

FILE NUMBER: Z190-127(JM) **DATE FILED:** November 4, 2019
LOCATION: East side of South Lancaster Road, north of East Camp Wisdom Road
COUNCIL DISTRICT: 8 **MAPSCO:** 65 V
SIZE OF REQUEST: ±6,000 square feet **CENSUS TRACT:** 114.01

**APPLICANT/
OWNER:** Don Moore and Toni Martin

REQUEST: An application for a Specific Use Permit for a Handicapped Group Dwelling Unit on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant seeks to operate a handicapped group dwelling unit to house up to eight residents [Destiny Rose Residential Care].

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

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

BACKGROUND INFORMATION:

- The request site is zoned an R-7.5(A) Single Family District, contains 6,000 square feet of lot area, and is developed with a 1,903-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, a 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. According to measurements made by staff using the City zoning map, the other facility is approximately 900 feet northeast, located at 2539 Kirkley Street.
- The applicant proposes to occupy the residential dwelling with a maximum of eight residents.

Zoning History: There have not been any zoning cases in the area over the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Lancaster Road	Principal Arterial	107 feet	--

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

Area	Zone	Use
Site	R-7.5(A) Single Family	Single family residential
North	R-7.5(A) Single Family	Undeveloped
East	R-7.5(A) Single Family	Undeveloped and church
South	R-7.5(A) Single Family	Single family residential
West	PD No. 625 for Residential	Undeveloped

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 applicant's request is consistent with the following 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.

Land Use Compatibility:

The ±6,000-square foot request site is located within an established single-family neighborhood and is developed with a ±1,903-square foot dwelling unit. While the lot does not meet the minimum lot size requirement of 7,500 square feet for the R-7.5(A) Single Family District, it is a legal build site because the property was platted in 1949. This follows the requirements established for the creation of a legal building site per the Dallas Development Code, Section 51A-4.601. Surrounding land uses include undeveloped to the west, north, and east; and, single family to the south.

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 in the R-7.5(A) Single Family District when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise, a SUP is required. The request site is within 1,000 feet of an existing handicapped group dwelling unit. According to measurements made by staff using the City zoning map, the other facility is approximately 900 feet northeast, located at 2539 Kirkley Street.

The applicant seeks to operate a handicapped group dwelling unit to house up to eight residents [Destiny Rose Residential Care].

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 area and compatible with the residential uses. Additionally, the proposed use complies with the general provisions for consideration of a SUP; however, at the time of this report the proposed site plan is pending revisions. If the case is recommended for approval, the site plan should be amended.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Cover age	Special Standards	Primary Uses
	Front	Side/ Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	RPS	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 a SUP is required, the off-street parking requirement may be established in the ordinance granting the SUP.

The existing site plan depicts parking within the required front yard, which is not allowed in residential district. A pending amendment to the site plan will provide the parking space as required by the Dallas Development Code.

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. While the subject site is not located within a designated market type, Category G can be found surrounding the site in every direction.

CPC Action
January 23, 2020

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Handicapped Group Dwelling Unit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned an R-7.5(A) Single Family District, on the east side of South Lancaster Road, north of East Camp Wisdom Road.

Maker: Garcia
Second: MacGregor
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Schwope, Murphy, Garcia, Rubin

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

Notices: Area: 200 Mailed: 17
Replies: For: 1 Against: 0

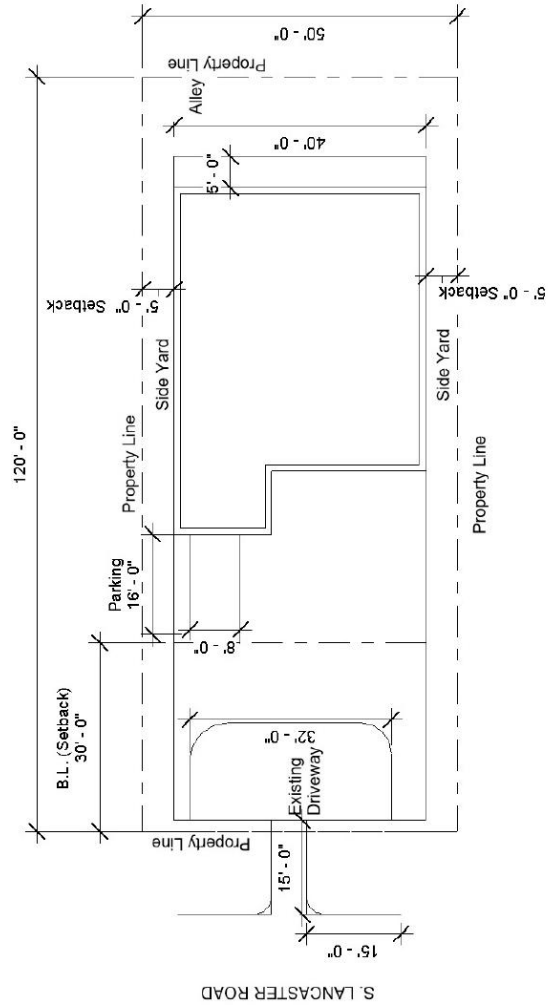
Speakers: For: None

For (Did not speak): Don Moore, 6330 S. Lancaster Rd., Dallas, TX, 75241
Toni Martin, 6330 S. Lancaster Rd., Dallas, TX, 75241
Against: None

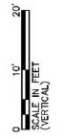
<p style="text-align: center;">CPC Recommended Proposed SUP Conditions</p>

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 years from the passage of the ordinance) 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 applications 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.

Proposed SUP Site Plan

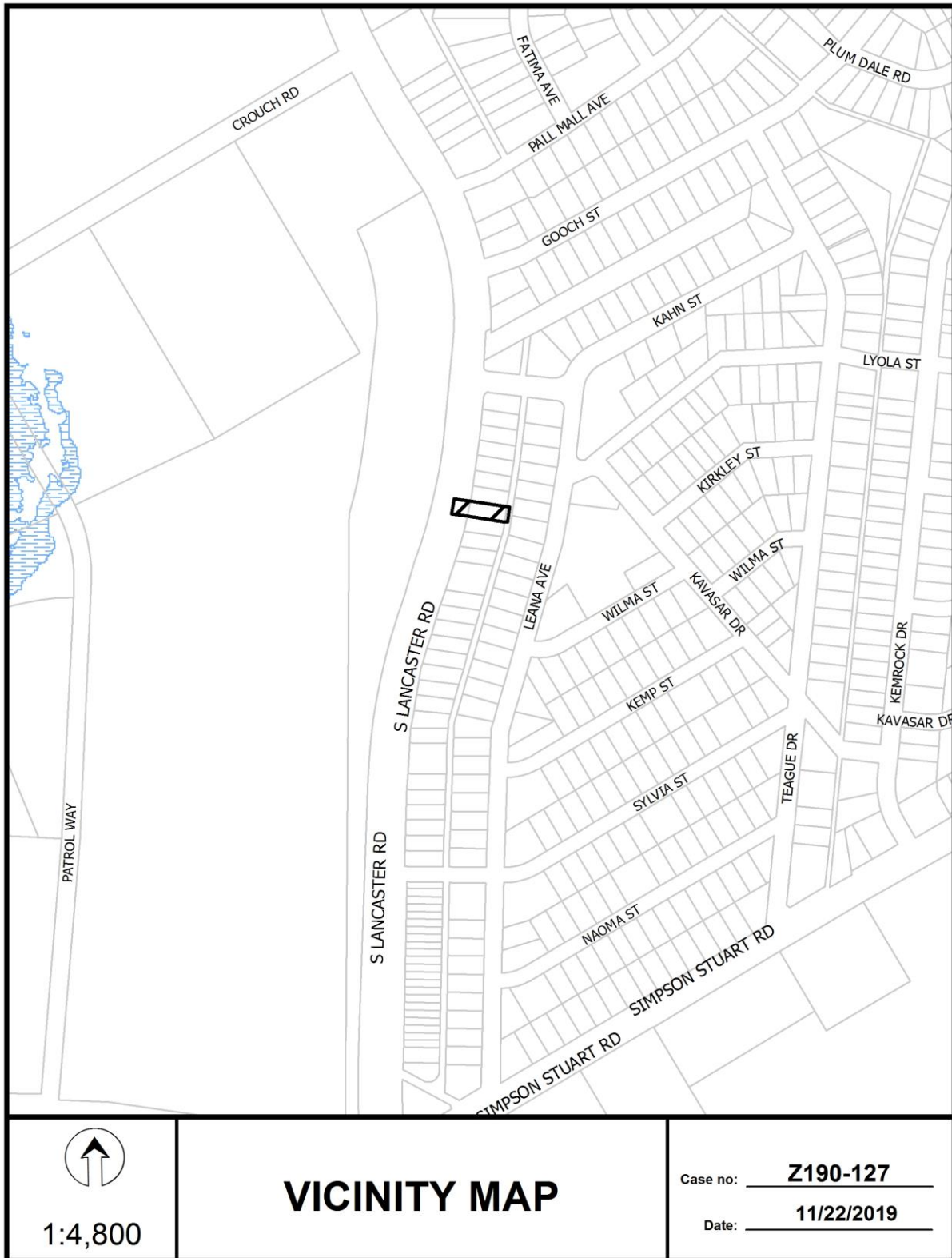


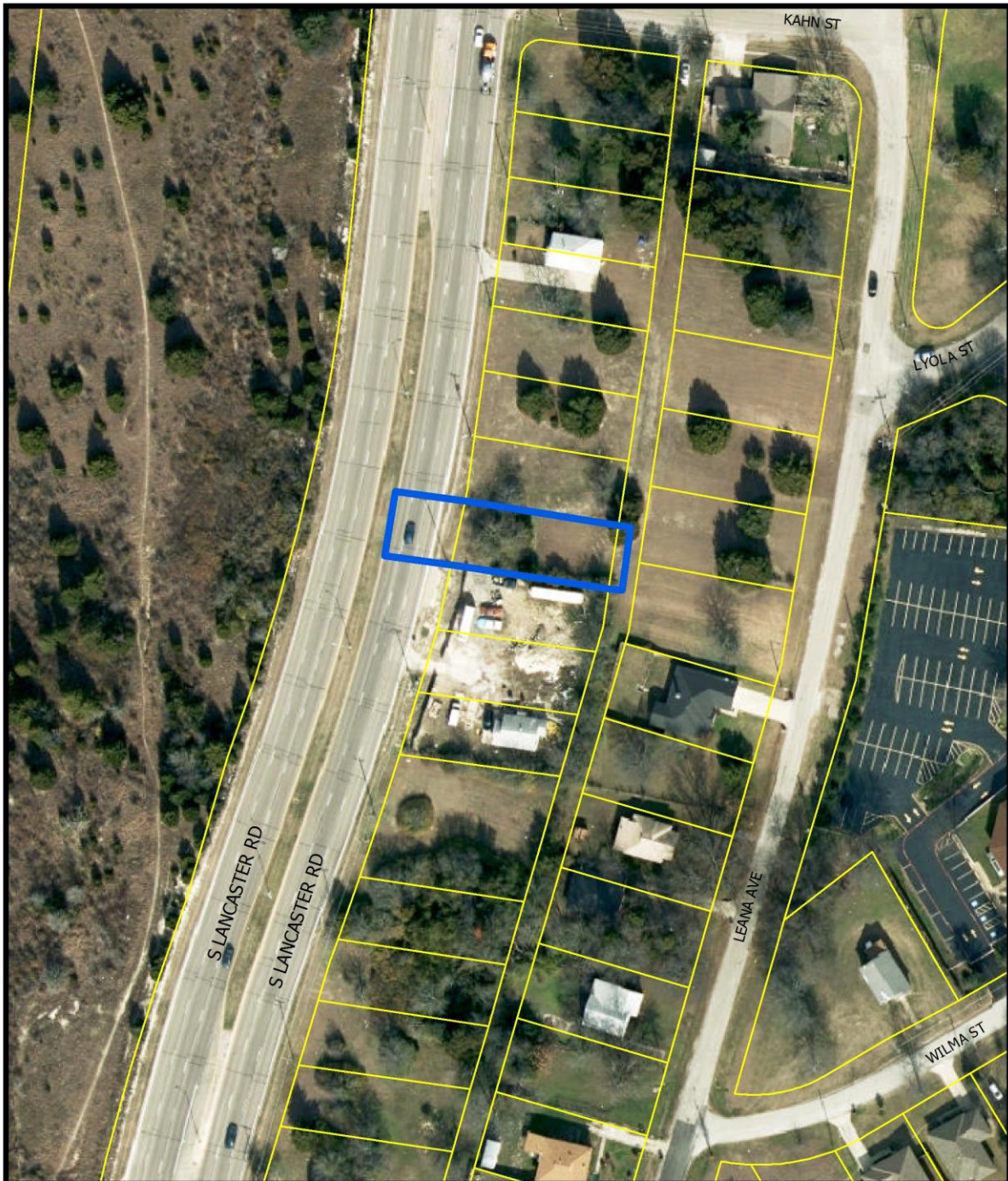
Total Site Area	6,000 SF	0.318 AC
Land Use	Handicapped Group Dwelling Unit	
Parking	Required	Provided
	1	1
Total Floor Plan Area	1933 SF	
Lot Coverage	45%	
Building Height	30 FT	
Front Yard	30 FT	
Side Yard	5 FT	
Rear Yard	5 FT	



1 SUP SITE PLAN
SCALE 1" = 20'-0"







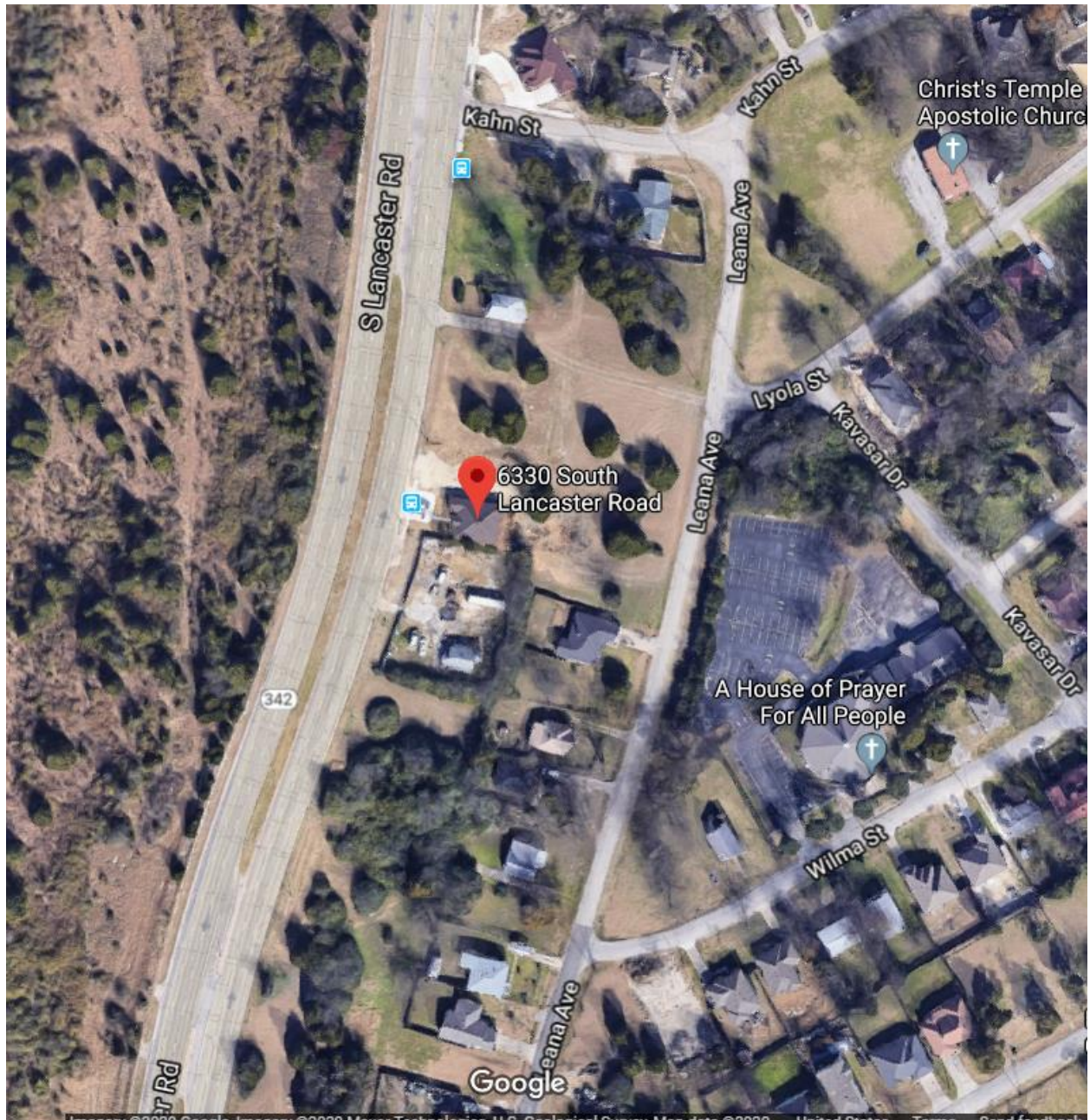
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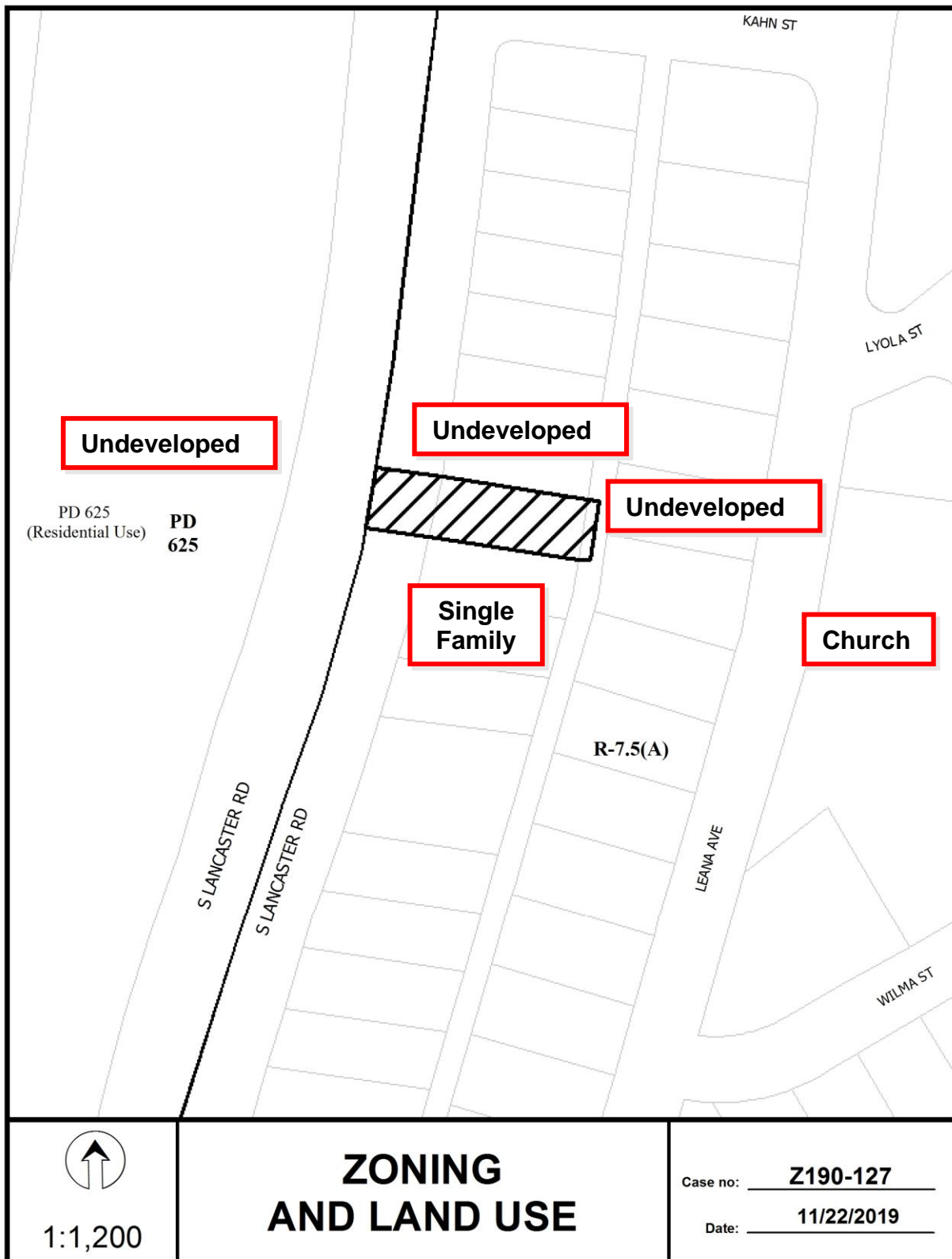
AERIAL MAP

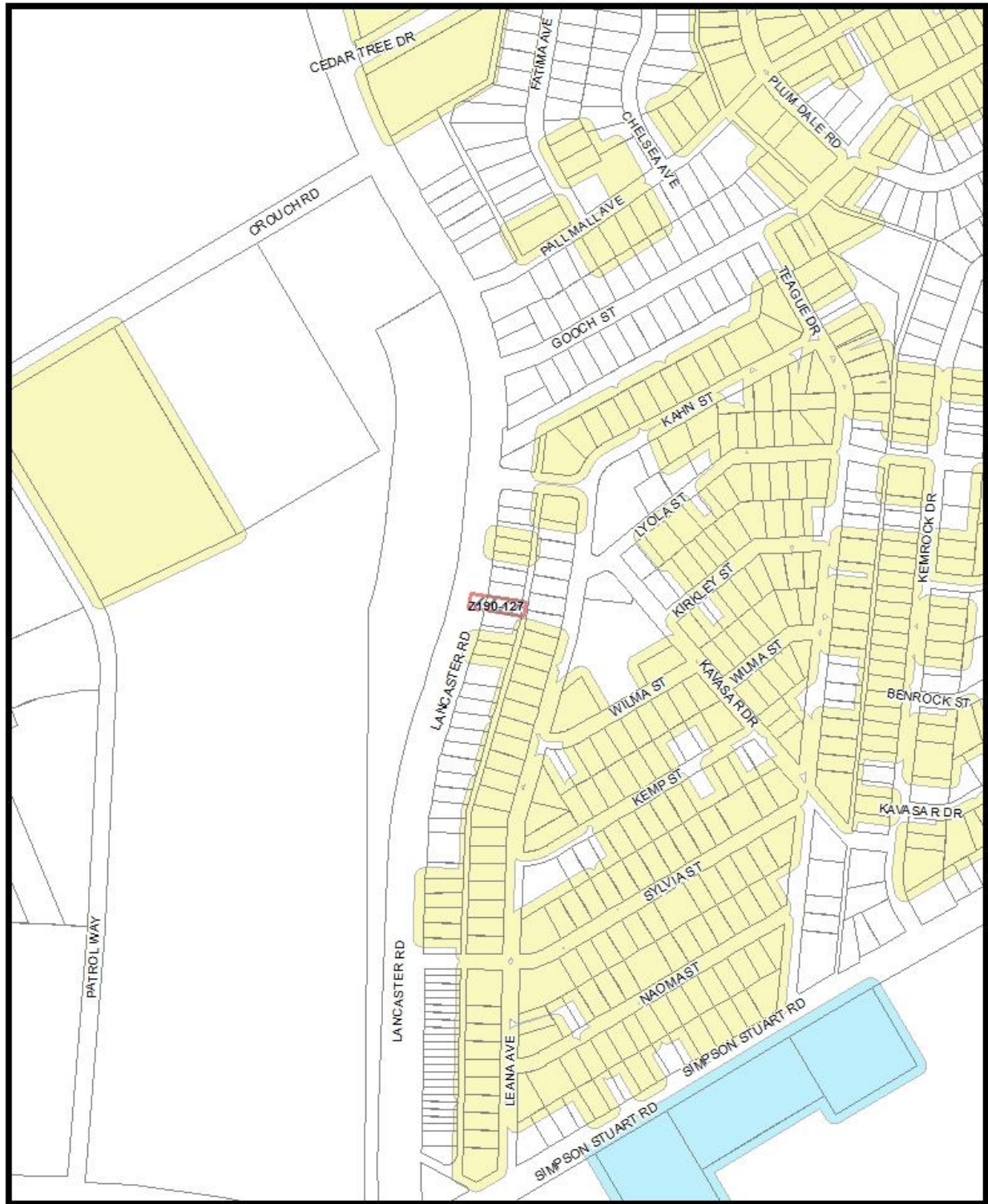
Case no: Z190-127

Date: 11/22/2019

GOOGLE AERIAL
from 2020







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



1:4,800

Market Value Analysis

Printed Date: 11/22/2019

CPC Responses



01/22/2020

Reply List of Property Owners***Z190-127******17 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	6330 S LANCASTER RD	MOORE DON A &
	2	6407 LEANA AVE	COOPER ALICE LOUISE
	3	6413 LEANA AVE	HIGGINS PHILLIP &
	4	6419 LEANA AVE	KIKS PPTY DEV LLC
O	5	6423 LEANA AVE	WHITINGTON FRANK
	6	6429 LEANA AVE	SPURLOCK WANDA LEE
	7	6402 S LANCASTER RD	SKINNER BOBBY
	8	6402 S LANCASTER RD	SKINNER BOBBY
	9	6326 S LANCASTER RD	TONY BRANCH E
	10	6322 S LANCASTER RD	J & R CONSTRUCTION SVC LP
	11	6318 S LANCASTER RD	HEMPHILL JOE W
	12	6314 S LANCASTER RD	DAVID CONNELL
	13	6310 S LANCASTER RD	CHAVEZ ALBERTO RODRIGUEZ
	14	6402 LEANA AVE	HERNANDEZ CRUZ J &
	15	6601 S LANCASTER RD	261 CW SPRINGS LTD
	16	6402 S LANCASTER RD	MARTIN TONI
	17	2423 WILMA ST	HOUSE OF PRAYER FOR ALL