

CITY PLAN COMMISSION

THURSDAY, MAY 18, 2023
Planner: Ryan Mulkey, AICP

FILE NUMBER: Z223-111(RM) **DATE FILED:** October 11, 2022

LOCATION: Northwest line of Garden Lane, southwest of 2nd Avenue

COUNCIL DISTRICT: 7

SIZE OF REQUEST: ± 7,500 square feet **CENSUS TRACT:** 48113020800

OWNER/APPLICANT: Mustafa Jawadwala, Murai Homes 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.

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

1. **Z212-299:** On July 12, 2022, staff received an application for an FWMU-5 Walkable Urban Mixed Use Form Subdistrict on property zoned an R-5(A) Single Family Subdistrict and an NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest line of 2nd Street, between Garden Lane and Vannerson Drive. [Held under advisement to May 18, 2023 City Plan Commission]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Garden Lane	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 neighborhood, staff recommends that the proposal does not strengthen this existing neighborhood.

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. The other lots along Garden Lane, as well as much of the surrounding neighborhood, are zoned an R-5(A) Subdistrict.

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:

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 area of request is along the southern edge of the study area, and as such, the land use concept plan does not designate a land use type for the property. However, it should be noted that immediately adjacent property fronting onto 2nd Avenue, as well as property on the other side of Garden Lane, is identified as appropriate for the main street land use type. This type is intended to concentrate pedestrian activity along a walkable corridor with places for living, working, and shopping.

While a denser residential use such as a duplex may be appropriate within the main street land use type, it may not be appropriate for the existing residential lots fronting onto Garden Lane, or for much of the surrounding neighborhood.

South Dallas/Fair Park Economic Development Plan

The area of request is 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	Single family
Northeast	NC(E) Subdistrict within PD No. 595	Auto service center, general merchandise or food store greater than 3,500 square feet
Southeast	R-5(A) Subdistrict within PD No. 595	Church
Southwest	R-5(A) Subdistrict within PD No. 595	Single family

Land Use Compatibility:

The area of request is surrounded by single family uses to the northwest and southwest. To the southeast is a church. Immediately northeast along 2nd Avenue are auto service center and general merchandise or food store greater than 3,500 square feet uses. Staff finds the proposed duplex use to be incompatible with the surrounding area, particularly the single family uses to the northwest and southwest.

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, along a residential street that is otherwise zoned an R-5(A) Subdistrict, and in a residential neighborhood that is also zoned an R-5(A) Subdistrict. 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 blockface 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					
Existing: R-5(A) in PD No. 595	20'*	5'	1 du/5,000 sf	30'	45%		Single family
Proposed: D(A) in PD No. 595	25'*	SF: 5' Duplex: 10' Other: 10'	1 du/3,000 sf 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 not currently within an MVA cluster but immediately abuts an “I” MVA cluster to the west and southwest. There are other “I” MVA clusters to the northwest, north, and northeast.

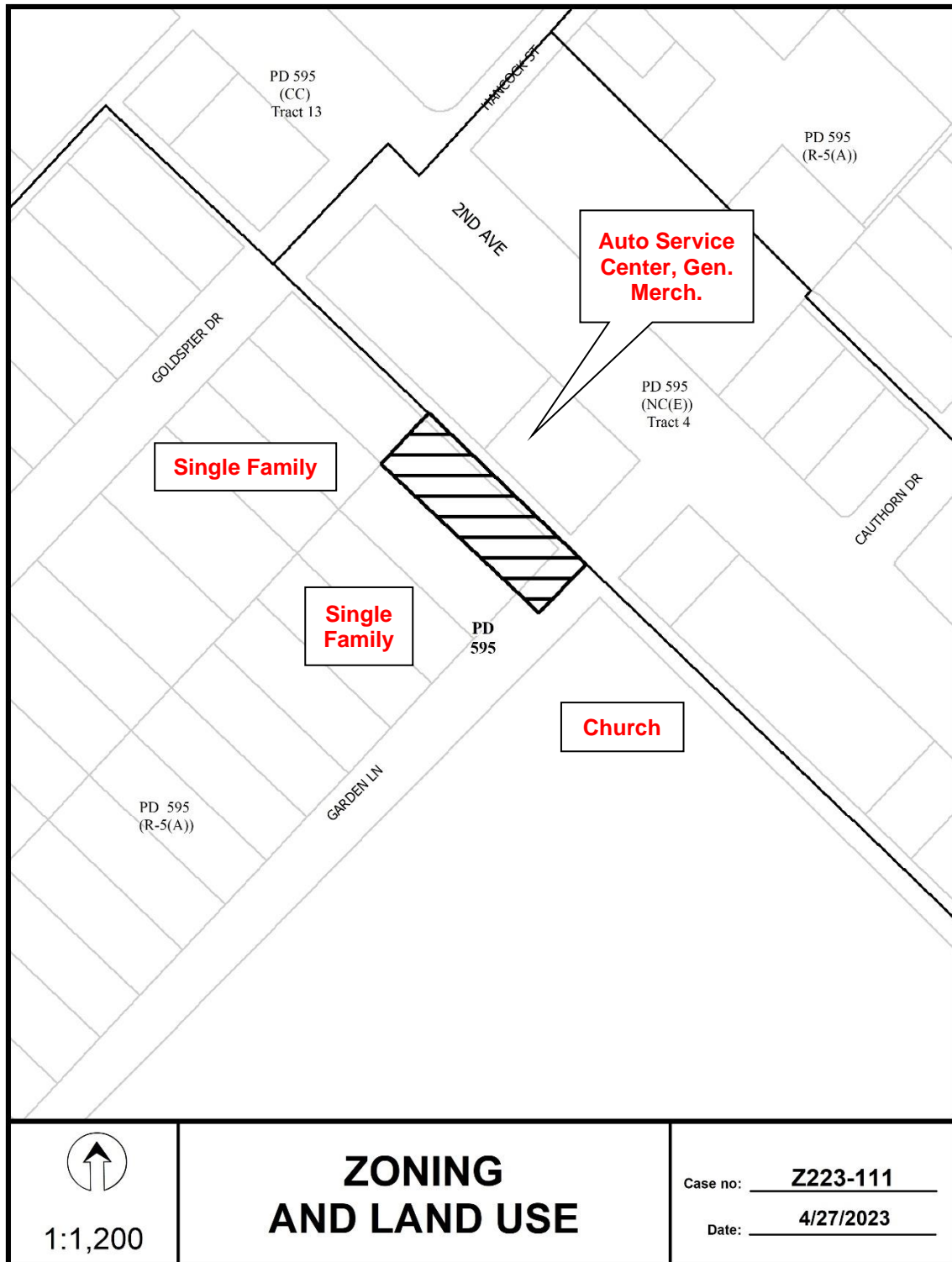
List of Officers

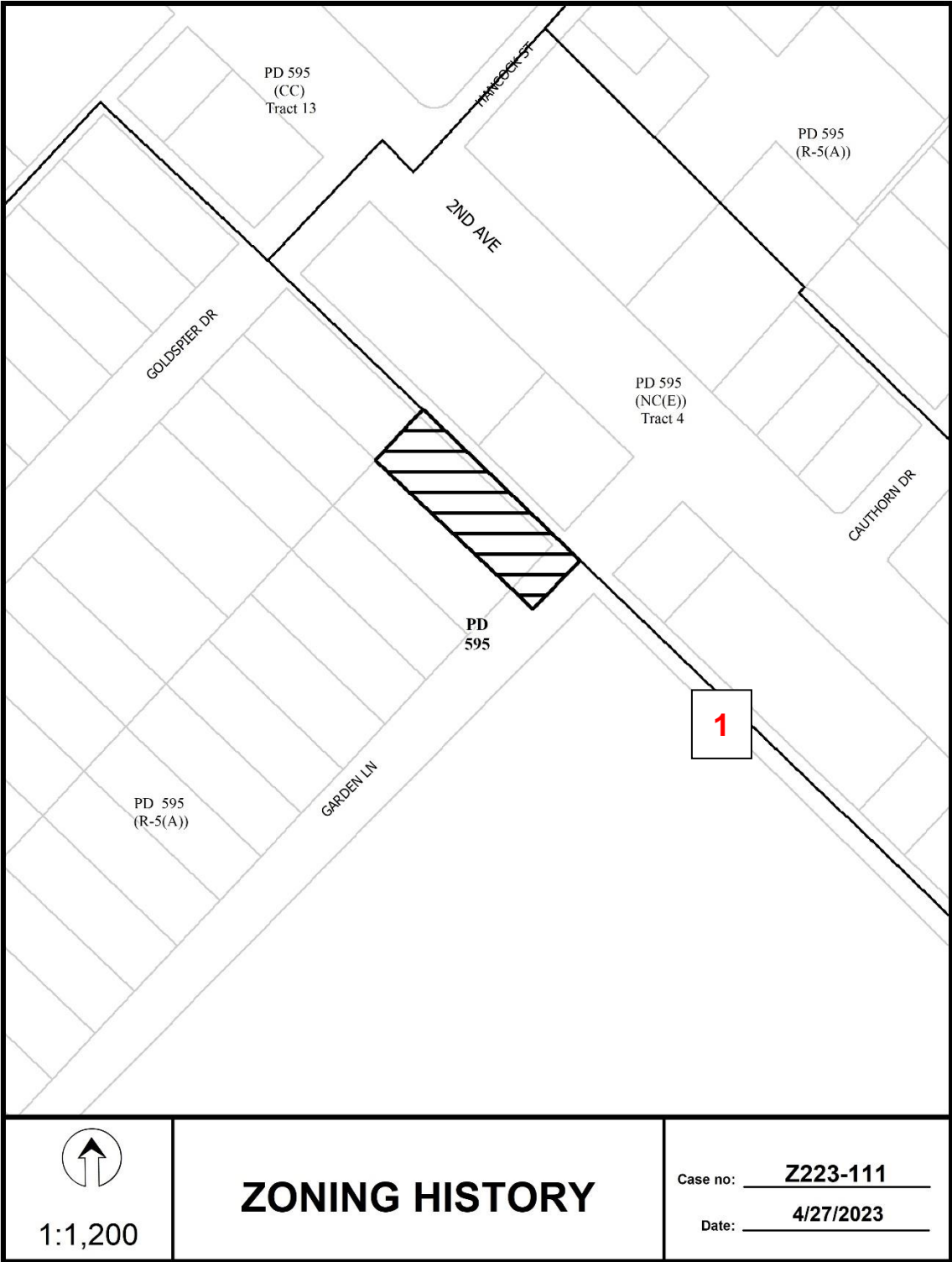
Murai Homes LLC

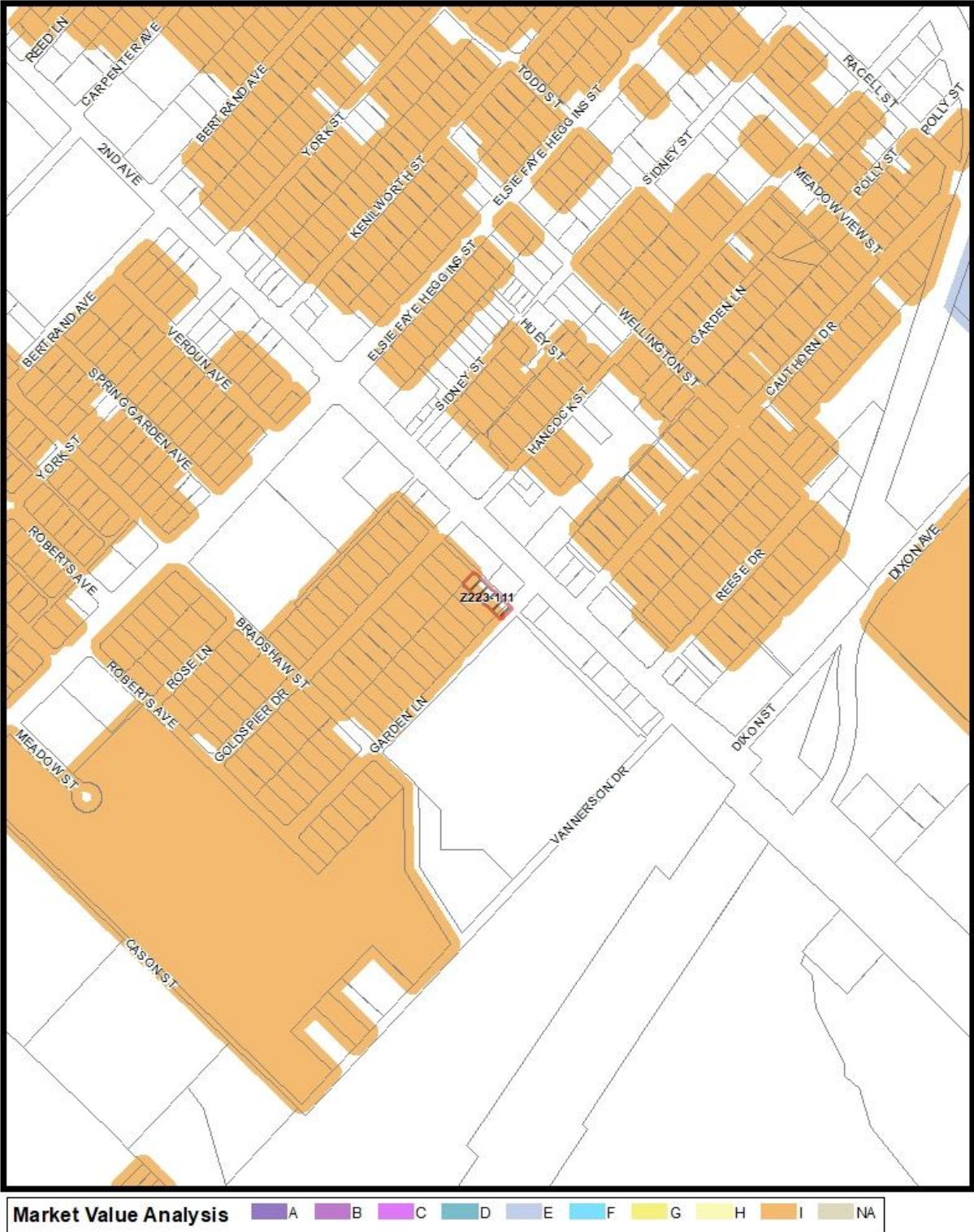
Mustafa Jawadwala, Senior Managing Partner
Raiqah Jawadwala, Partner

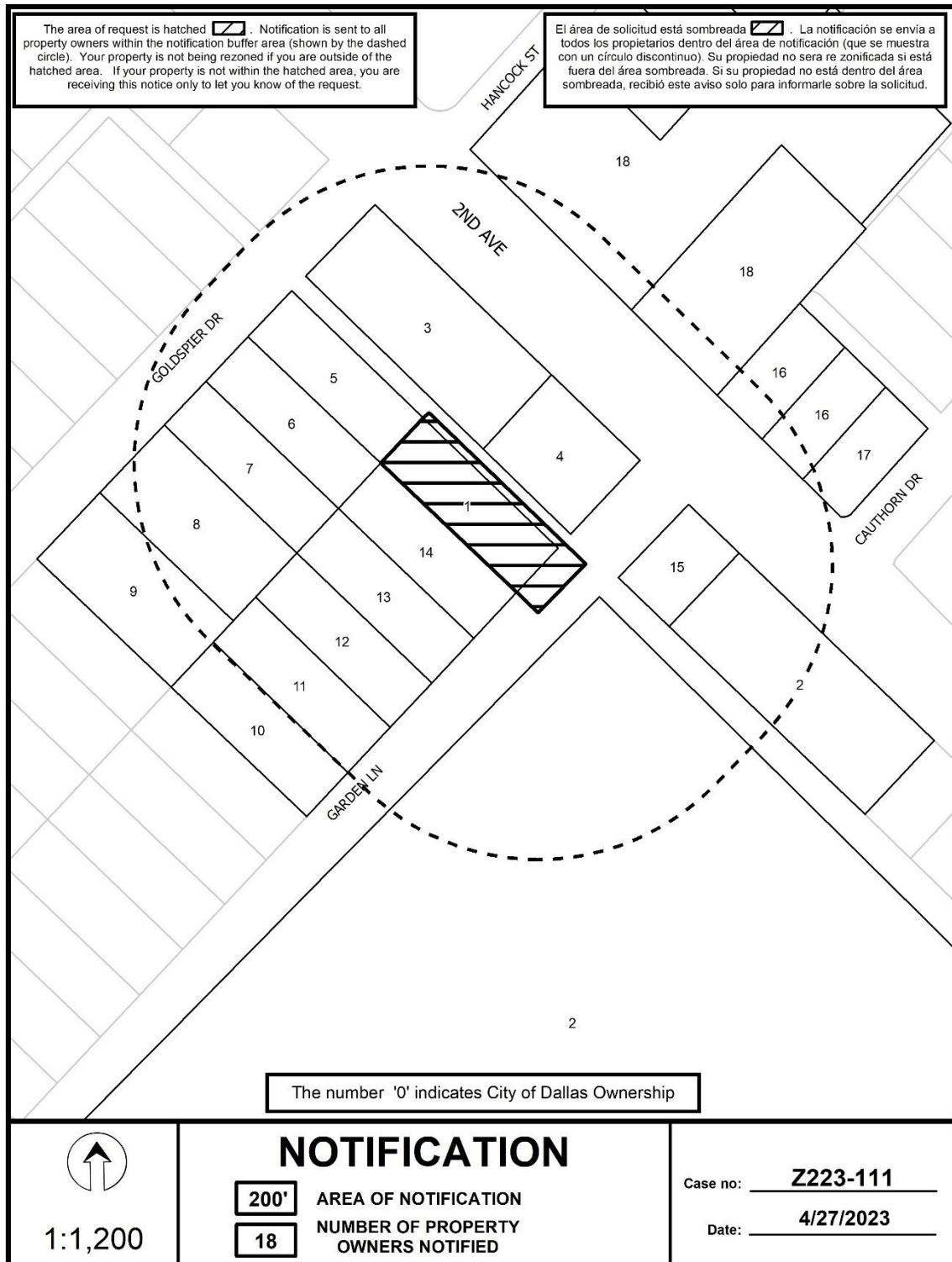












04/27/2023

Notification List of Property Owners***Z223-111******18 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3411 GARDEN LN	SIMS GEORGE
2	3400 GARDEN LN	WATERMARK SOUTH DALLAS LLC
3	4915 S 2ND AVE	KRISHNA MIA LLC
4	4919 2ND AVE	Taxpayer at
5	3410 GOLDSPIER DR	DURAN ANGEL MARTINEZ &
6	3406 GOLDSPIER DR	Taxpayer at
7	3402 GOLDSPIER DR	LBK STARR REALTY LLC
8	3334 GOLDSPIER DR	Taxpayer at
9	3330 GOLDSPIER DR	Taxpayer at
10	3331 GARDEN LN	ROLFE LEVESTER JR
11	3335 GARDEN LN	KELLY JACKSON &
12	3339 GARDEN LN	ROBINSON JIMMY T
13	3403 GARDEN LN	SWEET TIMOTHY
14	3407 GARDEN LN	AGUIRRE VICTORIA CARIAS
15	5003 2ND AVE	WATERMARK SOUTH DALLAS LLC
16	4922 S 2ND AVE	OLUSANYA KIM
17	4930 2ND AVE	BURNETT JIMMY
18	4910 2ND AVE	LEVINGSTON JOSEPH