

FILE NUMBER: Z201-136(LG)

DATE FILED: November 19, 2020

LOCATION: North line of Canada Drive, between Darien Street and Finis Street

COUNCIL DISTRICT: 6

MAPSCO: 44 E

SIZE OF REQUEST: ± 0.402 Acres

CENSUS TRACT: 101.01

REPRESENTATIVE: Kelly Nyfeler, Coldwell Banker

APPLICANT/OWNER: Iconick 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 develop the site with two single family dwellings.

CPC RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is comprised of two vacant lots fronting Canada Drive. The area of request is currently zoned a CR Community Retail District.
- The applicant intends to build two single family homes on the lots under the R-5(A) Single Family District regulations.
- The property is protected from the floodplain by a levee on the north side.

Zoning History: There has been one zoning change request in the surrounding area in the past five years.

1. **Z189-370** On March 25, 2020, the City Council approved a request for an R-5(A) Single Family District on property zoned a CR Community Retail District.

Thoroughfares/Streets

Thoroughfare/Street	Type	Existing / Proposed ROW
Canada Drive	Principal Arterial	80 feet Bike plan

Traffic

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS

Comprehensive Plan

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

The applicant's 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 1.1.1 Implement the Trinity River Corridor Plan.

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.

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.

The Neighborhood Plus Plan was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift the approach, policies, and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

GOAL 5. EXPAND HOMEOWNERSHIP

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

Area Plans

In May 1999, City Council approved the West Dallas Comprehensive Land Use Study, with the mission to inventory all existing West Dallas land uses and identify zoning issues and strategic options that will influence the positive redevelopment and stability of the area. The request site is located within zoning Subarea 8, Los Altos, largely comprised of single-family housing and makes no recommendation for zoning changes. Among the policies included in the plan are:

- Encourage infill housing development consistent with the existing residential character of the neighborhood.
- Encourage R-7.5(A) and R-5(A) zoning uses in subarea 8 to decrease the number of vacant and abandoned lots. Promote infill, new construction, and rehabilitation of existing structures where possible in subarea 8.

The applicant's request for a residential zoning district is consistent with the goals and policies of the West Dallas Comprehensive Land Use Study.

Trinity River Corridor Comprehensive Land Use Study was adopted by City Council in March 2005, and then revised in December 2009. Trinity River Corridor is a unified

collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River. Additionally, The Trinity River Corridor is the City's model for economic growth without physical, social or economic barriers, which attracts residents and visitors to live, learn, work, shop and play within a cosmopolitan urban core, and alongside the river's meandering environment.

Five objectives for future development in the Trinity Corridor add detail to the 2050 Vision Statement. They provide guidance that shapes this plan's recommendations for each part of this very large corridor. The five objectives are:

- Reconnect North and South Dallas
- Establish the role of economic development along the Trinity River
- Create a vibrant central city
- Establish the Trinity River floodplain as the front yard of the City
- Enhance the City's urban form to increase the appeal of urban life.

The request site is located within the Residential Traditional Module. This module recommends residential single-family detached homes as primary land use, a combination of residential multifamily, retail neighborhood, office neighborhood, and civic uses as secondary land-uses, and parks and open spaces and single-family estate as optional land uses. The request site is also located within the West Dallas District. Within this district the existing single-family residential uses, both in the interior and along the riverfront, are recommended to be protected and enhanced. The Residential Traditional land use module applied here maintains this development pattern. The applicant's request is consistent with the goals and policies of the Trinity River Corridor Comprehensive Land Use Study.

Surrounding Land Uses

	Zoning	Land Use
Site	CR Community Retail	Undeveloped
North	A(A) Agricultural	Trinity River
East	R-5(A) Single Family	Single family
Southeast	R-5(A) Single Family	Single family
South	CR Community Retail	Single family, Church
Southwest	CR Community Retail	Church
West	CR Community Retail	Undeveloped

Development Standards

District	Setbacks		Height (max)	Lot Coverage (max)	Density/ FAR	Special Standards	Primary Uses
	Front (min)	Side & Rear (min)					
Existing: CR	15' (20' due to block face continuity requirements)	20' adj. to res. (not including A(A) 0' all others	54' Max 4 stories	60%	FAR: 0.5 office 0.75 combined	Residential Proximity Slope	Retail and personal service, office
Proposed: R-5(A)	20'	5' (single family); 10' other uses	30'	45% SF; 25% others	1 DU/lot; 5,000 sq. ft.	Residential Proximity Slope	Single family

The proposed R-5(A) district will move the residential proximity slope generating line further west, thus having an impact in the surrounding properties that will remain within the CR district, to the south and west. It is important to note that this is an existing condition due to the CR district being surrounded by R-5(A), CR and A(A) districts. Furthermore, considering that the majority of the remaining properties within the CR district are developed with single family and church uses, staff considers that the current uses will not be negatively affected by this zoning change.

With the exception of the churches located south and west of the area of request, most of the properties in this area have been developed as single family homes. The area of request was zoned as CR Community Retail District in 1989 but based on historic aerial maps dating back to 1952, the area of request has always been undeveloped and does not have a history of commercial uses on the property. Building permit records also show that no permit history exists for the subject site. Meanwhile, single family uses have existed on the surrounding properties in historic aerials; therefore, the applicant's request is consistent with past and future proposed land uses within the vicinity.

After review of the existing development patterns of the surrounding properties and the necessity to preserve the character of the existing single-family neighborhood, staff recognizes the positive benefits of the expansion of the R-5(A) single family district. The proposed zoning change is consistent with the development and zoning patterns found in the area, and especially with the need to preserve the single-family character of Bikers Park neighborhood. Staff is in support of the applicant's request, since the request

proposes to develop the property in a manner that is consistent with surrounding uses. This request also allows for the development of infill housing in a manner that is consistent with future land uses.

Land Use Compatibility

The area of request is comprised of two vacant lots fronting Canada Drive and zoned a CR Community Retail District. The applicant intends to build two single family homes on the existing lots that comprise the area of request. The proposed development will conform to the R-5(A) Single Family District regulations. The request site is surrounded by single-family uses to the east, west and south and church use to the southwest. Undeveloped properties are immediately adjacent to the west.

The existing CR district is comprised of a total of twelve lots on both sides of Canada Drive, between Finis Street and the west line of Darien Street, and is surrounded by R-5(A), A(A) and CR districts. Six of the existing lots within the CR district are currently developed with single family and church uses, with the remaining lots being undeveloped.

Use Comparison Table:

Existing Zoning: CR Community Retail District	Proposed Zoning: R-5(A) Single Family District
<u>Agricultural uses.</u> -- Crop production.	<u>Agricultural uses.</u> -- Crop production.
<u>Commercial and business service uses.</u> -- Building repair and maintenance shop. [RAR] -- Catering service. -- Custom business services. -- Electronics service center. -- Medical or scientific laboratory. [SUP] -- Tool or equipment rental.	<u>Commercial and business service uses.</u> None permitted.
<u>Industrial uses.</u> -- Gas drilling and production. [SUP] -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]	<u>Industrial uses.</u> -- Gas drilling and production. [SUP] -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]
<u>Institutional and community service uses.</u> -- Adult day care facility.	<u>Institutional and community service uses.</u> -- Adult day care facility. [SUP]

Existing Zoning: CR Community Retail District	Proposed Zoning: R-5(A) Single Family District
<ul style="list-style-type: none"> -- Cemetery or mausoleum. <i>[SUP]</i> -- Child-care facility. -- Church. -- College, university, or seminary. -- Community service center. <i>[SUP]</i> -- Convent or monastery. -- Hospital. <i>[SUP]</i> -- Library, art gallery, or museum. -- Open-enrollment charter school or private school. <i>[SUP]</i> -- Public school other than an open-enrollment charter school. <i>[RAR]</i> 	<ul style="list-style-type: none"> -- Cemetery or mausoleum. <i>[SUP]</i> -- Child-care facility. <i>[SUP]</i> -- Church. -- College, university, or seminary. <i>[SUP]</i> -- Community service center. <i>[SUP]</i> -- Convent or monastery. <i>[SUP]</i> -- Foster home. <i>[SUP]</i> -- Library, art gallery, or museum. <i>[SUP]</i> -- Public or private school. <i>[SUP]</i>
<u>Lodging uses.</u> <ul style="list-style-type: none"> -- Hotel and motel. <i>[SUP]</i> -- Lodging or boarding house. <i>[SUP]</i> -- Overnight general purpose shelter. <i>[See Section 51A-4.205 (2.1)]</i> 	<u>Lodging uses.</u> None permitted.
<u>Miscellaneous uses.</u> <ul style="list-style-type: none"> -- Attached non-premise sign. <i>[SUP]</i> -- Carnival or circus (temporary). <i>[By special authorization of the building official.]</i> -- Temporary construction or sales office. 	<u>Miscellaneous uses.</u> <ul style="list-style-type: none"> -- Carnival or circus (temporary). <i>[By special authorization of the building official.]</i> -- Temporary construction or sales office.
<u>Office uses.</u> <ul style="list-style-type: none"> -- Alternative financial establishment. <i>[SUP]</i> -- Financial institution without drive-in window. -- Financial institution with drive-in window. <i>[DIR]</i> -- Medical clinic or ambulatory surgical center. -- Office. 	<u>Office uses.</u> None permitted.

Existing Zoning: CR Community Retail District	Proposed Zoning: R-5(A) Single Family District
<u>Recreation uses.</u> <ul style="list-style-type: none"> -- Country club with private membership. -- Private recreation center, club, or area. -- Public park, playground, or golf course. 	<u>Recreation uses.</u> <ul style="list-style-type: none"> -- Country club with private membership. <i>[SUP]</i> -- Private recreation center, club, or area. <i>[SUP]</i> -- Public park, playground, or golf course.
<u>Residential uses.</u> <ul style="list-style-type: none"> -- College dormitory, fraternity, or sorority house. 	<u>Residential uses.</u> <ul style="list-style-type: none"> -- Handicapped group dwelling unit. <i>[See Section 51A-4.209(3.1).]</i> -- Single family.* (proposed use)
<u>Retail and personal service uses.</u> <ul style="list-style-type: none"> -- Alcoholic beverage establishments. <i>[See Section 51A-4.210 (b)(4).]</i> -- Ambulance service. <i>[RAR]</i> -- Animal shelter or clinic without outside runs. <i>[RAR]</i> -- Auto service center. <i>[RAR]</i> -- Business school. -- Car wash. <i>[DIR]</i> -- Commercial amusement (inside). <i>[SUP may be required. See Section 51A-4.210(b)(7)(B).]</i> -- Commercial amusement (outside). <i>[SUP]</i> -- Commercial parking lot or garage. <i>[RAR]</i> -- Convenience store with drive-through. <i>[SUP]</i> -- Dry cleaning or laundry store. -- Furniture store. -- General merchandise or food store 3,500 square feet or less. -- General merchandise or food store greater than 3,500 square feet. -- General merchandise or food store 100,000 square feet or more. <i>[SUP]</i> 	<u>Retail and personal service uses.</u> <p>None permitted.</p>

Existing Zoning: CR Community Retail District	Proposed Zoning: R-5(A) Single Family District
<ul style="list-style-type: none"> -- Home improvement center, lumber, brick or building materials sales yard. <i>[DIR]</i> -- Household equipment and appliance repair. -- Liquor store. -- Mortuary, funeral home, or commercial wedding chapel. -- Motor vehicle fueling station. -- Nursery, garden shop, or plant sales. -- Paraphernalia shop. <i>[SUP]</i> -- Pawn shop. -- Personal service uses. -- Restaurant without drive-in or drive-through service. <i>[RAR]</i> -- Restaurant with drive-in or drive-through service. <i>[DIR]</i> -- Swap or buy shop. <i>[SUP]</i> -- Temporary retail use. -- Theater. 	
<p><u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Transit passenger shelter. -- Transit passenger station or transfer center. <i>[By SUP or city council resolution. See Section 51A-4.211.]</i> 	<p><u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Private street or alley. <i>[SUP]</i> -- Transit passenger shelter. <i>[See Section 51A-4.211.]</i> -- Transit passenger station or transfer center. <i>[SUP]</i>
<p><u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Commercial radio and television transmitting station. -- Electrical substation. -- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4).]</i> -- Police or fire station. -- Post office. -- Radio, television or microwave tower. <i>[SUP]</i> -- Tower/antenna for cellular communication. <i>[See Section 51A-4.212(10.1).]</i> 	<p><u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Electrical substation. <i>[SUP]</i> -- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4).]</i> -- Police or fire station. <i>[SUP]</i> -- Radio, television, or microwave tower. <i>[SUP]</i> -- Tower/antenna for cellular communication. <i>[See Section 51A-4.212(10.1).]</i> -- Utility or government installation other than listed. <i>[SUP]</i>

Existing Zoning: CR Community Retail District	Proposed Zoning: R-5(A) Single Family District
--Utility or government installation other than listed. <i>[SUP]</i>	
<u>Wholesale, distribution, and storage uses.</u> -- Mini-warehouse. <i>[SUP]</i> -- Recycling buy-back center. <i>[See Section 51A-4.213 (11).]</i> -- Recycling collection center. <i>[See Section 51A-4.213 (11.1).]</i> -- Recycling drop-off container. <i>[See Section 51A-4.213 (11.2).]</i> -- Recycling drop-off for special occasion collection. <i>[See Section 51A-4.213 (11.3).]</i>	<u>Wholesale, distribution, and storage uses.</u> -- Recycling drop-off container. <i>[See Section 51A-4.213 (11.2).]</i> -- Recycling drop-off for special occasion collection. <i>[See Section 51A-4.213 (11.3).]</i>

Parking

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. A single-family use requires one parking space per dwelling unit when located within an R-5(A) District.

Landscaping

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

Market Value Analysis

Market Value Analysis (MVA) is a tool to aid residents and policymakers 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 to orange, representing the weakest markets. The subject site is uncategorized. Adjacent properties to the east, south and west are within Category H.

List of Officers

Ahmad Farahani, sole owner

CPC ACTION
MARCH 4, 2021

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 north line of Canada Drive, between Darien Street and Finis Street.

Maker: Jackson
Second: Murphy
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung, Suhler,
Schwope, Murphy, Garcia, Rubin

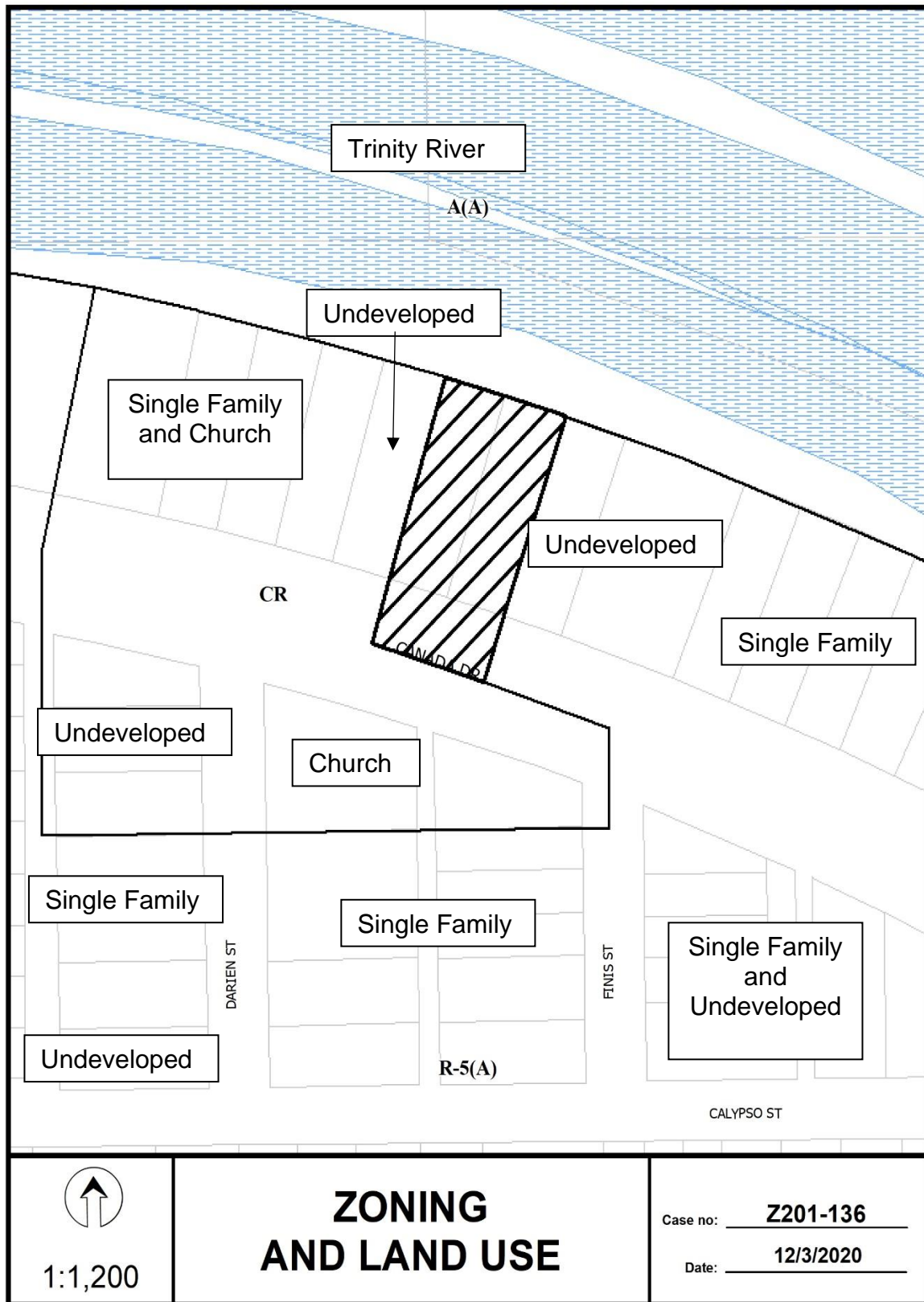
Against: 0
Absent: 0
Vacancy: 1 - District 10

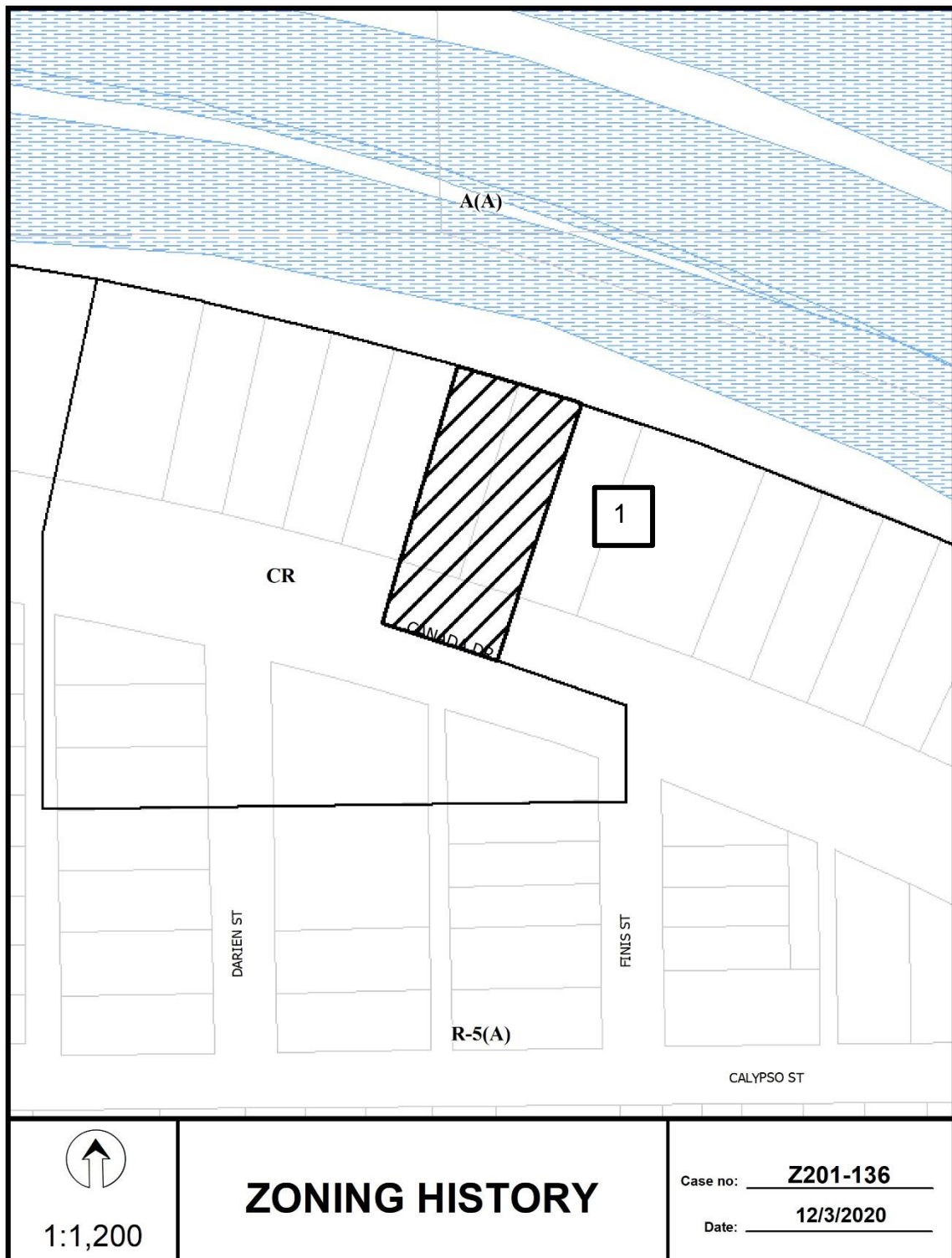
Notices:	Area: 200	Mailed: 21
Replies:	For: 0	Against: 0

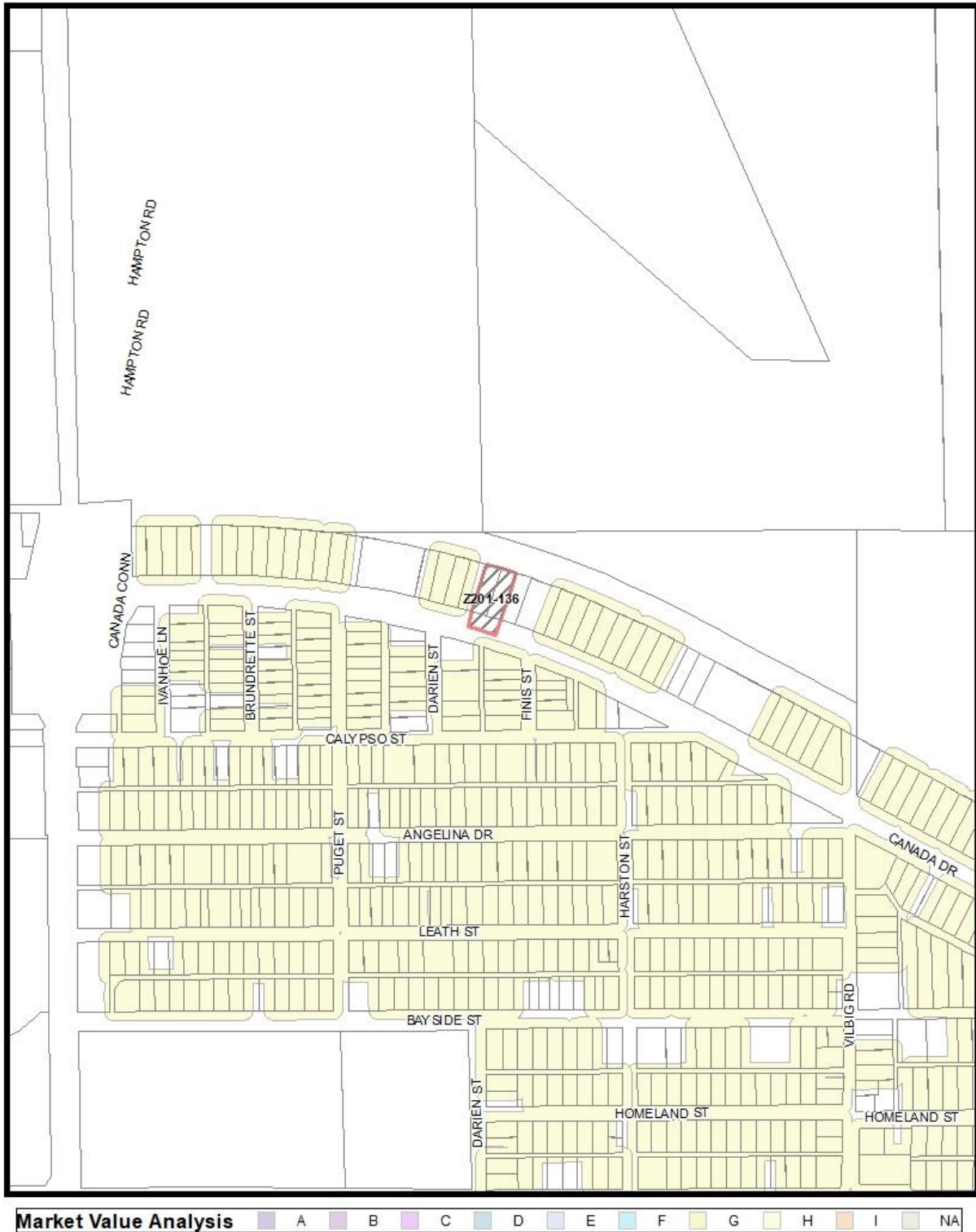
Speakers: For: None
For (Did not speak): Kelly Nyfeler, 5950 Sherry Ln., Dallas, TX, 75225
Against: None



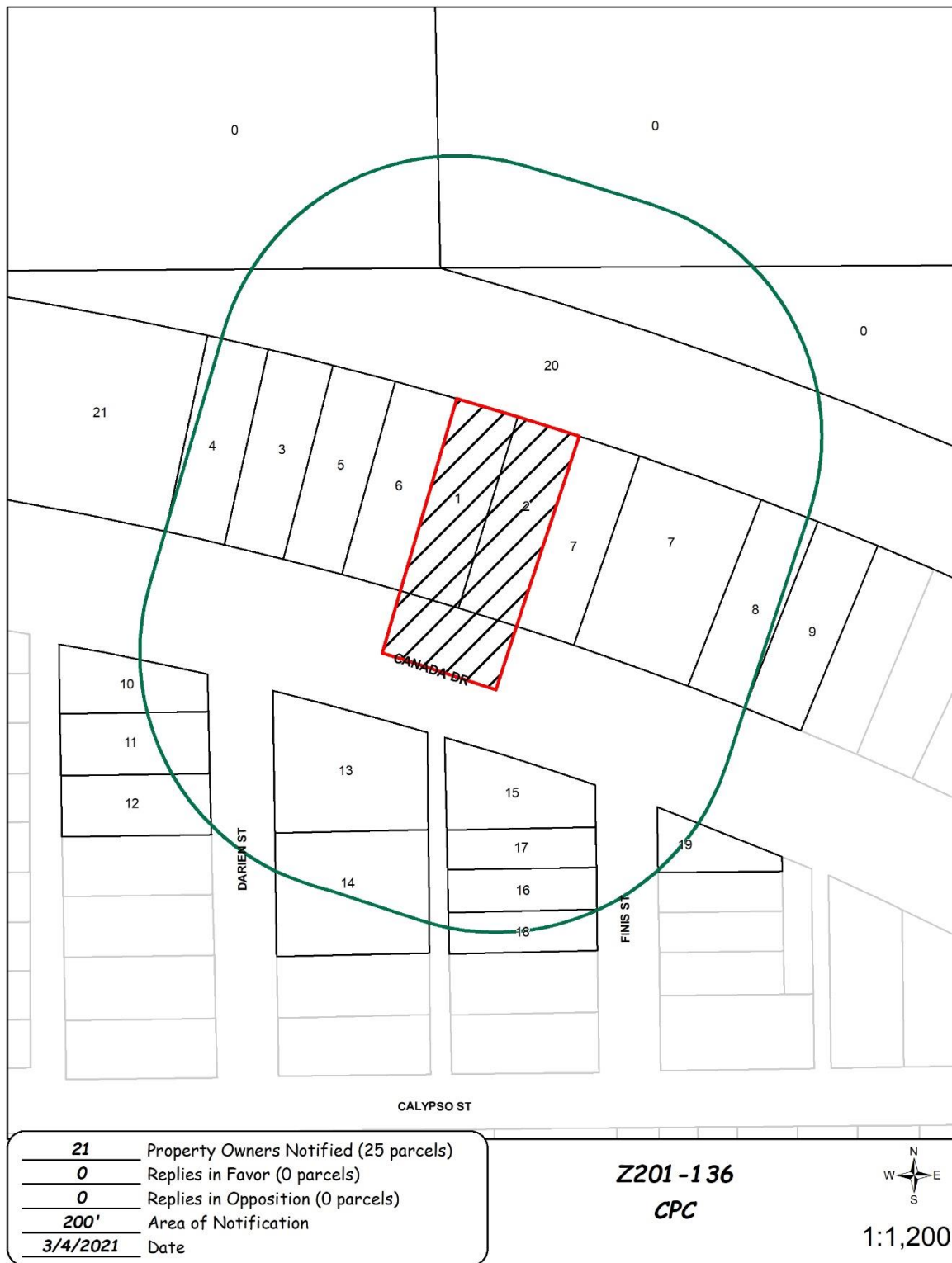








CPC RESPONSES



03/03/2021

Reply List of Property Owners***Z201-136******21 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	1943	CANADA DR	SHERMAN JAMES
2	1939	CANADA DR	SHERMAN JAMES
3	1955	CANADA DR	RIVERS EDGE INVESTMENTS LLC
4	1959	CANADA DR	ARROYO ANTONIO
5	1951	CANADA DR	CARTER FAYE DELL &
6	1947	CANADA DR	CHAVEZ CHRISTOPHER &
7	1935	CANADA DR	FODAP LLC
8	1923	CANADA DR	GAVILANES ESMERALDA
9	1919	CANADA DR	ROJASLOPEZ LONDY MARISOL
10	4027	DARIEN ST	RIVER EDGE INVESTMENTS LLC
11	4023	DARIEN ST	WASHINGTON TERRY C & GENOVA
12	4019	DARIEN ST	RIVERA MARIA DEL ROSARIO
13	4030	DARIEN ST	IGLESIA JESUCRISTO TE AMA
14	4010	DARIEN ST	SHELBY FAYE DEAN
15	4019	FINIS LN	HOWARD CATHY ELIZABETH
16	4011	FINIS LN	ANCHORED WINGS PRIVATE
17	4015	FINIS LN	MIMS WILLIAMS MILDRED LEE
18	4009	FINIS LN	SHAW C W ESTATE OF
19	4014	FINIS LN	FIELDS LEONARD
20	242	CANADA DR	EASON RICHARD B
21	1967	CANADA DR	MACEDONIA BAPTIST CHURCH