

**ACM: Dr. Eric A. Johnson**

**FILE NUMBER:**    Z190-215(AU)

**DATE FILED:** February 28, 2020

**LOCATION:**            East corner of South Belt Line Road and Seagoville Road

**COUNCIL DISTRICT:** 8

**MAPSCO:** 70 E; F; J; K

**SIZE OF REQUEST:** ± 10.7 Ac

**CENSUS TRACT:** 170.04

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**REPRESENTATIVE:**    Rob Baldwin, Baldwin Associates

**APPLICANT:**            LDG Development

**OWNER:**                Big Score Investors LLC

**REQUEST:**            An application for a Planned Development District for multifamily uses on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay and an R-10(A) Single Family District.

**SUMMARY:**            The applicant is proposing to develop the site with a multifamily use with approximately 216 dwelling units. The proposed planned development district generally defaults to MF-2(A) District regulations but includes different landscaping and design standards for multifamily uses. The D-1 Liquor Control Overlay will be retained.

**CPC RECOMMENDATION:**    Approval, subject to a development plan and conditions with retention of the D-1 Liquor Control Overlay.

**STAFF RECOMMENDATION:**    Denial.

## BACKGROUND INFORMATION

- The request site possesses two zoning districts. The western portion, facing Seagoville Road is 2.5 acres and is zoned a CR Community Retail District with a D-1 Liquor Control Overlay. The remaining eastern portion is 8.2 acres and is zoned an R-10(A) Single Family District.
- The applicant is proposing to develop the site with a multifamily use with approximately 216 dwelling units. The proposed planned development district generally defaults to MF-2(A) District regulations but includes different landscaping and design standards for multifamily uses. The D-1 Liquor Control Overlay will be retained.
- In a “D-1” liquor control overlay district, a person shall not sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises, unless the sale or service is part of the operation of a use for which a specific use permit has been granted by the city council.

## Zoning History

There have been four zoning requests in the surrounding area in the past five years:

- 1. Z178-109:** On January 25, 2018, an automatic renewal of Specific Use Permit No.1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, was approved for a five-year period, on property zoned a CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, located on the south line of Seagoville Road, southwest of Belt Line Road.
- 2. Z190-191:** On June 24, 2020, the City Council approved a CR Community Retail District with volunteered deed restrictions [Z190-191] on property zoned an R-10(A) Single Family District, located on the northwest line of Seagoville Road, northeast of Belt Line Road.
- 3. Z190-220:** On September 9, 2020, the City Council approved Specific Use Permit No. 2378 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned a CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, located on the west corner of South Belt Line Road and Seagoville Road.
- 4. Z190-221:** On September 9, 2020, the City Council approved Specific Use Permit No. 2393 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned a CR-D-1 Commercial Retail District with a D-1

Liquor Control Overlay, located on the north corner of South Belt Line Road and Seagoville Road.

### **Thoroughfares/Streets**

Thoroughfare/Street	Type	Existing / Proposed ROW
South Belt Line Road	Principal Arterial	107 feet
Seagoville Road	Minor Arterial	80 feet

### **Traffic**

The applicant submitted a traffic impact analysis (TIA), dated February 25, 2020, to assess the proposed development. The analysis is for an expected 204 dwelling units. The following are excerpts from the submitted traffic impact analysis:

To assist in developing a predicted annual growth rate for the analysis of future traffic volumes, the collected traffic volumes along with proposed developments in the vicinity of the site were reviewed.

The assumed trip origin and destination of peak hour site traffic to and from the development were based on site location along major routes. Below are the general orientation assumptions:

- Multi-Family Development
  - 45 percent to/from the southwest along South Belt Line Road
  - 40 percent to/from the northwest along Seagoville Road
  - 10 percent to/from the northeast along South Belt Line Road
  - 5 percent to/from the southeast along Seagoville Road

For the existing conditions, South Belt Line Road at Seagoville Road operates at LOS F for the PM peak hour and South Belt Line Road at Lawson Road operates at a LOS F for both peak hours. To analyze the impacts of the proposed site, the existing traffic was grown using the 5 percent growth rate to estimate the traffic volume just before the opening of the proposed development. The traffic control for the intersections of South Belt Line Road at Seagoville Road and South Belt Line Road at Lawson Road was assumed to be constructed and upgraded to traffic signal control. The intersection volumes were analyzed within *SYNCHRO*. Just before the opening of the first phase of the development, all the existing intersections are anticipated to operate at LOS C, or better, during both the AM and PM peaks.

Results of the traffic analysis for the proposed development indicate that all of the existing and proposed intersections are expected to operate at LOS C or better after full build-out

through the horizon year 2027. To improve operations along the roadway network and prevent future issues Dunaway included the following improvements:

- Change the traffic control to a signal-controlled intersection for the intersection of South Belt Line Road and Seagoville Road (Already Planned Improvement).
- Change the traffic control to a signal-controlled intersection for the intersection of South Belt Line Road at Lawson Road and realigned Lawson Road (Already Planned Improvement).

While the proposed development adds to the increase in delay for the intersections along South Belt Line Road, the existing traffic conditions are the main attribute for the unacceptable LOS. Traffic signal warrant studies have already been performed for the two existing intersections and both signals at the intersections are recommended.

Based on the V/C ratio for South Belt Line and Seagoville Roads, no capacity improvements are required. Based on the traffic volume and the anticipated operations no left turn lanes or right turn lanes improvements are recommended at the proposed driveways. It is the TIA's recommendation to permit the proposed roadway connections and improvements along South Belt Line Road and Seagoville Road as described.

The Engineering Division of Sustainable Development and Construction reviewed the traffic study dated February 25, 2020. Engineering has no objection to the proposed development subject to compliance with all city standards. For example, if a control gate is used to restrict vehicular access at any proposed driveway, a minimum distance should be provided to accommodate the queuing of at least two vehicles with an opening internal to the site for turnaround maneuvering. The development will be required to construct a left turn lane on the existing median opening on South Belt Line Road to provide full access into the site. Engineering staff will continue their review of the development at permitting including sidewalks and pedestrian amenities at the corner of Seagoville and Belt Line Road as well as coordination with the scheduled installation of a traffic signal at this intersection.

## **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 applicant's request is not consistent with the following goals and policies of the comprehensive plan.

## **ECONOMIC ELEMENT**

### **GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

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

## **Area Plans**

The East Kleberg Land Use Plan was adopted by the City Council in May 2003. In 2002 the Dallas City Council directed staff to determine proper zoning of the East Kleberg area based on a review of existing land uses. At that time, about 55 percent of the land area was vacant or zoned as agricultural, about 24 percent had manufactured home subdivisions, and about 11 had single-family homes. The Needs Assessment process identified strengths, weaknesses, desires, threats and opportunities. Land Use and Zoning was considered the highest priority to guide development and inform policy decisions. Other issues such as water, wastewater, infrastructure, transportation, crime prevention and public safety, code compliance, economic development and housing all merited a series of policy statements which are incorporated into the plan. The East Kleberg advocates for a gradual transition from manufactured home subdivisions to more single family residential in the "R-7.5 (A)" zoning to help diversify housing options and to improve community character and stability.

The East Kleberg Steering Committee drafted the following vision statement to express the community's preferable outcome regarding growth and resiliency; to "promote a strong rural atmosphere, and yet allow for future growth to develop with sensitivity to amenities and infrastructure of an urban environment".

The request site is located within Subarea 2 of the Plan. The recommendations for this subarea include the retention of the R-10(A) residential zoning classifications and the consideration of areas along Belt Line Road to be rezoned into NS(A) Neighborhood Service District.

The applicant's request is not consistent with the Plan's recommendations.

The Neighborhood Plus Plan was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

### **GOAL 5 EXPAND HOMEOWNERSHIP**

**Policy 5.1** Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

While the applicant's proposal is for additional housing, the proposed housing type and the location of the request site, are not aligned with the vision and goals of both the comprehensive plan and area plans.

**Surrounding Land Uses**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CR-D-1 and R-10(A)	Farm
<b>North Northeast East</b>	R-10(A), CR-D-1	Single family, farms, general retail
<b>Southeast South Southwest</b>	CR-D-1, R-10(A)	Auto-related, postal services, undeveloped, office and personal service
<b>West</b>	CR-D-1 with SUP No. 2378	Gas station with general merchandise or food store
<b>Northwest</b>	CR-D-1, with SUP No. 2393, DR [Z190-191], R-10(A)	Gas station with general merchandise or food store, restaurant, undeveloped, single-family

**Land Use Compatibility**

The request site possesses two zoning districts. The western portion, facing Seagoville Road is 2.5 acres and zoned a CR Community Retail District with a D-1 Liquor Control Overlay. The remaining eastern portion is 8.2 acres and zoned an R-10(A) Single Family District.

The applicant is proposing to develop the site with a multifamily use with approximately 216 dwelling units. The proposed planned development district generally defaults to MF-2(A) District regulations but includes different landscaping and design standards for multifamily uses. The D-1 Liquor Control Overlay will be retained.

In a “D-1” liquor control overlay district, a person shall not sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises, unless the sale or service is part of the operation of a use for which a specific use permit has been granted by the city council. The Development Code specifies that it is a defense to prosecution under Paragraphs (2) and (3) of this section that the alcoholic beverage or setup for alcoholic beverage is served, but not sold, at a private residence for consumption at the residence; a private residence being a permitted residential or lodging use listed in the use regulations.

The property is surrounded by large-lot single family uses and farms to the north, and by retail and services to the south.

The allowable uses comparison between the three zoning districts is as follows:

EXISTING CR	EXISTING R-10-(A)	PROPOSED PD Underlying MF-2(A)
<b>(A) Agricultural uses.</b>		
Crop production.	Crop production.	Crop production.
<b>(B) Commercial and business service uses.</b>		
Building repair and maintenance shop. <i>[RAR]</i>		
Catering service.		
Custom business services.		
Electronics service center.		
Medical or scientific laboratory. <i>[SUP]</i>		
Tool or equipment rental.		
<b>(C) Industrial uses.</b>		
Gas drilling and production. <i>[SUP]</i>	Gas drilling and production. <i>[SUP]</i>	Gas drilling and production. <i>[SUP]</i>
Temporary concrete or asphalt batching plant. <i>[By special authorization of the building official.]</i>	Temporary concrete or asphalt batching plant. <i>[By special authorization of the building official.]</i>	Temporary concrete or asphalt batching plant. <i>[By special authorization of the building official.]</i>
<b>(D) Institutional and community service uses.</b>		
Adult day care facility.	Adult day care facility. <i>[SUP]</i>	Adult day care facility. <i>[SUP]</i>
Cemetery or mausoleum. <i>[SUP]</i>	Cemetery or mausoleum. <i>[SUP]</i>	Cemetery or mausoleum. <i>[SUP]</i>
Child-care facility.	Child-care facility. <i>[SUP]</i>	Child-care facility. <i>[SUP]</i>
Church.	Church.	Church.
College, university or seminary.	College, university or seminary. <i>[SUP]</i>	College, university or seminary. <i>[SUP]</i>
Community service center. <i>[SUP]</i>	Community service center. <i>[SUP]</i>	Community service center. <i>[SUP]</i>
		Convalescent and nursing homes, hospice care, and related institutions. <i>[RAR]</i>
Convent or monastery.	Convent or monastery. <i>[SUP]</i>	Convent or monastery.
	Foster home. <i>[SUP]</i>	Foster home.
Hospital. <i>[SUP]</i>		Hospital. <i>[SUP]</i>
Library, art gallery, or museum.	Library, art gallery, or museum. <i>[SUP]</i>	Library, art gallery, or museum. <i>[SUP]</i>
Open-enrollment charter school or private school. <i>[SUP]</i>		
Public school other than an open-enrollment charter school. <i>[RAR]</i>	Public or private school. <i>[SUP]</i>	Public or private school. <i>[SUP]</i>

EXISTING CR	EXISTING R-10-(A)	PROPOSED PD Underlying MF-2(A)
<b>(E) Lodging uses</b>		
Hotel and motel. <i>[SUP]</i>		
Lodging or boarding house. <i>[SUP]</i>		Lodging or boarding house.
Overnight general purpose shelter. <i>[Sec. <a href="#">51A-4.205</a> (2.1)]</i>		
<b>(F) Miscellaneous uses.</b>		
Attached non-premise sign. <i>[SUP]</i>		
Carnival or circus (temporary). <i>[By special authorization of the building official.]</i>	Carnival or circus (temporary). <i>[By special authorization of the building official.]</i>	Carnival or circus (temporary). <i>[By special authorization of the building official.]</i>
Temporary construction or sales office.	Temporary construction or sales office.	Temporary construction or sales office.
<b>(G) Office uses.</b>		
Alternative financial establishment. <i>[SUP]</i>		
Financial institution without drive-in window.		
Financial institution with drive-in window. <i>[DIR]</i>		
Medical clinic or ambulatory surgical center.		
Office.		
<b>(H) Recreation uses.</b>		
Country club with private membership.	Country club with private membership. <i>[RAR]</i>	Country club with private membership. <i>[RAR]</i>
Private recreation center, club, or area.	Private recreation center, club, or area. <i>[SUP]</i>	Private recreation center, club, or area. <i>[SUP]</i>
Public park, playground, or golf course.	Public park, playground, or golf course.	Public park, playground, or golf course.
<b>(I) Residential uses.</b>		
College dormitory, fraternity, or sorority house.		College dormitory, fraternity, or sorority house.
		Duplex.
		Group residential facility. <i>[Sec. <a href="#">51A-4.209</a>(3).]</i>
	Handicapped group dwelling unit. <i>[Sec. <a href="#">51A-4.209</a>(3.1).]</i>	Handicapped group dwelling unit. <i>[Sec. <a href="#">51A-4.209</a>(3.1).]</i>
		Multifamily.
		Residential hotel.
		Retirement housing.
	Single family.	Single family.



EXISTING CR	EXISTING R-10-(A)	PROPOSED PD Underlying MF-2(A)
<b>(J) Retail and personal service uses.</b>		
Alcoholic beverage establishments. [Sec. <a href="#">51A-4.210(b)(4).</a> ]		
Ambulance service. [RAR]		
Animal shelter or clinic without outside runs. [RAR]		
Auto service center. [RAR]		
Business school.		
Car wash. [DIR]		
Commercial amusement (inside). [SUP may be required. Sec. <a href="#">51A-4.210(b)(7)(B).</a> ]		
Commercial amusement (outside). [SUP]		
Commercial parking lot or garage. [RAR]		
Convenience store with drive-through. [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. [DIR]		
Household equipment and appliance repair.		
Liquor store.		
Mortuary, funeral home, or commercial wedding chapel.		
Motor vehicle fueling station.		
Nursery, garden shop, or plant sales.		
Paraphernalia shop. [SUP]		
Pawn shop.		
Personal service uses.		

EXISTING CR	EXISTING R-10-(A)	PROPOSED PD Underlying MF-2(A)
Restaurant without drive-in or drive-through service. <i>[RAR]</i>		
Restaurant with drive-in or drive-through service. <i>[DIR]</i>		
Swap or buy shop. <i>[SUP]</i>		
Temporary retail use.		
Theater.		
<b>(K) Transportation uses.</b>		
	Private street or alley. <i>[SUP]</i>	
Transit passenger shelter.	Transit passenger shelter. <i>[See Section <a href="#">51A-4.211.</a>]</i>	Transit passenger shelter.
Transit passenger station or transfer center. <i>[By SUP or city council resolution. Sec. <a href="#">51A-4.211.</a>]</i>	Transit passenger station or transfer center. <i>[SUP]</i>	Transit passenger station or transfer center. <i>[SUP]</i>
<b>(L) Utility and public service uses.</b>		
Commercial radio and television transmitting station.		
Electrical substation.	Electrical substation. <i>[SUP]</i>	Electrical substation. <i>[SUP]</i>
Local utilities. <i>[SUP or RAR may be required. Sec. <a href="#">51A-4.212(4).</a>]</i>	Local utilities. <i>[SUP or RAR may be required. Sec. <a href="#">51A-4.212(4).</a>]</i>	Local utilities. <i>[SUP or RAR may be required. Sec. <a href="#">51A-4.212(4).</a>]</i>
Police or fire station.	Police or fire station. <i>[SUP]</i>	Police or fire station. <i>[SUP]</i>
Post office.		
Radio, television or microwave tower. <i>[SUP]</i>	Radio, television, or microwave tower. <i>[SUP]</i>	Radio, television, or microwave tower. <i>[SUP]</i>
Tower/antenna for cellular communication. <i>[Sec. <a href="#">51A-4.212(10.1).</a>]</i>	Tower/antenna for cellular communication. <i>[Sec. <a href="#">51A-4.212(10.1).</a>]</i>	Tower/antenna for cellular communication. <i>[Sec. <a href="#">51A-4.212(10.1).</a>]</i>
Utility or government installation other than listed. <i>[SUP]</i>	Utility or government installation other than listed. <i>[SUP]</i>	Utility or government installation other than listed. <i>[SUP]</i>
<b>(M) Wholesale, distribution, and storage uses.</b>		
Mini-warehouse. <i>[SUP]</i>		
Recycling buy-back center. <i>[Sec. <a href="#">51A-4.213(11).</a>]</i>		
Recycling collection center. <i>[Sec. <a href="#">51A-4.213(11.1).</a>]</i>		
Recycling drop-off container. <i>[Sec. <a href="#">51A-4.213(11.2).</a>]</i>	Recycling drop-off container. <i>[Sec. <a href="#">51A-4.213(11.2).</a>]</i>	Recycling drop-off container. <i>[Sec. <a href="#">51A-4.213(11.2).</a>]</i>

<b>EXISTING CR</b>	<b>EXISTING R-10-(A)</b>	<b>PROPOSED PD Underlying MF-2(A)</b>
Recycling drop-off for special occasion collection. [Sec. <a href="#">51A-4.213</a> (11.3).]	Recycling drop-off for special occasion collection. [Sec. <a href="#">51A-4.213</a> (11.3).]	Recycling drop-off for special occasion collection. [Sec. <a href="#">51A-4.213</a> (11.3).]

Overall, the most significant change in allowable uses is the overall rezoning of the commercial portion into a residential district, hence the loss of the retail, office, lodging, and commercial uses. As for the rezoning from single family to multifamily district, the most significant change is the additional types of residential that the multifamily district allows: duplex, multifamily, or retirement housing for example.

### **Development Standards**

	<b>EXISTING CR</b>	<b>EXISTING R-10(A)</b>	<b>PROPOSED PD (underlying MF-2(A))</b>
<b>Front yard (min)</b>	15'	30'	Seagoville Rd: 15' Belt Line Rd: 30'
<b>Side yard (min)</b>	20' adjacent to: R, D, TH, CH, MF No min other cases	SF: 6' Other structures: 10'	SF: no min D: 5' Other: 10'
<b>Rear yard (min)</b>		SF: 6' Other structures: 15'	D: 10' Other: 15' 10' when adjacent to: MF, all O, all R, S, C, I, MU, MC
<b>Dwelling unit density (max)</b>	No max	No max	No max
<b>FAR</b>	0.5 office 0.75 all uses combined	No max	No max
<b>Height</b>	54' RPS	30'	36' RPS
<b>Lot coverage</b>	60%	45% for res 25% non-res structures	60% of res 50% for non-res
<b>Lot size</b>	No min	Min 10,000 sf	Min lot area per DU
<b>Number of stories</b>	4	No max	No max
<b>Additional provisions</b>	Development impact review Visual intrusion	Electrical service for SF uses	

For yard, lot, and space regulations, the applicant's proposed conditions default to all regulations of MF-2(A) District except for front yard setback that is proposed to be 15 feet on Seagoville Road and 30 feet on Belt Line Road. MF-2(A) requires front yard to be 15

feet. The proposed front yard for Belt Line Road is an increase from MF-2(A) to 30 feet to respect the remainder of the blockface of R-10(A) and allow a consistent street view along this street.

The proposed development plan indicates 216 dwelling units in a combination of unit types. The MF-2(A) District includes standards for lot size per units' type. Per staff's estimate, using the one-bedroom units type as a standard, the site could be developed with up to 467 single-bedroom units. The R-10(A) District requires minimum 10,000-square-foot lots. Per staff's estimation, the portion of the site under R-10(A) zoning, could be developed with maximum of 36 single family units. Staff did not take into consideration necessary surfaces for driveways and other access points that would lower the number of units.

The proposed development is not consistent with the existing low density, single-family, rural character of the surrounding area, at the border of Dallas with City of Mesquite. Staff recognizes the location of the site at the intersection of major thoroughfares, thus having the potential to support a density increase. But the site's location is at the major entry point into the city from the City of Mesquite, thus the area has more of a transitional character, not an urban one that attracts the neighborhood serving retail, nor does it have the pedestrian-oriented design. No bus or rail transit system is currently serving the area.

Dallas Development Code specifies that the areas placed in the R-10(A) District are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land. In assessing this area, staff did not identify any trends for major changes in the area that would justify the rezoning into a denser residential type.

Furthermore, the proposed layout with surface parking located along each building, and minimal open space with a large detention pond that cannot be used as recreational open space, does not ensure a design compatibility with the established rural character of the area. The applicant's proposal does not include design standards and community benefits that are comparable with similar requests for density increase in other parts of the city.

Lastly, the area plan recommends this area to remain under R-10(A) zoning and all existing R-10(A) to be preserved. The area plan also recommends the area along Belt Line Road to be rezoned into NS(A) Neighborhood Service District. The applicant does not wish to consider rezoning a portion of the property to NS(A).

Based on this assessment, staff is not supporting the rezoning request. However, staff included suggestions in the CPC recommended conditions to give guidance in understanding the level of community serving standards that are typical for this type of proposal.

## **Parking**

The applicant's proposed conditions include the parking standards per the development code for all uses. Per the development code, all multifamily uses must be parked at 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.

For a project that includes a minimum of 15 percent mixed income housing units, the applicant's conditions include a minimum of 1.25 off-street parking spaces per dwelling unit as a bonus in exchange for mixed income housing. This request is the same as the parking reduction per the Dallas Development Code, Section 4.1100, Mixed Income Housing.

Per this ratio, the proposed development is required to provide 270 parking spaces. The proposed revised development plan indicates 296 parking spaces, equivalent to a ratio of 1.37 spaces per unit, exceeding the minimum proposed in the conditions. The previous version included 361 spaces, equivalent to a ratio of 1.67spaces per unit.

Staff suggests an increase in open space in lieu of an increase in surface parking from the parking reduction obtained as a bonus in exchange for affordable housing.

## **Affordable housing**

The applicant is proposing to develop the site with affordable housing as part of a Low Income Housing Tax Credit program (LIHTC). For this purpose, the applicant is requesting the rezoning into a Planned Development District for multifamily uses with MF-2(A) standards.

The applicant's proposed conditions include mixed-income housing for 15 percent of units to be provided at the 80 to 100 AMFI income band. With the proposed conditions, the applicant includes different urban design standards for multifamily as a bonus in exchange for the proposed affordable housing units.

The CPC recommended urban design standards include screening of off-street loading spaces and service areas, frontages, individual entries, sidewalks, lighting, open space requirements, pedestrian amenities, and façade articulation. These standards mirror the requirement of the Dallas development code, Section 51A-4.1107, from the Mixed-Income Housing division.

The urban design standards for mixed income housing development bonuses included in the development code and in the proposed conditions include:

- Encroachments in the front yard for street activating amenities;
- Screening of off-street loading spaces and service areas;
- All street-fronting facades and open-space fronting facades must have at least one window and at least one common primary entrance facing the street or open space

at street-level. The entrance must access the street or open space with an improved path connecting to the sidewalk. A transparent surface is required for every 25 linear feet of continuous street-fronting and open-space-fronting façade;

- a minimum of 60 percent of the street-level dwelling units adjacent to a street in each building must have individual entries that access the street with an improved path connecting to the sidewalk. For at-grade open space, a minimum of 60 percent of the open-space fronting dwelling units in each building must have individual entries that access the open space;
- A sidewalk with a minimum average width of six feet must be provided along all street frontages, in an area parallel to and between two feet and 15 feet of the back of the projected street curb;
- Special lighting and pedestrian scale lighting;
- 10 percent of the building site must be reserved as open space for activity such as active or passive recreation, playground activity, groundwater recharge, or landscaping.

The CPC recommended conditions contain additional design standards only for sidewalk details when crossing driveways, pedestrian amenities for each street frontage, and façade articulation.

The urban design standards for mixed income housing development bonuses in the development code that are not included in the proposed conditions are:

- A maximum four-foot-high fence is allowed in a front yard. A maximum four-foot-high handrail may be located on retaining walls in a front yard.
- Surface parking prohibited between the street-facing facade and the property line. At least 15 percent of the required parking must be available for guest parking
- Allowances for four-foot-high fences in the front yard, all fences for uses along a street or trail must have a surface area that is a minimum of 50 percent open, allowing visibility between three feet and six feet above grade;

Staff's suggestion would be to eliminate all redundancies within the code, as listed above. Staff also suggests the following changes to the conditions and design of the proposed development: 1) a minimum 20 percent unrestricted open space, with a minimum one-half acre of contiguous open space, 2) sidewalks a of minimum six feet with five-foot parkways between sidewalk and the street, 3) a site layout that is oriented towards improved and expanded usable open space, reduction of the surface parking and solutions that include structured parking or individual tuck-under garages, environmentally friendly design that incorporates an integrated detention and retention system (with permeable pavers, bioswales, low impact development and integration of the detention/retention pond in the usable open space), and an overall priority to pedestrian circulation and community space. These suggestions are typical for multifamily developments in other planned development districts and are suitable for areas with a low density and rural character.

### **Landscaping**

The applicant's revised conditions include the requirement to comply with Article X landscape regulations.

### **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. Adjacent properties surrounding the area of request are within Category F.

## **List of Officers**

### **Big Score Investors LLC**

Khalil R. Khalil, President  
Fazel Rahmani, Vice President  
Fazel Rahmani Irrevocable 2016 Trust, Member  
Twin Lakes Petroleum Enterprises, Member  
Khalil R. Khalil, President

### **LDG Development**

Chris Dischinger, Co-Principal  
Mark Lechner, Co-Principal  
Lisa Becker, Chief Financial Officer  
Scott Brian, Director of Development  
Jake Brown, Development Manager  
Nick Chitwood, Executive Vice President  
Justin Hartz, Director of Development  
Zac Linsky, Development Manager



**CPC Action**  
**September 17, 2020**

**Motion:** In considering an application for a Planned Development District for multifamily uses on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay and an R-10(A) Single Family District, on the east corner of South Belt Line Road and Seagoville Road, it was moved to **hold** this case under advisement until October 15, 2020.

Maker: Blair  
Second: MacGregor  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 10

**Notices:** Area: 500 Mailed: 44  
**Replies:** For: 1 Against: 3

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Jake Brown, 6300 La Calma Dr., Austin, TX, 78752  
Against: None  
Staff: Pam Thompson, Housing Policy Task Force Administrator,  
Housing and Neighborhood Revitalization Department

**CPC Action**  
**October 15, 2020**

**Motion:** It was moved to recommend **approval** of a Planned Development District for multifamily uses, subject to a revised development plan to show internal pedestrian pathways connecting units on Belt Line Road with walking trail and applicant's conditions on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay and an R-10(A) Single Family District, on the east corner of South Belt Line Road and Seagoville Road.

Maker: Blair  
Second: MacGregor  
Result: Carried: 11 to 3

For: 11 - MacGregor, Hampton, Stinson, Johnson,  
Jackson, Blair, Myers, Schwope, Murphy,  
Garcia, Rubin

Against: 3 - Shidid, Carpenter, Jung  
Absent: 0  
Vacancy: 1 - District 11

**Notices:** Area: 500 Mailed: 44  
**Replies:** For: 1 Against: 3

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Jake Brown, 6300 La Calma Dr., Austin, TX, 78752  
Against: None

**CPC RECOMMENDED CONDITIONS**

**ARTICLE \_\_\_\_.**

**PD \_\_\_\_.**

**SEC. 51P- \_\_\_\_ .101.           LEGISLATIVE HISTORY.**

PD \_\_\_\_ was established by Ordinance No.\_\_\_\_, passed by the Dallas City Council on \_\_\_\_.

**SEC. 51P- \_\_\_\_ .102.           PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_ is established on property located at the southeast corner of Beltline Road and Seagoville Road. The size of PD \_\_\_\_ is approximately 10.7 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 residential zoning district.

**SEC. 51P- \_\_\_\_ .104.           EXHIBIT.**

The following exhibit is incorporated into this article:

- (1) Exhibit \_\_\_\_A: development plan.

**SEC. 51P- \_\_\_\_ .105.           DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit \_\_\_\_A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

**SEC. 51P- \_\_\_\_ .106.            MAIN USES PERMITTED.**

The only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district; etc.

**SEC. 51P- \_\_\_\_ .107.            ACCESSORY USES.**

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.

**SEC. 51P- \_\_\_\_ .108.            YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section 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)    In general. The yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(b)    Front yard. Except as provided, minimum front yard on Seagoville Road is 15 feet and minimum front yard on Belt Line Road is 30 feet.

(1)    Encroachments. The following additional items are permitted to be located within the required front, side, and rear yards:

- (A) Seat walls, retaining walls, stoops, porches, steps, unenclosed balconies, ramps, handrails, safety railings, and benches all not exceeding four feet in height and extending a maximum of five feet into the required minimum yards.
- (B)    Landscape planters.
- (C)    Sculptures.
- (D)    Awnings

**SEC. 51P- \_\_\_\_ .109.            OFF-STREET PARKING AND LOADING.**

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

**SEC. 51P- \_\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P- \_\_\_\_\_.111. LANDSCAPING.**

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

**SEC. 51P- \_\_\_\_\_.112. SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. 51P- \_\_\_\_\_.113. DESIGN STANDARDS FOR MULTIFAMILY USES.**

(a) Purpose and applicability. This article qualifies for the following development bonuses if a minimum of 15 percent of the total number of units are provided at Income band 3 and in compliance with 51A-4.1100 except as provided in this section.

(b) Development bonus. A minimum of 1.25 off-street parking spaces per dwelling unit are required.

(c) Design standards. The design standards in 51A.4.1107 do not apply. The following design standards apply.

**CPC recommendation:**

(3) Screening of off-street loading spaces and service areas. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602 (b)(3), except that screening around service areas for trash collection must be screened by a masonry wall with a solid gate.

(4) Frontages. All street-fronting facades and open-space fronting facades must have at least one window and at least one common primary entrance facing the street or open space at street-level. The entrance must access the street or open space with an improved path connecting to the sidewalk. A transparent surface is required for every 25 linear feet of continuous street-fronting and open-space-fronting façade.

(5) Individual entries. Except as provided in this paragraph, a minimum of 60 percent of the street level dwelling units adjacent to a street in each building must have individual entries that access the Beltline Road with an improved path connecting to the sidewalk. For at-grade open space, a minimum of 60 percent of the open-space fronting dwelling units in each building must have individual entries that access the open space. EXCEPTION. This paragraph does not apply to retirement housing.

(6) Sidewalks.

(A) A sidewalk with a minimum average width of six feet must be provided along all street frontages.

(i) Except as provided in this subsection, all sidewalks must be clear and unobstructed for a minimum of five feet in width.

(ii) Tree grates do not count toward the minimum unobstructed sidewalk width.

(iii) If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location.

(B) Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

(C) Sidewalks are encouraged to be continuous and level across all driveways and curb cuts and designed to be at the same grade as the existing sidewalk, subject to approval of the Director.

(D) At each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.

(7) Lighting.

(A) Special lighting requirement. Exterior lighting sources, if used, must be oriented down and onto the property they light and generally away from adjacent residential properties.

(B) Pedestrian scale lighting. For a development greater than 20,000 square feet of floor area, pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(8) Open space requirements.

(A) At least 10 percent of the building site must be reserved as open space for activity such as active or passive recreation, playground activity, groundwater recharge, or landscaping.

(i) No structures except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of window sills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed; otherwise, open space must be open to the sky.

(ii) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.

(iii) Open space may also be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, or similar type of outside common area.

(iv) Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

(v) Operation or parking of vehicles within on-site open space is prohibited. Emergency and grounds maintenance vehicles are exempt.

(vi) Open spaces must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in a healthy, growing condition.

(B) Landscape areas that fulfill the requirements of Article X may also fulfill these requirements if all conditions of this section and Article X are met.

(7) Pedestrian amenities. The following pedestrian amenities are required along each street frontages.

(A) Two benches.

(B) Two trash cans.

(C) Bicycle rack for at least five bicycles. This bicycle rack may count towards the minimum bicycle parking requirements.

(8) Facade articulation. Street-facing facades exceeding 30 feet in length must have two of the following elements. Street-facing facade exceeding 100 feet in length must have four of the following elements.

- (A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches.
- (B) Architectural details such as raised bands and cornices.
- (C) Architecturally prominent public entrance.
- (D) Attached tower or turret.
- (E) Awnings.
- (F) Change in color.
- (G) Change in material.
- (H) Change in texture.

**Staff suggestion:**

**Additional urban design provisions:**

**Unrestricted Public Open Space.**

(1) Unrestricted open space must be reserved for active or passive recreation, and landscaping. A minimum of 20 percent of the building site must be reserved as unrestricted open space.

(2) An unrestricted open space of minimum half acre must be contiguous.

(3) Unrestricted open space must contain a minimum of two of the following elements: water, playground equipment, fountains, trellises, canopies, walks, pergolas, benches, outdoor decks and terraces.

(4) Private balconies, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use, except for use by emergency vehicles, are not considered open space and do not count towards the open space requirement.

**Sidewalks:**

(1) A minimum unobstructed sidewalk width of six feet must be provided along all public streets.

(2) Landscape buffers are required for the street frontage and are to be comprised of a minimum 5-foot landscape buffer utilizing the option of tree grates, trees, raised planters, or a parkway area, between 18 inches from the back of curb and the sidewalk.

**Architectural elements for street-facing façades for each building:**

(1) Transparency shall be provided for not less than 20% of the length of the facade.

**SEC. 51P- \_\_\_\_ .114.                      ADDITIONAL PROVISIONS.**

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

(b) 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.

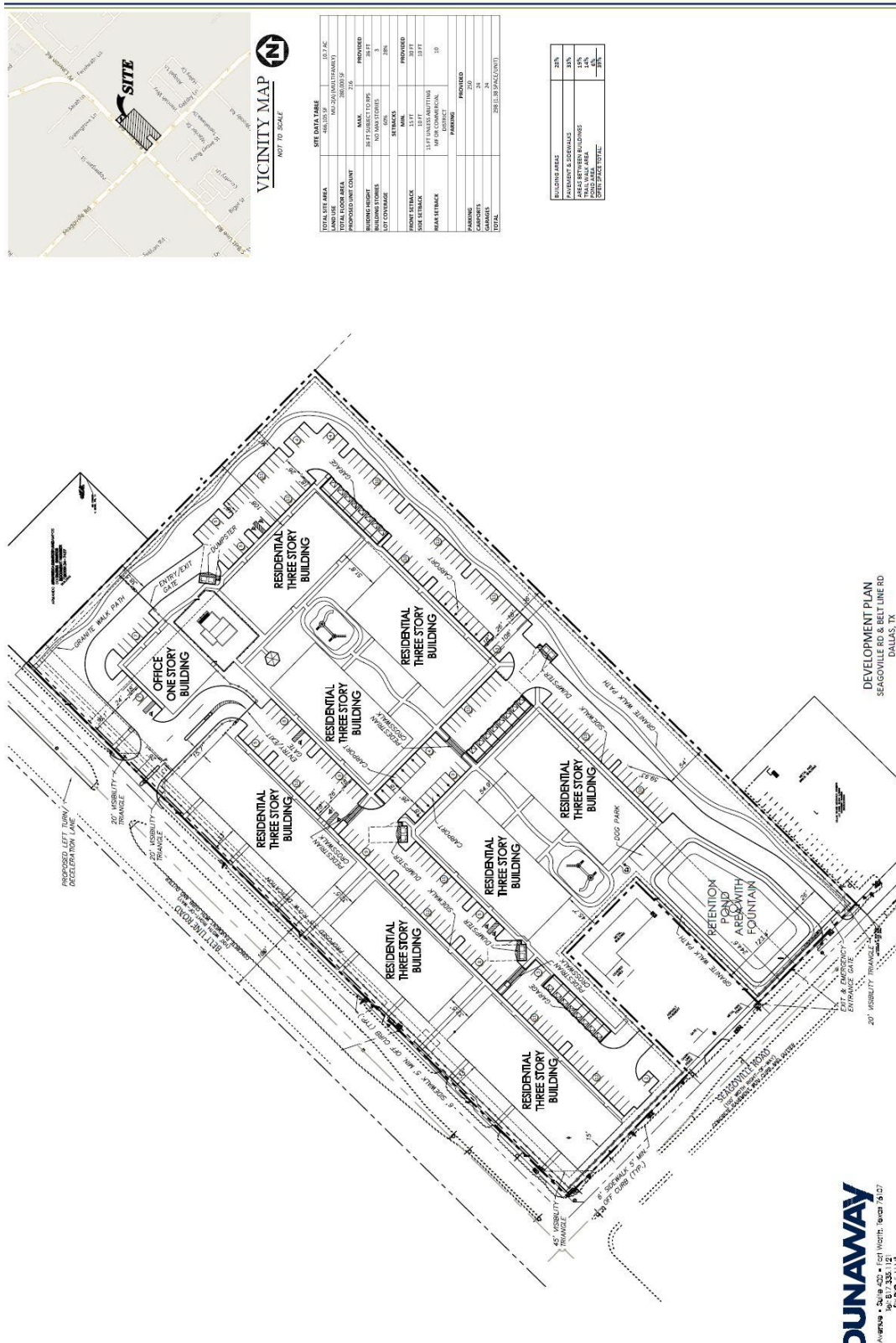


**SEC. 51P-\_\_\_\_.115. COMPLIANCE WITH CONDITIONS.**

(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 city.

(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.

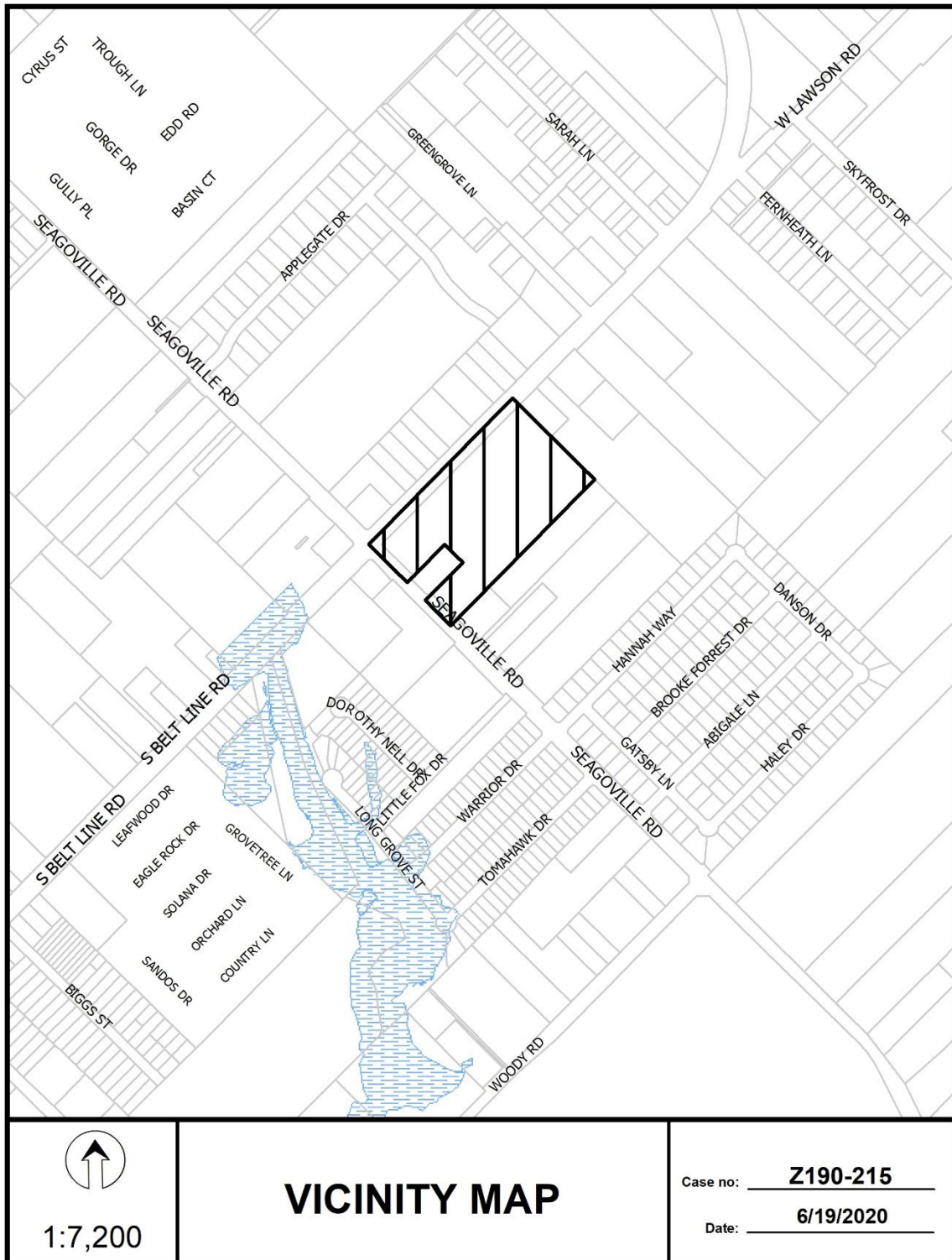
## CPC RECOMMENDED DEVELOPMENT PLAN



**APPLICANT'S PROPOSED  
COLORED LANDSCAPE PLAN  
(for information purposes only)**



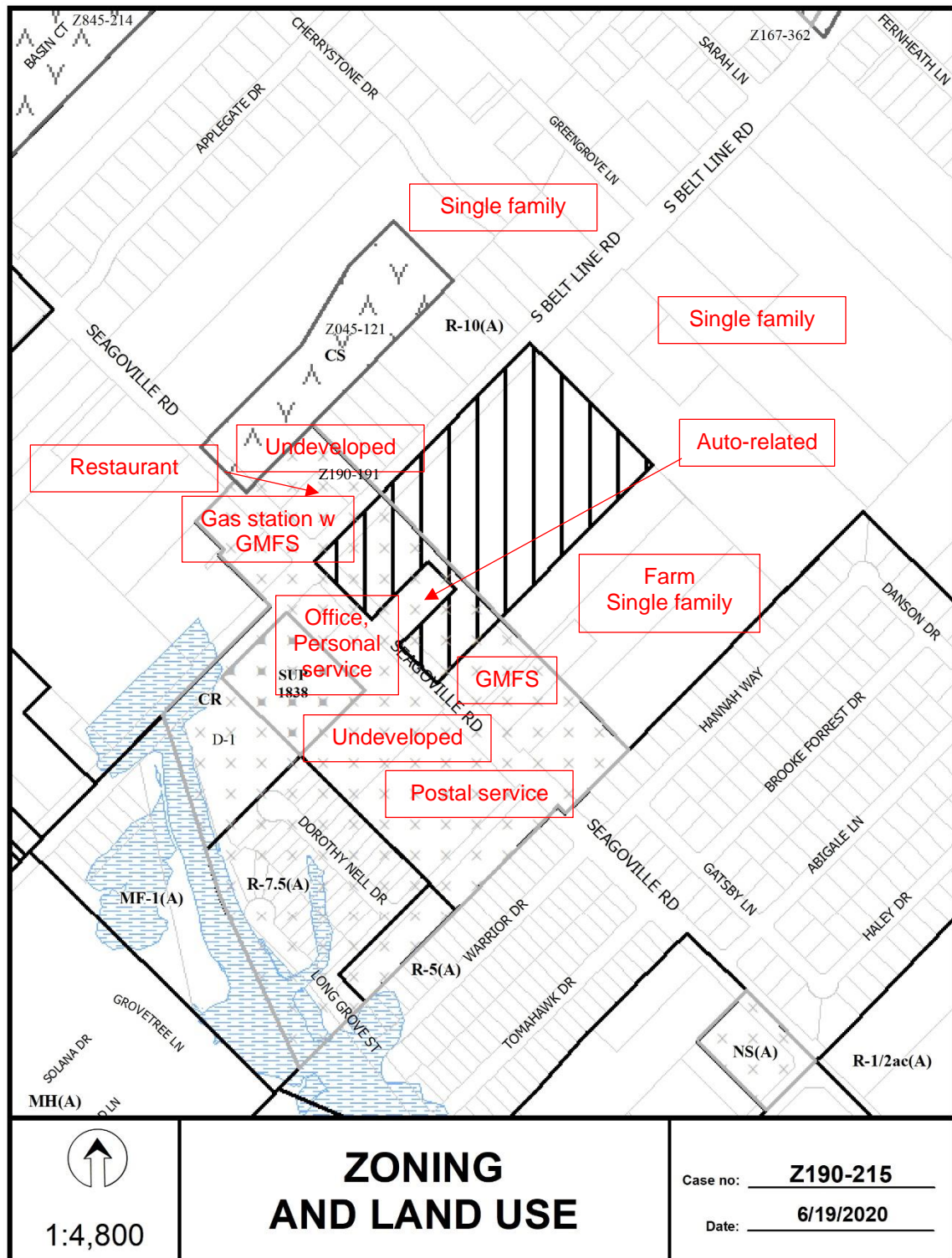


















**Market Value Analysis** A B C D E F G H I NA



# Market Value Analysis

Printed Date: 6/19/2020



**CPC RESPONSES**



10/14/2020

***Reply List of Property Owners******Z190-215******44 Property Owners Notified    1 Property Owners in Favor    3 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	15251 SEAGOVILLE RD	BIG SCORE INVESTORS LLC
	2	802 S BELTLINE RD	GARCIA JESUS & CLAUDIA E
	3	15411 SEAGOVILLE RD	QUINTANILLA WILMAR OMAR & CLAUDIA
	4	15335 SEAGOVILLE RD	CHILDRESS JERIMY J &
	5	15329 SEAGOVILLE RD	EXCHANGERIGHT NET LEASED
	6	15341 SEAGOVILLE RD	REED JADE ANNE JOBE
	7	15239 SEAGOVILLE RD	QUIROZ LUCINO & SERGIO
	8	846 S BELTLINE RD	QUINTANILLA WILMAR & CLAUDIA
	9	846 S BELTLINE RD	QUINTANILLA WILMAR OMAR & CLAUDIA P
	10	832 S BELTLINE RD	CAMPOS ARMANDO & GLORIA
	11	814 S BELTLINE RD	GLAZE STEPHEN &
	12	15400 SEAGOVILLE RD	NEXT STOP LLC
	13	1000 S BELTLINE RD	ALKAM HAMZA
O	14	15100 SEAGOVILLE RD	BOWMAW INC
	15	15300 SEAGOVILLE RD	MISHCO INC
	16	1025 S BELTLINE RD	FLOYD CHARLES M
	17	1001 S BELTLINE RD	FLOYD CHARLES M & BARBARA
	18	15130 SEAGOVILLE RD	SAI BUSINESS INVESTMENTS LLC
	19	15104 SEAGOVILLE RD	SCHLEIMER PATSY SUE
	20	805 S BELTLINE RD	MORALES ROBERTO & MARIA R
	21	13410 GREENGROVE LN	KJT FLYING PROPERTIES LLC
	22	929 S BELTLINE RD	TULLOS RUTH JUNE
	23	937 S BELTLINE RD	AMMOURI ABED &
	24	815 S BELTLINE RD	GARCIA JESUS & CLAUDIA E
	25	925 S BELTLINE RD	TULLOS RUTH JUNE EST OF
	26	933 S BELTLINE RD	RAMIREZ RICARDO RODRIGUEZ &

Z190-215(AU)

10/14/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	837 S BELTLINE RD	BRUNE MELISSIA MORRIS
	28	825 S BELTLINE RD	AC2 LLC
X	29	833 S BELTLINE RD	MORRIS MELISSIA
	30	843 S BELTLINE RD	DELGADO CARLOS S & MARY A
	31	15029 SEAGOVILLE RD	T W FORD LP
	32	15362 SEAGOVILLE RD	EXCHANGERIGHT NET LEASED PORTFOLIO 5 DST
	33	15300 SEAGOVILLE RD	US POSTAL SERVICE
	34	15426 DOROTHY NELL DR	LEDESMA JOSE JUAN GAMINO &
	35	15422 DOROTHY NELL DR	MCKRILEY PROPERTIES LLC
	36	15418 DOROTHY NELL DR	MILLS PATRICIA
	37	15414 DOROTHY NELL DR	HERRERA SIMON MIGUEL &
	38	15406 DOROTHY NELL DR	SANCHEZ ELIZABETH
X	39	15402 DOROTHY NELL DR	JOHNSON OTIS L &
	40	1050 S BELTLINE RD	BOWMAW INC
	41	1130 S BELTLINE RD	LAM HIU M &
	42	13418 GREENGROVE LN	GUZMAN ANITA
	43	951 S BELTLINE RD	AMMOURI ABED
	44	915 S BELTLINE RD	ALKAM HAMZA &