

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, MARCH 27, 2024

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

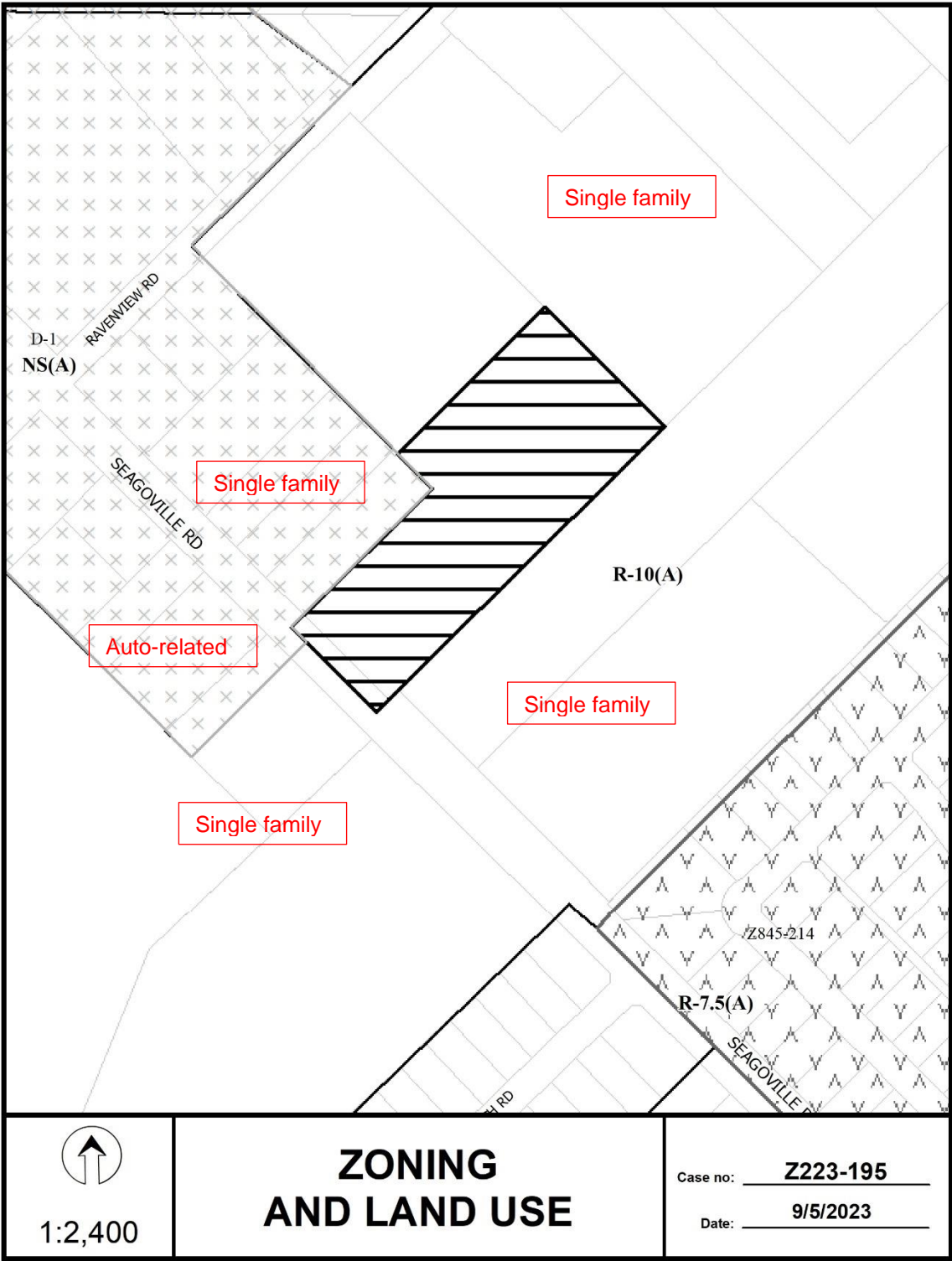
Against: 1 - Rubin
Absent: 3 - Anderson, Shidid, Haqq
Vacancy: 0

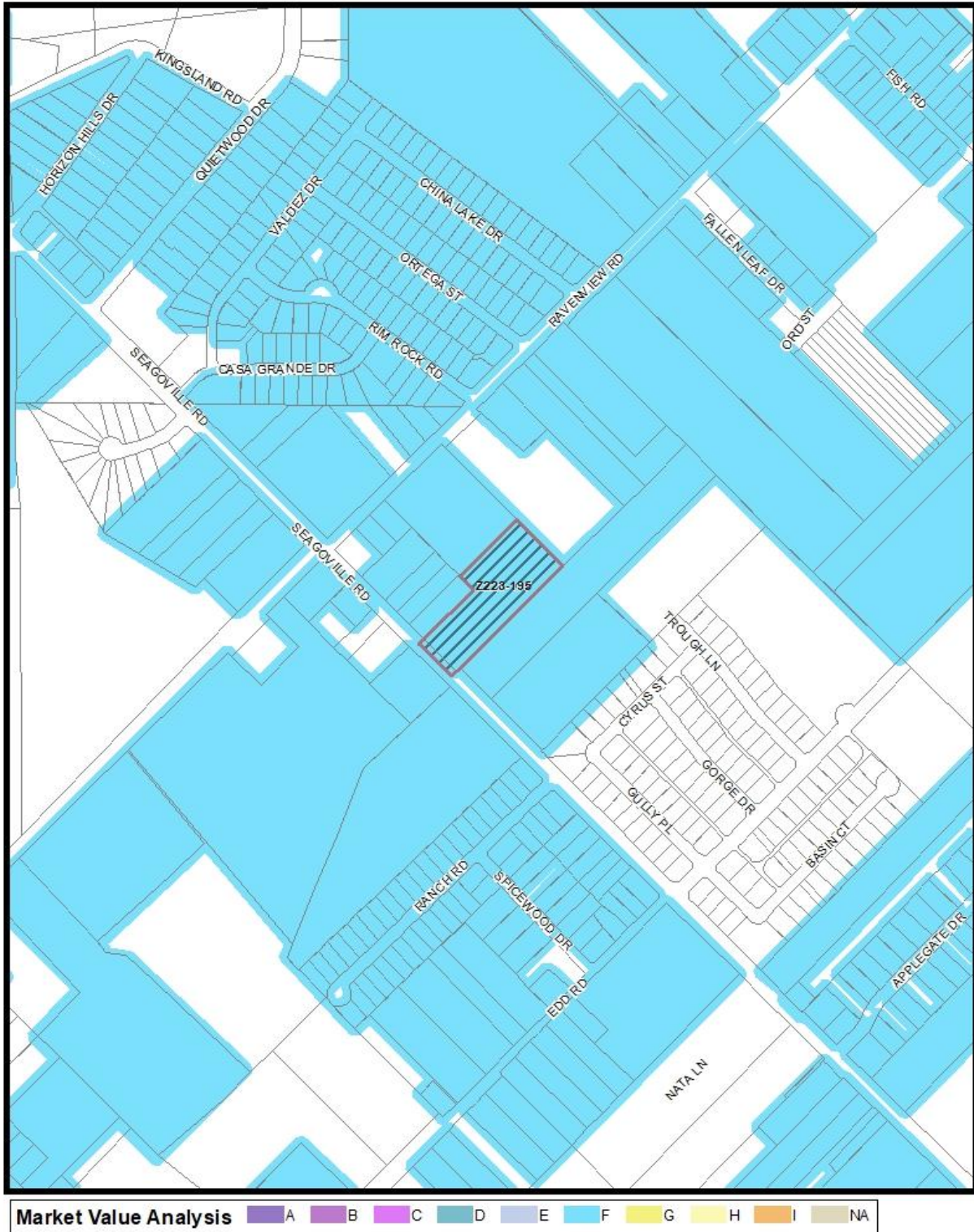
| | | |
|-----------------|-----------|------------|
| Notices: | Area: 300 | Mailed: 18 |
| Replies: | For: 0 | Against: 3 |

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 |