HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, MARCH 8, 2023

ACM: Majed Al-Ghafry

FILE NUMBER: Z212-325(MP) DATE FILED: August 24, 2022

LOCATION: Northwest line of Willow Street at the terminus of Bank Street,

between South Carroll Avenue and South Fitzhugh Avenue

COUNCIL DISTRICT: 2

SIZE OF REQUEST: Approx. 0.91 acre CENSUS TRACT: 0015.02

APPLICANT: Alex Lowe

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: Willow Partners, LP

REQUEST: An application for MF-2(A) Multifamily District on property

zoned a CS Commercial Service District

SUMMARY: The purpose of the request is to allow redevelopment of the

site as multifamily.

STAFF RECOMMENDATION: <u>Approval</u>.

CPC RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The property is currently undeveloped.
- The property is currently zoned a CS Commercial Service District. The applicant is seeking an MF-2(A) Multifamily District in order to develop the site with a multifamily use.
- The property is adjacent to several lots currently developed under MF-2(A) regulations.
- The applicant has stated their intention to utilize the Mixed-Income Housing Development Bonus program (MIHDB) after rezoning.

Zoning History:

There has been one zoning case in the area in the last five years.

1. **Z212-153:** On April 27, 2022, the City Council approved an application for a Specific Use Permit for a child-care facility on property zoned an MF-2(A) Multifamily District on the southeast line of Eastside Avenue, southwest of South Fitzhugh Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW	
Willow Street	Local Street	Varies	
Bank Street	Local Street	50 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 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

- **GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES
 - **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.
 - **1.3.1.7** Implement zoning tools to accommodate alternative housing products.
- GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE, AND THE ENVIRONMENT
 - **Policy 1.4.2** Develop a multi-modal transportation network.

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.
 - **Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

TRANSPORTATION ELEMENT

- GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS
 - **Policy 4.2.2** Promote a network of on-street and off-street walking and biking paths.

URBAN DESIGN ELEMENT

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

- **Policy 5.1.2** Define urban character in Downtown and urban cores.
- **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.

NEIGHBORHOOD PLUS

- **GOAL 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.
- **GOAL 5.1** Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.
- **GOAL 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.
- **GOAL 6.2** Expand affordable housing options and encourage its distribution throughout the city and region.

Comprehensive Housing Policy:

On May 11, 2022, the City Council amended the Comprehensive Housing Policy (CHP) which was originally adopted on May 9, 2018. The policy goals included: 1) Create and maintain available and affordable housing throughout Dallas, 2) Promote greater fair housing choices, and 3) Overcome patterns of segregation and concentrations of poverty through incentives and requirements.

Market Value Analysis (MVA) is a tool to aid residents and policymakers 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 target intervention strategies more precisely 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.

Using the MVA tool, the Mixed-Income Housing Development Bonus program (MIHDB) is a strategy to achieve the goals of the CHP for the City of Dallas. The goal of the MIHDB

is to address systemic inequities by providing housing that is affordable to a broad range of income levels in all areas of the city. The program will create affordable housing in strong neighborhoods (MVA Categories A, B, and C); create mixed income communities and reduce neighborhood displacement in gentrifying and transitioning areas (MVA Categories D, E, and F); and support equitable revitalization in weaker market areas (MVA Categories G, H, and I). Likewise, the MIHDB Fund will be used to support the creation of housing least likely to be provided by the market. This property is located within MVA Category "E," which is a transitioning market as identified in the CHP (p. 48).

The CHP plan recognizes the difficulty of meeting the housing needs and provides strategies to assist including the MIHDB program. The request to rezone this property to permit the development of the site as a mixed-income multifamily development using the base zoning and development bonuses provided in the Dallas Development Code align with the goals of the CHP and the needs for the City.

Land Use:

	Zoning	Land Use		
Site	CS Commercial Service District	Undeveloped		
Northeast	CS Commercial Service District	Undeveloped, Multifamily, Duplex		
Southeast	Planned Development District 134 Subarea A	Santa Fe Trail, Single Family		
Southwest	MC-3 Multiple Commercial District	Undeveloped		
Northwest	MF-2(A) Multifamily District	Mixed Residential (Multifamily, Single Family, Duplex)		

Land Use Compatibility:

The area of request is primarily surrounded by residential uses. Property to the southwest of the site is undeveloped. The Santa Fe Trail is southeast of the site, and across the trail are smaller-lot single family homes built out under PD 134, Subarea A, which functions similarly to R-7.5. Northeast of the site are multiple undeveloped lots as well as a mix of multifamily and duplex uses. Northwest of the site is developed under MF-2(A) as a mix of multifamily, duplexes, and single family.

The proposed multifamily use and MF-2(A) zoning would be in line with uses and zoning to the northeast and northwest. The current CS Commercial Service zoning includes various by-right uses that could be detrimental to the wellbeing of the nearby residential properties. The proposed zoning change increases compatibility by eliminating the potential for harmful uses from adjacent residential. The difference in allowable uses is listed in the below table.

Land Use Comparison Chart				
Existing: CS	Proposed: MF-2(A)			
Agricultural uses Crop production.	Agricultural uses Crop production.			
Commercial and business service uses. Building repair and maintenance shop. [RAR] Bus or rail transit vehicle maintenance or storage facility. [RAR] Catering service. Commercial bus station and terminal. [DIR] [By right or SUP. See Section 51A-4.211(2).] Commercial cleaning or laundry plant. [RAR] Custom business services. Custom woodworking, furniture construction, or repair. Electronics service center. Job or lithographic printing. [RAR] Labor hall. [SUP] Machine or welding shop. [RAR] Machinery, heavy equipment, or truck sales and services. [RAR] Medical or scientific laboratory. Technical school. Tool or equipment rental. Vehicle or engine repair or maintenance. [RAR]	Commercial and business service uses None permitted.			
Industrial uses Gas drilling and production. [SUP] Industrial (inside) for light manufacturing Temporary concrete or asphalt batching plant. [By special authorization of the building official.]	Industrial uses Gas drilling and production. [SUP] Temporary concrete or asphalt batching plant. [By special authorization of the building official.]			
Institutional and community service uses Adult day care facility Cemetery or mausoleum. [SUP] Child-care facility Church College, university, or seminary Community service center. [SUP] Convent or monastery Halfway house. [SUP] Hospital. [RAR]	Institutional and community service uses Adult day care facility. [SUP] Cemetery or mausoleum. [SUP] Child-care facility. [SUP] Church College, university, or seminary. [SUP] Community service center. [SUP] Convalescent and nursing homes, hospice care, and related institutions. [RAR] Convent or monastery Foster home.			

Land Use Comparison Chart				
Existing: CS	Proposed: MF-2(A)			
 Open-enrollment charter school or private school. [SUP] Public school other than an open-enrollment charter school. [RAR] 	Hospital. [SUP]Library, art gallery, or museum. [SUP]Public or private school. [SUP]			
Lodging uses Extended stay hotel or motel. [SUP] Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).] Lodging or boarding house Overnight general purpose shelter. [See Section 51A-4.205(2.1).]	Lodging uses Lodging or boarding house.			
Miscellaneous uses Attached non-premise sign. [SUP] Carnival or circus (temporary). [By special authorization of the building official.] Temporary construction or sales office.	Miscellaneous uses Carnival or circus (temporary). [By special authorization of the building official.] Temporary construction or sales office.			
Office uses Alternative financial establishment. [SUP] Financial institution without drive-in window Financial institution with drive-in window. [RAR] Medical clinic or ambulatory surgical center Office.	Office uses None permitted.			
Recreation uses Country club with private membership Private recreation center, club, or area Public park, playground, or golf course. Residential uses College dormitory, fraternity, or sorority house.	Recreation uses Country club with private membership. [RAR] Private recreation center, club, or area. [SUP] Public park, playground, or golf course. Residential uses College dormitory, fraternity, or sorority house Duplex Group residential facility. [See Section 51A-4.209(3).] Handicapped group dwelling unit. [See Section 51A-4.209(3.1).] Multifamily.			

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Existing: CS	Proposed: MF-2(A)
30	Residential hotel.
	Retirement housing.
A1 1 1 1 1	Single family.
Alcoholic beverage	Retail and personal service uses.
establishments. [See Section <u>51A-</u>	None permitted.
4.210(b)(4).]	
Ambulance service. [RAR]	
Animal shelter or clinic without outside	
runs. [RAR]	
Animal shelter or clinic with outside	
runs. [SUP may be required. See	
Section <u>51A-4.210(b)(2).</u>]	
Auto service center. [RAR]	
Business school.	
Car wash. [RAR]	
Commercial amusement	
(inside). [SUP may be required. See	
Section <u>51A-4.210(b)(7)(B).</u>]	
Commercial amusement	
(outside). [DIR]	
Commercial motor vehicle parking. [By	
SUP only if within 500 feet of a residential	
district.]	
Commercial parking lot or	
garage. [RAR]	
Convenience store with drive-	
through. [SUP]	
Drive-in theater. [SUP]	
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. [SUP]	
Home improvement center, lumber,	
brick or building materials sales	
yard. [RAR]	
Household equipment and appliance	
repair.	
Liquefied natural gas fueling	
station. [SUP]	
Liquor store.	
Mortuary, funeral home, or	
commercial wedding chapel.	
Motor vehicle fueling station.	
3.22. 12.22.22.23.1 3 0.02.2	

	mparison Chart
Existing: CS	Proposed: MF-2(A)
 Nursery, garden shop, or plant sales. Paraphernalia shop. [SUP] Outside sales. [SUP] Pawn shop. Personal service uses. Restaurant without drive-in or drive-through service. [RAR] Restaurant with drive-in or drive-through service. [DIR] Swap or buy shop. [SUP] Taxidermist. Temporary retail use. Theater. Truck stop. [SUP] Vehicle display, sales, and service. [RAR] 	
Transportation uses Commercial bus station and terminal. [DIR] Heliport. [SUP] Helistop. [SUP] Railroad passenger station. [SUP] Transit passenger shelter Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]	Transportation uses Transit passenger shelter Transit passenger station or transfer center. [SUP]
Utility and public service uses Commercial radio or television transmitting station Electrical substation Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).] Police or fire station Post office Radio, television, or microwave tower. [RAR] Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).] Utility or government installation other than listed. [SUP] Wholesale, distribution, and storage uses.	Utility and public service uses 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]
Auto auction. [SUP] Building mover's temporary storage yard. [SUP]	Recycling drop-off container. [See Section 51A-4.213 (11.2).]

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Existing: CS	Proposed: MF-2(A)
Contractor's maintenance yard. [RAR]	Recycling drop-off for special occasion
Freight terminal. [RAR]	collection. [See Section 51A-4.213 (11.3).]
Manufactured building sales lot. [RAR]	
Mini-warehouse.	
Office showroom/warehouse.	
Outside storage. [RAR]	
Petroleum product storage and	
wholesale. [SUP]	
Recycling buy-back center. [See	
Section <u>51A-4.213(11).</u>]	
Recycling collection center. [See	
Section <u>51A-4.213(11.1).</u>]	
Recycling drop-off container. [See	
Section <u>51A-4.213(11.2).</u>]	
Recycling drop-off for special occasion	
collection. [See Section <u>51A-4.213</u> (11.3).]	
Sand, gravel, or earth sales and	
storage. [SUP]	
Trade center.	
Vehicle storage lot. [SUP]	
Warehouse. [RAR]	

Development Standards

DISTRICT	SETBA Front	CKS Side/Rear	Density and FAR	Height	Lot Coverage	Special Standards
Existing CS	15' min No Max	0.	0.5 FAR lodging, office, retail 0.75 total FAR	45'	80%	Proximity Slope No design standards
Proposed MF-2(A)	No May	Side:10' Rear: 10' adj res'	800 sf – Efficiency 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	36'	60%	Proximity Slope No design standards
MF-2(A) if MIH development bonuses in "Category E" MVA Area are utilized						

5% MIH at Income band 2	No min lot area per unit	51'	80%	Proximity Slope Urban Form Setback 51A-4.1107 Design Standards
10% MIH at Income band 2	No min lot area per unit	66'	80%	Proximity Slope Urban Form Setback 51A-4.1107 Design Standards
10% MIH at Income band 2 AND 5% at Income band 1	No min lot area per unit	85'	85%	Proximity Slope Urban Form Setback 51A-4.1107 Design Standards

Development under the base standards of MF-2(A) zoning district would be consistent with standards allowed within the block at this time. Other MF-2(A) parcels on the block and within the surrounding area could at this time also make use of the by-right MIHDB standards.

The applicant has stated an intention to include mixed-income housing as a portion of the development pursuant to the CHP. If mixed income housing units are provided, the applicant would be able to apply bonuses to increase development standards but would not be obligated to utilize them in their entirety. The bonuses vary by type of zoning district and by the additional development rights that would be most likely to incentivize development. In MF-2(A) Multifamily District, the percentage of reserved mixed-income units enables increases in height and lot coverage. Although the MIHDB affords additional height, it is still subject to residential proximity slope. Single-family proximity slope (1 to 3 slope) would generate from properties zoned PD 134 Subarea A across Willow Street and Santa Fe Avenue, limiting the heights at the front setback of the subject site to between 30 and 38 feet, depending on the width of the right of way.

Participation and use of MIHDB program also requires compliance with design standards that provide for additional pedestrian orientation that are otherwise not required in a base zoning district. These include some of the following, per Sec. 51A-4.1107.

- Minimal surface parking, mostly in the side and rear of the lot
- Ground-floor entrances that open directly to sidewalk or open space
- Wide sidewalks, street trees, and pedestrian lighting
- Parking structures wrapped by other uses
- Only short fences with pedestrian gates are allowed between the front of the building and the street.

A minimum of 10% of the site provided as open space

These design standards result in a higher level of development quality and safety through their human-scale accommodations. The improved standards would also benefit the site's access to the Santa Fe Trail and the general public's use of the trail. Developing properties fronting the trail with human-scale structures and uses helps activate the trail and calm traffic in the immediate area. It is vital that new development along this corridor be pedestrian oriented, as access to the trail provides a transportation option that connects the site with Downtown Dallas and East Dallas.

Generally, the request removes the possibility for potentially harmful uses from a residential neighborhood while introducing necessary housing at varying income levels and achieves the city's urban design goals with design standards and leveraging sustainable infrastructure.

Landscaping:

Landscaping will be required in accordance with Article X, as amended.

Parking:

Pursuant to Section 51A-4.200 of the Dallas Development Code, a multifamily use 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. No additional parking is required for accessory uses that are limited principally to residents.

If the site is developed under the MIHDB program and the current Chapter 51A, a multifamily use requires a minimum of one-half space per dwelling unit. A minimum of 15 percent of the required parking must be available for guest parking. Like any of the changes in standards provided by the MIHDB, the applicant need not maximize use of the bonus, and may provide additional parking than the minimum if necessary.

Market Value Analysis:

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Z212-325(MP)

I). The area of request is currently in an "E" MVA cluster. The area to the southeast is located within a "G" MVA cluster.

List of Officers

Willow Partners, LP
Willow Partners GP, LLC
David B. McQuaid

GN Investment Fund, IV, LLC Bloc House Alexander Lowe

CPC Action JANUARY 19, 2023

Z212-325(MP)

Motion: It was moved to recommend **approval** of a MF-2(A) Multifamily District on property zoned a CS Commercial Service District, on the northwest line of Willow Street at the terminus of Bank Street, between South Carroll Avenue and South Fitzhugh Avenue.

Maker: Wheeler-Reagan

Second: Rubin

Result: Carried: 14 to 0

For: 14 - Popken, Hampton, Anderson, Shidid,

Carpenter, Wheeler-Reagan, Blair, Jung, Housewright*, Treadway, Haqq, Stanard,

Kingston, Rubin

Against: 0 Absent: 0

Vacancy: 1 - District 3

*out of the room, shown voting in favor

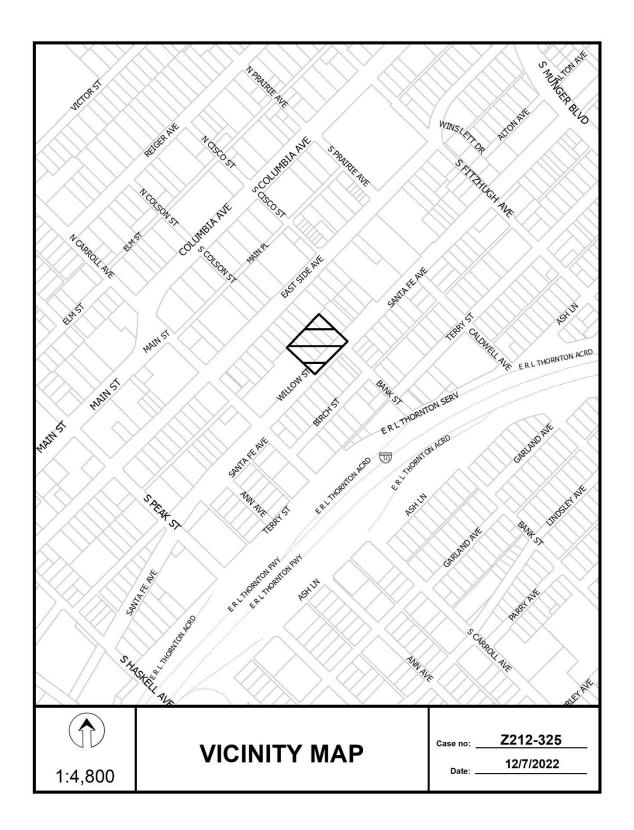
Notices: Area: 200 Mailed: 34
Replies: For: 1 Against: 0

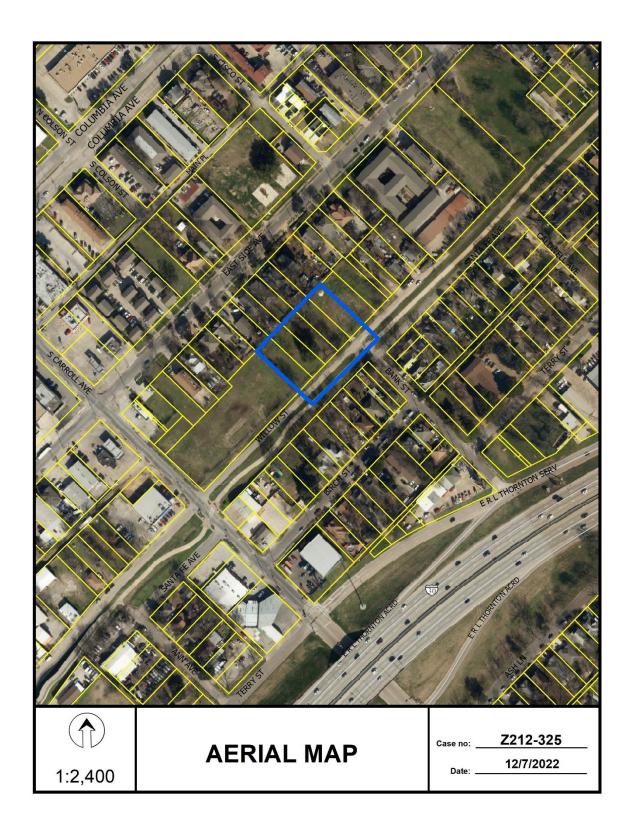
Speakers: For: None

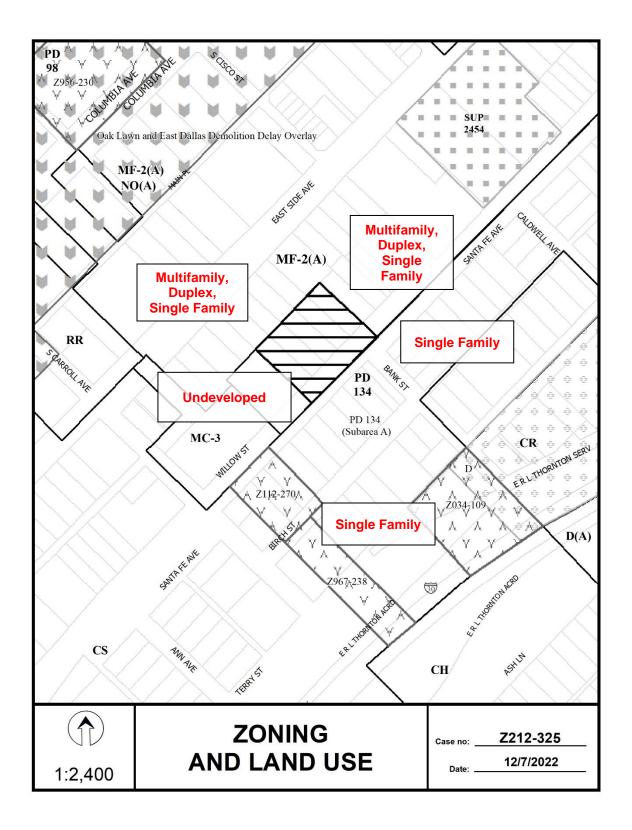
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226

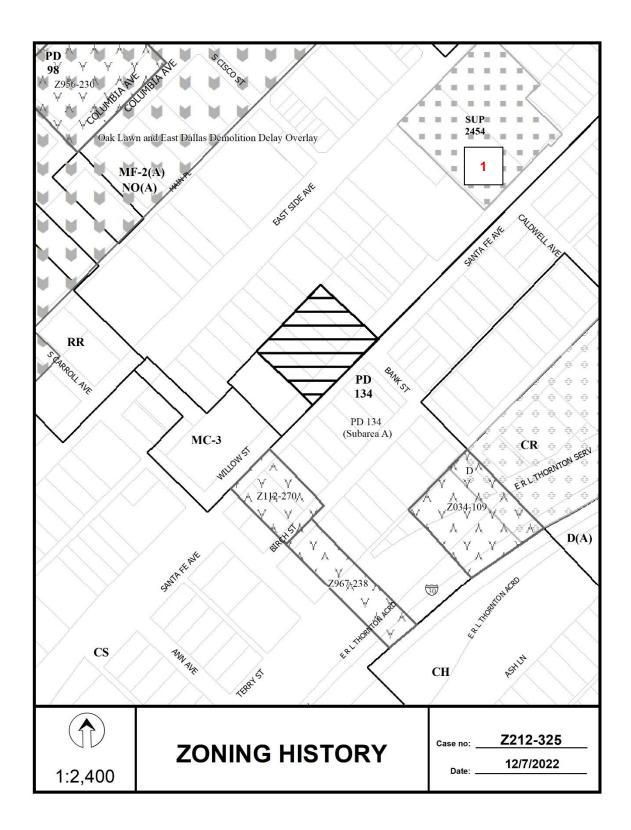
Samuel Mortimer, 1623 Main St., Dallas, Texas, 75201

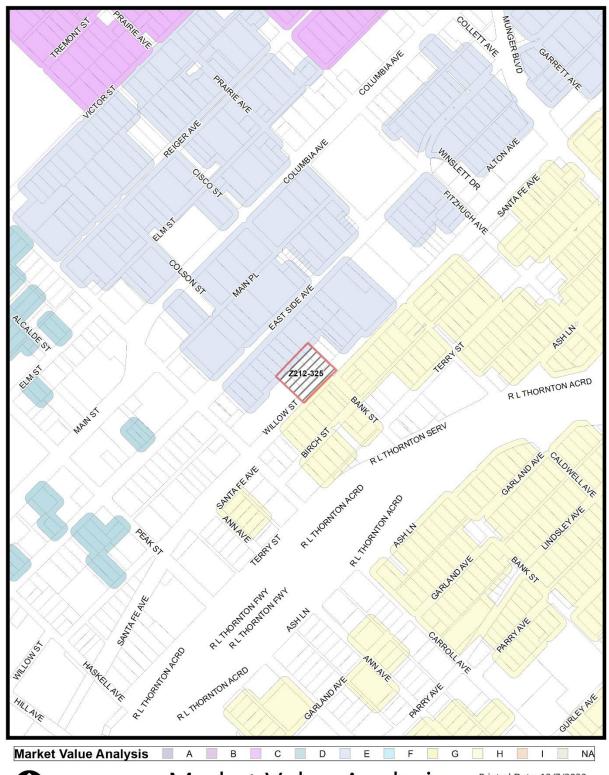
Against: None







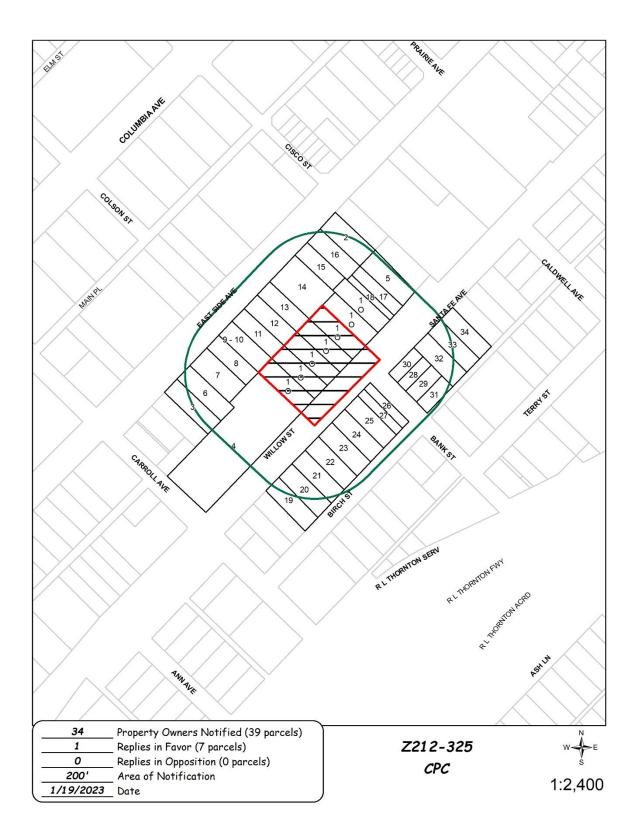




1:4,800

Market Value Analysis

Printed Date: 12/7/2022



01/18/2023

Reply List of Property Owners Z212-325

34 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply	Label #	Address		Owner
O	1	4609	WILLOW ST	WILLOW PARTNERS LP
	2	4620	EAST SIDE AVE	EAST SIDE AVE LLC
	3	4512	EAST SIDE AVE	Taxpayer at
	4	310	S CARROLL AVE	SAMADIAN FAMILY L P
	5	4643	WILLOW ST	PULIDO MIGUEL MORENO &
	6	4516	EAST SIDE AVE	Taxpayer at
	7	4520	EAST SIDE AVE	BECK MARIA CHRISTINA LIZALDE
	8	4524	EAST SIDE AVE	HIDALGO AGUSTIN & LUZ M
	9	4530	EAST SIDE AVE	ARELLANO JOSE I
	10	4530	EAST SIDE AVE	ARELLANO JOSE I
	11	4532	EAST SIDE AVE	ARREDONDO ORALIA C TR &
	12	4600	EAST SIDE AVE	LABOR RICARDO
	13	4602	EAST SIDE AVE	EAST SIDE INCREMENTAL LLC
	14	4606	EAST SIDE AVE	LEACHMAN TAMARA I
	15	4614	EAST SIDE AVE	YANEZ CRUZ M JR
	16	4618	EAST SIDE AVE	Taxpayer at
	17	4637	WILLOW ST	QUEST TRUST COMPANY FBO
	18	4621	WILLOW ST	ABSOLUTE REAL ESTATE
	19	4515	BIRCH ST	SANTOS FERNANDO &
	20	4517	BIRCH ST	LOPEZ ANTONIO
	21	4521	BIRCH ST	GAMEZ RICHARD &
	22	4525	BIRCH ST	SAFE CAPITAL INVESTMENTS LLC
	23	4529	BIRCH ST	SAFE CAPITAL INVESTMENTS LLC
	24	4531	BIRCH ST	SALDANA GUADALUPE N &
	25	4537	BIRCH ST	PONCE FRANCISCO EST OF &
	26	4541	BIRCH ST	CARRILLO JESUS

Z212-325(MP)

01/18/2023

Reply	Label #	Address		Owner
	27	4539	BIRCH ST	LOPEZ JESUS
	28	404	BANK ST	SANCHEZ DAVID
	29	406	BANK ST	PATINO JOSE S
	30	402	BANK ST	RIOS LUIS & JOSEFA
	31	410	BANK ST	PATINO JOSE S & CELIA
	32	4608	SANTA FE AVE	GRANADO ELOY R &
	33	4612	SANTA FE AVE	MEDINA ROCIO &
	34	4616	SANTA FE AVE	TREVINO DANIEL & ISABEL