

FILE NUMBER: Z223-122(MP) **DATE FILED:** October 26, 2022

LOCATION: South corner of Ferguson Road and Hibiscus Drive

COUNCIL DISTRICT: 7

SIZE OF REQUEST: Approx. 5.7074 acres **CENSUS TRACT:** 48113012210

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: White Rock Church of Christ, Inc

APPLICANT: Generation Housing Partners, LLC

REQUEST: An application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an R-7.5(A) Single Family District partially with Specific Use Permit No. 608 for a private school and day care center and Specific Use Permit No. 2075 for a tower/antenna for cellular communication.

SUMMARY: The purpose of the request is to allow for modified development standards primarily related to setbacks, density, lot size, height, design standards, parking, and mixed income housing to develop the site with retirement housing uses.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned R-7.5(A) Single Family District and is developed with a church and a tower/antenna for cellular communication.
- Portions of the site also include the SUP approvals for Specific Use Permit No. 608 for a private school and day care center and Specific Use Permit No. 2075 for a tower/antenna for cellular communication. Although the rights under SUP 608 apply, this use is unbuilt and likely will remain so as it shares property with the adjacent city library property. The tower/antenna is proposed to remain on site in its current place, and the current zoning case should not alter its condition.
- The applicant proposes to redevelop the site with retirement housing uses.
- The code defines retirement housing as “a residential facility principally designed for persons 55 years of age or older. This use does not include a ‘convalescent and nursing homes, hospice care, and related institutions’ use, which is defined as a separate main use in Section 51A-4.204(8).”
- The applicant proposes to tie increased height and reduced minimum parking to the provision of mixed income housing. The conditions also includes design standards from 51A-4.1107, the mixed income housing design standards.

Zoning History:

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

1. **Z201-180:** On September 14, 2022, the City Council approved application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an R-7.5(A) Single Family District and an LO-3 Limited Office District on the southwest line of North Buckner Boulevard, north of John West Road.
2. **Z212-152:** On May 11, 2022, City Council denied an application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the southeast line of Ferguson Road, southwest of North Buckner Boulevard

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Ferguson Road	Principal Arterial	100 feet / 100 feet
Hibiscus Drive	Local	59 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 ANALYSIS:

Comprehensive Plan:

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.4 Capitalize on transit-oriented development opportunities.

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.

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.

URBAN DESIGN ELEMENT

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

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.3 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.

ENVIRONMENT ELEMENT

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

The proposed use and development standards advance the goals of the comprehensive plan of strengthening neighborhood character, focusing development near transit, and promoting walkable neighborhoods through urban design and diversifying land use.

Neighborhood Plus Plan

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

Goal 6.1 Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance towards chronic offenders.

Goal 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

2-Points to White Rock East Area Plan

The 2-Points to White Rock East Area Plan is a totally grassroots, neighbor-driven and directed plan. It was conceived under the auspices of the Ferguson Road Initiative and the Truett Crime Watch. Residents felt that part of White Rock Hills in far east Dallas was experiencing relative neglect and high crime. This and the changing demographics for the area, which reflect greater cultural, ethnic, and age diversity, were the impetus for the plan.

The plan designates the vicinity of the request area as an Urban Neighborhoods building block. The plan defines Urban Neighborhoods with the following:

“Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit.

“Housing choices should include single family detached dwellings, townhomes and low-to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process.

“Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements. Urban neighborhoods provide a range of housing options, including single-family detached dwellings and townhomes.

“They can locate the intensity away from the adjacent corridor, respecting existing single-family neighborhoods. This Building Block is applicable to neighborhoods with smaller homes where it could encourage the renewal and repurposing of the aging multi-family complexes and retail land uses that are typically located at the edges. The adjacent smaller shopping centers should reflect a connection to the adjacent neighborhoods and provide more neighborhood services.

“The 2-Points to White Rock East Area Plan calls for preservation of existing single family developed areas and the redevelopment of other areas into denser, more walkable spaces. The subject site is distinctly separate from existing single family development and the proposed rezoning constitutes a possibility to further the vision of the plan. The design standards and orientation represent a fulfillment of the walkable vision of the plan, and the improved paths to the frequent Route 16 bus meets the criteria for “easy access to public transit.”

Additionally, the proposed PD has taken measures to provide greater compatibility with the adjacent single family by complying with residential proximity slope and providing preserved green space closest to the nearby neighborhood.

Land Use:

	Zoning	Land Use
Site	R-7.5(A) Single Family District, portion with SUP No. 2075 for a Tower/Antenna for Cellular Communication and SUP no. 608 for a Private School and Day Care Center	Church, Tower/Antenna for Cellular Communication
North	R-7.5(A) Single Family District	Churches
East	R-7.5(A) Single Family District with SUP No. 1615 for a Tower/Antenna for Cellular Communication, MF-2(A) Multifamily District	Church, Multifamily
South	R-7.5(A) Single Family District with SUP No. 1815 for a Library, Art gallery or Museum and SUP no. 608 for a Private School and Day Care Center	White Rock Library
West	R-7.5(A) Single Family District	Churches

Land Use Compatibility:

The property is bordered to the north, northeast, and west by multiple church uses. There is a multifamily complex to the east. The White Rock Library is located directly to the south.

The proposed change will add diversity to the surrounding land uses which is currently almost exclusively churches, which can tend to occur in single family zoning along larger corridors. Diversity of land use is a key component to achieving the walkability called for by the subarea plan.

Development Standards:

District	Setback		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-7.5(A)	25' Min No max	5'	1 du/7,500 sf	30'	45%		Single family
Base: MF-2(A)	15' Min No max	15'	Min lot 1,000 sf 800 sf – E 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	36'	60%	Proximity Slope	Multifamily, retirement housing, duplex, single family
Proposed PD for MF-2(A)	15' Min No max	15'	Max 164 du (~1,500 lot area per unit, or 28.7 du/ac)	36' base +14' w/ MIH	60%	Proximity Slope	Retirement housing, church, single family

The proposed PD would use MF-2(A) Multifamily District as a base, and provide a bonus to height with the inclusion of mixed income housing, allowing them to increase height from 36 feet to 50 feet. Height would still be restricted throughout the site by residential proximity slope. The applicant is proposing 164 units, and limiting density to that figure, which is a lower effective density than the base MF-2(A).

Design standards per 51A-4.1107 apply, including limits to fencing within the front yard, transparency minimums, street facing entrances, pedestrian scale lighting, sidewalk width and quality standards, and open space requirements. The primary provision from which the applicant requests relief is 51A-4.1107(d)(2), the requirement for individual entries.

According to the applicant, the proposed format of retirement housing necessitates controlled access entries for safety purposes, and as such, individual entries would be inappropriate.

Beyond the requirements of 51A-4.1107, the conditions include improved access crossings between the buildings and the frontages. The conditions also include street furniture on the Ferguson frontage.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended. Redevelopment of the property as proposed will trigger Article X and will lead to improved tree canopy and reduced urban heat island effect.

Parking:

The base code requirement for a retirement housing use is one space per dwelling unit or suite. The PD allows the use to reduce the minimum to 0.5 spaces per unit. This is still more than the city-wide 0.25 spaces required when providing mixed income housing, but the higher minimum was volunteered by the applicant. The development plan includes 125 spaces total, which is an effective 0.76 space per unit ratio. This is appropriate not only in comparison to other properties utilizing the mixed income housing bonus, but also with direct access to frequent transit services, as is the case on this site.

The reduced required parking relative to base code allows for additional greenspace and tree preservation in the western portion of the site, as shown on the development plan.

Mixed Income Housing:

The applicant is proposing to tie additional height and reduced parking to the provision of mixed income housing. The conditions as proposed by the applicant call for 20 percent of units to be provided at 51-60 percent of AMFI. This equates to a total of 33 units of the proposed maximum 164 units. If the applicant includes these units, they would be permitted to increase their maximum height to 50 feet and lower their parking minimum to 0.5 spaces per 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 subject property is located within an MVA Category “G” area. Areas to the north, west, and south of the subject site are located within a “D” MVA cluster.

List of Officers

List of Officers – Generation Housing Partners, LLC

Generation Housing Partners, LLC Generation Housing Development, LLC

Christopher Applequist -Director

Adrian Igesias – Director

List of Elders, (Officers) – White Rock Church of Christ, Inc.

Mark A. McSpadden – Elder/Director, Meadow View Church of Christ

CPC Action
September 7, 2023

Motion: It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses, subject to a development plan and conditions on property zoned an R-7.5(A) Single Family District partially with Specific Use Permit No. 608 for a private school and day care center and Specific Use Permit No. 2075 for a tower/antenna for cellular communication on the south corner of Ferguson Road and Hibiscus Drive.

Maker: Wheeler-Reagan
Second: Jung
Result: Carried: 14 to 0

For: 14 - Popken, Hampton*, Herbert, Anderson*, Shidid,
Carpenter, Wheeler-Reagan, Blair, Jung,
Housewright, Treadway, Haqq, Kingston, Rubin

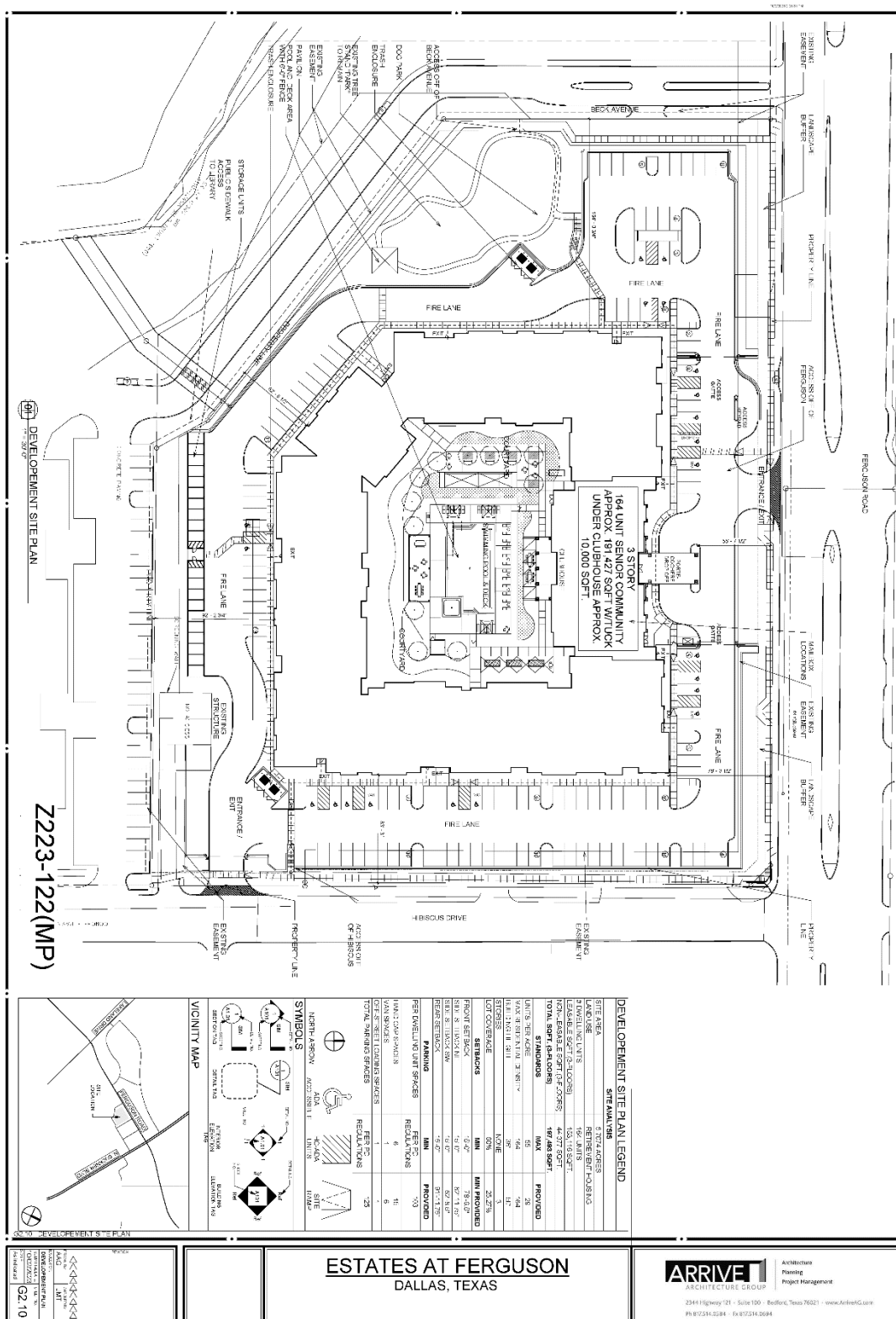
Against: 0
Absent: 1 - Stanard
Vacancy: 0

*out of the room, shown voting in favor

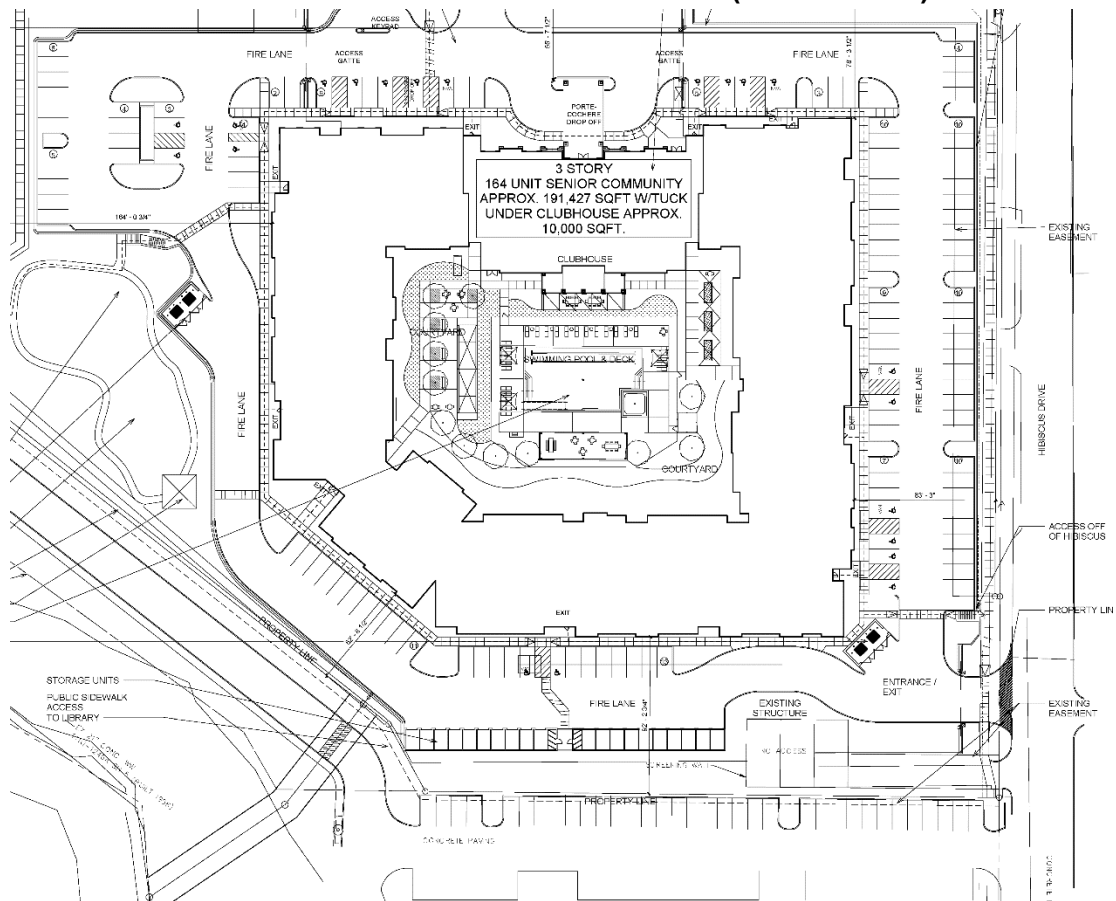
Notices:	Area: 500	Mailed: 49
Replies:	For: 3	Against: 1

Speakers: None

PROPOSED DEVELOPMENT PLAN



PROPOSED DEVELOPMENT PLAN (ENLARGED)



CPC RECOMMENDED CONDITIONS

ARTICLE ____.

PD ____.

SEC. 51P- ____ .101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No. ____, passed by the Dallas City Council on ____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on the south side of Ferguson Road, west of Hibiscus Drive. The size of PD ____ is approximately 5.7 acres.

SEC. 51P- ____ .103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations 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 residential zoning district.

SEC. 51P- ____ .104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____ .106. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

- (1) Institutional and community service uses.
-- Church
- (2) Residential uses.

- Retirement housing.
- Single Family

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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-____.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. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(b) Side and rear yard. Minimum side and rear yard are 15 feet.

(d) Density. Maximum number of dwelling units is 164.

(e) Lot size. No minimum lot area for the retirement housing use.

(f) Height.

(1) In general.

(A) Except as provided in this paragraph, maximum height is 36 feet.

(B) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412 .) Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(2) Increased development standards. If compliant with Section 51P-____-111, maximum height is 50 feet. Ordinary projections listed in 51A-4.408 may exceed the maximum height by 12 feet.

- (g) Stories. Maximum stories above grade is three.

SEC. 51P- _____.109. OFF-STREET PARKING AND LOADING.

- (a) In general. Except as provided in the section, consult the use regulations in Division 51A-4.200, as amended, for the specific off-street parking and loading requirements for each use. If there is a conflict between the text of this article and Division 51A-4.200, the lesser off-street parking requirement applies.
- (b) Mixed Income Housing Bonus. If compliant with Section 51P-XXX.111, the off-street parking requirement for Retirement Housing is 0.5 space per unit.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.

(a) In general. Except as provided in this section, the development bonuses identified in Sections 51P-XXX.108 and 51P-XXX.109 apply if a minimum of 20 percent of the total number of units are available to households earning between 51 and 60 percent of AMFI and are in compliance with Division 51A-4.1100 as amended.

(b) Design standards. Compliance with 51A-4.1107 is required, except as provided below.

(1) Retirement Housing.

(A) Off-street parking is allowed in the area between the buildings and street frontages as shown on the Development Plan.

(B) Individual entries for street level units is not required.

(C) Pedestrian amenities. The following pedestrian amenities are required along the Ferguson Road street frontage and the street facing facade.

- (i) Two benches.
- (ii) Two trash cans.

(iii) Bicycle rack for at least five bicycles. This bicycle rack may count towards the minimum bicycle parking requirements.

(D) Off-Street Parking. A maximum of one-row of parking may be located between the building façade and Ferguson Road and two rows of parking are permitted between the building façade and Hibiscus Drive.

(E) Open space trail. A walking path of a minimum width of six feet must be located within the open space as shown on the development plan (Exhibit ____A). A minimum cumulative linear distance of 200 feet of walking path must be provided, with access to the exterior of the property.

SEC. 51P- _____.113. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.114. SIGNS.

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

SEC. 51P- _____.115. Sidewalks.

- (a) At each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing. One improved crossing as is also required across the parking and driveway area, connecting the main building and sidewalk on each of the following frontages, as shown on the development plan: Ferguson Road, Beck Avenue, Hibiscus Drive.
- (b) Sidewalks must be continuous and level across all driveways and curb cuts and designed to be at the same grade as the existing sidewalk, subject to approval of the director.

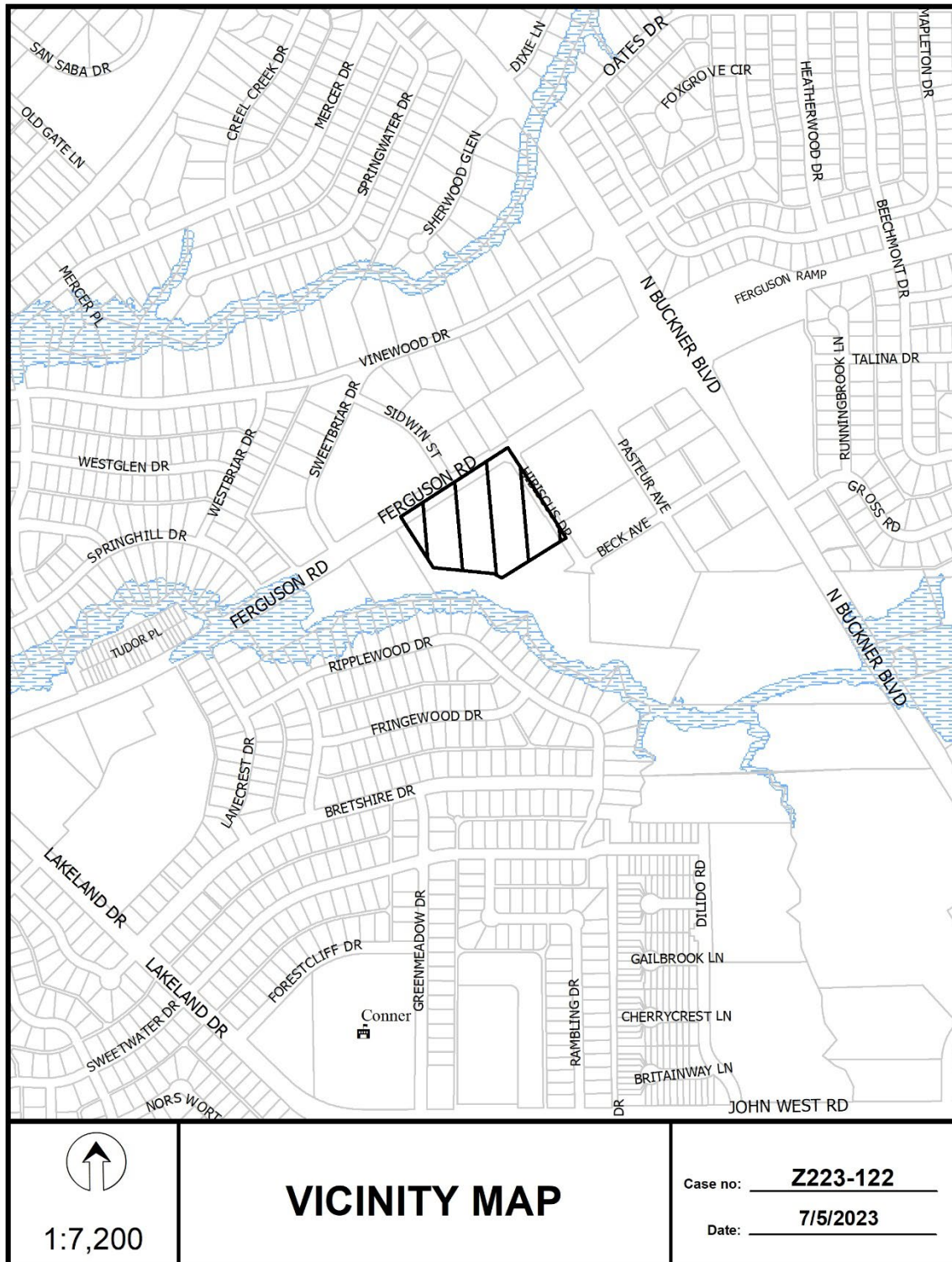
SEC. 51P- _____.116. ADDITIONAL PROVISIONS.

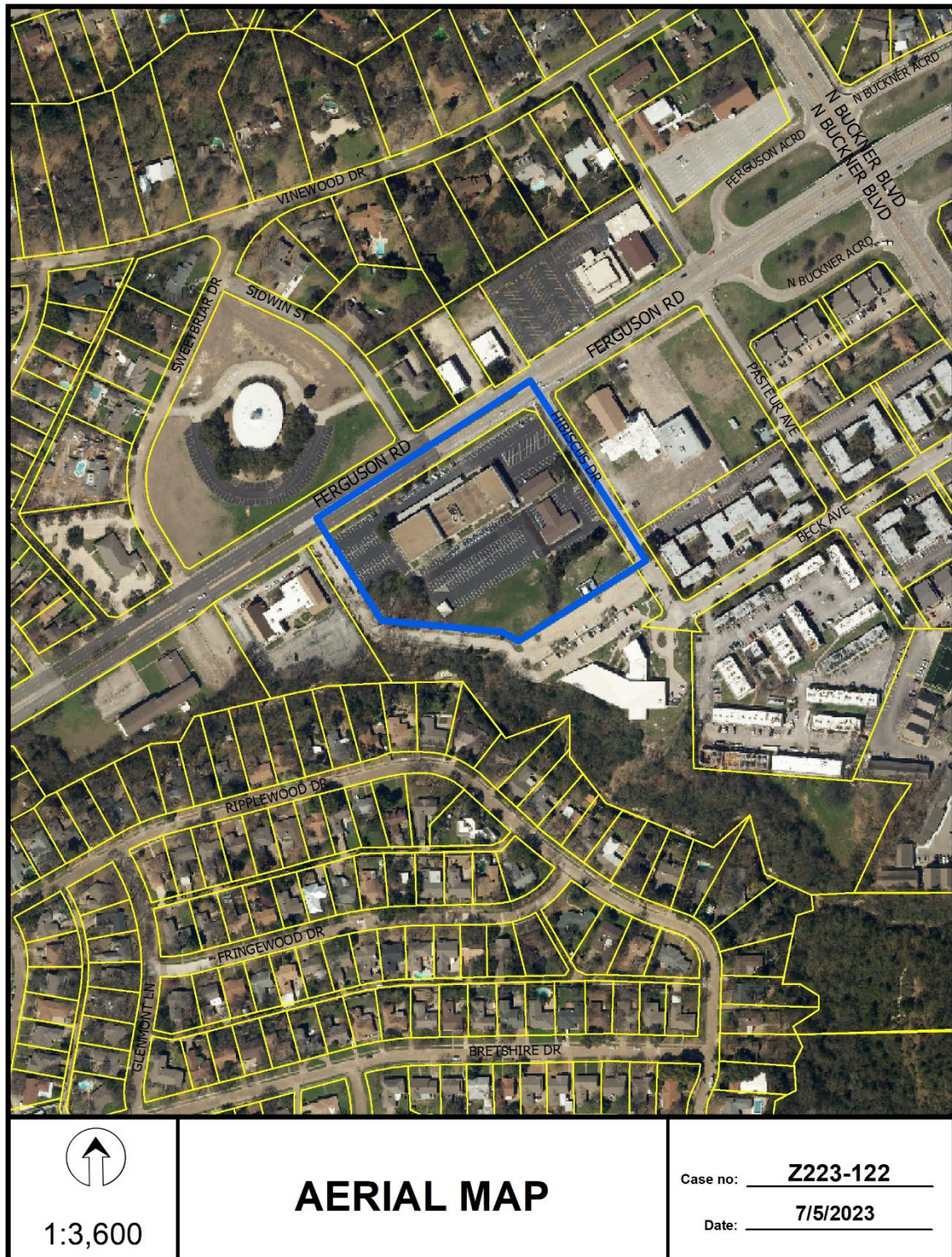
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

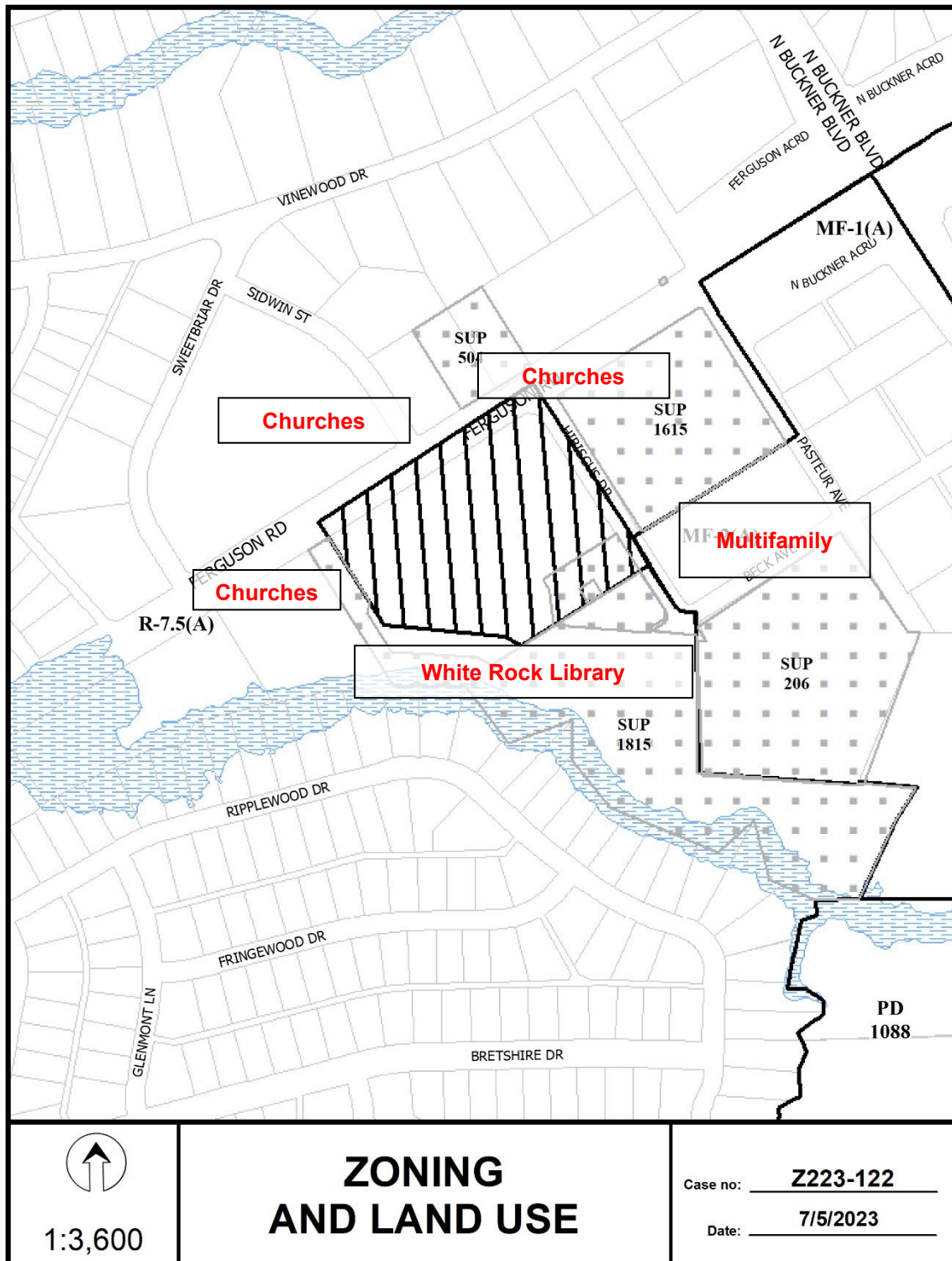
SEC. 51P-____.117. COMPLIANCE WITH CONDITIONS.

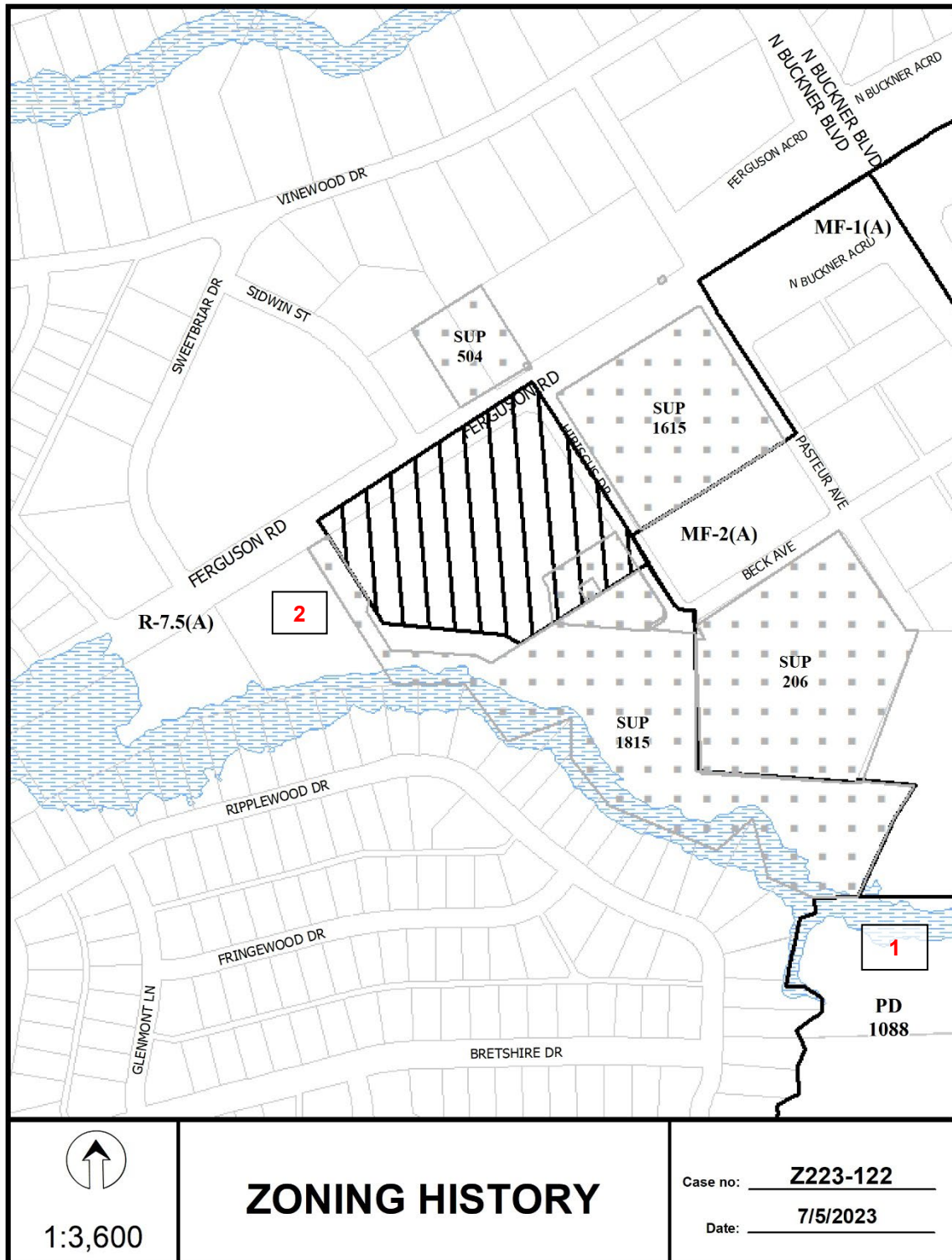
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

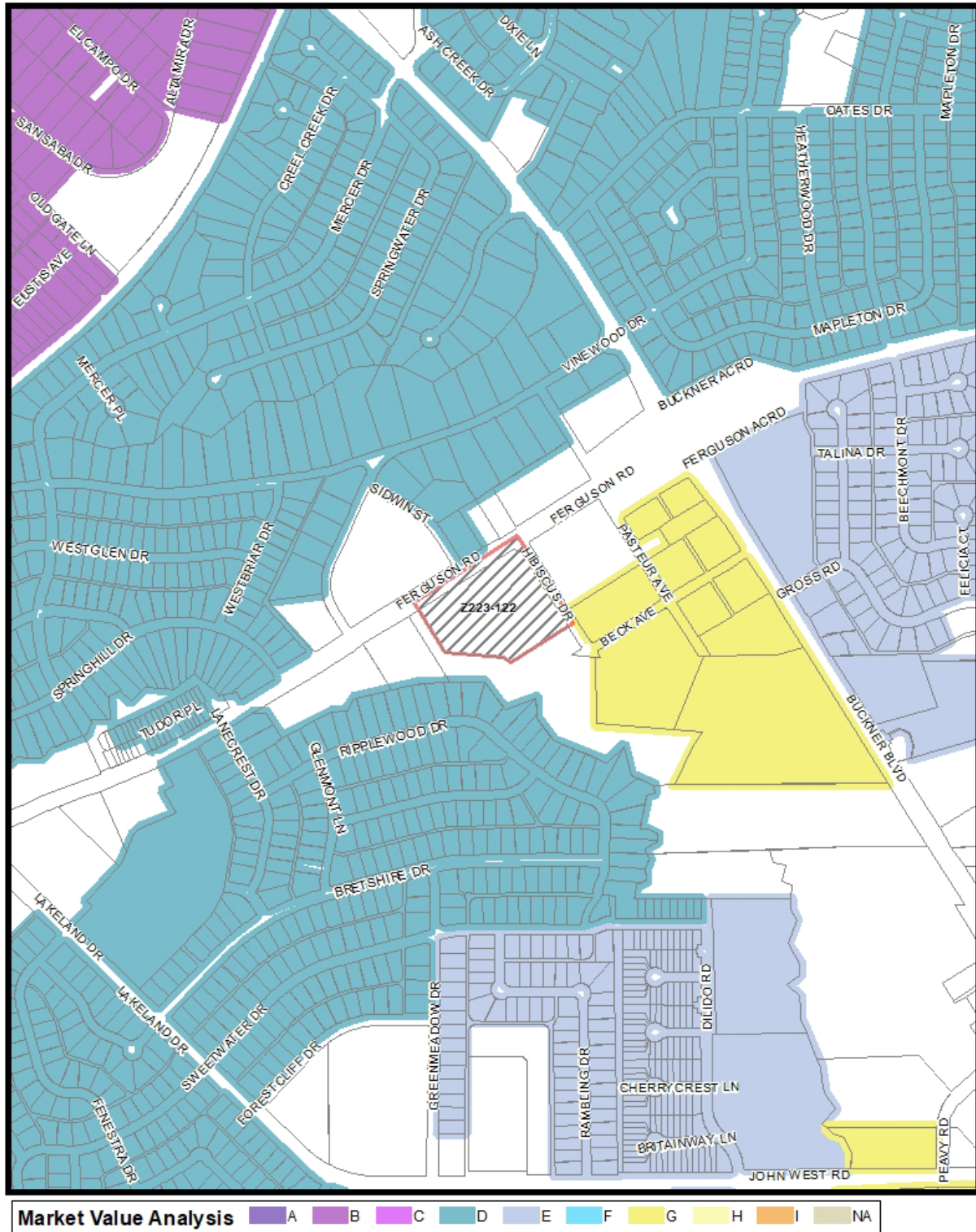
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.











1:7,200

Market Value Analysis

Printed Date: 7/5/2023



09/06/2023

Reply List of Property Owners***Z223-122******49 Property Owners Notified 3 Property Owners in Favor 1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	9220 FERGUSON RD	WHITE ROCK CHURCH
	2	9028 FERGUSON RD	NEW CREATION BIBLE CHURCH
	3	9312 BECK AVE	WHITE ROCK LAKE RESIDENCE LLC
	4	2716 RIPPLEWOOD DR	PIERCE EMILY L & HAYDEN B
	5	2722 RIPPLEWOOD DR	Taxpayer at
	6	2726 RIPPLEWOOD DR	CROWDER WADE ALLEN JR
	7	2732 RIPPLEWOOD DR	TONE THOMAS N &
	8	2736 RIPPLEWOOD DR	FARINA MELISSA A
	9	2742 RIPPLEWOOD DR	Taxpayer at
	10	2746 RIPPLEWOOD DR	KIRKLAND CYNTHIA
	11	2750 RIPPLEWOOD DR	SHANKLE LAURIE A
	12	2756 RIPPLEWOOD DR	BLACKBURN LISA
	13	2760 RIPPLEWOOD DR	SMITHSON ERIN KAY DAVIS &
	14	2766 RIPPLEWOOD DR	EMERSON JONATHAN
	15	2770 RIPPLEWOOD DR	GUIRMAHI YOHANIS M &
	16	2776 RIPPLEWOOD DR	POTTER CHARLES R
	17	2780 RIPPLEWOOD DR	ROM JULIAN &
	18	2804 RIPPLEWOOD DR	Taxpayer at
	19	2810 RIPPLEWOOD DR	ASHBY WILLIAM L & BARBARA C
	20	2727 RIPPLEWOOD DR	NOWLIN DANA
	21	2731 RIPPLEWOOD DR	WEWE KEITH NEWELL
	22	2735 RIPPLEWOOD DR	BRODEN MAXWELL
	23	2739 RIPPLEWOOD DR	MADDOX AUSTIN CARTER &
	24	2745 RIPPLEWOOD DR	DUNAI DAKOTA &
	25	2755 RIPPLEWOOD DR	MCLEAN ALICIA ALVAREZ
	26	2767 RIPPLEWOOD DR	SCHUMANN MARK V ETAL

09/06/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	9067 FRINGEWOOD DR	HOPKINS BEN F & ALEXANDRA G
	28	9405 BECK AVE	LAKE LOFTS LP THE
	29	2630 PASTEUR AVE	N INVESTMENT LLC
	30	9314 FERGUSON RD	BETHEL BAPTIST TABERNACLE
	31	2551 SWEETBRIAR DR	ALINDADA CHRISTINE &
	32	2541 SWEETBRIAR DR	CLARDY JOHN BAILEY &
	33	2533 SWEETBRIAR DR	THIESSEN FAMILY TRUST
	34	9121 FERGUSON RD	INDIAN PENTECOSTAL CHURCH
	35	2524 SIDWIN ST	ALLEN PHILLIP R & LAUREL
O	36	2510 SWEETBRIAR DR	GIVENS LEONARD J
	37	9242 VINEWOOD DR	MURPHY DAVID M
X	38	9254 VINEWOOD DR	ANDREASON DAVID V &
	39	9264 VINEWOOD DR	HAMILTON RUTH P
	40	9308 VINEWOOD DR	STANFORD JOHN M & BETTE D
	41	9316 VINEWOOD DR	SPEAKS TIMOTHY &
	42	9324 VINEWOOD DR	MEYER CLINT & DEBBI
	43	9333 FERGUSON RD	GREATER GOLDEN GATE
O	44	9225 FERGUSON RD	ROY STANLEY LODGE
	45	9217 FERGUSON RD	BETHEL ROMANIAN APOSTOLIC
	46	2534 SIDWIN ST	PHILLIPS CHARLES C JR
	47	9120 FERGUSON RD	FIRST COMMUNITY CHURCH
	48	2614 PASTEUR AVE	UGM CALVERT CIMARRON
	49	2557 SWEETBRIAR DR	CENTRAL CONGREGATION OF