

FILE NUMBER: Z234-235(MB) **DATE FILED:** May 14, 2024
LOCATION: Northwest line of Garland Avenue, north of Fairview Avenue
COUNCIL DISTRICT: 2
SIZE OF REQUEST: 7,500 sq. ft. **CENSUS TRACT:** 48113002400

OWNERS: Hector Valdez, Michael Valdez

APPLICANT: Hector Valdez

REQUEST: An application to amend the land use map to allow a duplex use on property that currently allows a single family use within Subarea A within Planned Development District No. 134.

SUMMARY: The purpose of the request is to allow development of a duplex.

CPC RECOMMENDATION: Denial without prejudice.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned for single family use. The site is undeveloped.
- The lot has frontage on Garland Avenue.
- The applicant proposes to redevelop the property with a duplex.
- To accomplish this, they request that the property be rezoned to the duplex use within Planned Development District No. 134 Subarea A.
- PD No. 134 accomplishes zoning of sites through a land use map that designates specific parcels as being for single family or for duplex use, as well as other uses. The only uses permitted within Subarea A are single family and duplex uses, and uses permitted in the R-7.5 Single Family District.
- On November 21, 2024, the City Plan Commission recommended denial without prejudice.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Ash Lane	Local Street	-
South Henderson Avenue	Local Street	-

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on traffic.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

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 Plan:

GOAL 5 EXPAND HOMEOWNERSHIP

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 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.

Active Area Plans

The 360 Plan:

The *360 Plan* was adopted by the City Council in December 2017 as a guide to future actions concerning land use and development regulations, transportation, economic development and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street. This plan outlines three transformative strategies suggested by City Council with an overall goal that focuses on a complete and connected city center for future growth and development throughout the city.

Although the area of request is just outside of the boundaries of the 360 Area Plan, staff finds it useful to provide information on the area plan as it is found to be pertinent to the immediate area. The request complies with, but not limited to, the following transformative strategies and their respective goals of the 360 Plan:

I. BUILD COMPLETE NEIGHBRHOODS

Family-Friendly Housing
 Diversity in Price Point
 Diversity in Product Type

Land Use:

	Zoning	Land Use
Site	PD 134 Subarea A, Single Family	Undeveloped
North	PD 134 Subarea A, Single Family and others	Church, single family
South	PD 134 Subarea A, Single Family and others	Single family, duplex
East	PD 134 Subarea A, Single Family and others	Single family, duplex
West	PD 134 Subarea A, Single Family and others	Single family, duplex

Land Use Compatibility:

The area of request is currently undeveloped. The site is generally surrounded by single family and duplex uses within Subarea A of PD No. 134. The area is generally developed with single family houses and duplexes, as well as standard 7,500 square foot single family lots split to sizes around 3,500. The area is close to retail along Grand Avenue and Columbia Avenue, as well as schools within the Mount Auburn neighborhood.

The site lies within Planned Development District No. 134 Subarea A. This PD accomplishes zoning of sites through a land use map that designates specific parcels as being for single family or for duplex use, as well as other uses. The only uses permitted within Subarea A are single family and duplex uses and uses permitted in the R-7.5 Single Family District.

The character of the area is predominantly single family detached with a substantial number of duplexes as well. The standards for development follow that of the R-7.5 Single Family District, with a minimum front yard setback of 10' and other setback deviations, detailed in the table below. These standards apply to both duplexes and single family houses.

Staff supports the proposed rezoning to a duplex use because it is in line with the character and existing development of the neighborhood, and will follow the existing development standards required by PD 134, rather than the standards of a D(A) Duplex District. While the site is situated on a side lot rather than a corner lot, the PD 134 development standards would result in a structure that would mirror what can already be built on the site, as the development standards do not differ between single family and duplex uses. Nearby duplexes or entitlements for duplexes further support this request, with six lots designated for duplex use on the existing land use map within the site’s block.

Development Standards

Following is a comparison of the development standards of the R-7.5 Single Family District, the PD 134 single family and duplex standards, and the D(A) Duplex District.

District	Setback		Density	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
R-7.5 Single Family	25'	5'	Min. lot size is 7,500 sqft	30'	45% residential	Min. lot width 55'	Single family
Existing: PD 134 Single Family and Duplex	10' ¹	5'	Min. lot size is 7,250 sqft	30'	45% residential	Min. lot width 50'	Single family, duplex
D(A) Duplex	25' ²	Single family: 5' Duplex: 5' side, 10' rear	Min. lot size is 6,000 sqft	36'	60% residential		Single family, duplex

¹ Setbacks on interior lots are the same as, or between, setbacks of closest adjacent structures. Structure on vacant corner lot must conform to setback that is within 5% of setback of closest adjacent structure within same block.

² Would impose greater setback on properties in the future due to blockface continuity standards.

The proposed change does not alter any of the development standards of the existing zoning, and duplexes developed under this district would be subject to the same standards established in PD 134 Subarea A. Only the use would be changed.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

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	PD 134 Single Family	PD 134 Duplex
AGRICULTURAL USES		
Animal production	•	•
Commercial stable	•	•
Crop production	•	•
Private stable	★	★
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop		
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		
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		

	Existing	Proposed
Use	PD 134 Single Family	PD 134 Duplex
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
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	S	S
Cemetery or mausoleum	S	S
Child-care facility	S	S
Church	•	•
College, university, or seminary	S	S
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery	S	S
Foster home	S	S
Halfway house		
Hospital		
Library, art gallery, or museum	S	S
Open-enrollment charter school or private school	S	S
Public school other than an open-enrollment charter school	S	S
LODGING USES		
Extended stay hotel or motel		
Hotel or motel		
Lodging or boarding house		
Overnight general purpose shelter		
MISCELLANEOUS USES		
Carnival or circus (temporary)	★	★
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment		
Financial institution without drive-in window		

	Existing	Proposed
Use	PD 134 Single Family	PD 134 Duplex
Financial institution with drive-in window		
Medical clinic or ambulatory surgical center		
Office		
RECREATION USES		
Country club with private membership	S	S
Private recreation center, club, or area	S	S
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
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	•	•
RETAIL AND PERSONAL SERVICE USES		
Ambulance service		
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		
Business school		
Car wash		
Commercial amusement (inside)		
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage		
Convenience store with drive-through		
Drive-in theater		
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		
Home improvement center, lumber, brick or building materials sales yard		

	Existing	Proposed
Use	PD 134 Single Family	PD 134 Duplex
Household equipment and appliance repair		
Liquefied natural gas fueling station		
Motor vehicle fueling station		
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop		
Pawn shop		
Personal service use		
Restaurant without drive-in or drive-through service		
Restaurant with drive-in or drive-through service		
Surface parking		
Swap or buy shop		
Taxidermist		
Temporary retail use		
Theater		
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley	S	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
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station		
Electrical generating plant		
Electrical substation	S	S
Local utilities	★	★
Police or fire station	S	S
Post office		
Radio, television, or microwave tower	S	S
Refuse transfer station		
Sanitary landfill		

	Existing	Proposed
Use	PD 134 Single Family	PD 134 Duplex
Sewage treatment plant		
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
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		
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		

Landscaping:

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

Parking:

Pursuant to Chapter 51 of the Dallas Development Code, the off-street parking requirement for a duplex use is two parking spaces per dwelling unit. The applicant would be required to comply with standard parking minimums 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 within an “H” MVA area.

CPC Action

November 21, 2024

Motion: It was moved to recommend **denial without prejudice** of an amendment to the land use map to allow a duplex use on property that currently allows a single-family use within Subarea A within Planned Development District No. 134, on the northwest line of Garland Avenue, north of Fairview Avenue.

Maker: Hampton
Second: Kingston
Result: Carried: 8 to 3

For: 8 - Hampton, Herbert, Forsyth, Carpenter, Blair,
Sleeper, Hall, Kingston

Against: 3 - Shidid, Wheeler-Reagan, Rubin
Absent: 3 - Chernock, Housewright, Haqq
Vacancy: 1- District 11

Notices: Area: 200 Mailed: 31
Replies: For: 2 Against: 4

Speakers: For: Hector Valdez, 5118 Garland Ave., Dallas, TX, 75223
Laura Valdez, 5118 Garland Ave., Dallas, TX, 75223
Against: Jasmine Griffiths, 1023 Mount Auburn Ave., Dallas, TX, 75223
Stephanie Casey, 909 Cameron Ave., Dallas, TX, 75223
Melanie Vanlandingham, 6311 Lakeshore, Dallas, TX, 75214
Karen Roberts, 502 Cameron Ave., Dallas, TX, 75223

CPC Action

October 10, 2024

Motion: In considering an application for to amend the land use map to allow a duplex use on property that currently allows a single-family use within Subarea A within Planned Development District No. 134, on the northwest line of Garland Avenue, north of Fairview Avenue, it was moved to **hold** this case under advisement until November 21, 2024.

Maker: Hampton
Second: Carpenter
Result: Carried: 12 to 0

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For: 12 - Chernock, Hampton, Forsyth, Shidid,
Carpenter, Wheeler-Reagan, Blair,
Sleeper, Eppler, Hall, Kingston, Rubin*

Against: 0

Absent: 3 - Herbert, Housewright, Haqq

Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200

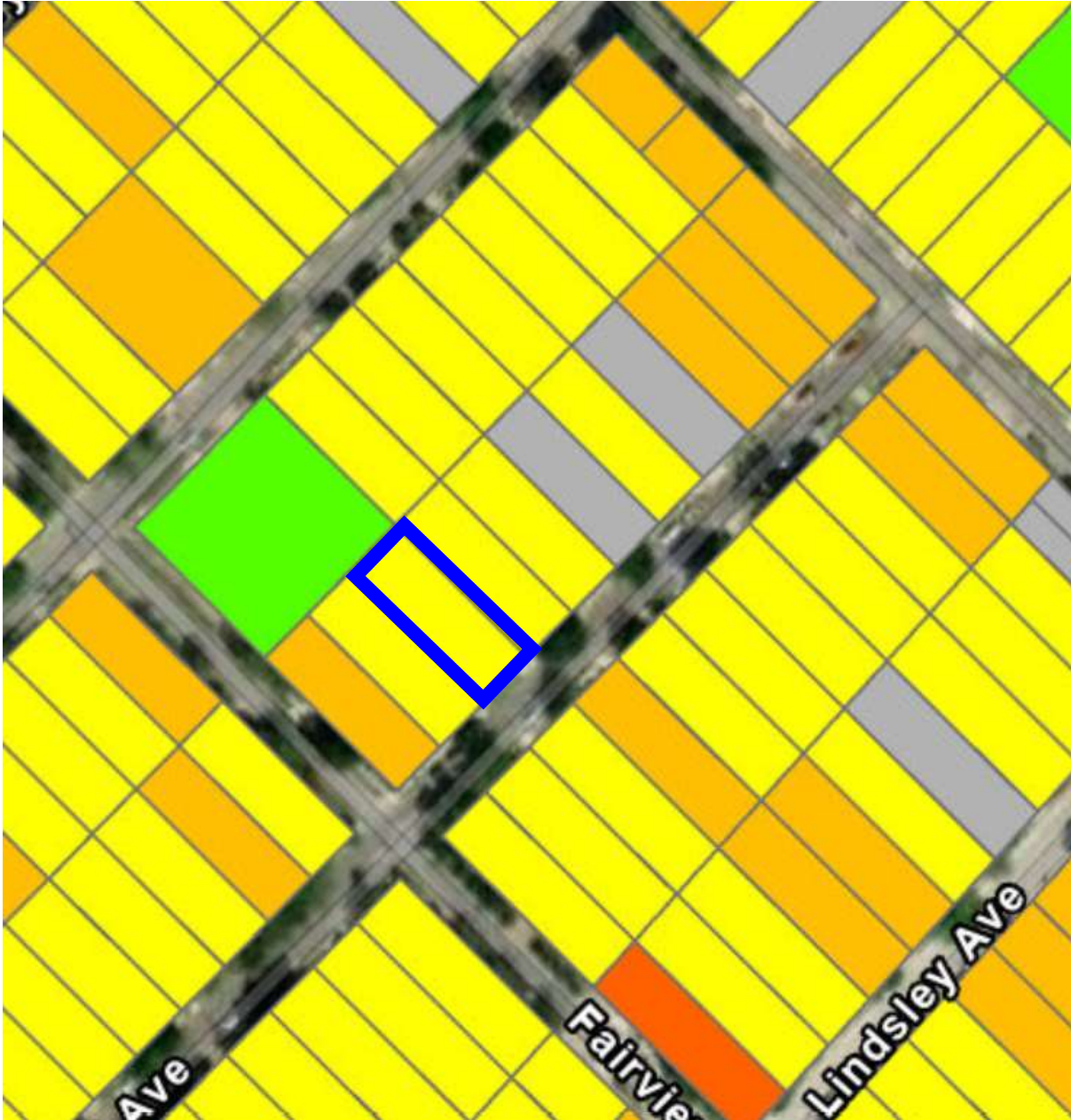
Mailed: 31

Replies: For: 1

Against: 2

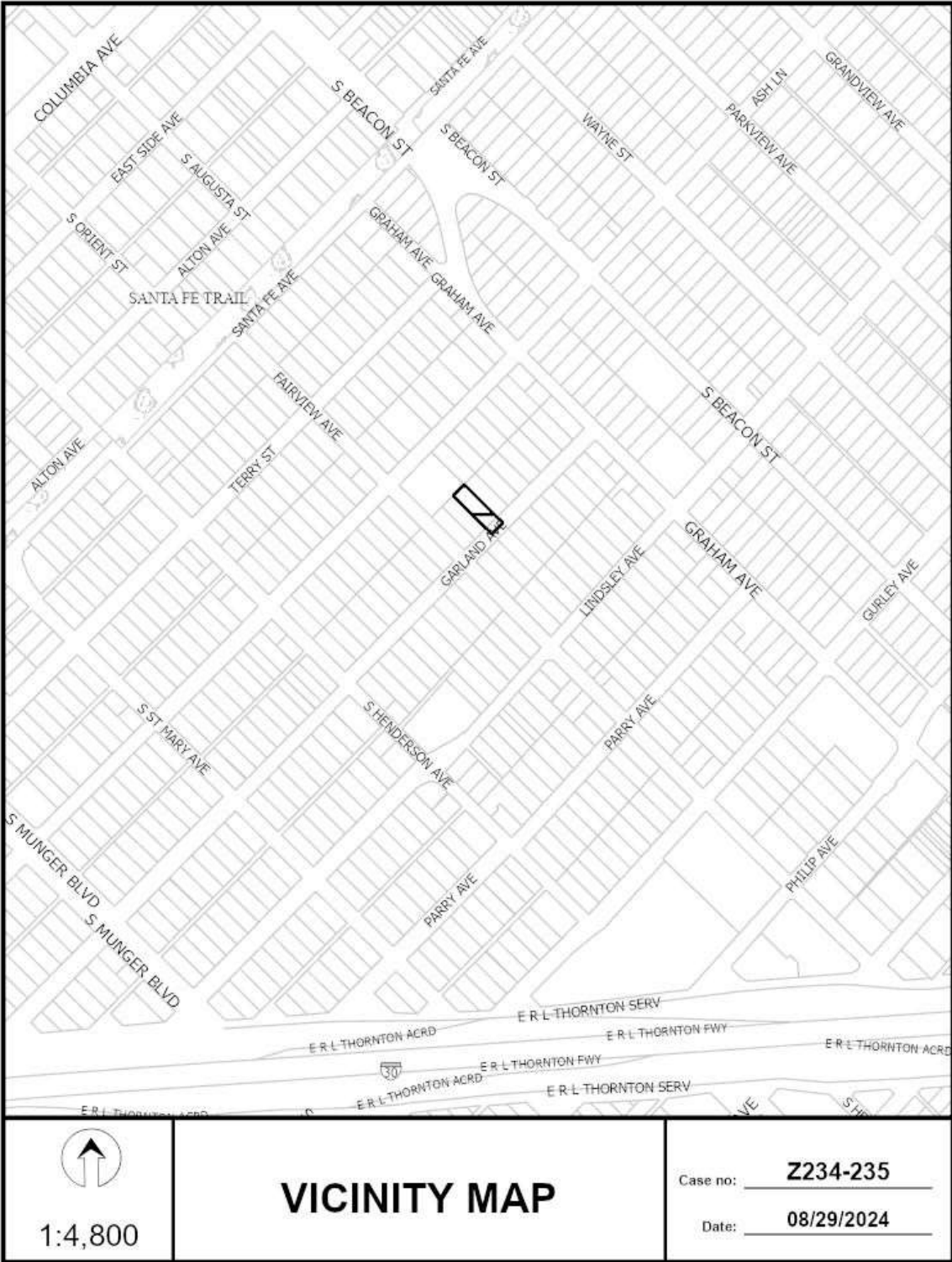
Speakers: None

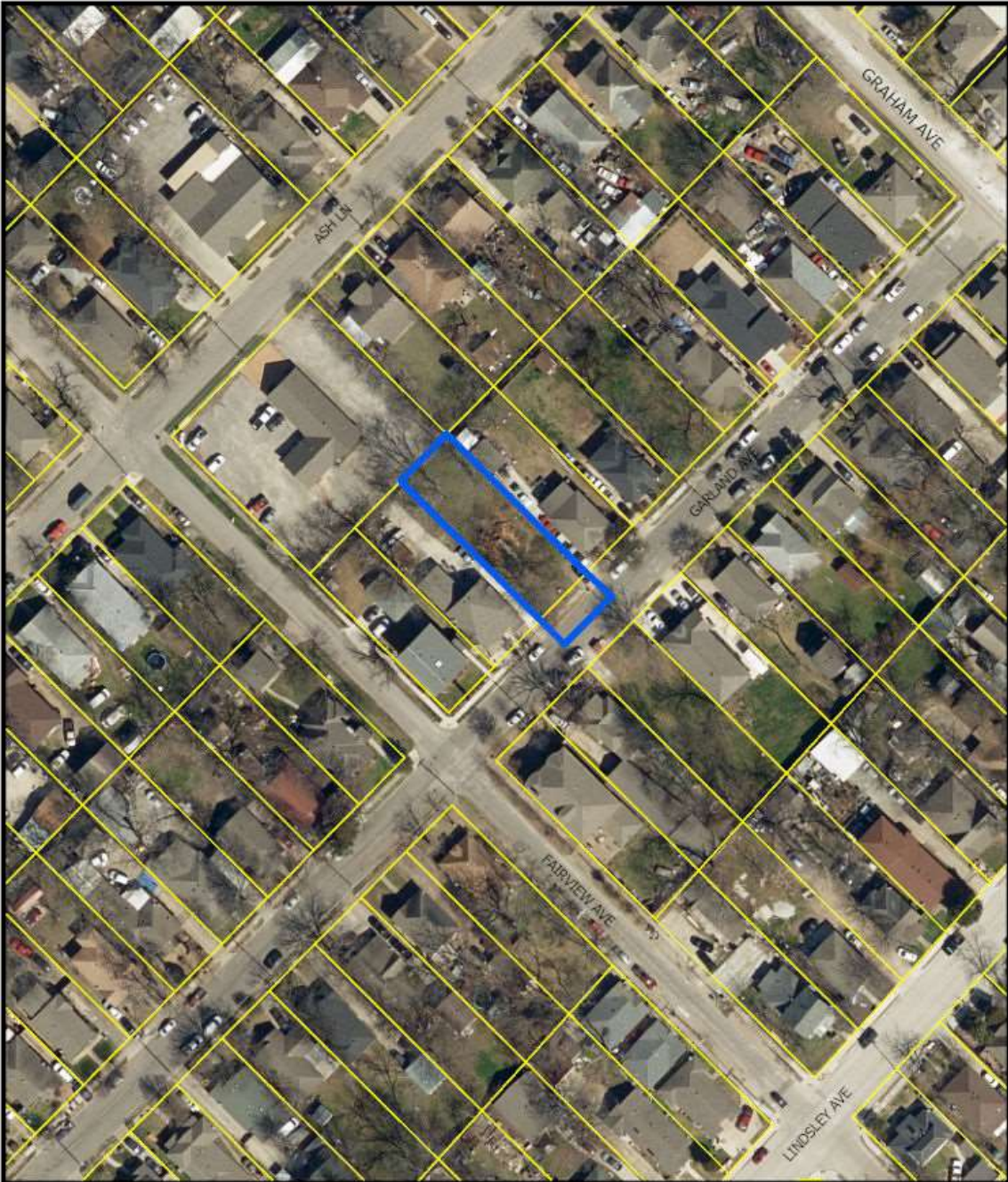
EXISTING LAND USE MAP



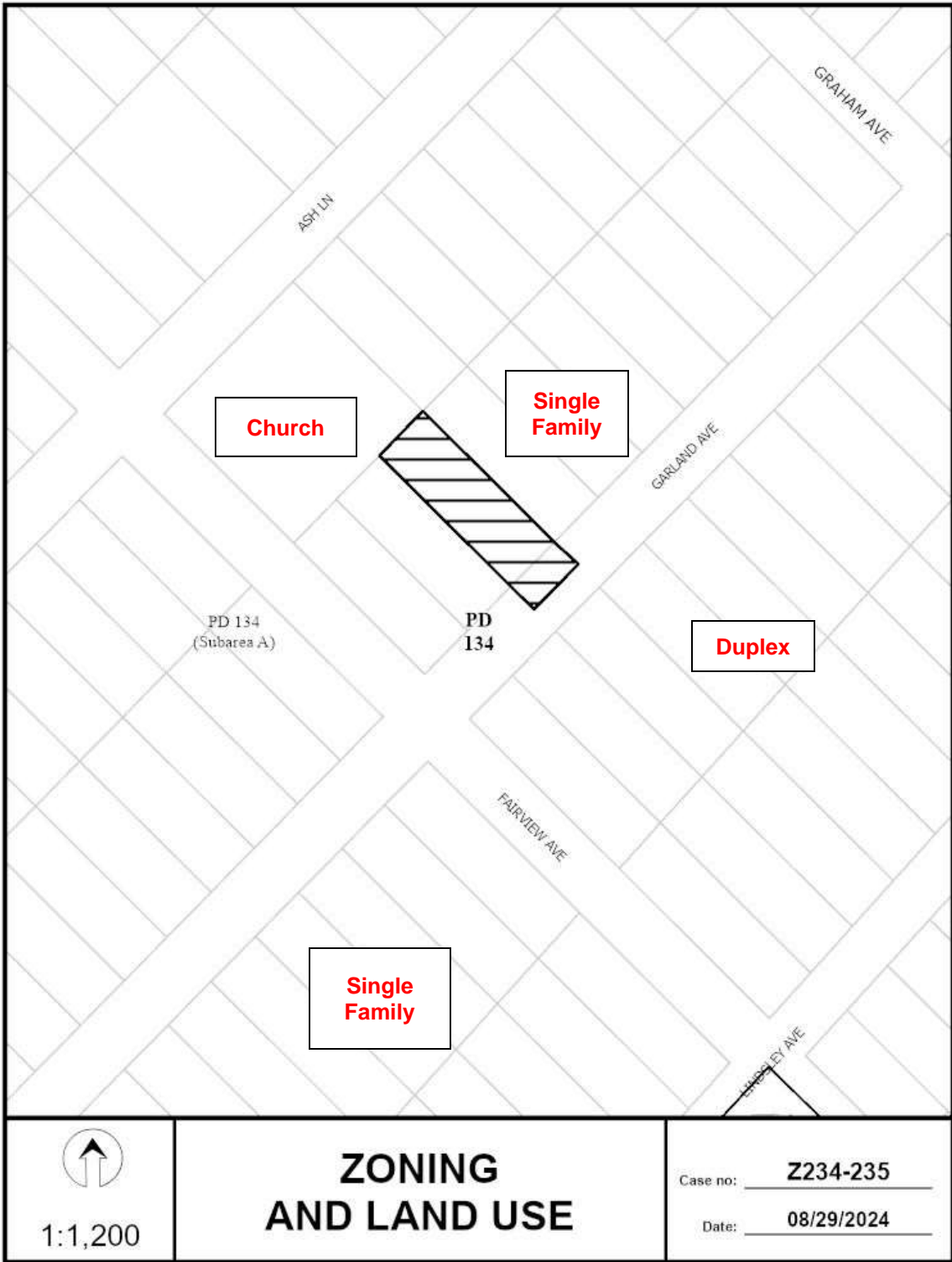
Legend

- Mount Auburn Original Uses
- Retail/Commercial
 - Duplex
 - Multi-Family
 - Office
 - Open Space
 - Parking
 - Public/Semi-Public
 - Single Family
 - Vacant Land





 1:1,200	AERIAL MAP	Case no: <u> Z234-235 </u> Date: <u> 08/29/2024 </u>
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<u>31</u>	Property Owners Notified (31 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>4</u>	Replies in Opposition (4 parcels)
<u>200'</u>	Area of Notification
<u>11/21/2024</u>	Date

Z234-235
CPC



1:1,200

11/20/2024

Reply List of Property Owners***Z234-235******31 Property Owners Notified 2 Property Owners in Favor 4 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5409 GARLAND AVE	VALDEZ HECTOR &
	2	5416 ASH LN	CAZARES ROBERTO & GLORIA
	3	5419 GARLAND AVE	DWIVEDI FAMILY TRUST THE
	4	5337 GARLAND AVE	SRIVASTAVA ATUL &
	5	5346 ASH LN	LINE REAL ESTATE LLC
	6	5407 LINDSLEY AVE	DOMINGUEZAGUIRRE VILIULFO &
	7	5413 ASH LN	SPANISH UNITED PENTECOSTAL CHURCH
	8	5410 ASH LN	TEXAS CONFERENCE ASSOC SEVENTH DAY ADVENTISTS
	9	5415 LINDSLEY AVE	GONZALEZ ASCENCION &
X	10	5334 GARLAND AVE	GILMORE RALPH CURTIS
	11	5427 GARLAND AVE	NUNO EZEQUIEL
	12	5416 GARLAND AVE	ESQUIVEL SONIA &
	13	5405 GARLAND AVE	GARZA GRACIELA
O	14	5422 ASH LN	LARA SOFIA
	15	5338 GARLAND AVE	BUENO SAMUEL & MARIA CAMPOS BUENO
X	16	5428 GARLAND AVE	ROSE LEONARD & BISNAWATHI
	17	5407 ASH LN	SALAZAR WESLEY
	18	5422 GARLAND AVE	HEED CHERYL K & CYNTHIA L
	20	5417 LINDSLEY AVE	VAZQUEZ IRMA
	21	5411 LINDSLEY AVE	CRUZMENDOZA ALVARO DE LA &
	22	5426 ASH LN	CASTANEDA JOSE JACINTO
	25	5344 ASH LN	AYALA EMILIA
X	26	5333 GARLAND AVE	PARADES DORA ELIZABETH
	27	5401 GARLAND AVE	SRIVASTAVA ATUL & SARIKA
	28	5417 GARLAND AVE	ESQUIVEL SONIA &
	29	5406 GARLAND AVE	DABI SANJU

Z234-235(MB)

11/20/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	30	5412 GARLAND AVE	PAYTON JOSEPH
	31	5414 ASH LN	NAVARRETE EFRAIN CAMPUZANO
	A1	5415 GARLAND AVE	RAMIREZ TOMASA
X	A2	5402 GARLAND AVE	FERNANDEZ RAFAEL & MARIA
O	A3	5404 GARLAND AVE	FERNANDEZ RAFAEL & MARIA DELOURDES