

FILE NUMBER: Z190-204(ND)

DATE FILED: February 19, 2020

LOCATION: South side of Southwell Road, west of Ables Lane, adjacent to the North Stemmons Freeway right-of-way

COUNCIL DISTRICT: 6

MAPSCO: 22 M

SIZE OF REQUEST: ± 4.933 Ac

CENSUS TRACT: 99.00

REPRESENTATIVE: Maxwell Fisher, Masterplan Consultants

APPLICANT: Palladium USA International, Inc.

OWNER: RWS Land Company, LLC, Richard W. Santoyo, Principal

REQUEST: An application for a Planned Development District for IR Industrial Research District uses and multifamily use on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to develop the site with an approximately 87-unit multifamily development. The purpose of the planned development district is to maintain existing IR District regulations and provide a development plan and conditions for the multifamily development.

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

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION

- The lot is undeveloped. Historical aerial photographs show the property was developed with a warehouse structure from the late 1970s to the late 2000s.
- The applicant proposes to develop the site an 87-unit multifamily development.
- The requested planned development district will have an IR Industrial Research District base with the addition of multifamily use by right. The multifamily use will differ from the IR regulations for setbacks, lot coverage and height.
- The applicant received a resolution of support and di minimis financial participation from City Council on February 26, 2020. The applicant is proposing a 9% housing tax credit development.
- With the area being hit by the 2019 tornado and a desire to see the area transition from older warehouses to a different mix of uses, Council indicated support of the project.

Zoning History

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

Thoroughfares/Streets

Thoroughfare/Street	Type	Existing / Proposed ROW
Southwell Road	NA	NA
I-35	Freeway	NA

Traffic

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and cannot support the request.

The site is surrounded by a concrete channel that limits vehicular and pedestrian access to Southwell Road. Southwell Road dead ends in front of the subject property and is currently used as on-street parking for employees from nearby properties. The site is located within a network of industrial streets serving industrial corridors with wide lanes and intersections to accommodate trucks and larger vehicles. The area lacks transit, sidewalks, and pedestrian amenities including barrier free ramps at intersections. The nearest DART bus stop is located $\frac{3}{4}$ of a mile away and the nearest DART train station is located one mile away. Staff cannot support increased residential density in an area that lacks pedestrian infrastructure—considered paramount for residential welfare and pedestrian safety—and where roadways are strictly industrial.

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 site is located in a Business Center or Corridor Building Block. The applicant's request is not consistent with the following goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.1 Implement the Trinity River Corridor Plan.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Although staff is not supporting the request from a land use perspective and believes the above goals are not being met with this request, the following goals and policies could be seen as supporting the request.

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

Area Plan

The Trinity River Corridor Comprehensive Land Use Plan adopted in March 2005 and revised in December 2009 includes this parcel in the Elm Fork District.

The Elm Fork District is a mix of light industrial, heavy industrial, office, and commercial corridor uses and is proposed to continue as a location for industrial activities and businesses. The Preferred Land Use Plan shows Regional Corridor and Light Industrial for this parcel. Residential is shown on the Preferred Land Use Plan around the DART stations at Royal Lane, Walnut Hill Lane, and the Bachman Station. A Mixed Use area (including residential, office, retail, and lodging) is shown south of the intersection of I-35 and Northwest Highway.

Surrounding Land Uses

	Zoning	Land Use
Site	IR	Undeveloped
West	IR, PD No. 394	Freeway, commercial amusement (outside)
North	IR	Warehouse, auto sales
East	IR	Office showroom/warehouse, warehouse
South	IR	Office showroom/warehouse, warehouse

Land Use Compatibility

The request site is zoned an IR Industrial Research District and is currently undeveloped. According to historical aerial photographs, a warehouse was built on the site in the late 1970s. A Certificate of Occupancy (CO) was issued in 1980 for a printing company. The CO changed to an office showroom/warehouse in the late 1990s. No record was found for the demolitions of the building but according to aerial photos and information from the Dallas Appraisal District, it appears to have been demolished in 2008 or 2009.

The applicant is proposing to construct a three-story, 87-unit multifamily complex on the site. The applicant received a resolution of support and di minimis financial participation from City Council on February 26, 2020. The applicant is proposing a 9% housing tax credit development. With the area being hit by the 2019 tornado and a desire to see the area transition from older warehouses to a different mix of uses, Council indicated support of the project.

The property is surrounded by warehouse uses and office showroom/warehouse uses on the north, east, and south. An auto sales use is also located to the north of the site. Across I-35 is a commercial amusement (outside) use.

The property has a drainage channel on the south and east side and I-35 frontage on the west. As such, all traffic will funnel through the industrial area. Given the constraints and the active industrial nature of the surrounding area, staff cannot support introducing multifamily at this location at this time. Staff can envision the area changing to a mixed-use area with appropriate infrastructure improvements and a plan to identify the best locations for residential and other uses.

The proposed PD allows for IR uses as exists today in addition to the multifamily use. If the multifamily development is not constructed, the property could be developed with a use allowed in the IR District. The PD would require any multifamily use to comply with the conditions and development plan.

The applicant is requesting the following changes for a multifamily use:

- Increase side and rear setbacks from zero to 10 feet and 15 feet;
- Reduce the maximum height from 200 feet and 15 stories to 50 feet and three stories; and
- Decreasing the lot coverage from 80% to 50%.

In addition, a multifamily use would be required to provide the following amenities

- At least one pool with a minimum water surface area of 700 square feet;
- At least one pavilion and grill station;
- At least one shade structure; and
- At least one horseshoe pit or similar game.

In addition to the above amenities, the applicant is showing a playground area, a dog park area, and a butterfly garden on the development plan.

The applicant is proposing an open space lot in the southeastern portion of the property. To create a lot in this configuration, an easement connecting the open space lot to Southwell Road is required. The conditions allow for this connection per the Code.

Parking

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. A multifamily use requires one space per bedroom with a minimum of one space per unit. Guest parking is required if the required parking is restricted to resident parking. The rate of guest parking is one-quarter space per dwelling unit.

The development plan shows a total of 166 parking spaces provided with 163 spaces required. The breakdown of required parking is 42 spaces for 42 one-bedroom units, 72 spaces for 36 two-bedroom units, 27 spaces for 9 three-bedroom units, and 22 guest parking spaces (87 x .25).

Development Standards

District	Setbacks			Height (max)	Lot Coverage (max)	Primary Uses
	Front (min)	Side (min)	Rear (min)			
Existing: IR	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Industrial, wholesale distribution & storage, supporting office & retail
Proposed: PD for IR uses + MF	IR uses –IR District regs MF use	Per plan	Per plan	50' 3 stories	50%	IR uses + multifamily by right

Landscaping

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. The applicant is proposing that the minimum average depth of the street buffer adjacent to Stemmons Freeway be 10 feet and contain an evergreen hedge.

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 subject site is uncategorized is the surrounding area.

List of Officers
Palladium USA, Inc.

The following Directors were elected to a term of one year or until the next Annual Meeting:

Cesare Rancilio
Fiorenza Rancilio
James H. Bennett

The Directors were authorized to elect the following as Officers:

Thomas E. Huth – President
Fiorenza Rancilio, Vice President and Treasurer
James H. Bennett, Vice President and Secretary
Margaret M. Jones, Assistant Treasurer and Assistant Secretary
David E. Brusilow – Assistant Secretary

CPC Action:
June 18, 2020

Motion: It was moved to recommend **approval** of a Planned Development District for IR Industrial Research District uses and multifamily use, subject to a development plan and conditions on property zoned an IR Industrial Research District, on the south side of Southwell Road, west of Ables Lane, adjacent to the North Stemmons Freeway right-of-way.

Maker: Carpenter
Second: Schultz
Result: Carried: 14 to 1

For: 14 - Hampton, Stinson, Johnson, Shidid, Carpenter,
Jackson, Blair, Jung, Housewright, Schultz,
Schwope, Murphy, Garcia, Rubin

Against: 1 - MacGregor
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 21
Replies: For: 2 Against: 3

Speakers: For: Maxwell Fisher, 2201 Main St., Dallas, TX, 75201
Kim Schwimmer, 2626 Cole Ave., Dallas, TX, 75204
Keith Pomykal, 3005 Maple Ave., Dallas, TX, 75201
Tim Dickey, 2626 Cole Ave., Dallas, TX, 75204
Michael Chiocca, 1510 Cheyenne Dr., Richardson, TX
Michael Cintron, 3134 Darvany Dr., Dallas, TX, 75220
Scott Johnson, 2813 Meadow Brook Dr., Plano, TX,
For (Did not speak): Jonathan Hake, 2900 S. Lamar St., Dallas, TX, 75215
Erik Earnshaw, 4202 Beltway Dr., Addison, TX, 75001
Eric Lindberg, 3824 Cedar Springs Rd., Dallas, 75219
Against: None

CPC Recommended Conditions

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

PD __ was established by Ordinance No. ____, passed by the Dallas City Council on ____, 2020.

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

PD __ is established on property located south of Southwell Road, and east of Stemmons Freeway (IH35). The size of PD _____ is approximately 4.933 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 nonresidential district.

SEC. 51P-___.104. DEVELOPMENT PLAN.

(a) For a multifamily use, development and use of the Property must comply with the development plan (Exhibit _____.) In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-___.105. MAIN USES PERMITTED.

(a) The only main uses permitted in this district are:

(1) multifamily; and

(2) those main uses permit in the IR Industrial Research District, subject to the same conditions applicable to uses in that district set out in Chapter 51A. For example, if a use is permitted only by specific use permit (SUP) in the IR Industrial Research District

in Chapter 51A, it is permitted only by SUP in this district; if a use is subject to development impact review (DIR) in the IR Industrial Research District in Chapter 51A, it is subject to DIR in this district; etc.

SEC. 51P-___.106. ACCESSORY USES.

(a) 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.

(b) The following accessory uses are not permitted in this district:

- Accessory pathological waste incinerator.
- Accessory medical/infectious waste incinerator.
- Home occupation.
- Private stable.

SEC. 51P-___.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this subsection 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) Except as provided below, the yard, lot, and space regulations contained in Section 51A-4.123(c), "IR Industrial Research District," apply in this district.

(b) For a multifamily use:

(1) Front, side, or rear yards. Front, side, or rear yard as shown on the development plan.

(2) Floor area ratio. No maximum floor area ratio.

(3) Density. The maximum number of residential units is 87.

(4) Height. Maximum structure height is 50 feet.

(5) Lot coverage. The maximum lot coverage is 50%

(6) Lot size. No minimum lot size.

(7) Stories. Maximum number of stories above grade is three.

SEC. 51P-___.108. OFF-STREET PARKING AND LOADING.

(a) In general. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

SEC. 51P-___.109. LANDSCAPING.

(a) Except as provided below, landscaping must be in accordance with Article X.

(b) The minimum average depth of street buffer zone adjacent to Stemmons Freeway is 10 feet and must contain medium height evergreen shrubs that form a solid hedge appearance within three years.

(c) Screening of off-street parking in accordance with Section 51A-4.301(f)(5) is required and may be allowed as a landscape design option credit per Section 51A-10.126.

(d) All plant materials must be maintained in a healthy, growing condition.

SEC. 51P-___.110. AMENITIES FOR MULTIFAMILY USE.

(a) A minimum of one pool is required with a minimum water surface area of 700 square feet.

(b) A minimum of one pavilion and grill station is required.

(c) A minimum of one shade structure is required.

(d) A minimum of one horseshoe pit or similar game is required.

SEC. 51P-___.111. ADDITIONAL PROVISIONS.

(a) Street frontage requirement in Section 51A-4.601(a)(1) and Section 51A-8.503(b)(1) is waived for the open space parcel as shown on the development plan if the access easement shown on the plan is provided and maintained.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

(c) 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-____.112. COMPLIANCE WITH CONDITIONS.

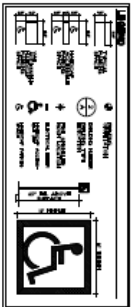
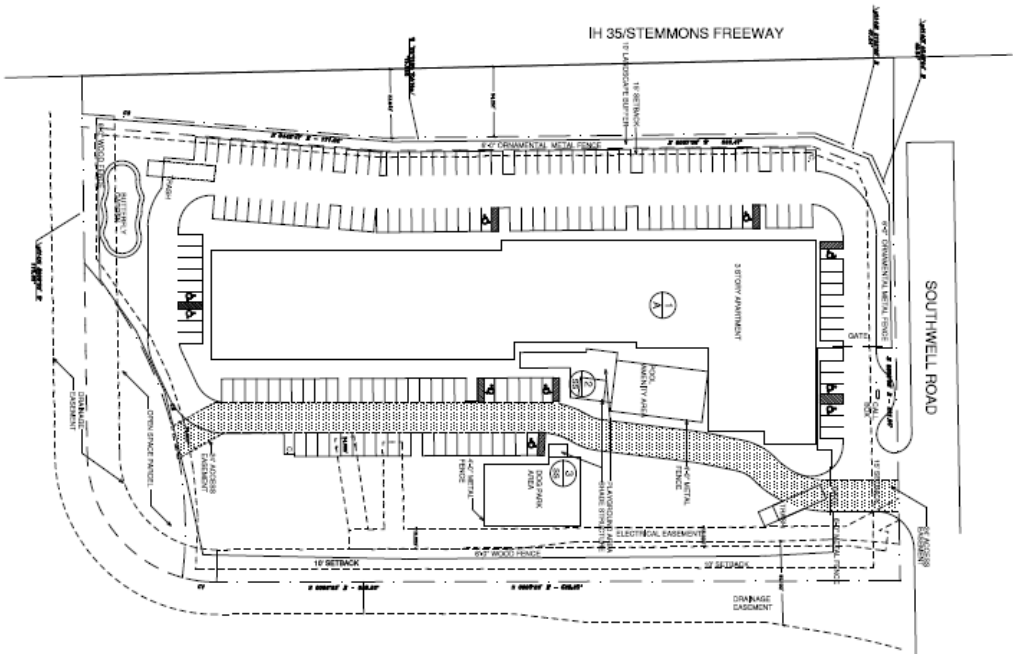
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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.

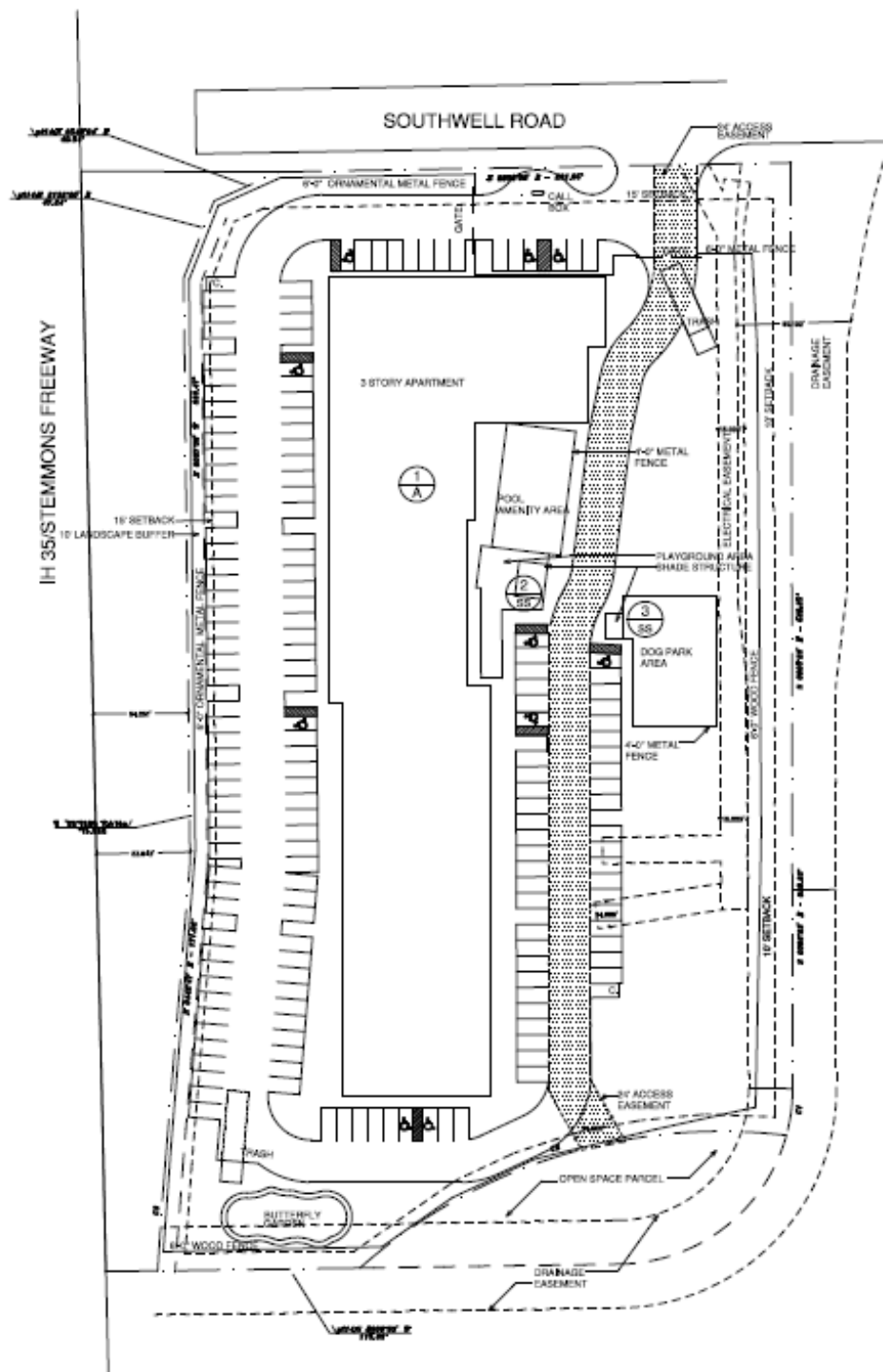
CPC's Recommended Development Plan

SITE DATA			
EXISTING ZONING	IR		
PROPOSED ZONING	PD		
SITE DENSITY			
SITE AREA	4.933		
TOTAL UNITS	87		
MAX. ALLOWABLE DENSITY	18 UNITS/ACRE		
MAX. ALLOWABLE LOT COVERAGE	60%		
BUILDING HEIGHT	15 MAX. (3 STORY SS (SHADE STRUCTURES))		
PARKING REQUIRED			
TOTAL SPACES REQUIRED	168		
(42) ONE BEDROOM X 1	42		
(56) TWO BEDROOM X 2	72		
(87) THREE BEDROOM X 3	72		
(87) GUEST X 25	26		
PARKING PROVIDED			
REGULAR SPACES	155		
COMPACT SPACES	2		
HOV SPACES	0		
TOTAL SPACES PROVIDED	168		
PROGRAM DATA			
APARTMENT BUILDING			
UNIT	DESCRIPTION	NO. UNITS	UNITS %
A1	ONE BEDROOM, ONE BATH	42	48.28%
B1	TWO BEDROOM, TWO BATH	36	41.38%
C1	THREE BEDROOM, THREE BATH	9	10.34%
TOTALS		87	100.00%
CLUB	CLUB/STORAGE/LEASING		

1 DEVELOPMENT PLAN - Z190-204

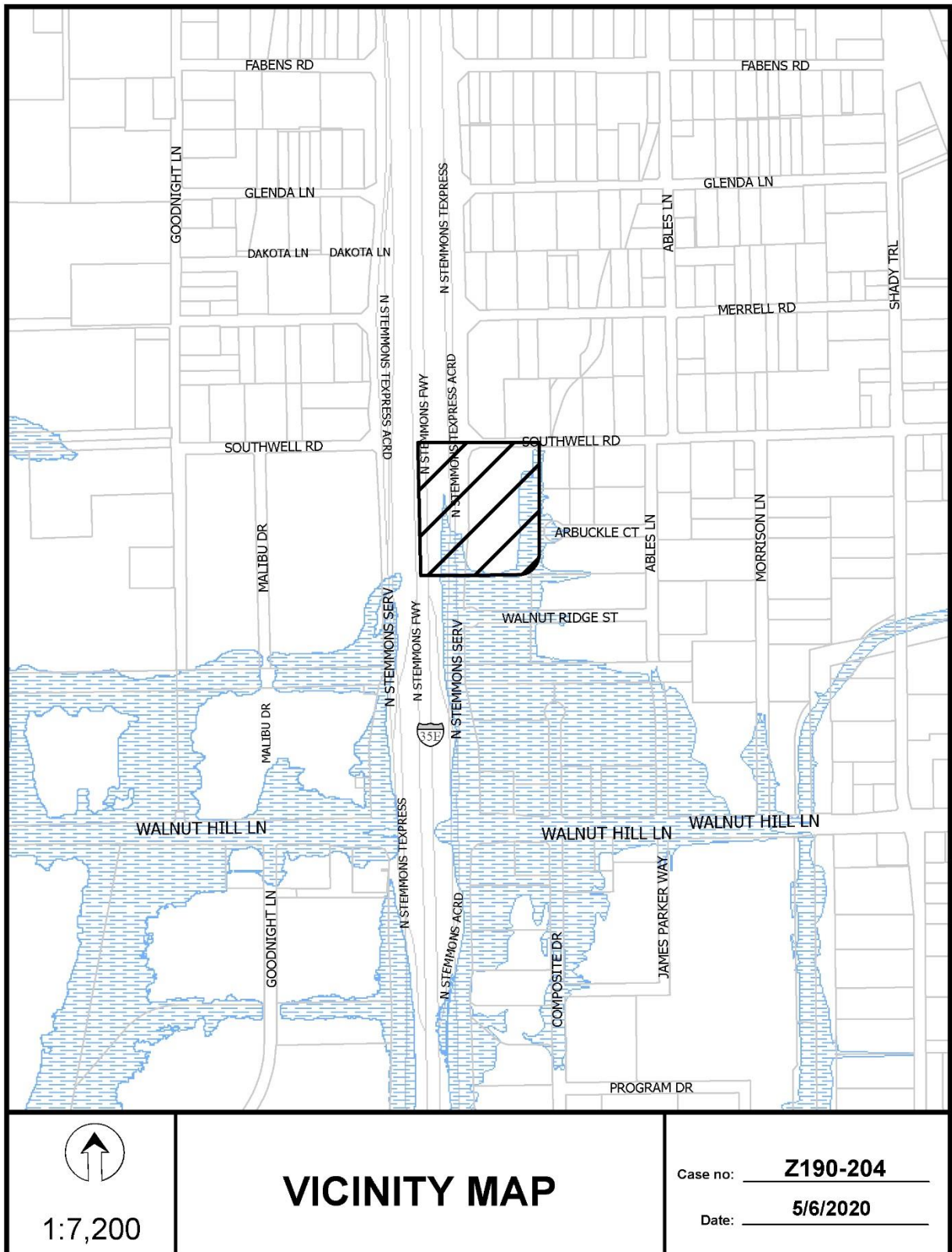


Enlarged Proposed Development Plan

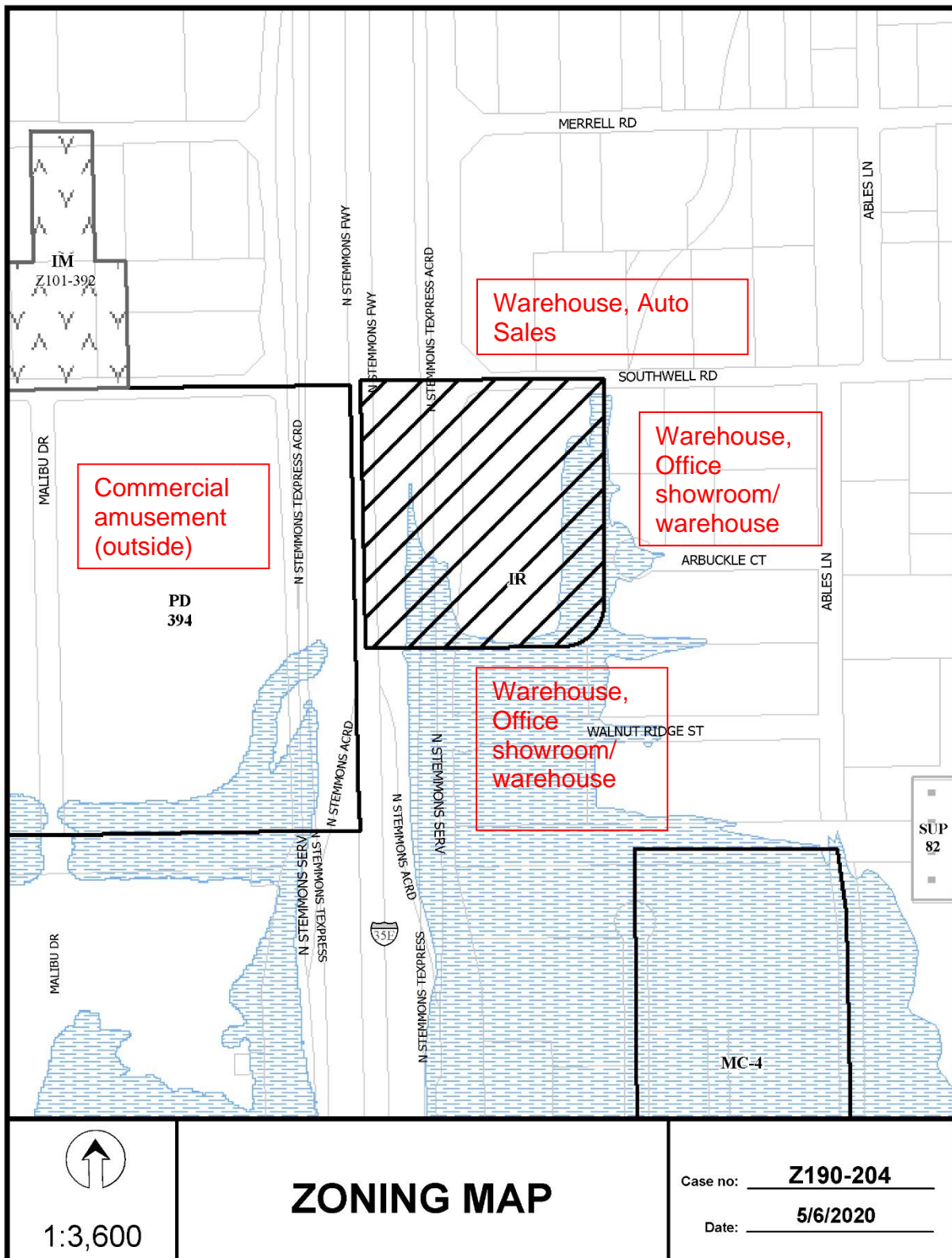


COMPONENT PLAN - Z190-204









Z190-204(ND)



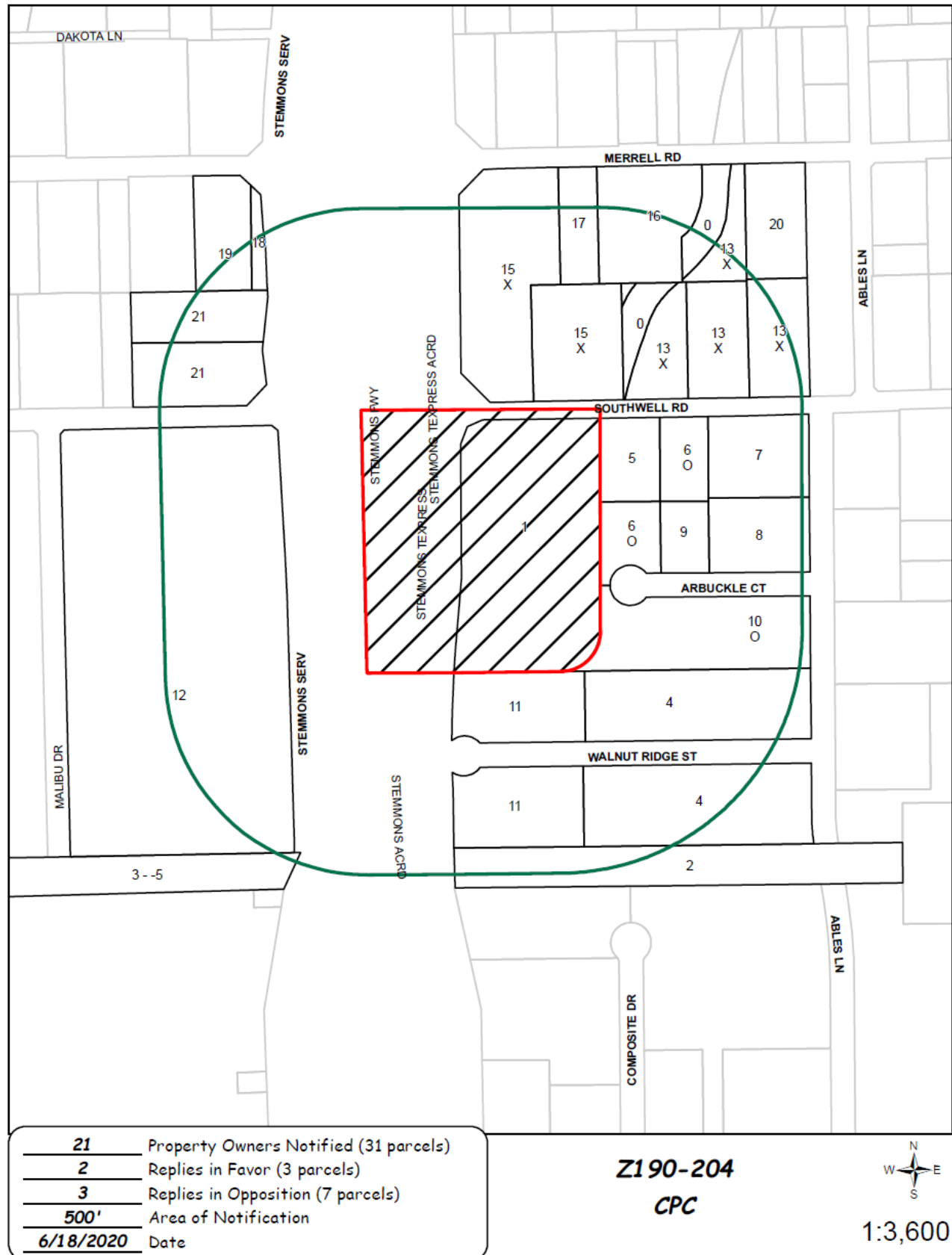
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1:7,200

Market Value Analysis

Printed Date: 5/6/2020



06/17/2020

Reply List of Property Owners***Z190-204***

21 ***Property Owners Notified*** **2** ***Property Owners in Favor*** **3** ***Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	11070 N STEMMONS FWY	RWS LAND COMPANY LLC
	2	11001 N STEMMONS FWY	ONCOR ELECRIE DELIVERY COMPANY
	3	11001 N STEMMONS FWY	ONCOR ELECRIE DELIVERY COMPANY
	4	2432 WALNUT RIDGE ST	DOUBLE R WALNUT MANAGEMENT LLC
	5	2460 SOUTHWELL RD	STONE JAY R INV LTD
O	6	2472 SOUTHWELL RD	FELDER NEIL E &
	7	2474 SOUTHWELL RD	MAXCOM PROPERTIES LLC
	8	2425 ARBUCKLE CT	ZSN CORPORATION
	9	2433 ARBUCKLE CT	KOBUS PROPERTIES LLC
O	10	2400 ARBUCKLE CT	FELDER GRAN PACIFIC
	11	2401 WALNUT RIDGE ST	FIRST INDUSTRIAL TEXAS LP
	12	11130 MALIBU DR	STEMMONS PARK LTD
X	13	2477 SOUTHWELL RD	GROUND COMPANIES LP
X	14	2453 SOUTHWELL RD	HESTE TRUST
X	15	2435 SOUTHWELL RD	SOUTHWELL STEMMONS LTD
	16	2440 MERRELL RD	SQUID 4 REAL ESTATE LLC
	17	2426 MERRELL RD	YANCEY DAVID C
	18	2368 MERRELL RD	JAMES DORIS S
	19	2356 MERRELL RD	2356 MERRELL ROAD LLC
	20	2466 MERRELL RD	HNG PROPERTIES LLC
	21	11111 N STEMMONS FWY	TEXO ABC AGC INC