

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, FEBRUARY 26, 2020
ACM: Majed Al-Ghafry

FILE NUMBER: Z190-110(CT) **DATE FILED:** October 16, 2019

LOCATION: Terminus of Maceo Circle Drive, south of Magna Vista Drive
and west of Scenic Circle

COUNCIL DISTRICT: 4 **MAPSCO:** 56 S

SIZE OF REQUEST: Approx. 7,500 sq. ft. **CENSUS TRACT:** 86.03

OWNER/APPLICANT: Anthony Brown

REQUEST: An application for a Specific Use Permit for a handicapped group dwelling unit use on property zoned an R-7.5(A) Single Family District

SUMMARY: The purpose of the request is to allow for the operation of a handicapped group dwelling unit on the property to house four to eight residents. [Wellspring Residential Home Care Assisted Living Facility]

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

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

BACKGROUND INFORMATION:

- The request site zoned R-7.5(A) Single Family District and is developed with a 1,744-square-foot single family dwelling.
- Section 51A-4.209 of the Dallas Development Code defines a handicapped group dwelling unit as a single dwelling unit that is the domicile of not more than eight handicapped persons who are not a “family” as that term is defined in Chapter 51A, and who are living together as a single housekeeping unit. Up to two supervisory personnel may reside on the premises, provided that the total number of residents, including the supervisory personnel, does not exceed eight.
- A handicapped group dwelling unit is allowed by right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise, an SUP is required. The department of Code Compliance issued a letter to the applicant indicating that the proposed facility is less than 1,000 feet from another facility which prompted this application.

Zoning History: There has been no zoning changes for the area of request in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Maceo Circle	Local	50 feet

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:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Surrounding Land Uses:

	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/Church

Land Use Compatibility:

The ±7,500-square foot request site is located within an established single family neighborhood and is developed with a ±1,744-square foot dwelling unit.

A handicapped group dwelling unit is allowed by right in agricultural, single family, duplex, townhouse, CH, MF-1(A), MF-1(SAH), MF-2(A), MF-2(SAH), MH(A), GO(A), central area, MU-1, and MU-1(SAH) districts by right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise, an SUP is required. The request site is within 1,000 feet of an existing handicapped group dwelling unit at 2523 Magna Vista Drive.

Section 51A-4.209 of the Dallas Development Code defines a handicapped group dwelling unit as a single dwelling unit that is the domicile of not more than eight handicapped persons who are not a “family” as that term is defined in Chapter 51A, and who are living together as a single housekeeping unit. Up to two supervisory personnel may reside on the premises, provided that the total number of residents, including the supervisory personnel, does not exceed eight.

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 compatible with the adjacent property and 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 request is consistent with the surrounding area and compatible with the residential uses. Additionally, the proposed use use complies with the general provisions for consideration of an SUP.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	N/A	Single family

Parking:

A handicapped group dwelling unit requires one off-street parking space in the R-7.5(A) Single Family District. However, if an SUP is required, the off-street parking requirement may be established in the ordinance granting the SUP.

The site plan depicts one parking space within an attached garage, in the rear of the property.

Landscaping:

Landscaping is required per Article X of the Dallas Development Code.

Additional Provisions:

No certificate of occupancy is required for this use.

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 to orange, representing the weakest markets. The request site and surrounding properties are within an “H” MVA Category.

CPC ACTION
January 9, 2020

Motion: It was moved to recommend **approval** of a Specific Use Permit for a handicapped group dwelling unit use for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to site plan and conditions on property zoned an R-7.5(A) Single Family District at the terminus of Maceo Circle Drive, south of Magna Vista Drive and west of Scenic Circle.

Maker: Johnson
Second: MacGregor
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Johnson, Shidid,
Carpenter, Brinson, Blair, Jung, Housewright,
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 3

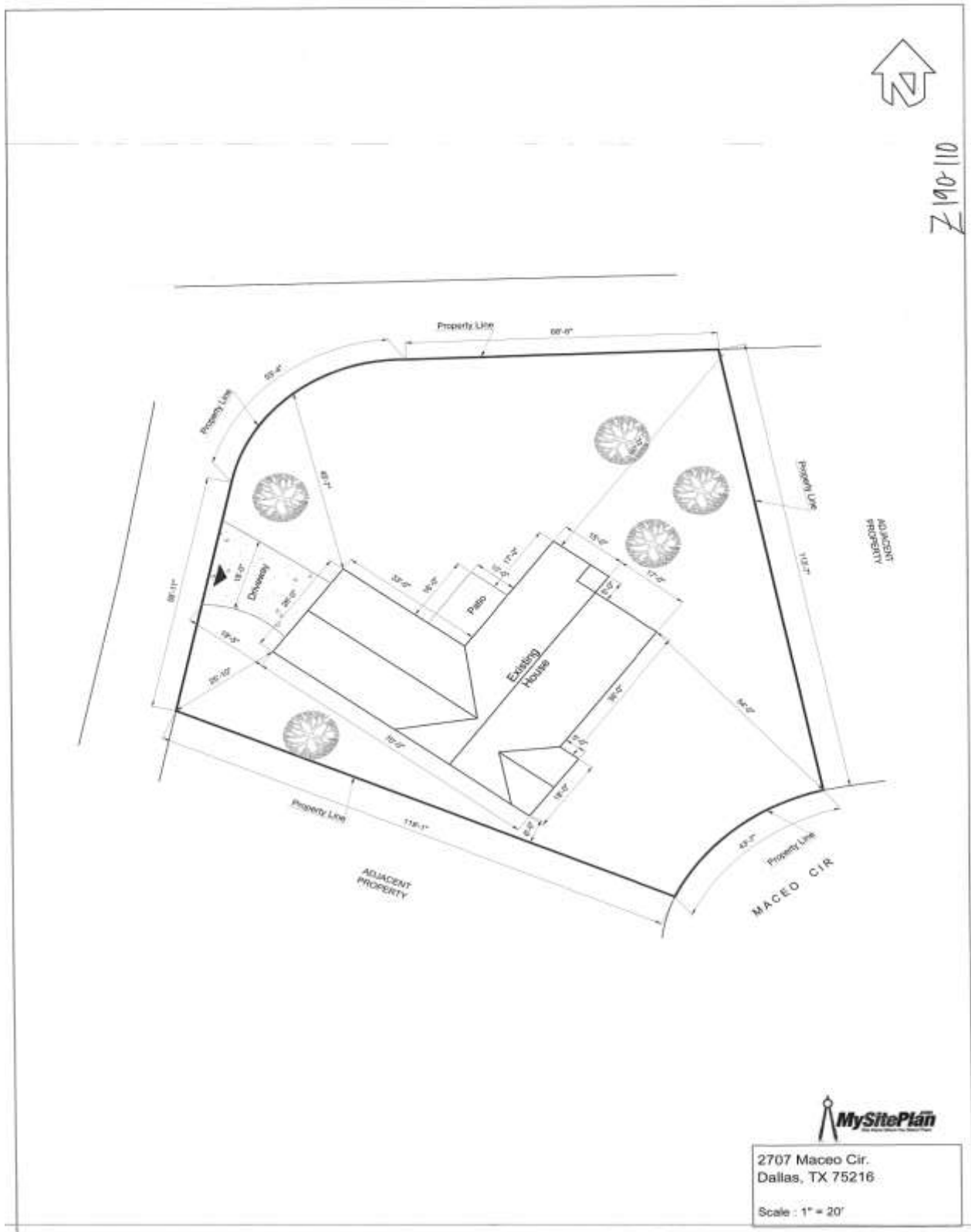
Notices: Area: 200 Mailed: 23
Replies: For: 0 Against: 1

Speakers: For: None
Against: Ramon Alvarez, 2716 Maceo Cir., Dallas, TX, 75216
Adriana Mariscal, 2720 Maceo Cir., Dallas, TX, 75216
Susana Parra De Alvarez, 2716 Maceo Cir., Dallas, TX, 75216

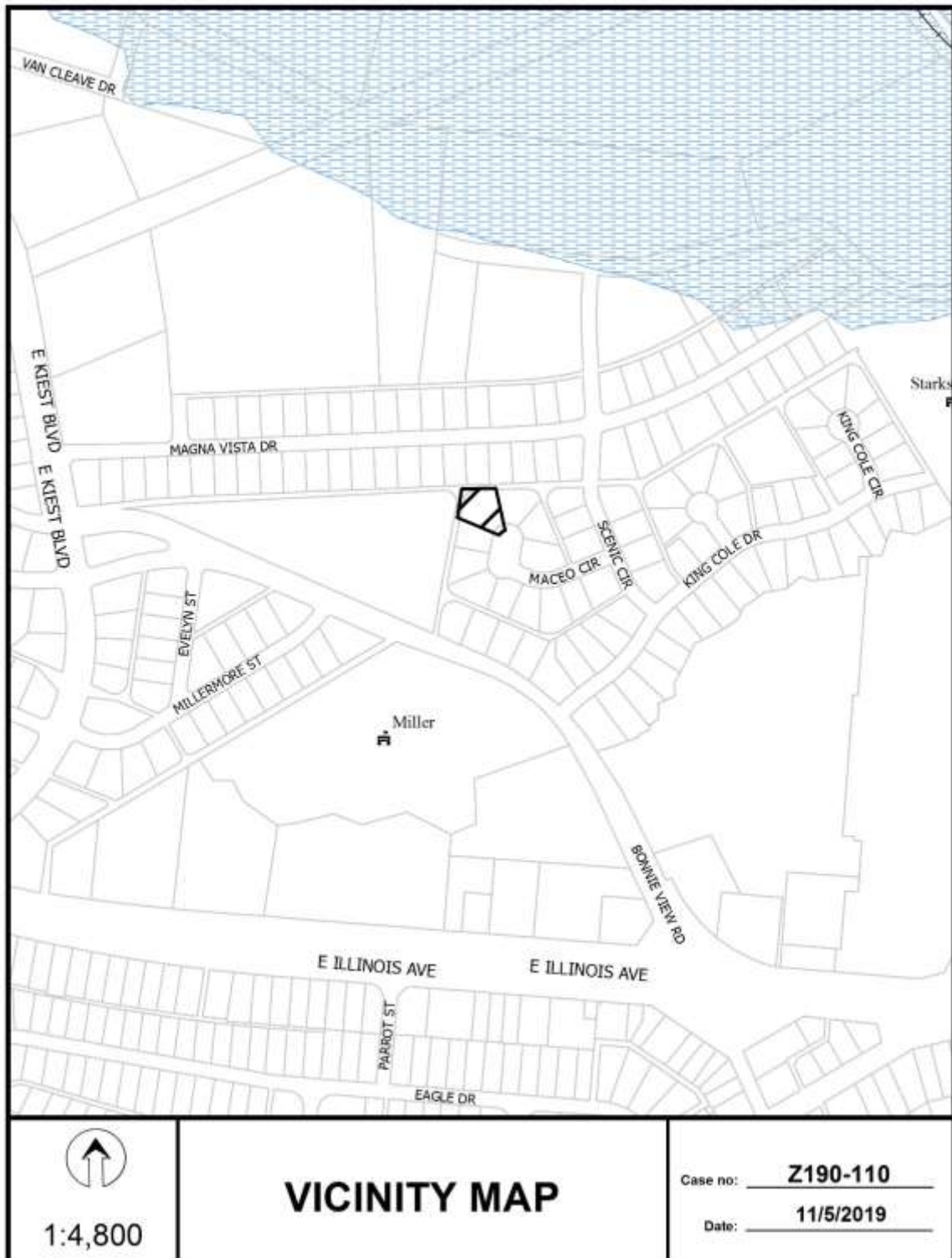
CPC Recommended SUP Conditions

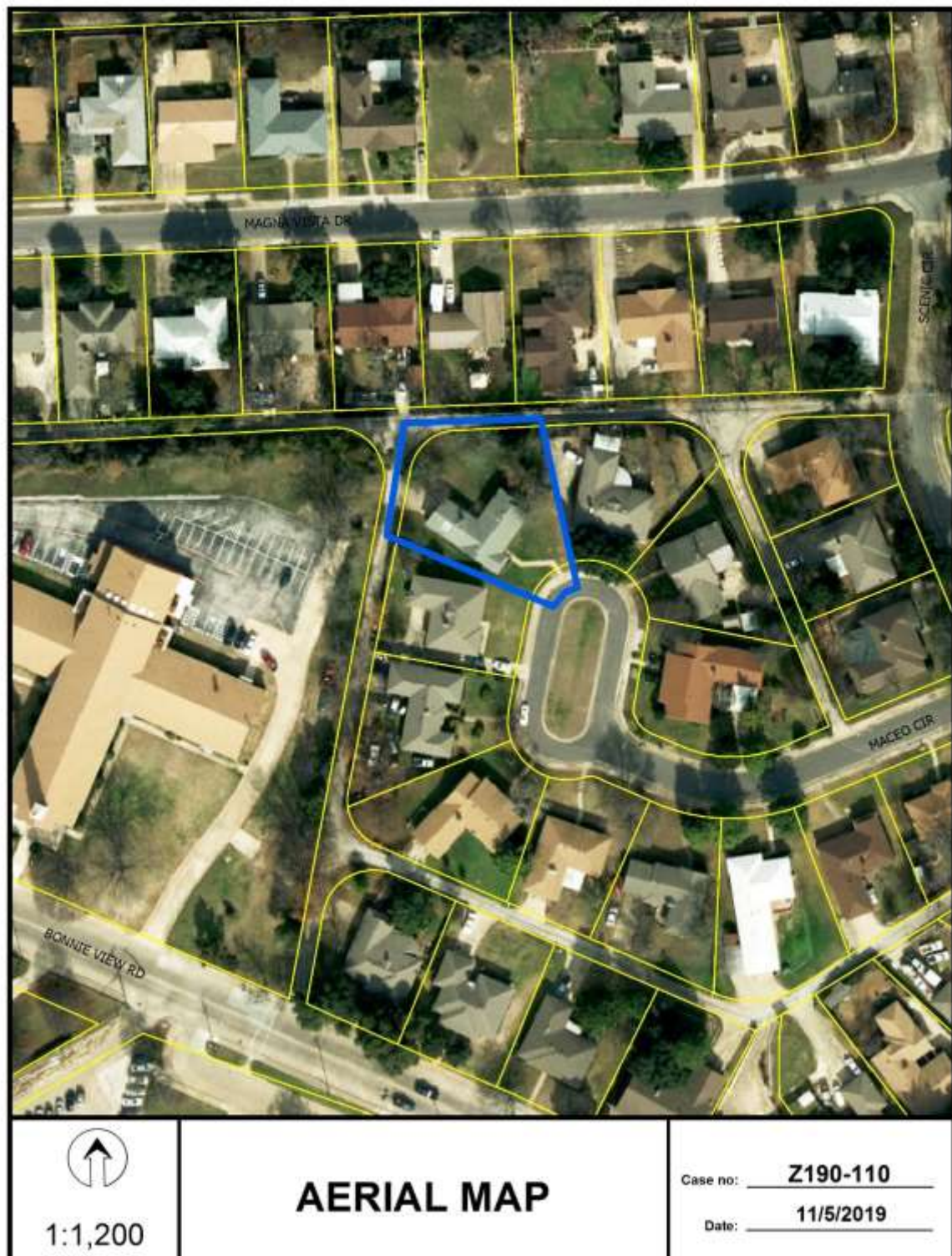
1. USE: The only use authorized by this specific use permit is a handicapped group dwelling unit.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two-year period), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City 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 application for automatic renewal is strictly enforced.)
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.

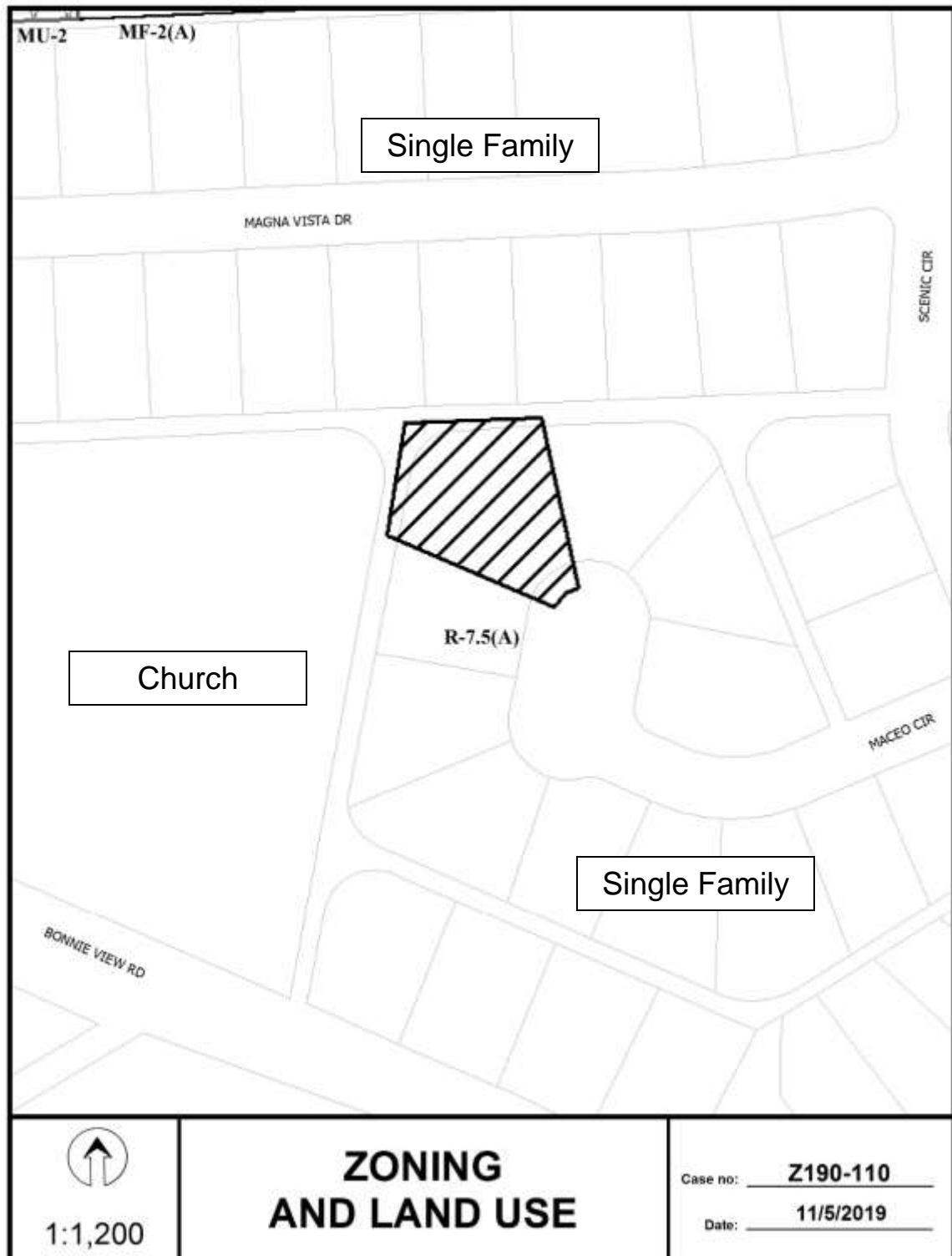
CPC Recommended SUP SITE PLAN



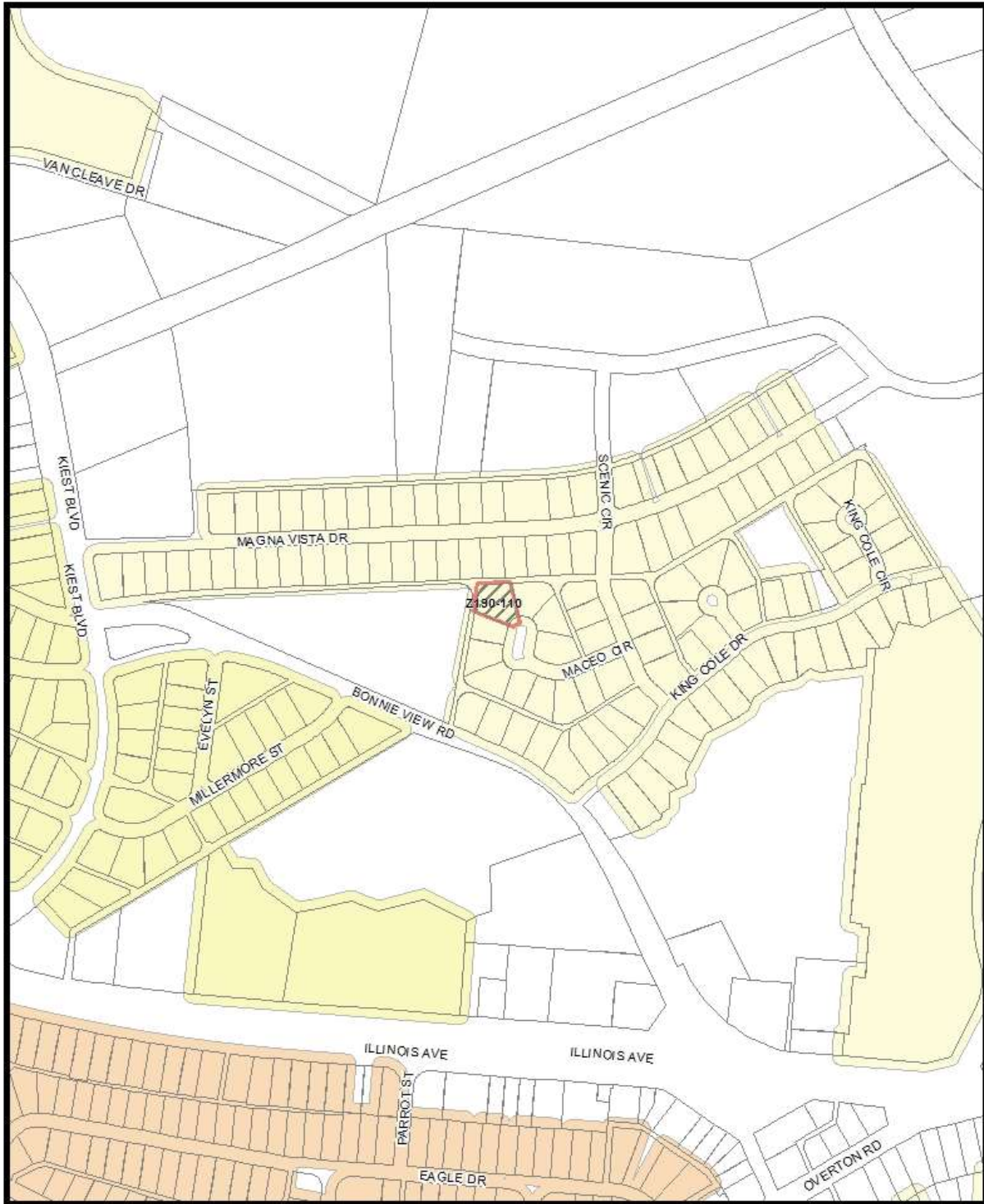
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MVA Cluster A B C D E F G H I NA



1:4,800

Market Value Analysis

Printed Date: 11/5/2019

CPC Responses



01/08/2020

Reply List of Property Owners***Z190-110******23 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	2707 MACEO CIR	BROWN ANTHONY Q & MARIE A
	2	2724 MACEO CIR	STEWART WILLIE LEE
X	3	2720 MACEO CIR	MARISCAL ADRIANA E &
	4	2716 MACEO CIR	ALVAREZ RAMON & SUSANA PARRA DE
	5	2712 MACEO CIR	JONES ROBERT L &
	6	2706 MACEO CIR	DRAIN LISA M
	7	2711 MACEO CIR	MATTHEWS ALPHONSE C
	8	2717 MACEO CIR	KING SHAUNTAI
	9	2721 MACEO CIR	GRIFFIN GILEY E
	10	3027 SCENIC CIR	GRAY KEITH EARL &
	11	3021 SCENIC CIR	MOORE THETA MICHELLE
	12	3015 SCENIC CIR	JOHNSON SHANDA BRANCH
	13	2628 MAGNA VISTA DR	VILLEGAS ALEJANDRO TEJEDA
	14	2634 MAGNA VISTA DR	JOHNSON WANDA J
	15	2704 MAGNA VISTA DR	BRADLEY MAE JOYCE
	16	2710 MAGNA VISTA DR	ARBUCKLE LILLIE EST OF
	17	2716 MAGNA VISTA DR	HOLLIE BARBARA
	18	2722 MAGNA VISTA DR	WILLIAMS TOBIZENA B &
	19	2728 MAGNA VISTA DR	YOUNG ARNOLD LIDDELL
	20	2705 MAGNA VISTA DR	AUSTIN O THOMAS
	21	2711 MAGNA VISTA DR	JAMISON MICHAEL & ERIKA SMITH
	22	2723 MAGNA VISTA DR	CARTER DOZIER & BARBARA G
	23	3110 BONNIE VIEW RD	GOOD ST BAPTIST CH