

FILE NUMBER: Z212-152(RM) **DATE FILED:** December 22, 2021

LOCATION: Southeast line of Ferguson Road, southwest of North Buckner Boulevard

COUNCIL DISTRICT: 7

SIZE OF REQUEST: Approx. 0.39 acres **CENSUS TRACT:** 122.10

APPLICANT: Maetzi Miller, Cosmos Montessori

OWNER: First Community Church

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

SUMMARY: The purpose of the request is to allow a child-care facility on the site.

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

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

BACKGROUND INFORMATION:

- The area of request is currently developed with a church. In addition to this use, the applicant proposes a child-care facility for the site.
- The proposed child-care facility would operate between 7:00 a.m. and 7:00 p.m., Monday through Friday. The church would continue to operate on Saturdays and Sundays.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Ferguson Road	Principal Arterial	100 feet

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	R-7.5(A) Single Family District	Church
Northwest	R-7.5(A) Single Family District	Church
Northeast	R-7.5(A) Single Family District	Church
Southeast	R-7.5(A) Single Family District, SUP No 1815	Single-family and library, art gallery or museum
Southwest	R-7.5(A) Single Family District	Church

Land Use Compatibility:

The area of request is currently surrounded by other churches as well as single-family and an SUP for a library, art gallery or museum to the southeast. 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. Staff also finds the proposed time limit of five years with eligibility for automatic renewal for additional five-year periods appropriate for this site.

Landscaping:

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

Parking:

The existing church building totals 14,366 square feet. The applicant proposes that between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, this entire floor area will be used for the proposed child-care facility. At other times, the total floor area will be used for the existing church use.

Pursuant to the Dallas Development Code, the off-street parking requirement for a child-care facility is one space per 500 square feet of floor area. For 14,366 square feet of floor area, this equates to 29 required parking spaces. As demonstrated on the site plan, the applicant will be providing 96 spaces for this use.

The off-street parking requirement for a church is one space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area.

Per the site plan, the sanctuary of the church is 2,660 square feet, and it is not equipped with fixed seats, benches, or pews. This equates to a total of 95 parking spaces. The applicant will be providing 96 spaces 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 (A through C) to orange, representing the weakest markets (G through I). The area of request is not currently within an MVA cluster. To the northwest and southeast are "D" MVA clusters. To the east is a "G" MVA cluster.

List of Officers

Cosmos Montessori

Maetzi Miller, Owner and Director
Juan Caminos, Manager

First Community Church

Ray Jordan, Reverend
Steven Robinson, General Board Chair
Stand Naedors, Co-Chair
Joe Smith, Administrative Department Chair
Rosan Naim, Secretary
Jennifer Radflit, Treasure
Pat Fugat, Christian Nurture

CPC ACTION
MARCH 24, 2022

Motion: It was moved to recommend approval of a Specific Use Permit for a child-care facility 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 District, on the southeast line of Ferguson Road, southwest of North Buckner Boulevard.

Maker: Rubin
Second: Hampton
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: 15
Replies:	For: 0	Against: 1

Speakers: For: Maetzi Miller, 9120 Ferguson Rd., Dallas, TX, 75228
Against: None

CPC ACTION
MARCH 3, 2022

Motion: In considering an application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District, on the southeast line of Ferguson Road, southwest of North Buckner Boulevard, it was moved to **hold** this case under advisement until March 24, 2022.

Maker: Rubin
Second: Housewright
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

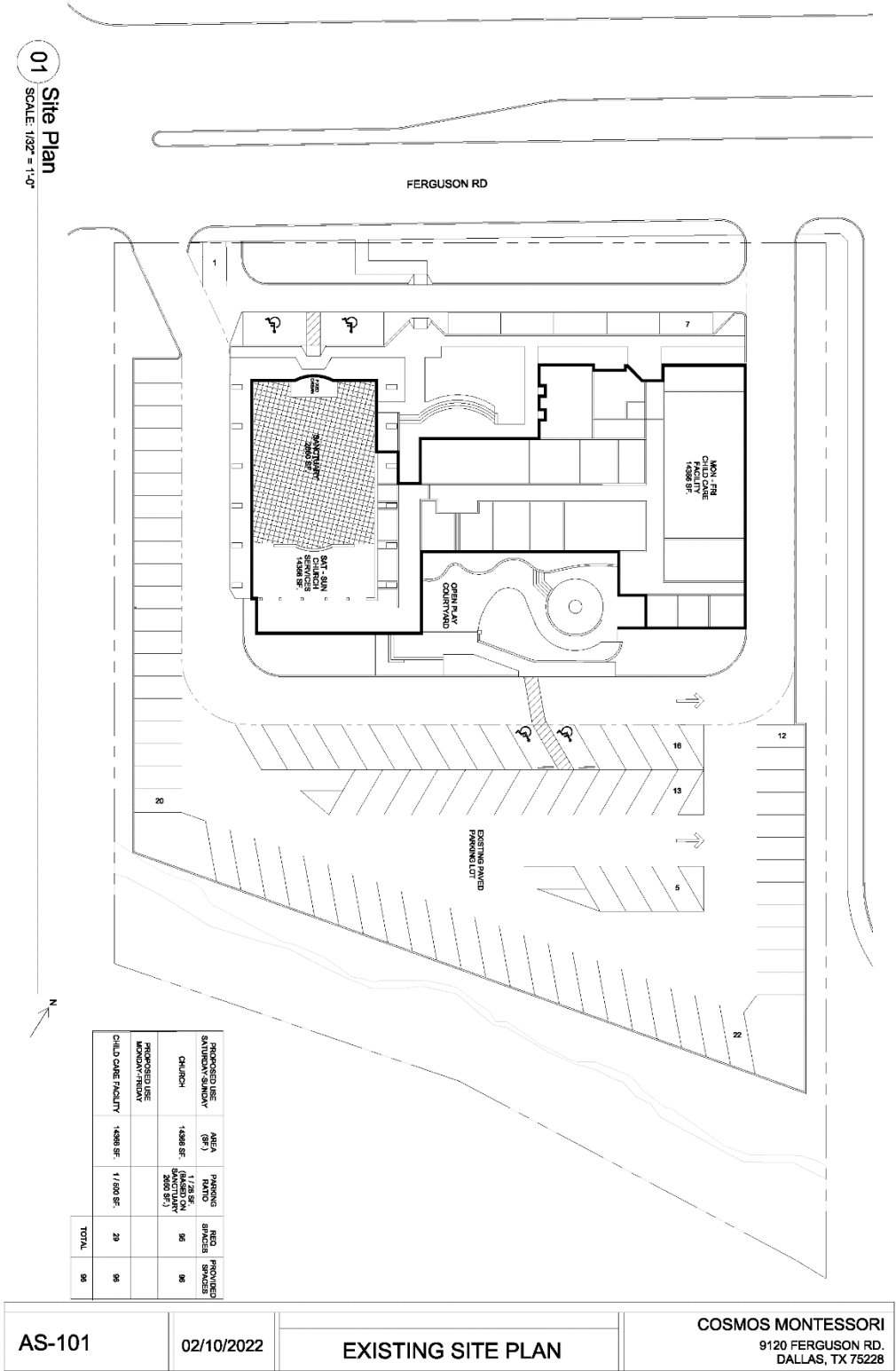
Notices:	Area: 200	Mailed: 16
Replies:	For: 0	Against: 1

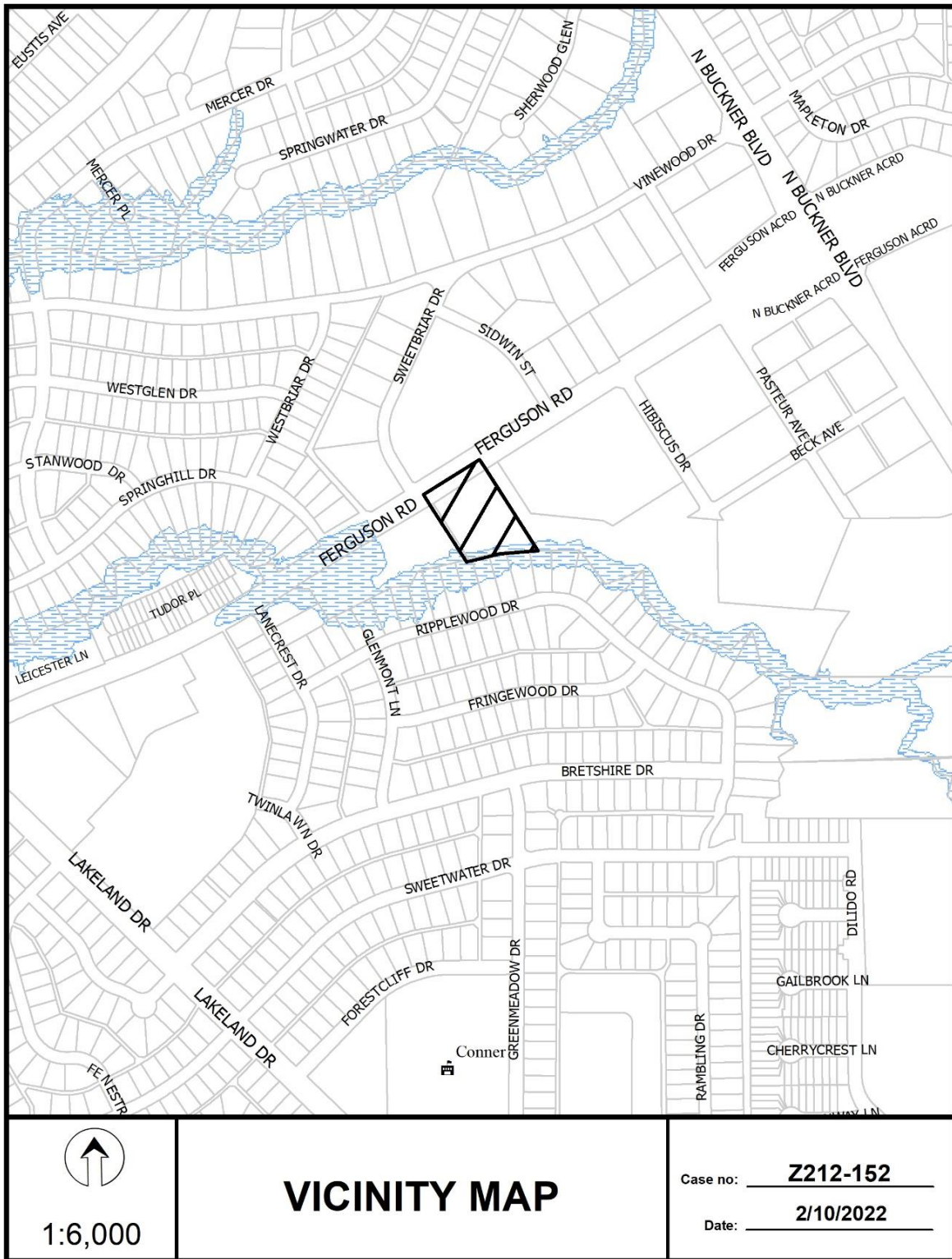
Speakers: None

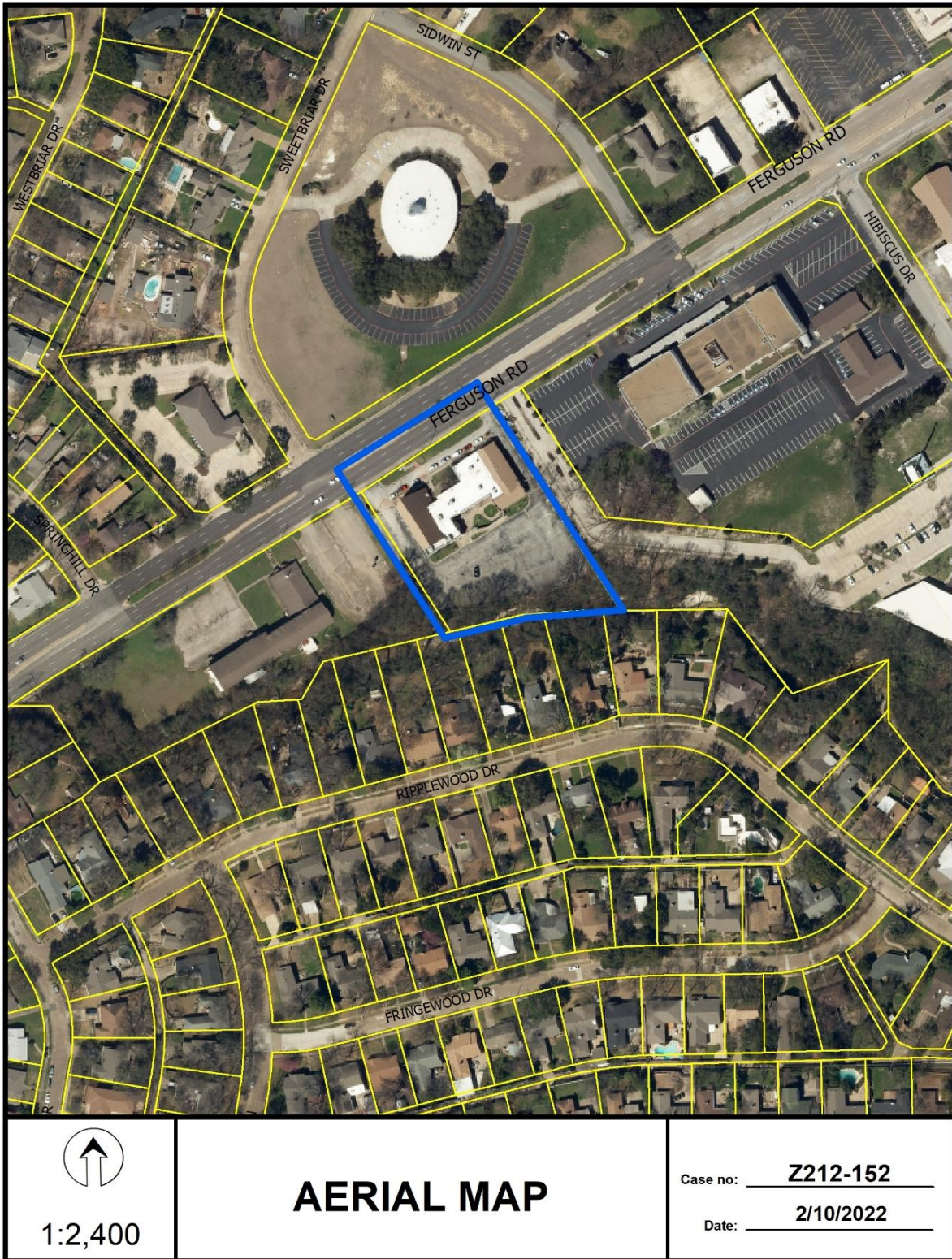
CPC RECOMMENDED CONDITIONS

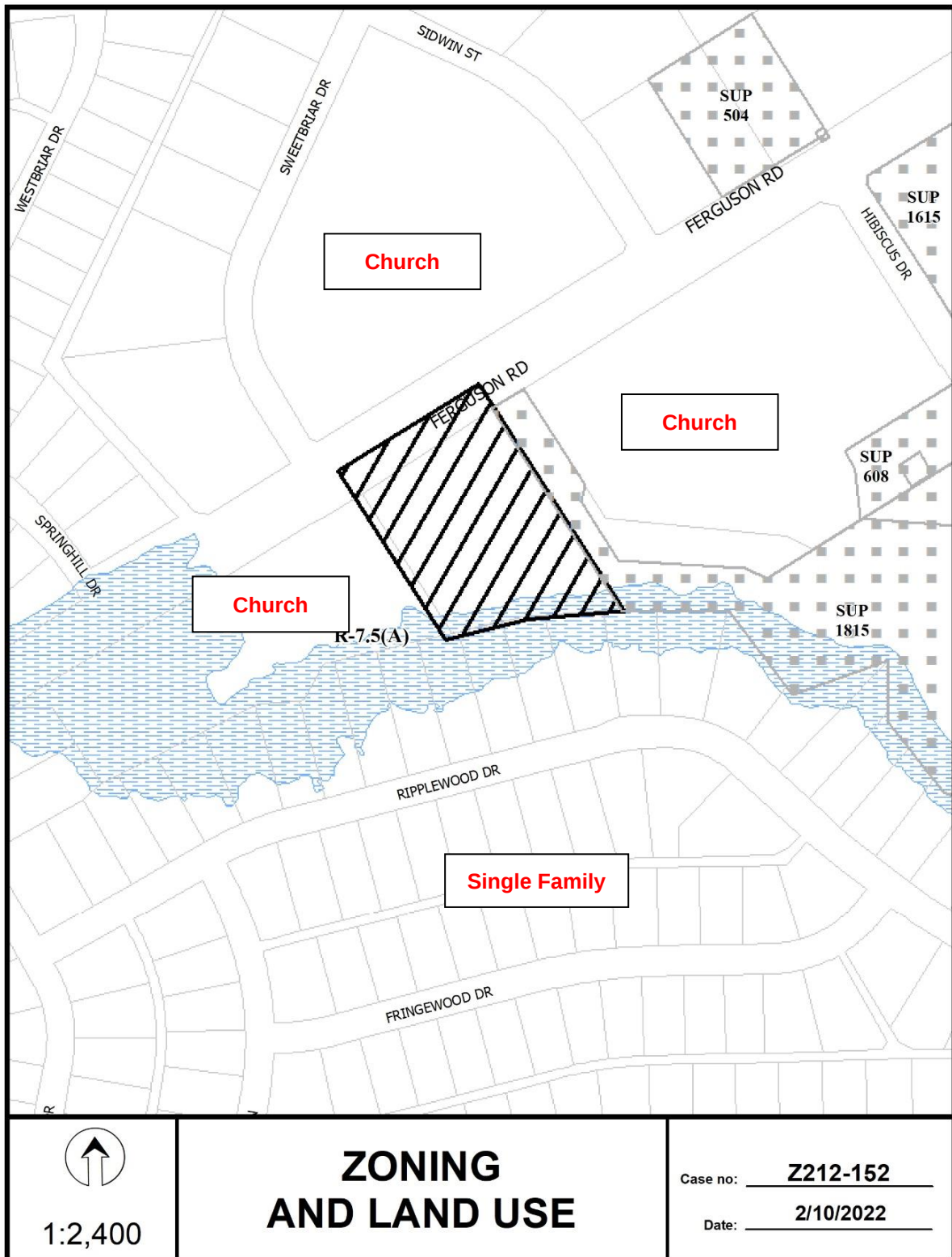
1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance) but is eligible for automatic 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 may only operate between 7:00 a.m. and 7:00 p.m., Monday through Friday.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. 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.

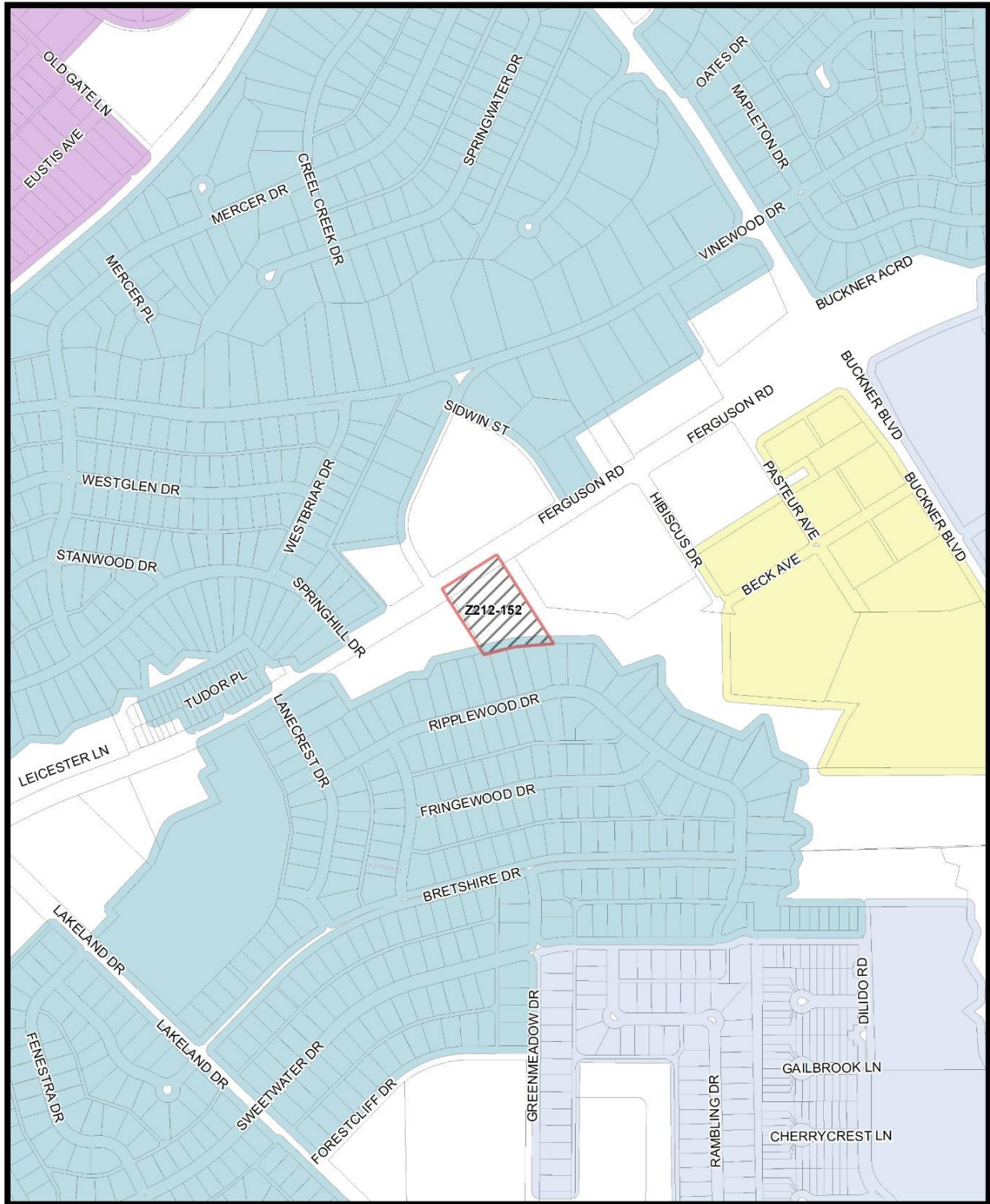
CPC RECOMMENDED SITE PLAN











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



1:6,000

Market Value Analysis

Printed Date: 2/10/2022



03/23/2022

Reply List of Property Owners***Z212-152******15 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	9028 FERGUSON RD	NEW CREATION BIBLE CHURCH
	2	2732 RIPPLEWOOD DR	TONE THOMAS N &
	3	2736 RIPPLEWOOD DR	FARINA MELISSA A
	4	2742 RIPPLEWOOD DR	MEEK TAYLOR W
	5	2746 RIPPLEWOOD DR	KIRKLAND CYNTHIA
	6	2750 RIPPLEWOOD DR	SHANKLE LAURIE A
	7	9120 FERGUSON RD	FIRST COMMUNITY CHURCH
	8	2716 RIPPLEWOOD DR	PIERCE EMILY L & HAYDEN B
	9	2722 RIPPLEWOOD DR	HIGGINBOTHAM LONNIE
X	10	2726 RIPPLEWOOD DR	CROWDER WADE ALLEN JR
	11	2756 RIPPLEWOOD DR	BLACKBURN LISA
	12	2760 RIPPLEWOOD DR	SMITHSON ERIN KAY DAVIS &
	13	9121 FERGUSON RD	INDIAN PENTECOSTAL CHURCH
	14	9220 FERGUSON RD	WHITE ROCK CHURCH
	15	2557 SWEETBRIAR DR	CENTRAL CONGREGATION OF