

FILE NUMBER: Z201-308(KC) **DATE FILED:** July 28, 2021

LOCATION: Southeast corner of North Westmoreland Road and Bickers Street

COUNCIL DISTRICT: 6 **MAPSCO:** 43 K

SIZE OF REQUEST: 2.002 acres **CENSUS TRACT:** 0205.00

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

OWNER/APPLICANT: Hampton Supportive Housing, Inc.

REQUEST: An application for a Specific Use Permit for a retirement housing on property zoned Tract 12 – Area 1 [Mixed Use (MU-1) Tract] within Planned Development District No. 508, the West Dallas Planned Development District.

SUMMARY: The purpose of the request is to allow for a retirement housing on the site.

CPC RECOMMENDATION: **Approval** for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The site is currently developed with a retirement housing.
- The use was previously under SUP No. 1422 within Planned Development District No. 508 Tract 12 [Mixed Use (MU-1) Tract].
- SUP No. 1422 was approved on September 23, 2000 and allowed for retirement housing for a 20-year period with eligibility for automatic renewals.
- A request for renewal of the SUP was not submitted within the required timeframe prior to the expiration which resulted in the SUP expiring in 2020 and the applicant is seeking a new SUP to be able to continue the use.
- This request is for a SUP to allow for retirement housing.
- Retirement housing is defined by the Dallas Development Code as a residential facility principally designed for persons 55 years of age or older. This use does not include a “convalescent and nursing homes, hospice care, and related institutions” use, which is defined as a separate main use.
- Even though the use has been operating for many years, since this is a new SUP request, the site plan must meet all code requirements. Staff has identified that the use required 65 spaces, while the site only provides 54.
- The City Plan Commission held this case under advisement during the October 7, 2021 meeting. Following the action taken at the last meeting, a new site plan was provided to reflect the current conditions of the site. One parking space was removed to show the dumpster container and another space was removed to allow for a storage building. The site plan has been modified to show those changes and replace the spaces that were removed by including additional spaces at the northern side of the property.
- Staff confirmed that the site has delta credits because the parking requirements changed in 2012. With the delta credits, the site provides the required number of parking spaces and no variance would be required unless the site is altered to increase the parking requirement such as expanding or increasing the number of dwelling units.

Zoning History:

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

1. **Z189-168:** On August 28, 2019, City Council approved Planned Development No. 1017 for R-5(A) Single Family District uses and a public school other than an open enrollment charter school on property zoned an R-5(A) Single Family District and

a CR Community Retail District bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
N Westmoreland Rd.	Principal Arterial	100'
Bickers St.	Community Collector	60'

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 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

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.**Land Use:**

	Zoning	Land Use
Site	PD 508 Tract 12 – Area 1 (MU-1)	Retirement Housing
North	PD 508 Tract 8 (MF-2(A))	Undeveloped, Single-family
East	PD 508 Tract 12 – Area 1 (MU-1), SUP 1627, SUP 1407	Single-family
South	PD 508 Tract 12 – Area 1 (MU-1)	Undeveloped
West	PD 1017, P(A), R-5(A)	Middle School, Vacant, Single-family, Tire Shop

Land Use Compatibility:

The area of request is currently developed as a retirement housing consisting of 18,208 square feet. The property is abutting a single-family subdivision to the east and undeveloped land to the south. Located across Bickers St. to the north is more vacant land. Across N. Westmoreland Rd. is a middle school, a tire shop, and more vacant land. Further north and west are more single-family residential uses.

The property is zoned as Planned Development District No. 508 Tract 12 – Area 1 which allows for retirement housing with a Specific Use Permit.

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.

This request is for a new SUP to allow the current use that is operating as a retirement housing. The applicant has submitted the same conditions and site plan that were previously approved for SUP No. 1422. Staff supports this request due to it being located at the intersection of an arterial and a collector road. The classification of the roads helps alleviate any traffic concerns that may result from a higher density residential development. The site is accessed from Bickers Street which reduces the points of conflict on the higher classified roadway of North Westmoreland Road. The only abutting existing use is a single-family neighborhood that backs up to the retirement housing. There are not any homes that front this use. All the homes have access from a local street and do not have any driveways on Bickers Street. The other existing uses including a middle school and a tire shop are located along North Westmoreland Road, being an arterial road that supports more intense uses. This use acts as a buffer between the single-family residential and the higher intensity uses along North Westmoreland Road. A new site plan has been provided to match the currently existing conditions. One parking space was removed to hold the dumpster container and another space was removed to allow for a storage building. The site plan has been modified to show those changes and replace the spaces that were removed by including additional spaces at the northern side of the property. Since the site has delta credits due to the parking requirements changing in 2012, they have sufficient parking spaces to meet the minimum requirements.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

A minimum of 54 parking spaces must be provided in the location shown on the site plan. The new site plan now shows the currently existing conditions of the site and is providing sufficient parking spaces to meet the minimum requirements. This site has delta credits due to the parking requirements changing in 2012 therefore, no additional parking spaces are required at this time. If the site is to change in a way that would require additional parking spaces such as expanding the facility or creating additional suites/units, they will be required to provide those at that time.

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 located within a “H” MVA cluster.

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List of Partners/Principals/Officers

HAMTPON SUPPORTIVE HOUSING INC.

Principal Officer

DEBORAH STOUFF

Main address

911 N Studebaker Rd Long Beach CA 90815-4900
Long Beach, CA 90815

CPC ACTION
November 4, 2021

Motion: It was moved to recommend **approval** of a Specific Use Permit for a retirement housing for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to the site plan and conditions on property zoned Tract 12 – Area 1 [Mixed Use (MU-1) Tract] within Planned Development District No. 508 (the West Dallas Planned Development District), at the southeast corner of North Westmoreland Road and Bickers Street.

Maker: Carpenter
Second: Rubin
Result: Carried: 11 to 0

For: 11 - Anderson, Shidid, Carpenter, Jackson, Blair,
Jung, Suhler, Haqq, Stanard, Kingston, Rubin

Against: 0
Absent: 1 - Hampton
Vacancy: 3 - District 1, District 3, District 10

Notices: Area: 300 Mailed: 38
Replies: For: 0 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

CPC ACTION
October 7, 2021

Motion: In considering an application for a Specific Use Permit for a retirement housing on property zoned Tract 12 – Area 1 [Mixed Use (MU-1) Tract] within Planned Development District No. 508 (the West Dallas Planned Development District), at the southeast corner of North Westmoreland Road and Bickers Street, it was moved to **hold** this case under advisement until November 4, 2021.

Maker: Carpenter
Second: MacGregor
Result: Carried: 11 to 0

For: 11 - MacGregor, Shidid, Carpenter, Jackson, Blair,
Jung, Suhler, Haqq, Stanard, Kingston, Rubin*

Against: 0
Absent: 1 - Hampton
Vacancy: 3 - District 3, District 4, District 10

*out of the room, shown voting in favor

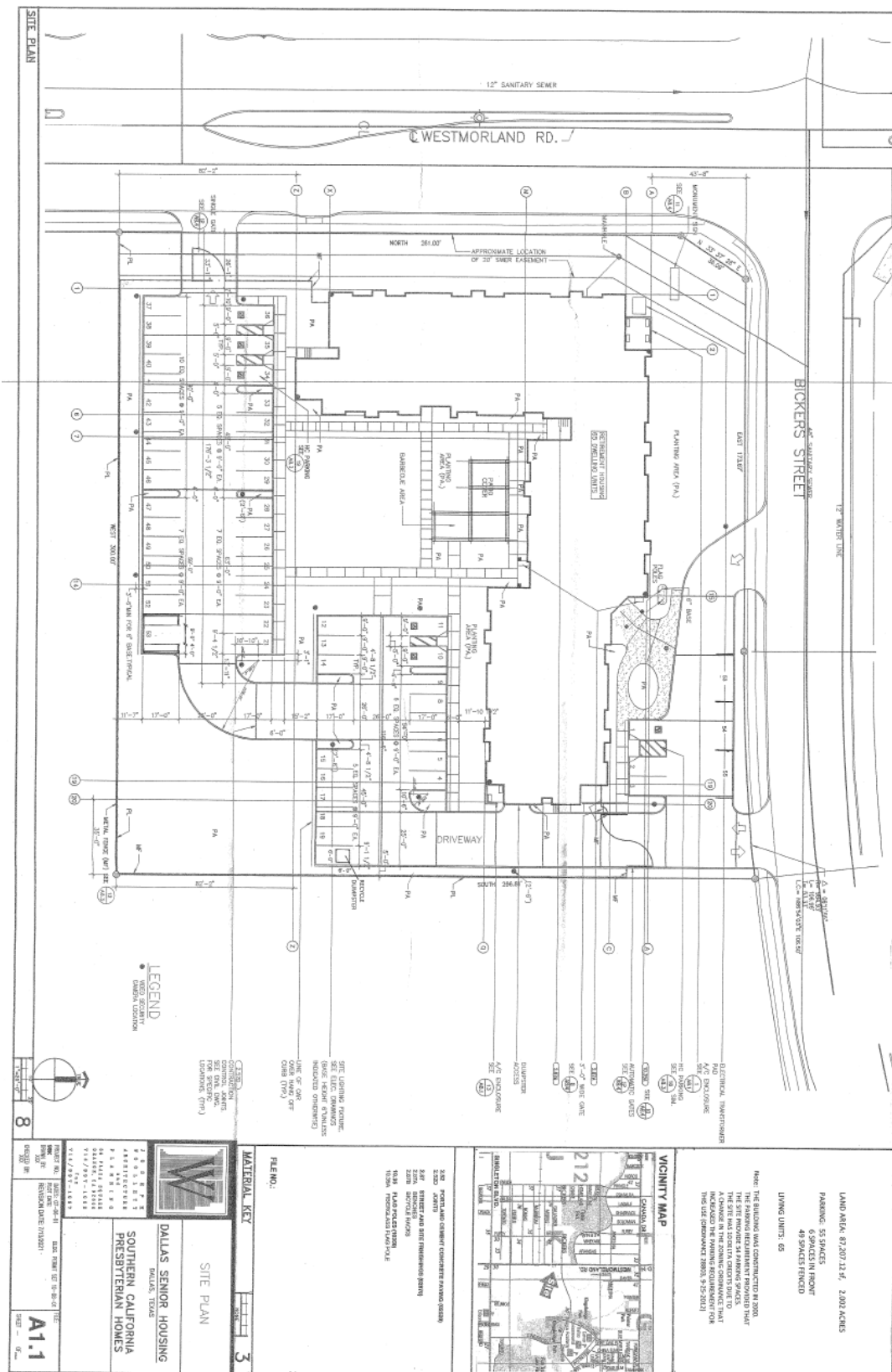
Notices:	Area: 300	Mailed: 38
Replies:	For: 0	Against: 0

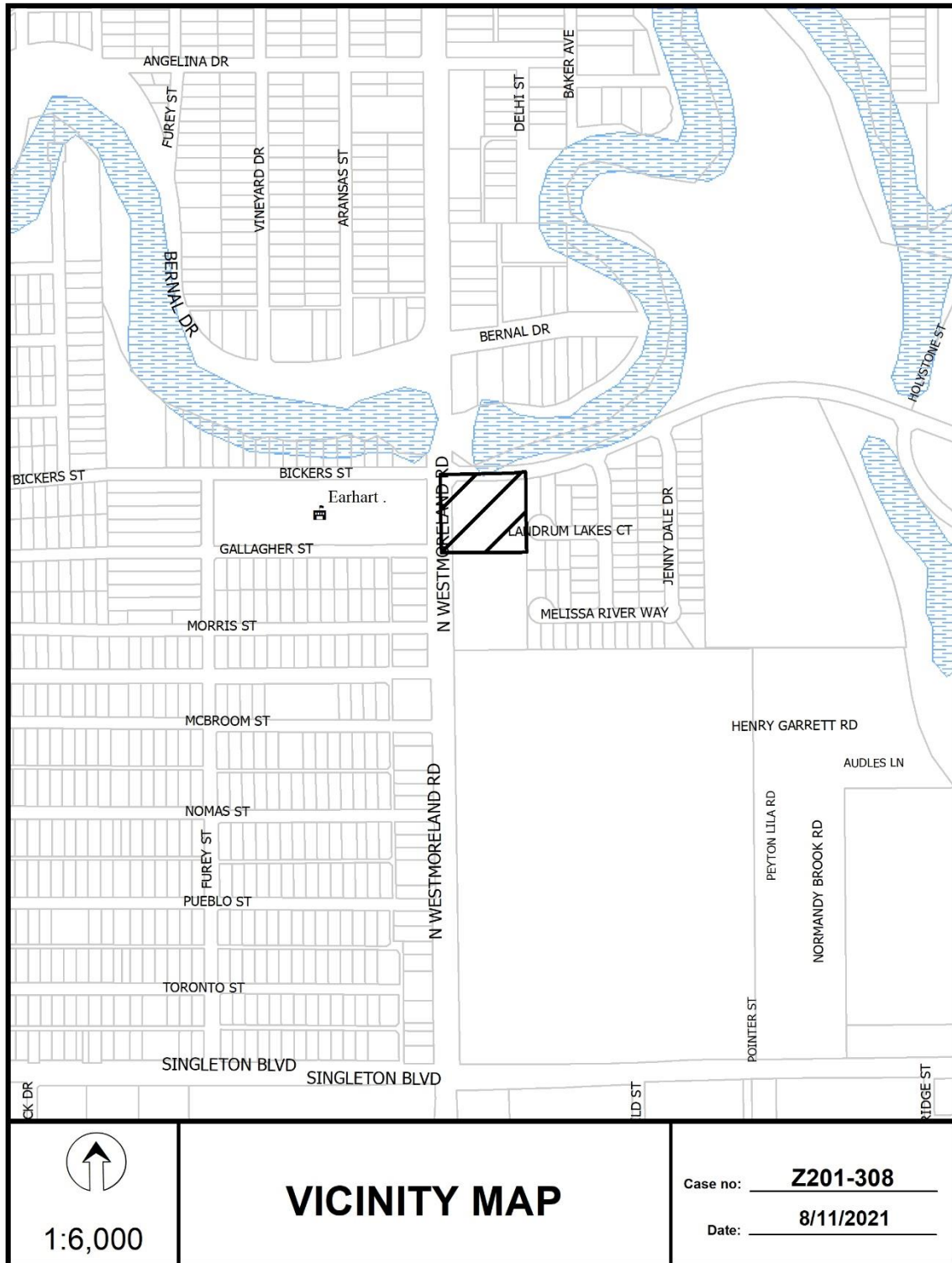
Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

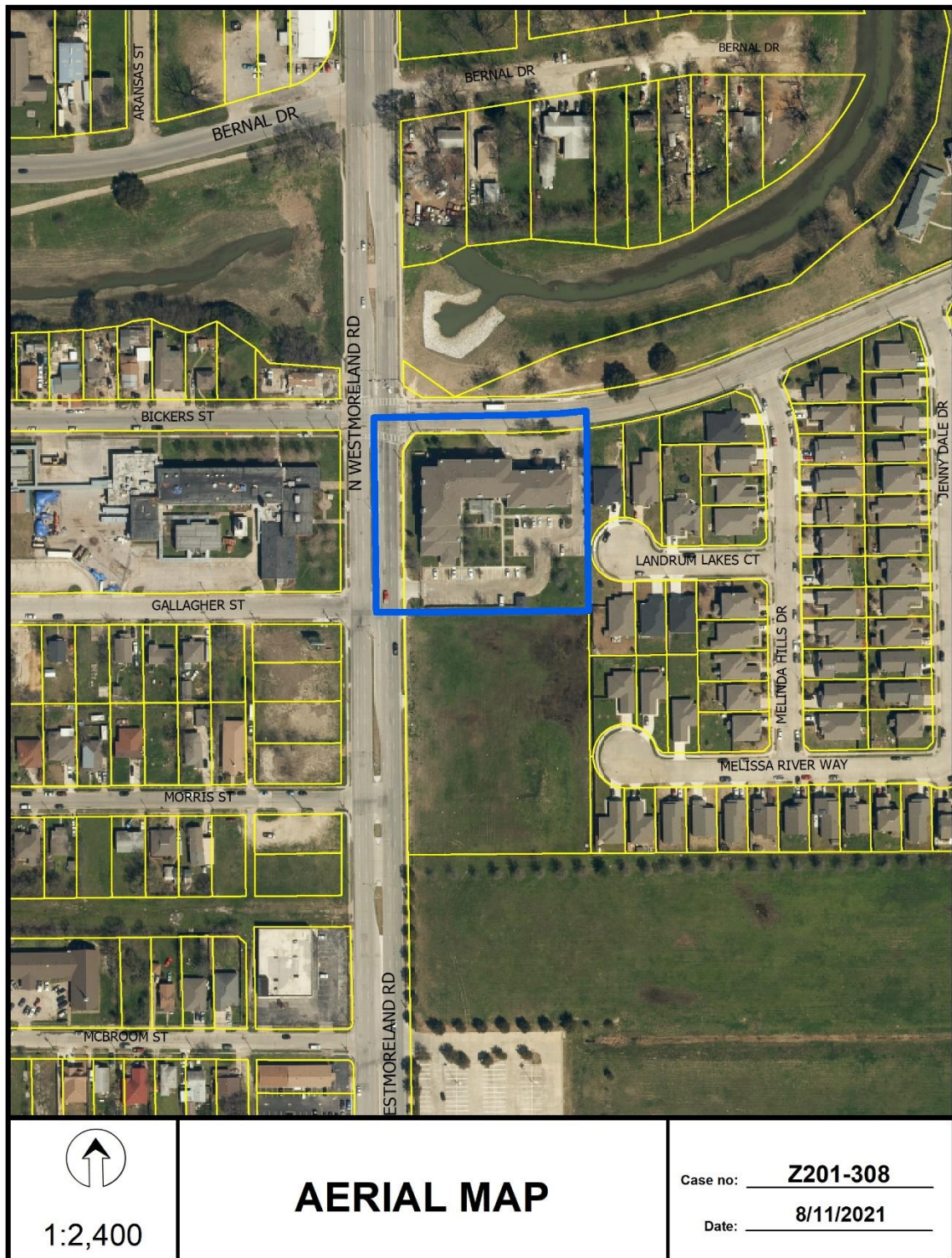
CPC RECOMMENDED CONDITIONS

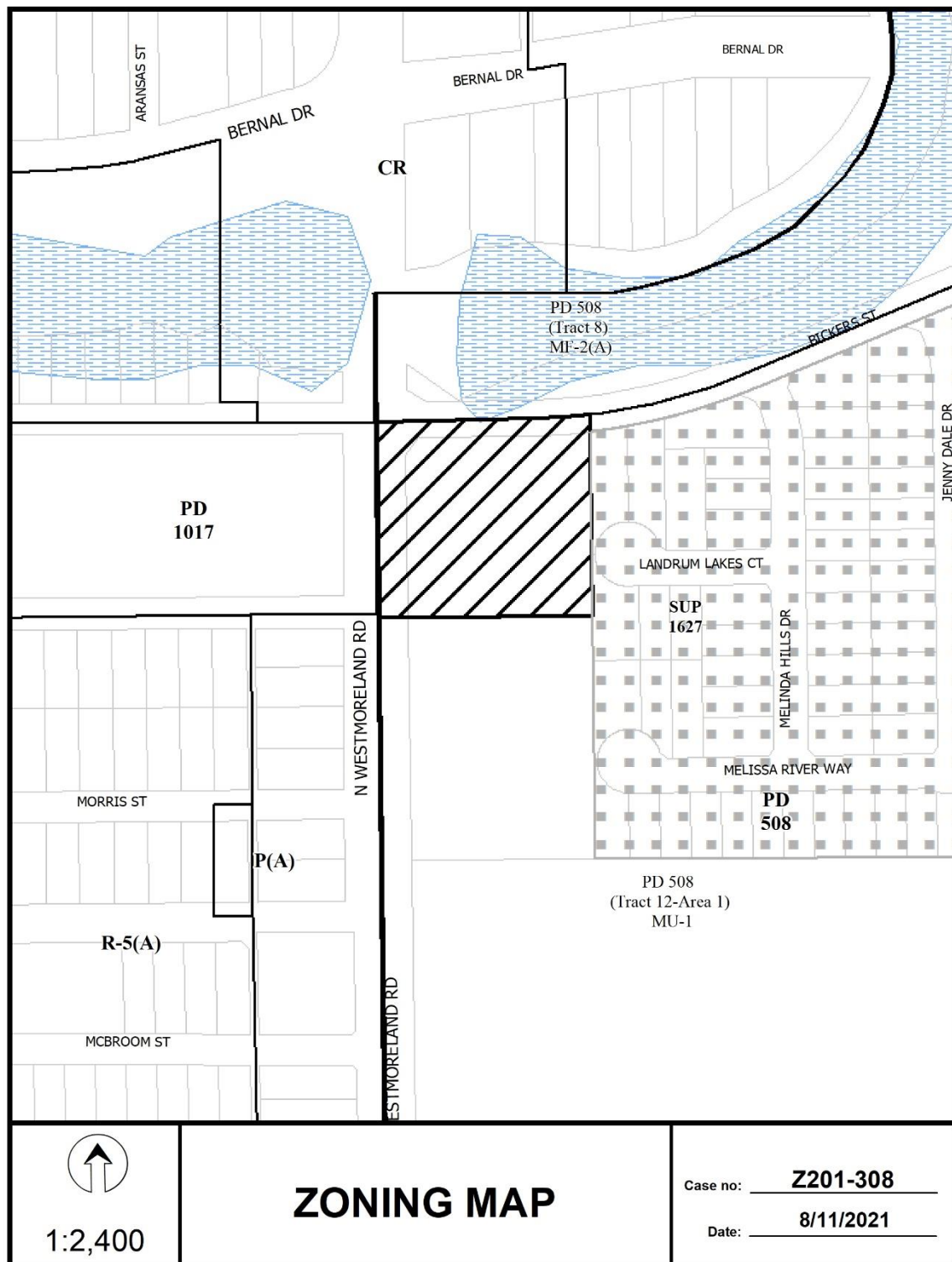
1. **USE:** The only use authorized by this specific use permit is retirement housing.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.
3. **TIME LIMIT:** This specific use permit expires on (20-years from the passage of this ordinance), but is eligible for automatic renewal for additional 20-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas Development Code, as amended. 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 applications for automatic renewal is strictly enforced.)
4. **LANDSCAPING:** Landscaping must be provided in accordance with Article X of the Dallas Development Code. Plant materials must be maintained in a healthy, growing condition.
5. **INGRESS AND EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. **OFF-STREET PARKING:** A minimum of 54 off-street parking spaces must be provided in the location shown on the attached site plan.
7. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
8. **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.

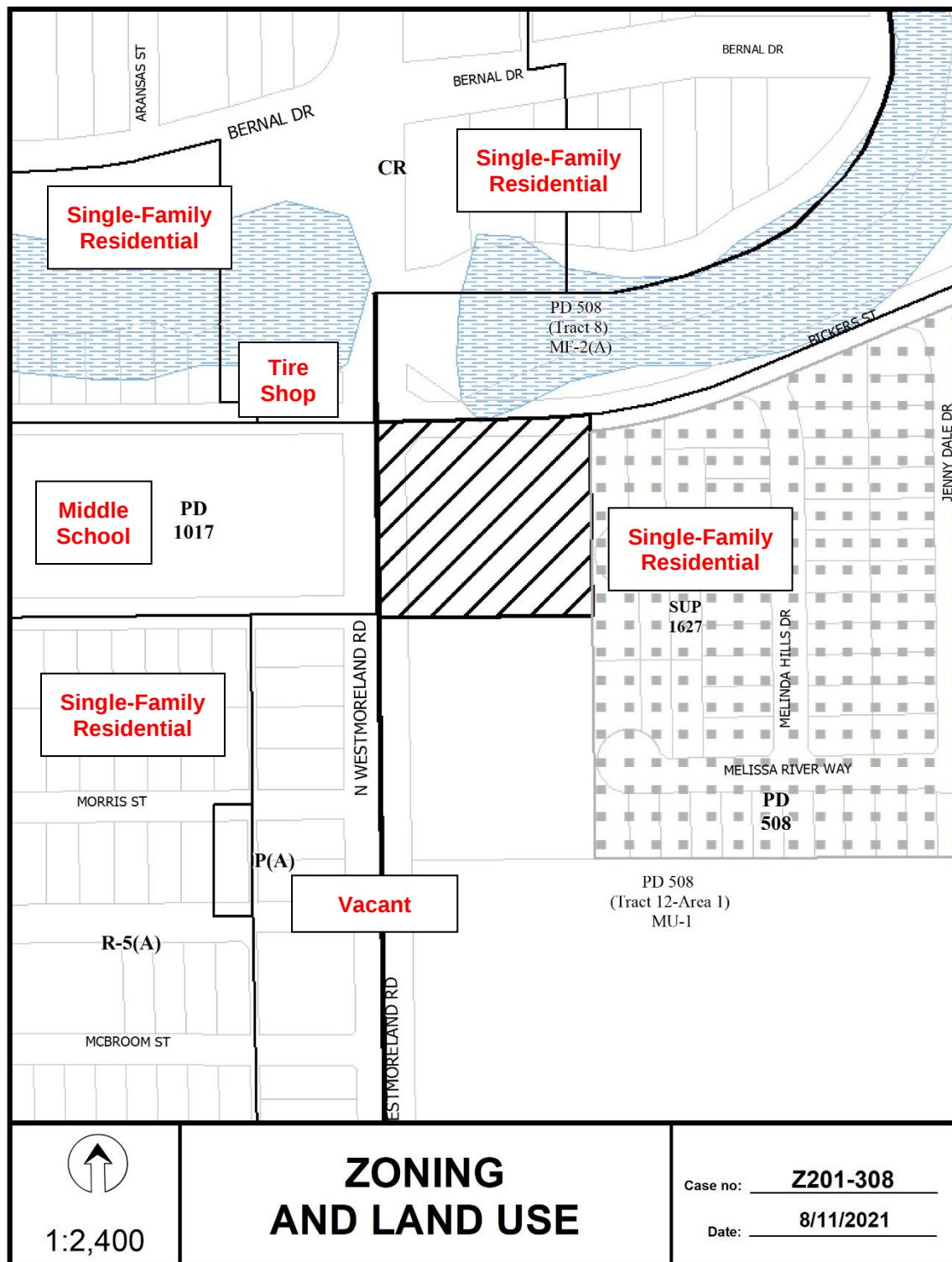
CPC RECOMMENDED SITE PLAN

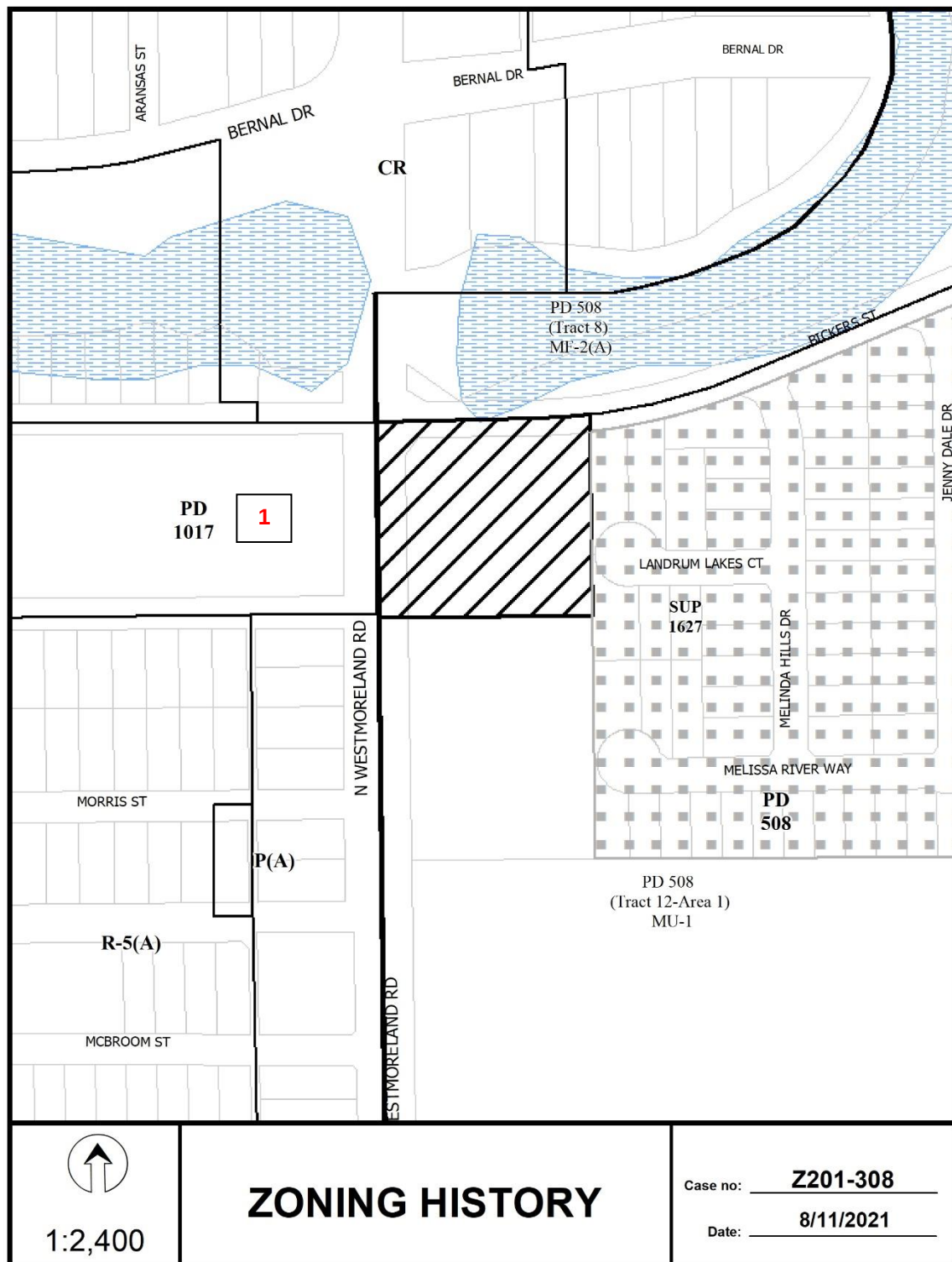




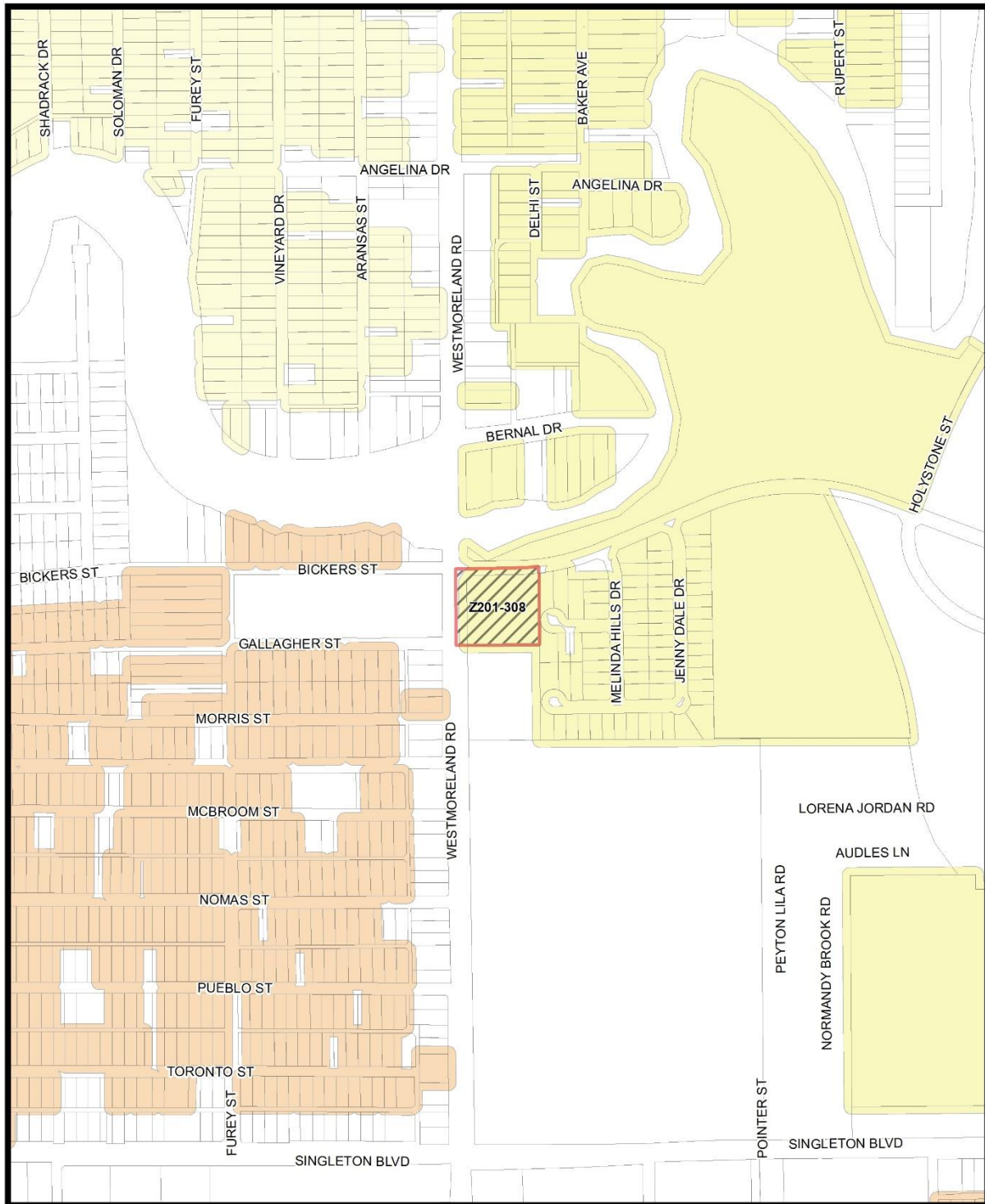








Z201-308(KC)



Market Value Analysis



1:6,000

Market Value Analysis

Printed Date: 8/11/2021

CPC RESPONSES



11/03/2021

Reply List of Property Owners***Z201-308******38 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	3260 BICKERS ST	HAMPTON SUPPORTIVE
	2	3020 BICKERS ST	DALLAS HOUSING AUTHORITY
	3	3230 BERNAL DR	WILLIS TIM H &
	4	3226 BERNAL DR	NUNEZ JULIAN ESTATE OF
	5	3218 BERNAL DR	TEMPLO APOSENTO ALTO
	6	3210 BERNAL DR	CAZARES JOSE PEDRO &
	7	3206 BERNAL DR	BARRIENTOS ANNA P ET AL
	8	3202 BERNAL DR	RIVERA JUAN &
	9	3315 BICKERS ST	JOHNSON GWENDOLYN HILL
	10	3603 N WESTMORELAND RD	HAYES LENA RUTH
	11	3321 BICKERS ST	JONES KATIE M
	12	3531 N WESTMORELAND RD	Dallas ISD
	13	3517 N WESTMORELAND RD	Taxpayer at
	14	3511 N WESTMORELAND RD	Taxpayer at
	15	3503 N WESTMORELAND RD	Taxpayer at
	16	3303 MORRIS ST	Taxpayer at
	17	3316 GALLAGHER ST	NEW MOUNT CALVARY BAPTIST CHURCH
	18	3320 GALLAGHER ST	SALGADO JOSE &
	19	3541 MELINDA HILLS DR	HENSLEE DUSTIN
	20	3537 MELINDA HILLS DR	HAILE CHOMBE ALEMAYEHU &
	21	3533 MELINDA HILLS DR	TRAN HEIN &
	22	3529 MELINDA HILLS DR	CAVANAR SAKEENA L &
	23	3103 LANDRUM LAKES CT	Taxpayer at
	24	3107 LANDRUM LAKES CT	Taxpayer at
	25	3111 LANDRUM LAKES CT	RODRIGUEZ JOSE PAEZ
	26	3110 LANDRUM LAKES CT	DELLINGER LYNNELLE

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11/03/2021

Reply	Label #	Address	Owner
	27	3106 LANDRUM LAKES CT	JONES LAUREN
	28	3102 LANDRUM LAKES CT	NISCOLN LLC
	29	3519 MELINDA HILLS DR	LANTAJO ROMMEL V
	30	3515 MELINDA HILLS DR	Taxpayer at
	31	3511 MELINDA HILLS DR	HUYNH NGOC ANH THI
	32	3507 MELINDA HILLS DR	NGUYEN LY & LUAN
	33	3503 MELINDA HILLS DR	TAYLOR MARGARET & LESLEY
	34	3141 MELISSA RIVER WAY	NGUYEN SUONG N
	35	3145 MELISSA RIVER WAY	NGUYEN CHIEN M & MONG T DANG
	36	3149 MELISSA RIVER WAY	Taxpayer at
	37	3146 MELISSA RIVER WAY	TRAN TUAN VAN
	38	3150 MELISSA RIVER WAY	Taxpayer at