

FILE NUMBER: Z212-280(JM) **DATE FILED:** June 14, 2022
LOCATION: Southwest corner of North Jim Miller Road and Elam Road
COUNCIL DISTRICT: 8
SIZE OF REQUEST: ± 0.310 acres **CENSUS TRACT:** 48113009304

APPLICANT/OWNER: Fuad Hamed [Sole Owner]

REQUEST: An application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes a multifamily development.

CPC RECOMMENDATION: Denial without prejudice.

STAFF RECOMMENDATION: Approval.

Multifamily Districts [Ref. Sec. 51A-4.116(a) for MF-1(A)]:

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-76262

Single Family Districts [Ref. Sec. 51A-4.112(f) for R-7.5(A)]:

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-75376

BACKGROUND INFORMATION:

- The area of request is zoned an R-7.5(A) Single Family District and consists of an undeveloped tract of land with about 13,513.05 square feet.
- The initial zoning change request was for a CR Community Retail District; however, based on development goals for the property, the applicant amended the application to a request for an MF-1(A) Multifamily District.
- The applicant is requesting the rezoning of the property to an MF-1(A) Multifamily District to develop it with a multifamily use. Since the site is not platted, the legal build site exemptions and/or platting requirements will apply once the zoning is established (see [Sec. 51A-4.601](#) and [Sec. 51A-8.100](#)).

Zoning History:

There have been no recent zoning changes requested in the area within the past five years

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Jim Miller Road	Minor Arterial, M-6-D(A)	Variable/100 feet
Elam Road	Principal Arterial, M-6-D(A)	60 feet/100 feet

Traffic:

The Engineering Division of 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.

Comprehensive Plan

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent with the following 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.

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.

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.

- New development should be appropriate to the context of its location in density, intensity, and size, particularly when adjacent to existing residential areas, historic or conservation districts.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD PLUS

GOAL 4.3 ENHANCE NEIGHBORHOOD DESIRABILITY BY IMPROVING INFRASTRUCTURE, HOUSING STOCK, RECREATION, AND SAFETY.

GOAL 6.2 EXPAND AFFORDABLE HOUSING OPTIONS AND ENCOURAGE ITS DISTRIBUTION THROUGHOUT THE CITY AND REGION.

	Zoning	Land Use
Site	R-7.5(A) Single Family District	Undeveloped
North	R-7.5(A) Single Family District	School, undeveloped, and church
East	MF-2(A) Multifamily District	Multifamily
South	R-7.5(A) Single Family District	Single family and undeveloped
West	R-7.5(A) Single Family District	Single family and undeveloped

Land Use Compatibility:

The site is comprised of an unplotted tract of land with over 13,513 square feet of area zoned an R-7.5(A) Single Family District. The site is undeveloped. The oldest Historic Aerials indicate the property has remained undeveloped for over 70 years. The applicant is seeking to develop the property with a townhouse-style multifamily use. Surrounding land uses include a public school, undeveloped, and churches to the north; multifamily to the east; and single family and undeveloped lots to the south and west.

The site is located at the edge of a single-family subdivision; however, it remains unplotted and undeveloped. Furthermore, the property fronts North Jim Miller Road and Elam Road, both major thoroughfares. If the site requires platting, additional right-of-way and a corner clip at the intersection of the two thoroughfares will be required, further reducing the site and restricting the development of this parcel. The applicant has requested the MF-1(A) District to maximize the remaining lot area and in hopes of meeting the legal build site requirements and avoiding platting.

The proposed zoning is intended to provide additional housing options within the neighborhood. While this block is largely composed of single-family zoning and uses or undeveloped lots, the adjacent block to the east is a multifamily development. The need for infill as an opportunity for gentle density at the fringe of the established single-family neighborhood is supported by the comprehensive plan, planning principles, and is generally compatible with the surrounding land uses. Although a general zoning change does not guarantee a particular use or type of development on a property, the proposed MF-1(A) District adds five additional residential uses beyond those uses already permitted under the current zoning classification of the request site. These include:

1. College dormitory, fraternity, or sorority house.
2. Duplex.
3. Group residential/handicapped group residential.
4. Multifamily.
5. Retirement housing.

Staff supports the requested zoning change and finds that the proposed development will enhance the neighborhood's desirability with improved infrastructure, a moderate increase in density, and an additional housing choice with access to neighborhood parks and schools.

Development Standards:

The following is a comparison table showing differences in development standards between the current R-7.5(A) District and the proposed MF-1(A) Multifamily District.

District	Setbacks		Height	Lot Coverage ¹	Density/FAR	Special Standards
	Front	Side/Rear				
Existing: R-7.5(A)	25'	5'/10' single family 10'/15' for other permitted structures	30' No max stories	45% for residential structures 25% for nonresidential structures	No max density; however, a single family use is defined as one dwelling per lot. No max FAR Min lot area for residential use is 7,500 sq. ft.	FYSB Continuity
Proposed: MF-1(A) Multifamily	15' Block continuity applies	0'/0' single family 5'/10' for duplex 10'/15' for other permitted structures	36' No max stories	60% for residential structures, 25% for nonresidential structures	No max density; however, the lot area increases by bedroom count. No max FAR	FYSB Continuity RPS

¹Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

While properties in the R-7.5(A) District do not have to comply with the residential proximity slope (RPS) requirements for additional setback of structures over 26-feet-in-height, removing this property from the district makes the RPS from the originating R-7.5(A) District remaining, applicable to the subject site. This means that the multifamily development on the site as proposed will only reach the height of 36 feet permitted by the proposed MF-1(A) District if the structures on the lot are appropriately setback according to the 3:1 ratio for properties in the R(A) Districts. For every one-foot over 26-feet-in-height, the proposed structures would have to setback three feet.

In this specific case, the site has adjacency to the R(A) District to the north, south, and west. The property is encumbered with two front yards to maintain block continuity due to the orientation of lots on both North Jim Miller Road and Elam Road. This means that structures have a minimum setback of 15 feet from the property line, which is also the proposed dividing line with the R-7.5(A) District. At the setback line the proposed structures could begin with a height of 31 feet (26 plus the 15/3). At the two side yards adjacent to the R-7.5(A) District to the west and south, the setback is 10 feet. At the setback line the proposed structures could begin with a height of 29 feet (26 plus the 10/3). In both instances, for each additional three feet of setback provided, the structures may increase one-foot in height.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X of the Dallas Development Code, as amended. If the proposed MF-1(A) District is granted, the applicant was made aware of the residential buffer adjacency requirement for the proposed “other use” as identified in Article X. A landscape area must be provided along that portion of the perimeter of a lot where residential adjacency exists. The residential buffer zone must have an average depth of 10 feet, a minimum depth of five feet, and a maximum depth of 30 feet. No portion of the residential buffer zone may exceed 10 percent of the lot depth excluding paved surfaces at points of vehicular and pedestrian ingress or egress.

Parking:

Off-street parking must be provided in accordance with Division 51A-4.200 for all uses to be located on the property. For a multifamily use, one off-street parking space is required per bedroom and one additional quarter space per dwelling unit for guest parking are required (See [Sec. 51A-4.209\(b\)\(5\)](#)).

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 strengths or weaknesses. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA cluster; however, it is adjacent to a “G” MVA Cluster to the south and across North Jim Miller Road to the east.

CPC Action
March 23, 2023

Motion: It was moved to recommend **denial without prejudice** of an MF-1(A) Multifamily District on property zoned anR-7.5(A) Single Family District, at the southwest corner of North Jim Miller Road and Elam Road.

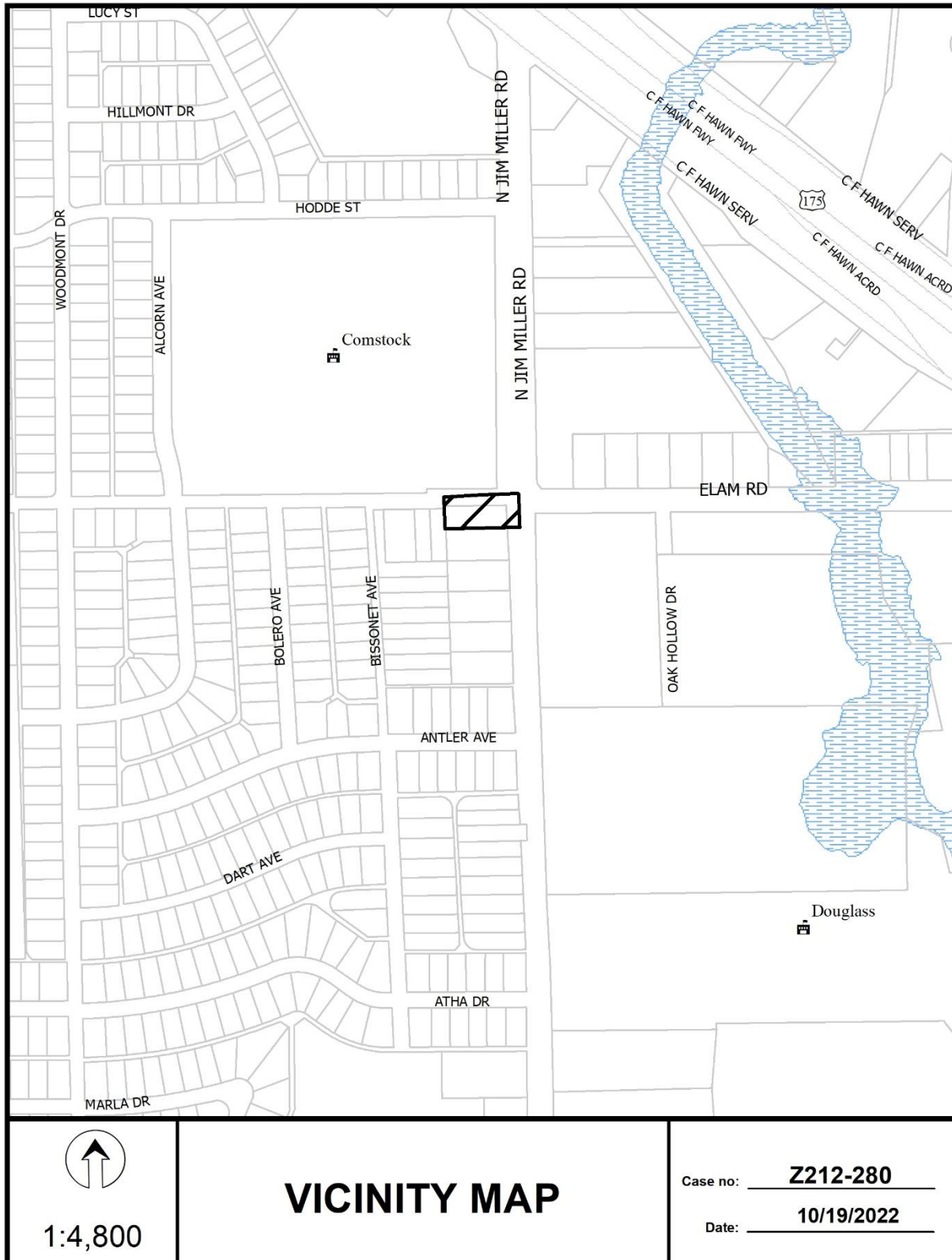
Maker: Blair
Second: Wheeler-Reagan
Result: Carried: 9 to 3

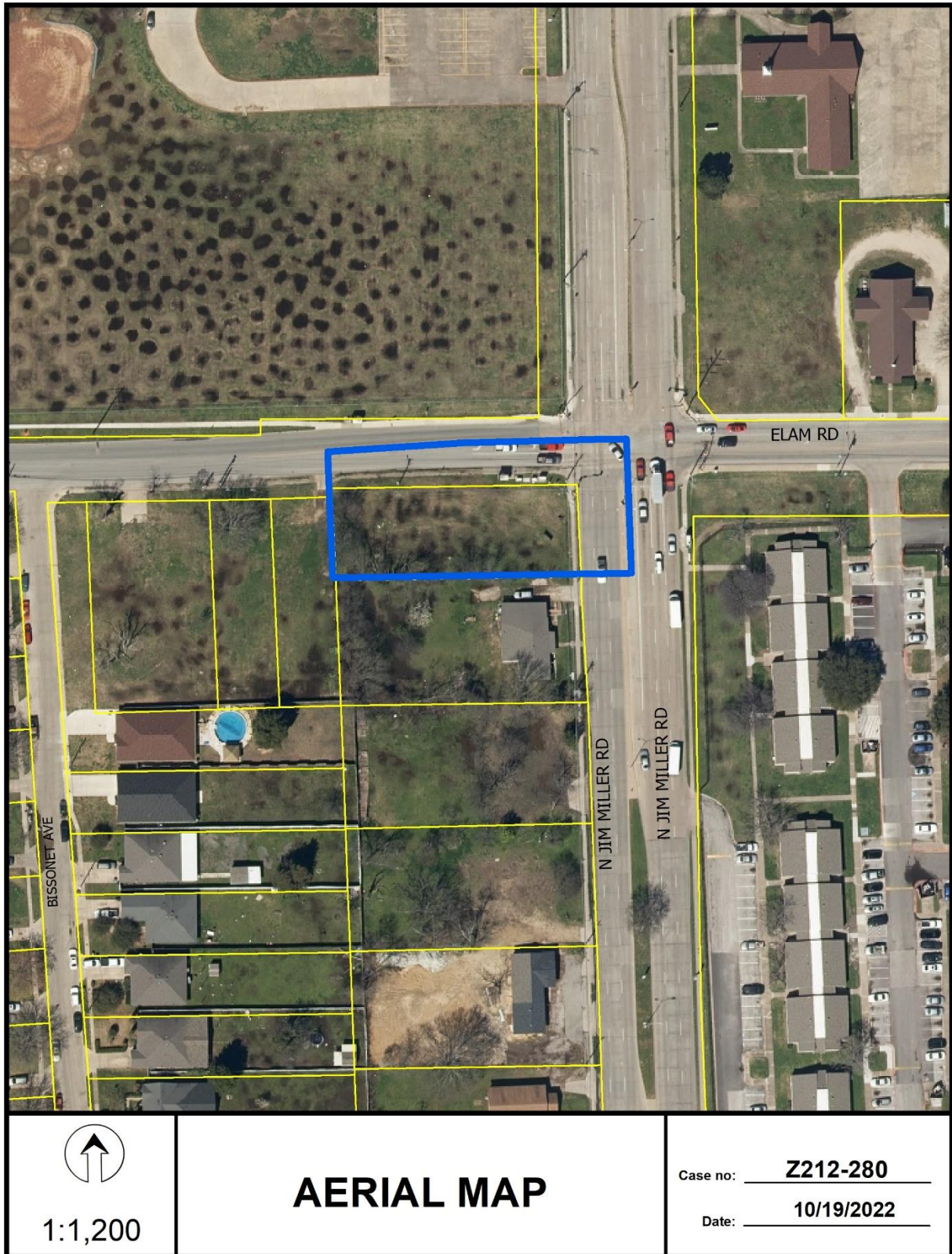
For: 9 - Hampton, Herbert, Anderson, Carpenter,
Wheeler-Reagan, Blair, Jung, Treadway,
Kingston

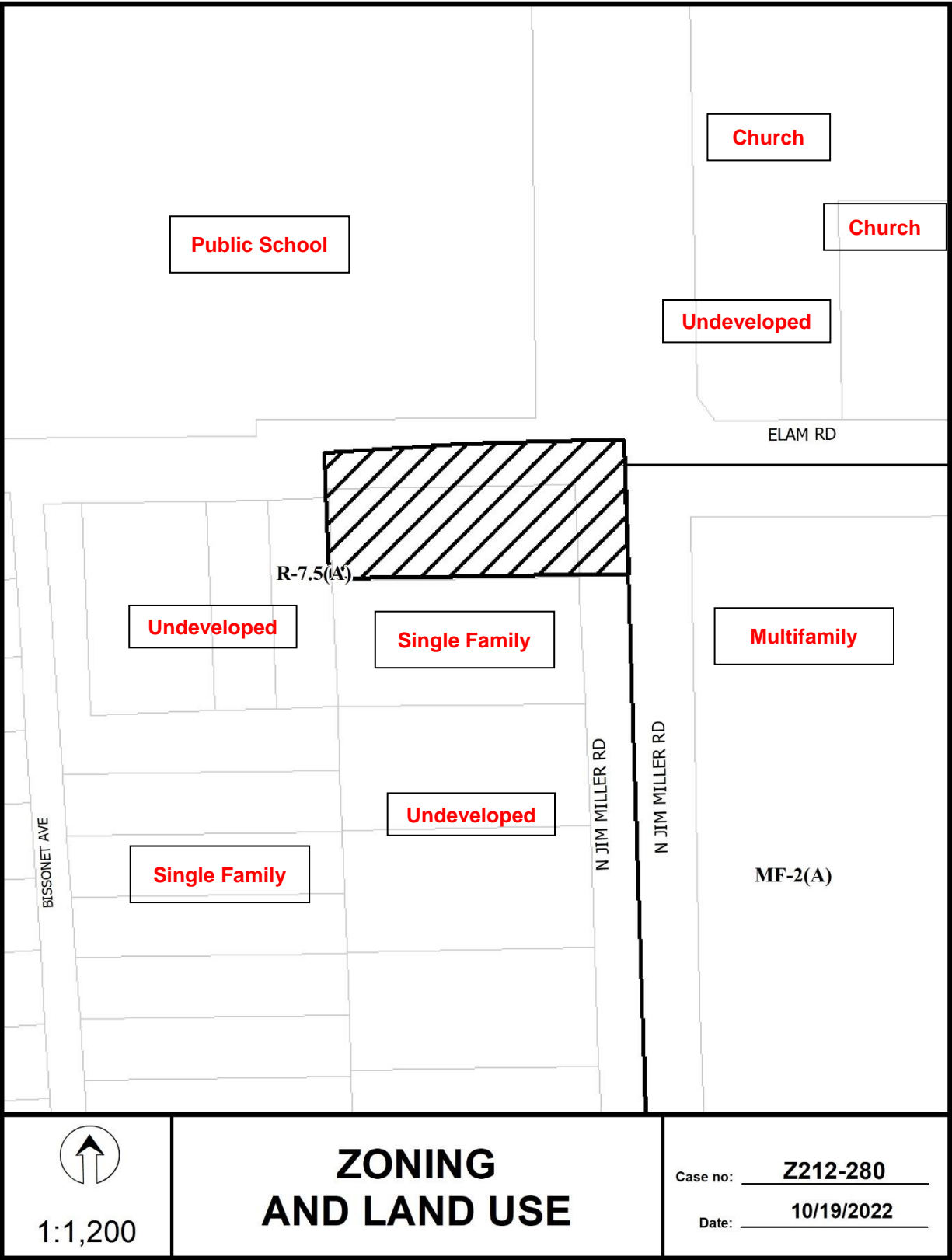
Against: 3 - Shidid, Haqq, Rubin
Absent: 2 - Housewright, Stanard
Vacancy: 1 - District 1

Notices:	Area: 200	Mailed: 10
Replies:	For: 0	Against: 0

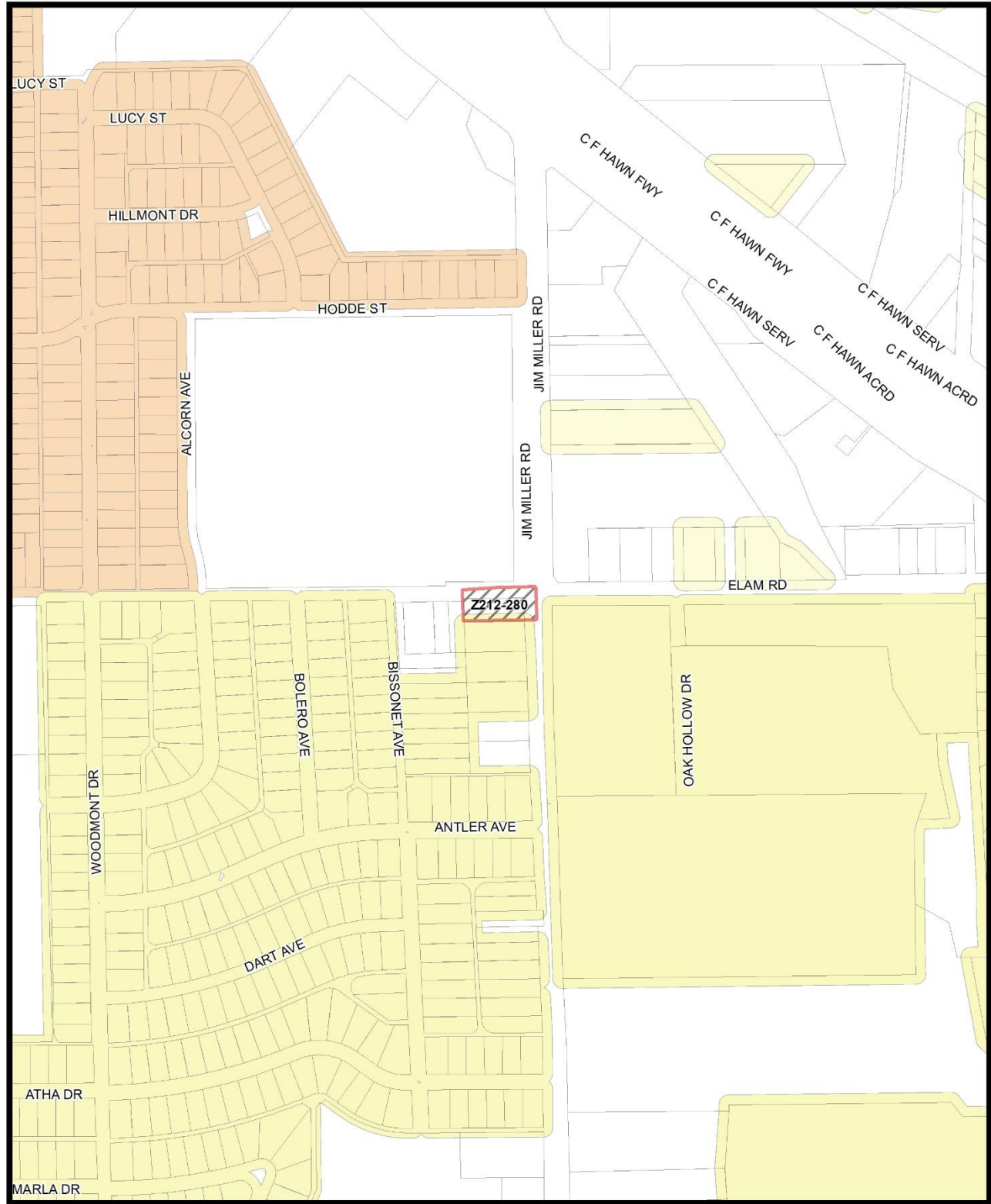
Speakers: None







Z212-280(JM)



MVACluster A B C D E F G H I NA

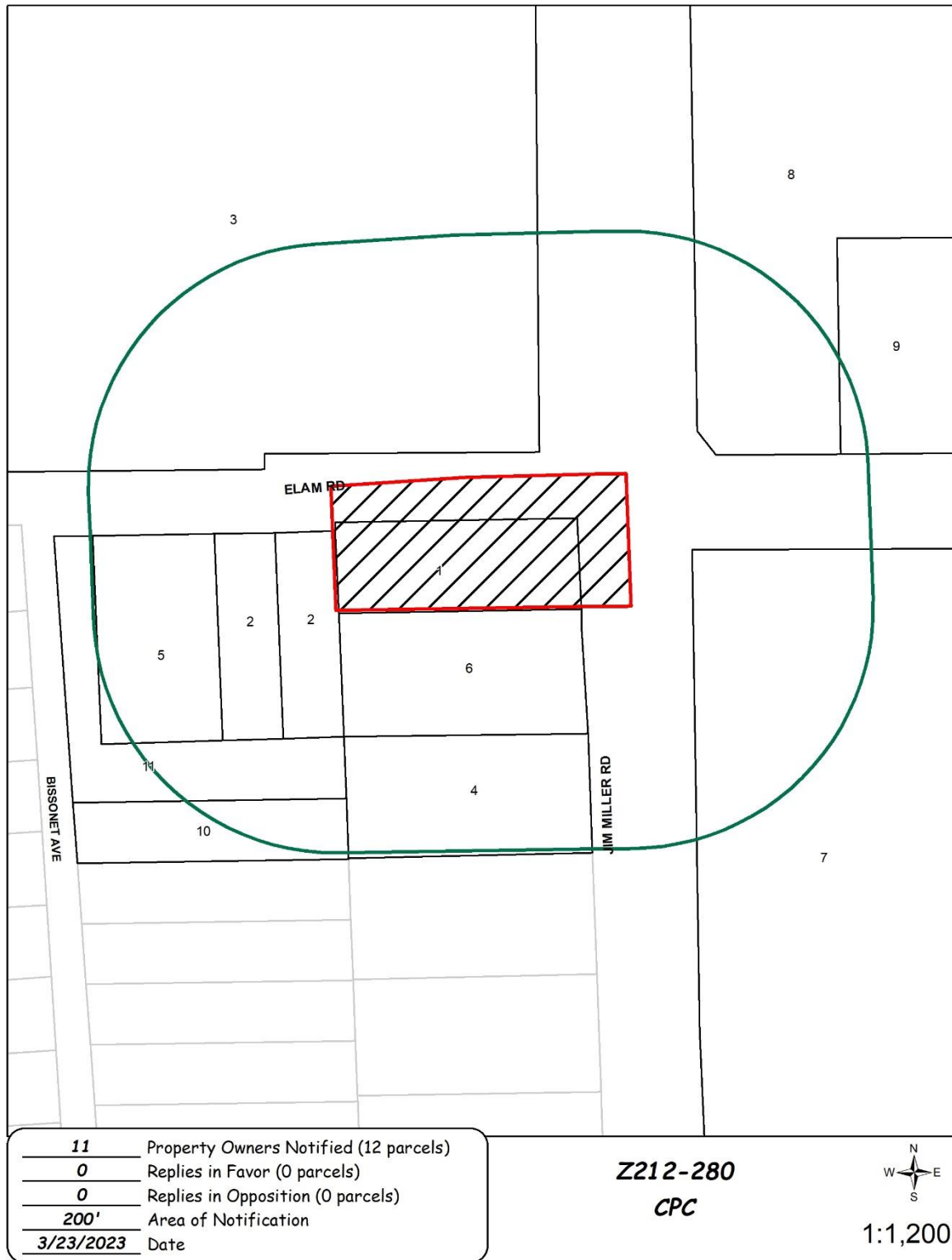


1:4,800

Market Value Analysis

Printed Date: 10/19/2022

CPC RESPONSES



03/22/2023

Reply List of Property Owners

Z212-280

11 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	451	N JIM MILLER RD	HAMED FUAD
2	7014	ELAM RD	PEREZ MARIA DEJESUS &
3	7044	HODDE ST	Dallas ISD
4	441	JIM MILLER RD	MILLER LEROY
5	7006	ELAM RD	GREAT COMMISSION
6	447	S JIM MILLER RD	HICKS DAISY
7	7250	ELAM RD	7250 ELAM ROAD LLC
8	516	N JIM MILLER RD	GOODWILL BAPTIST CHURCH
9	7115	ELAM RD	ELAM ROAD CHURCH OF THE LIVING GOD
10	442	BISSONET AVE	HARRIS RENE
11	446	BISSONET AVE	PEDROZA BRENDA &