

**FILE NUMBER:** Z201-236(CT) **DATE FILED:** April 14, 2021

**LOCATION:** West line of Lucerne Street, south of La Vista Drive

**COUNCIL DISTRICT:** 14 **MAPSCO:** 37 W

**SIZE OF REQUEST:** ± 0.138 acres **CENSUS TRACT:** 1

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**OWNER/APPLICANT:** Timothy Dlugos, Sole Owner

**REQUEST:** An application for an R-5(A) Single Family District on property zoned a CR Community Retail District.

**SUMMARY:** The purpose of the request is to allow for a single family home to be developed on the site.

**CPC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

**BACKGROUND INFORMATION:**

- The area of request is zoned an CR Community Retail District and is currently developed with a single-family home.
- The purpose of the request is to allow for the demolition of the current single-family home and construct a new single-family home on the property.

**Zoning History:**

There has been one zoning changes in the surrounding area in the past five years.

1. **Z201-187:** On April 22, 2021, the City Plan Commission approved an application for an amendment to and the renewal of Specific Use Permit No. 2186 for a private school use southwest corner of East Grand Avenue and Shadyside Lane. [Scheduled for the June 9, 2021 City Council hearing].

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Lucerne Street	Local	-
LaVista Drive	Local	-

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the request 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. 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 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.

**NEIGHBORHOOD PLUS PLAN**

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 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**Land Use:**

	Zoning	Land Use
Site	CR Community Retail	Single Family
North	R-7.5(A)	Single Family
West	R-7.5(A)	Single Family
East	R-7.5(A) Single Family District	Single Family
South	CR Community Retail	Retail

**Land Use Compatibility:**

The property is currently developed with a single-family structure and zoned CR Community Retail District. The applicant seeks to demolish the existing structure and to rebuild a single-family structure on the lot. Under the current zoning, demolishing the structure would enforce the lot to conform to the CR Community Retail District standards and not allow for the construction of a single-family dwelling.

Uses surrounding the request site consist of single family dwellings to the north, east and west of the property. Retail uses are south of the subject site and include a motel use and a nursery use.

The lot size is 6,050 square foot and complies with the minimum 5,000 square foot lot size requirement of the proposed R-5(A) District. The site is a platted lot and has been deemed a legal build site by the City of Dallas. Due to more restrictive setback of the R-

7.5(A) District, the construction of the new home would be required to conform to the 25-foot front yard setback to maintain block face continuity.

Staff supports the zoning change to R-5(A) as it allows for the reconstruction of a single-family home on a block that is entirely residential. The terminus of Lucerne Street is two lots from the subject site and it is difficult to foresee commercial uses at this location. Development of the lot with a single family dwelling is compatible with the northeast line of Lucerne Street and the surrounding single family neighborhood.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
<b>Existing: CR</b>	15'	20' Adjacent or directly across and alley from residential  OTHER: No Min.	FAR .5 for office uses 0.75 for all uses combined	54'  RPS applies	60%	Retail/Personal Service
<b>Proposed: R-5(A)</b>	20' (would be required to conform with 25' setback of R-7.5(A))	5' For single family structures  OTHER: Side: 10'	1 DU/ 5,000 sq. ft.	30'	45% for res 25% for non res	Single Family

**Uses:**

Below is a use comparison table for existing and proposed districts:

<b>CR Community Retail – Existing</b>	<b>R-5(A) – Proposed</b>
(A) <u>Agricultural uses.</u> -- Crop production	(A) <u>Agricultural uses.</u> -- Crop production.
(B) <u>Commercial and business service uses.</u> -- Building repair and maintenance shop. [RAR] -- Catering service. -- Custom business services. -- Electronics service center. -- Medical or scientific laboratory. [SUP] -- Tool or equipment rental.	(B) <u>Commercial and business service uses.</u> None permitted.
(C) <u>Industrial uses.</u> -- Gas drilling and production. [SUP]	(C) <u>Industrial uses.</u> -- Gas drilling and production. [SUP]

<b>CR Community Retail – Existing</b>	<b>R-5(A) – Proposed</b>
<p>-- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]</p>	<p>-- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]-- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]</p>
<p>(D) <u>Institutional and community service uses.</u>                      -- Adult day care facility.                      -- Cemetery or mausoleum. [SUP]                      -- Child-care facility.                      -- Church.                      -- College, university, or seminary.                      -- Community service center. [SUP]                      -- Convent or monastery.                      -- Hospital. [SUP]                      -- Library, art gallery, or museum.                      -- Open-enrollment charter school or private school. [SUP]                      -- Public school other than an open-enrollment charter school. [RAR]</p>	<p>(D) <u>Institutional and community service uses.</u>                      -- Adult day care facility. [SUP]                      -- Cemetery or mausoleum. [SUP]                      -- Child-care facility. [SUP]                      -- Church.                      -- College, university or seminary. [SUP]                      -- Community service center. [SUP]                      -- Convent or monastery. [SUP]                      -- Foster home. [SUP]                      -- Library, art gallery, or museum. [SUP]                      -- Public or private school. [SUP]</p>
<p>(E) <u>Lodging uses.</u>                      -- Hotel and motel. [SUP]                      -- Lodging or boarding house. [SUP]                      -- Overnight general purpose shelter. [See Section 51A-4.205 (2.1)]</p>	<p>(E) <u>Lodging uses.</u>                      None permitted.</p>
<p>(F) <u>Miscellaneous uses.</u>                      -- Attached non-premise sign. [SUP]                      -- Carnival or circus (temporary). [By special authorization of the building official.]                      -- Temporary construction or sales office.</p>	<p>(F) <u>Miscellaneous uses.</u>                      -- Carnival or circus (temporary). [By special authorization of the building official.]                      -- Temporary construction or sales office.</p>
<p>(G) <u>Office uses.</u>                      -- Alternative financial establishment. [SUP]                      -- Financial institution without drive-in window.                      -- Financial institution with drive-in window. [DIR]                      -- Medical clinic or ambulatory surgical center.                      -- Office</p>	<p>(G) <u>Office uses.</u>                      None permitted.</p>
<p>(H) <u>Recreation uses.</u>                      -- Country club with private membership.                      -- Private recreation center, club, or area.                      -- Public park, playground, or golf course.</p>	<p>(H) <u>Recreation uses.</u>                      -- Country club with private membership. [SUP]                      -- Private recreation center, club, or area. [SUP]                      -- Public park, playground, or golf course.</p>
<p>(I) <u>Residential uses.</u>                      -- College dormitory, fraternity, or sorority house.</p>	<p>(I) <u>Residential uses.</u>                      -- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]</p>

CR Community Retail – Existing	R-5(A) – Proposed
	-- Single family.
<p>(J) <u>Retail and personal service uses.</u></p> <ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. [See Section 51A-4.210 (b)(4).]</li> <li>-- Ambulance service. [RAR]</li> <li>-- Animal shelter or clinic without outside runs. [RAR]</li> <li>-- Auto service center. [RAR]</li> <li>-- Business school.</li> <li>-- Car wash. [DIR]</li> <li>-- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]</li> <li>-- Commercial amusement (outside). [SUP]</li> <li>-- Commercial parking lot or garage. [RAR]</li> <li>-- Convenience store with drive-through. [SUP]</li> <li>-- Dry cleaning or laundry store.</li> <li>-- Furniture store.</li> <li>-- General merchandise or food store 3,500 square feet or less.</li> <li>-- General merchandise or food store greater than 3,500 square feet.</li> <li>-- General merchandise or food store 100,000 square feet or more. [SUP]</li> <li>-- Home improvement center, lumber, brick or building materials sales yard. [DIR]</li> <li>-- Household equipment and appliance repair.</li> <li>-- Liquor store.</li> <li>-- Mortuary, funeral home, or commercial wedding chapel.</li> <li>-- Motor vehicle fueling station.</li> <li>-- Nursery, garden shop, or plant sales.</li> <li>-- Paraphernalia shop. [SUP]</li> <li>-- Pawn shop.</li> <li>-- Personal service uses.</li> <li>-- Restaurant without drive-in or drive-through service. [RAR]</li> <li>-- Restaurant with drive-in or drive-through service. [DIR]</li> <li>-- Swap or buy shop. [SUP]</li> <li>-- Temporary retail use.</li> <li>-- Theater.</li> </ul>	<p>(J) <u>Retail and personal service uses.</u></p> <p>None permitted.</p>

<b>CR Community Retail – Existing</b>	<b>R-5(A) – Proposed</b>
<p>(K) <u>Transportation uses.</u>                      -- Transit passenger shelter.                          -- Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]</p>	<p>(K) <u>Transportation uses.</u>                      -- Private street or alley. [SUP]                      -- Transit passenger shelter. [See Section 51A-4.211.]                      -- Transit passenger station or transfer center. [SUP]</p>
<p>(L) <u>Utility and public service uses.</u>                      -- Commercial radio and 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. [SUP]                      -- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]                      --Utility or government installation other than listed. [SUP]</p>	<p>(L) <u>Utility and public service uses.</u>                      -- 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]</p>
<p>(M) <u>Wholesale, distribution, and storage uses.</u>                      -- Mini-warehouse. [SUP]                      -- Recycling buy-back center. [See Section 51A-4.213 (11).]                      -- Recycling collection center. [See Section 51A-4.213 (11.1).]                      -- Recycling drop-off container. [See Section 51A-4.213 (11.2).]                      -- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]</p>	<p>(M) <u>Wholesale, distribution, and storage uses.</u>                      -- Recycling drop-off container. [See Section 51A-4.213 (11.2).]                      -- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]</p>

**Parking:**

Pursuant to the Dallas Development Code, off-street parking and loading spaces must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Parking requirements for single family uses in the R-5(A) District require one space per dwelling unit. The applicant will need to meet this requirement at the permitting stage of the development.

**Landscaping:**

Landscaping of the property must be provided in accordance with Article X, as amended.

### **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 within MVA category "B" and is in proximity to a "B" cluster to the northeast and a Category "C" Cluster to the southwest and east.



Z201-236(CT)

**CPC ACTION  
JUNE 3, 2021**

**Motion:** It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned a CR Community Retail District, on the west line of Lucerne Street, south of La Vista Drive.

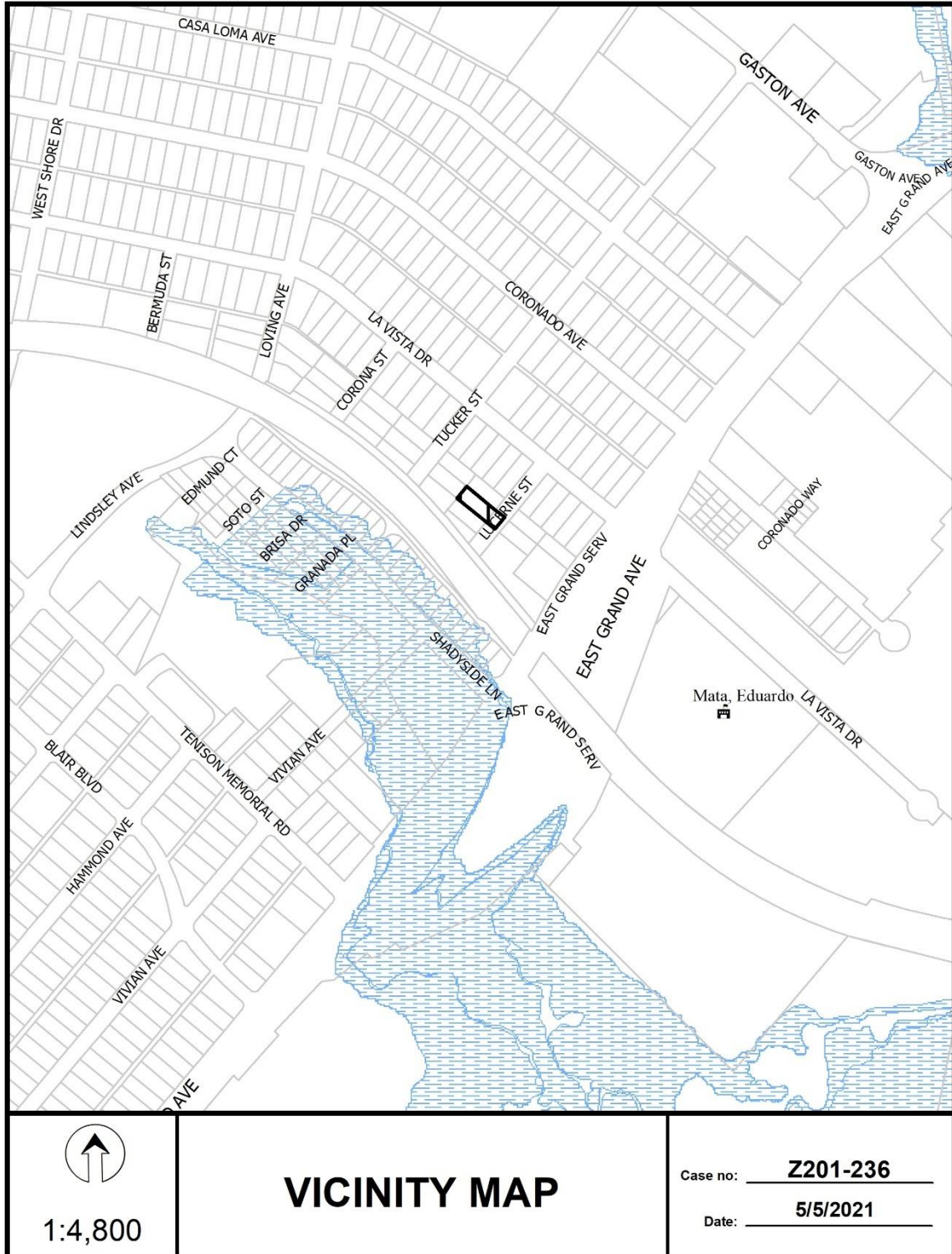
Maker: Murphy  
Second: MacGregor  
Result: Carried: 14 to 0

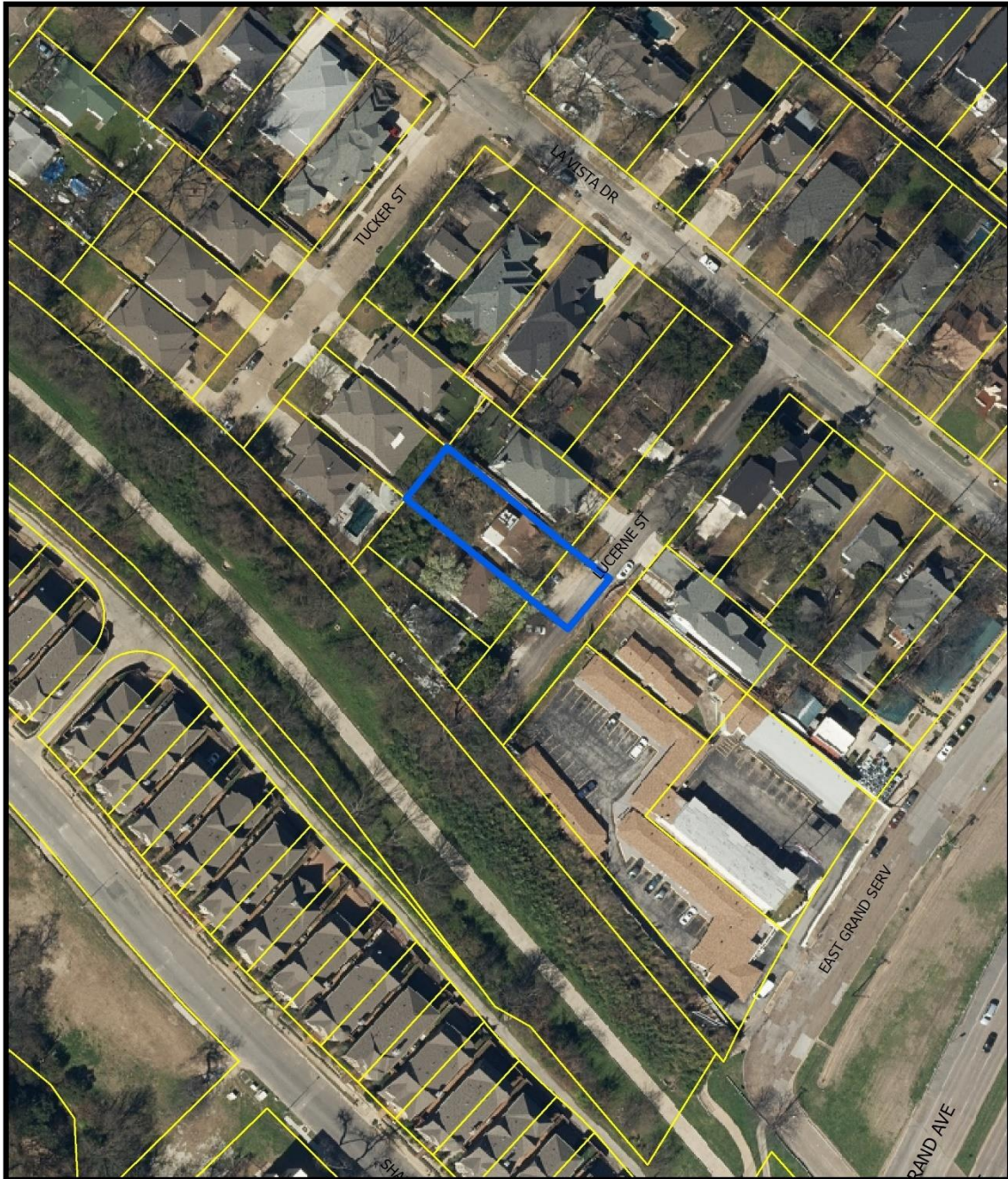
For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Carpenter, Jackson, Blair, Jung, Suhler,  
Schwope, Murphy, Garcia, Rubin

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

**Notices:** Area: 200 Mailed: 26  
**Replies:** For: 2 Against: 0

**Speakers:** For: None  
For (Did not speak): Timothy Dlugos, 5026 Manett St., Dallas, TX, 75206  
Against: None



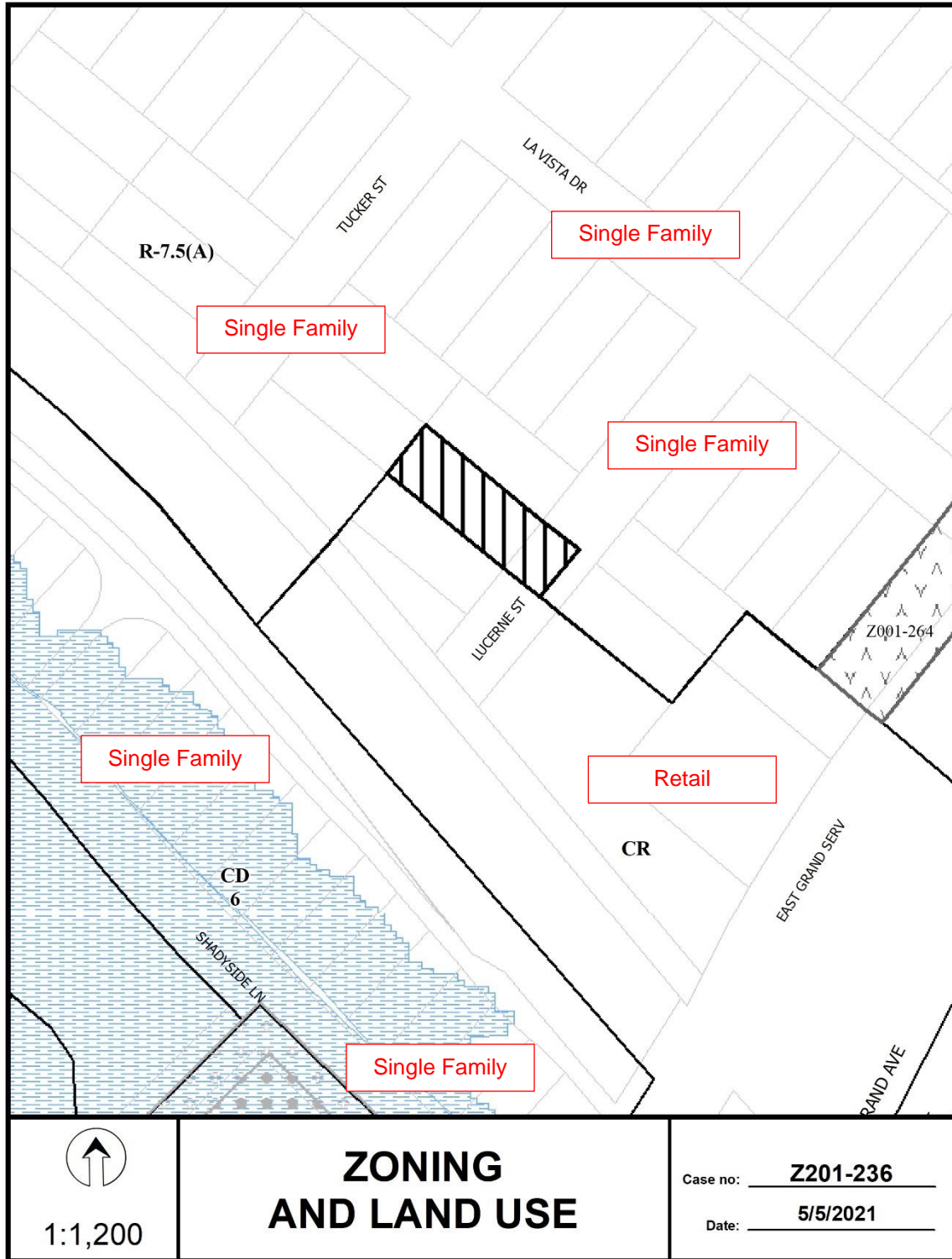


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## AERIAL MAP

Case no: Z201-236

Date: 5/5/2021



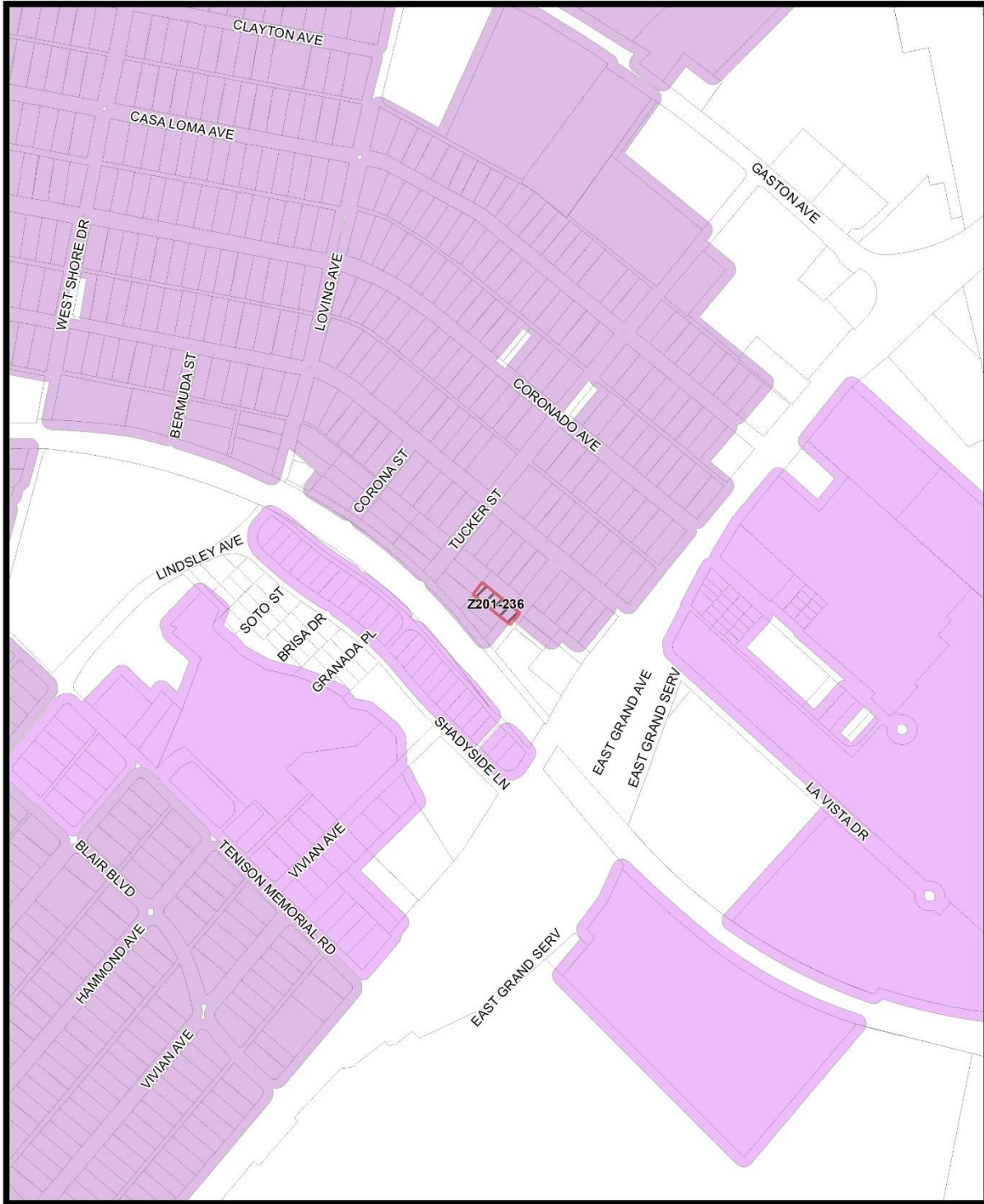


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# ZONING HISTORY

Case no: Z201-236

Date: 5/5/2021



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

1:4,800

# Market Value Analysis

Printed Date: 5/5/2021

CPC RESPONSES



<u>26</u>	Property Owners Notified (28 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>6/3/2021</u>	Date

**Z201 -236**  
**CPC**



1:1,200

06/02/2021

**Reply List of Property Owners****Z201-236****26 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed**

<b>Reply</b>	<b>Label #</b>	<b>Address</b>	<b>Owner</b>
	1	1807 LUCERNE ST	FOUR T LAND LLC
	2	7218 LA VISTA DR	JONES MATTHEW & MOLLY
	3	1811 TUCKER ST	FOXMAN BRADLEY
	4	1807 TUCKER ST	ANDRING BRICE NICHOLAS &
	5	1803 TUCKER ST	GANNON JOHN &
	6	7302 LA VISTA DR	OCONNELL ANDREW C & ALEXIS W
	7	7306 LA VISTA DR	BERKOWITZ BENJAMIN JOSEPH &
	8	7310 LA VISTA DR	STURDIVANT JOHN MICHAEL &
	9	7314 LA VISTA DR	Taxpayer at
	10	7318 LA VISTA DR	BLACKLEDGE EFREN E &
O	11	1809 LUCERNE ST	LV LIVING TRUST
	12	1805 LUCERNE ST	DIMAS MIGUEL ET AL
	13	1803 LUCERNE ST	MILLER IRMA E ESTATE OF
	14	1802 TUCKER ST	SMITH ROGER W & LAURA L
	15	1806 TUCKER ST	SATYANARAYANA MEGHA
O	16	1810 TUCKER ST	STUART KYLE & SHANNON
	17	7200 EAST GRAND AVE	JOPLIN MARY C
	18	7326 LA VISTA DR	VISNEAU DAVID EDWARD
	19	7330 LA VISTA DR	WHITELY JASON B & KELLY
	20	7334 LA VISTA DR	HALE TRACY A
	21	7338 LA VISTA DR	FINLAN PAMELA
	22	7219 EAST GRAND AVE	RUIBAL FARMS LP
	23	7201 EAST GRAND AVE	JAY SITARAM HOSPITALITY
	24	1814 LUCERNE ST	RACZ TIBOR
	25	994 SHADYSIDE LN	MM FINISHED LOTS LLC
	26	401 S BUCKNER BLVD	DART