

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, DECEMBER 13, 2023

ACM: Majed Al-Ghafry

FILE NUMBER: Z223-195(AU)

DATE FILED: February 3, 2023

LOCATION: Northeast line of Seagoville Road, southeast of Ravenview Road

COUNCIL DISTRICT: 8

SIZE OF REQUEST: Approx. 3.5 Acres

CENSUS TRACT: 48113017101

OWNER/APPLICANT: RSJ Developments LLC

REPRESENTATIVE: Erick Cortez

REQUEST: An application for an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant proposes to develop the site with a combination of residential and retail uses under the regulations of MU-1 zoning district.

CPC RECOMMENDATION: **Denial without prejudice.**

STAFF RECOMMENDATION: **Approval.**

R-10(A) Single Family Residential District

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-75376

MU-1(A) Mixed Use District

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-78645

BACKGROUND INFORMATION

- The area of request, approximately 3.5 acres, is currently developed with a 1,221-square-foot house, one story in height, built in 1948 per DCAD records, with appurtenances.
- The purpose of the request is to develop the property with a mix of housing types and retail under the regulations of MU-1 Mixed Use zoning district.

Zoning History

There have been no zoning change requests in the surrounding area in the past five years.

Thoroughfares/Streets

Thoroughfare/Street	Type	Existing ROW	Required ROW
Seagoville Road	Minor Arterial	80'	80' Bike Plan

Traffic

The Engineering 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 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is meeting the following goals and policies:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

URBAN DESIGN ELEMENT

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

Policy 5.1.3 Encourage complementary building height, scale, design, 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.

Area Plan

West Kleberg Community Plan

The *West Kleberg Community Plan* was adopted by the City Council in April 2007 outlining several goals and policies which can serve as a more detailed framework for assisting in evaluating the applicant's request.

Vision Statement

To reflect "Old Kleberg's" historical heritage, to promote a strong rural atmosphere, to allow for future growth with sensitivity to future amenities and infrastructure of a modern urban environment.

The motto "country living in the city" reverberated throughout the course of the land use study. Citizens within this community share a strong sense of place and a connection to its former identity as the small town of Kleberg, TX.

Goals

Land Use and Zoning:

Protect the rural character of the community by encouraging commercial development along the commercial corridors.

Future Policies: Strongly encourage Residential Adjacency Review (RAR) and require buffering to minimize impact when commercial uses locate within 10 feet of residential neighborhoods.

Economic Development:

Economic development that encourages business retention and attracts new "neighborhood serving" business uses to the community.

Future Policies: Encourage new neighborhood-serving uses to locate along the Hwy.175, Kleberg Rd., Belt Line Rd. and Seagoville Rd. corridors.

Housing:

Encourage low to medium density housing to meet varied income levels.

While the Plan is focused on the protection of the rural character of the area, it also acknowledges the upcoming development and makes recommendation for the area's corridors calling for services to support the community's neighborhoods-based needs. Considering the location of the area of request on Seagoville Road, one of the area's thoroughfares, the proposal is meeting the Plan's overall vision.

Land Use

	Zoning	Land Use
Site	R-10(A) Single Family	Single Family Home
North	R-10(A) Single Family	Single Family Home
East	R-10(A) Single Family	Single Family Home
South	R-10(A) Single Family	Single Family Home
West	NS(A) Neighborhood Service with D-1 Liquor Control Overlay	Auto-related Uses

Land Use Compatibility

The subject property is currently occupied by a single-family home with appurtenances. Properties to the north, east, and south are occupied with large-lot single family homes. Properties to west, across Seagoville Road, include auto-retail uses.

The applicant is intending to develop the site with approximately 40 multifamily units in a different combination of types, multiple units in one building or individual units attached, and an approximately 3,600 square-foot retail building facing Seagoville Road.

Land uses Comparison Table**LEGEND**

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200 as applicable

Land Uses	R-10(A)	MU-1(A)
(A) <u>Agricultural uses</u>		
Crop production	•	•
(B) <u>Commercial and business service uses</u>		
Catering service		•
Custom business services		•
Electronics service center		•
Labor hall.		S
Medical or scientific laboratory.		S
(C) <u>Industrial uses</u>		
Gas drilling and production.	S	S
Temporary concrete or asphalt batching plant.	S	S
(D) <u>Institutional and community service uses</u>		
Adult day care facility.	S	•

Land Uses	R-10(A)	MU-1(A)
Cemetery or mausoleum.	S	S
Child-care facility.	S	•
Church.	•	•
College, university or seminary.	S	•
Community service center.	S	S
Convalescent and nursing homes, hospice care, and related institutions.		R
Convent or monastery.	S	•
Foster home.	S	•
Hospital		S
Library, art gallery, or museum.	S	•
Public or private school.	S	NA
Open-enrollment charter school or private school	NA	S
Public school	NA	R
(E) Lodging uses		
Extended stay hotel or motel.		S
Hotel or motel.		S/R ★
Short Term Rental		•
(F) Miscellaneous uses		
Attached non-premise sign		S
Carnival or circus (temporary). <i>[By special authorization of the building official.]</i>	★	★
Temporary construction or sales office.	•	•
(G) Office uses		
Financial institution without drive-in window		•
Financial institution with drive-in window		D
Medical clinic or ambulatory surgical center		•
Office		•
(H) Recreation uses		
Country club with private membership.	S	S
Private recreation center, club, or area.	S	S
Public park, playground, or golf course	•	•
(I) Residential uses		
College dormitory, fraternity, or sorority house		•
Duplex		•
Group residential facility. <i>[See Section 51A-4.209(3).]</i>		•
Handicapped group dwelling unit. <i>[See Section 51A-4.209(3.1).]</i>	★	
Multifamily		•
Residential hotel		•
Retirement housing		•
Single family	•	•
(J) Retail and personal service uses		
Alcoholic beverage establishments. <i>[See Section 51A-4.210(b)(4).]</i>		
Animal shelter or clinic without outside runs.		R
Auto service center.		R
Business school.		•
Car wash.		R

Land Uses	R-10(A)	MU-1(A)
Commercial amusement (inside). <i>[SUP may be required. See Section 51A-4.210(b)(7)(B).]</i>		S ★
Commercial amusement (outside).		S
Commercial parking lot or garage.		R
Dry cleaning or laundry store.		•
Furniture store.		•
General merchandise or food store 3,500 square feet or less.		•
General merchandise or food store greater than 3,500 square feet.		•
General merchandise or food store 100,000 square feet or more.		S
Mortuary, funeral home, or commercial wedding chapel.		•
Motor vehicle fueling station.		•
Nursery, garden shop, or plant sales.		•
Paraphernalia shop.		S
Personal service uses.		•
Restaurant without drive-in or drive-through service.		R
Restaurant with drive-in or drive-through service.		D
Swap or buy shop.		S
Temporary retail use.		•
Theater.		•
(K) Transportation uses		
Private street or alley.	S	
Transit passenger shelter. <i>[See Section 51A-4.211.]</i>	•	•
Transit passenger station or transfer center.	S	S or CC Resolution
(L) Utility and public service uses		
Commercial radio or television transmitting station		•
Electrical substation.	S	•
Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4).]</i>	S/R	S/R
Police or fire station.	S	•
Post office.		•
Radio, television, or microwave tower.	S	S
Tower/antenna for cellular communication. <i>[See Section 51A-4.212 (10.1).]</i>	★	★
Utility or government installation other than listed.	S	S
(M) Wholesale, distribution, and storage uses		
Mini-warehouse		S
Recycling buy-back center <i>[See Section 51A-4.213 (11).]</i>		★
Recycling collection center. <i>[See Section 51A-4.213 (11.1).]</i>		★
Recycling drop-off container. <i>[See Section 51A-4.213 (11.2).]</i>	★	★
Recycling drop-off for special occasion collection. <i>[See Section 51A-4.213 (11.3).]</i>	★	★

The proposed MU-1 Mixed Use District allows significantly more diverse uses than the existing R-10(A). The proposed change would have direct residential adjacency to multiple properties, but it is also a continuation of the non-residential, commercial zoning district at the corner of Seagoville Road and Ravenview Road. Staff appreciates the location along a thoroughfare and adjacent to the NS(A) Neighborhood Service district as an appropriate mixed-use buffer to the residential districts on the southeast of the area of request.

Development Standards Comparison Table

Development Standards	R-10(A)	MU-1(A)
Front Yard	30'	15' Urban form setback: 20' for above 45' <i>Blockface continuity applies</i>
Side Yard	SF: 6' Other str: 10'	20' when adjacent to R, D, TH, MF Other: No min
Rear Yard	SF: 6' Other str: 15'	Tower spacing: 1' for each 2' above 45' to a max of 30'
Dwelling Unit Density (DU/acre)	No max	MUP: 15 → 25 <i>MIHDB*</i>
FAR	No max	MUP: 0.8 or 0.4 → 0.6 or 1.1
Height	30'	MUP: 80' → 120' <i>RPS applies</i>
Lot Coverage	Residential: 45% Other: 25%	80%
Lot Size	10,000 sf	No min
Stories	No max	90' = 7 stories 120' = 9 stories
Additional Provisions	Not more than one electrical utility service, and metered by not more than one electrical meter	DIR if trip generation exceeds threshold Visual Intrusion

* When applicable, mixed-income housing bonus may be available for qualifying projects, as follows:

MU-1	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(d)(4)(C), plus:
MVA Category D, E, F	5% at Income band 61-80 AMFI	65 per acre
	10% at Income band 61-80 AMFI;	80 per acre
	10% at Income band 61-80 AMFI; and 5% at Income band 81-100 AMFI	105 per acre

For the front yard setback, which will be along Seagoville Road, blockface continuity will apply, meaning the front yard would be 30 feet, the same as R-10(A). Per Sec. 51A-4.401(a)(6), if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement.

The Residential Proximity Slope applicable to this site would be generated by all R-10(A) zoning district adjacent to the property on the north, east, south sides. By a general estimate of maximum height, a narrow portion in the center of the property could reach a building height above 26 feet but not more than approximately 45 feet at peak of the slope; this would allow a bulk height of 30 to 35 feet.

The applicant intends to develop the property with 20 multifamily units. A rough estimation on a maximum number of units is hard to assess based solely on the allowable dwelling unit density, as the totality of development regulations together with the narrow lot configuration will limit the number of dwelling units. Considering the limited development rights due to the adjacency to single family residential zoning districts, like RPS and additional setbacks, staff estimates that the overall building massing will be compatible with the surrounding allowable building massing.

Considering the location along a thoroughfare, as a continuation of an NS(A) district, and the adjacency to residential districts that will significantly limit the allowable building massing to ensure compatibility in scale and trigger the RAR review to further limit the operation of certain uses, staff supports the applicant's request for an MU-1 Mixed Use district.

Landscaping

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

Parking

Parking must be provided in accordance with the Development Code, for each use accordingly. For a multifamily use, the code requires 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.

If affordable units are provided, multifamily will be able to use the mixed income housing parking ratio in Sec. 51A-4.1100. This ratio requires a minimum one-half space per dwelling unit, with at least 15 percent of the required parking 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.

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 to orange, representing the weakest markets. The area of request is located within an “F” MVA cluster.

Z223-195(AU)

List of Officers

RSJ Developments LLC

Ricardo Vega
Sanjuanita Vega

CPC Action
October 5, 2023

Motion: It was moved to recommend **denial without prejudice** of an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District, on the northeast line of Seagoville Road, southeast of Ravenview Road.

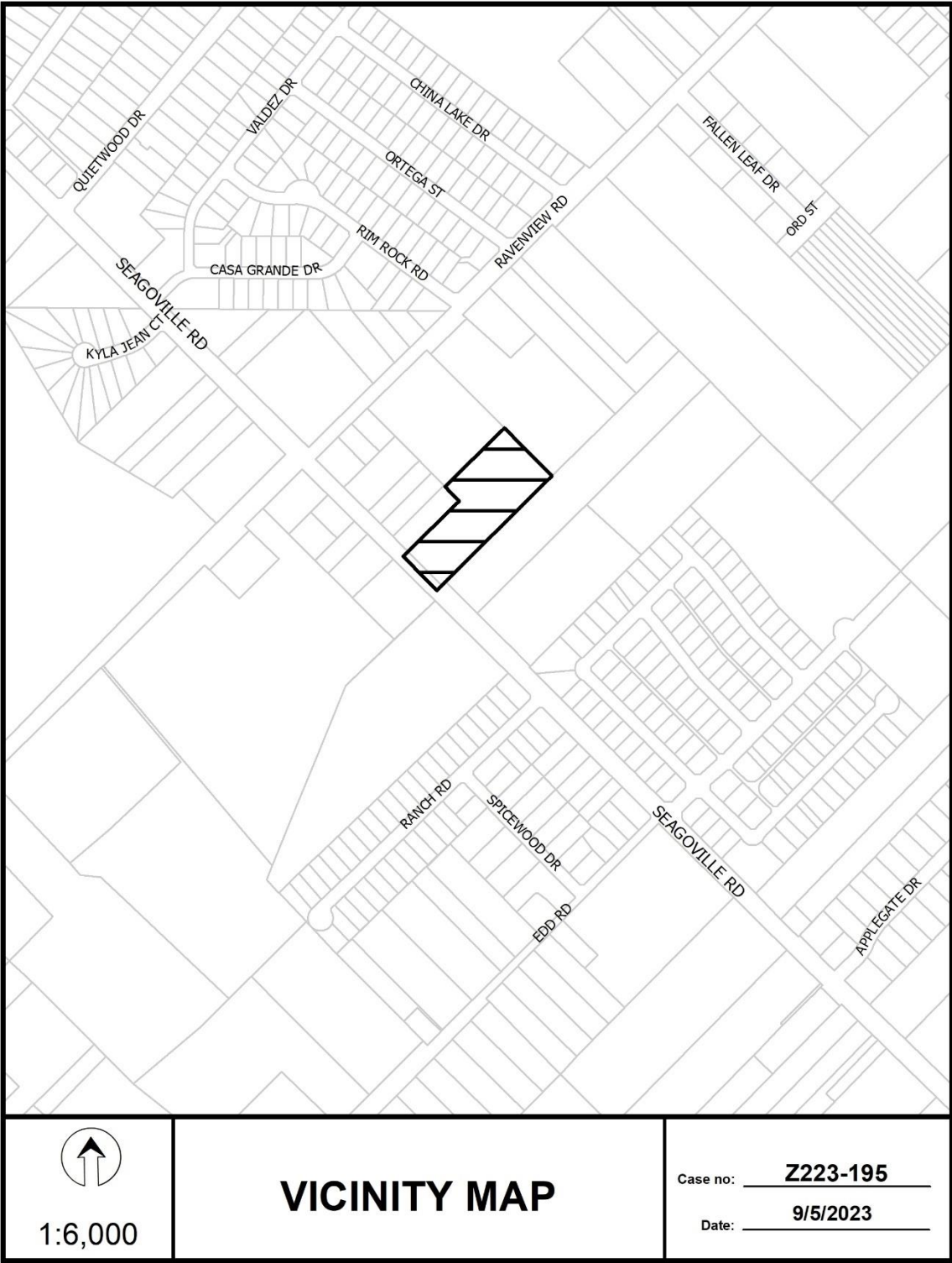
Maker: Blair
Second: Hampton
Result: Carried: 11 to 1

For: 11 - Chernock, Hampton, Herbert, Carpenter,
Wheeler-Reagan, Blair, Jung, Housewright,
Treadway, Hall, Kingston

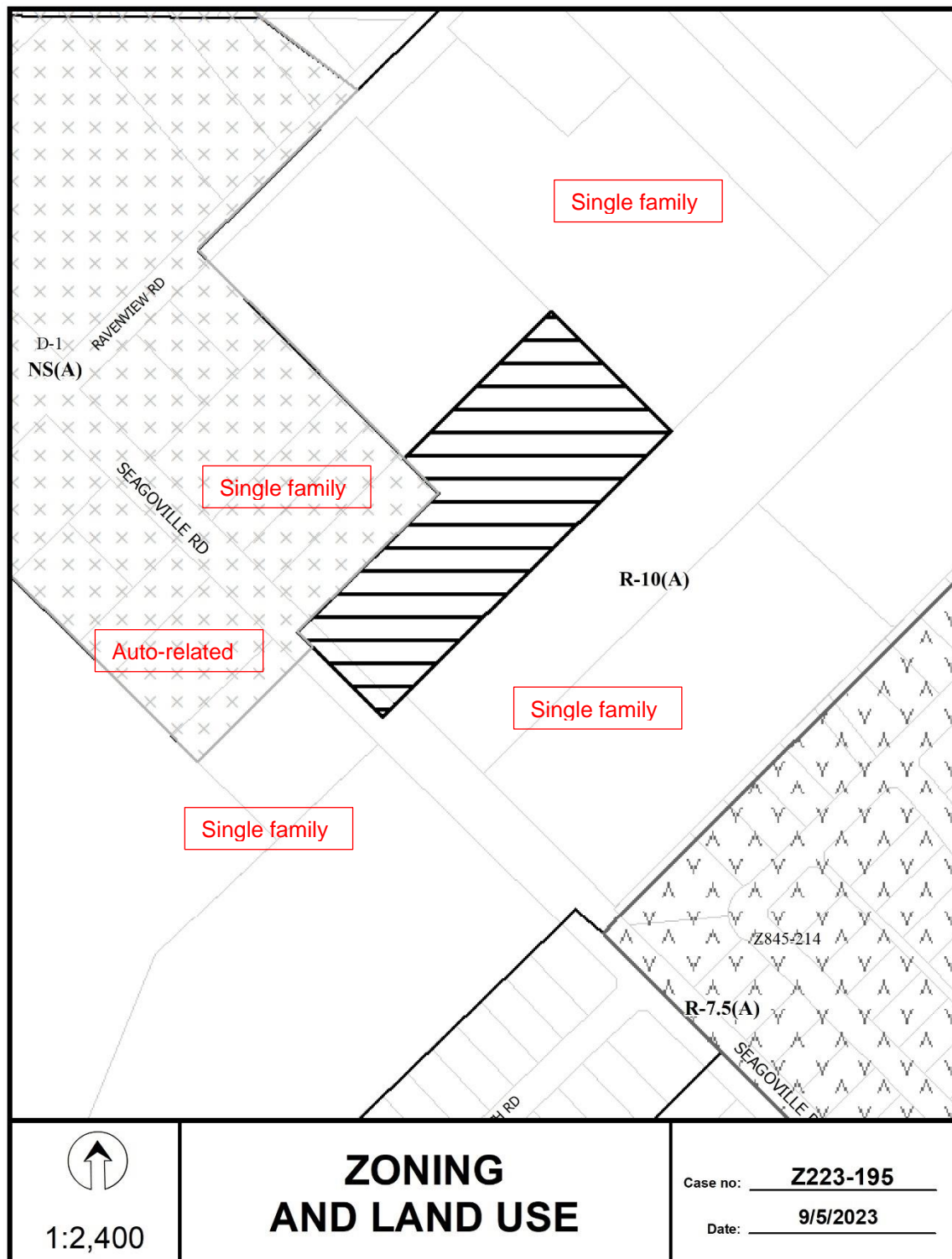
Against: 1 - Rubin
Absent: 3 - Anderson, Shidid, Haqq
Vacancy: 0

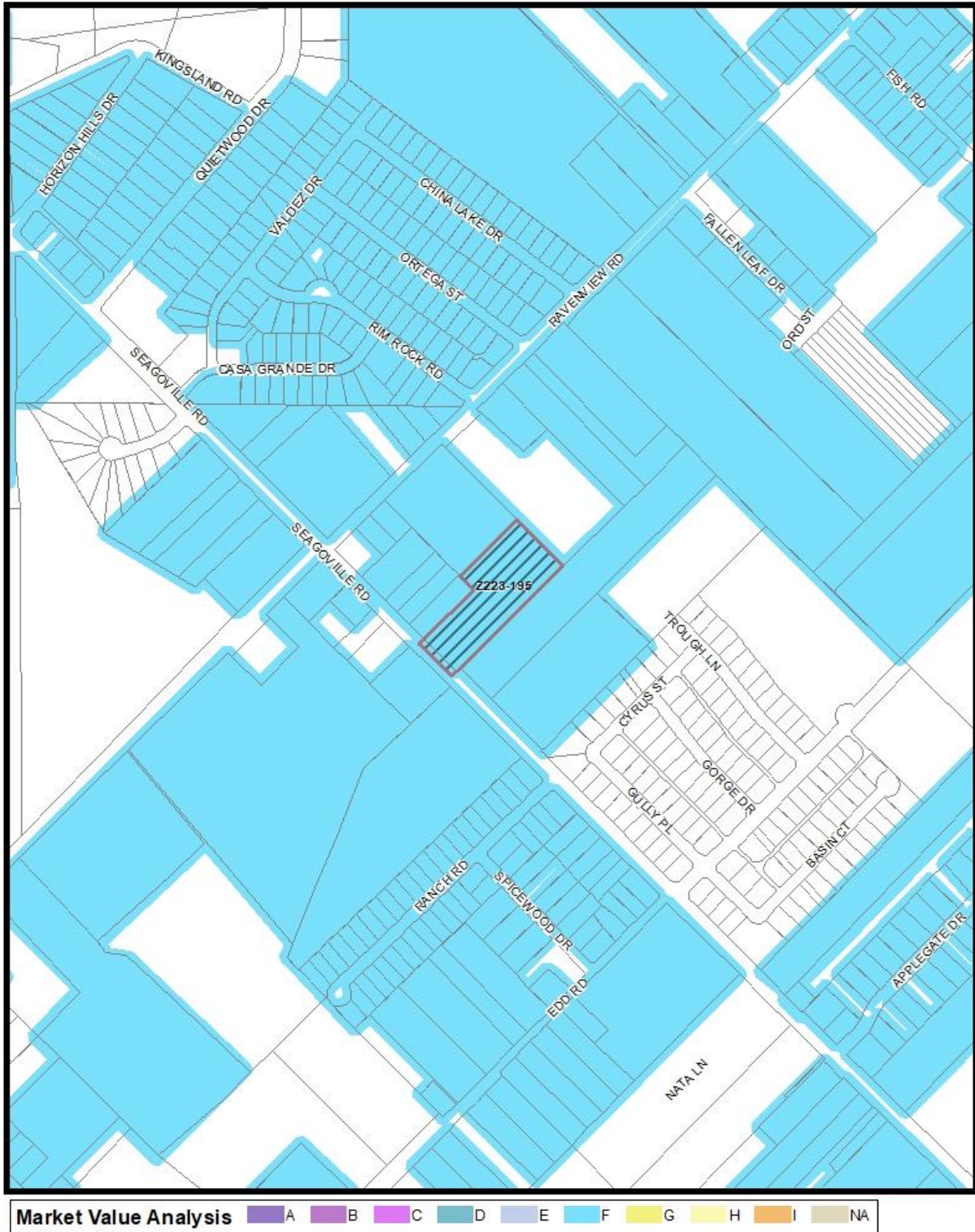
Notices:	Area: 300	Mailed: 18
Replies:	For: 0	Against: 3

Speakers: For: Erick Cortez, Address not given
Against: None









Market Value Analysis

Printed Date: 9/5/2023



10/04/2023

Reply List of Property Owners***Z223-195******18 Property Owners Notified 0 Property Owners in Favor 3 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	14225 SEAGOVILLE RD	GREESON TERRY & DONITA
X	2	14339 SEAGOVILLE RD	Taxpayer at
X	3	14300 SEAGOVILLE RD	PAZ ANTONIO &
	4	14143 SEAGOVILLE RD	LEDESMA PEDRO
X	5	14137 SEAGOVILLE RD	DAVIS EDNA SUE TULLEY ET
	6	14131 SEAGOVILLE RD	CHAVEZ MARCO A &
	7	14125 SEAGOVILLE RD	WILLIAMS MARILYN DIANE ET
	8	12934 RAVENVUE RD	MARTINEZ DANIEL
	9	12954 RAVENVUE RD	WILLIAMS IRA RAY &
	10	13010 RAVENVUE RD	KING MARY ESQUIVEL
	11	12700 RAVENVUE RD	SLAUGHTER PAUL &
	12	14120 SEAGOVILLE RD	VILLAGRANA FEDERICO & MARIA
	13	14130 SEAGOVILLE RD	HAAR JAMES
	14	14210 SEAGOVILLE RD	SNIDER BETTY LOU
	15	14100 SEAGOVILLE RD	BRANCH EUGENE
	16	14124 SEAGOVILLE RD	DOMINGUEZ ZEFERINO NOVA
	17	14340 SEAGOVILLE RD	SANCHEZ JESUS MEDINA &
	18	12958 RAVENVUE RD	TRUITT THOMAS J JR