

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-275(AU)

DATE FILED: May 17, 2019

LOCATION: Southeast line of Mail Avenue, southwest of Rural Avenue, and northeast of Harry Hines Boulevard

COUNCIL DISTRICT: 2

MAPSCO: 33 R

SIZE OF REQUEST: +/- 0.34 Acres

CENSUS TRACT: 4.06

OWNER/APPLICANT: George Rubio

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District.

SUMMARY: The applicant requests to allow single family uses on the subject property. The existing zoning prohibits single family uses. Therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged.

CPC RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The subject site contains 0.34 acres and is developed with a single-family house, 780 square feet in area and one story in height.
- The purpose of the request is to allow single family uses on the subject property. The existing zoning prohibits single family uses. The existing residence is nonconforming and cannot be reconstructed or enlarged.

Zoning History:

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

1. **Z189-149:** On May 2, 2019, City Plan Commissioner recommended approval of an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, located east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast. The case is scheduled for City Council on August 28, 2019.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Mail Avenue	Local	50 feet	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. 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 complies with the following goals and policies outlined in the forwardDallas! Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

1.3.1.1 Encourage creation of diverse housing types by establishing ways to foster such development and find ways to foster homeownership.

HOUSING ELEMENT

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

A long-range housing supply strategy must be established to ensure sustainable and efficient use of land and infrastructure. This would also promote a range of owner-occupied housing and densities while encouraging redevelopment and infill housing.

Policy 3.1.3 Encourage stabilization of existing neighborhoods.

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

Policy 5.2 Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

Surrounding Land Uses:

	Zoning	Land Use
Site	CS Commercial Service	Single family house
Northeast East Southeast	MF-2(A) Multifamily	Single family houses
South	MF-2(A) Multifamily	Townhouse
Southwest West	CS Commercial Service	Vacant Outside storage of cars
Northwest	CS Commercial Service With SUP No. 588	Nursery, garden shop, or plant sales <i>SUP for Institutions of Charitable and Philanthropic Nature (permanent)</i>

Land Use Compatibility:

The subject site contains 0.34 acres and is currently developed with a single-family home. The existing zoning is a CS Commercial Service District. The purpose of the request is to allow single family uses on the subject property. The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged.

Surrounding land uses include single family to the northeast, east and southeast, and commercial, outside storage of cars, and vacant properties to the northwest, west and southwest. Immediately west of the site is a property that is currently pending City Council approval for a zoning change from CS to MF-2 in order to be developed with townhomes. Immediately south of the property there is a recent townhome development.

The property is a part of a larger tract of CS District zoned parcels next to what has developed into a single-family neighborhood in an MF-2(A) District. Rezoning this parcel would allow the residential development that is the current trend in the neighborhood. Therefore, staff is in support the zoning change request.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: CS	15' 0'	20' adj. to res. (not including A(A)) 0' all others	45'	80%	RPS Visual Intrusion	Commercial and business service, institutional and community service, office, retail and personal service, transportation, utility and public service, and wholesale, distribution and storage uses.
Proposed: MF-2(A)	15'	0' for SF 5-15' Others	36'	60%	RPS 15' spacing between each group of 8 SF units	Residential and institutional and community service uses.

Overall, the most significant changes in development rights would include changing to primarily residential land uses and decreasing both the maximum allowable height and lot coverage requirements.

The following chart indicates where there is a proposed change in the use regulations. All uses being maintained are not shown.

Land Use Comparison:	Proposed	Existing
	MF-2(A)	CS
Use		
Building repair and maintenance shop.		RAR
Bus or rail transit vehicle maintenance or storage facility.		RAR
Catering service.		X
Commercial bus station and terminal.		Check use.
Commercial cleaning or laundry plant.		RAR
Custom business services.		X
Custom woodworking, furniture construction, or repair.		X
Electronics service center.		X
Job or lithographic printing.		RAR
Labor hall.		SUP
Machine or welding shop.		RAR
Machinery, heavy equipment, or truck sales and services.		RAR
Medical or scientific laboratory.		X
Technical school.		X

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Tool or equipment rental.		X
Vehicle or engine repair or maintenance.		RAR
Industrial (inside) for light manufacturing.		X
Adult day care facility.	SUP	X
Child-care facility.	SUP	X
College, university, or seminary.	SUP	X
Convalescent and nursing homes, hospice care, and related institutions.	RAR	
Foster home.	X	
Hospital.	SUP	RAR
Library, art gallery, or museum.	SUP	
Open-enrollment charter school or private school.	SUP	SUP
Public school other than open-enrollment charter school.	SUP	RAR
Extended stay hotel or motel.		SUP
Hotel or motel.		RAR or SUP
Overnight general-purpose shelter.		Check use.
Attached non-premise sign.		SUP
Alternative financial establishment.		SUP
Financial institution without drive-in window.		X
Financial institution with drive-in window.		RAR
Medical clinic or ambulatory surgical center.		X
Office.		X
Country club with private membership.	RAR	X
Private recreation center, club, or area.	SUP	X
Duplex.	X	
Group residential facility.	Check use.	
Handicapped group dwelling unit.	Check use.	
Multifamily.	X	
Residential hotel.	X	
Retirement housing.	X	
Single family.	X	
Alcoholic beverage establishments.		Check use.

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Ambulance service.		RAR
Animal shelter or clinic without outside runs.		RAR
Animal shelter or clinic with outside run.		Check use.
Auto service center.		RAR
Business school.		X
Car wash.		RAR
Commercial amusement (inside).		Check use.
Commercial amusement (outside).		DIR
Commercial motor vehicle parking.		Check use.
Commercial parking lot or garage.		RAR
Convenience store with drive-through.		SUP
Drive-in theater.		SUP
Dry cleaning or laundry store.		X
Furniture store.		X
General merchandise or food store 3,500 square feet or less.		X
General merchandise or food store greater than 3,500 square feet.		X
General merchandise or food store 100,000 square feet or more.		SUP
Home improvement center, lumber, brick or building materials sales yard.		RAR
Household equipment and appliance repair.		X
Liquefied natural gas fueling station.		SUP
Liquor store.		X
Mortuary, funeral home, or commercial wedding chapel.		X
Motor vehicle fueling station.		X
Nursery, garden shop, or plant sales.		X
Paraphernalia shop.		SUP
Outside sales.		SUP
Pawn shop.		X
Personal service uses.		X
Restaurant without drive-in or drive-thru service.		RAR
Restaurant with drive-in or drive-through service.		DIR
Swap or buy shop.		SUP
Taxidermist.		X
Temporary retail use.		X

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Theater.		X
Truck stop.		SUP
Vehicle display, sales, and service.		RAR
Commercial bus station and terminal.		DIR
Heliport.		SUP
Helistop.		SUP
Railroad passenger station.		SUP
Transit passenger station or transfer center.	SUP	Check use.
Commercial radio or television transmitting station.		X
Electrical substation.	SUP	X
Local utilities.		SUP or RAR
Police or fire station.	SUP	X
Post office.		X
Radio, television, or microwave tower.	SUP	RAR
Auto auction.		SUP
Building mover's temporary storage yard.		SUP
Contractor's maintenance yard.		RAR
Freight terminal.		RAR
Manufactured building sales lot.		RAR
Mini-warehouse.		X
Office showroom/warehouse.		X
Outside storage.		RAR
Petroleum product storage and wholesale.		SUP
Recycling buy-back center.		Check use.
Recycling collection center.		Check use.
Sand, gravel, or earth sales and storage.		SUP
Trade center.		X
Vehicle storage lot.		SUP
Warehouse.		RAR
<p><i>X indicates permitted by right.</i> <i>SUP indicates permitted with a Specific Use Permit.</i> <i>RAR indicates permitted, but subject to Residential Adjacency Review.</i> <i>Check use indicates special provisions in Sec.51A-4.200.</i> <i>CBO indicates by authorization of the Chief Building Official.</i></p>		
<p>Alternating color pattern indicates a new category of uses as separated in the Dallas Development Code.</p>		

Parking:

No changes are proposed with this request. Any development of the property must be in accordance with Dallas Development Code, Division 51A-4.200.

Landscaping:

No changes are proposed with this request. Per the Dallas Development Code, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

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. The subject site is located in Category H.

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CPC Action
August 15, 2019

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, on the southeast line of Mail Avenue, southwest of Rural Avenue, and northeast of Harry Hines Boulevard.

Maker: Schulte
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson*, Shidid*,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

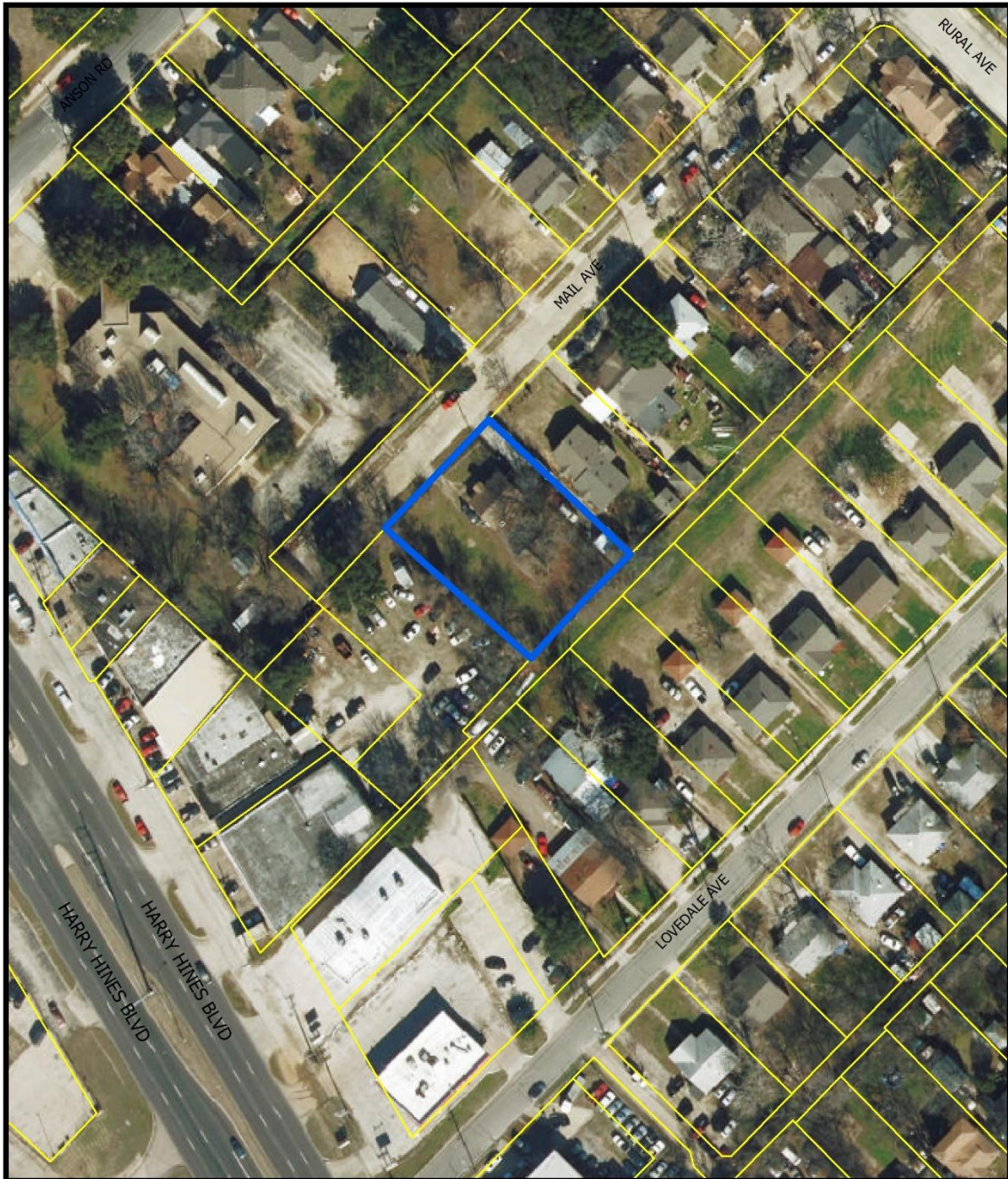
Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 18
Replies: For: 2 Against: 0

Speakers: None



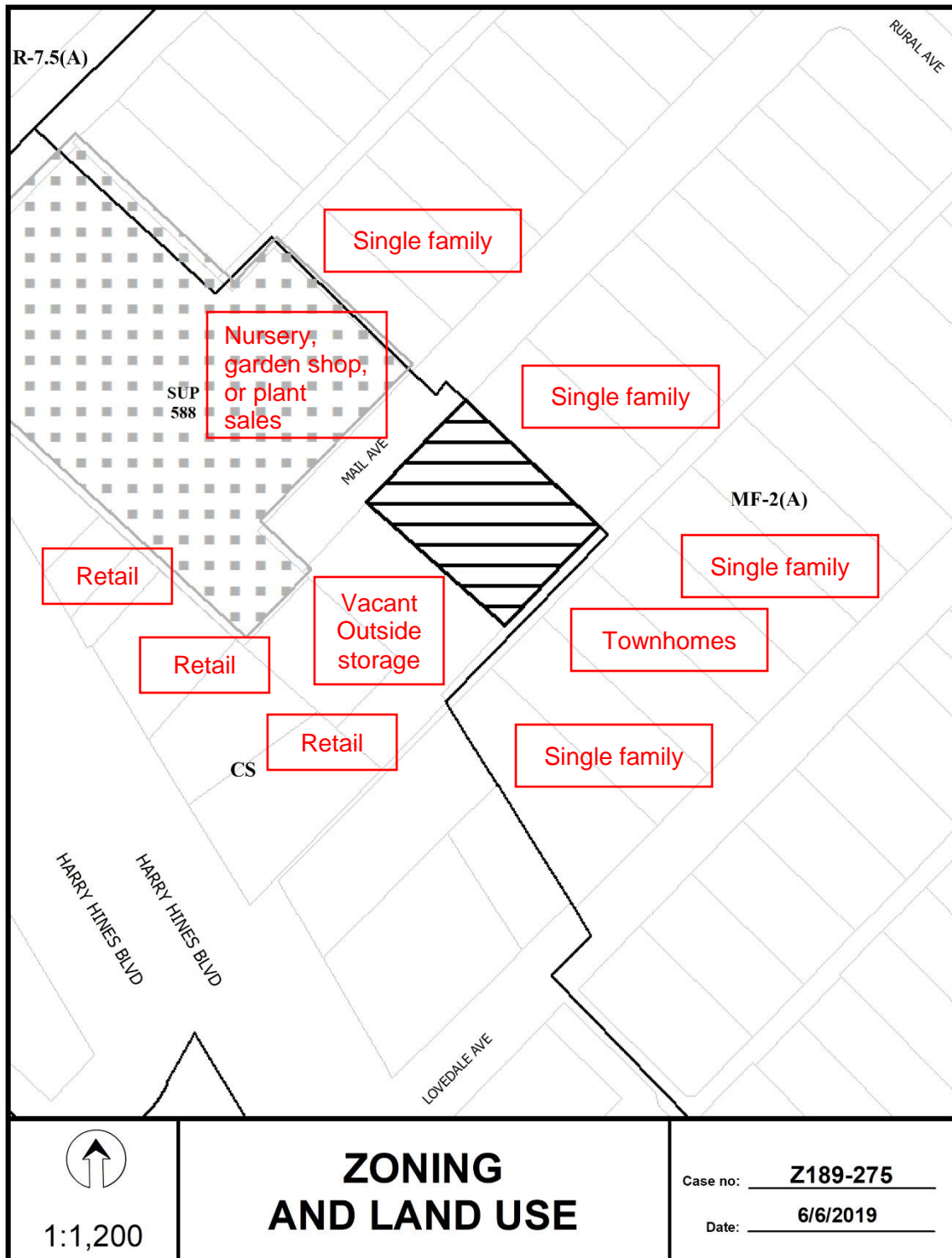


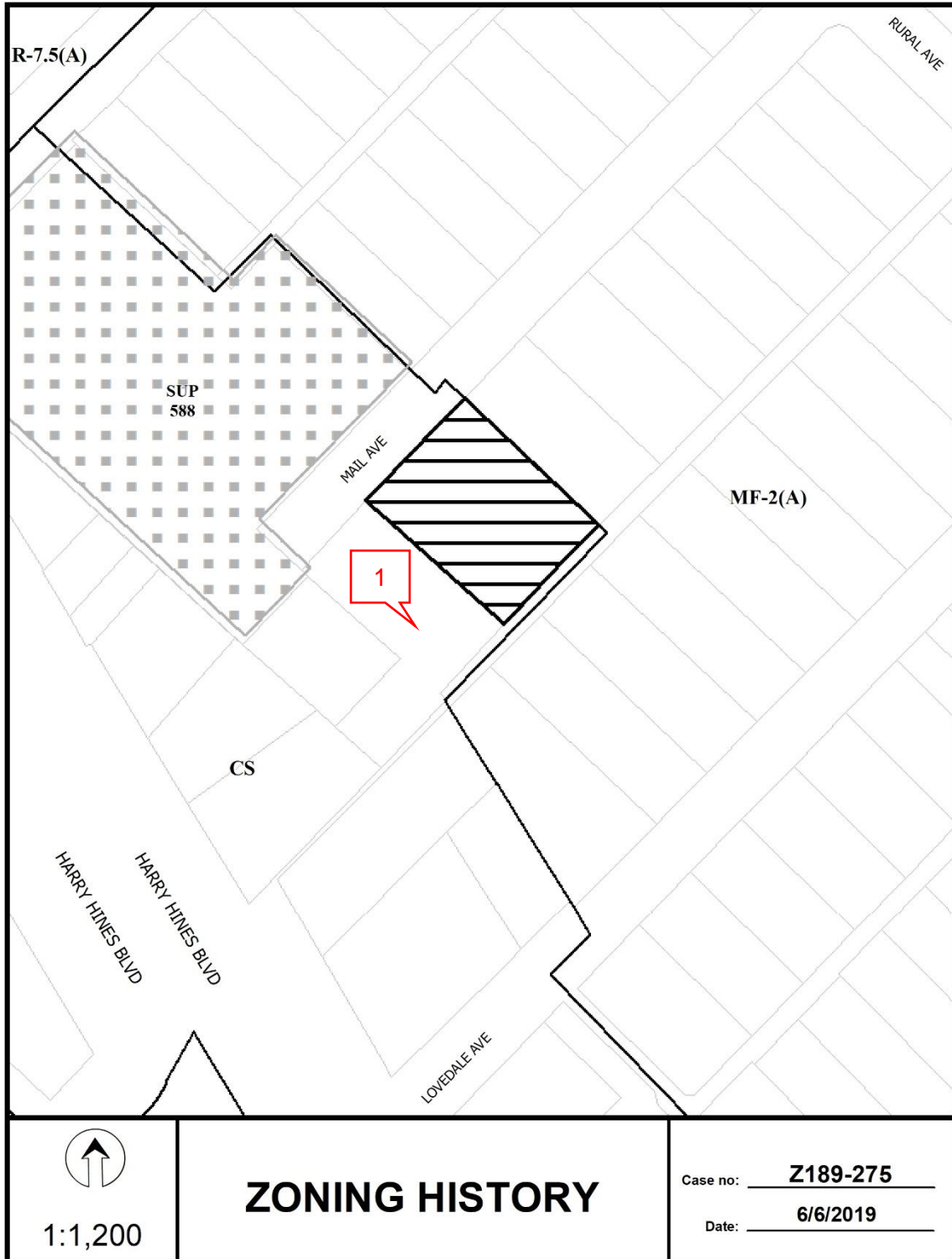
1:1,200

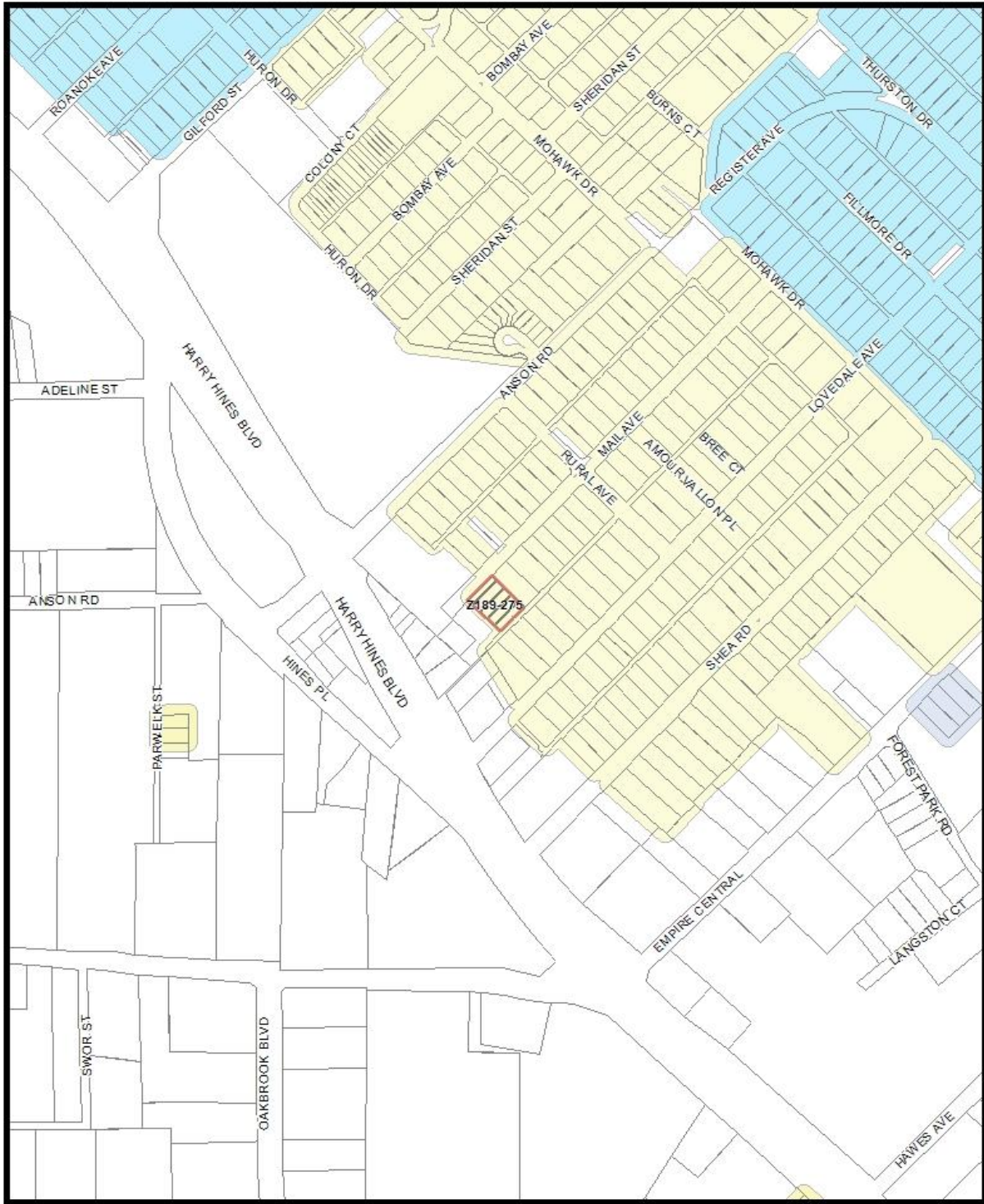
AERIAL MAP

Case no: Z189-275

Date: 6/6/2019







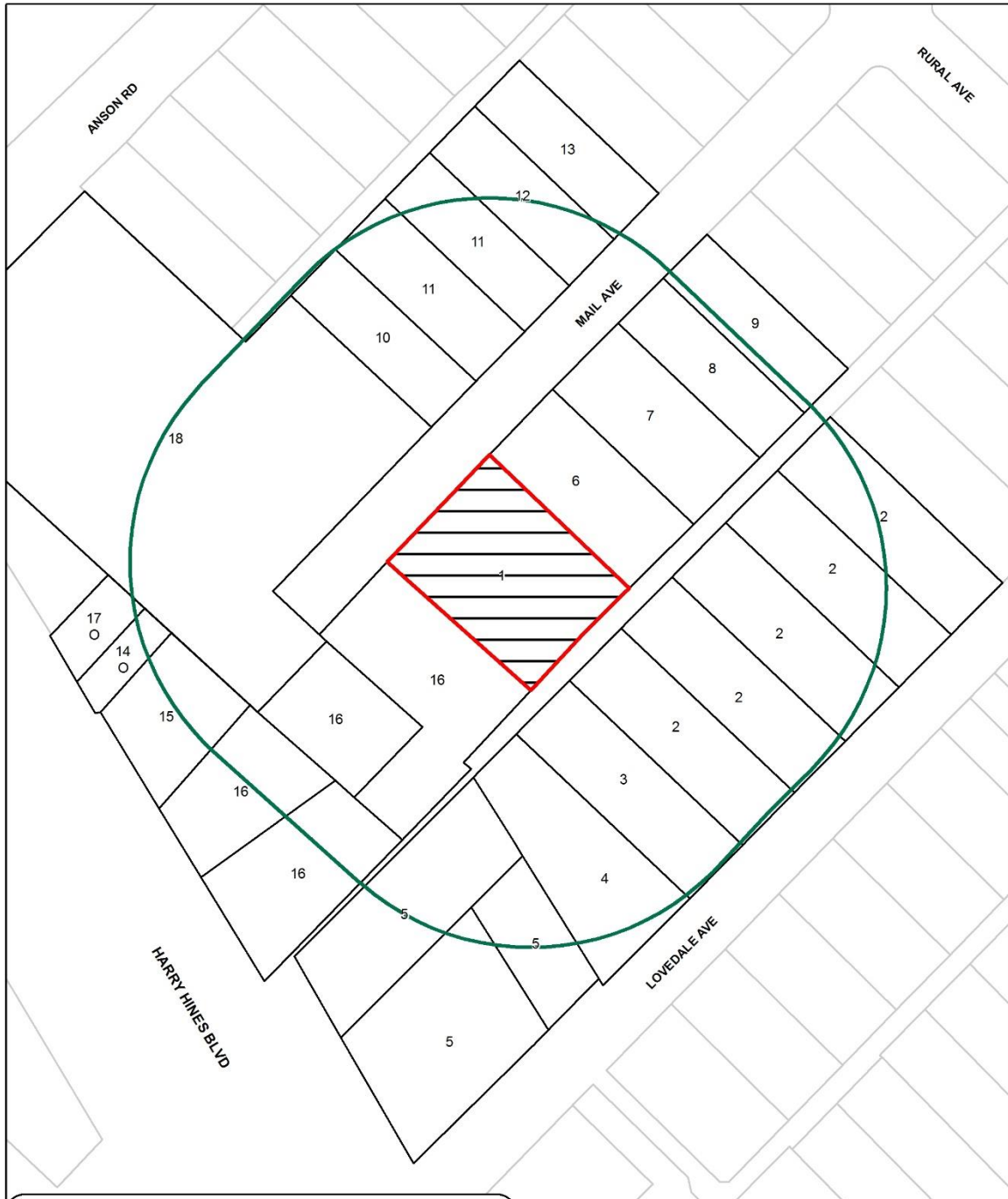
MVAC Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 6/6/2019

CPC Responses



<u>18</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>8/15/2019</u>	Date

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1:1,200

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08/14/2019

Reply List of Property Owners

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18 Property Owners Notified

2 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2130 MAIL AVE	RUBIO GEORGE ETAL
	2	2145 LOVEDALE AVE	LOVEDALE II LTD
	3	2125 LOVEDALE AVE	ACEVEDO GERONIMO &
	4	2121 LOVEDALE AVE	VIELMA HECTOR J JR
	5	2119 LOVEDALE AVE	MIDBELT PROPERTIES LP
	6	2134 MAIL AVE	QUEZADA FERNANDO
	7	2142 MAIL AVE	BUENO ARTURO P
	8	2146 MAIL AVE	VELEZ ELI
	9	2150 MAIL AVE	MARROQUINEZ ANTHONY V J
	10	2135 MAIL AVE	LOPEZ JUAN &
	11	2139 MAIL AVE	UNITED CARPET DISTR INC
	12	2147 MAIL AVE	IVEY E E
	13	2151 MAIL AVE	IVEY HAZEL DELL
O	14	7406 HARRY HINES BLVD	RUBIN CANDACE
	15	7400 HARRY HINES BLVD	RAOUFPOUR SAADAT K
	16	7318 HARRY HINES BLVD	STRATTIN MARIA C
O	17	7408 HARRY HINES BLVD	RUBIN CANDACE
	18	2114 ANSON RD	PTS EQUITY INC