

**FILE NUMBER:** Z223-330(WK)                      **DATE FILED:** August 30, 2023

**LOCATION:** North corner of Martin Luther King Jr. Boulevard and South Malcolm X Boulevard

**COUNCIL DISTRICT:** 7

**SIZE OF REQUEST:** Approx. 1.1 acres                      **CENSUS TRACT:** 48113020300

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**REPRESENTATIVE:** Emily Bowlin, Gray Reed & McGraw LLP

**OWNER/APPLICANT:** Fairpark Senior Care Center LLC

**REQUEST:** An application for an amendment to Specific Use Permit No. 1532 for convalescent and nursing homes, hospice care, and related institutions on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

**SUMMARY:** The purpose of the request is to continue to allow a convalescent and nursing homes, hospice care, and related institutions use.

**STAFF RECOMMENDATION:** Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to amended conditions.

**BACKGROUND INFORMATION:**

- The area of the request is zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.
- The request is to renew the existing SUP, which expired on September 14, 2023. The applicant missed the window for an automatic renewal.
- The lot has frontage on both Martin Luther King, Jr. Boulevard and South Malcolm X Boulevard.

**Zoning History:**

There has been one zoning case in the area in the past five years.

1. **Z190-263:** On October 13, 2020, City Council approved Planned Development District No. 1038 for R-5(A) Single Family Subdistrict uses and a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with H/62 Historic Overlay for James Madison High School on the south corner of Martin Luther King, Jr. Boulevard and Meadow Street.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing/Proposed ROW</b>
Martin Luther King Jr. Boulevard	Principal Arterial	100'
Malcolm X Boulevard	Community Collector	60'

**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:**

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD 595, CC	Convalescent and nursing homes, hospice care, and related institutions
<b>Northwest</b>	PD 595, MF-2(A) Subdistrict	Single family
<b>Northeast</b>	PD 595, CC	Financial institution with drive-in window
<b>East</b>	PD 595, CC	Religious and Community Uses
<b>Southeast</b>	PD 595, CC	Retail
<b>Southwest</b>	PD 595, CC	Undeveloped
<b>West</b>	PD595, R-7.5(A) Subdistrict with H/4 South Boulevard/Park Row Historic District Overlay	Single family

**Land Use Compatibility:**

The request site is within a CC Community Commercial Subdistrict within Planned Development District No. 595 and is currently occupied by the applicant. The CC Subdistrict allows for convalescent and nursing homes, hospice care, and related institutions uses with a special use permit.

Other uses surrounding the area of request include single family to the north and west, retail uses to the south, and religious and community uses to the east. The applicant's use of the site is complimentary to the community services developments that have previously occurred along Martin Luther King, Jr. Boulevard.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city. A general merchandise store greater than 3,500 sf is allowed by right in PD No. 605. Additionally, this development will complement the prior large scale retail that has been developed along Samuell Boulevard.

**Landscaping:**

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

**Parking:**

Per the Dallas Development Code, the off-street parking requirement for a convalescent and nursing homes, hospice care, and related institutions use is 0.3 spaces per bed. The site is required to provide 34 parking spaces, and the site provides 39 parking spaces.

**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 in an “F” MVA area that extends to the north, northwest, and southwest. Directly southwest of the request area across South Malcolm X Boulevard is a “G” MVA cluster. Further southwest of the request area is an “I” MVA area.

Z223-330(WK)

**List of Officers**

Fairpark Senior Care Center LLC

Allen Boerner, CEO

## PROPOSED CONDITIONS

1. Use: The only use authorized by this specific use permit is for convalescent and nursing homes, hospice care, and related institutions.
2. Site Plan: Use and development of the property must comply with the attached site plan.

### *Staff's Recommendation*

3. Time Limit: This specific use permit is approved for a time period that expires (ten years from the passage of this ordinance) and is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of the Dallas City Code, as amended. In order for automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)

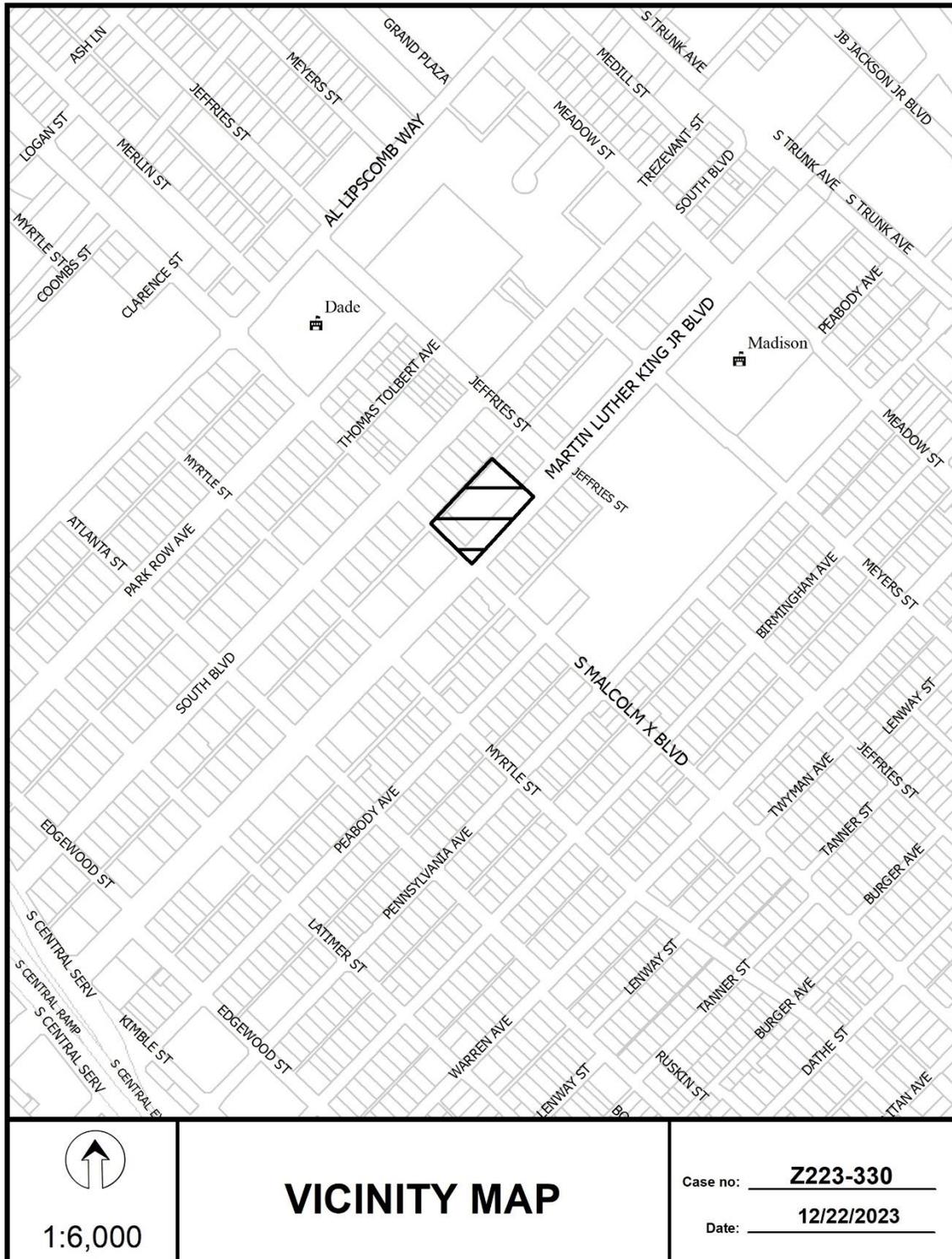
### *Applicant's Request*

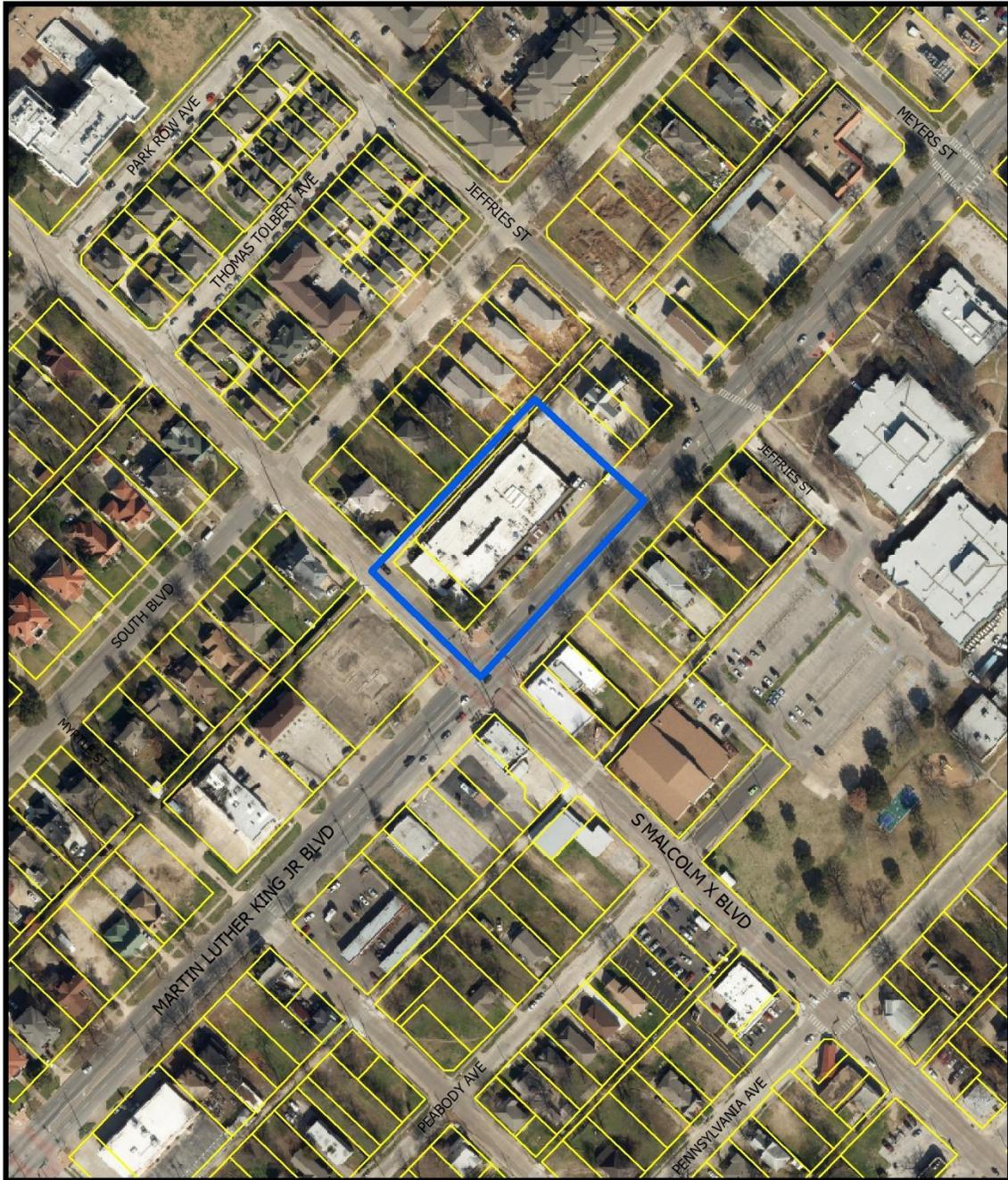
3. Time Limit: This specific use permit has no expiration date.

4. Ingress/Egress: Ingress and egress must be provided as shown on the attached site plan.
5. Off-Street Parking: Off-street parking must be provided in accordance with the parking requirements in the Dallas Development Code, as amended, and located as shown on the attached site plan.
4. Maintenance: The property must be properly maintained in a state of good repair and neat appearance.
5. General Requirements: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.







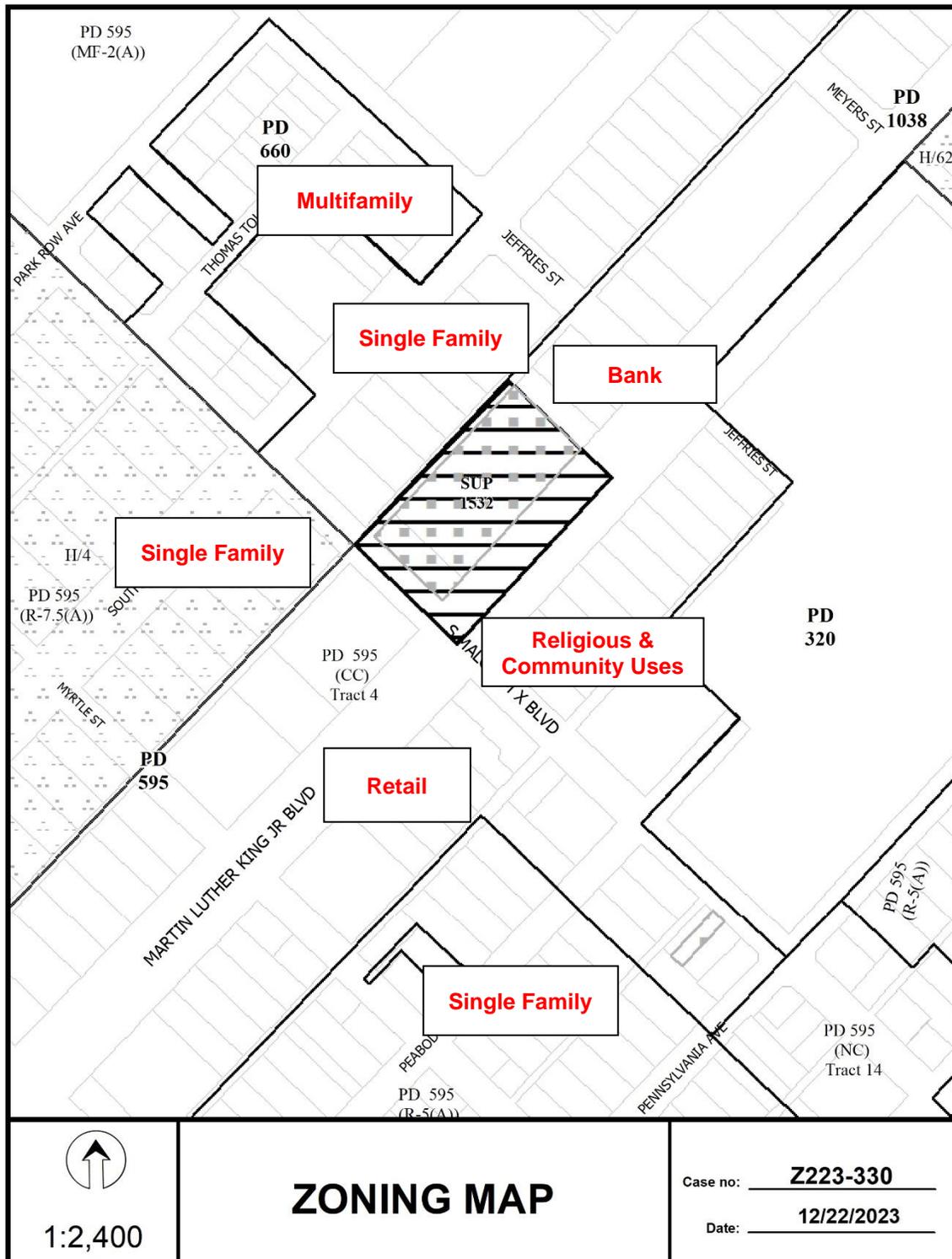


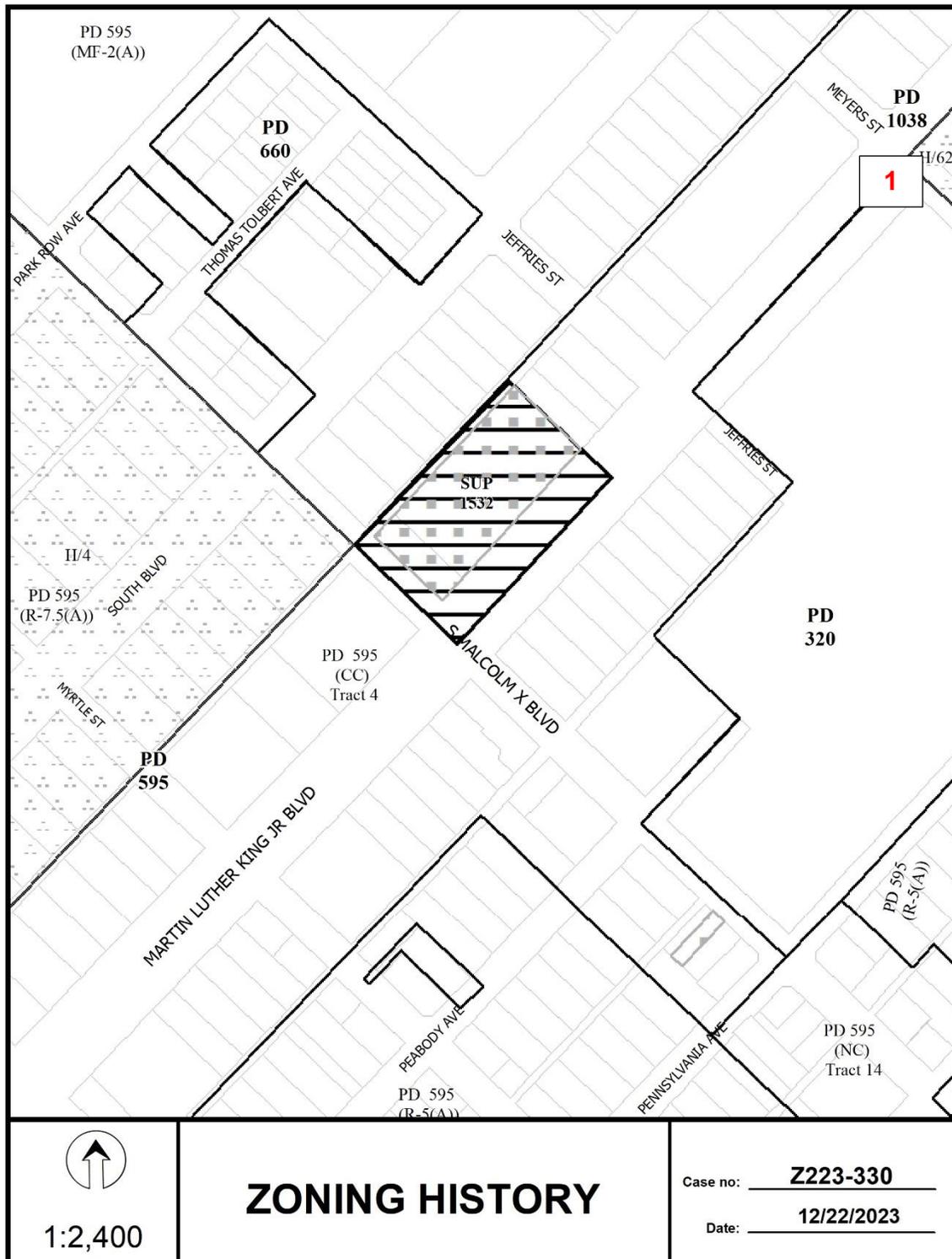
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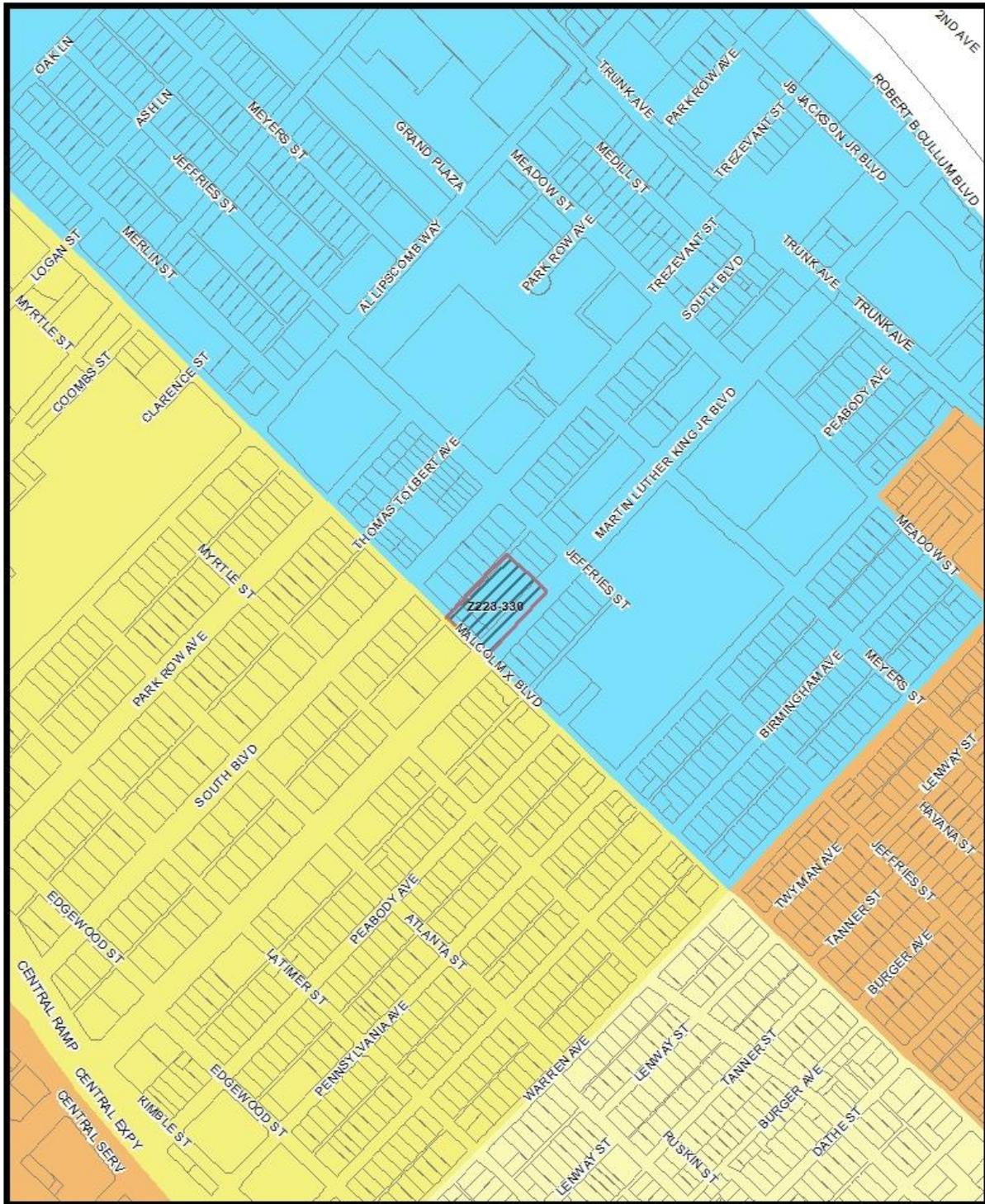
# AERIAL MAP

Case no: Z223-330

Date: 12/22/2023





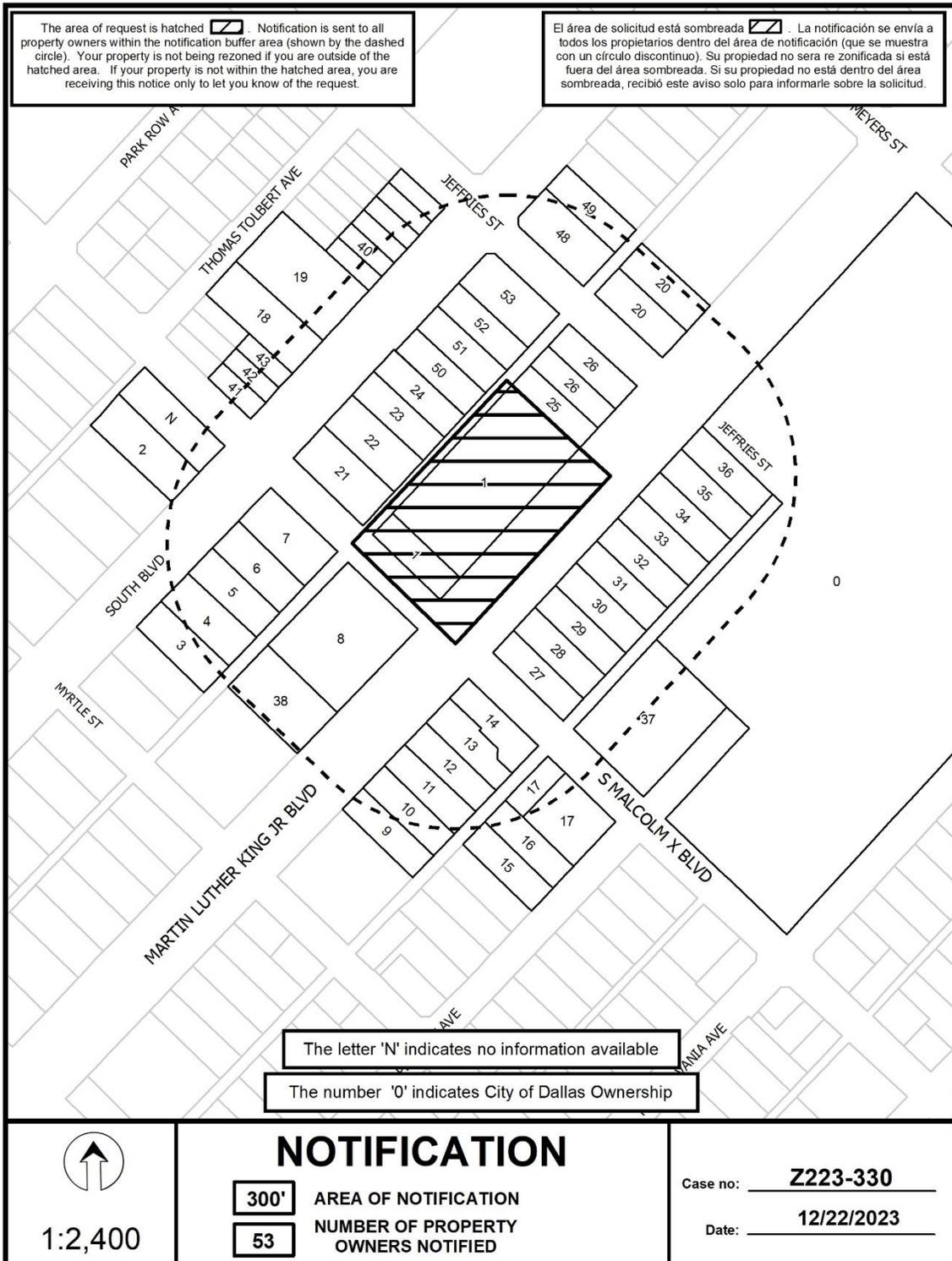


Market Value Analysis A B C D E F G H I NA

1:6,000

# Market Value Analysis

Printed Date: 12/22/2023



01/25/2024

***Notification List of Property Owners*****Z223-330*****53 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2801 MARTIN LUTHER KING JR BLVD	FAIRPARK SENIOR CARE CTR
2	2729 SOUTH BLVD	WORLD IMPACT INC
3	2714 SOUTH BLVD	CLAY BILLYE H
4	2718 SOUTH BLVD	COCO PROPERTIES LLC
5	2720 SOUTH BLVD	HENRY SHEILA J & JOE
6	2726 SOUTH BLVD	LIVINGSTON TRASWELL C III
7	2734 SOUTH BLVD	Taxpayer at
8	2727 MARTIN LUTHER KING JR BLVD	DALLAS BLACK CHAMBER
9	2714 MARTIN LUTHER KING JR BLVD	DALLAS SKYFALL LLC SERIES
10	2716 MARTIN LUTHER KING JR BLVD	Taxpayer at
11	2720 MARTIN LUTHER KING JR BLVD	JEANETTE INVESTMENTS IV LTD
12	2724 MARTIN LUTHER KING JR BLVD	Taxpayer at
13	2728 MARTIN LUTHER KING JR BLVD	JEANETTE INV IV LTD
14	2734 MARTIN LUTHER KING JR BLVD	Taxpayer at
15	2725 PEABODY AVE	Taxpayer at
16	2727 PEABODY AVE	CHURCH LORD JESUS CHRIST
17	2729 PEABODY AVE	CHURCH OF THE LORD JESUS
18	2811 SOUTH BLVD	BRYANT RITA JO &
19	2821 SOUTH BLVD	SOUTHFAIR COMMUNITY DEV CORP
20	2903 MARTIN LUTHER KING JR BLVD	TH & S ENTERPRISES LLC
21	2800 SOUTH BLVD	WRIGHT LOIS
22	2806 SOUTH BLVD	SNEED T A
23	2810 SOUTH BLVD	MOSELEY PATRICIA M
24	2818 SOUTH BLVD	JONES TYRONE & DEBORAH GRIFFIN &
25	2845 MARTIN LUTHER KING JR BLVD	BANK ONE TEXAS NA
26	2833 MARTIN LUTHER KING JR BLVD	BANK ONE TEXAS NATL ASSN

01/25/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2800 MARTIN LUTHER KING JR BLVD	BACCUS PPTY MGMT LLC
28	2804 MARTIN LUTHER KING JR BLVD	ISLAMIC CENTER OF SOUTH DALLAS
29	2810 MARTIN LUTHER KING JR BLVD	ISLAMIC CENTER OF SOUTH DALLAS
30	2814 MARTIN LUTHER KING JR BLVD	BACCUS PROPERTY MANAGEMENT LLC
31	2818 MARTIN LUTHER KING JR BLVD	VICTORY BAPTIST CHURCH OF DALLAS
32	2822 MARTIN LUTHER KING JR BLVD	Taxpayer at
33	2828 MARTIN LUTHER KING JR BLVD	MYAP TRUST
34	2830 MARTIN LUTHER KING JR BLVD	ENGLISH CYNTHIA
35	2834 MARTIN LUTHER KING JR BLVD	DALLAS BLACK CHAMBER
36	2838 MARTIN LUTHER KING JR BLVD	BLACK CHAMBER OF COMMERCE
37	2801 PEABODY AVE	WARREN UNITED METHODIST
38	2717 MARTIN LUTHER KING JR BLVD	CAMPBELL ELAINE
39	2823 SOUTH BLVD	STRONG NATALIE NICOLE
40	2825 SOUTH BLVD	WILSON CHARLIE ALFRED
41	2801 SOUTH BLVD	BEDARD KEITH W &
42	2803 SOUTH BLVD	SHEPHERD CLAYTON
43	2805 SOUTH BLVD	FULBRIGHT MERCEDES
44	2827 SOUTH BLVD	STEVENSON LINDA C
45	2829 SOUTH BLVD	2310 ROCK STREET LLC
46	2831 SOUTH BLVD	QUARLES TAWAINA
47	2835 SOUTH BLVD	SHAW LACHESHIA
48	2904 SOUTH BLVD	Taxpayer at
49	2908 SOUTH BLVD	HOOD DION
50	2824 SOUTH BLVD	Taxpayer at
51	2830 SOUTH BLVD	Taxpayer at
52	2836 SOUTH BLVD	HOGUE ADJWOA
53	2842 SOUTH BLVD	APENUVON FELICIA E