

FILE NUMBER: Z212-154(RM) **DATE FILED:** December 27, 2021

LOCATION: Northwest corner of Forney Road and Lomax Drive

COUNCIL DISTRICT: 7

SIZE OF REQUEST: Approx. 0.5 acre **CENSUS TRACT:** 122.07

OWNER/APPLICANT: Lilian Nyahwai [Sole Owner]

REQUEST: An application for a Specific Use Permit for a foster home on property zoned D(A) Duplex District.

SUMMARY: The purpose of the request is to allow a foster home on the site.

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 area of request is currently zoned a D(A) Duplex District and is developed with a residential structure that was previously used as a handicapped group dwelling unit.
- The applicant proposes to use the existing structure as a foster home. This use requires a Specific Use Permit in the D(A) District.
- Chapter 51A defines a foster home 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.
- No changes are proposed to the existing building footprint, parking, or driveways.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Forney Road	Community Collector	80 feet
Lomax Drive	Local Street	-

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 ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which 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.

Land Use:

	Zoning	Land Use
Site	D(A) Duplex District	Vacant
North	D(A) Duplex District	Duplex
East	Planned Development District No. 822	Public or private school
South	R-7.5(A) Single Family District	Single family
West	D(A) Duplex District	Duplex

Land Use Compatibility:

North and west of the area of request are duplex uses. To the south across Forney Road are single-family uses. East of the request area across Lomax Drive is a public or private school. Staff finds the applicant's proposal compatible with these surrounding uses.

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.

Staff supports the request because the use is not foreseen to be detrimental to surrounding properties, and it will provide foster care services in this area of the city. Staff also supports the proposed time limit of five years without eligibility for automatic renewal because this would be a new use of the property. A time limit without eligibility for automatic renewal will allow for continued monitoring of the site in the future.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a foster home is two spaces. As demonstrated on the proposed site plan, the site provides four 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 within an “E” MVA cluster, which extends north and west of the site. South of the request area across Forney Road is an “H” MVA cluster.

CPC ACTION
MARCH 24, 2022

Motion: It was moved to recommend approval of a Specific Use Permit for a foster home for a five-year period, subject to a site plan and conditions on property zoned a D(A) Duplex District at the northwest corner of Forney Road and Lomax Drive.

Maker: Rubin
Second: Housewright
Result: Carried: 10 to 0

For: 10 - Hampton, Shidid, Carpenter, Blair, Jung,
Housewright, Gibson, Haqq, Kingston, Rubin

Against: 0
Absent: 3 - Popken, Anderson, Stanard
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 21
Replies: For: 1 Against: 1

Speakers: For: Thornton Turner, 4073 Lomax Dr., Dallas, TX, 75227
For (Did not speak): Lilian Nyahwai, 4073 Lomax Dr., Dallas, TX, 75227
Against: None

CPC ACTION
MARCH 3, 2022

Motion: In considering an application for a Specific Use Permit for a foster home on property zoned a D(A) Duplex District at the northwest corner of Forney Road and Lomax Drive, it was moved to **hold** this case under advisement until March 24, 2022.

Maker: Rubin
Second: Blair
Result: Carried: 12 to 0

For: 12 - Popken, Hampton, Shidid, Carpenter, Blair,
Jung, Housewright, Gibson, Haqq, Stanard,
Kingston, Rubin

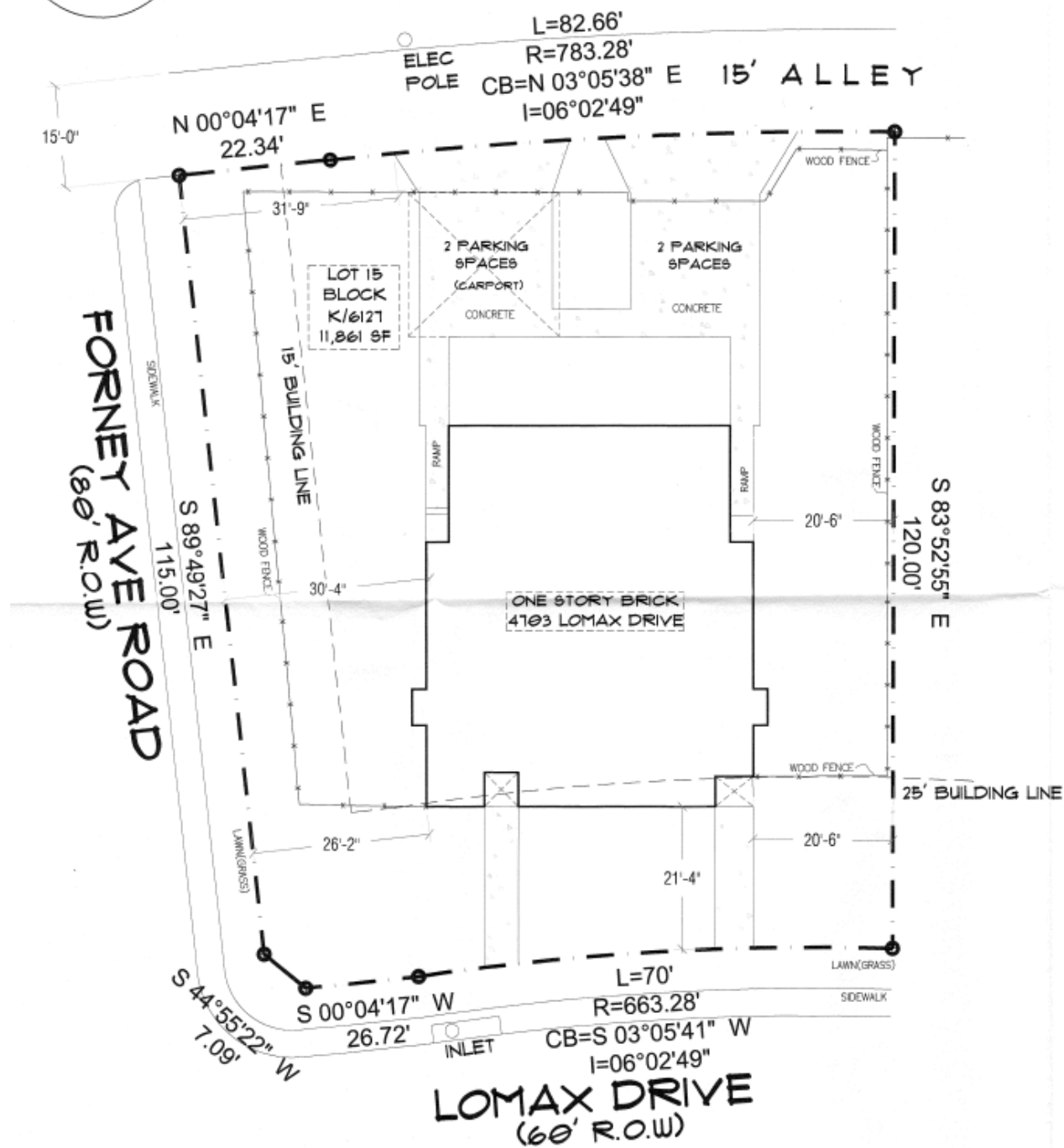
Against: 0
Absent: 1 - Anderson
Vacancy: 2 - District 3, District 7

Notices:	Area: 200	Mailed: 21
Replies:	For: 0	Against: 1

Speakers: For: Lilian Nyahwai, 4703 Lomax, Dr., Dallas, TX, 75227
Against: None

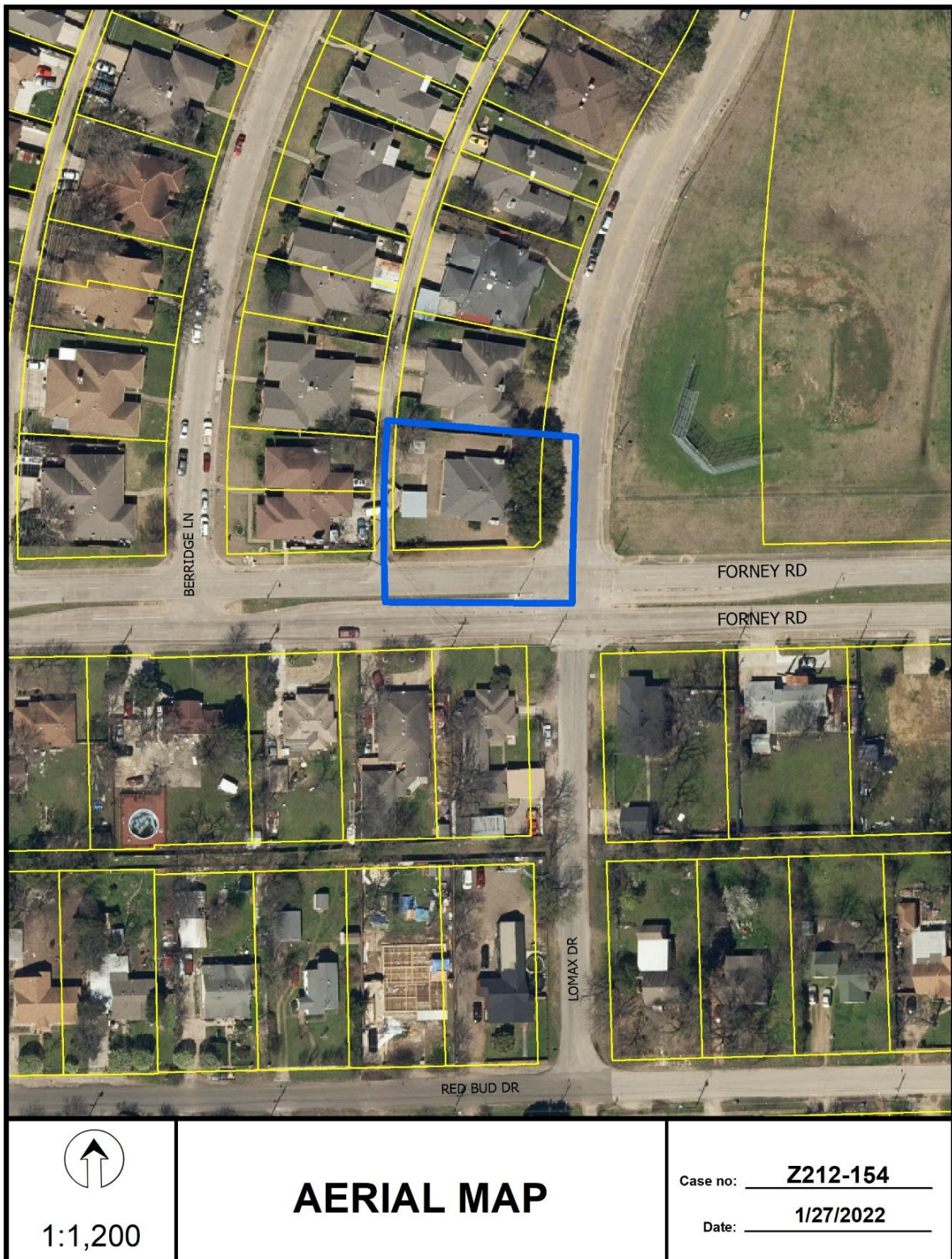
CPC RECOMMENDED CONDITIONS

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. 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.

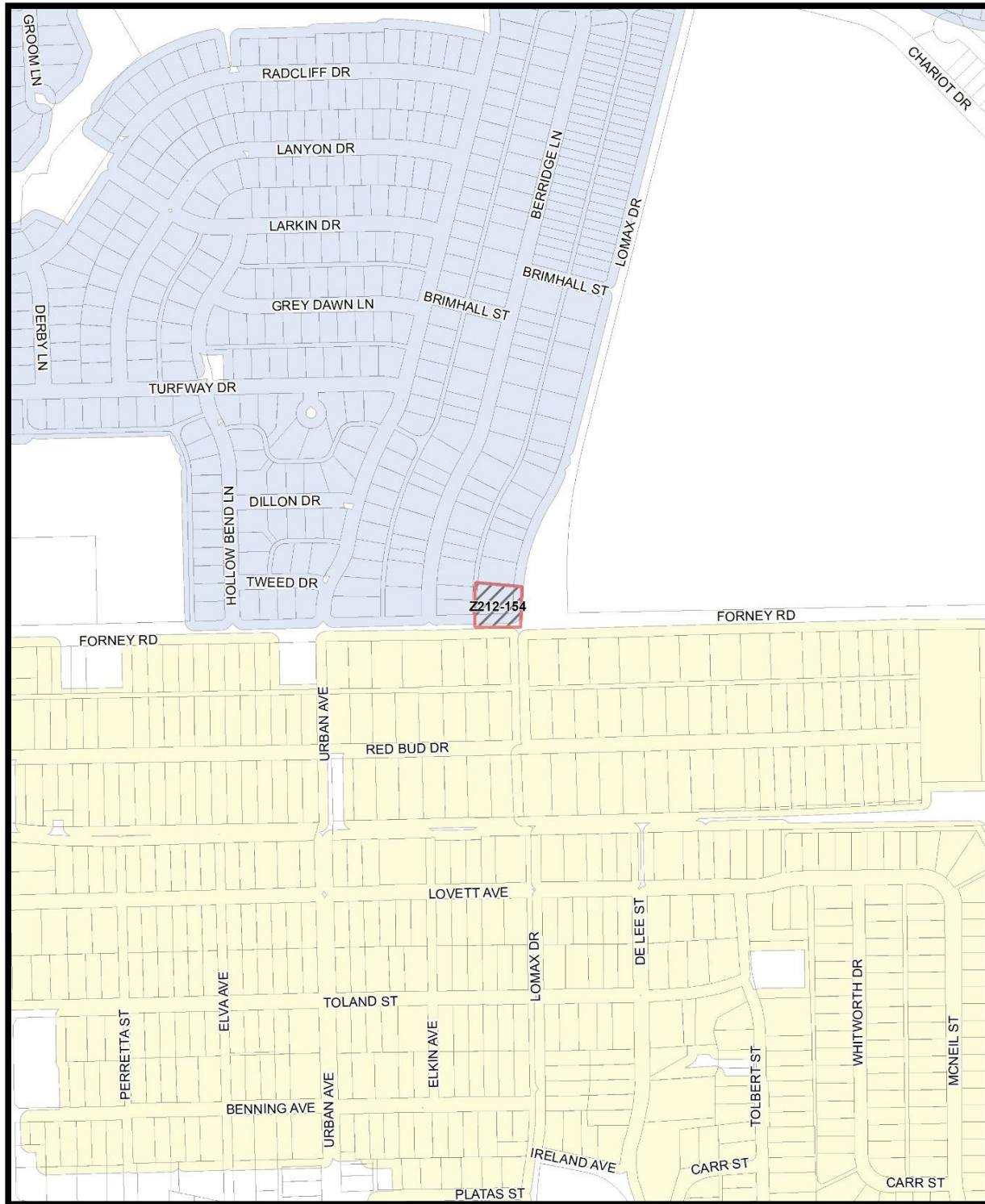


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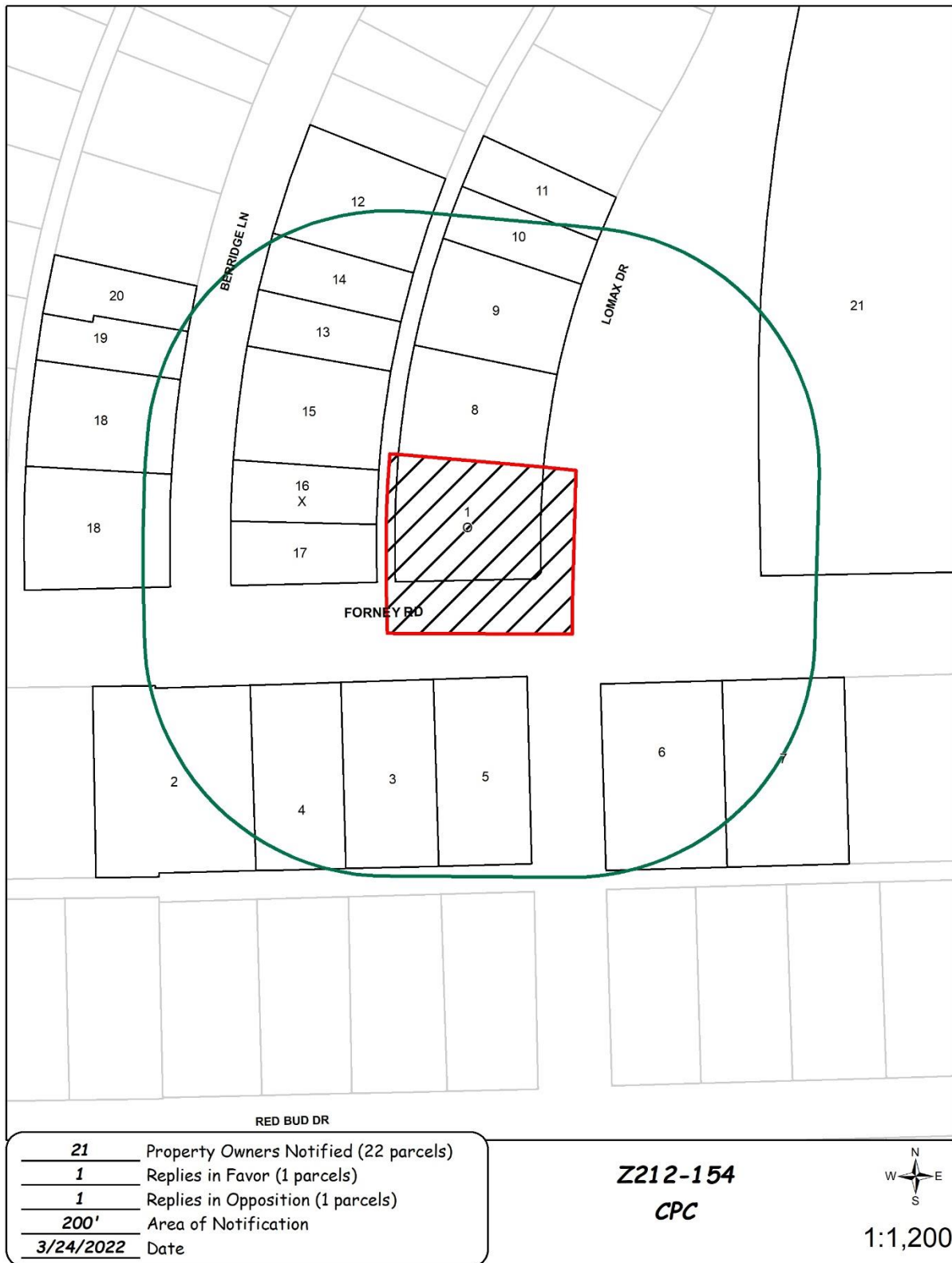




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Market Value Analysis

Printed Date: 1/27/2022



03/23/2022

Reply List of Property Owners***Z212-154******21 Property Owners Notified 1 Property Owners in Favor 1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	4703 LOMAX DR	NYAHWAI LILIAN
	2	7222 FORNEY RD	HINOJOSA BEATRICE F
	3	7314 FORNEY RD	PRINCIPE MARIA L
	4	7310 FORNEY RD	VELARMINIO YOLANDA & MARCIANO FIGUEROA
	5	7322 FORNEY RD	RODRIGUEZ RAYMUNDO
	6	7402 FORNEY RD	RODRIGUEZ RAYMUNDO & GRISELDA
	7	7414 FORNEY RD	RUIZ EMELIA BLAS &
	8	4709 LOMAX DR	Taxpayer at
	9	4715 LOMAX DR	HEADWAY LLC
	10	4719 LOMAX DR	GEBREDINGIL TESFA
	11	4721 LOMAX DR	CARRANZA ROBERTO
	12	4724 BERRIDGE LN	LIU JIAN & YINGXIA HOU
	13	4718 BERRIDGE LN	JENNINGS SEBASTIAN
	14	4720 BERRIDGE LN	TSEGGAY HADDAS
	15	4708 BERRIDGE LN	4708 BERRIDGE LANE LLC
X	16	4706 BERRIDGE LN	VAQUERA RAUL
	17	4704 BERRIDGE LN	WIN CITYSCAPE LLC
	18	4705 BERRIDGE LN	BEST WAY PROPERTIES LLC
	19	4715 BERRIDGE LN	MEDALI INVESTMENT CORP
	20	4717 BERRIDGE LN	VEDDA JUDITH L
	21	7777 FORNEY RD	Dallas ISD