

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 20, 2025
Planner: Andreea Udrea, PhD, AICP

FILE NUMBER: Z223-167(AU) **DATE FILED:** December 29, 2022

LOCATION: South corner of Fairview Avenue and Winslow Avenue

COUNCIL DISTRICT: 2

SIZE OF REQUEST: 0.17 acre~ **CENSUS TRACT:** 48113002500

OWNER/ APPLICANT: Peter Tsai

REPRESENTATIVE: Construction Concepts

REQUEST: An application for an amendment to Planned Development District No. 136 and its land use map.

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

STAFF RECOMMENDATION: Approval, subject to an amended land use map and conditions.

BACKGROUND INFORMATION:

- The area of request is a corner lot, approximately 6,777 square feet in area, per the survey provided by the applicant, and it is currently zoned Planned Development District No. 136 to allow for single family and R-7.5 uses. The site is undeveloped. The lot has frontage on Fairview Avenue and Winslow Avenue and is served by an alley to the rear.
- PD No. 136 was established in 1982 and it was amended four times, it covers an area of approximately 23.38 acres. PD No. 136 accomplishes zoning of sites through a land use map that designates specific parcels as being for single family or for duplex use, or vacant, as well as other uses. The only uses permitted within are single family and duplex uses and uses permitted in the R-7.5 Single Family District. The PD defaults to Chapter 51.
- The applicant proposes to develop the property with a duplex. Because the designation on the Land Use map is shown to be single family only, to accomplish this, the request is for the property to be rezoned to the duplex use within Planned Development District No. 136. The current configuration of the area of request is nonconforming to the development standards for any use of the property, hence the proposal includes clarification standards.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Fairview Avenue	Local Street	-
Winslow 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.

Land Use:

	Zoning	Land Use
Site	PD 136	Undeveloped
North	PD 136	Single family, Fairview Park
South	PD 136	Single family, duplex
East	PD 136	Single family
West	PD 136	Single family, industrial

Land Use Compatibility:

The area of request consists of an approximately 6,777 square-foot lot, currently undeveloped. The site is generally surrounded by single family and duplex uses within PD No. 136. The area is generally developed with single family houses and duplexes, within a variety of lot sizes. The area is generally located north of Haskell Avenue and south of I 30, close to heavy industrial uses to the southwest of South Henderson Avenue.

The site lies within Planned Development District No. 136. This PD accomplishes zoning of sites through a land use map that designates specific parcels as being for only single family or for only duplex use, as well as vacant lots and other uses. The only uses permitted within are single family and duplex uses and uses permitted in the R-7.5 Single Family District 7,500 square feet.

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. Per the PD No.136 Land Use Map, the PD contains 96 lots, 63 are indicated as single family, 12 indicated as duplex, 17 vacant.

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 136, rather than the standards of a D(A) Duplex District. Furthermore, the site is located on a corner lot, which tend to be compatible with larger uses. In the southern half of the same block, there are seven other lots designated as duplex on the land use map, as well as other duplex uses in existence in the area.

Development Standards

Following is a comparison of the development standards of the R-7.5 Single Family District, the PD 136 single family and duplex standards and proposed changes for the area of request (AOR), and for comparison, the D(A) Duplex District.

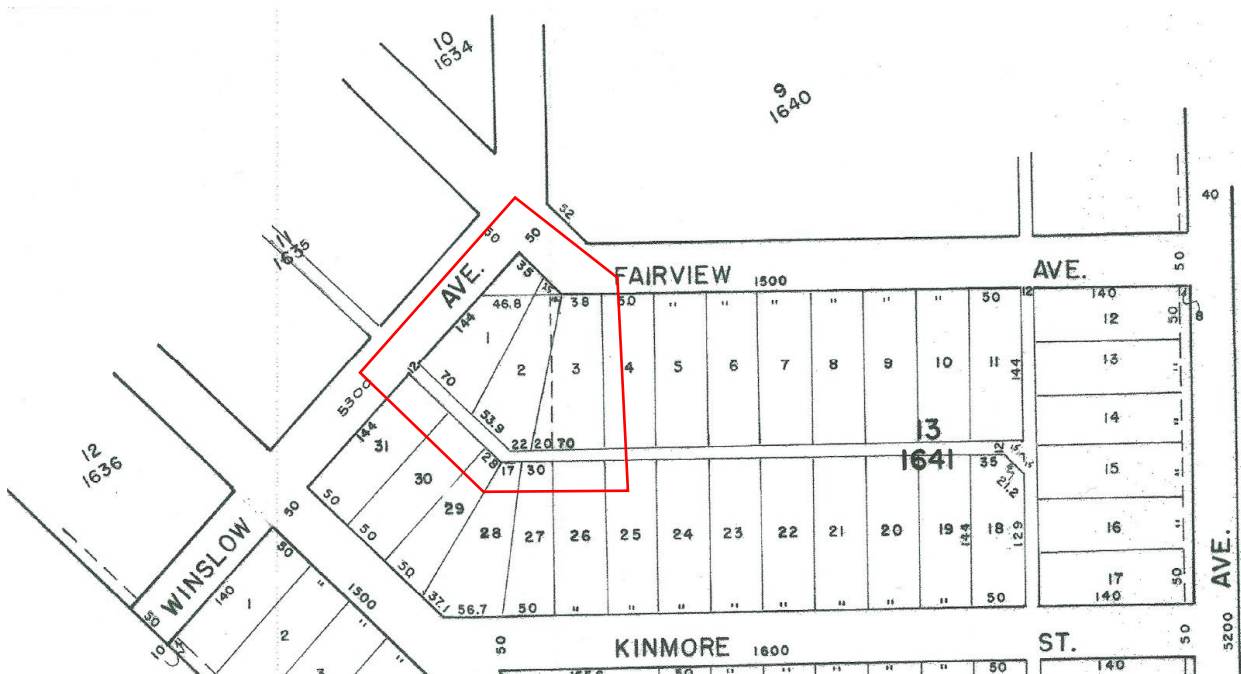
District	Setback		Lot size (min.)	Height (max.)	Lot Cvrgr. (max.)	Special Standards (min.)
	Front (min.)	Side/Rear (min.)				
R-7.5 Single Family	25'	5' Other permitted structures: 10'/15'	7,500 sqft	30'	45% residential 25% other permitted	lot width: 55' lot depth: 100'
Existing: PD 136 Single Family and Duplex	10'¹	Per R-7.5	7,250 sqft AOR: 6,700sqft	Per R-7.5	Per R-7.5	lot width: 50' lot width AOR: 33'
D(A) Duplex	25' ²	Single family: 5' Duplex: 5'/10'	6,000 sqft	36'	60% residential	

¹ Minimum front yard setback for all lots is 10 feet beginning from the front property line. [...] Any structure to be located on a 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.

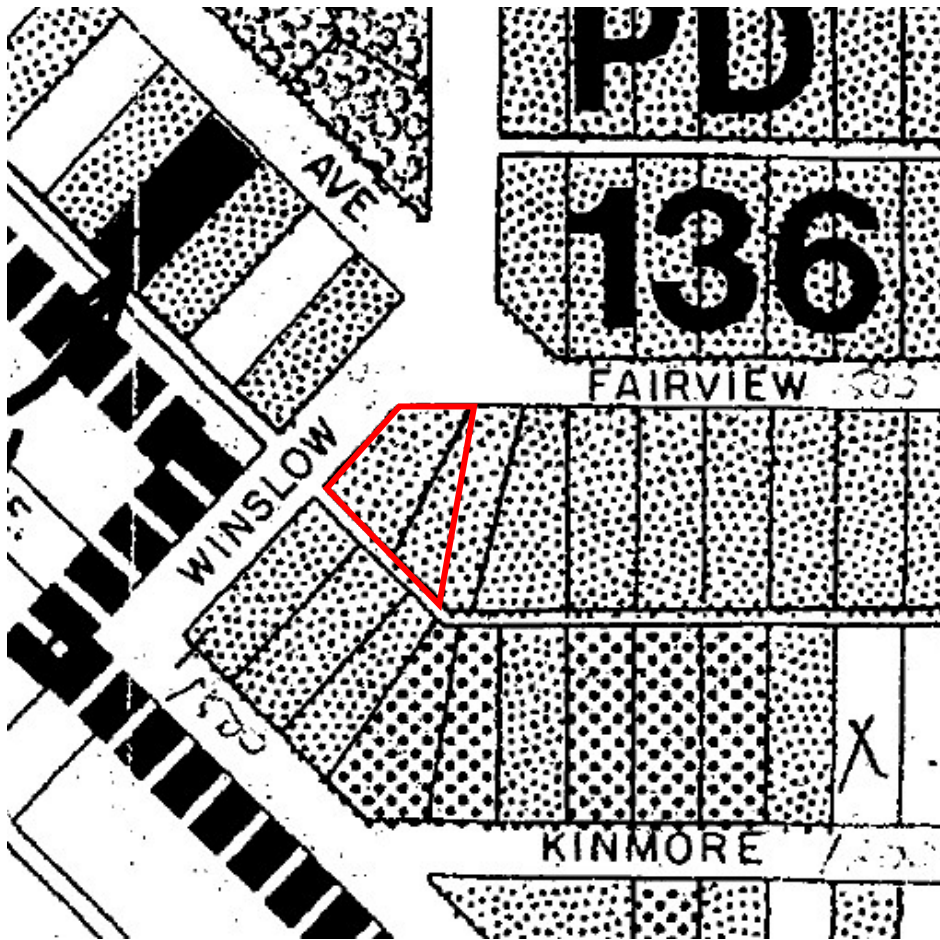
The proposed change is intended to clarify and enable the existing lot to be developed under its current configuration with any of the permitted uses.

The area of request is one single lot that has developed over time from the original creating of this neighborhood, as shown in the subdivision plat, and from the creating of the PD No.136, as shown on the Land Use Map.



SURVEYOR'S NOTE(S):
BASIS OF BEARING, TEXAS
NORTH CENTRAL NAD 83.





PD No. 136 Land Use Map

Per the comparison of the evolution of the property lines from the above sources, it appears that the property was modified few times. The reconfiguration of the intersection of Fairview Avenue and Winslow Avenue, and the straightening of the route of Fairview Avenue took a portion of the AOR. Furthermore, the lot was reconfigured by the movement of the eastern property line that further narrowed the northern property line. Per the submitted survey, the lot currently has an area of approximately 6,777 square feet and the northern property line is approximately 33 feet in width. Per the Dallas Development Code definitions, the lot width means the distance between side lot lines measured along the front setback line. The setback line means a line marking the minimum distance a building may be erected from a street, alley, or lot line (also called the “building line”). When the required 10-foot front setback requirement is applied to the area of request, it is estimated that the lot width would be approximately 40 feet. To ensure clarification and reasonable flexibility at permitting, the proposed changes include a minimum lot size of 6,700 square feet and a minimum lot width of 33 feet.

The proposed change does not alter any other of the development standards of the existing zoning, and duplexes developed under this district would be subject to the same standards established in PD 136.

Staff supports the proposed changes to the development standards, as they are intended to offer clarity at permitting and are not intended to modify the current lot configuration.

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 136 Single Family	PD 136 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		

	Existing	Proposed
Use	PD 136 Single Family	PD 136 Duplex
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)		
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		

	Existing	Proposed
Use	PD 136 Single Family	PD 136 Duplex
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		
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)		

	Existing	Proposed
Use	PD 136 Single Family	PD 136 Duplex
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		
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		

	Existing	Proposed
Use	PD 136 Single Family	PD 136 Duplex
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		
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 "I" MVA area.

List of Officers

Peter and Yueh-Yue Tsai - Owners

Planned Development District No. 136
Proposed Amendment
(pertaining to the area of request only)

ARTICLE
136.

PD 136.

SEC. 51P-136.101. LEGISLATIVE HISTORY.

PD 136 was established by Ordinance No. 17275, passed by the Dallas City Council on January 27, 1982. Ordinance No. 17275 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 17275 was amended by Ordinance No. 20032, passed by the Dallas City Council on August 10, 1988. (Ord. Nos. 10962; 17275; 20032; 25508)

SEC. 51P-136.102. PROPERTY LOCATION AND SIZE.

PD 136 is established on property generally bounded by East R.L. Thornton Freeway on the north, Henderson Avenue on the southwest and the west line of Beeman Street on the east. The size of PD 136 is approximately 23.3825 acres. (Ord. Nos. 17275; 20032; 25508)

SEC. 51P-136.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. 25508)

SEC. 51P-136.104. LAND USE MAP.

A map defining existing land uses within the boundaries of this PD is labelled Exhibit 136A. (Ord. Nos. 17275; 25508)

SEC. 51P-136.105. USES.

Uses within this PD are permitted as follows:

(1) In general. Uses are limited to single-family detached and duplex dwellings and other uses as permitted in the Residential-7,500 Square Foot District except as otherwise provided in Paragraph (3) of this section.

(2) Surface parking. In addition to the uses authorized in Paragraph (1) of this section, surface parking is a permitted use on Lots 14, 15, 16, and 17 in City Block 8/1639, as shown on the site and landscape plan (Exhibit 136B). If Lots 14, 15, 16, or 17 in City Block 8/1639 are developed with surface parking, compliance with the site and landscape plan is required. Landscaping must be installed in accordance with the site and landscape plan prior to the issuance of a certificate of occupancy unless a temporary certificate of occupancy is issued pursuant to Section 51-10.108. All plant materials must be maintained in a healthy, growing condition at all times.

(3) Existing uses and structures and signs.

(A) All existing uses, as shown on the land use map, and structures within this PD are legal conforming uses and structures under this article. No residentially developed lot in this PD may contain more dwelling units than the number indicated on the land use map with the exception of Lots 14, 15, 16, and 17 in City Block 8/1639 and Parts of Lots 1 and 2 in Block 13/1641 (as indicated in Exhibit 136 C), which may be developed with duplex uses. However, any structure now being used as a single-family dwelling, but which was either originally built as a duplex or used as a duplex at any time may be converted back to a duplex.

(B) Nonresidential uses, which were existing as of July 1, 1981, and not identified on the land use map, that are conducted on the same lot with a residential use, will be considered as legal conforming uses so long as the nonresidential use is conducted by an occupant of the residence and the scale of operation of the use is not enlarged in any way. No advertisement, sign, or display is permitted on the premises. The use may not generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(C) All signs must comply with the provisions of Article VII, "Sign Regulations."

(4) Condemnation or intentional removal of structures. Any lot in which a nonresidential structure has been officially condemned by the city or has been intentionally removed or demolished may be redeveloped with the use and structure standards (including off-street parking provided) existing on the lot at the time of the passage of Ordinance No. 17275 or with the residential standards defined in Section 51P-136.106 of this article.

(5) Applicability of Section 51P-136.106. The development standards defined in Section 51P-136.106 apply to the following uses:

(A) All lots in Subarea A that are vacant at the time of the passage of Ordinance No. 17275.

(B) Any residential structure in the PD that is to be enlarged as long as the number of dwelling units does not increase. (Ord. Nos. 20032; 25508; 26102)

SEC. 51P-136.106. DEVELOPMENT STANDARDS: RESIDENTIAL SINGLE FAMILY DETACHED AND DUPLEX DWELLINGS.

(a) Minimum lot area per structure is 7,250 square feet. Parts of Lots 1 and 2 in Block 13/1641 (as indicated in Exhibit 136 C) is 6,700 square feet.

(b) Minimum front yard setback for all lots is 10 feet beginning from the front property line. Any setbacks on interior lots must be the same as, or between, the setbacks of the closest adjacent structures. Any structure to be located on a vacant corner lot must conform to a setback that is within five percent of the setback of the closest adjacent structure within the same block.

(c) Minimum lot width is 50 feet. Parts of Lots 1 and 2 in Block 13/1641(as indicated in Exhibit 136C) is 33 feet.

(d) Standards for development must be in accordance with all other provisions of the Residential-7,500 Square Foot District. (Ord. Nos. 17275; 25508)

SEC. 51P-136.107. GENERAL REQUIREMENTS.

(a) The filing fee and area of notification for any amendment to this PD are based on the amount of land area involved in the proposed amendment in accordance with the fee schedule and area of notification established for zoning change requests under the heading, "All Other Applications."

(b) The board of adjustment has the authority to hear appeals and grant variances from the terms of this article in accordance with regulations and procedures specified in Section 51-3.102. (Ord. 17275; 25508)

SEC. 51P-136.108. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 17275; 25508; 26102)

SEC. 51P-136.109. COMPLIANCE WITH CONDITIONS.

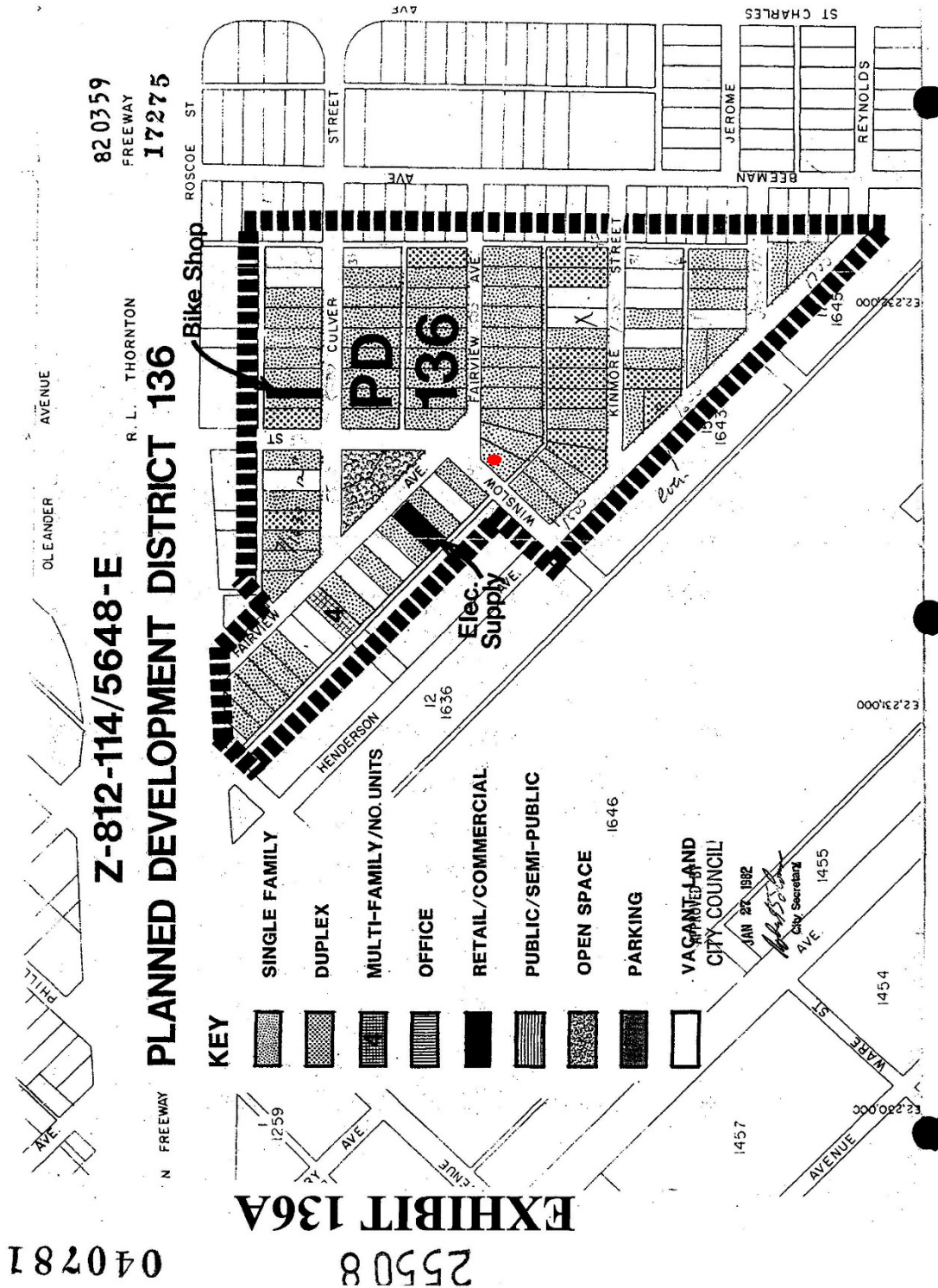
The building official shall not issue a certificate of occupancy until there is full compliance with this article, together with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 17275; 25508)

Z223-167(AU)

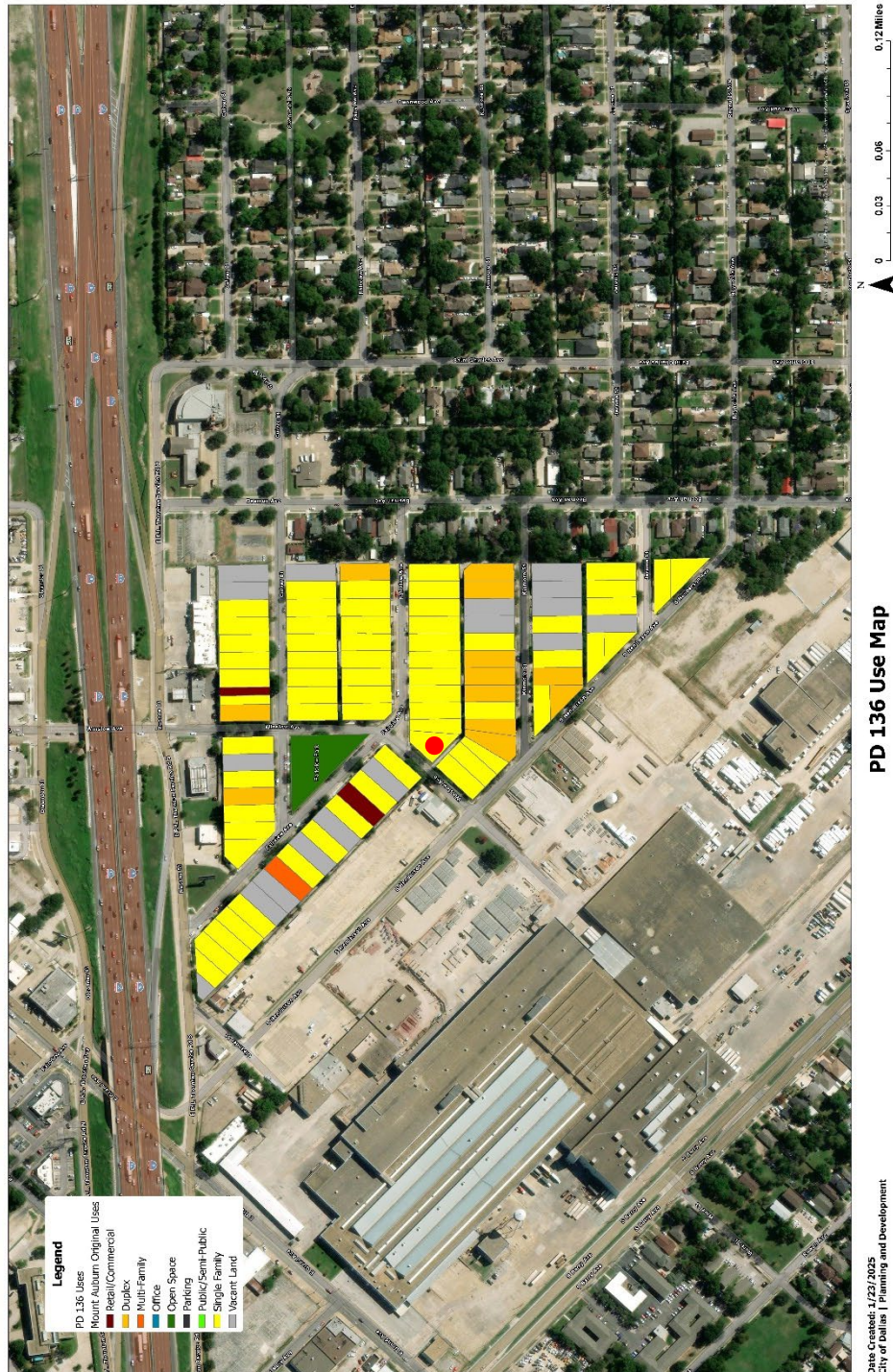
SEC. 51P-136.110. ZONING MAP.

PD 136 is located on Zoning Map Nos. J-8 and J-9. (Ord. Nos. 17275; 25508)

Planned Development No. 136
Existing Land Use Map
(per ordinance)



Planned Development No. 136
Existing Land Use Map
(digitized)

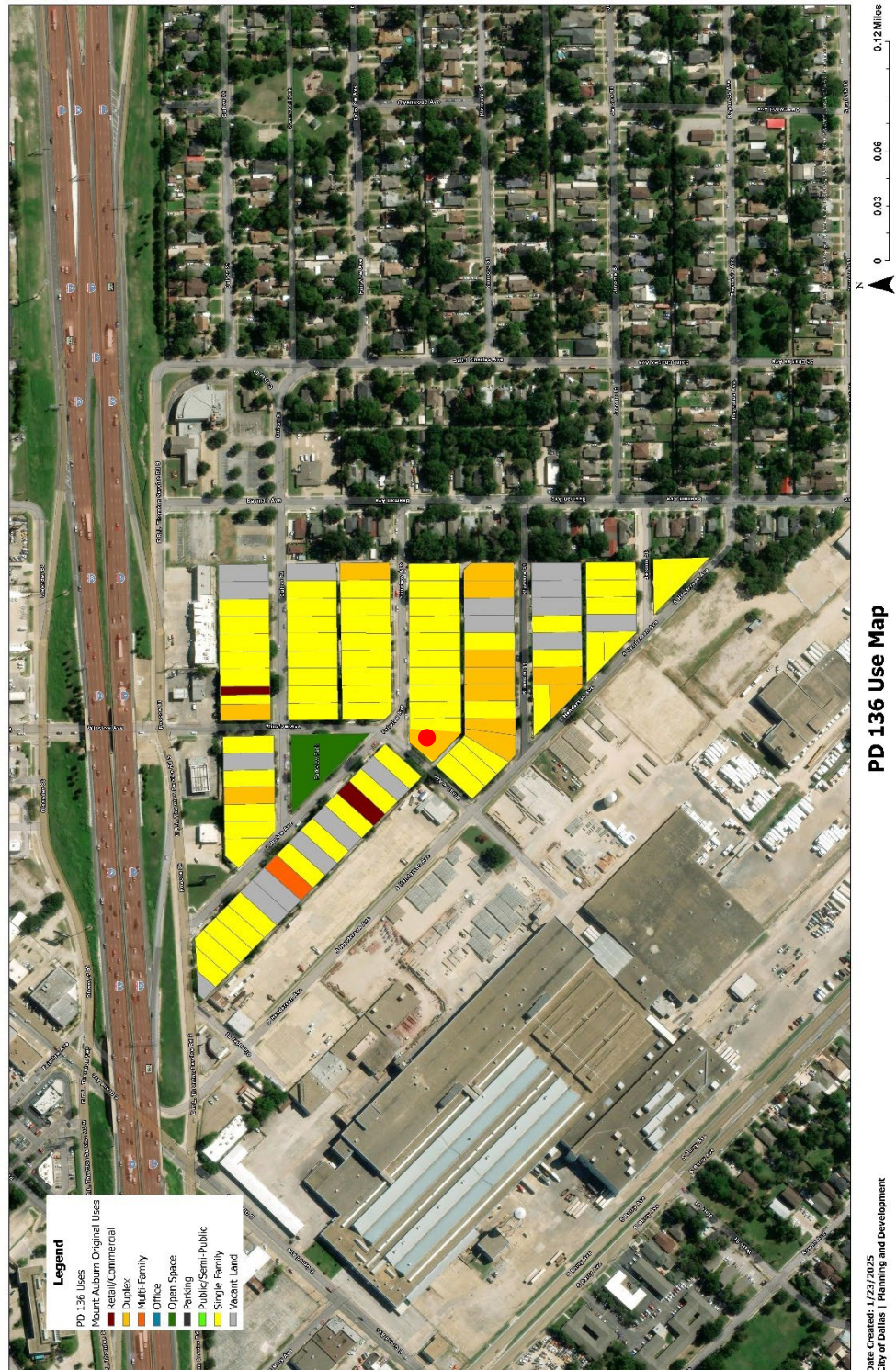


Planned Development No. 136
Existing Land Use Map – Focus on Area of Request ●
(digitized)



- Legend**
- PD 136 Uses
Mount Auburn Original Uses
- Retail/Commercial
 - Duplex
 - Multi-Family
 - Office
 - Open Space
 - Parking
 - Public/Semi-Public
 - Single Family
 - Vacant Land

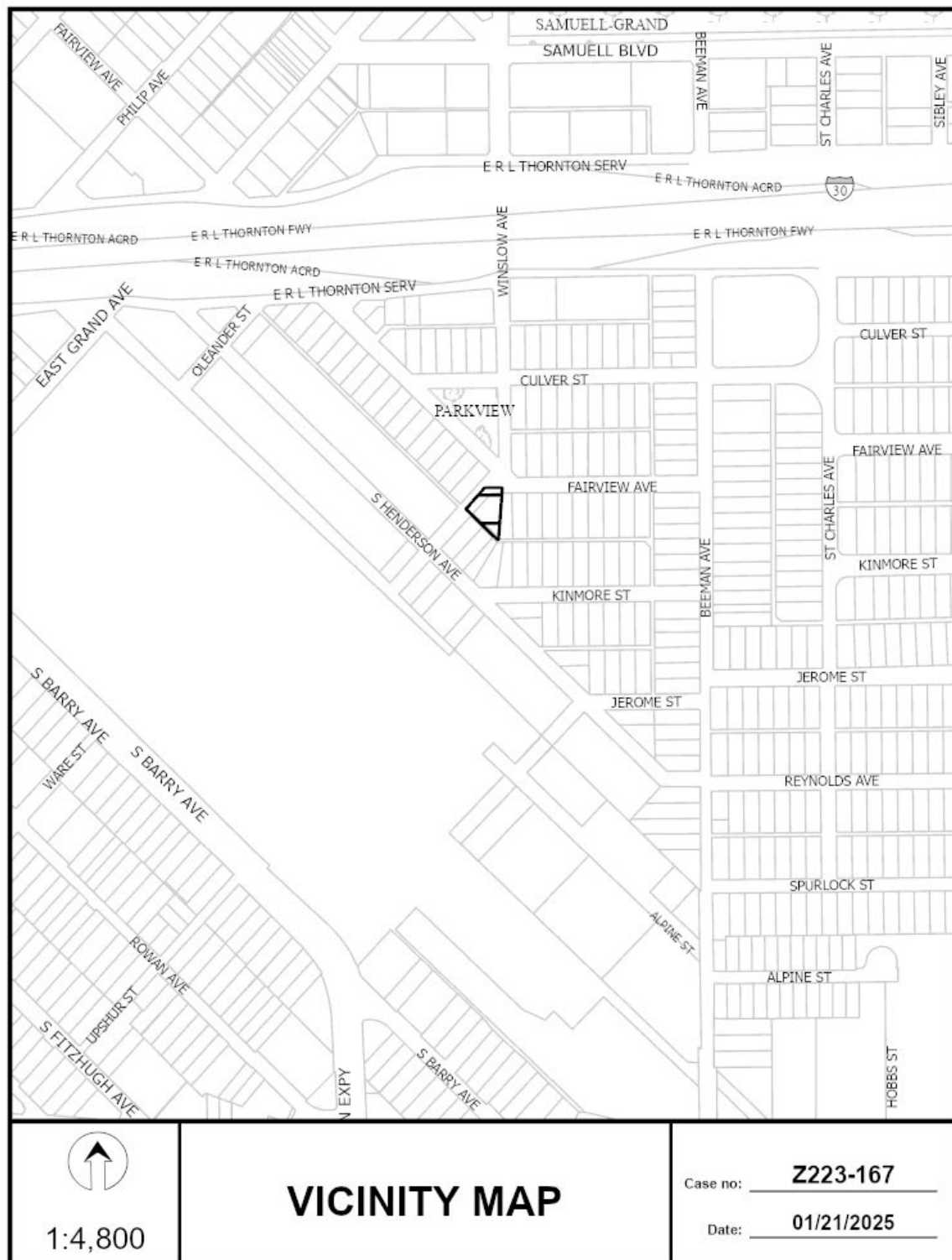
Planned Development No. 136
Proposed Land Use Map
(digitized)



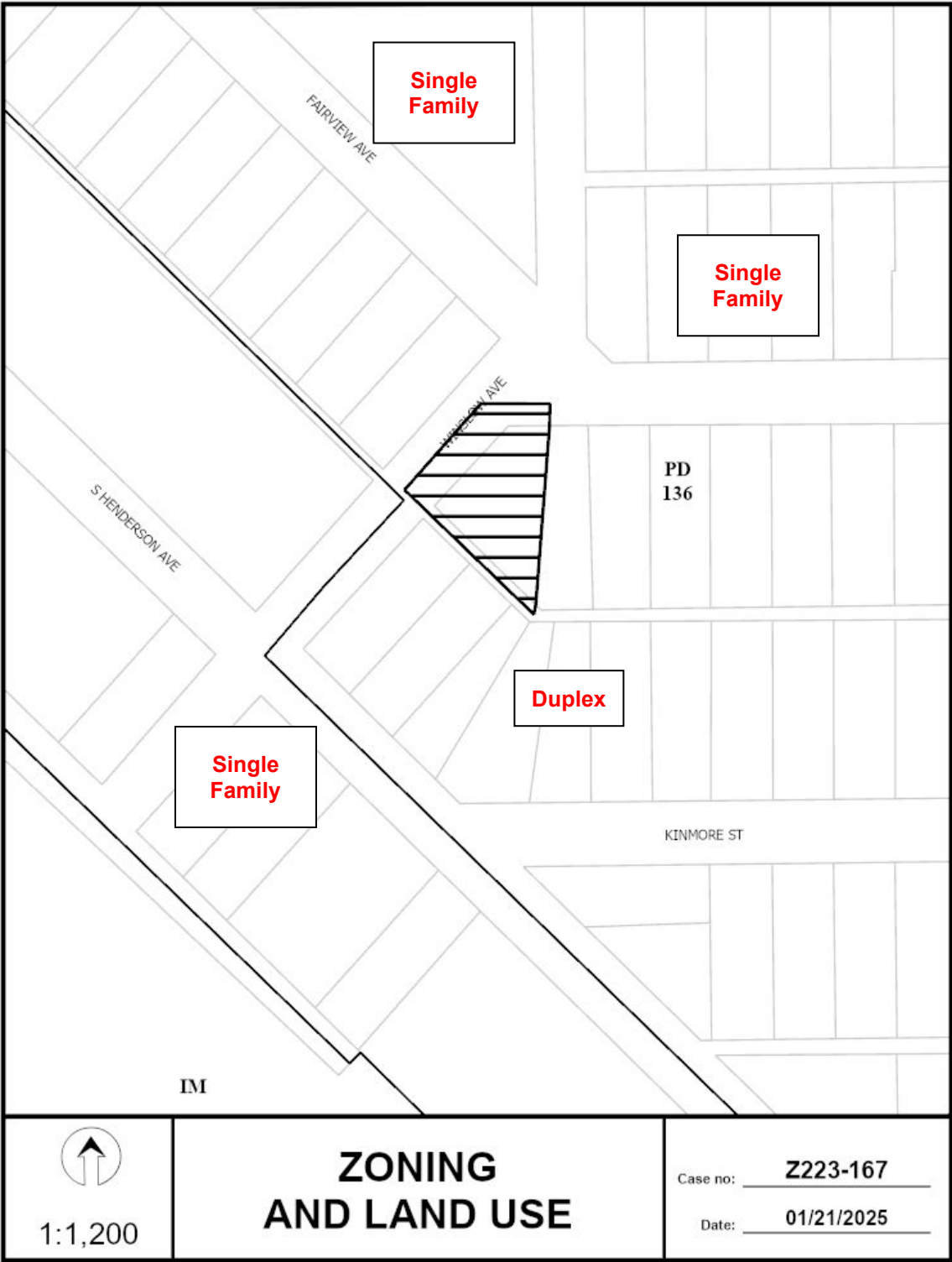
Planned Development No. 136
Proposed Land Use Map - Focus on Area of Request
(digitized)

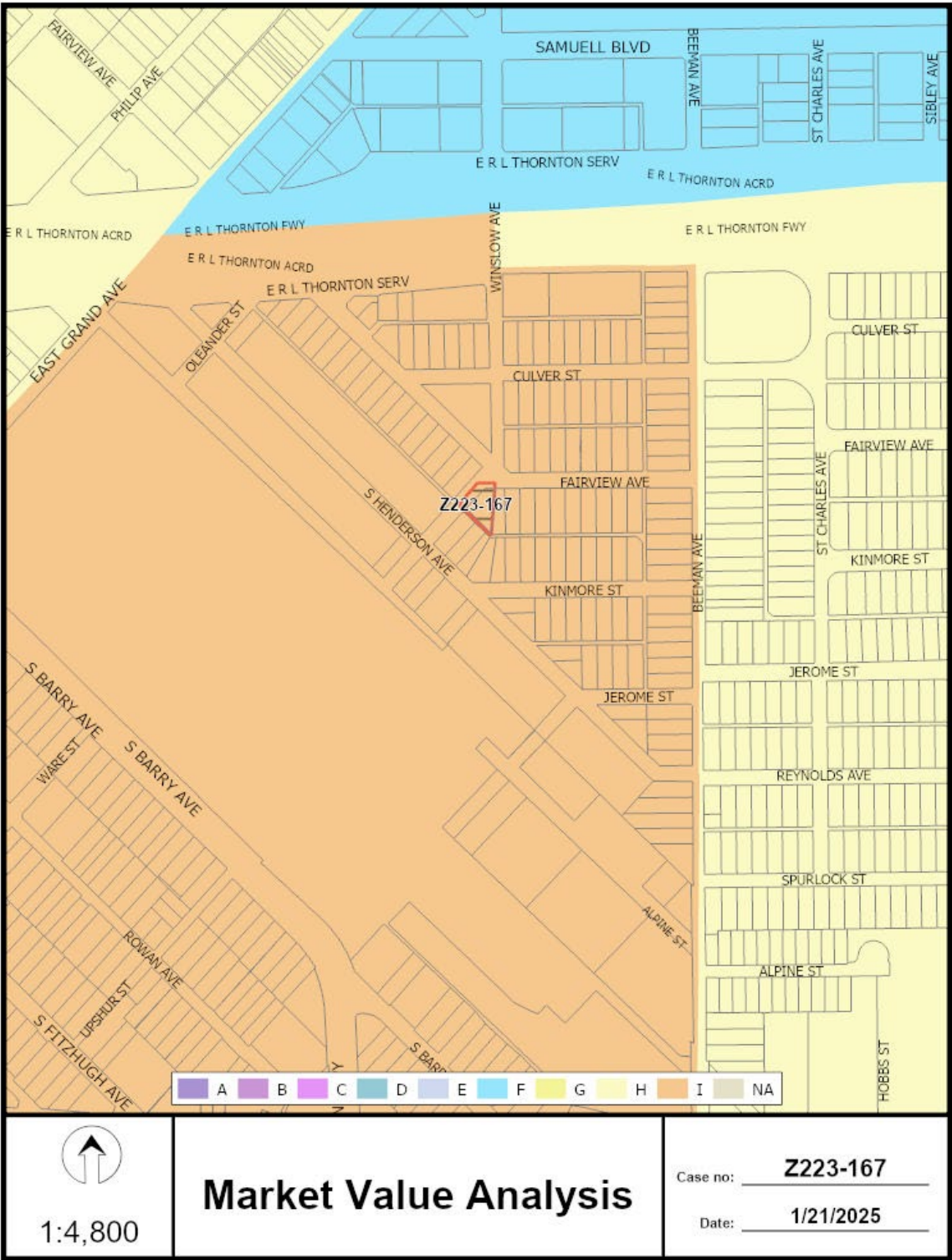


- PD 136 Uses
Mount Auburn Original Uses
- Retail/Commercial
 - Duplex
 - Multi-Family
 - Office
 - Open Space
 - Parking
 - Public/Semi-Public
 - Single Family
 - Vacant Land











01/21/2025

Notification List of Property Owners***Z223-167******24 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1500 FAIRVIEW AVE	TSAI PETER E & YUEHYUE
2	1415 FAIRVIEW AVE	ENTER MICHAEL JUAN VAN
3	1419 FAIRVIEW AVE	DELEON CARMEN
4	1423 FAIRVIEW AVE	PEREZ GLORIA
5	1427 FAIRVIEW AVE	LEON LUCIO A
6	1434 S HENDERSON AVE	CITY WAREHOUSE LP
7	5600 CULVER ST	ST LUKE COMMUNITY UNITED
8	1515 FAIRVIEW AVE	REYNA CATARINO VARELA &
9	1511 FAIRVIEW AVE	B & G PROPERTIES
10	1507 FAIRVIEW AVE	DEL BOSQUE DIAMANTINA &
11	5410 WINSLOW AVE	TALAVERA SONIA G
12	1502 FAIRVIEW AVE	GILMORE RALPH CURTIS
13	1506 FAIRVIEW AVE	RODRIGUEZ JESUS &
14	1510 FAIRVIEW AVE	VELENZUELA CESAR
15	1514 FAIRVIEW AVE	VALENZUELA CESAR &
16	1518 FAIRVIEW AVE	GILMORE RALPH C
17	1620 KINMORE ST	LOPEZ GUILLERMO &
18	1618 KINMORE ST	PEDROZA GUILLERMO
19	1612 KINMORE ST	MARTINEZ JOSE
20	1606 KINMORE ST	ORSA MINORE PPTIES LLC
21	1600 KINMORE ST	GALLEGOS RAFAEL
22	1510 S HENDERSON AVE	TORRES CORAIMA
23	1506 S HENDERSON AVE	TORRES ARMANDO & JUANITA
24	1500 S HENDERSON AVE	MENDOZA JOSE A