

**FILE NUMBER:** Z234-174(LC)                      **DATE FILED:** February 23, 2024

**LOCATION:** Northwest side of Herrling Street, between South 2nd Avenue and Cross Street

**COUNCIL DISTRICT:** 7

**SIZE OF REQUEST:** 24,829 square feet                      **CENSUS TRACT:** 48113002703

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**OWNER:** Invest in South Dallas, LLC

**APPLICANT:** Anish Thakrar

**REQUEST:** An application for a TH-3(A) Townhouse Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

**SUMMARY:** The purpose of the request is to allow residential uses on the site.

**CPC RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

**STAFF RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District. The property is currently comprised of undeveloped vacant lots (approx. 24,829 square feet total in size).
- Geographically located in the South Dallas neighborhood.
- These are 3 adjacent lots with frontage only on Herrling Street.
- The purpose of the request is to rezone the property to a TH-3(A) Townhouse Subdistrict to allow for duplex residential use.
- To accomplish this, the applicant is requesting a general zoning change.

**Zoning History:**

There has been one zoning case in the area in the last five years.

1. **Z190-207:** On September 9, 2020, City Council approved An application of a D(A) Duplex Subdistrict with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, located on the Southeast side of Herrling Street, northeast of 2nd Avenue.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing/Proposed ROW</b>
Herrling Street	Local Street	-
South 2nd Street	Community Collector	60 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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 land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.2** Focus on Southern Sector development opportunities.

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**GOAL 1.2** PROMOTE DESIRED DEVELOPMENT

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

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.1** Create housing opportunities throughout Dallas.

**ECONOMIC ELEMENT**

**GOAL 2.1** PROMOTE BALANCED GROWTH

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**Policy 2.1.3** Support efforts to grow retail and residential opportunities in the Southern Sector.

**GOAL 2.2** ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

**Policy 2.2.2** Maximize development opportunities around DART stations.

**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 5.1** PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

**Policy 5.1.3** Encourage complementary building height, scale, design and character.

**GOAL 5.2** STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

**Policy 5.2.1** Maintain neighborhood scale and character.

**GOAL 5.3** ESTABLISHING WALK-TO CONVENIENCE

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

**NEIGHBORHOOD PLUS**

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

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 595 with Subdistrict R-5(A)	Undeveloped vacant lots
<b>North</b>	PD No. 595 with Subdistrict R-5(A)	Single Family
<b>South</b>	PD No. 595 with Subdistrict R-5(A) & D(A)	Single Family
<b>East</b>	PD No. 595 with Subdistrict R-5(A), D(A) with deed restrictions [Z190-207]	Single Family
<b>West</b>	PD No. 595 with Subdistrict NC(E), Tract 1	Commercial Retail

**Land Use Compatibility:**

The area of request is currently three undeveloped vacant lots (approx. 24,829 square feet total in size), zoned an R-5(A) Single Family Subdistrict within PD No. 595.

To the north, east and south of the property are single family uses. To the west of the property are existing commercial retail uses. With this area being under development, the amount of existing residential uses in the immediate area and a similar use on the same block directly adjacent to the subject property, staff finds the applicant’s request to be appropriate and compatible with the surrounding area.

Staff supports the applicant’s request and finds the proposed rezoning to be appropriate for this area as it would fit the existing fabric of the neighborhood and the applicant is volunteering deed restrictions to the max height of any proposed buildings to ensure compatibility with the surrounding area, as well as the existing underlying subdistrict of R-5(A). Additionally, the request is found to be appropriate as there is already existing D(A) zoning and duplex uses directly adjacent to the subject site on Herrling Street. This compatibility is further reflected in the development standards comparison table below.

**Development Standards**

The following is a comparison chart of the development standards for the current R-5(A) Subdistrict and the proposed TH-3(A) Subdistrict.

District	Setback		Density	Height	Lot Cvrg	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-5(A)	20' <sup>1</sup>	5'	1 du/5,000 sq. ft.	30'	45%		Single family
Proposed: TH-3	0' <sup>1</sup>	SF: 0' Duplex: 5' side/10' rear Other: 10'	12 du/ac (3,630 sf avg per du) 2,000 sf min lot size <sup>2</sup>	36' <sup>3</sup>	60% res 25% nonres		Single family, duplex

<sup>1</sup> Per [Sec. 51A-4.401\(a\)\(6\)](#), if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement. So, the lots in the area of request would be subject to a 20-foot front yard due to the adjacent R-5(A) Subdistrict lots.

<sup>2</sup> The TH-3(A) Subdistrict does not permit more than 12 dwelling units per acre, which requires an average lot size of 3,630 square feet per dwelling unit. However, per permitting staff, the minimum lot size for residential use controls over the maximum dwelling unit density. The minimum lot size is 6,000 square feet. As each of the lots in the area of request is at least 6,000 square feet, a duplex would be permitted on each of the lots.

<sup>3</sup> The applicant has volunteered deed restrictions restricting maximum height to 30 feet to comply with the 30-foot maximum height of the adjacent R-5(A) Subdistrict lots, 20' front yard setback and reduced lot coverage of 45%.

**Landscaping:**

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended, and PD No. 595.

**Parking:**

In a TH District, required off-street parking for a single family or a duplex use is two spaces per dwelling unit. The applicant would be required to comply with standard parking ratios at permitting.

**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 target intervention strategies more precisely 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 (A through C) to orange, representing the weakest markets (G through I). The area of request is currently in an "H" MVA area. To the north, south, east and west of the site is the "H" MVA area.

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**List of Officers**

Invest in South Dallas, LLC

Anish Thakrar, President

**CPC Action  
September 19, 2024**

**Motion:** It was moved to recommend **approval** of a TH-3(A) Townhouse Subdistrict, subject to deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northwest side of Herrling Street, between South 2nd Avenue and Cross Street.

Maker: Wheeler-Reagan  
Second: Herbert  
Result: Carried: 12 to 0

For: 12 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Wheeler-Reagan, Blair, Housewright, Hall, Kingston, Rubin

Against: 0  
Absent: 2 - Sleeper, Eppler  
Vacancy: 1 - District 12

**Notices:** Area: 200 Mailed: 28  
**Replies:** For: 0 Against: 0

**Speakers:** For: Anish Thakrar, 3208 Cole Ave., Dallas, TX, 75204  
Against: None

**CPC Action  
July 11, 2024**

**Motion:** In considering an application for a TH-3(A) Townhouse Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northwest side of Herrling Street, between South 2nd Avenue and Cross Street, it was moved to **hold** this case under advisement until September 5, 2024.

Maker: Rubin  
Second: Hampton  
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Blair, Housewright, Eppler, Haqq, Hall, Kingston, Rubin



Against: 0  
Absent: 2 - Wheeler-Reagan, Sleeper  
Vacancy: 0

**Note: The Commission heard Zoning Cases - Consent agenda Item #9. ID #24-2123, Z234-178(MB) next.**

Reconsideration

**Motion to Reconsider:** It was moved to **authorize** reconsideration of the action taken earlier on July 11, 2024, in which was to hold the case under advisement until September 5, 2024.

Maker: Blair  
Second: Rubin  
Result: Carried: 15 to 0

For: 15 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Wheeler-Reagan, Blair, Sleeper, Housewright, Eppler, Haqq, Hall, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 0

**Reconsideration Motion:** In considering an application for a TH-3(A) Townhouse Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northwest side of Herrling Street, between South 2nd Avenue and Cross Street, it was moved to **hold** this case under advisement until September 19, 2024.

Maker: Wheeler-Reagan  
Second: Rubin  
Result: Carried: 15 to 0

For: 15 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Wheeler-Reagan, Blair, Sleeper, Housewright, Eppler, Haqq, Hall, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 0

Z234-174(LC)

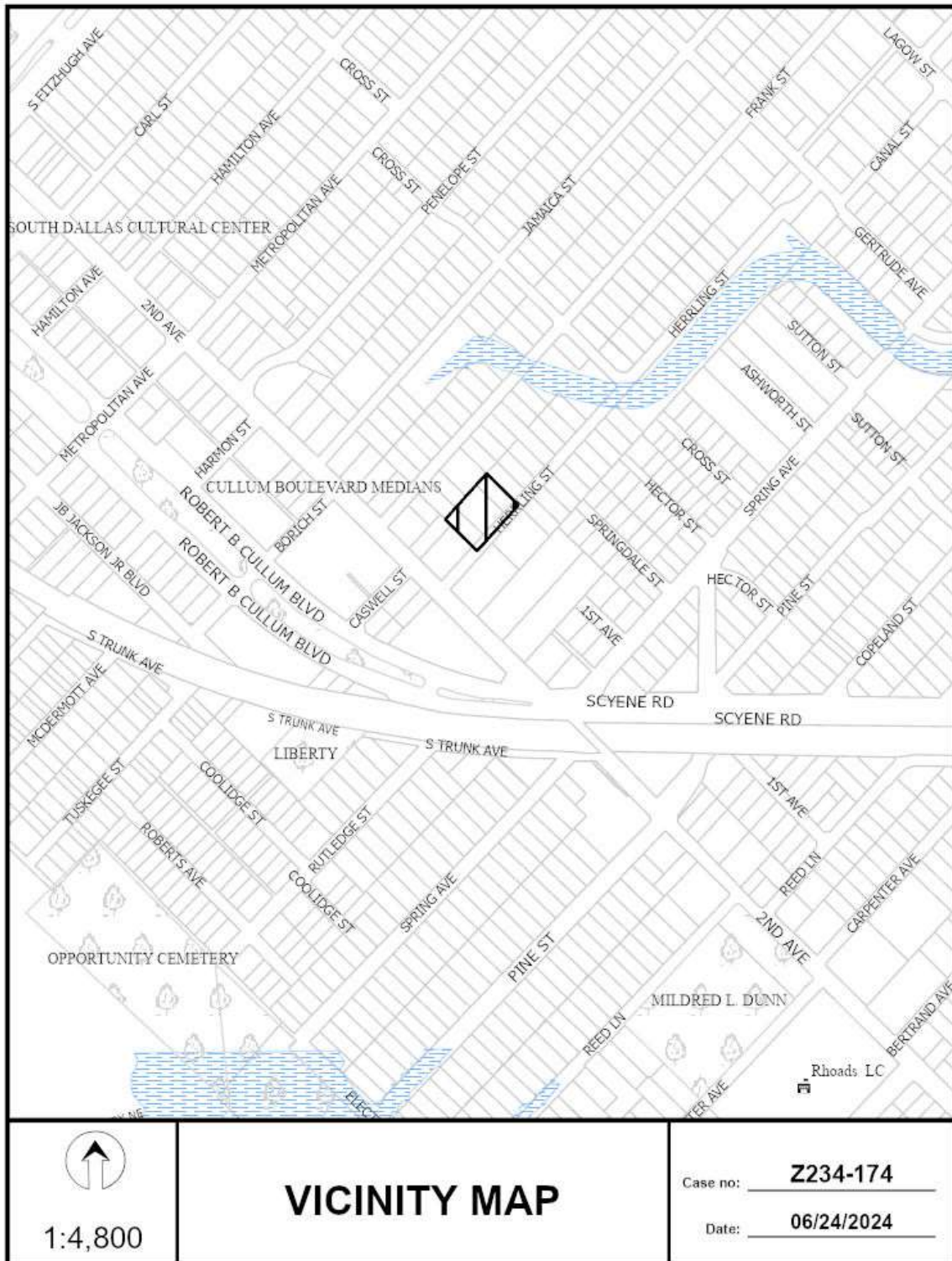
<b>Notices:</b>	Area: 200	Mailed: 28
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** For: Neil Desai, 3515 Hurling St., Dallas, TX, 75210  
Against: None

**APPLICANT'S VOLUNTEERED DEED RESTRICTIONS**

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Maximum height is 30 feet.
2. Maximum lot coverage is 45 percent.
3. Minimum front yard is 20 feet.
4. The property is limited to a maximum of two dwelling units.



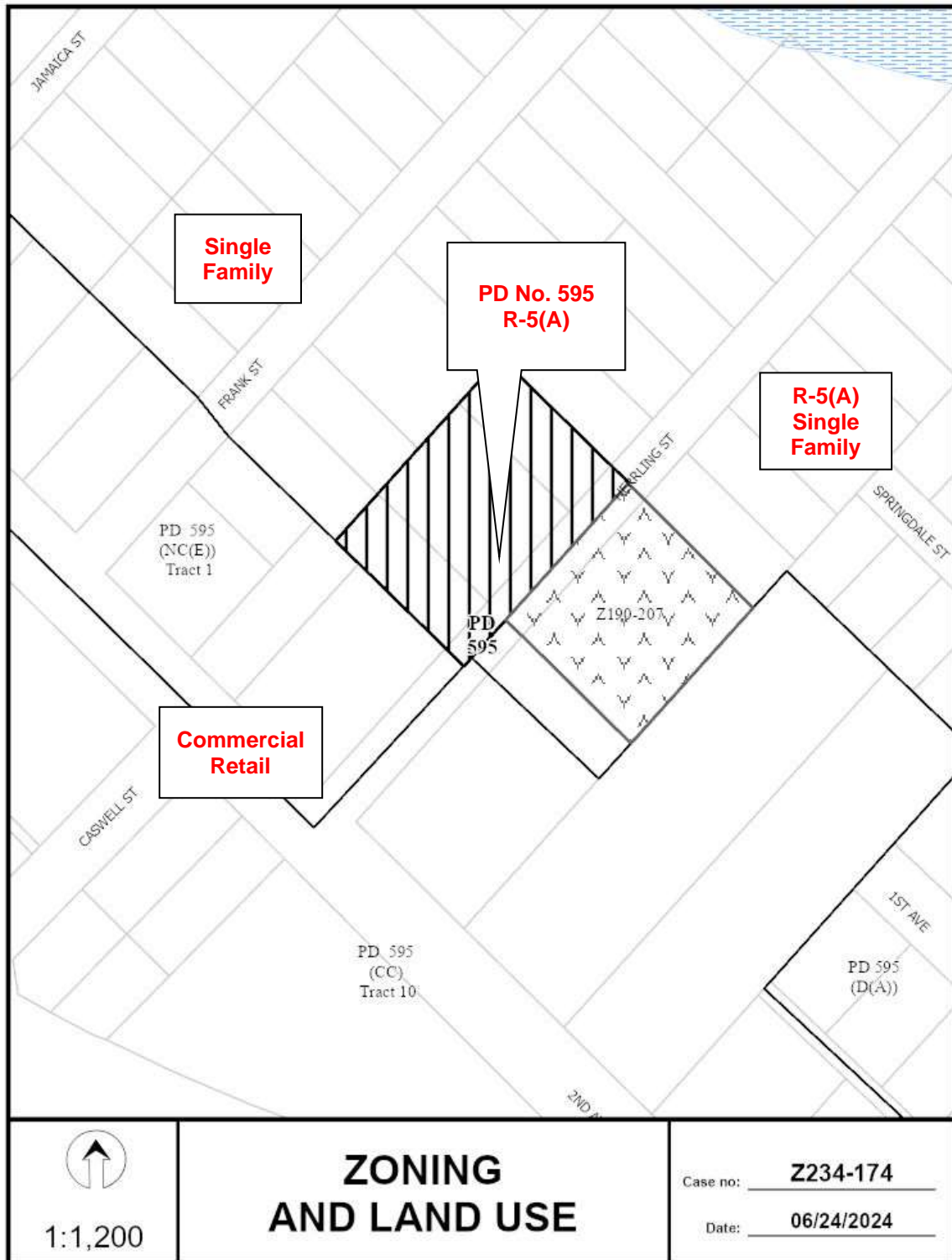


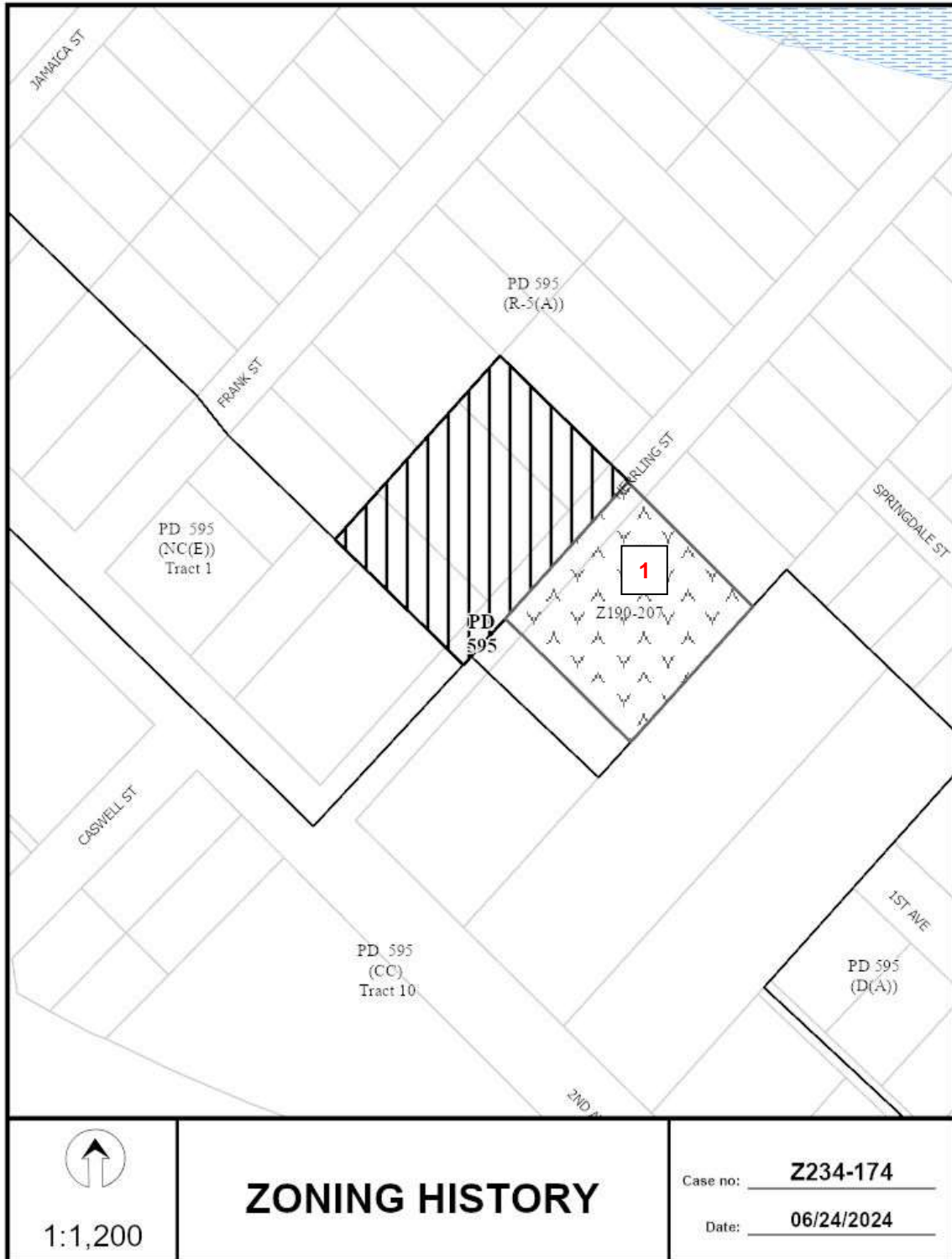
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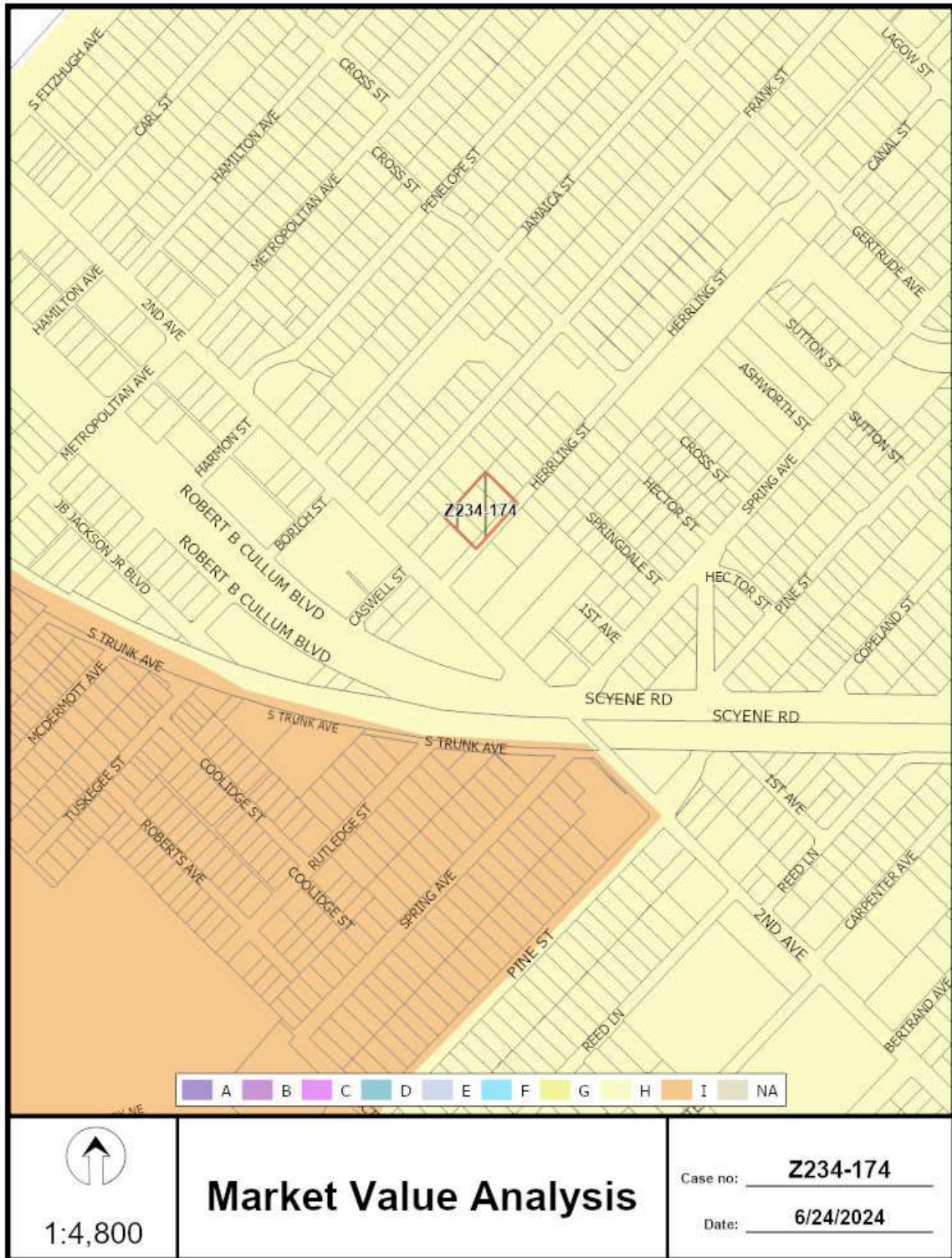
# AERIAL MAP

Case no: Z234-174

Date: 06/24/2024











<u>28</u>	Property Owners Notified (36 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>9/19/2024</u>	Date

Z234-174  
CPC



1:1,200

09/18/2024

***Reply List of Property Owners******Z234-174******28 Property Owners Notified    0 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>
1	3527	HERRLING ST	MOSES REALTY LLC
2	2514	2ND AVE	SIMMONS KENNY
3	3515	FRANK ST	JAMES DON S
4	3519	FRANK ST	JAMES DONNIE S
5	3523	FRANK ST	JONES BETTY LOIS
6	3527	FRANK ST	MENDOSA ALEJANDRINA CRUZ
7	3531	FRANK ST	PEREZ GUSTAVO & JANNET ALVAREZ
8	3603	FRANK ST	PHAM TIEN THOMAS QUANG
9	2524	2ND AVE	HENDLEY JAMES G &
10	3510	FRANK ST	MORELAND ESTER MAE &
11	2542	2ND AVE	DAVIS ROBERT E JR & D'ANN
12	2536	S 2ND AVE	DAVIS ROBERT E JR & D'ANN
13	3522	FRANK ST	ROSS MARY LF ESTAT
14	3530	FRANK ST	3 SAM LLC
15	3602	FRANK ST	DAWSON DOROTHY LIFE EST
16	3604	FRANK ST	CLARKSON AARON
17	3610	FRANK ST	DALLAS HOUSING ACQUISITION &
18	3615	HERRLING ST	WILLIAMS SHANTAE
19	3605	HERRLING ST	JMD HOLDINGS LLC
20	3529	HERRLING ST	COUCH PROPERTIES LLP
21	2616	2ND AVE	HOLY GROVE MISSIONARY BAPTIST CH
22	3522	HERRLING ST	INVEST IN SOUTH DALLAS LLC
23	3530	HERRLING ST	WISEHOUSE INVESTMENT GROUP LLC
24	2702	S 2ND AVE	2702 SECOND AVE LLC
25	2707	SPRINGDALE ST	PROSOURCE TRUSTED LP
26	2703	SPRINGDALE ST	GOOD URBAN DEVELOPMENT LLC

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09/18/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3514 FRANK ST	LOPEZ GERARDO
	28	3518 FRANK ST	2310 ROCK STREET LLC