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**FILE NUMBER:** Z201-166(CT)                      **DATE FILED:** January 6, 2021  
**LOCATION:** East side of Gaston Avenue, south of South Fitzhugh Avenue  
**COUNCIL DISTRICT:** 2                              **MAPSCO:** 46 B  
**SIZE OF REQUEST:** ±0.24 acres                      **CENSUS TRACT:** 15.02

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**REPRESENTATIVE:** Gaby Rawlings, Jackson Walker. L.L.P.

**OWNER/APPLICANT:** Michael Gibson

**REQUEST:** An application for a Specific Use Permit for a bed and breakfast on property zoned Subarea 3 within Planned Development District No. 362 with H/72 Peak's Suburban Addition Neighborhood Historic District Overlay.

**SUMMARY:** The purpose of the request is to allow for a bed and breakfast use to operate from an existing home.

**CPC RECOMMENDATION:** Approval for a two-year period, subject to a site plan and conditions.

**STAFF RECOMMENDATION:** Approval for a two-year period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The site is currently developed with a historic single family dwelling.
- The purpose of the request is to allow for a bed and breakfast use to operate within the home.
- Planned Development District No. 362 allows for the bed and breakfast use by Specific Use Permit.
- Bed and Breakfast Use means one dwelling unit on a lot containing five or fewer guest rooms or suites that are rented to occupants for 14 or fewer consecutive days.

**Zoning History:** There have been no zoning cases at in the area over the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Gaston Avenue	Community Collector	60 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street 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 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**URBAN DESIGN ELEMENT**

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

**NEIGHBORHOOD ELEMENT**

**GOAL 7.2 PRESERVATION OF HISTORIC AND CULTURAL ASSETS**

**Policy 7.2.2** Create a sense of place through the built environment while maintaining the existing historic fabric.

**Policy 7.2.4** Protect historic and cultural assets.

**Land Use:**

<b>Area</b>	<b>Zone</b>	<b>Use</b>
<b>Site</b>	Subarea 3 within PD No. 362, H/72 Peak's Suburban Addition Neighborhood Historic District Overlay,	Single Family
<b>North</b>	Subarea 2 within PD No. 362, H/72 Peak's Suburban Addition Neighborhood Historic District Overlay,	Multifamily
<b>Northeast</b>	Subarea 3 and Subarea 2 within PD No. 362, H/72 Peak's Suburban Addition Neighborhood Historic District Overlay,	Single Family Multifamily Retail/Personal Service
<b>East</b>	PD No. 167 and CR District with SUP No. 285, MD Modified Delta Overlay,	Surface Parking and Electrical Substation
<b>Southwest</b>	Subarea 3 and Subarea 3B within PD No. 362, H/72 Peak's Suburban Addition Neighborhood Historic District Overlay,	Single Family Multifamily
<b>West</b>	Subarea 3 within PD No. 362, H/72 Peak's Suburban Addition Neighborhood Historic District Overlay,	Single Family Multifamily

**Land Use Compatibility:**

The property is developed with a single-family structure. The purpose of this request is to allow for a bed and breakfast in the single-family structure. Pursuant to the provisions of PD No. 362, a Specific Use Permit is required for a bed and breakfast use on the property. Within the PD, a bed and breakfast is defined as one dwelling unit on a lot containing five or fewer guest rooms or suites that are rented to occupants for 14 or fewer consecutive days. The applicant is proposing five guest rooms to be rented.

Surrounding land uses include: a mix of single family and multifamily uses in all directions with retail to the northeast adjacent to the residential uses.

The main uses permitted in PD No. 362 are those mainly residential in nature allowing for single family, multifamily, duplex, handicapped group dwelling unit and group residential facility (in Subareas IIIA and IIIB by SUP). Uses outside of residential uses include child-care facility [SUP], bed and breakfast [SUP], Medical clinic or ambulatory surgical center and office uses (in structures that face Gaston Avenue only), and transit passenger station.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff believes that the bed and breakfast will not negatively affect the surrounding neighborhood. The site is located on Gaston Avenue and is among a stretch that includes a mixture of single family, multifamily, and retail and personal service uses. The proposed use will be subject to site plan and would need to approval before amendment are made. Staff has recommended a two-year period for the use to allow for review of the use and its compatibility with the surrounding neighborhood.

During the City Plan Commission, staff briefed a change in the SUP conditions to allow for four rooms to be rented on the site and an update to the site plan depicting a change in the location of parking spaces on the site.

**Landscaping:**

The request will not trigger any Article X requirements, as no new construction is proposed on the site.

**Parking:**

Pursuant to the Planned Development conditions, a bed and breakfast use requires two parking spaces and one space per bedroom. The applicant proposes four bedrooms for the use; therefore, six parking spaces are required for the site. The site plan depicts seven parking spaces meeting the requirement,

**Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policymakers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to 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. While the subject site is not located within a designated market type, Category C can be found surrounding the site in every direction.

**CPC ACTION**  
**APRIL 22, 2021**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a bed and breakfast for a two-year period, subject to a site plan and conditions; as briefed, on property zoned Subarea 3 within Planned Development District No. 362 with H/72 Peak's Suburban Addition Neighborhood Historic District Overlay, on the east side of Gaston Avenue, south of South Fitzhugh Avenue.

Maker: Hampton  
Second: Rubin  
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

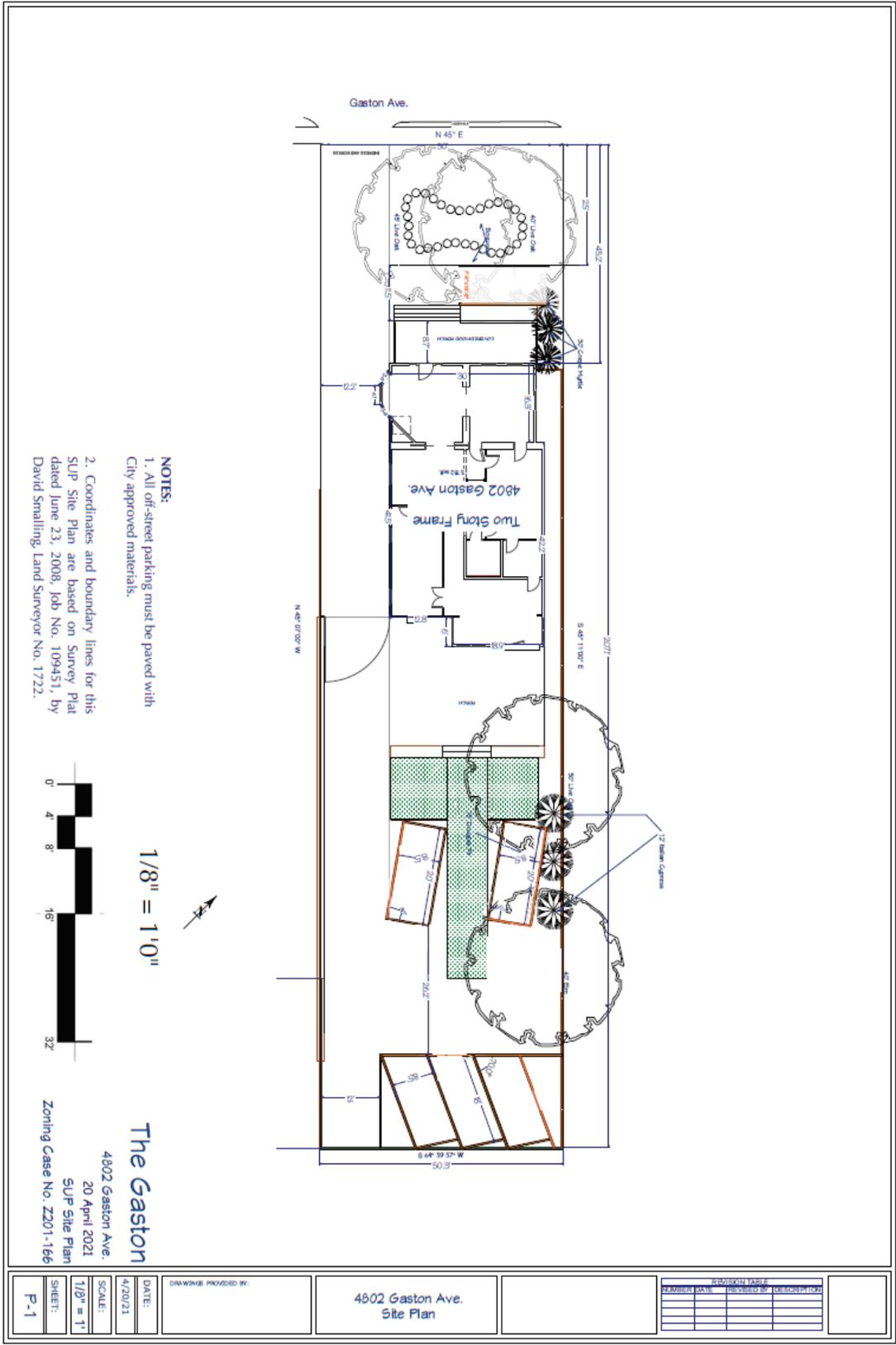
**Notices:** Area: 200 Mailed: 21  
**Replies:** For: 4 Against: 0

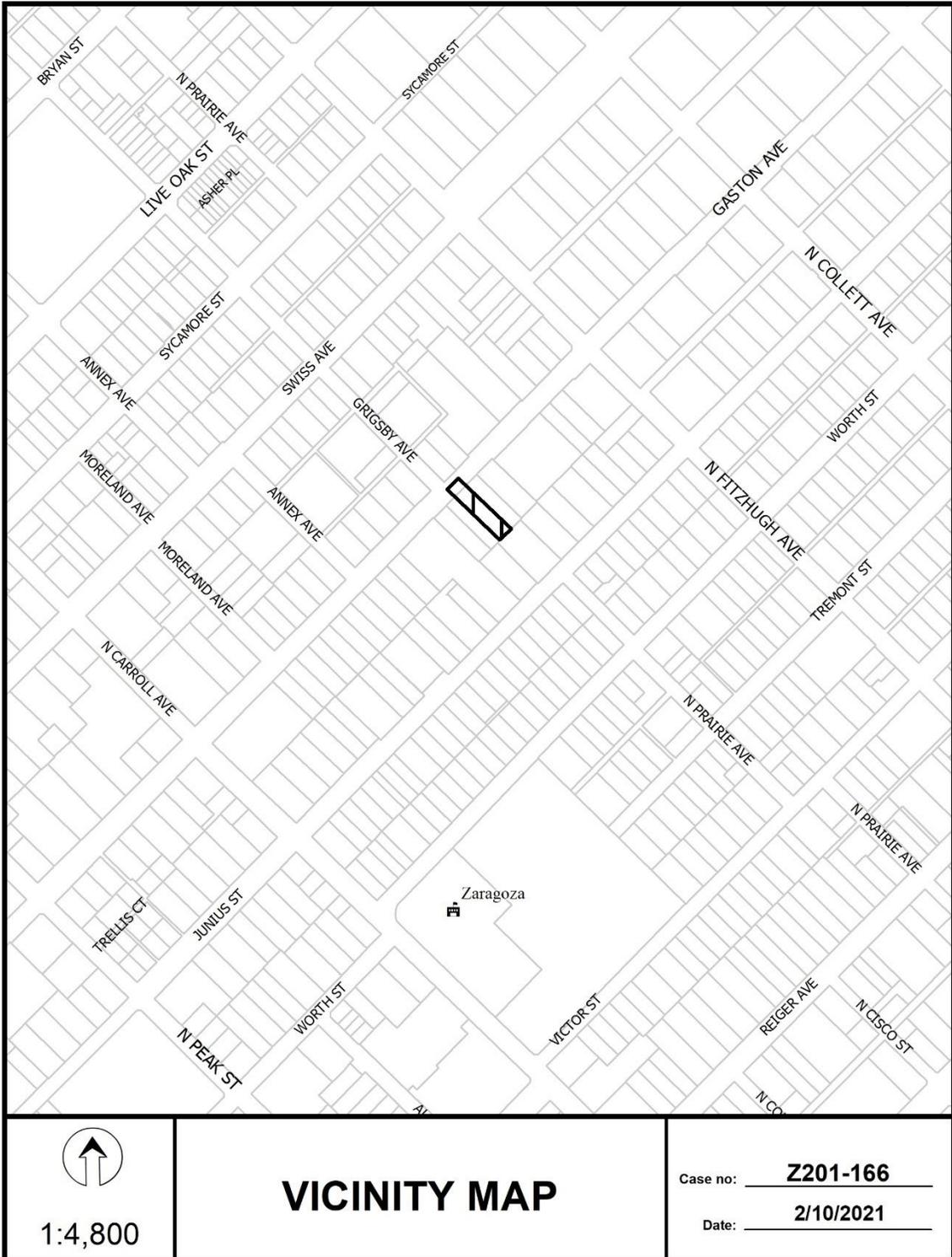
**Speakers:** For: Gaby Rawlins, 2323 Ross Ave., Dallas, TX, 75201  
Liz Gibson, 4802 Gaston Ave., Dallas, TX, 75246  
Against: None

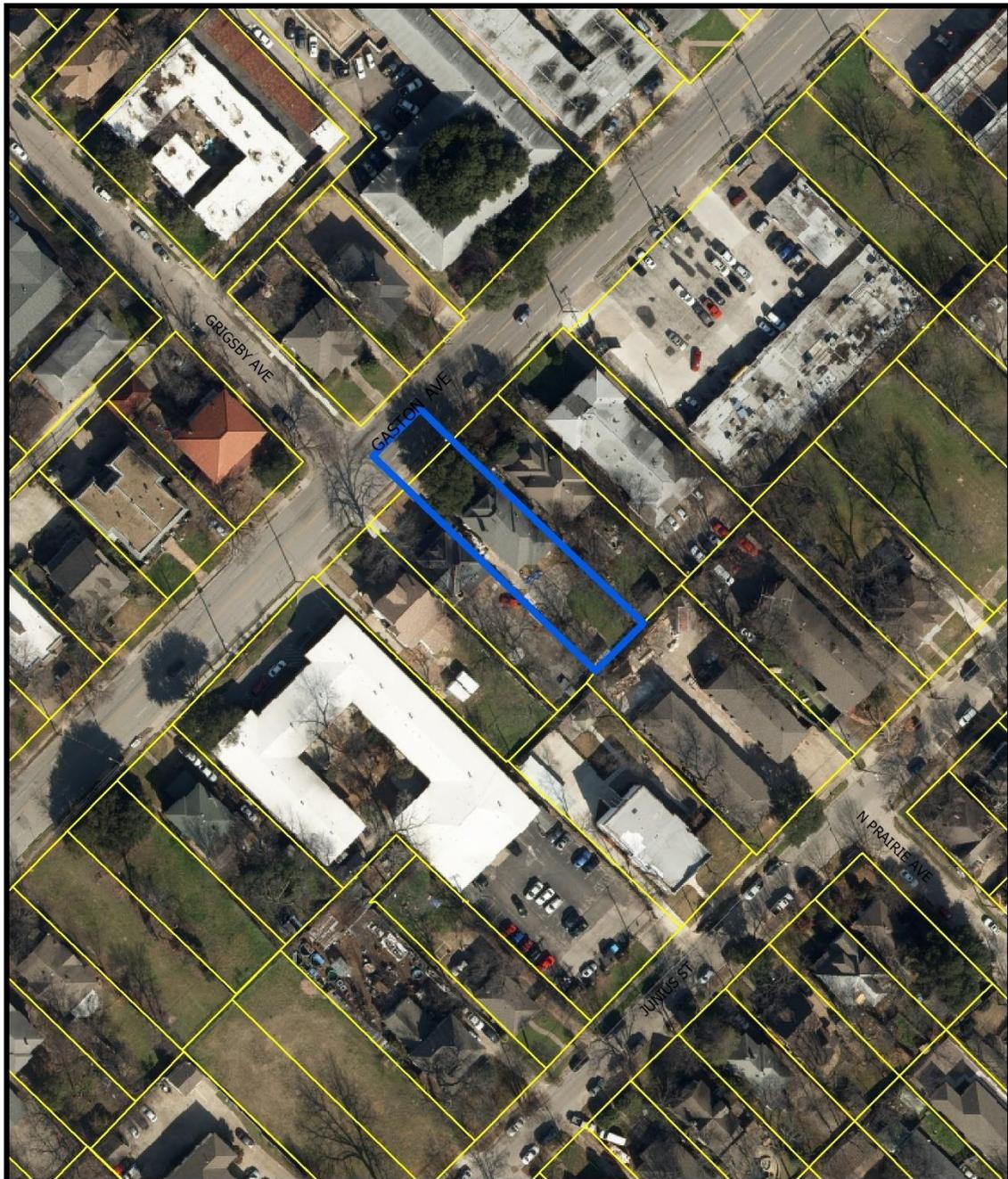
**CPC RECOMMENDED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a bed and breakfast.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a two-year period from the passage of this ordinance.
4. BEDROOMS: No more than four bedrooms may be made available for rental.
5. INGRESS/EGRESS: Ingress and egress must be provided as shown on the attached site plan.
6. LENGTH OF STAY: Rental accommodations may not exceed five consecutive nights for any individual renter.
7. MEALS: No meals other than breakfast may be served to renters.
8. PARKING: A minimum of seven off-street parking spaces must be provided in the location shown on the attached site plan.
9. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**CPC Recommended Site Plan**





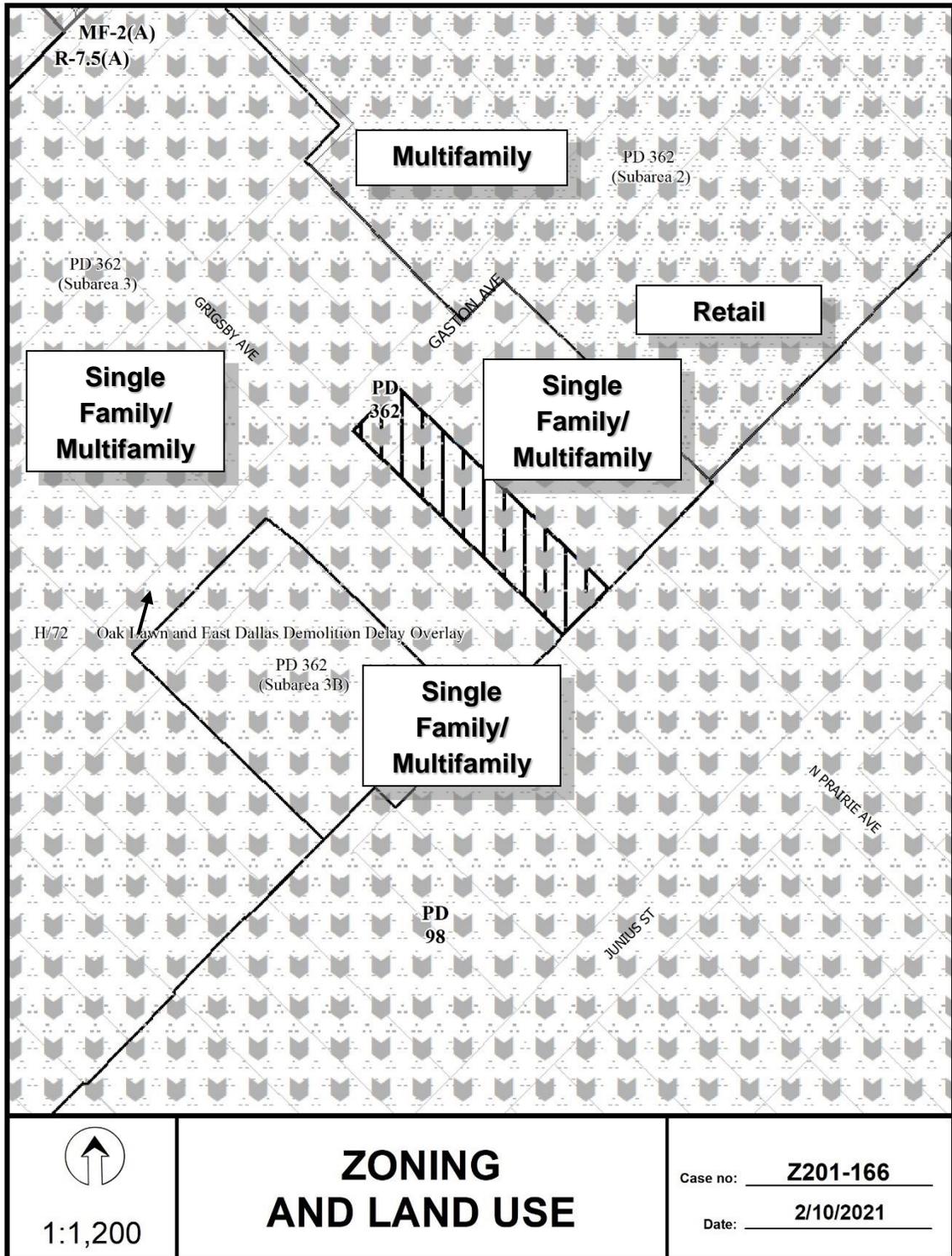


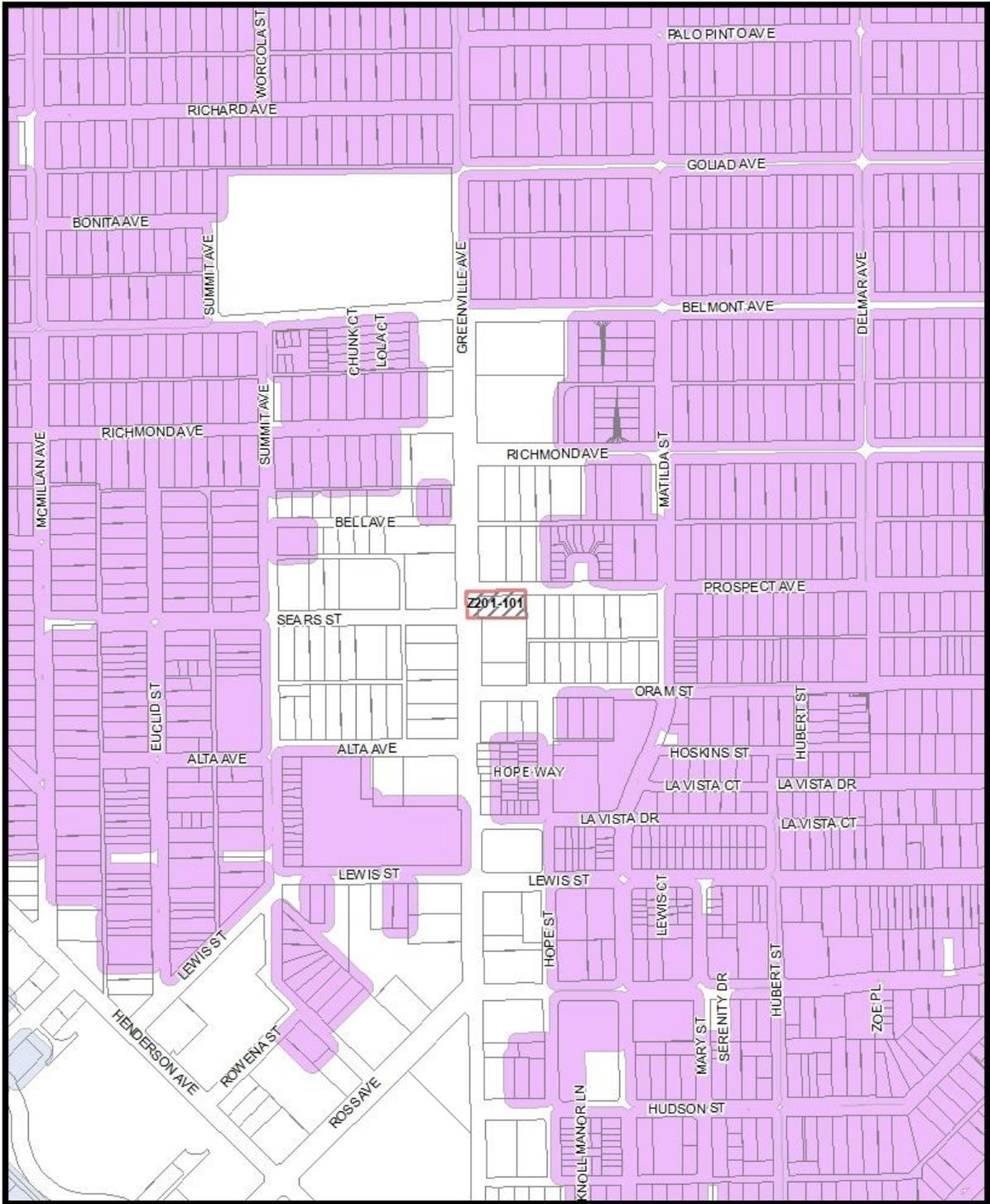
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# AERIAL MAP

Case no: Z201-166

Date: 2/10/2021





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

1:4,800

# Market Value Analysis

Printed Date: 11/25/2020

**CPC RESPONSES**



<u>21</u>	Property Owners Notified (22 parcels)
<u>4</u>	Replies in Favor (5 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>4/22/2021</u>	Date

**Z201-166**  
**CPC**



1:1,200

04/21/2021

***Reply List of Property Owners******Z201-166******21 Property Owners Notified    4 Property Owners in Favor    0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	4802 GASTON AVE	GIBSON MICHAEL
	2	915 GRIGSBY AVE	SHARED HOUSING CENTER INC
	3	4721 GASTON AVE	SHARED HOUSING CENTER INC
	4	4717 GASTON AVE	CPP 5X5 TRUST
O	5	4711 GASTON AVE	RODGERS ROBERT & DONNA
	6	1000 GRIGSBY AVE	Taxpayer at
	7	4807 GASTON AVE	MCKNIGHT LISA E
	8	4803 GASTON AVE	GSO GASTON LLC
	9	4815 GASTON AVE	WWGA 4815 GASTON LLC
	10	4803 JUNIUS ST	BRP 5X5 TRUST
	11	4719 JUNIUS ST	AMIN ASHBALUL
	12	4703 JUNIUS ST	PHAM SANH VAN &
	13	4725 JUNIUS ST	KING TEXAS INVESTMENTS LLC &
	14	4810 GASTON AVE	WWGA 4810 GASTON LLC
O	15	4806 GASTON AVE	SADACCA SHARRON STANLEY
	16	4712 GASTON AVE	G2 GASTON AVE INVESTORS LLC
	17	4720 GASTON AVE	SLOAN SAM ROSS IV
	18	4707 JUNIUS ST	MORGAN SARA K
	19	4832 GASTON AVE	ENG T K
O	20	4811 JUNIUS ST	SILVA ALBERT & LAURIE L
	21	4817 JUNIUS ST	SOK RITHY