

FILE NUMBER: Z201-200(RM) **DATE FILED:** March 5, 2021
LOCATION: Northwest line of Empire Central, southwest of Mohawk Drive
COUNCIL DISTRICT: 2 **MAPSCO:** 34 N
SIZE OF REQUEST: Approx. 0.81 acre **CENSUS TRACT:** 004.06

REPRESENTATIVE: Laura Evans, MASTERPLAN

APPLICANT: HTG

OWNER: 2033 EC, Ltd.

REQUEST: An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.

SUMMARY: The purpose of the request is to allow for a multifamily development onsite.

CPC RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an IR Industrial Research District and is undeveloped.
- The applicant proposes to develop the site with a multifamily use.
- The applicant proposes to provide affordable units as part of the development, which will allow them to achieve development bonuses to standard MF-2(A) district requirements.
- The site will be developed in conjunction with the property on the northwest side of the intersection of Empire Central and Forest Park Road, which is also currently being considered as a zoning case (Z201-201).

Zoning History:

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

1. **Z189-166:** On April 24, 2019, City Council approved an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District at the terminus of Mohawk Drive, southeast of Empire Central.
2. **Z201-201:** An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the northwest side of the intersection of Empire Central and Forest Park Road. [Awaiting City Council action on August 11, 2021]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Empire Central	Community Collector	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction 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 OPPORTUNITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

NEIGHBORHOOD PLUS

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.

Land Use:

	Zoning	Land Use
Site	IR Industrial Research District	Undeveloped
North	MF-2(A) Multifamily District, R-7.5(A) Single Family District	Single family
East	Subdistrict 2B within Planned Development District No. 759, MU-1 Mixed Use District, IR Industrial Research District	Single family, multifamily, private school
South	IR Industrial Research District, Subdistrict 2A within Planned Development District No. 759	Multifamily, office showroom/warehouse, single family
West	IR Industrial Research District, MF-2(A) Multifamily District	Multifamily, single family

Land Use Compatibility:

The area of request is currently undeveloped. Many of the surrounding uses are single-family and multifamily. East of the area of request is a private school, and to the south is an office showroom/warehouse use. As many of the adjacent uses are residential, the applicant's proposal is not foreseen to be detrimental to surrounding properties.

The applicant requests an MF-2(A) district, and they indicated the intention of providing affordable units as part of the development, which will allow them to achieve development bonuses. These bonuses can be applied to maximum height and maximum lot coverage; however, an additional 10-foot front yard setback is required for that portion of a structure above 45 feet in height. Additionally, requirements for minimum lot area per dwelling unit do not apply when affordable housing is being provided.

Development Standards

Following is a comparison table showing differences between the current IR district, the proposed MF-2(A) district, and the development bonuses available with mixed-income housing. The area of request falls in the "H" MVA category, which requires a minimum of 5% of total residential units at Income Band 1 (81-100% of AMFI) to qualify for the development bonuses.

District	Setback		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: IR	15'	30' adj to res Other: No min	2.0 FAR overall 0.75 office/retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution and storage, supporting office and retail
Proposed: MF-2(A)	15'	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, duplex, single family
Proposed: MF-2(A) with MIH	15' +10' UFS above 45'	15'	No min lot area per dwelling unit	85'	85%	Proximity Slope Urban Form Setback	Multifamily, duplex, single family

To obtain development bonuses, the applicant must also 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.

Staff supports the request because it presents an opportunity to increase affordable housing stock while maintaining the development standards required of mixed-income housing in Chapter 51A. With a variety of zoning and land uses in the surrounding area, Staff does not anticipate negative impact of the proposed zoning.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, 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 provides affordable units as part of the development, the off-street parking requirement for multifamily can be reduced to 1.25 spaces per dwelling unit, provided that at least 15 percent of the required parking is available for guest parking.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not located within an MVA cluster. To the north, east, and west of the area of request is an “H” MVA cluster. Further north is an “F” MVA cluster. East and southeast are “E” MVA clusters.

List of Partners/Principals/Officers

2033 EC LTD.

Louis H. Lebowitz, President

HTG Team

Randy Rieger – Chairman and Founder
Matthew Rieger, Esq. – President and CEO
Karen Weller – Chief Financial Officer
Humberto Del Valle – Executive Vice President of Construction
Quinn Gormley – Executive Vice President
Max Cruz – Executive Vice President of Development
Mario Robaina II – Senior Vice President of Finance
Al Hernandez – Senior Vice President
Chris Suarez – Senior Vice President of Development
Elon Metoyer – Senior Vice President of Development
Rodrigo Paredes – Senior Vice President
Jake Zunamon – Vice President of Development
Jason Larson – Vice President of Development
Jon Christine – Vice President of Development
Valentin DeLeon – Vice President of Development
Bryan K. Finnie – Vice President of Development
Charice Heywood – Vice President of Development
Kate Sosa, PhD – Vice President of Human Resources
Olga Chata – Corporate Controller
Doris M. Arbaiza – Controller for Development
Jose A. Salinas – Controller for Property Management

Z201-200(RM)

**CPC ACTION
MAY 6, 2021**

Z201-200(RM)

Planner: Ryan Mulkey

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant to: 1) Provide 50' setback for structures over 26' in height from the northwest property line, 2) Three large canopy trees per Article X are required spaced a maximum of 30' apart along northwest property line, and 3) Large canopy trees are required per Article X spaced a maximum of 30' apart along the northeast property line on property zoned an IR Industrial Research District, on the northwest line of Empire Central, southwest of Mohawk Drive.

Maker: Hampton
Second: Blair
Result: Carried: 9 to 4

For: 9 - MacGregor, Hampton, Stinson, Johnson, Blair,
Jung, Suhler, Schwope, Rubin

Against: 4 - Shidid, Carpenter, Jackson, Murphy

Absent: 1 - Garcia

Vacancy: 1 - District 10

Notices: Area: 200 Mailed: 25

Replies: For: 1 Against: 2

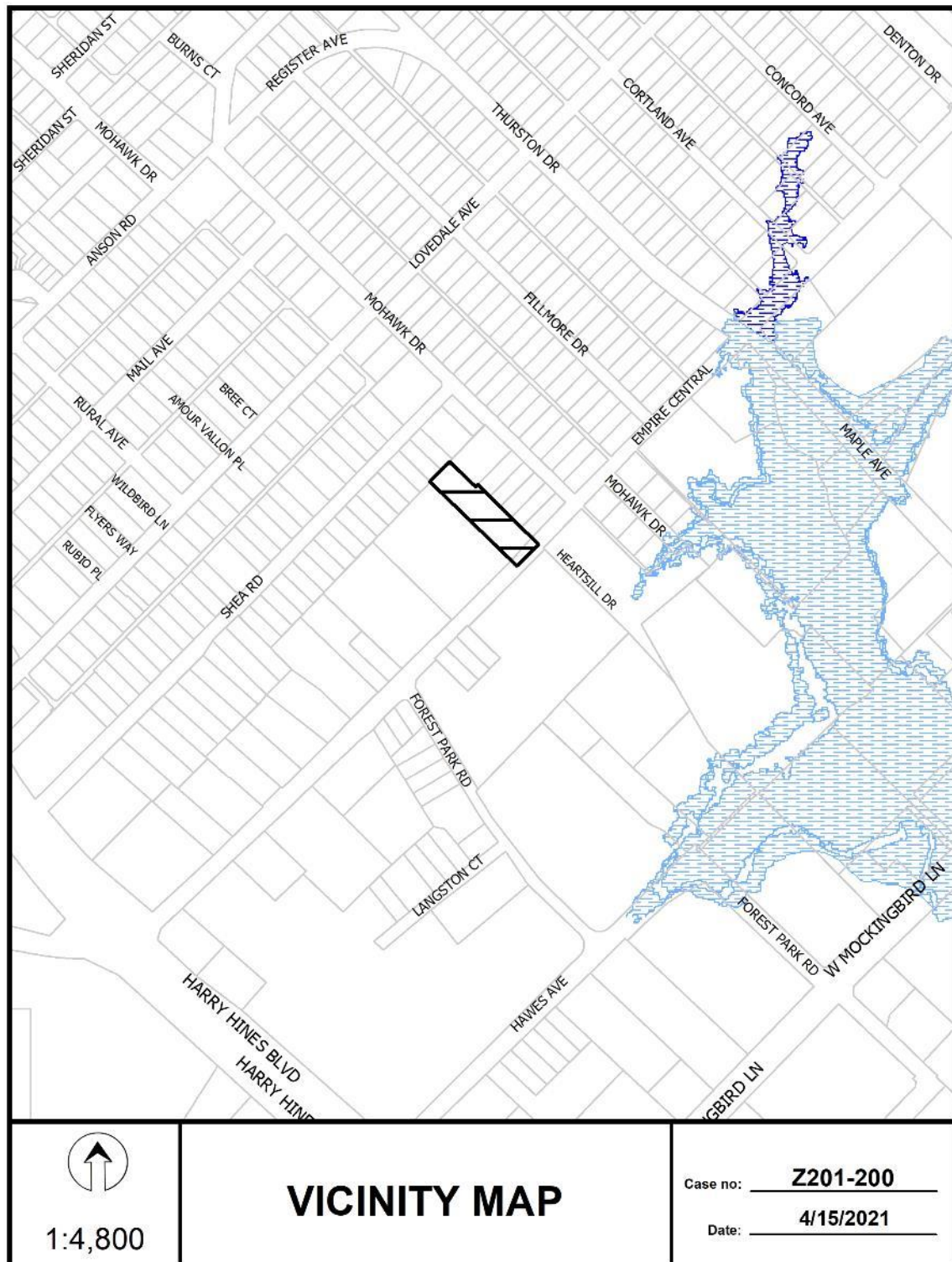
Speakers: For: Andrew Ruegg, 2201 Main St., Dallas, TX, 75201
Dallas Cothrum, 2201 Main St., Dallas, TX, 75201
Valentin DeLeon, 7035 Bee Caves Rd., Austin, TX, 78746
Jason Haskins, 703 Elder Way, Round Rock, TX, 78664

Against: Claudia Morales Herrera, 7007 Mohawk Dr., Dallas, TX, 75235

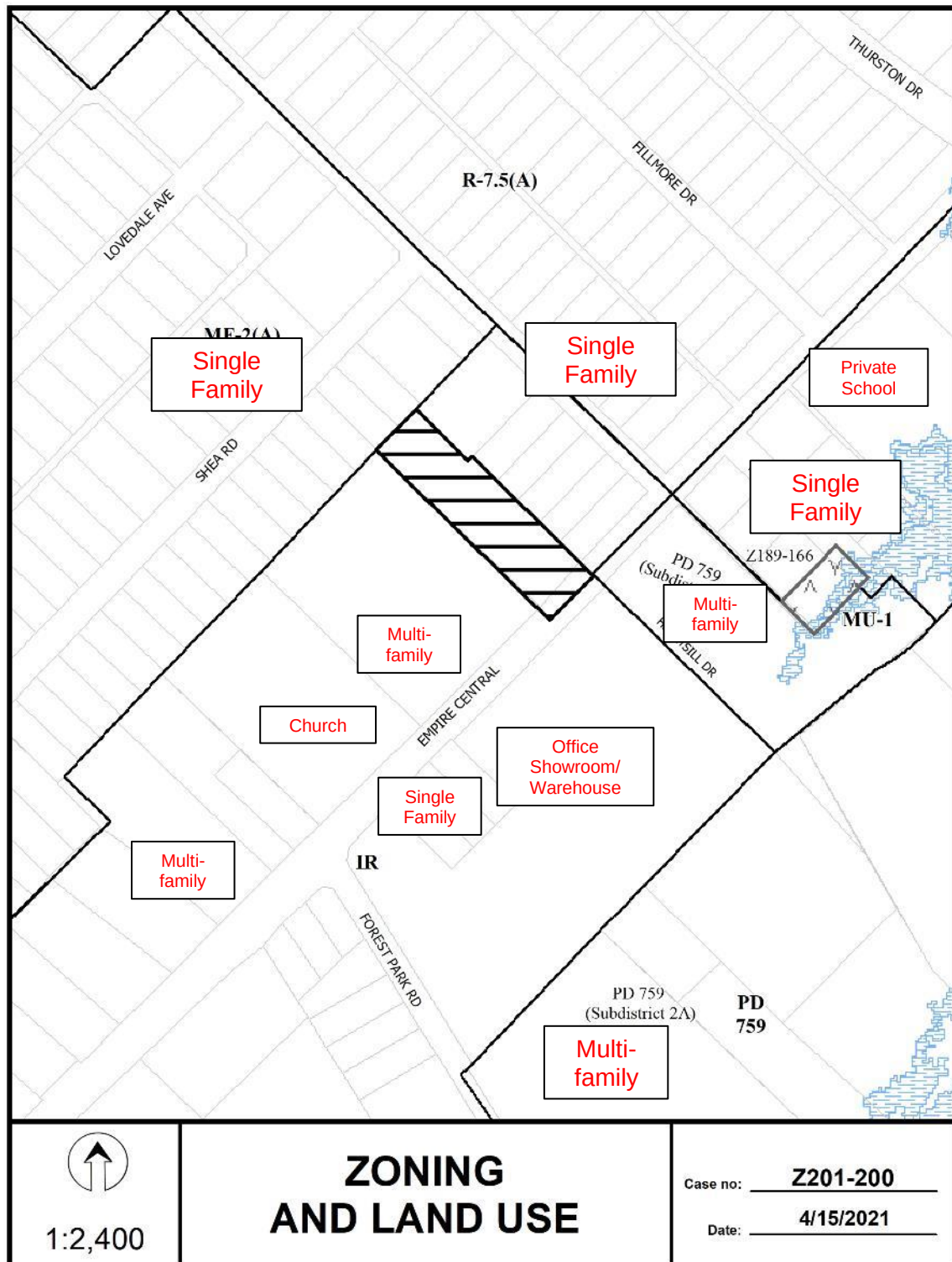
Against (Did Not speak): Diana Almaguer, 2214 Shea Rd., Dallas, TX, 75235

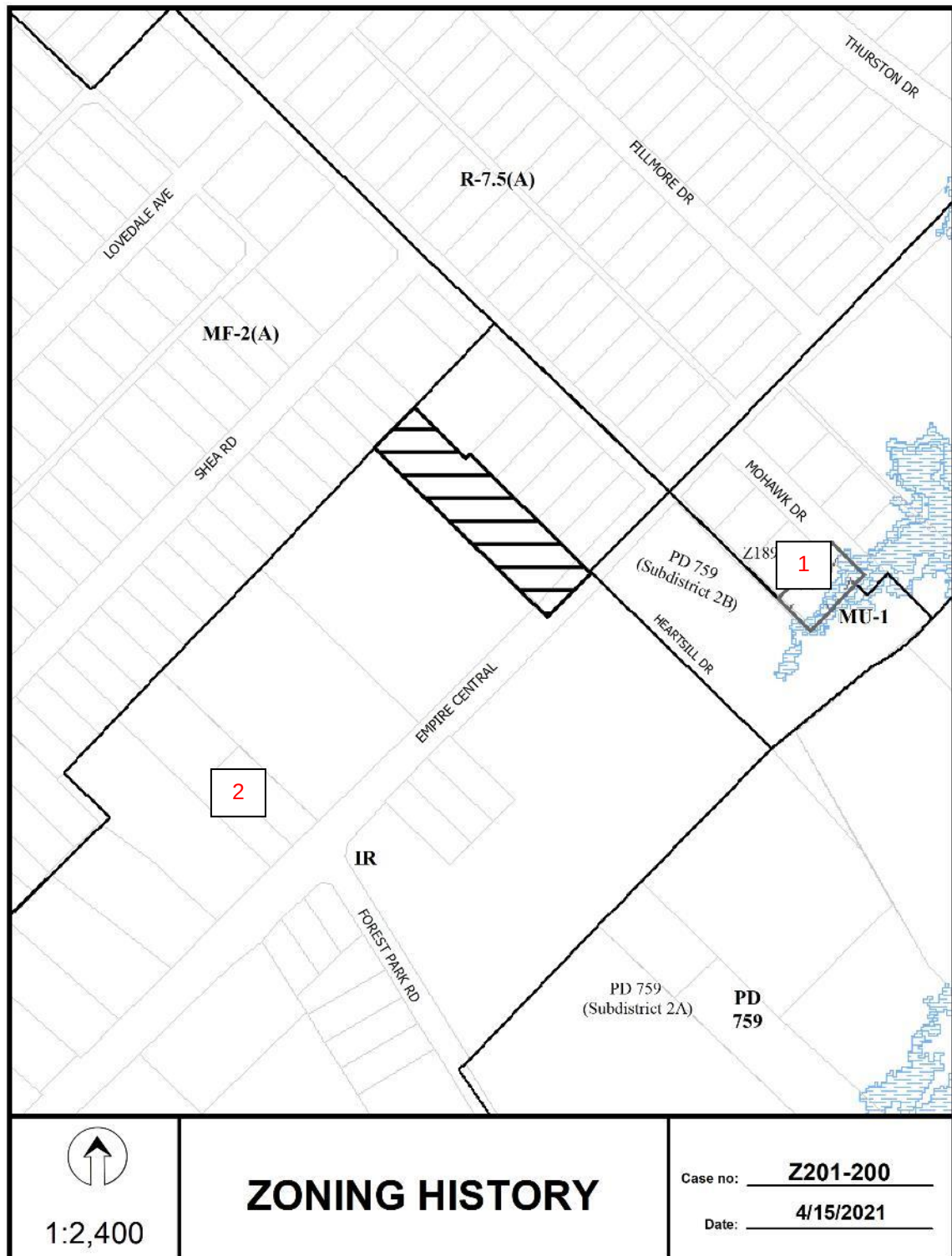
DEED RESTRICTIONS VOLUNTEERED BY THE APPLICANT

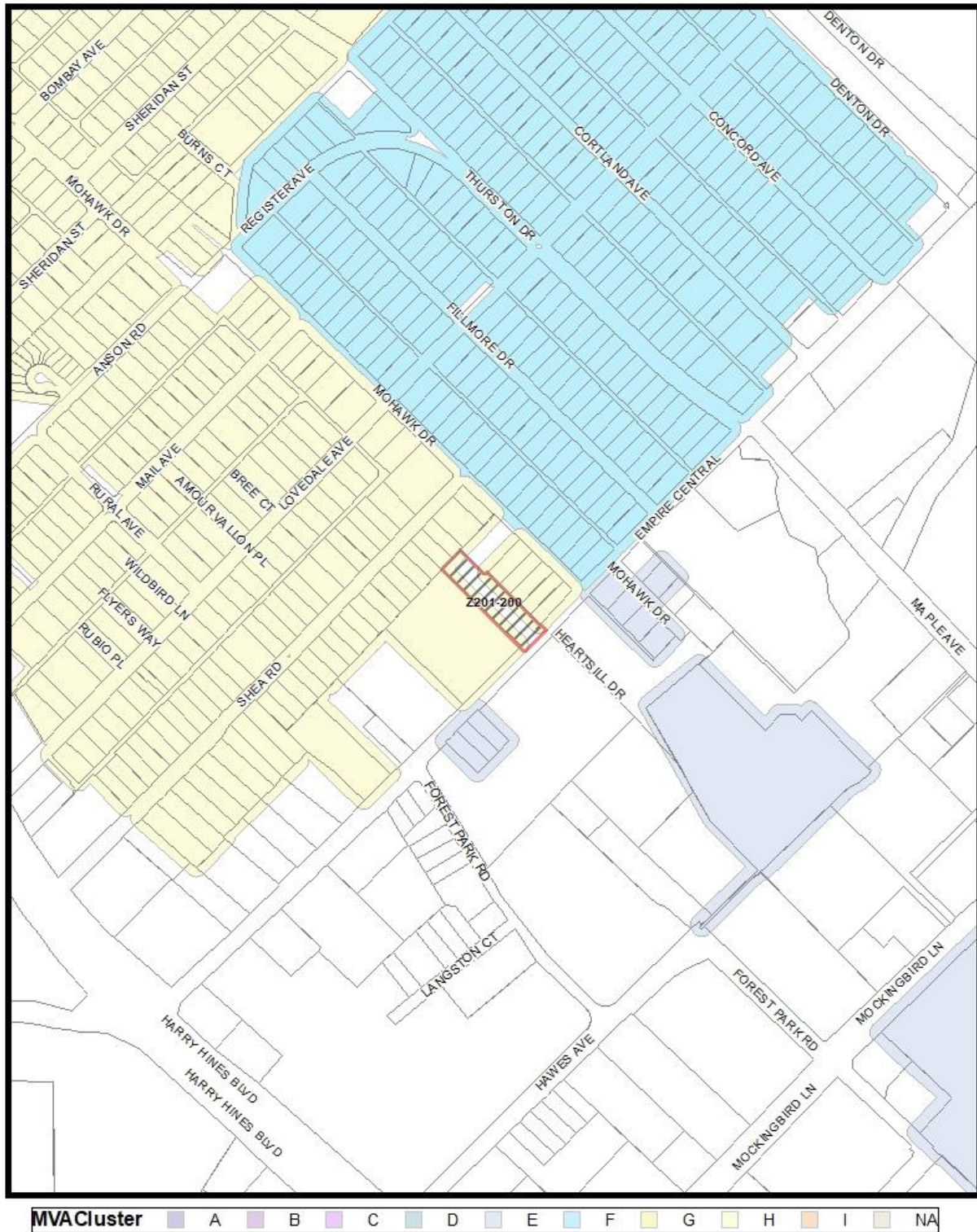
1. A minimum fifty-foot setback is required along the northwest line of the Property for structures over 26 feet in height.
2. Three large canopy trees spaced a maximum of 30 feet apart are required along the northwest line of the Property.
3. Eight large canopy trees spaced a maximum of 30 feet apart are required along the northeast line of the Property.









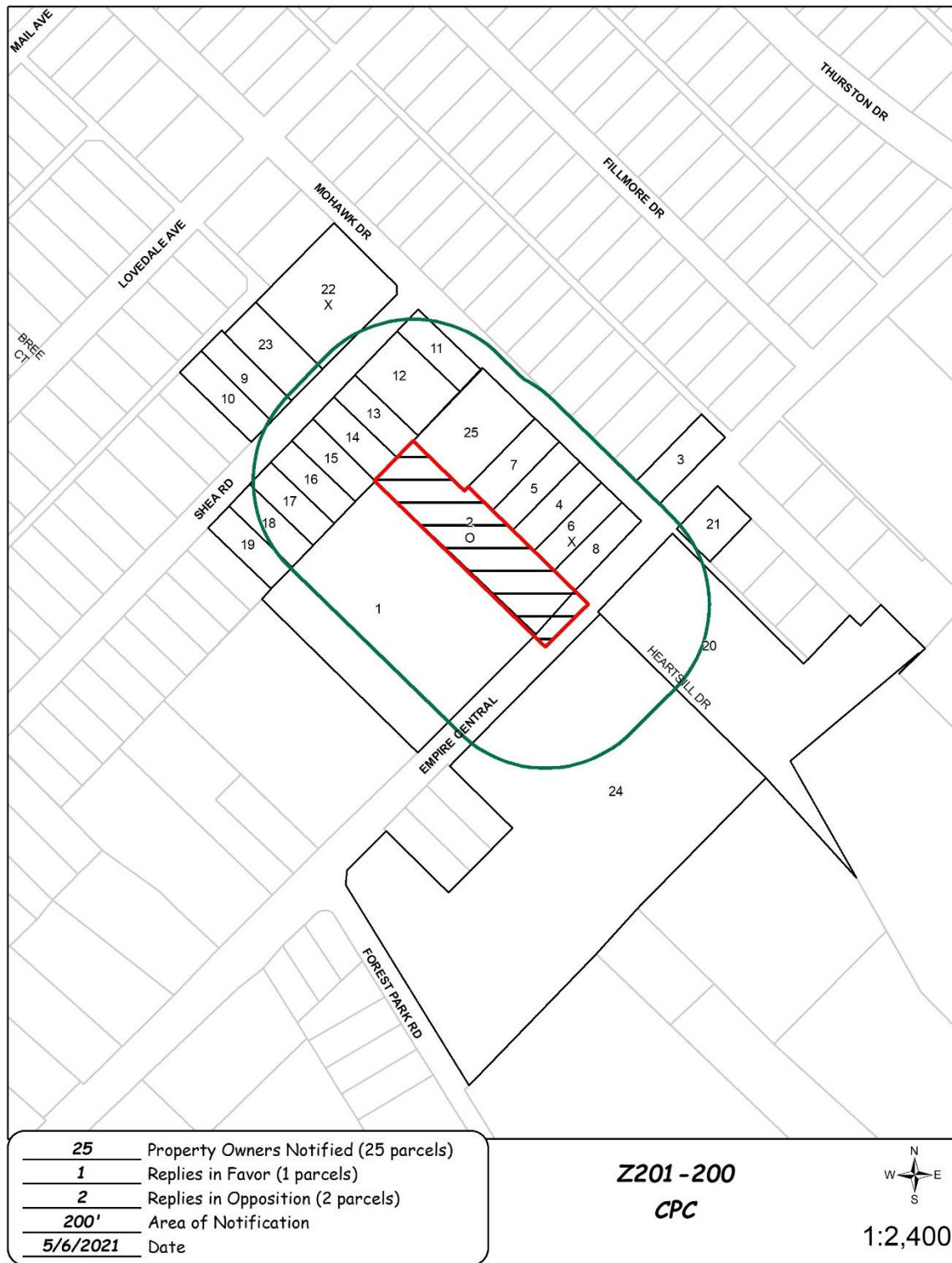


1:4,800

Market Value Analysis

Printed Date: 4/15/2021

CPC RESPONSES



05/05/2021

Reply List of Property Owners***Z201-200******25 Property Owners Notified 1 Property Owners in Favor 2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2203 EMPIRE CENTRAL	WSP EMPIRE CENTRAL LLC
O	2	2221 EMPIRE CENTRAL	2033 EC LTD
	3	7002 MOHAWK DR	NELSON DARRELL PATRICK
	4	7011 MOHAWK DR	ORELLANA PEDRO CASTRO &
	5	7103 MOHAWK DR	MARTINEZ JUAN
X	6	7007 MOHAWK DR	MORALES JESUS S &
	7	7107 MOHAWK DR	SALAS ANTONIO
	8	7003 MOHAWK DR	MARTINEZ PATRICIA
	9	2215 SHEA RD	CANO ROBERTO G
	10	2211 SHEA RD	MENDEZ RAFAELA EST OF
	11	2234 SHEA RD	RENTERIA RODOLFO M
	12	2226 SHEA RD	GUAJARDO ROLANDO J & MARIA C GONZALEZ
	13	2222 SHEA RD	BARRERA GILBERTO &
	14	2218 SHEA RD	Taxpayer at
	15	2214 SHEA RD	Taxpayer at
	16	2210 SHEA RD	LOPEZ TEODORO JAIMES
	17	2206 SHEA RD	RODRIGUEZ JOSE ANGEL
	18	2202 SHEA RD	Taxpayer at
	19	2162 SHEA RD	MARTINEZ FLOR I
	20	2232 EMPIRE CENTRAL	MOCKINGBIRD VENTURE PARTNERS LLC
	21	6925 MOHAWK DR	TINSLEY CLAUDIA ANNE M
X	22	7207 MOHAWK DR	MARTINEZ PAUL RAY
	23	2219 SHEA RD	Taxpayer at
	24	6930 FOREST PARK RD	BFH LTD
	25	7111 MOHAWK DR	Taxpayer at