

FILE NUMBER: Z201-248(LG) **DATE FILED:** May 5, 2021

LOCATION: East line South Montreal Avenue, between Wentworth Street and West 12th Street

COUNCIL DISTRICT: 1 **MAPSCO:** 53 H

SIZE OF REQUEST: ± 7,286 SF **CENSUS TRACT:** 52.00

APPLICANT/OWNER: Lullaby House, Inc.

REPRESENTATIVE: Peter Kavanaugh, Zone Systems, inc.

REQUEST: An application for a Specific Use Permit for a Foster Home use on property zoned R-7.5(A) Single Family District.

SUMMARY: The purpose of the request is to allow for the operation of a foster home on the site. [Lullaby House]

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The property is developed with a single-family home that is approximately 7,286 square feet.
- According to Sec. 51A-4.204(11)(A), a foster home is defined as a facility that provides room, board, and supervision to five or more persons under 18 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility.
- A specific use permit is required to operate a foster home use in an R-7.5(A) Single Family District. A foster home is considered to be an institutional and community service use.

Zoning History: There has been no recent zoning change requests within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Montreal Avenue	Local Street	-
Wentworth Street	Local Street	-
Twelfth Street	Community Collector	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street 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 request complies with the following urban design goal and policy of the Comprehensive Plan:

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Surrounding Land Uses:

Area	Zoning	Land Use
Site	R-7.5(A)	Single Family
North	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
South	R-7.5(A)	Single family
West	R-7.5(A)	Single family

Land Use Compatibility:

The area of request is surrounded by single family homes to the north, south, east and west as land uses. The proposed foster home is located within a residential neighborhood.

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 applicant's proposed use of a foster home blends in with the existing land uses of single family within the surrounding neighborhood as it proposes to utilize an existing single-family home and no changes to its appearance. With the original proposed condition, the foster home would consist of no more than eight children (4 mothers and 4 infants), and two staff members who will be available on site 24 hours a day. The City Plan Commission at its hearing recommended removing the condition limiting the number of children.

The proposed use is compatible with single family uses and provides a community service by helping young mothers and their children. Having this type of institutional and community service within an existing neighborhood allows for more privacy of the women

and children who may need this service. The applicant has requested a five-year period and staff is in support of this request.

Parking:

Pursuant to §51A-4.204(3)(A) of the Dallas Development Code for a foster home use that requires an SUP, the off-street parking requirement is two spaces. The applicant has provided two spaces on the site plan that was submitted with this request. Therefore, the applicant will meet the required parking regulations.

Landscaping:

Landscaping will be provided in accordance with 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 within MVA Category "F". Adjacent properties to the north, south, east and west are also within MVA Category "F."

CPC ACTION
AUGUST 5, 2021

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Foster Home use for a five-year period, subject to a site plan and conditions with the removal of the condition limiting the number of children allowed in facility on property zoned R-7.5(A) Single Family District, on the east line of South Montreal Avenue, between Wentworth Street and West 12th Street.

Maker: MacGregor
Second: Rubin
Result: Carried: 10 to 1

For: 10 - MacGregor, Hampton, Stinson, Shidid, Blair,
Jung, Suhler, Schwope, Garcia, Rubin

Against: 1 - Carpenter
Absent: 3 - Johnson, Jackson, Murphy
Vacancy: 1 - District 10

Notices: Area: 200 Mailed: 33
Replies: For: 0 Against: 1

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Alexandrea Horsley, 7441 Marvin D. Love Fwy., Dallas, TX, 75237
Against: None

List of Officers/Partners/Principals

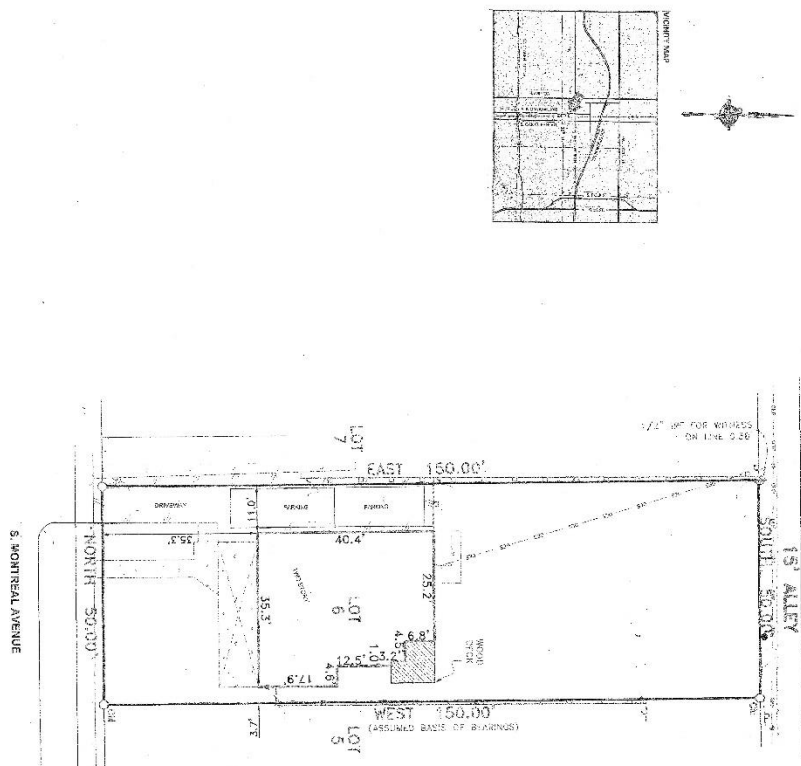
Lullaby House Officers

Alexandra Crutcher-Horsley, Founder and Executive Director
Cheneka Ward, President
Yohance Branch, Treasurer
Dawn Chism, Member
Monic Lowe, Member
Rickey Low, Member

CPC Recommended SUP Conditions

1. **USE**: The only use authorized by this specific use permit is a foster home.
2. **SITE PLAN**: Use and development of the Property must comply with the attached site plan.
3. **TIME LIMIT**: This specific use permit expires on _____ (five years from the passage of this ordinance.)
4. **HOURS OF OPERATION**: The foster home may operate 24 hours a day, seven days a week.
5. **PARKING**: Parking must be located as shown on the attached site plan.
6. **MAINTENANCE**: The property must be properly maintained in a state of good repair and neat appearance.
7. **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.

CPC Recommended SUP Site Plan



ZONING: R-7.5
PARKING: 2 SPACES
NO NEW CONSTRUCTION

SCALE: 1" = 10'

THE LULLABY HOUSE, INC.
400 S. MONTREAL
Lot 6, Block 16/3452 Sunset Hill Addition
APRIL 2021

APRIL 2021

SITE PLAN

ZONING CASE # Z201-248(LG)

Applicant

Applicant
The Lullaby House, Inc.
7441 Marvin D. Love Fwy.
Suite 301
Dallas, TX 75237

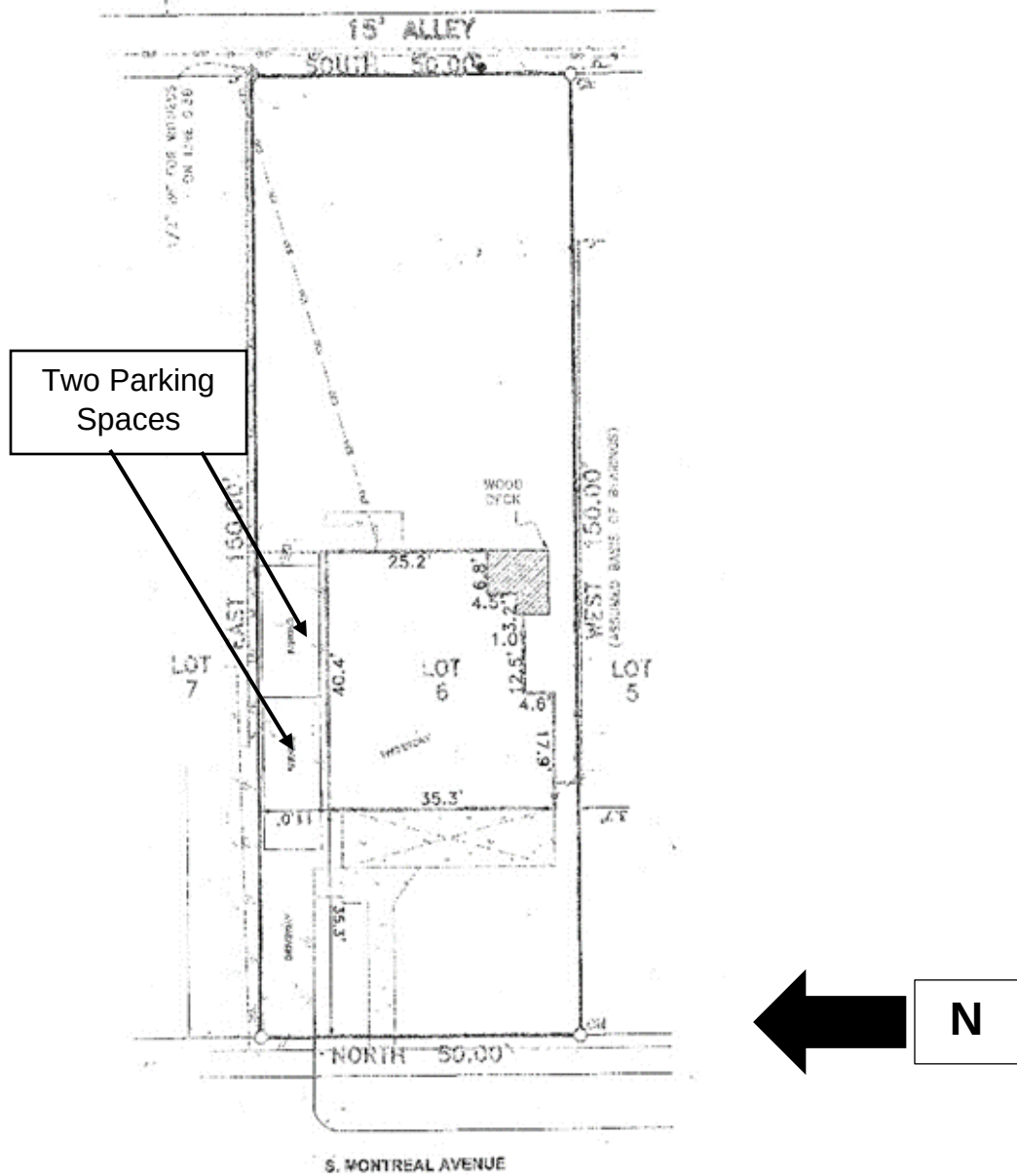
Owner:

The Lüsby House, Inc.

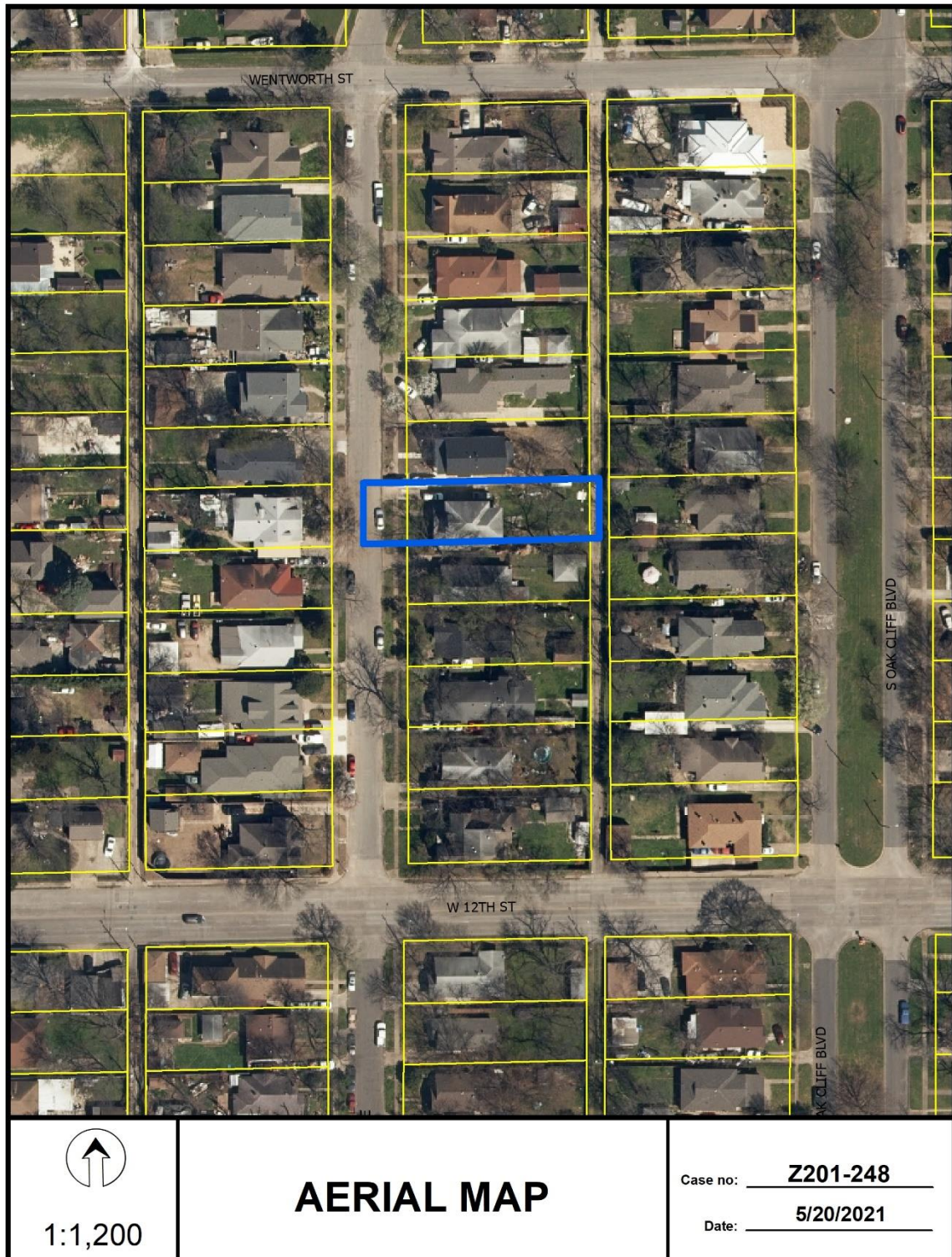
Representative: Peter Kavanagh
Zone Systems Inc.

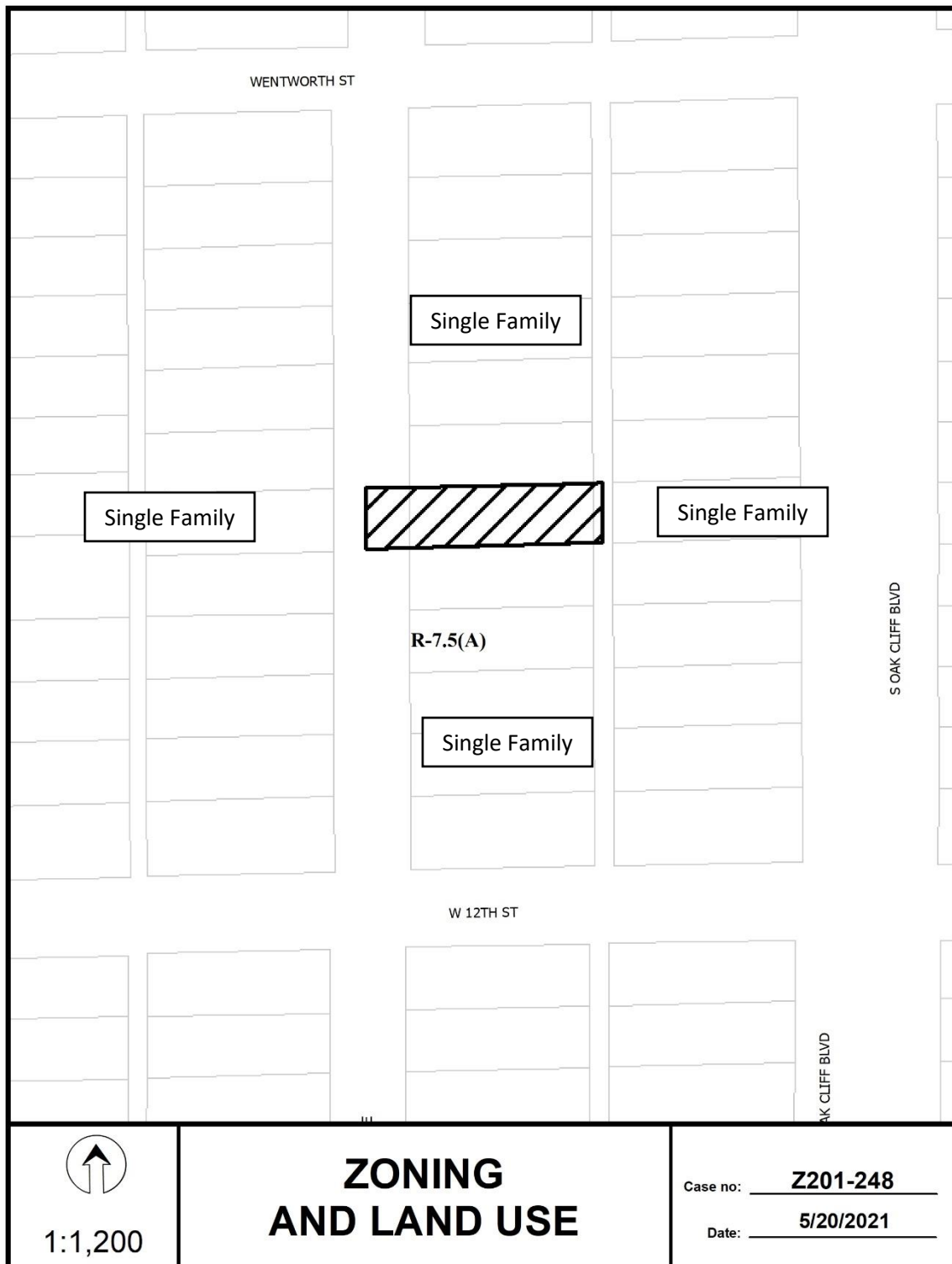
1620 Handley Dr., Suite A
Dallas, TX 75208

CPC Recommended Enlarged SUP Site Plan







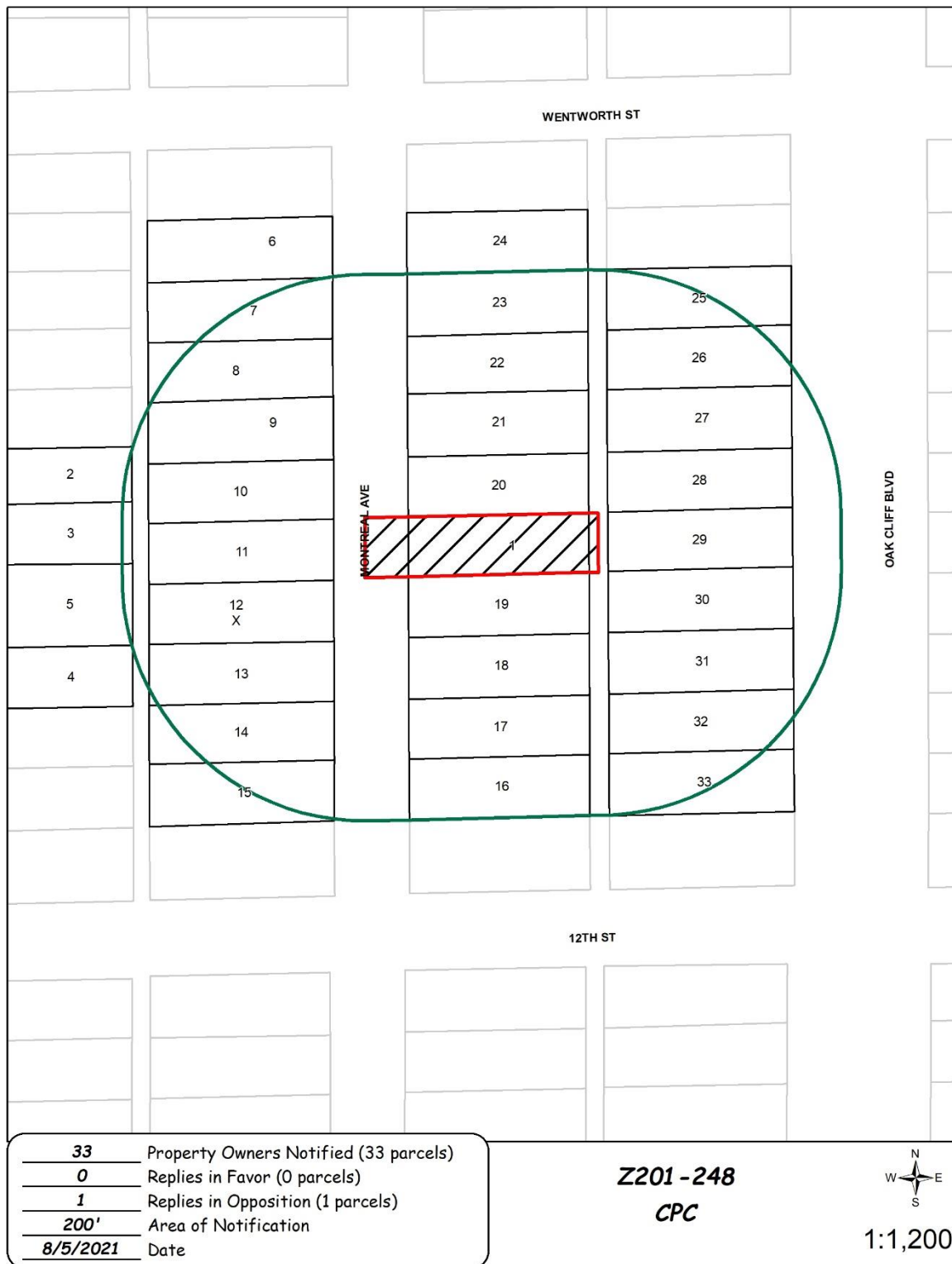




Market Value Analysis

Printed Date: 7/22/2021

CPC RESPONSES



08/04/2021

Reply List of Property Owners***Z201-248******33 Property Owners Notified******0 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	400 S MONTREAL AVE	RISING PHOENIX REAL ESTATE LLC
	2	322 HOLLYWOOD AVE	PUENTE JOSE
	3	326 HOLLYWOOD AVE	MARTINEZ ALFREDO
	4	410 HOLLYWOOD AVE	Taxpayer at
	5	406 HOLLYWOOD AVE	TORRES PABLO & MARIA F
	6	307 S MONTREAL AVE	STEWART EDWARD & CAROLYN
	7	311 S MONTREAL AVE	MARTINEZ RUBEN
	8	313 S MONTREAL AVE	CHAVEZ MARIA C PERALTA
	9	317 S MONTREAL AVE	1 DAY AT A TIME PROPERTIES LLC
	10	323 S MONTREAL AVE	VALVOR CAPITAL LLC
	11	403 S MONTREAL AVE	CUEVAS OFELIA
X	12	407 S MONTREAL AVE	ELIZONDO ANGEL RICARDO
	13	411 S MONTREAL AVE	ROBLES MARIA &
	14	415 S MONTREAL AVE	SEPULVEDA VICTOR JR
	15	419 S MONTREAL AVE	SEPULVEDA VICTOR &
	16	418 S MONTREAL AVE	Taxpayer at
	17	414 S MONTREAL AVE	LOPEZ DAVID ESTATE
	18	410 S MONTREAL AVE	LOPEZ MARTHA V
	19	406 S MONTREAL AVE	NORWOOD ANDREW C
	20	322 S MONTREAL AVE	DIAZ OMAR RIVERA &
	21	318 S MONTREAL AVE	TITANIUM REALTY LLC
	22	316 S MONTREAL AVE	Taxpayer at
	23	310 S MONTREAL AVE	MARTINEZ GABRIEL M
	24	306 S MONTREAL AVE	Taxpayer at
	25	311 S OAK CLIFF BLVD	CABB INVESTMENTS LLC
	26	315 S OAK CLIFF BLVD	MARTINEZ ROBERT N

Z201-248(LG)

08/04/2021

Reply	Label #	Address	Owner
27	319	S OAK CLIFF BLVD	MANSKER VALENCIA
28	323	S OAK CLIFF BLVD	MENDEZ CARLOS
29	403	S OAK CLIFF BLVD	DOMINGUEZ ADRIAN
30	407	S OAK CLIFF BLVD	HANNAH FUNDING LLC
31	411	S OAK CLIFF BLVD	BLEULER GORDON G JR
32	415	S OAK CLIFF BLVD	JASSO RAQUEL &
33	419	S OAK CLIFF BLVD	GUTIERREZ SANDRA