

FILE NUMBER: Z212-354(RM) **DATE FILED:** September 22, 2022

LOCATION: Southeast line of Sidney Street, northeast of 2nd Avenue

COUNCIL DISTRICT: 7

SIZE OF REQUEST: ± 7,124 square feet **CENSUS TRACT:** 48113020800

REPRESENTATIVE: Anish Thakrar

OWNER/APPLICANT: Invest in South Dallas LLC

REQUEST: An application for a D(A) Duplex 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 a duplex on the site.

CPC RECOMMENDATION: Denial.

STAFF RECOMMENDATION: Denial.

PD No. 595:

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=595>

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 undeveloped.
- The applicant proposes to develop the property with a duplex.
- To accomplish this, they request a D(A) Duplex Subdistrict within PD No. 595.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Sidney Street	Local Street	-
2nd Avenue	Principal Arterial	80 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 applicant's request for a D(A) District is consistent with the goals and policies marked with an asterisk (*). The applicant's request is **not** consistent with the goals and policies marked with a dagger (†). Additional staff commentary on some of these goals and policies is provided in *italics*.

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. †

Because the applicant proposes a zoning district and land use that is not consistent with the surrounding area, staff recommends that the proposal does not strengthen this existing neighborhood.

1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions. †

See Area Plans section below. The request is not consistent with the recommendations of the Hatcher Station Area Plan.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas. *

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

1.3.1.7 Implement zoning tools to accommodate alternative housing products. *

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

2.1.1.7 Encourage a range of housing options through zoning regulations while being transparent and predictable to property owners and prospective developers. *

2.1.1.8 Promote development of sustainable and quality housing through zoning regulations that provide for higher densities at appropriate infill and greenfield site locations in order to attract and retain urban homeowners. †

Although the applicant's request proposes additional housing, staff recommends that the area of request is not an appropriate infill site for a duplex, as the surrounding area is zoned an R-5(A) Subdistrict entirely.

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

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life. †

2.5.1.2 Support efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods. †

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. †

NEIGHBORHOOD PLUS

POLICY 5.1 Encourage a wider range of well designed and affordable housing types as a response to emerging homeownership preferences. *

Action 5.1.1 Audit the development process to identify and eliminate processing, permitting, platting, or other barriers that make infill housing and emerging types of housing for homeownership more difficult, uncertain, or costly.

Although staff's recommendation is denial on the basis of zoning and land use, staff recognizes the conflict between protecting existing single family areas and eliminating barriers to providing more medium density residential.

Action 5.1.3 Conduct rezonings in target areas to remove barriers to more diverse and affordable single family homeownership options including small-lot single family, duplexes, townhomes, cottage homes, and courtyard homes. *

POLICY 6.2 Expand affordable housing options and encourage its distribution throughout the city and region. *

Area Plans:

Hatcher Station Area Plan

Adopted in 2013, the Hatcher Station Area Plan was developed through the HUD Community Challenge Planning Grant program and is intended to spur transformation of Dallas DART station areas through catalytic projects, public-private partnerships, and reuse and rehabilitation of existing buildings. The study area is approximately four miles east of Downtown Dallas. Scyene Road is a major east-west oriented six-lane thoroughfare that forms a belt across the center of the area. The Hatcher Station is located at the intersections of Scyene Road and Hatcher Street intersection. The study area is within relative proximity to Fair Park and the Trinity forest. The plan details specific initiatives to create a better future for the area, with attention to improving safety and multi-modal connectivity, reinvigorating affordable housing, and establishing strategies and guidelines to create a thriving transit-oriented neighborhood over the long term.

The Hatcher Station Area Plan includes a land use concept plan that defines the primary land use types that comprise the area and recommends appropriate locations for these land use types within the study area. The land use concept plan identifies the area of request as appropriate for the residential neighborhood land use type, which consists predominantly of single family detached homes with some shops, restaurants, and institutional land uses. By contrast, the urban neighborhood land use type provides a range of housing options close to transit including small lot single family detached dwellings, townhomes, and low- to mid-rise condominiums or apartments.

While a duplex use may be appropriate within the urban neighborhood land use type, it may not be appropriate within the residential neighborhood land use type. Therefore, staff recommends that the applicant's proposal is not consistent with the Hatcher Station Area Plan.

South Dallas/Fair Park Economic Development Plan

The area of request is also located within the study area of the South Dallas/Fair Park Economic Development Plan. Adopted in 2001, this plan focuses on providing economic development revitalization strategy recommendations for the South Dallas/Fair Park commercial corridor. The study area is located southeast of the I-30 HOV, south of South Haskell Avenue, west of Hatcher Street, east of South Lamar Street and just north of William Blair, Jr. Park. It includes landmarks such as the South Boulevard Park – Park Row Historic District, Fair Park, the Cotton Bowl Stadium, and the Starplex Pavilion.

The two primary goals of the plan are to 1) address impacts of high intensity land uses along commercial corridors in adjacent residential neighborhoods through a Planned

Development District; and 2) create economic development strategies to encourage desirable development along the business corridors.

Because the South Dallas/Fair Park Economic Development Plan is principally concerned with economic development along the area’s business corridors, it does not easily apply to the applicant’s proposal. However, an argument could be made that because the plan is intended to protect existing residential areas, the request for a duplex district in an established single family area is not consistent with this area plan.

Land Use:

	Zoning	Land Use
Site	R-5(A) Subdistrict within PD No. 595	Undeveloped
Northwest	R-5(A) Subdistrict within PD No. 595	Undeveloped, single family
Northeast	R-5(A) Subdistrict within PD No. 595	Undeveloped, single family
Southeast	R-5(A) Subdistrict within PD No. 595	Single family, church
Southwest	R-5(A) and CC Subdistricts within PD No. 595	Single family, alcoholic beverage establishment, general merchandise or food store 3,500 square feet or less

Land Use Compatibility:

The area of request is predominantly surrounded by a mix of single family and undeveloped properties. To the southeast, there is also a church. To the southwest along 2nd Avenue are commercial uses including alcoholic beverage establishment and general merchandise or food store 3,500 square feet or less. Staff finds the proposed duplex use to be incompatible with the surrounding area, which is developed or entitled primarily for single family.

The request area is currently zoned an R-5(A) Subdistrict within PD No. 595 and is undeveloped. The applicant proposes to develop the property with a duplex, which is not permitted under the current zoning district. To accomplish this, they request a D(A) Subdistrict within PD No. 595, which would permit the use by right. As can be seen in the development standards comparison table below, the allowance of this additional residential use is one of the primary differences between the existing and proposed subdistricts.

Another major difference with the requested D(A) Subdistrict is a front yard setback of 25 feet, rather than the 20 feet required under the current R-5(A) Subdistrict. 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. This would make the lots zoned an R-5(A) Subdistrict subject to the 25-foot front setback of the D(A) Subdistrict, which may create a nonconformity for any existing structures within this new setback.

Staff does not support the applicant’s request because it would establish an isolated D(A) Subdistrict on a single lot in an area that is zoned an R-5(A) Subdistrict entirely. This isolated D(A) Subdistrict and the proposed duplex use would be out of character with the surrounding zoning and land uses, which are predominantly single family. It would also make the lots along this block zoned an R-5(A) Subdistrict subject to a greater front setback than what is currently required, which may create nonconforming structures on these lots.

However, staff acknowledges several goals and policies from the comprehensive plan and Neighborhood Plus plan that encourage the construction of more housing units and the removal of barriers to more diverse and affordable housing options, including duplexes. Ultimately, staff’s recommendation of this request is denial because it is incompatible on the basis of zoning and land use. Nonetheless, staff recognizes the conflict between protecting existing single family areas and eliminating barriers to providing more medium density residential.

Development Standards

Following is a comparison of the development standards of the current R-5(A) Subdistrict and the proposed D(A) Subdistrict.

District	Setback		Density	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Ex: R-5(A) in PD No. 595	20’*	5’	1 du/5,000 sf	30’	45%		Single family
Prop: D(A) in PD No. 595	25’*	SF: 5’ Duplex: 10’ Other: 10’	6,000 sf min lot size	36’	60%		Duplex and single family

* 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.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a duplex 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 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 currently within an “I” MVA cluster and is surrounded by other “I” MVA clusters in all directions.

Z212-354(RM)

List of Officers

Invest in South Dallas LLC

Anish Thakrar, Sole Member

CPC Action
March 2, 2023

Motion: It was moved to recommend **denial** of a D(A) Duplex 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 southeast line of Sidney Street, northeast of 2nd Avenue.

Maker: Wheeler-Reagan
Second: Blair
Result: Carried: 13 to 0

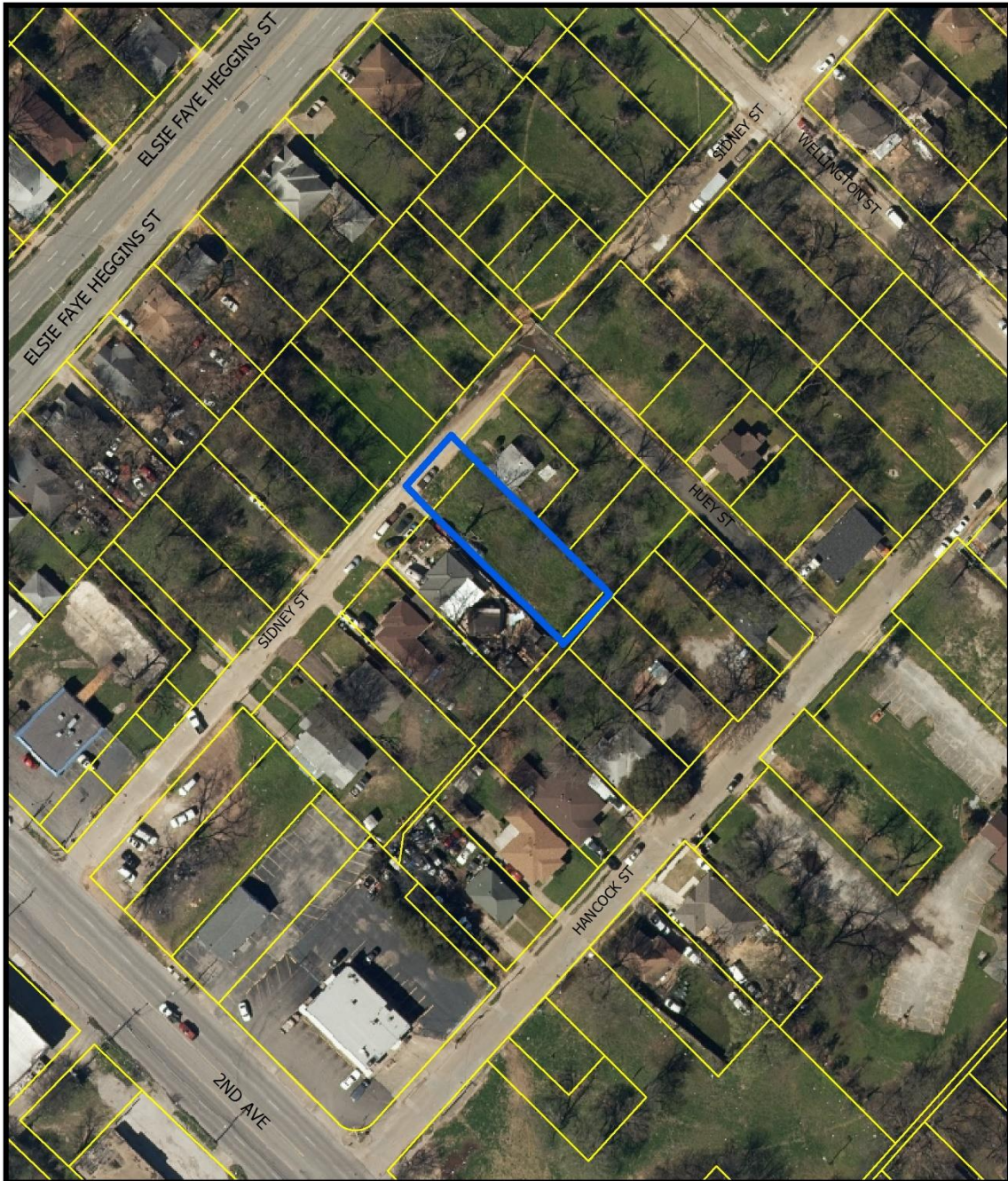
For: 13 - Hampton, Herbert, Anderson, Shidid,
Carpenter, Wheeler-Reagan, Blair, Jung,
Housewright, Treadway, Stanard, Kingston,
Rubin

Against: 0
Absent: 2 - Popken, Haqq
Vacancy: 0

Notices: Area: 200 Mailed: 45
Replies: For: 0 Against: 2

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



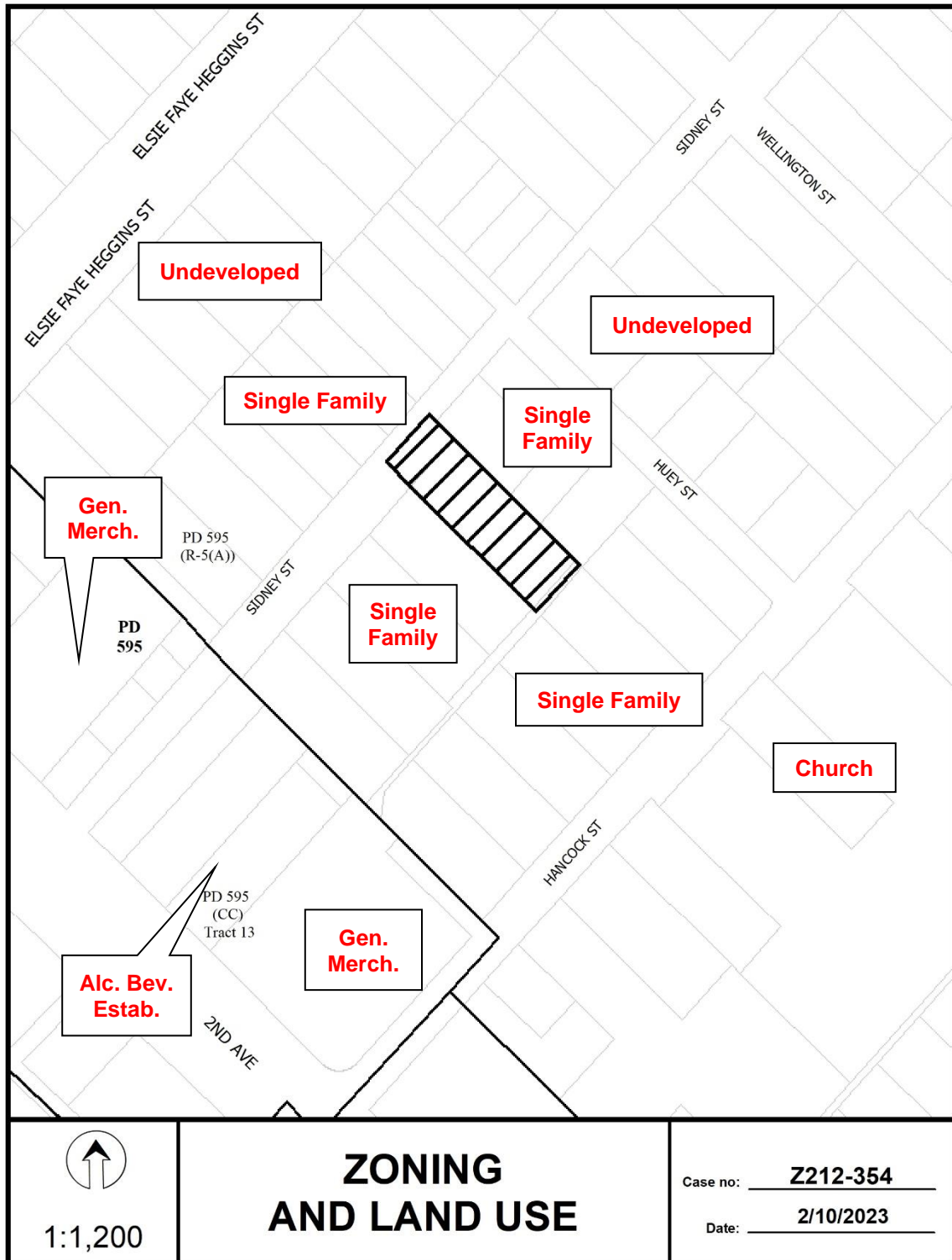


1:1,200

AERIAL MAP

Case no: Z212-354

Date: 2/10/2023





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

 1:4,800

Market Value Analysis

Printed Date: 2/10/2023



45	Property Owners Notified (49 parcels)
0	Replies in Favor (0 parcels)
2	Replies in Opposition (2 parcels)
200'	Area of Notification
3/2/2023	Date

Z212-354
CPC



1:1,200

03/01/2023

Reply List of Property Owners***Z212-354******45 Property Owners Notified 0 Property Owners in Favor 2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3534 SIDNEY ST	INVEST IN SOUTH DALLAS LLC
	2	3602 HANCOCK ST	BEGINNERS MISSIONARY BAPTIST CH
	3	3530 HANCOCK ST	MINAFEE HORACE
	4	3522 HANCOCK ST	MARTINEZBARRIENTO MANUEL D &
	5	3615 HANCOCK ST	Taxpayer at
	6	3603 SIDNEY ST	DAVIS LARRY
	7	3601 HANCOCK ST	DAVIS KATIE A
	8	4712 HUEY ST	ELMORE J B
	9	3601 SIDNEY ST	TAYLOR RUTH L
	10	4808 HUEY ST	GREGGS RUTHIE MAE
	11	4718 HUEY ST	COOK LEWIS
	12	4810 HUEY ST	GONZLES JUAN
	13	4807 HUEY ST	LOWE SHERRI RACHELLE
	14	4802 HUEY ST	JOHNSON PATSY R
X	15	3602 SIDNEY ST	DICKERSON ARBIE LEE EST OF
	16	4716 HUEY ST	WRIGHT GARLAND
	17	4702 HUEY ST	ONEAL ROBIN J
	18	4811 HUEY ST	BARNETT NICHOLAS A
	19	4806 HUEY ST	KUNWAR ABKA LLC
	20	3607 SIDNEY ST	THURMAN DORA M ESTATE
	21	3607 HANCOCK ST	TATE SHERRI CAY
	22	3617 SIDNEY ST	LOPEZ CESAR
	23	3617 HANCOCK ST	KENNEDY LEBERTHA
	24	3618 SIDNEY ST	AKWIN BUSINESS SOLUTIONS LLC
	25	3527 SIDNEY ST	CLEMONS CHESTER L
	26	3533 SIDNEY ST	EDMOND COMMODORE

03/01/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3513 SIDNEY ST	FORD JACQUELINE A ETAL
	28	3517 SIDNEY ST	HURDLE FINNIUS CONRAD JR &
	29	3517 HANCOCK ST	TEKELEMARIYAM YOUWB DAR
	30	3521 HANCOCK ST	WILLIAMS VERONICA L
	31	3525 HANCOCK ST	Taxpayer at
	32	3529 HANCOCK ST	ISAAC MARTHA DAVIS &
	33	3533 HANCOCK ST	MANCINI LUIS VEGA &
	34	3526 SIDNEY ST	CRUZ MARIA
	35	3522 SIDNEY ST	ROJAS VIRGILIO SANCHEZ
	36	3520 SIDNEY ST	SEGURA ADRIANA
X	37	3516 SIDNEY ST	NIXON ARTHUR MORRIS EST OF &
	38	3516 ELSIE FAYE HEGGINS ST	MILES DOYLE
	39	3524 ELSIE FAYE HEGGINS ST	POURAHMADI MOE
	40	3526 ELSIE FAYE HEGGINS ST	HOLLAND WILLIAM
	41	3530 ELSIE FAYE HEGGINS ST	D TOWN INVESTMENT LLC
	42	3602 ELSIE FAYE HEGGINS ST	JORDAN ROBERT LEE &
	43	3606 ELSIE FAYE HEGGINS ST	WHITESIDE RICKY ANTONY &
	44	3610 ELSIE FAYE HEGGINS ST	BOWDRE LAURIE ANITA
	45	3610 HANCOCK ST	BEGINNERS BAPTIST CHURCH