

FILE NUMBER: Z190-163(AU)

DATE FILED: December 18, 2019

LOCATION: Northeast corner of Arapaho Road and Spring Creek Road

COUNCIL DISTRICT: 12

MAPSCO: 6 W

SIZE OF REQUEST: ± 3.59 Acres

CENSUS TRACT: 136.05

REPRESENTATIVE: Jenny Williams – Keller Williams Realty

APPLICANT: The Well Learning Center

OWNER: NEEMA Gospel Church

REQUEST: An application for a Specific Use Permit for a child-care facility use on property zoned an R-7.5(A) Single Family District.

SUMMARY: The request site is occupied by a church campus [Neema Gospel Church.] The applicant proposes to use one of the existing buildings on the property to accommodate a child-care facility to serve a maximum of 88 children. No new structures or parking areas are proposed with this request.

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

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

Background Information

- The 3.59-acre property is currently developed with four buildings serving the Neema Gospel Church. The applicant proposes to use a 4,512-square-foot building as a child-care facility for maximum 88 children.
- The site has been used for church uses at least since 2001, per our records. A new building was added to the church campus recently, the main church building facing Arapaho Road. On December 3, 2019, a new Certificate of Occupancy was issued for the church to reflect the newly added church building.
- The subject site is zoned an R-7.5 (A) Single Family District. The Development Code allows child-care facilities within an R-7.5(A) District subject to a Specific Use Permit.

Zoning History

There has been one recent zoning case in the area within the past five years.

1. **Z178-202** On September 12, 2018, the City Council approved Planned Development District No. 1004, on property zoned a D(A) Duplex District and MF-1(A) Multifamily District, located on the north and south sides of Arapaho Road, west of Coit Road.

Thoroughfares

Thoroughfare/Street	Type	Existing / proposed ROW
Arapaho Road	Principal Arterial	100 feet
Spring Creek Road	Local	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested and determined that it will not significantly impact the surrounding roadway system.

Comprehensive Plans:

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 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

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.

5.3.1.5 Build neighborhood facilities, such as schools, libraries and community centers, within walking distance of transit stations and homes.

The Neighborhood Plus Plan was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

Policy 4.2 Support and leverage emerging school quality and school choice programs.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	R-7.5(A)	Church
North West	R-7.5(A)	Single-family
Southeast	R-7.5(A) with SUP No. 1330	Child-care facility and private school
East	PD No. 1004	Single-family
Northeast	D(A)	Single-family

Land Use Compatibility:

The 3.59-acre property is currently developed with four buildings used by a church. The applicant proposes to use the building on the northeast corner, 4,512 square feet in area, as a child-care facility for a maximum of 88 children. The other three buildings are being used for the church, church offices and worship center.

The applicant proposes to remodel and reuse the building for a child-care facility with two outdoor playgrounds on the rear side of the property. There are 158 parking spaces on the property to serve the church campus and the proposed child-care facility.

The request site is surrounded by single family residential lots on all sides and by a child-care facility and private school across Arapaho Road.

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.

The proposed SUP conditions include a five-year time limit with the eligibility for automatic renewals, hours of operation, floor area and parking, as well as provisions for maintenance and compliance with all federal and state regulations. The child-care facility is proposed to operate Monday through Friday, between 6:30 a.m. and 6:30 p.m.

Considering the reuse of an existing building within a church campus, the location on a corner of a major thoroughfare, the site configuration and the location of the building in the rear corner of the property allowing drop-off and pick-up on the property, and the proposed conditions and site plan, staff is in support of this request.

Parking:

Per Section 51A-4.203, the parking requirement for a child-care facility may be established by the SUP. The Development Code also recommends a parking ratio of one space per 500 square feet of floor area. Per this ratio, the proposed child-care facility is required to provide nine parking spaces. There are 159 parking spaces on the property to serve the church campus and all accessory and related uses. The Development Code allows institutional uses within residential districts to share parking if located on the same lot.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. No new construction or expansion is proposed with this request; therefore, the landscape requirements will not be triggered at this time.

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 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). Although the area of request is not within an identifiable MVA cluster, the immediate surrounding area is located within a “D” MVA cluster.

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Partners/Principals/Officers:

The Well Learning Center

Tonya Hubbard – Owner
Michael R. Hubbard – Co-owner

Neema Gospel Church

Jackson Kingori – Bishop
George Mburu – Treasurer

CPC Action
March 26, 2020

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family Residential District, on the northeast corner of Arapaho Road and Spring Creek Road.

Maker: Schwope
Second: Carpenter
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Housewright
Vacancy: 0

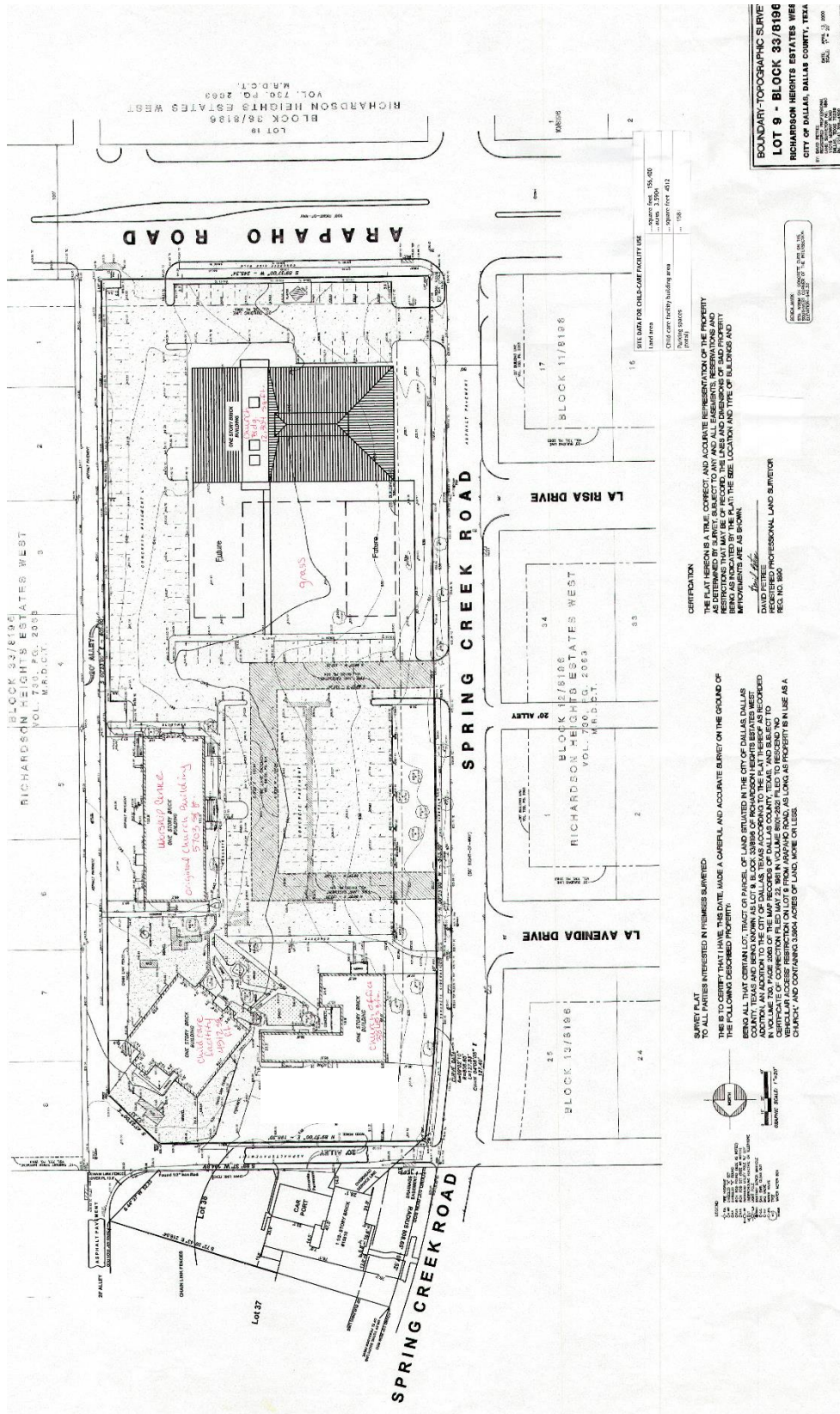
Notices: Area: 300 Mailed: 45
Replies: For: 1 Against: 2

Speakers: For: Jenny Williams, 3301 Phantom Ct., Plano, TX, 75203
FOR (Did not speak): Tonya Hubbard, 1510 Redbird Dr., Garland, TX, 75043
Michael Hubbard, 1510 Redbird Dr., Garland, TX, 75043
Against: None

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a child-care facility.
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] 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. HOURS OF OPERATION: The child-care facility will operate between 6:30 a.m. and 6:30 p.m., Monday through Friday.
5. FLOOR AREA: The maximum floor area for a child-care facility is 4,512 square feet.
6. 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.

CPC RECOMMENDED SITE PLAN



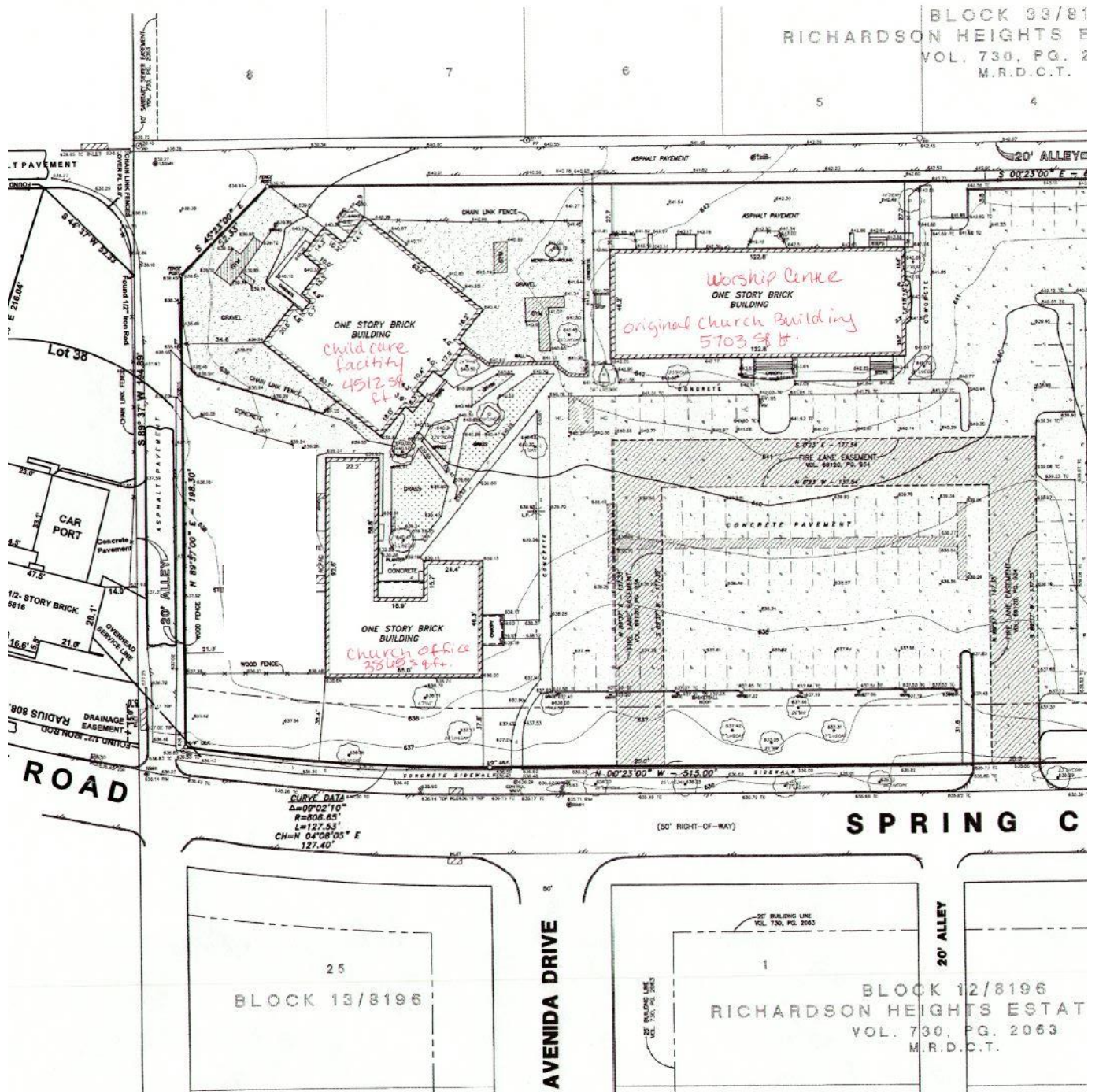
BOUNDARY-TOPOGRAPHIC SURVEY
LOT 9 - BLOCK 33/8198
 RICHARDSON HEIGHTS ESTATES WEST
 CITY OF DALLAS, DALLAS COUNTY, TEXA

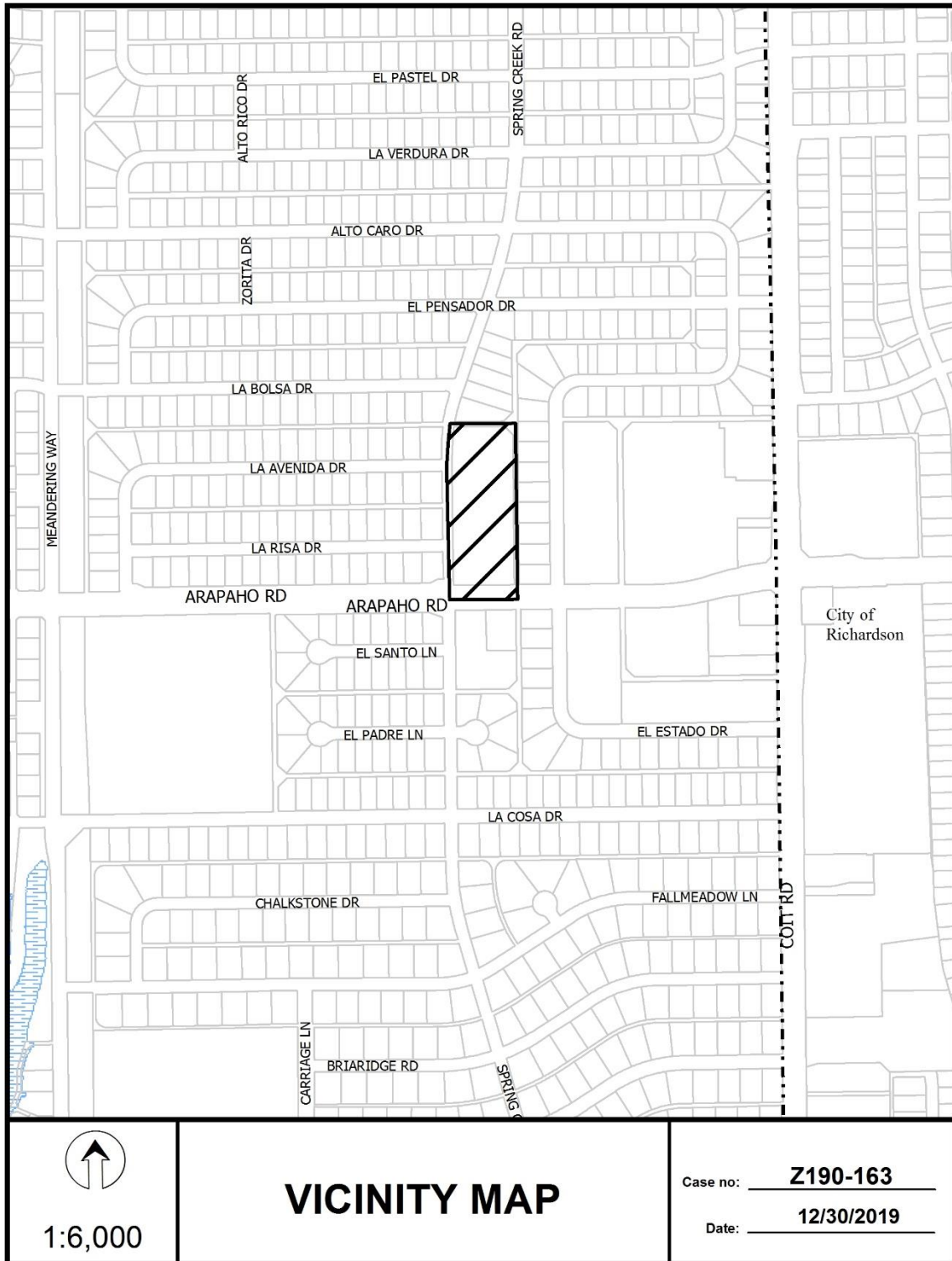
CERTIFICATION
 THE PLAT HEREON IS A TRUE, CORRECT, AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY SURVEY, SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND ENCUMBRANCES OF RECORD, AND THE LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN.
 I, *[Signature]*
 REGISTERED PROFESSIONAL LAND SURVEYOR
 REG. NO. 860

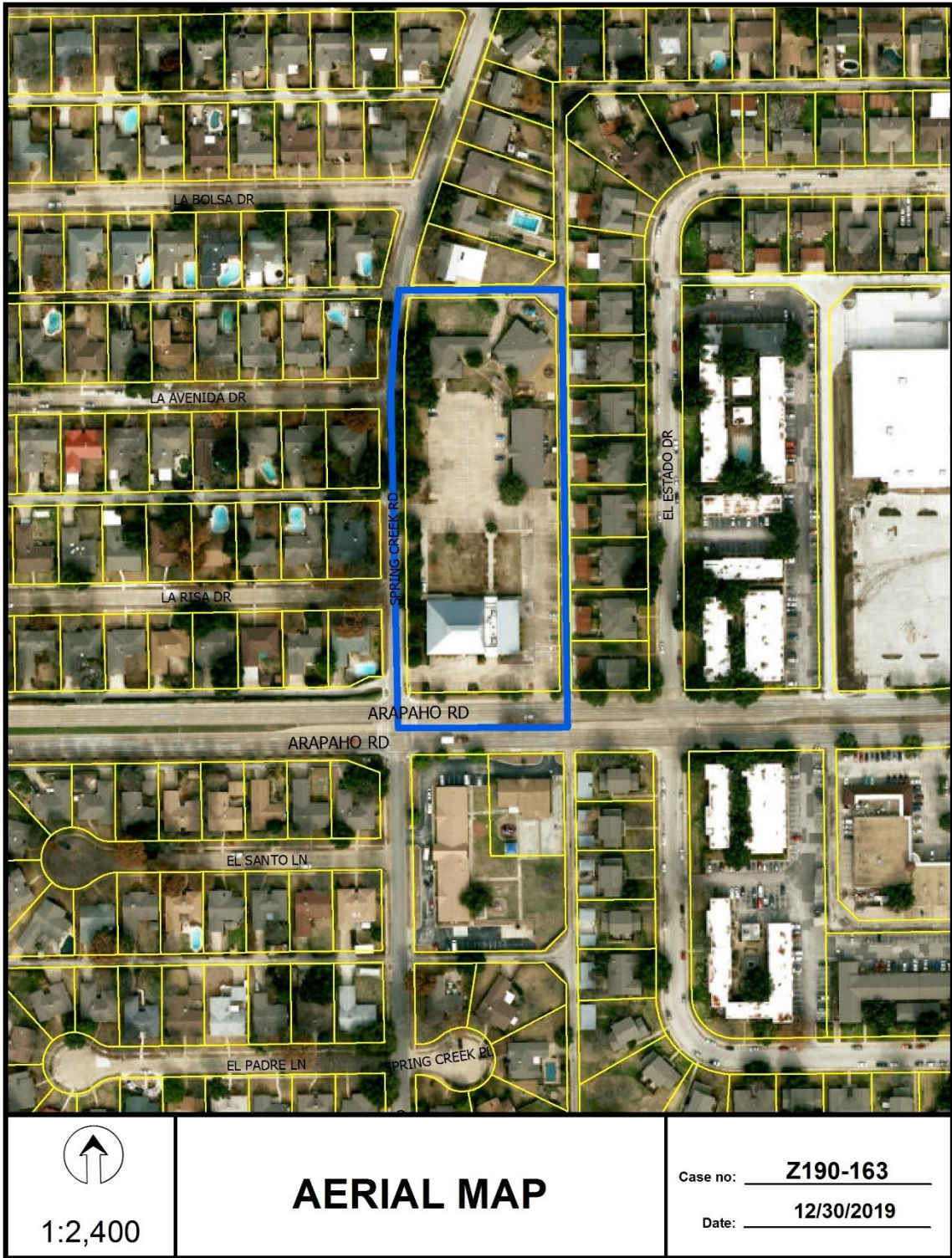
SURVEY PLAT
 TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
 THIS IS TO CERTIFY THAT I HAVE THIS DATE MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE FOLLOWING DESCRIBED PROPERTY:
 BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS AND BEING THE CITY OF DALLAS, TEXAS ACCORDING TO THE PLAT THEREOF AS RECORDED IN VOLUME 130, PAGE 208 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND SUBJECT TO THE RESTRICTIONS AND EASEMENTS THEREON, AND THE RESTRICTIONS AND EASEMENTS THEREON AS SHOWN ON THE SURVEY PLAT AND CONTAINING 3,804 SQUARE FEET OF LAND, MORE OR LESS.

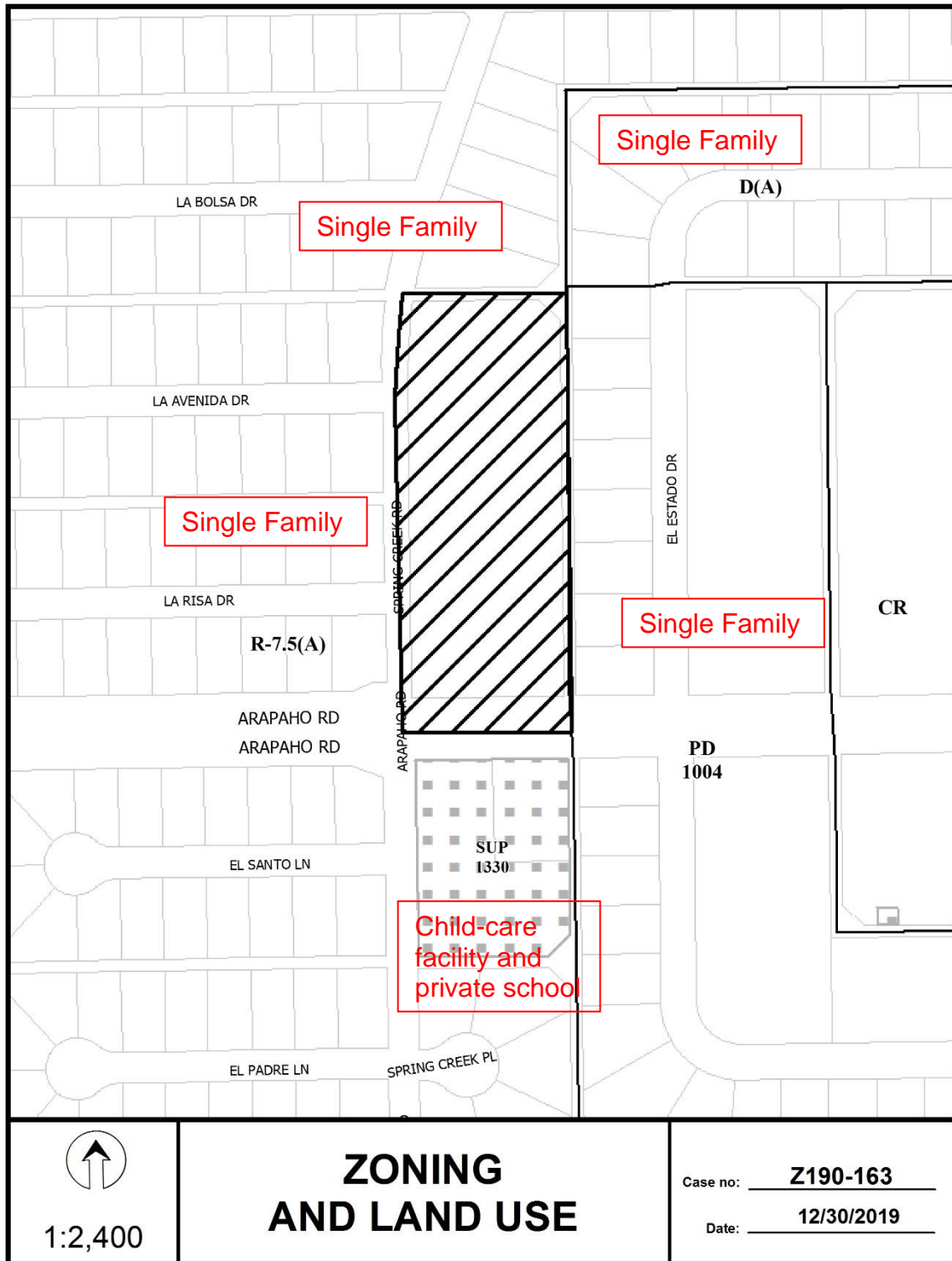
FILE DATA FOR ONLINE FACILITY USE
 ... Square Feet: 155,420
 ... Area: 2,200 sq ft
 ... City: 4711
 ... Year: 1988
 ... City: 4711
 ... Year: 1988

CPC RECOMMENDED SITE PLAN (enlarged)





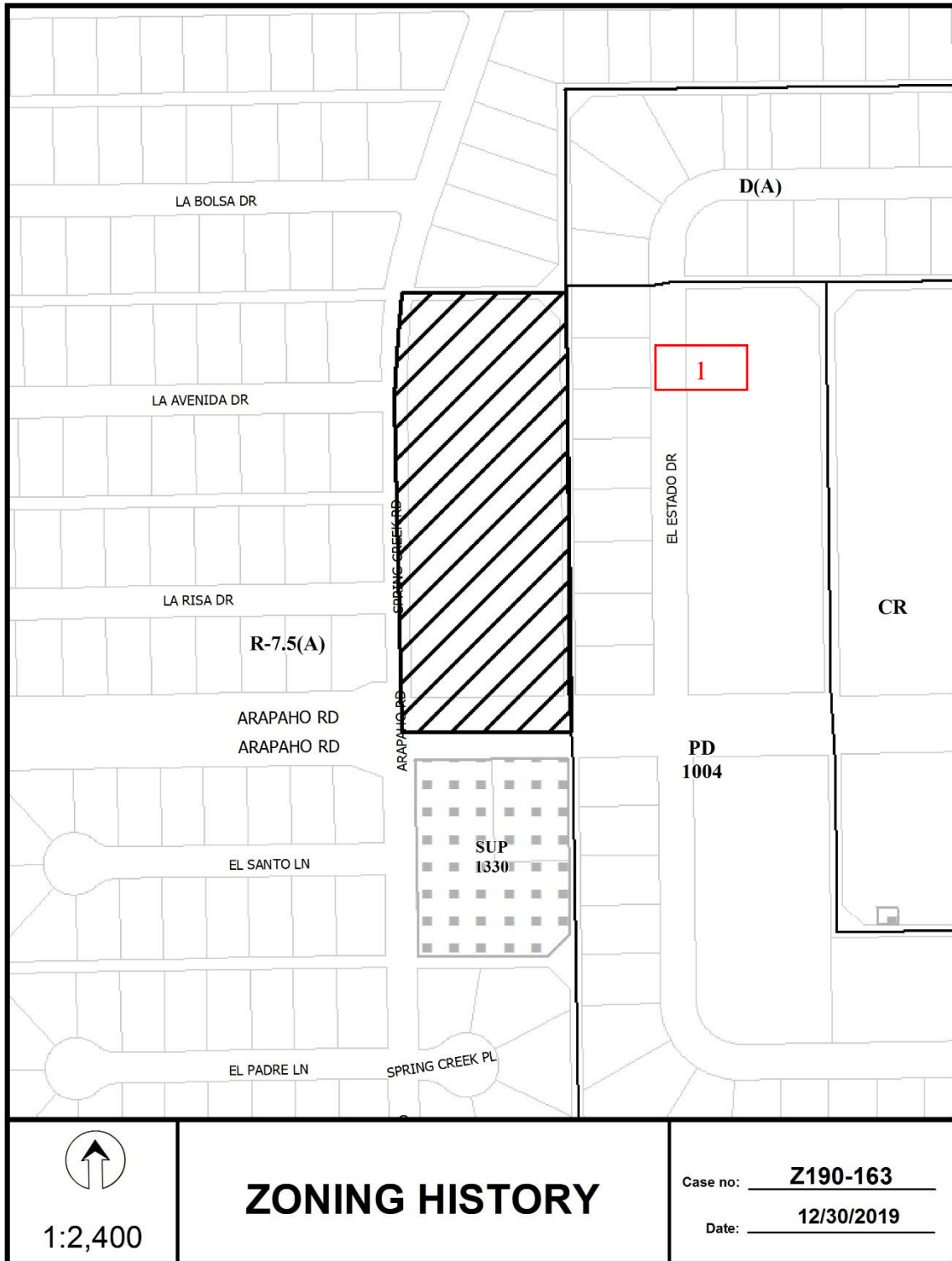




1:2,400

ZONING AND LAND USE

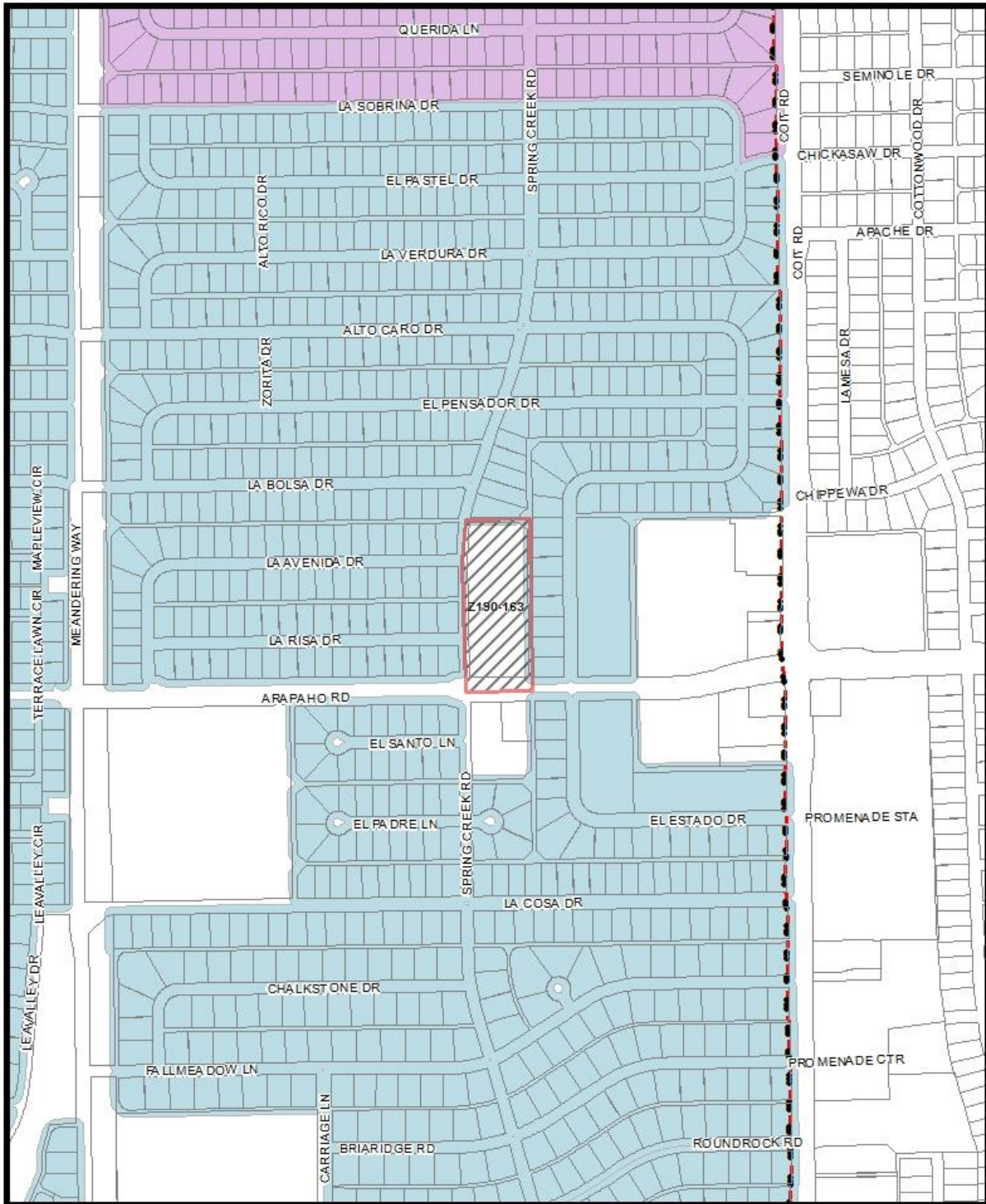
Case no: Z190-163
Date: 12/30/2019



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ZONING HISTORY

Case no: Z190-163
Date: 12/30/2019

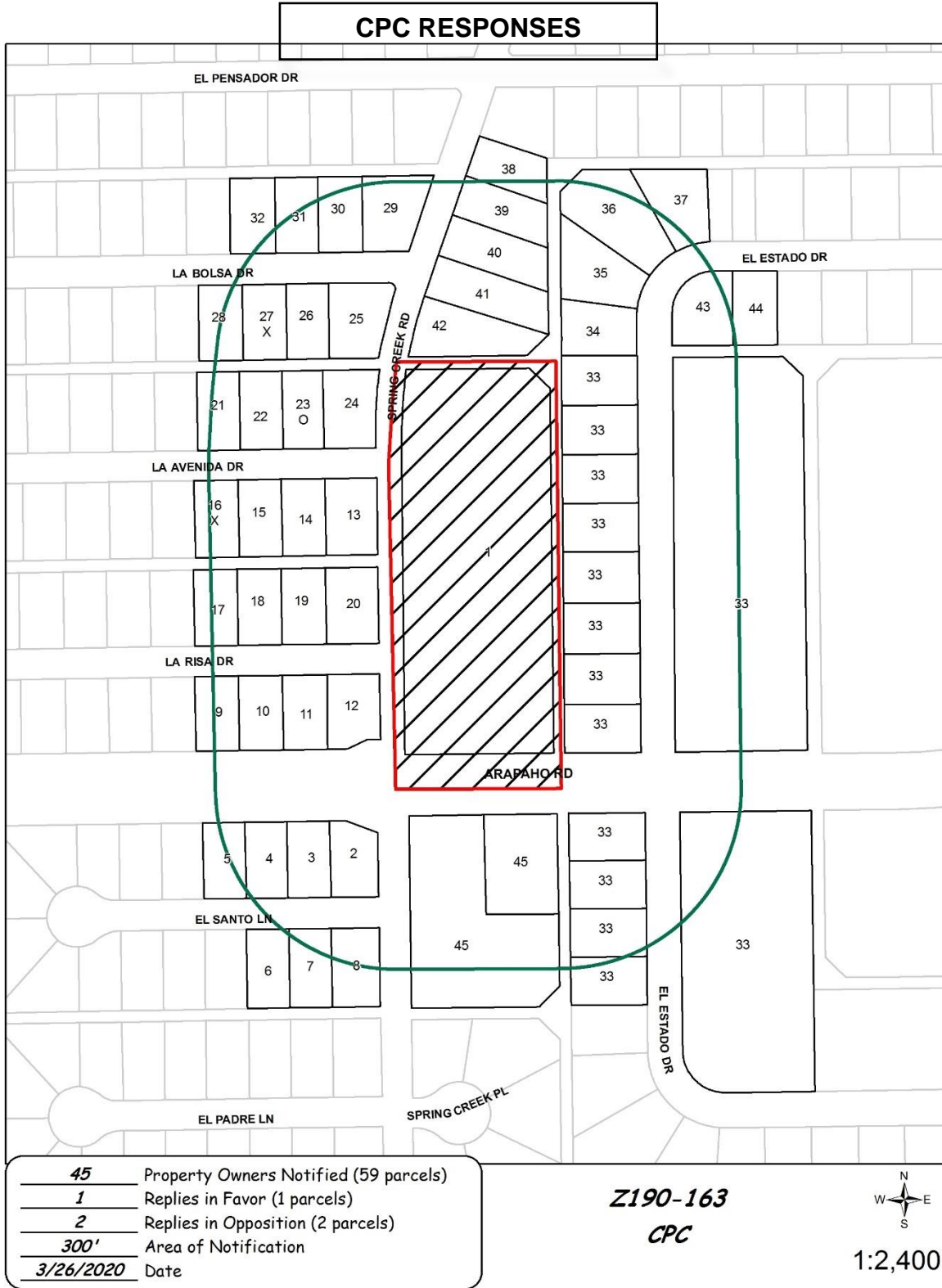


Market Value Analysis A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 12/30/2019



03/25/2020

Reply List of Property Owners***Z190-163******45 Property Owners Notified 1 Property Owners in Favor 2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	7815 ARAPAHO RD	NEEMA GOSPEL CHURCH
	2	7747 EL SANTO LN	SMITH PENNY S
	3	7741 EL SANTO LN	ROBNETT JENNIFER LEIGH
	4	7737 EL SANTO LN	OWEN CAROLYN S LIFE EST
	5	7731 EL SANTO LN	MOEN JOHN C
	6	7736 EL SANTO LN	SUBARDJO LUSLY
	7	7740 EL SANTO LN	YUAN CHUNHUA D
	8	7746 EL SANTO LN	DEIANA ALLSION MCCARN&
	9	7730 LA RISA DR	ANTTILA MICHELLE &
	10	7736 LA RISA DR	FALCON JOEL E
	11	7740 LA RISA DR	PILLER WENDY L &
	12	7744 LA RISA DR	OAK CLIFF INC
	13	7744 LA AVENIDA DR	GAYLOR DOROTHY J LIFE EST
	14	7740 LA AVENIDA DR	SATTERFIELD D MICHAEL
	15	7736 LA AVENIDA DR	PENNY JASON DANIEL &
X	16	7730 LA AVENIDA DR	PIATT FRANK N
	17	7731 LA RISA DR	BRAXDALE WILLIAM ALLAN & ANDREA FERRO
	18	7737 LA RISA DR	ELAM FRANKLIN E & STEPHANIE
	19	7741 LA RISA DR	GANN CHRIS
	20	7747 LA RISA DR	TOWNSEND SUZANNE & DAVID ROSS
	21	7731 LA AVENIDA DR	CZERLINSKY CHRISTOPHER &
	22	7737 LA AVENIDA DR	ROLLINGS KIM
O	23	7741 LA AVENIDA DR	LUDLUM ROGER L & JANE
	24	7747 LA AVENIDA DR	STORMS REBECCA
	25	7748 LA BOLSA DR	COUTURIER STEPHANIE E &
	26	7742 LA BOLSA DR	JOHNSON ROBERT F

03/25/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	7738 LA BOLSA DR	PLUM ROBERT B
	28	7732 LA BOLSA DR	ACHKENAZY HAIM & ORLY
	29	7751 LA BOLSA DR	MIKULA ROBERTA J
	30	7747 LA BOLSA DR	HORN JERRY ANN
	31	7741 LA BOLSA DR	ALEXANDER ZACHARY L &
	32	7737 LA BOLSA DR	CURTIS RHETT E & MARGARET P
	33	15705 EL ESTADO DR	15534 MONTEREY LP
	34	15783 EL ESTADO DR	SUMMERS ANTHONY & KRISTEN B
	35	15787 EL ESTADO DR	NGUYEN DAN
	36	15805 EL ESTADO DR	MOSTOWFI PARVENEH
	37	15811 EL ESTADO DR	SCHUMANN BRETT
	38	15836 SPRING CREEK RD	GARLAND ANNE B
	39	15832 SPRING CREEK RD	TUBBS NANCY C
	40	15826 SPRING CREEK RD	IBARRA REBECCA RUTH &
	41	15822 SPRING CREEK RD	GARCIA DAMIAN & KIMBERLY M
	42	15816 SPRING CREEK RD	S D HOME DESIGN LLC
	43	15808 EL ESTADO DR	CHANEY TIMOTHY A
	44	15816 EL ESTADO DR	CHEN MEILONG
	45	15610 SPRING CREEK RD	KCP RE LLC