

**FILE NUMBER:** Z245-182(MB) **DATE FILED:** March 14, 2025

**LOCATION:** East line of Darien Street, south of Canada Drive

**COUNCIL DISTRICT:** 6

**SIZE OF REQUEST:** Approx. 6,098 sq. ft. **CENSUS TRACT:** 48113010101

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**REPRESENTATIVE:** Audra Buckley

**OWNER/APPLICANT:** Mary Jane Fogarty [R Brothers Homes LLC]

**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 permit residential uses.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned a CR Community Retail District and is undeveloped.
- The surrounding area is primarily zoned R-5(A) Single Family. The nearby lots zoned CR Community Retail are either churches or undeveloped. The remainder of the area is developed with single family houses.
- The applicant wishes to develop a single family house on the site, as such they request an R-5(A) Single Family District.
- On May 22, 2025, CPC recommended approval.

**Zoning History:**

There have been four zoning cases in the area within the last five years:

1. **Z201-136:** On September 22, 2021, City Council approved an application for an R-5(A) Single Family District on property zoned CR Community Retail District with consideration given to a Planned Development District for R-5(A) Single Family District uses on the north line of Canada Drive, between Darien Street and Finis Street.
2. **Z201-313:** On December 8, 2021, City Council approved an application for an R-5(A) Single Family District on property zoned CR Community Retail District, located on the north line of Canada Drive, northwest of Darien Street.
3. **Z201-357:** On January 19, 2022, City Council approved an application for a R-5(A) Single-Family District on property zoned as CR Community Retail District, located at the southwest corner of Canada Drive and (the terminus of) Darien Street.
4. **Z212-143:** On April 27, 2022, City Council approved an application for an R-5(A) Single Family District on property zoned CR Community Retail District, located on the north line of Canada Drive, north of Darien Street.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type           | Existing/Proposed ROW |
|---------------------|----------------|-----------------------|
| Darien Street       | Local street   | 50 feet               |
| Canada Drive        | Minor Arterial | 80 feet               |

**Traffic:**

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation and Public Works Department, reviewed the request and determined that, pending commensurate improvements, it will not significantly impact the surrounding roadway system. The project will be responsible for mitigating development impact as determined through the engineering review process.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

ForwardDallas 2.0 is the citywide Comprehensive Plan for future land use in the City of Dallas. Adopted by City Council in September 2024, the plan includes a future land use map and guidance for a future vision of the City of Dallas. It also establishes goals and guidelines for land use and other decisions by the City. According to the City of Dallas's Development Code, the comprehensive plan serves merely as a guide for rezoning requests, but does not establish zoning boundaries nor does it restrict the City's authority to regulate land use.

The proposed zoning change is generally **consistent** with Forward Dallas 2.0. Single family is a primary land use in the Community Residential placetype. It is the predominant land use in the area.

**Placetype Summary**

Placetypes describe the long-term vision and desired building and preservation characteristics for different places within the city including neighborhoods, mixed-use areas, employment and industry centers, and open spaces. They provide a high-level guide for the desired mix of land uses, design and the recommended intensity and scale of the different uses. Due to the macro scale of the plan, not all uses or design considerations described within the placetypes may be suitable for every individual property.

The Community Residential placetype encompasses the largest percentage of land within Dallas and is primarily made up of single-family homes. Parks, schools, and places of worship are interspersed throughout, providing focal points for community activity. Sensitively integrated housing types, such as duplexes and smaller-scaled multiplexes, can be found in many of these areas. Local commercial and office uses, as well as

neighborhood-scaled apartments, may also be found, generally along main streets and at intersections, offering convenient access to goods and services, promoting a greater mix of uses, and supporting active, walkable environments.

**Land Use:**

|              | <b>Zoning</b>               | <b>Land Use</b>       |
|--------------|-----------------------------|-----------------------|
| <b>Site</b>  | R-5(A) Single Family        | Undeveloped           |
| <b>North</b> | R-5(A), CR Community Retail | Single family, church |
| <b>South</b> | CR, R-5(A)                  | Single family         |
| <b>East</b>  | CR                          | Church                |
| <b>West</b>  | R-5(A)                      | Single family         |

**Land Use Compatibility:**

The request site is currently undeveloped. The applicant proposes to build a single family house on the site. Immediately north of the site is a single family house, immediately north is a vacant lot zoned R-5(A). To the west of the site is additional single family housing. Immediately east of the site is a church. The area in general is predominantly developed with single-family housing, with two churches in the vicinity.

Staff supports the requested zoning change as the subject site is designated as Community Residential in Forward Dallas 2.0, which supports single family housing in such a placetype. As the majority of the area is zoned R-5(A) and is developed with single family housing, staff views the requested change as compatible with the surrounding land uses.

## Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts. Uses that differ between districts (e.g., one is allowed in the existing district and not allowed in the proposed district, or vice versa) are highlighted in yellow.

### LEGEND

|   |   |
|---|---|
|   | Use prohibited  |
| • | Use permitted by right                                |
| S | Use permitted by Specific Use Permit                  |
| D | Use permitted subject to Development Impact Review    |
| R | Use permitted subject to Residential Adjacency Review |
| ★ | Consult the use regulations in Section 51A-4.200      |

|   | Existing | Proposed |
|---|----------|----------|
| Use   | CR       | R-5(A)   |
| <b>AGRICULTURAL USES</b>                                    |          |          |
| Animal production   |          |          |
| Commercial stable   |          |          |
| Crop production   | •        | •        |
| Private stable  |          |          |
| <b>COMMERCIAL AND BUSINESS SERVICE USES</b>                 |          |          |
| Building repair and maintenance shop                        | R        |          |
| Bus or rail transit vehicle maintenance or storage facility |          |          |
| Catering service  | •        |          |
| Commercial cleaning or laundry plant                        |          |          |
| Custom business services                                    | •        |          |
| Custom woodworking, furniture construction, or repair       |          |          |
| Electronics service center                                  | •        |          |
| Job or lithographic printing                                |          |          |
| Labor hall  |          |          |
| Machine or welding shop                                     |          |          |
| Machinery, heavy equipment, or truck sales and services     |          |          |
| Medical or scientific laboratory                            | S        |          |
| Technical school  |          |          |
| Tool or equipment rental                                    | •        |          |
| Vehicle or engine repair or maintenance                     |          |          |
| <b>INDUSTRIAL USES</b>                                      |          |          |
| Alcoholic beverage manufacturing                            |          |          |

|  | Existing | Proposed |
|--|----------|----------|
| Use  | CR       | R-5(A)   |
| Gas drilling and production  | S        | S        |
| Gas pipeline compressor station  |          |          |
| Industrial (inside)  |          |          |
| Industrial (inside) for light manufacturing                            |          |          |
| Industrial (outside)   |          |          |
| Medical/infectious waste incinerator                                   |          |          |
| Metal salvage facility   |          |          |
| Mining   |          |          |
| Municipal waste incinerator  |          |          |
| Organic compost recycling facility                                     |          |          |
| Outside salvage or reclamation   |          |          |
| Pathological waste incinerator   |          |          |
| Temporary concrete or asphalt batching plant                           | S        | S        |
| <b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>                        |          |          |
| Cemetery or mausoleum  | S        | S        |
| Child or adult care facility   | •        | ★        |
| Church   | •        | •        |
| College, university, or seminary                                       | •        | S        |
| Community service center   | S        | S        |
| Convalescent and nursing homes, hospice care, and related institutions |          |          |
| Convent or monastery   | •        | S        |
| Foster home  |          | S        |
| Halfway house  |          |          |
| Hospital   | S        |          |
| Library, art gallery, or museum  | •        | S        |
| Open-enrollment charter school or private school                       | S        | S        |
| Public school other than an open-enrollment charter school             | R        | S        |
| <b>LODGING USES</b>  |          |          |
| Extended stay hotel or motel   |          |          |
| Hotel or motel   | S        |          |
| Lodging or boarding house  | S        |          |
| Overnight general purpose shelter                                      | ★        |          |
| <b>MISCELLANEOUS USES</b>  |          |          |
| Carnival or circus (temporary)   | ★        | ★        |
| Hazardous waste management facility                                    |          |          |
| Placement of fill material   |          |          |
| Temporary construction or sales office                                 | •        | •        |

|  | Existing | Proposed |
|--|----------|----------|
| Use  | CR       | R-5(A)   |
| <b>OFFICE USES</b>   |          |          |
| Alternative financial establishment                                  | S        |          |
| Financial institution without drive-in window                        | •        |          |
| Financial institution with drive-in window                           | D        |          |
| Medical clinic or ambulatory surgical center                         | •        |          |
| Office   | •        |          |
| <b>RECREATION USES</b>   |          |          |
| Country club with private membership                                 | •        | S        |
| Private recreation center, club, or area                             | •        | S        |
| Public park, playground, or golf course                              | •        | •        |
| <b>RESIDENTIAL USES</b>  |          |          |
| College dormitory, fraternity, or sorority house                     | •        |          |
| Duplex   |          |          |
| Group residential facility   |          |          |
| Handicapped group dwelling unit                                      |          | ★        |
| Manufactured home park, manufactured home subdivision, or campground |          |          |
| Multifamily  |          |          |
| Residential hotel  |          |          |
| Retirement housing   |          |          |
| Single family  |          | •        |
| <b>RETAIL AND PERSONAL SERVICE USES</b>                              |          |          |
| Alcoholic beverage establishment                                     | ★        |          |
| Ambulance service  | R        |          |
| Animal shelter or clinic without outside runs                        | R        |          |
| Animal shelter or clinic with outside runs                           |          |          |
| Auto service center  | R        |          |
| Business school  | •        |          |
| Car wash   | D        |          |
| Commercial amusement (inside)  | ★        |          |
| Commercial amusement (outside)                                       | S        |          |
| Commercial motor vehicle parking                                     |          |          |
| Commercial parking lot or garage                                     | R        |          |
| Convenience store with drive-through                                 | S        |          |
| Drive-in theater   |          |          |
| Dry cleaning or laundry store  | •        |          |
| Furniture store  | •        |          |
| General merchandise or food store 3,500 square feet or less          | •        |          |

|   | Existing | Proposed |
|---|----------|----------|
| Use   | CR       | R-5(A)   |
| General merchandise or food store greater than 3,500 square feet        | •        |          |
| Home improvement center, lumber, brick or building materials sales yard | D        |          |
| Household equipment and appliance repair                                | •        |          |
| Liquefied natural gas fueling station                                   |          |          |
| Liquor store  | •        |          |
| Mortuary, funeral home, or commercial wedding chapel                    | •        |          |
| Motor vehicle fueling station   | •        |          |
| Nursery, garden shop, or plant sales                                    | •        |          |
| Outside sales   |          |          |
| Paraphernalia shop  | S        |          |
| Pawn shop   | •        |          |
| Personal service use  | •        |          |
| Restaurant without drive-in or drive-through service                    | R        |          |
| Restaurant with drive-in or drive-through service                       | D        |          |
| Surface parking   |          |          |
| Swap or buy shop  | S        |          |
| Taxidermist   |          |          |
| Temporary retail use  | •        |          |
| Theater   | •        |          |
| Truck stop  |          |          |
| Vehicle display, sales, and service                                     |          |          |
| <b>TRANSPORTATION USES</b>  |          |          |
| Airport or landing field  |          |          |
| Commercial bus station and terminal                                     |          |          |
| Heliport  |          |          |
| Helistop  |          |          |
| Private street or alley   |          | S        |
| Railroad passenger station  |          |          |
| Railroad yard, roundhouse, or shops                                     |          |          |
| STOL (short take-off or landing port)                                   |          |          |
| Transit passenger shelter   | •        | ★        |
| Transit passenger station or transfer center                            | S        | S        |
| <b>UTILITY AND PUBLIC SERVICE USES</b>                                  |          |          |
| Commercial radio or television transmitting station                     | •        |          |
| Electrical generating plant   |          |          |
| Electrical substation   | •        | S        |



|  | Existing | Proposed |
|--|----------|----------|
| Use  | CR       | R-5(A)   |
| Local utilities                                      | ★        | ★        |
| Police or fire station                               | •        | S        |
| Post office  | •        |          |
| Radio, television, or microwave tower                | S        | S        |
| Refuse transfer station                              |          |          |
| Sanitary landfill                                    |          |          |
| Sewage treatment plant                               |          |          |
| Tower/antenna for cellular communication             | ★        | ★        |
| Utility or government installation other than listed | S        | S        |
| Water treatment plant                                |          |          |
| <b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>     |          |          |
| Auto auction   |          |          |
| Building mover's temporary storage yard              |          |          |
| Contractor's maintenance yard                        |          |          |
| Freight terminal                                     |          |          |
| Livestock auction pens or sheds                      |          |          |
| Manufactured building sales lot                      |          |          |
| Mini-warehouse                                       | S        |          |
| Office showroom/warehouse                            |          |          |
| Outside storage                                      |          |          |
| Petroleum product storage and wholesale              |          |          |
| Recycling buy-back center                            | ★        |          |
| Recycling collection center                          | ★        |          |
| Recycling drop-off container                         | ★        | ★        |
| Recycling drop-off for special occasion collection   | ★        | ★        |
| Sand, gravel, or earth sales and storage             |          |          |
| Trade center   |          |          |
| Vehicle storage lot                                  |          |          |
| Warehouse  |          |          |

## Development Standards

Following is a comparison table showing differences between the development standards of the current CR Community Retail District and the proposed R-5(A) Single Family District.

| District            | Setback          |   | Density/Lot Size                            | Height | Lot Cvrgr. | Special Standards | Primary Uses  |
|---------------------|------------------|---|---|--------|------------|-------------------|---------------|
|                     | Front            | Side/Rear   |   |        |            |                   |               |
| Current:<br>CR      | 15' <sup>1</sup> | 20' adjacent to residential district, no min. otherwise | Max FAR: 0.5 office, 0.75 all uses combined | 54'    | 60% max.   |                   | Retail        |
| Proposed:<br>R-5(A) | 20'              | 5' for single family                                    | Min. lot size 5,000 sqft                    | 30'    | 45% max.   |                   | Single family |

1: Blockface continuity requires 20' front yard setback.

### Landscaping:

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

### Parking:

Parking must be provided in accordance with the Dallas Development Code. For single family dwellings in an R-5(A) Single Family District, one parking space is required.

**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 (A through C) to orange, representing the weakest markets (G through I). The area of request is within an “E” MVA area.

**CPC Action**  
**May 22, 2025**

**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 east line of Darien Street, south of Canada Drive.

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

For: 13 - Chernock, Hampton, Herbert, Forsyth,  
Shidid, Carpenter, Franklin, Sleeper,  
Housewright, Sims, Hall, Kingston, Rubin

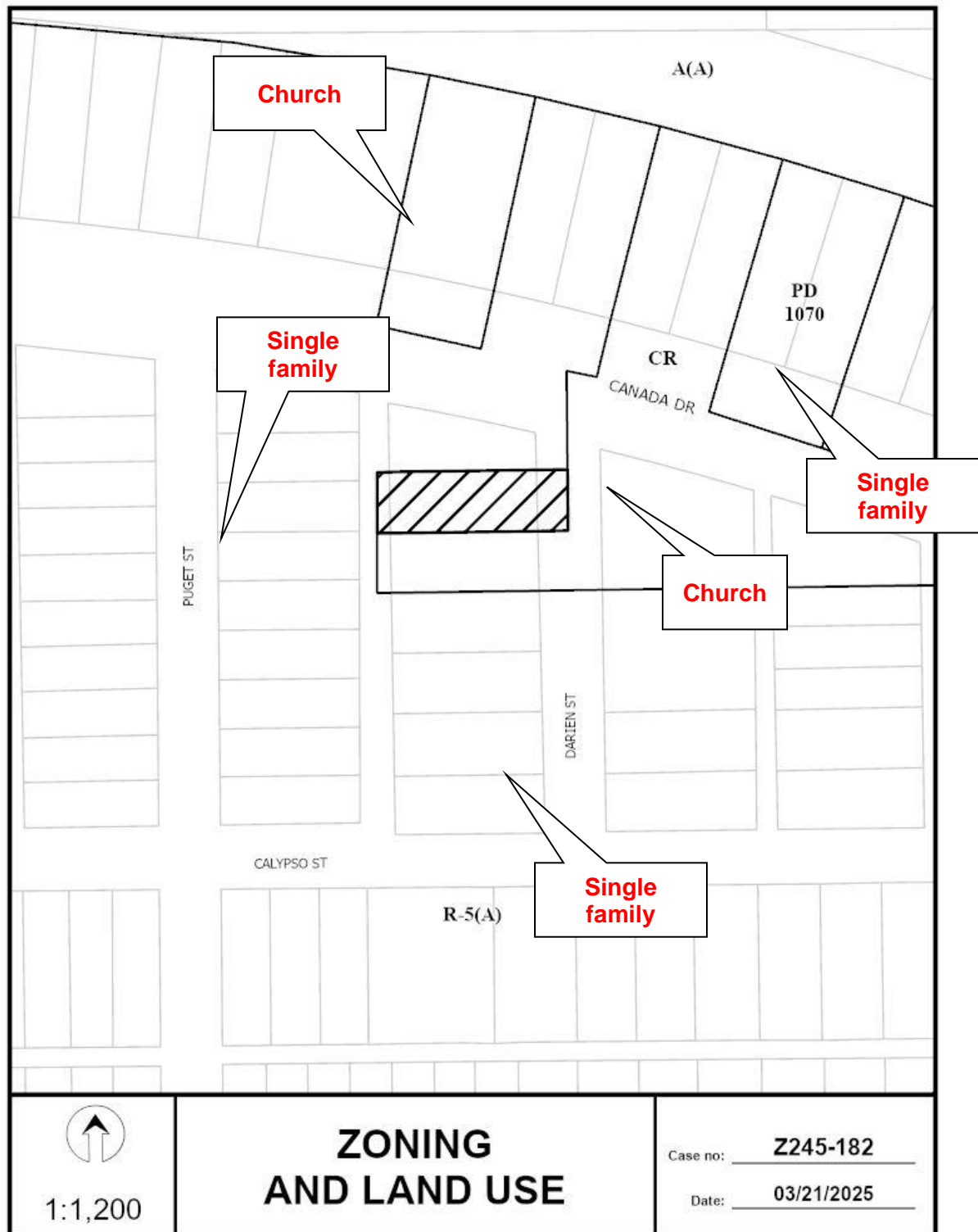
Against: 0  
Absent: 2 - Wheeler-Reagan, Haqq  
Vacancy: 0

|                 |           |            |
|-----------------|-----------|------------|
| <b>Notices:</b> | Area: 200 | Mailed: 32 |
| <b>Replies:</b> | For: 0    | Against: 0 |

**Speakers:** None



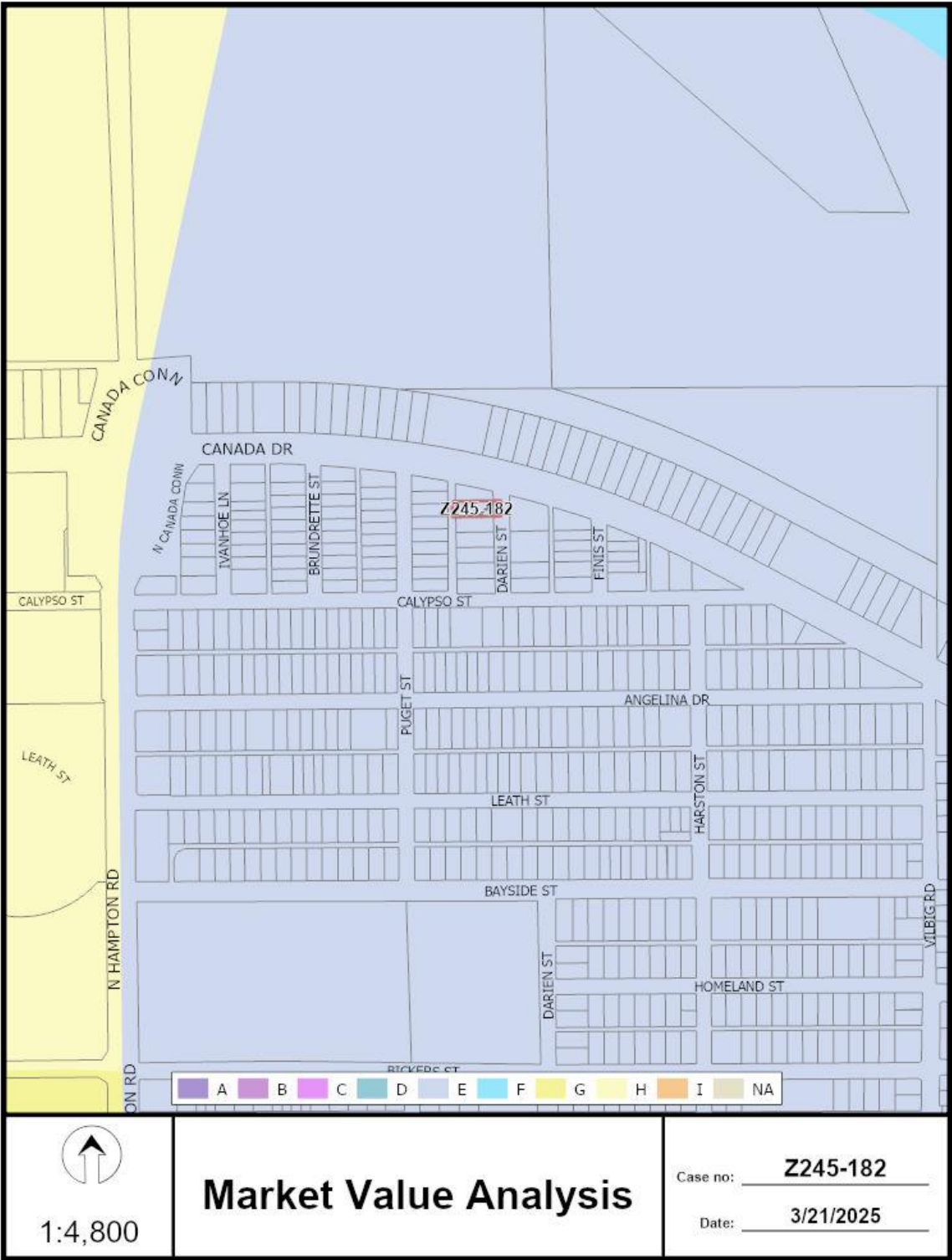


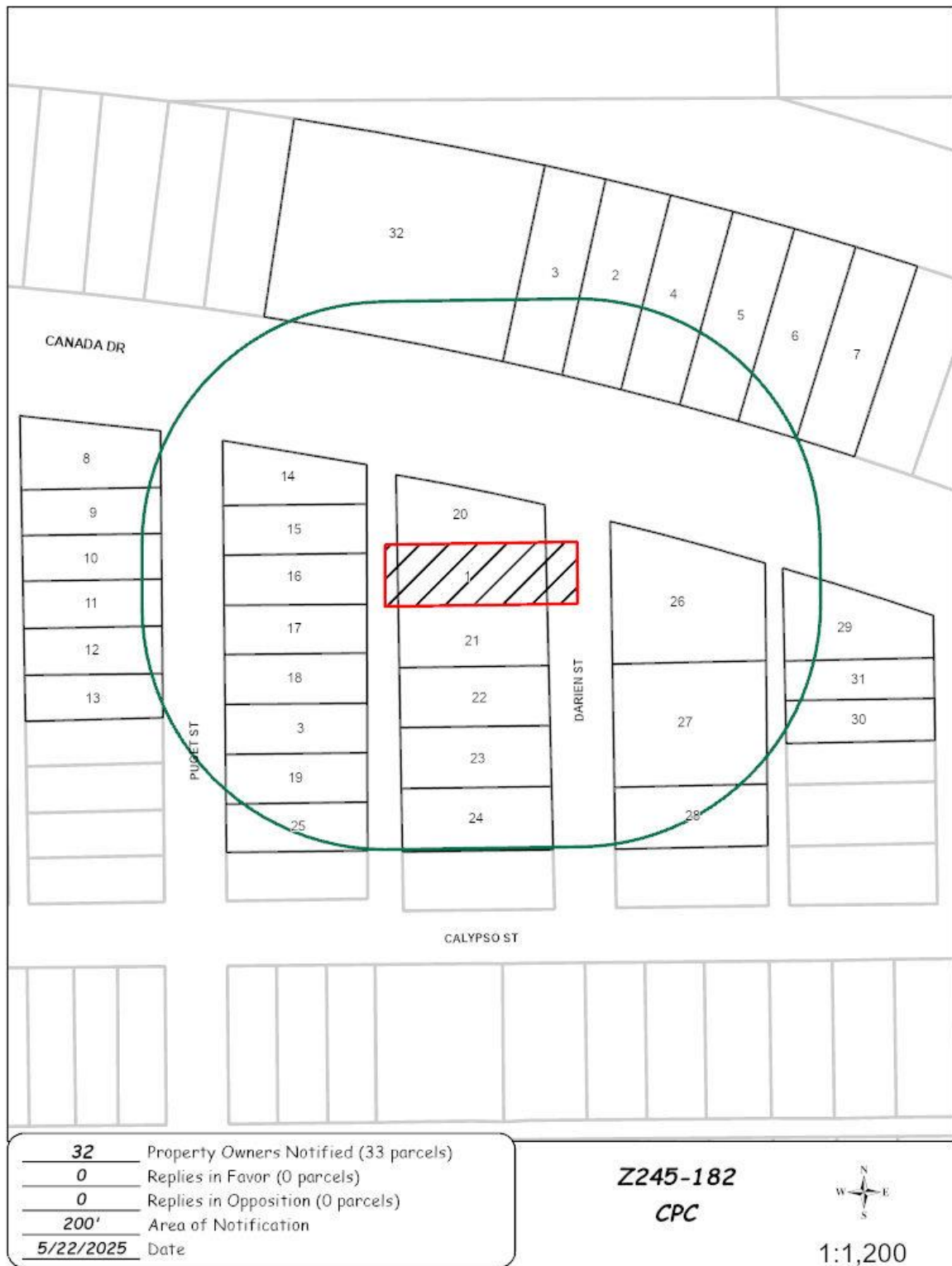












05/21/2025

***Reply List of Property Owners******Z245-182******32 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                     | 4023 DARIEN ST        | WASHINGTON TERRY C & GENOVA    |
|                     | 2                     | 1955 CANADA DR        | OLUDOYI JULIUS JUWON           |
|                     | 3                     | 1959 CANADA DR        | KCT HOLDINGS LLC               |
|                     | 4                     | 1951 CANADA DR        | CARTER FAYE DELL &             |
|                     | 5                     | 1947 CANADA DR        | CHAVEZ CHRISTOPHER &           |
|                     | 6                     | 1943 CANADA DR        | CARLO NATALINO & HEAVEN JEGGER |
|                     | 7                     | 1939 CANADA DR        | OLUDOYI JULIUS J               |
|                     | 8                     | 4039 PUGET ST         | HARPER JAMES E                 |
|                     | 9                     | 4035 PUGET ST         | MELESIO OCTAVIO &              |
|                     | 10                    | 4031 PUGET ST         | KATUSHABE EVA SUSAN            |
|                     | 11                    | 4027 PUGET ST         | 4027 PUGET LLC                 |
|                     | 12                    | 4023 PUGET ST         | EBRAHIM RAEESA &               |
|                     | 13                    | 4019 PUGET ST         | LALANI SANA &                  |
|                     | 14                    | 4036 PUGET ST         | OLVERA CESAR & JESSICA MARIA   |
|                     | 15                    | 4030 PUGET ST         | GIPSONFRAZIER MARSHA &         |
|                     | 16                    | 4026 PUGET ST         | ESANGBEDO ERMA                 |
|                     | 17                    | 4022 PUGET ST         | VILLASENOR CESAR               |
|                     | 18                    | 4018 PUGET ST         | WILLIAMSON SHORUNDA W          |
|                     | 19                    | 4010 PUGET ST         | MOSQUEDA EMMA                  |
|                     | 20                    | 4027 DARIEN ST        | Taxpayer at                    |
|                     | 21                    | 4019 DARIEN ST        | RIVERA MARIA DEL ROSARIO       |
|                     | 22                    | 4015 DARIEN ST        | MEDINA VICTORIA RAMOS          |
|                     | 23                    | 4011 DARIEN ST        | MODKINS DONOBRA &              |
|                     | 24                    | 4005 DARIEN ST        | GLYNN GEORGE                   |
|                     | 25                    | 4006 PUGET ST         | LOCKETT ROBERT                 |
|                     | 26                    | 4030 DARIEN ST        | IGLESIA JESUCRISTO TE AMA      |

Z245-182(MB)

05/21/2025

| <i>Reply</i> | <i>Label #</i> | <i>Address</i> | <i>Owner</i>              |
|--------------|----------------|----------------|---------------------------|
| 27           | 4010           | DARIEN ST      | FRIELS RESHELL SHELBY     |
| 28           | 4006           | DARIEN ST      | ALVARADO JOSE E           |
| 29           | 4019           | FINIS LN       | HOWARD CATHY ELIZABETH    |
| 30           | 4011           | FINIS LN       | OLUDOIYI JULIUS J         |
| 31           | 4015           | FINIS LN       | MIMS WILLIAMS MILDRED LEE |
| 32           | 1967           | CANADA DR      | MACEDONIA BAPTIST CHURCH  |