

CITY PLAN COMMISSION

THURSDAY, NOVEMBER 3, 2022
Planner: Jenniffer Allgaier, M. Arch

FILE NUMBER: Z212-226(JA) **DATE FILED:** March 31, 2022
LOCATION: Northwest corner of South Westmoreland Road and West
Camp Wisdom Road
COUNCIL DISTRICT: 3
SIZE OF REQUEST: Approx. 8.95 acres **CENSUS TRACT:** 48113010903

REPRESENTATIVE: Andrew Ruegg, Masterplan
APPLICANT: A.W. Brown Fellowship Leadership Academy
OWNERS: A.W. Brown Fellowship Leadership Academy.
City of Dallas
REQUEST: An application for an amendment to and the renewal of
Specific Use Permit No. 1929 for an open enrollment charter
school on property zoned an NO(A) Neighborhood Office
District with deed restrictions [DR Z890-143] and a CR
Community Retail District.
SUMMARY: The purpose of the request is to allow continued operation of
an existing open enrollment charter school on the property.
[A.W. Brown Fellowship Leadership Academy]
STAFF RECOMMENDATION: **Approval** for a 20-year period with eligibility for
automatic renewals for additional 20-year periods,
subject to a **site plan/landscape plan** and **staff's**
recommended conditions.
PREVIOUS CPC ACTION: At the October 13, 2022, hearing, the City Plan
Commission held the case under advisement until
November 3, 2022.

NO(A) Neighborhood Office District [Sec. 51A-4.121(a)]:
https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-29603

CR Community Retail District [Sec. 51A-4.122(b)]:
https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-30042

BACKGROUND INFORMATION:

- The area of request is zoned an NO(A) Neighborhood Office District and a CR Community Retail District with deed restrictions [DR Z890-143] and is currently developed with an open-enrollment charter school authorized under Specific Use Permit (SUP) No. 1929.
- Existing deed restrictions [DR Z890-143] provide for a maximum structure height of 36 feet and a maximum floor area ratio (FAR) of 0.5 on the portion of the property zoned CR that is adjacent to an R-10(A) Single Family District.
- The existing open-enrollment charter school [A.W. Brown Fellowship Leadership Academy] has been operating on a portion of the current request site since 2002 and was originally authorized under SUP No. 1466, which expired on May 31, 2006.
- On February 22, 2012, the City Council approved SUP No. 1929 for a five-year period with eligibility for automatic renewal for additional five-year periods that re-authorized the open-enrollment charter school for the same operator but expanded the site by approximately five acres. A traffic management plan (TMP) was required as a condition of SUP No. 1929.
- On June 14, 2017, City Council approved an amendment to the TMP and renewal of SUP No. 1929 for a period of five years with eligibility for automatic renewal for additional five-year periods.
- In September 2021, the TMP was subsequently amended using the minor amendment process under M201-002.
- The applicant missed the automatic renewal window, so the current request is being processed as a standard renewal.
- The off-street parking layout was modified by the 2017 TMP amendment, with additional paving added to the site; however, the SUP site plan has not been amended accordingly. The current request therefore includes a proposed amendment to the SUP site plan to reflect existing conditions.
- The case report has been updated to reflect that the applicant has agreed to all of staff's recommended conditions.

Zoning History: There has been one zoning change request in the area in the last five years.

1. **Z167-222:** On June 14, 2017, City Council approved an amendment to and renewal of SUP No. 1929 for an open-enrollment charter school. *[subject site]*

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
South Westmoreland Road	Principal Arterial	Minimum-6 lanes-Divided 100' ROW; bike plan
West Camp Wisdom Road <i>[Cockrell Hill to IH-35E]</i>	Principal Arterial	Minimum-6 lanes-Divided 100' ROW; bike plan

Traffic:

A traffic assessment was previously prepared for A.W. Brown Fellowship Leadership Academy and a new traffic management plan (TMP) was approved via the minor amendment process in September 2021. The proposed renewal conditions require a traffic study evaluating the efficiency of the TMP to be submitted by November 1, 2023, and by November 1st of each odd-numbered year. The Transportation Development Services Division of the Transportation Department has reviewed the current zoning request and does not anticipate that it will significantly impact the surrounding roadway system. The Transportation Department will continue to collaborate with school officials to enforce the TMP.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The 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

NEIGHBORHOOD PLUS

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

Surrounding Land Uses:

	Zoning	Land Use
Site	NO(A) Neighborhood Office District. CR Community Retail District w/ DR Z890-143. SUP No. 1929	Open-enrollment charter school
North Northeast	R-7.5(A) Single Family District	Single family
East	NO(A) Neighborhood Office District. CR Community Retail District. SUP No. 1995	Undeveloped; Open-enrollment charter school; Various Retail & Personal Service uses
South	MU-2 Mixed Use District. RR Regional Retail District	Various Retail & Personal Service uses
West Northwest	CR Community Retail District. R-10(A) Single Family District	Various Retail & Personal Service uses; Single family

Land Use Compatibility:

The area of request is currently developed with an open-enrollment charter school [A.W. Brown Fellowship Leadership Academy]. The site's existing improvements are oriented along the South Westmoreland Road frontage. Except for the low-density residential developments to the west, north, and northeast (relative to the northern portion of the request site), the area of request is adjacent to non-residential zoning and uses. Specifically, an undeveloped property zoned an NO(A) Neighborhood Office District is situated to the east with various retail and personal service uses to the south, at the intersection of West Camp Wisdom Road and South Westmoreland Road. The southern portion of the request site abuts retail and commercial uses to the west.

The existing school has been in operation on a portion of the current request site since 2002 and was originally authorized under SUP No. 1466, which expired on May 31, 2006. SUP No. 1929, initially approved by City Council on February 22, 2012, re-authorized the open-enrollment charter school for the same operator but expanded the site by approximately five acres. A traffic management plan (TMP) was required as a condition of SUP No. 1929.

On June 14, 2017, City Council approved an amendment to the TMP and renewal of SUP No. 1929 for a period of five years with eligibility for automatic renewal for additional five-year periods. The TMP was subsequently amended using the minor amendment process under M201-002 in September 2021.

The applicant missed the automatic renewal window, so the current request is being processed as a standard renewal. The off-street parking layout was modified by the 2017 TMP amendment, with additional paving added to the site; however, the SUP site plan

has not been amended accordingly. As part of the current request, the applicant has provided an amendment to the SUP site plan to reflect existing conditions.

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 to allow continued operation of the existing open-enrollment charter school, because the use is compatible with the surrounding neighborhood and mix of uses in the area and provides an additional choice to serve the educational needs of the community. In general, the request is consistent with the existing zoning and with the general provisions for a Specific Use Permit. The conditions of the SUP allow the school to operate in a manner that will not be a detriment to the adjacent properties and the surrounding roadway system.

The applicant initially requested renewal of SUP No. 1929 for a period of 10 years, with eligibility for automatic renewal for additional 10-year periods. However, staff recommends an approval period of 20-years, with eligibility for automatic renewal for additional 20-year periods along with additional language supporting regular submission of traffic study updates evaluating the sufficiency of the traffic management plan. The applicant has indicated agreement with all of staff's recommended conditions.

At the October 13, 2022, hearing, the City Plan Commission held the case under advisement until November 3, 2022.

Landscaping:

Per the conditions of SUP No. 1929, landscaping must be provided as shown on the SUP site plan/landscape plan, which fully complies with and provides additional landscaping beyond the Article X landscaping requirements. No additional improvements are proposed on the site; therefore, the current request does not trigger additional landscaping. For any future new development on the property landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

The current zoning request does not trigger any change to the parking requirements for the site. Per the conditions of SUP No. 1929, parking must be provided as shown on the SUP site plan/landscape plan. A total of 107 off-street parking spaces is required (71 classrooms x 1.5 spaces per classroom) for the campus; 202 spaces are provided on site.

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 target intervention strategies more precisely 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 not currently part of an MVA cluster; however, there is a “G” MVA cluster adjacent to the north and west of the site. Additionally, there are “E” MVA clusters to the northeast across South Westmoreland Road and in the wider vicinity to the southwest and northwest of the site.

List of Officers

A.W. Brown Fellowship Leadership Academy

BOARD OF DIRECTORS:

Lou-Ann Phillips, Board President
Jonathan Parker, Board Director
Hilda King, Board Director
Frederick Moss, Board Treasurer
Linda Gray, Board Secretary
Harnell Williams, Board Vice President

SCHOOL OFFICERS:

Anthony Jefferson, Superintendent
Jamira Howard, Recording Board Secretary

PROPOSED SUP No. 1929 RENEWAL CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.
3. TIME LIMIT: This specific use permit expires on (20 years from the passage of this ordinance) [June 14, 2022], but is eligible for automatic renewal for additional five 20-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 application 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. LANDSCAPING: Landscaping must be provided as shown on the attached site plan/landscape plan.
5. CLASSROOMS: The maximum number of classrooms is 71.
6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.
7. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan/landscape plan. No other ingress or egress is permitted.
8. OFF-STREET PARKING: Parking must be located as shown on the attached site plan/landscape plan.
9. TRAFFIC MANAGEMENT PLAN:
 - A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
 - C. Traffic study.
 - i. The property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, [2013] 2023. After the initial traffic study, the Property owner or operator

shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.

a. If the Property owner or operator fails to submit the required initial traffic study to the director by November 1, 2023, the director shall notify the city plan commission.

b. If the Property owner or operator fails to submit a required update of the traffic study to the director by November 1st of each odd-numbered year, the director shall notify the city plan commission.

- ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:
 - a. ingress and egress points;
 - b. queue lengths;
 - c. number and location of personnel assisting with loading and unloading of students;
 - d. drop-off and pick-up locations;
 - e. drop-off and pick-up hours for each grade level;
 - f. hours for each grade level; and
 - g. circulation.
- iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.
 - a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.
 - b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

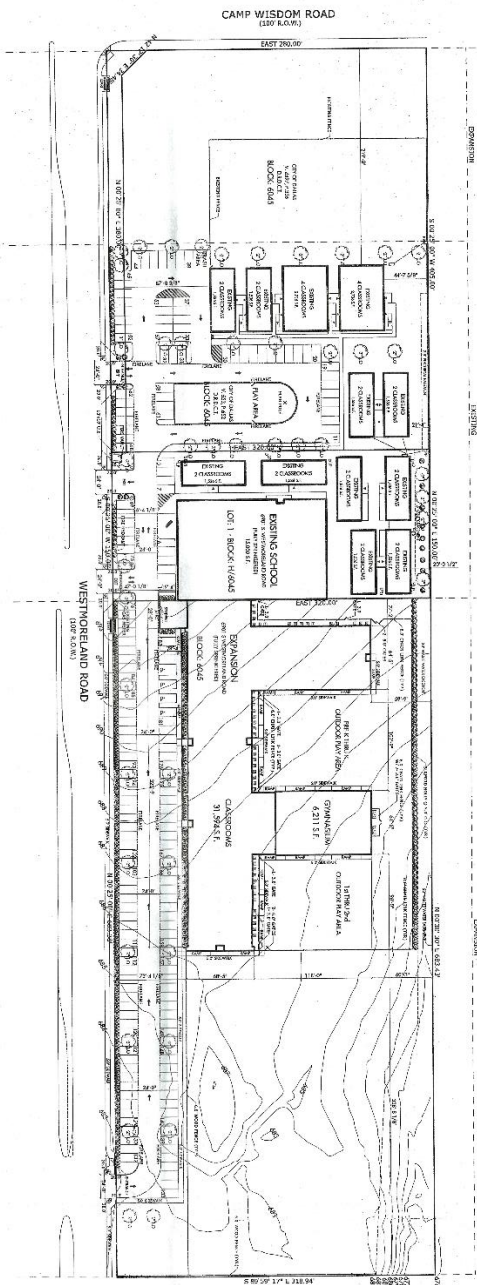
D. Amendment process.

- i. A traffic management plan may be amended using the minor amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.
- ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

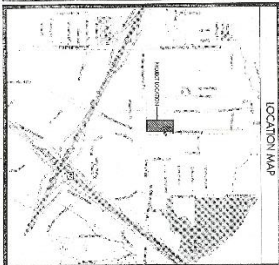
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations with the City of Dallas.

EXISTING SUP No. 1929 SITE/LANDSCAPE PLAN



PROJECT DATA			
USE	EXISTING	IMPROVED	NOTE
REAR YARD	1,100'0"	1,100'0"	7,648'63"
COURT YARD	20,000'0"	4,311'0"	71
CLASSROOMS	20'	36'	71
STORAGE BUILDINGS	1'000'0"	1'000'0"	192
LOT COVERAGE	20%	11.25%	107
OFF-PEDESTRIAN			107
PARKING SPACES	80	113	103

LANDSCAPE LEGEND			
(Symbol)	7" TREE D.W.	EXISTING 0-1	
(Symbol)	6" TREE D.W.	EXISTING 0-1	
(Symbol)	5" TREE D.W.	EXISTING 0-1	
(Symbol)	4" TREE D.W.	EXISTING 0-1	
(Symbol)	3" TREE D.W.	EXISTING 0-1	



A.W. BROWN
FELLOWSHIP LEADERSHIP ACADEMY
SOUTH CAMPUS
4001 S. WESTMORELAND RD., DALLAS, TX 75222

28558

1 20 580

ATTORNEYS AT LAW
FEB 2 2002

CUMMINGS & ASSOCIATES
ARCHITECTURE, INTERIOR DESIGN, LANDSCAPE ARCHITECTURE

DATE: 12/28/11
SCALE: 1" = 50'
DRAWN BY: CHJ
DATE: 12/28/11

PROJECT: SITE PLAN/LANDSCAPE PLAN

DATE: 12/28/11

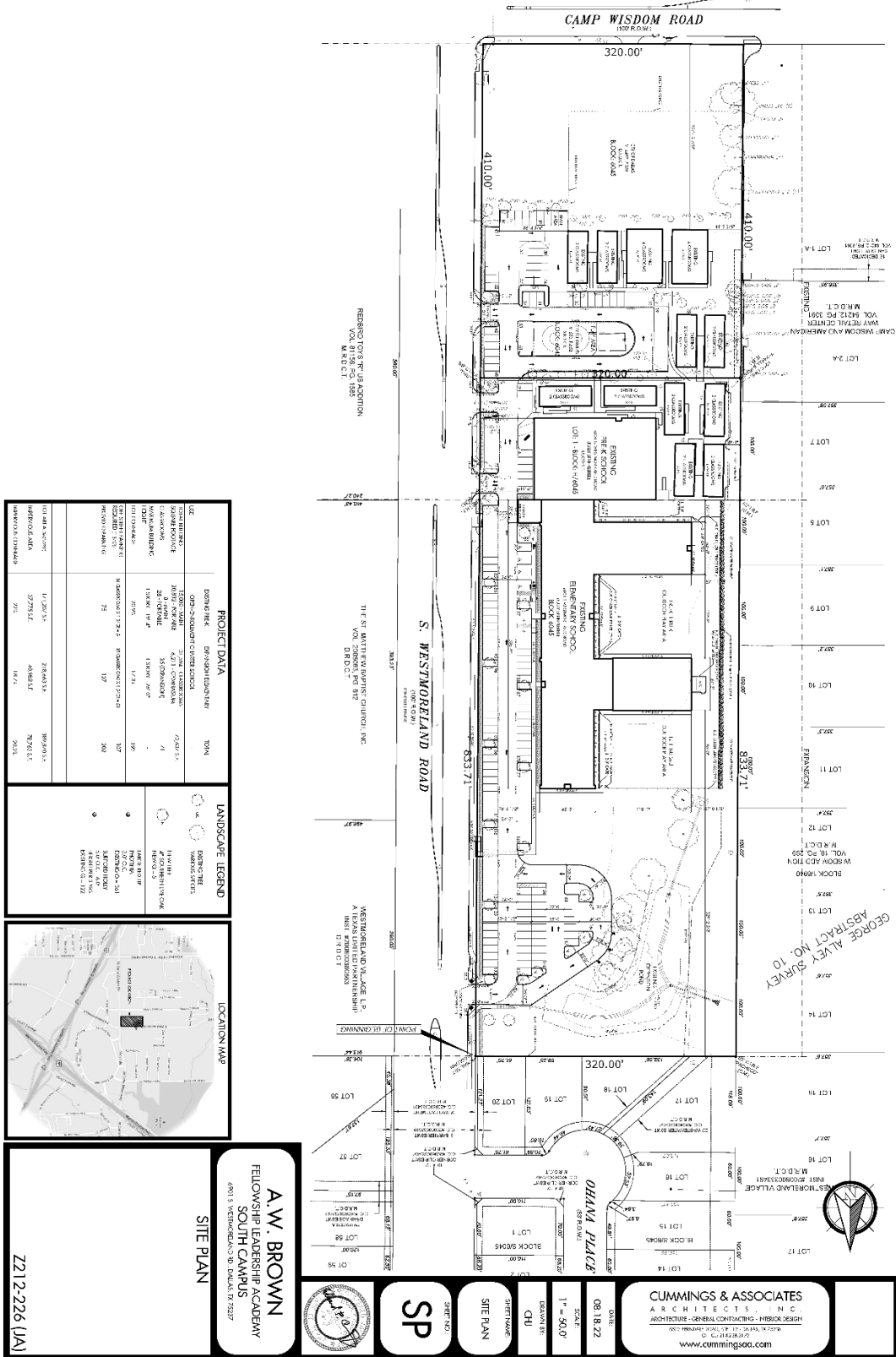
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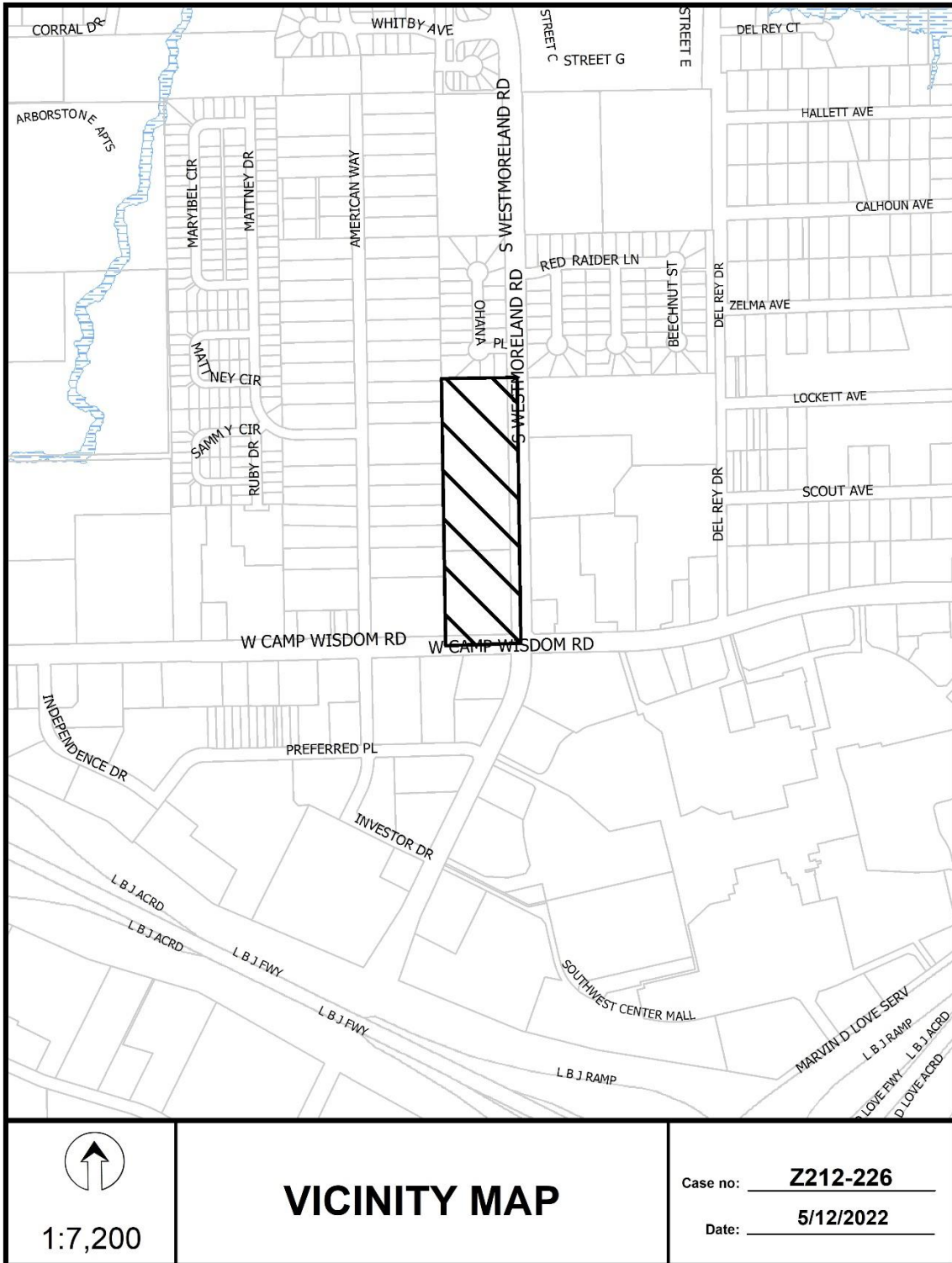
DRAWN BY: CHJ

SP

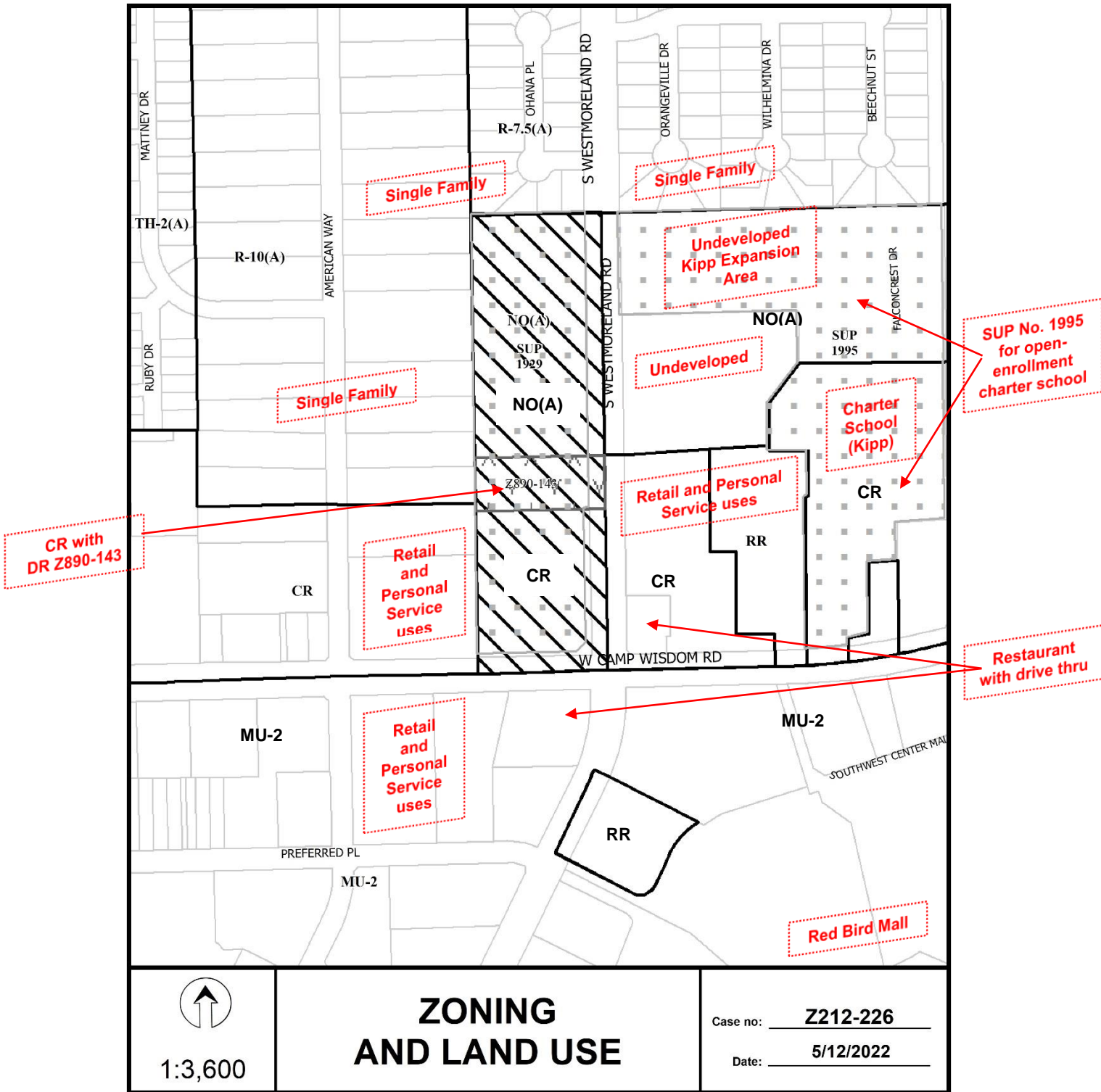
2112-133 (R9)

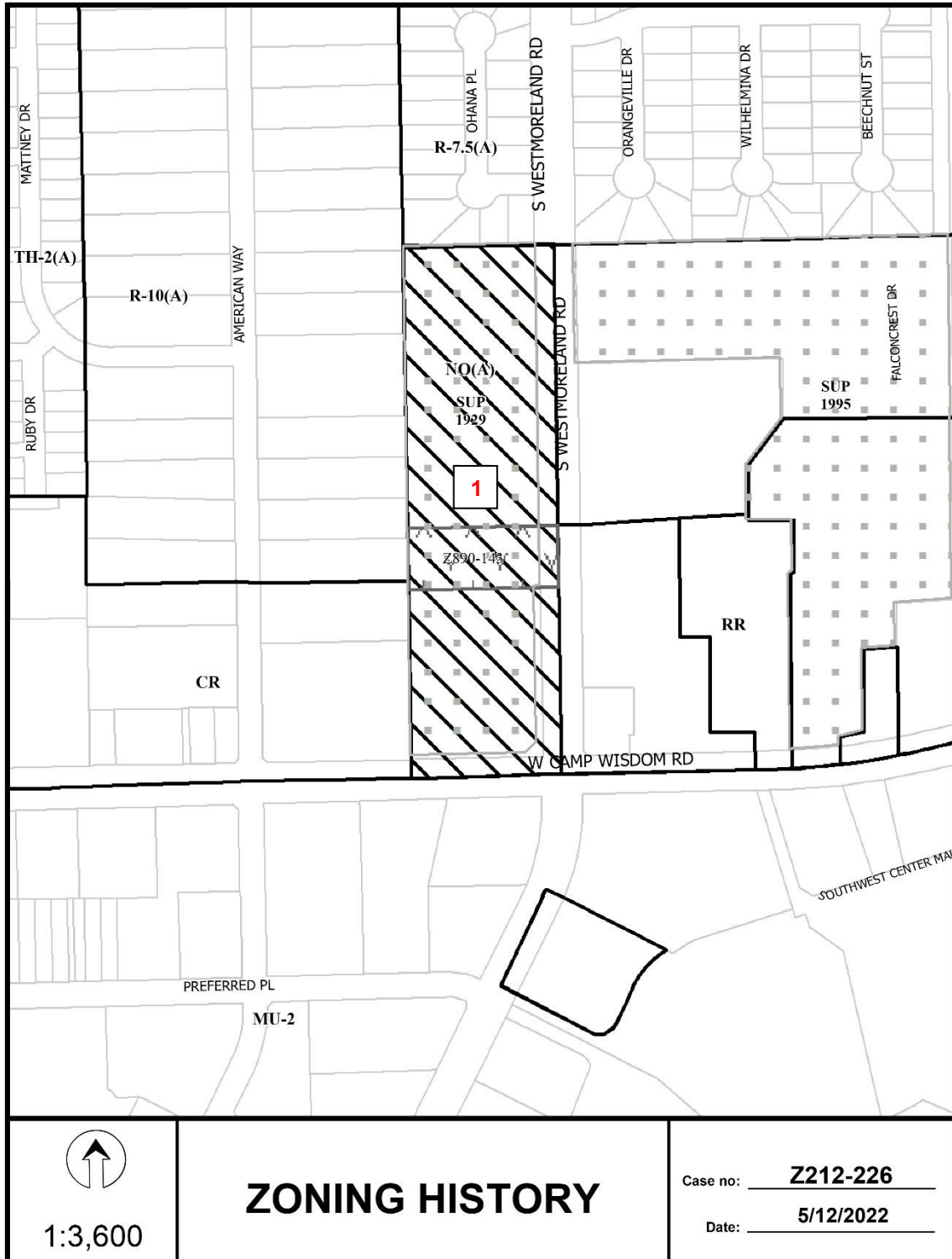
PROPOSED SUP No. 1929 SITE/LANDSCAPE PLAN









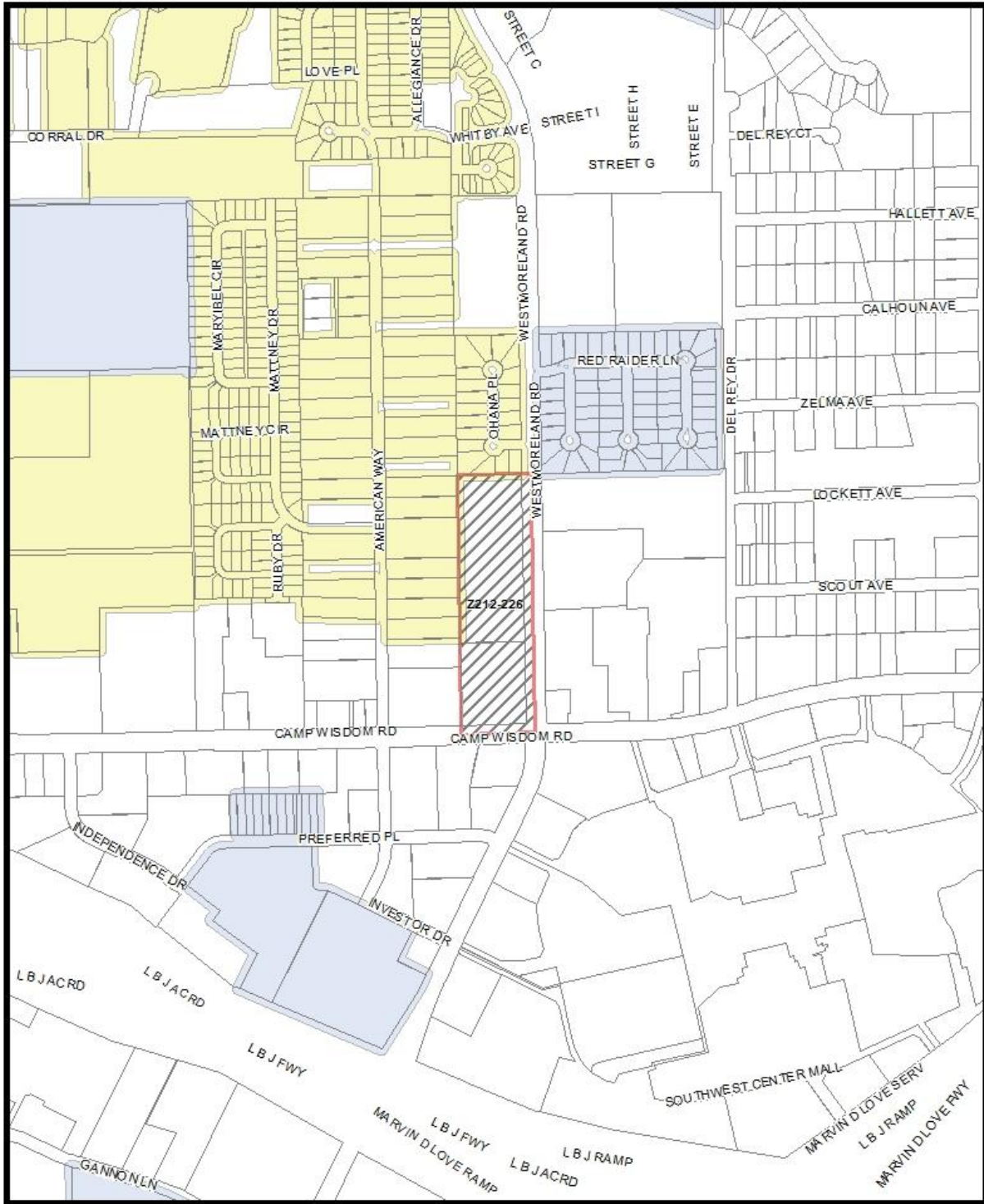


1:3,600

ZONING HISTORY

Case no: Z212-226

Date: 5/12/2022



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

1:7,200

Market Value Analysis

Printed Date: 5/12/2022



<u>53</u>	Property Owners Notified (56 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>400'</u>	Area of Notification
<u>10/13/2022</u>	Date

Z212-226
CPC



1:3,600

10/12/2022

Reply List of Property Owners**Z212-226****53 Property Owners Notified****0 Property Owners in Favor****0 Property Owners Opposed**

<i>Reply Label #</i>	<i>Address</i>	<i>Owner</i>
1	6891 S WESTMORELAND RD	AW BROWN FELLOWSHIP LEADERSHIP ACADEMY
2	6739 OHANA PLC	MORINHERNANDEZ MARTHA ALICIA
3	6728 OHANA PLC	BT HARBOR ONE LLC
4	6747 OHANA PLC	TIJERINA ALBERTO V &
5	6751 OHANA PLC	VILLA PEDRO & GARCIA DORA
6	6900 S WESTMORELAND RD	TA PROPERTIES II LTD &
7	6900 S WESTMORELAND RD	KIPP DALLAS FORT WORTH INC
8	3720 W CAMP WISDOM RD	RB 3720 WCW LLC
9	7110 S WESTMORELAND RD	CEC ENTERTAINMENT LLC
10	3910 W CAMP WISDOM RD	BAILEYS FURNITURE INC
11	3906 W CAMP WISDOM RD	ACE KING PROPERTIES LLC
12	6938 AMERICAN WAY	CONTRERAS ALEJANDRO &
13	6930 AMERICAN WAY	DELACRUZ MARIA E
14	6922 AMERICAN WAY	Taxpayer at
15	6914 AMERICAN WAY	GAYTAN JOSEFINA &
16	6906 AMERICAN WAY	GARCIA CONNIE
17	6830 AMERICAN WAY	MORGAN DAVID RAY
18	6822 AMERICAN WAY	RUBIO OSCAR
19	6814 AMERICAN WAY	MENDOZA YERI CANDI &
20	6806 AMERICAN WAY	RIVERA MELCHOR &
21	6722 AMERICAN WAY	OLVERA FELIX &
22	6714 AMERICAN WAY	RUBIO JAIR
23	6724 OHANA PLC	MACIAS EDNA &
24	6720 OHANA PLC	JONES LATASHA D
25	6716 OHANA PLC	BLACK LANETTE &
26	6719 OHANA PLC	NICKLEBERRY KIMBERLY EVON

10/12/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6723	OHANA PLC	RODRIGUEZ ROSELY SILIEZAR &
28	6727	OHANA PLC	SMITH LEMAYA
29	6731	OHANA PLC	BARRERAAYALA JUAN C
30	6735	OHANA PLC	HERNANDEZREYES JOSE ANGEL &
31	6833	WILHELMINA DR	BONILLA CARMEN
32	6829	WILHELMINA DR	OLIVARES JOSE LUIS &
33	6825	WILHELMINA DR	WILLIAMS DEBRA
34	6821	WILHELMINA DR	WASHINGTON GLORIA
35	6812	ORANGEVILLE DR	RODRIGUEZ RAUL IBARRA &
36	6816	ORANGEVILLE DR	GRIFFIN TENNILLE RICHARDS
37	6820	ORANGEVILLE DR	CRUZ ISAI & MIGUEL
38	6824	ORANGEVILLE DR	JU WENG
39	6828	ORANGEVILLE DR	MALONE MELISSA
40	6832	ORANGEVILLE DR	COX NETTIE F
41	6831	ORANGEVILLE DR	PEDDOMO EDGARDO
42	6827	ORANGEVILLE DR	PMC SFR BORROWER LLC
43	6823	ORANGEVILLE DR	BREWER ERNEST &
44	6819	ORANGEVILLE DR	GUERRERO JOSE ANGEL
45	6815	ORANGEVILLE DR	CANO JOSE OSCAR BLANCO
46	6811	ORANGEVILLE DR	BT SFRL I LLC
47	3777	W CAMP WISDOM RD	3777 WEST CAMP WISDOM LTD
48	3789	W CAMP WISDOM RD	GOOD CLUCK LLC
49	3737	W CAMP WISDOM RD	CAMP WISDOM WESTMORELAND
50	3904	W CAMP WISDOM RD	CULLUM JOINT REVOCABLE LIVING TRUST
51	7163	S WESTMORELAND RD	SHERWIN WILLIAMS REALTY HOLDINGS INC
52	3907	W CAMP WISDOM RD	Taxpayer at
53	7010	AMERICAN WAY	NORTH AMERICAN WAY LLC