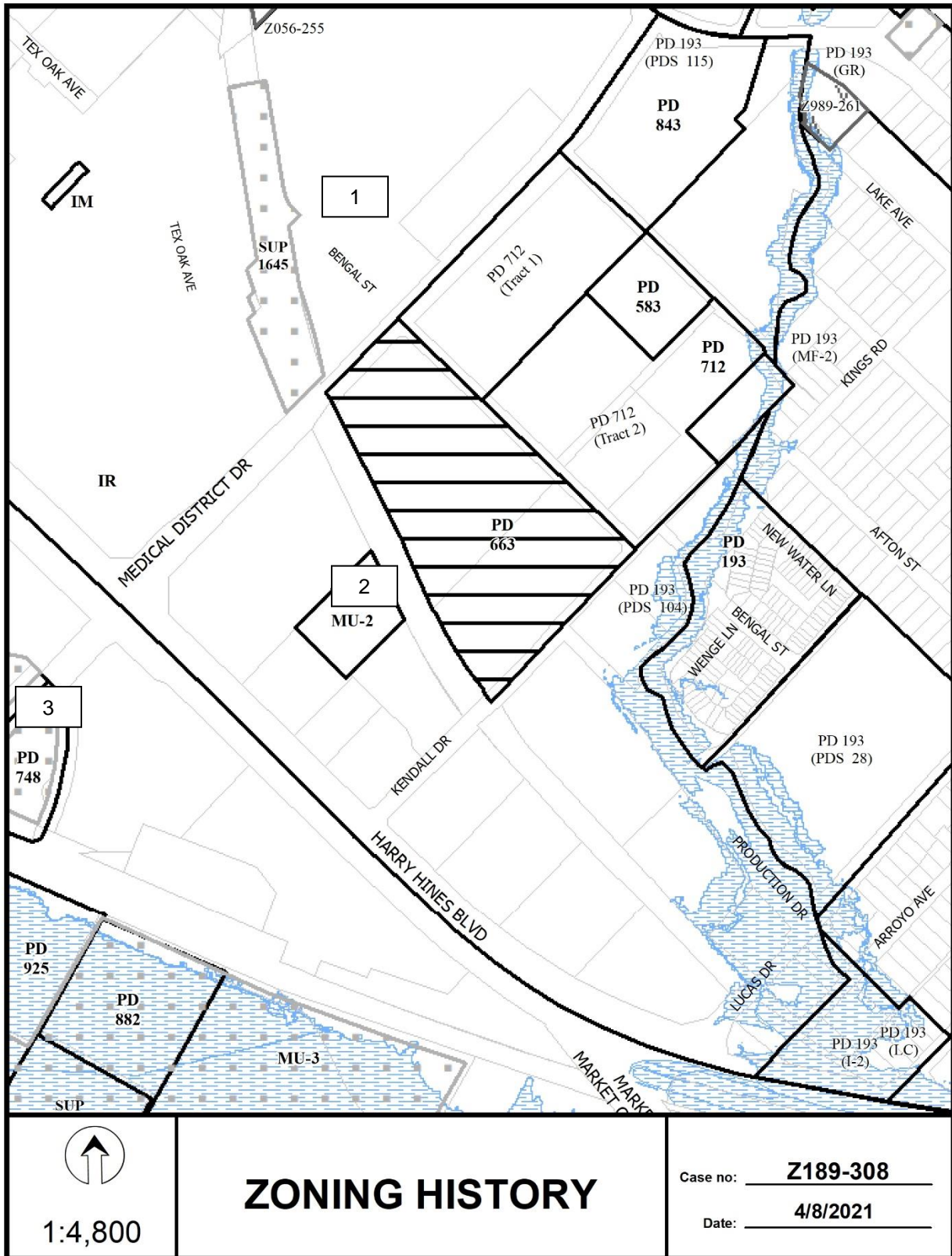
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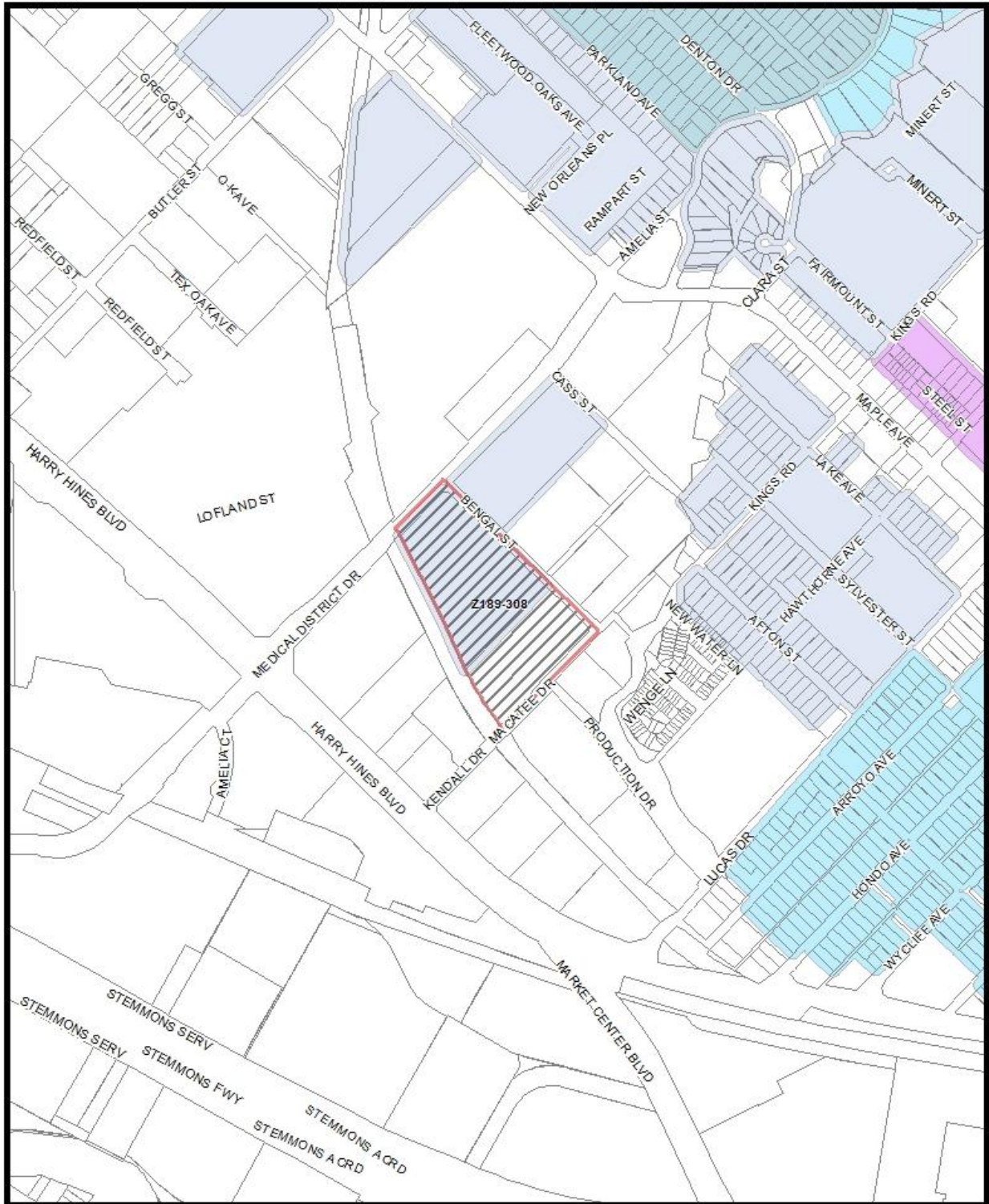
# AERIAL MAP

Case no:           Z189-308          

Date:           4/8/2021





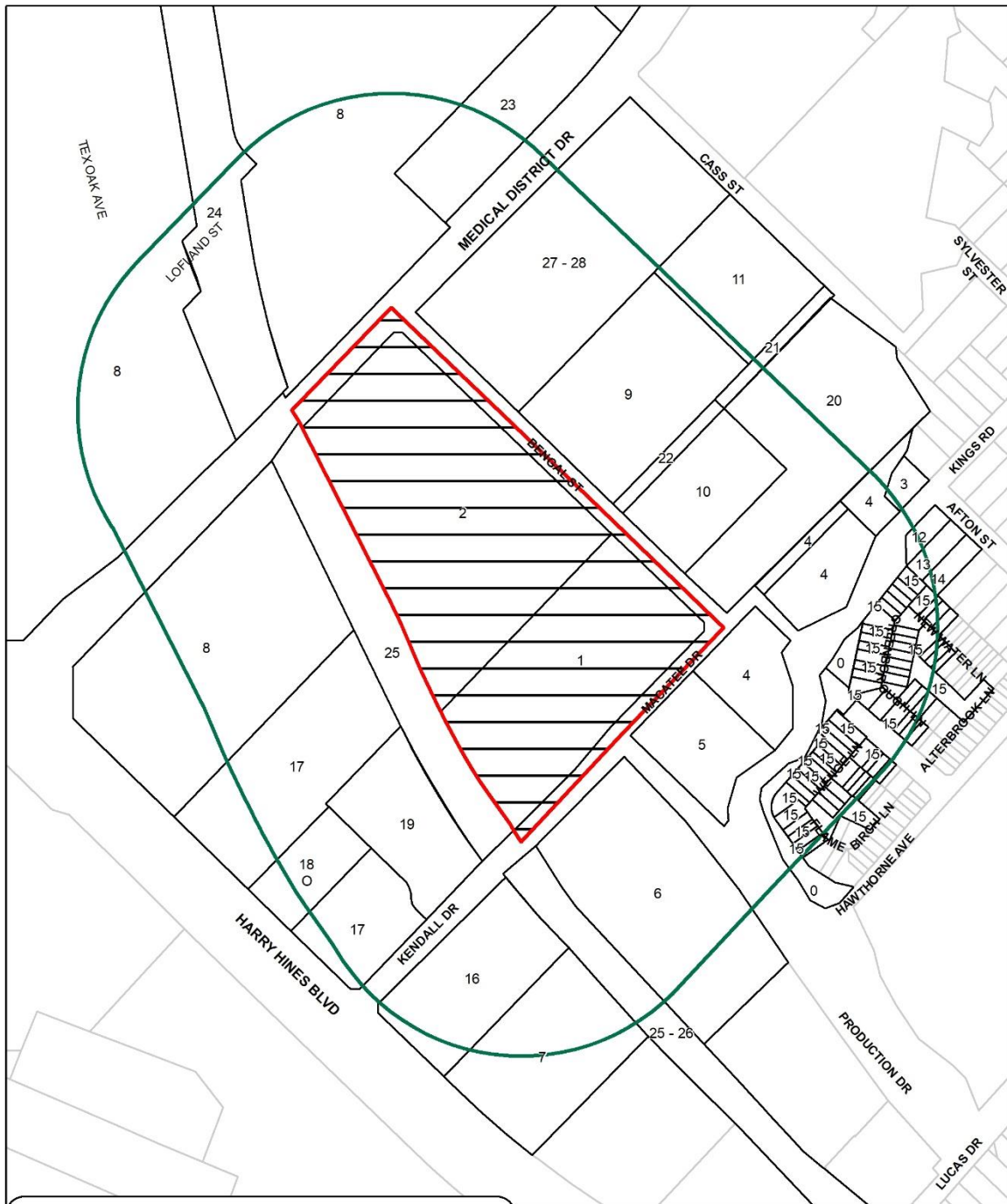


# Market Value Analysis

Printed Date: 4/8/2021



**CPC RESPONSES**



<b>28</b>	Property Owners Notified (101 parcels)
<b>1</b>	Replies in Favor (1 parcels)
<b>0</b>	Replies in Opposition (0 parcels)
<b>500'</b>	Area of Notification
<b>5/6/2021</b>	Date

**Z189-308**  
**CPC**



1:3,600

05/05/2021

***Reply List of Property Owners******Z189-308******28 Property Owners Notified******1 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	4707 BENGAL ST	RONALD MCDONALD HOUSE OF
	2	2140 MEDICAL DISTRICT DR	SPUS8 VIBE LP
	3	2251 KINGS RD	SINGER ARTURO
	4	2201 KINGS RD	CRASH INC
	5	4699 PRODUCTION DR	FORENSIC ACCIDENT RESEARCH STUDIES
	6	4641 PRODUCTION DR	GVS TEXAS HOLDINGS I LLC
	7	4640 HARRY HINES BLVD	SOVRAN ACQUISITION LTD PS
	8	4900 HARRY HINES BLVD	DALLAS COUNTY HOSPITAL DISTRICT
	9	4814 BENGAL ST	TCF INTERESTS PARTNERSHIP
	10	4722 BENGAL ST	FOSTER M POOLE JR
	11	4815 CASS ST	UGM OF DALLAS
	12	4637 AFTON ST	NGUYEN DIEM TRANG HOANG
	13	4633 AFTON ST	NGO HUNG VI &
	14	4629 AFTON ST	NGUYEN MINH & MAILAN PHAM
	15	2141 WENGE LN	TEXAS INTOWNHOMES LLC
	16	4740 HARRY HINES BLVD	PS LPT PROPERTIES INVESTORS
	17	4810 HARRY HINES BLVD	BLUESCAPE ALTERA HARRY HINES LLC
O	18	4840 HARRY HINES BLVD	FAT PROPERTIES IV LLC
	19	2055 KENDALL DR	BERLIN RONALD P & GAIL M
	20	4700 BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
	21	4816 BENGAL ST	TCF INTERESTS PS LTD
	22	4816 BENGAL ST	POOLE FOSTER M JR
	23	2311 MEDICAL DISTRICT DR	DALLAS COUNTY HOSPITAL DIST DBA
	24	2101 MEDICAL DISTRICT DR	DART
	25	555 2ND AVE	DART
	26	555 2ND AVE	DART

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05/05/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2222 MEDICAL DISTRICT DR	CRLP MEDICAL DISTRICT DRIVE LLC
	28	2222 MEDICAL DISTRICT DR	GIC - MOTOR