HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, FEBRUARY 22, 2023

ACM: Majed Al-Ghafry

FILE NUMBER: Z212-302(MP) DATE FILED: July 15, 2022

LOCATION: On the north line of Stults Road between Boundbrook Avenue and

Clearwater Drive

COUNCIL DISTRICT: 10

SIZE OF REQUEST: 57.078 acres CENSUS TRACT: 0078.05

APPLICANT: Day 1 Academies / Will Weiner

REPRESENTATIVE: Jackson Walker LLP / Suzan Kedron

OWNER: Presbyterian Village North, Inc

REQUEST: An application for an amendment to Planned Development

District No. 456, Subarea B to allow for an early childhood

education center.

SUMMARY: The purpose of the request is to allow the use of an early

childhood education center within an existing building within

the existing facility [Presbyterian Village North].

STAFF RECOMMENDATION: Approval, subject to a revised conceptual plan, a

revised Subarea B development plan, and revised

conditions.

CPC RECOMMENDATION: Approval, subject to a revised conceptual plan, a

revised Subarea B development plan, and revised

conditions.

PLANNED DEVELOPMENT DISTRICT NO. 456

https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=456

BACKGROUND INFORMATION:

- On October 9, 1996, City Council approved Planned Development District No. 456, primarily for the development of a retirement and nursing housing development with supporting facilities. The PD was subsequently amended once.
- The main uses permitted within the PD are adult day care facility, convalescent and nursing homes, hospice care, and related institutions, and retirement housing. These are also the current uses developed on site.
- The applicant is requesting to modify Subarea B to define and allow the use of an "Early Childhood Education Facility".
- The proposed PD provisions state that "EARLY CHILDHOOD EDUCATION CENTER means an educational facility consisting of no more than eight (8) classrooms and with ancillary office, educational, and outdoor areas, that offers educational programming for children ages 3-6 years old, and which may be licensed as a child-care facility in the State of Texas."

Zoning History:

There have been four zoning cases in the area in the past five years.

- 1. **Z201-311:** On March 9, 2022, City Council approved an application for an amendment to Planned Development District No. 393, located on the northwest corner of Greenville Avenue and Old Greenville Road.
- 2. Z201-193: On July 15, 2021, the City Plan Commission recommended denial without prejudice, for an application for a Planned Development District for R-10(A) Single Family District uses and a medical clinic or ambulatory surgical center use on property zoned R-10(A) Single Family District located at the southwest corner of Forest Lane and Stults Road.
- 3. **Z190-198:** On October 28, 2020, the City Council approved an application for a Specific Use Permit for child-care facility and community service center uses on property zoned an R-10(A) Single Family District, located on the northwest corner of Shepherd Road and Stults Road.
- 4. **Z189-121:** On September 11, 2019, the City Council approved an application for 1) an MU-1 Mixed Use District with deed restrictions volunteered by the applicant, and 2) the termination of Specific Use Permit No. 742 for a nursing home use on property zoned a CR Community Retail District with Specific Use Permit No. 742, located on

the north line of Forest Lane west of the intersection of Greenville Road and Forest Lane.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing
Stults Road	Local	70'
Skyline Drive	Local	60'

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 <u>forwardDallas! Comprehensive Plan</u> 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:

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.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.3 Review and improve regulatory strategies and tools to achieve the Vision. **ECONOMIC ELEMENT**

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

<u>Area Plans:</u> DISTRICT 10 STRATEGIC PLAN (2006)

Located in Northeast Dallas, north of White Rock Lake and south of Interstate 635 (LBJ), Council District 10 is an attractive area known for distinct neighborhoods, respected schools, rolling terrain, the White Rock Creek Greenbelt, and mature trees. The area's access to Interstate 635, U.S. Highway 75, and DART light rail makes it a popular residential community providing neighborhoods with suburban character and in-town convenience. Historically developed as a residential community with supportive commercial, the area now includes a mixture of land uses including residential, industrial, office, and commercial.

The area of request is not located within one of the identified focus areas of the plan but does call for the implementation of the area plan's community vision strategies and the overall *forwardDallas!* Comprehensive Plan policies. The applicant's proposed request forwards city policy as it accommodates a potential community facility in an underutilized portion of property within walking distance of built-out residential communities and DART stations.

Goal 2: Support Development that Promotes the Community Vision

- · Support land use and zoning compatible with the vision
- · Direct higher density development to areas in proximity to DART light rail stations
- · Encourage mixed use commercial development to reduce isolation of commercial uses from residential uses

Surrounding Land Uses:

	Zoning	Land Use
Site	Planned Development District No. 456 Subarea B	Retirement Housing, Medical Clinic

North	Planned Development District No. 456 Subarea C, R-7.5(A) Single Family	Single Family, Retirement Housing
East	Planned Development District No. 456 Subarea D, R-10(A) Single Family	Single Family
South	Planned Development District No. 501, R-10(A) Single Family	Public School, Single Family
West	Planned Development District No. 456 Subarea C Subarea A	Retirement Housing / Single Family

Land Use Compatibility:

The property is currently located within Subarea B of Planned Development District No. 456, which currently allows three main uses and several accessory supporting uses. These include adult day care facility; convalescent and nursing homes, hospice care, and related institutions; and retirement housing.

Properties to the north of the site are built out as single-family homes and additional retirement housing and nursing facilities within PD 456 Subareas C and E. Properties to the east of the area of request are built out as single-family homes and additional retirement housing and nursing facilities within PD 456 Subareas C and D. Across Stults Road to the south are single family homes and a public elementary school. There is one parcel located north of Stults Road, surrounded by PD 456, zoned R-10(A) and built out as a single-family home. The conceptual plan includes specific, additional buffering for the perimeter of this parcel.

The proposed early childhood education center would be defined within the PD as an educational facility consisting of eight (8) classrooms and with ancillary office, educational, and outdoor areas, that offers educational programming for children ages 3-6 years old, and which may be licensed as a child-care facility in the State of Texas. This use shall conform to the same off-street parking and loading requirements of a Child-Care Facility. Typically, pre-schooling with a degree of childcare outside of school hours would

fall under the child-care facility use. The applicant has requested the proposed use definition to limit the use in scope to the applicant intended operations.

The only proposed changes to the development and conceptual plans are intended to add the new use to the table of uses. The applicant has stated they plan to occupy a 15,000 square foot maximum portion of the building labelled "Existing skilled nursing special care" on the development plan. The proposed amendment to the PD conditions and plans should allow the applicant to occupy an existing building in a way that functions compatibly with the remainder of the facility and the surrounding area.

The applicant's proposed definition of the use serves to limit the impact of the use in terms of potential traffic generated and scope of activity. The most similar land use in the base code would be a child-care facility, which can include some degree of educational activities, but the applicant's definition puts a voluntary limit on classroom size that would not exist under a base-code child-care facility use. The specific definition also captures the intended use where child-care facility would not, as child-care facility includes instruction of children up to 14 years of age which could require a larger scope in terms of educational facilities and circulation accommodation. Despite these limits, the change to the Subarea represents a move away from a single-use zoning designation which reflects city policy of more flexible and dynamic zoning.

Development Standards:

DISTRICT SETBACKS			Height	leight FAR		Primary Uses	
	Front	Side/Rear			Coverage		
PD 456	Per Conceptual Plan: 100' 25' Landscape	Per Conceptual Plan: 10'	55' / 36'	0.5	25%	Adult day care facility Convalescent and nursing homes, hospice care, and related institutions Retirement housing Early Childhood Education Center	

The applicant does not propose changes to the yard, lot, and space standards, as the proposed use will occupy an existing building, built in compliance with the established standards.

Parking:

The proposed development is required to provide parking in accordance with Chapter 51A. The PD states the use will require parking as required of a child-care facility use, which is one space per 500 square feet of floor area. The proposed use would occupy no more than 15,000 square feet, and as such would require up to 30 spaces maximum. Overall, the Subarea provides 599 parking spaces and the applicant has confirmed the site has sufficient parking to receive a certificate of occupancy for this use, with consideration of the total allotment of parking for the subarea's various uses.

Landscaping:

Landscaping on the property must be provided in accordance with Article X, as amended, and PD No. 456. The proposed use will likely not trigger additional landscaping as it utilizes an existing building.

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 area of request is located within the "E" MVA cluster. Properties to the south are located within the "D" MVA cluster.

List of Officers

Presbyterian Village

Michael George, President Miguel Roque, Vice President Sean Coury, Treasurer William Weiner, Secretary

CPC Action December 15, 2022

Motion: In considering an application for an amendment to Planned Development District No. 456, Subarea B to allow for an early childhood education center, on the north line of Stults Road, between Boundbrook Avenue and Clearwater Drive, it was moved to **hold** this case under advisement until January 5, 2023.

Maker: Housewright

Second: Rubin

Result: Carried: 13 to 0

For: 13 - Popken, Hampton, Shidid, Carpenter, Wheeler-

Reagan, Blair, Jung, Housewright, Treadway,

Haqq, Stanard, Kingston, Rubin

Against: 0

Absent: 1 - Gracey Vacancy: 1 - District 4

Notices: Area: 500 Mailed: 109 Replies: For: 4 Against: 1

Speakers: None

CPC Action January 5, 2023

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 456, Subarea B to allow for an early childhood education center, subject to a revised conceptual plan, a revised Subarea B development plan, and revised conditions on the north line of Stults Road, between Boundbrook Avenue and Clearwater Drive.

Maker: Housewright Second: Hampton

Result: Carried: 13 to 0

For: 13 - Popken, Hampton, Shidid, Carpenter, Wheeler-

Reagan, Blair, Jung, Housewright, Treadway,

Hagg, Stanard, Kingston, Rubin*

Against: 0 Absent: 0

Vacancy: 2 - District 3, District 4

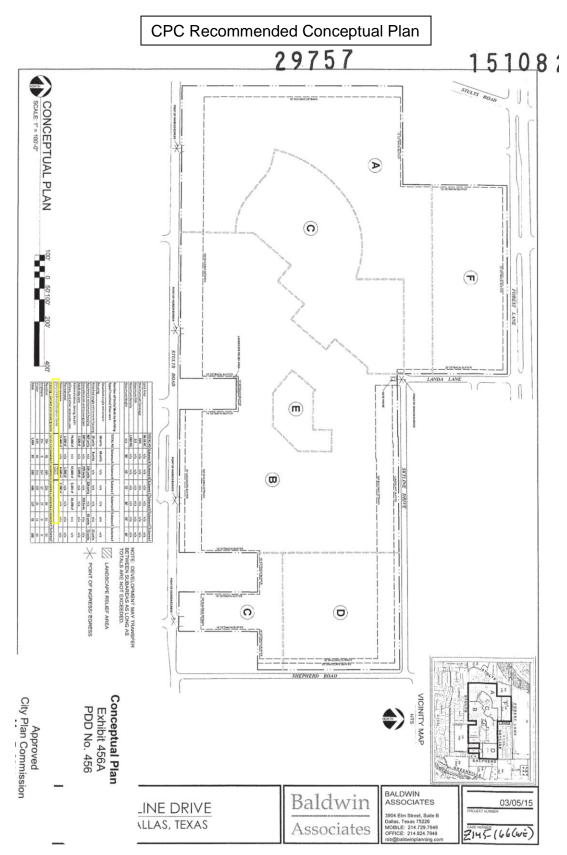
*out of the room, shown voting in favor

Notices:Area:500Mailed:109Replies:For:5Against:2

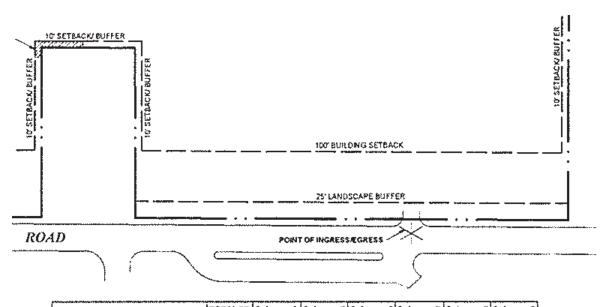
Speakers: For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201

Sabrina Watkins, 2233 Preston Bend St., Frisco, TX, 75036

Against: None



CPC Recommended Conceptual Plan (Detail)



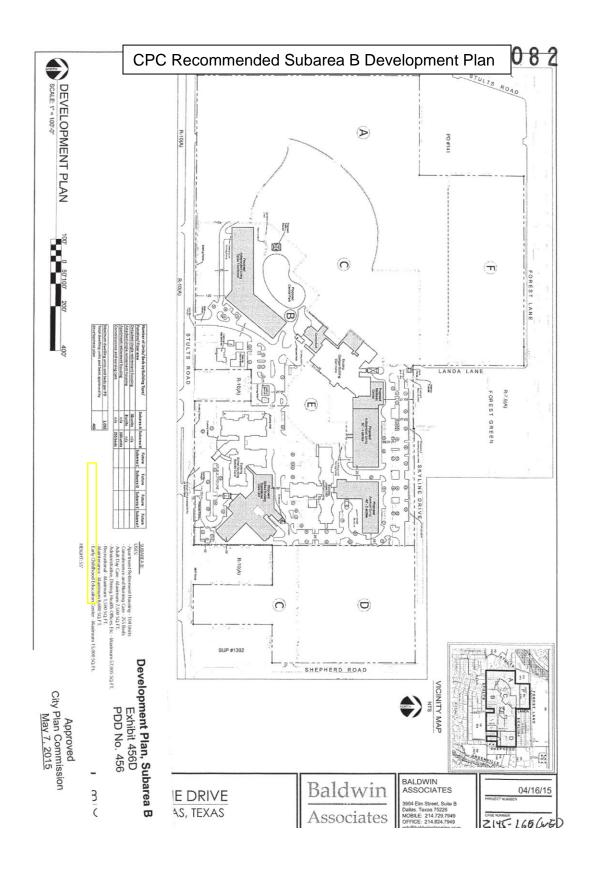
	TOTALPD	Subarea A	Subarea D	Subarea C	Subarea D	Subarea E	Subarea F
Land Area	66.33 AC	n/a	n/a	n/a	n/a	n/a	n/a
Maximum Lot Coverage	25%	n/a	n/a	n/a	n/a	n/a	n/a
Maximum FAR	0.5	n/a	n/a	n/a	n/a	n/a	n/a
Maximum Density	1,032 DU	n/a	n/a	n/a	n/a	n/a	n/a
Maximum Height	n/a	30'	55'	72'	30'	55'	30,
Number of Units/Beds by Building Type/Function/Floor area	TOTAL #D	Subarea A	Subarea 8	Subarea C	Subarea D	Subarea E	Subarea F
Detached single retirement housing	38 units	38 units	n/a	n/a	п/а	n/a	n/a
Attached single retirement housing	20 units	8 units	n/a	n/a	n/a	n/a	12 units
Apartment retirement housing	467 units	n/a	104 units	225 units	n/a	65 units	72 units
Convelesence and nursing care	507 beds	n/a	255 beds	n/a	252 beds	n/a	11/3
Adult day care	7,500 sf	n/a	7,500 s!	n/a	n/a	n/a	n/a
Administrative, dining, health offices, and other accessory uses	74,446 sf	n/a	57,005 s!	3,342 sf	14,100 sf	n/a	n/a
Recreational	1,500 sf	n/a	1,500 sf	n/a	n/a	n/a	n/a
Maintenance	12,460 s!	n/a	8.680 sf	3.780 sf	n/a	n/a	n/a
Early Childhood Education Center			maximum 15,000 sf				
Parking - Surface and Underground	TOTALPO	Subarea A	Subarea B	Subarea C	Subarea D	Subarea E	Subarea F
Resident	704	46	189	226	84	G5	94
Employee	351	0	257	67	27	0	0
Visitor	439	46	153	107	26	13	94
Total	1,494	92	599	400	137	78	188

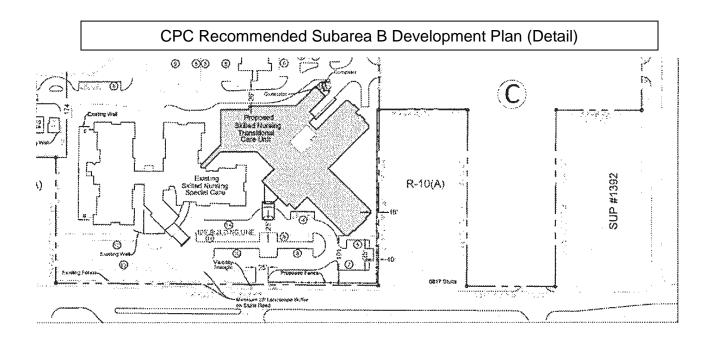
NOTE BETW TOTA





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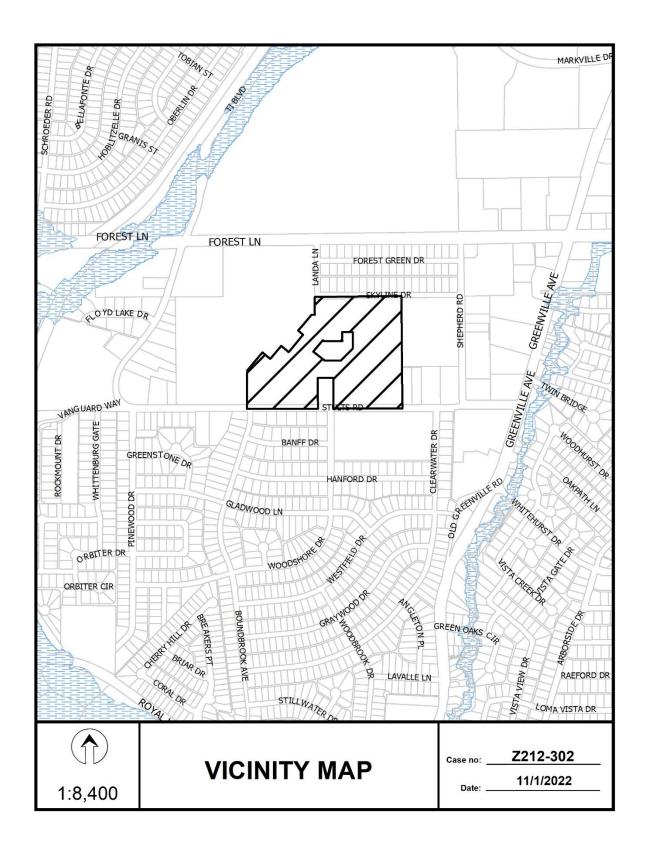
e/	Subarea A	Subarea B	Future Subarea C	Future Subarea D	Future Subarea E	Future Subarea F
	38 units	n/a				
	8 units	n/a				
	n/a	104 units				
	n/a	255 beds				

PD	1,032
by	
	405

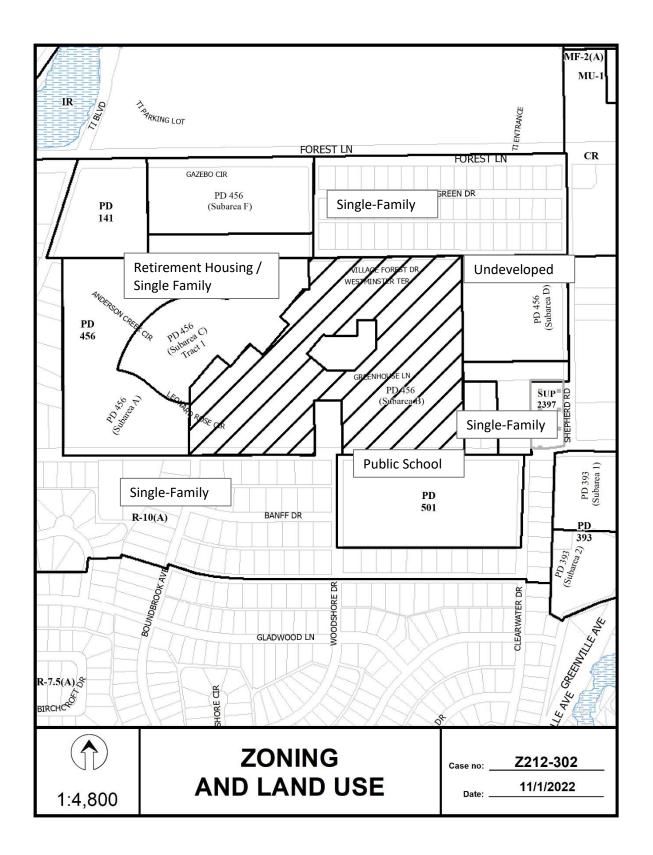
SUBAREA B:	D	O'	V	e
USES:		•	•	_

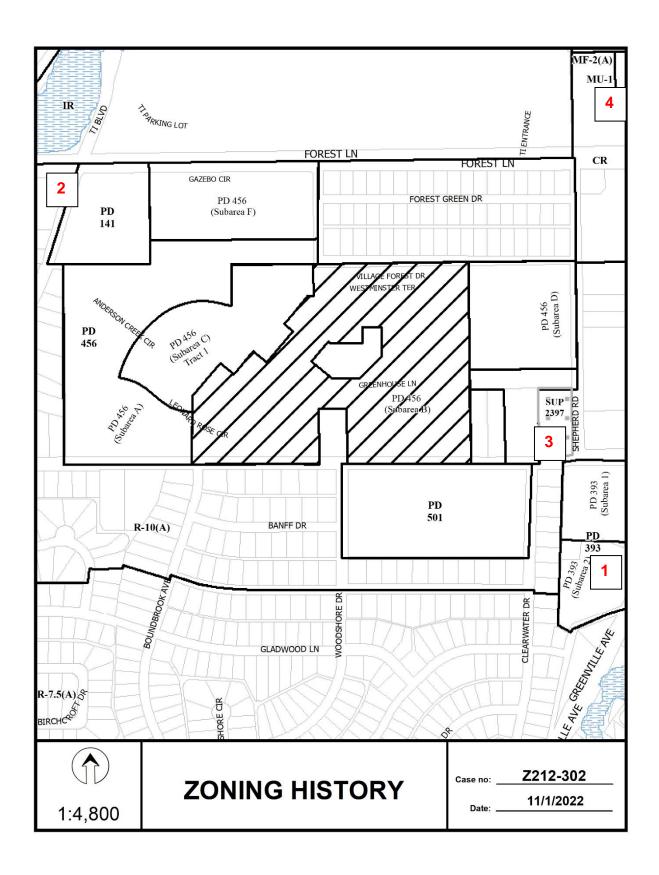
- Apartment Retirement Housing 104 Units
- Convalesence and Nursing Care 255 Beds
- Adult Day Care Maximum 7,500 SQ, FT.
- Administrative, Dining, Health Offices, Etc. Maximum 57,005 SQ. F
- Recreational Maximum 1,500 SQ. FT.
- Maintenance Maximum 8.680 SO. FT.
- Early Childhood Education Center Maximum 15,000 SQ. Ft.

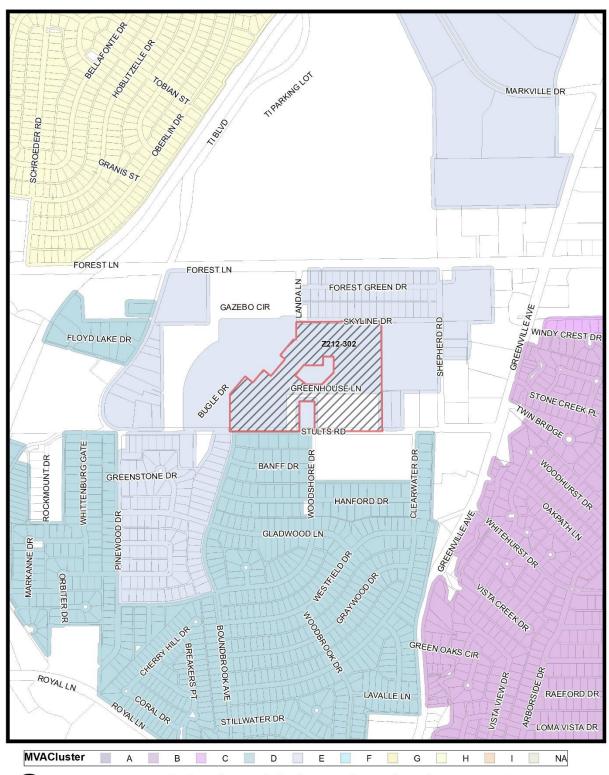
HEIGHT: 55'







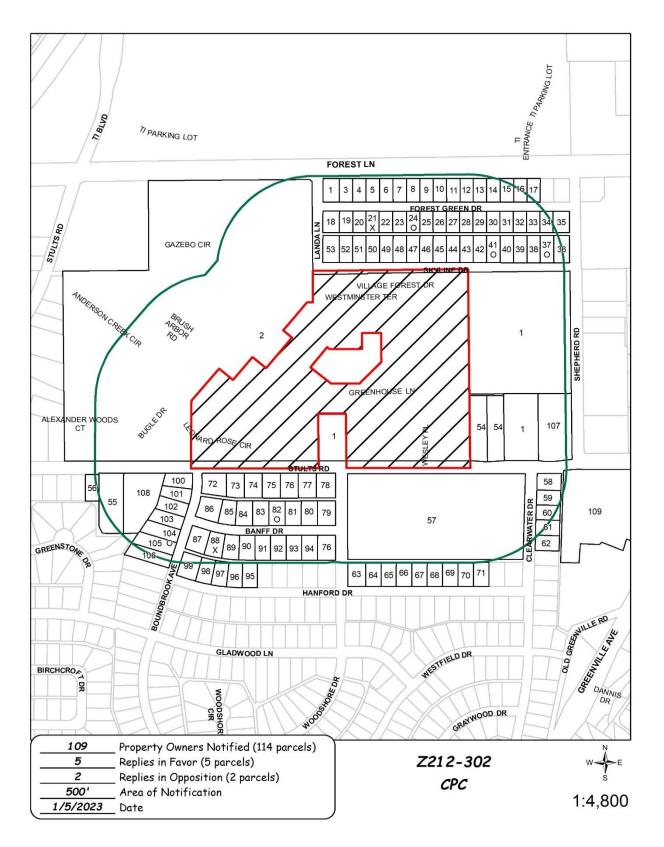




1:8,400

Market Value Analysis

Printed Date: 11/1/2022



01/04/2023

Reply List of Property Owners Z212-302

109 Property Owners Notified 5 Property Owners in Favor 2 Property Owners Opposed

Reply	Label #	Address		Owner
	1	8605	FOREST GREEN DR	PRESBYTERIAN VILLAGE NORTH
	2	8600	SKYLINE DR	PRESBYTERIAN VILLAGE NORTH
	3	8611	FOREST GREEN DR	MADERE CAROLYN WILSON
	4	8617	FOREST GREEN DR	MOSE A & BARBARA J JOHNSON
	5	8623	FOREST GREEN DR	OLIVER CURTIS & CHERYL
	6	8629	FOREST GREEN DR	TEAL PRINCE O & JOYCE W
	7	8635	FOREST GREEN DR	CASH FAMILY TRUST
	8	8703	FOREST GREEN DR	Taxpayer at
	9	8709	FOREST GREEN DR	UPSHAW WAKEFIELD MARITAL
	10	8715	FOREST GREEN DR	Taxpayer at
	11	8721	FOREST GREEN DR	HUMPHREY DORIS
	12	8727	FOREST GREEN DR	RUSSELL CHRISTOPHER
	13	8733	FOREST GREEN DR	SEALE RACHEL & NATHAN
	14	8805	FOREST GREEN DR	JAMES NANCY L
	15	8811	FOREST GREEN DR	SMITH MURIEL C EST OF
	16	8817	FOREST GREEN DR	BIRDSONG ROSIE J
	17	8823	FOREST GREEN DR	SANTAMARIA ALEJANDRO &
	18	8606	FOREST GREEN DR	TURNER RONALD
	19	8612	FOREST GREEN DR	MULLINS JAMES H
	20	8618	FOREST GREEN DR	CAVAZOS JOSEPHINE
X	21	8624	FOREST GREEN DR	DAVIS LOUIS W JR EST OF
	22	8630	FOREST GREEN DR	GAINES WILLIAM R
	23	8636	FOREST GREEN DR	MARGOL STUART
O	24	8704	FOREST GREEN DR	CARTER LOZELL & FRANCIS A
	25	8710	FOREST GREEN DR	COLEMAN RICHARD A EST OF & NINA
	26	8716	FOREST GREEN DR	DANIELS KENNETH E

01/04/2023

Reply	Label #	Address		Owner
	27	8722	FOREST GREEN DR	BROOKER STEVEN DANIEL &
	28	8728	FOREST GREEN DR	VILLALBA ANDRI
	29	8734	FOREST GREEN DR	CHAMBERS COURTNEY &
	30	8806	FOREST GREEN DR	ZICKGRAF PROPERTIES LLC
	31	8812	FOREST GREEN DR	NOWLIN WILLIAM J EST OF
	32	8818	FOREST GREEN DR	HILLSIDE SERIES LLC SERIES A
	33	8824	FOREST GREEN DR	TUCKER CHRISTINE R & JASON R
	34	8830	FOREST GREEN DR	ALLEN SUMMER L
	35	8838	FOREST GREEN DR	THOMPSON MICHAEL
	36	8833	SKYLINE DR	SHRODE REVOCABLE
O	37	8827	SKYLINE DR	NGUYEN LEHONG T &
	38	8821	SKYLINE DR	HAAK JOHN G & VIRGINIA L
	39	8815	SKYLINE DR	ROGOOBIR KEISHA L & JEROME JASON
	40	8809	SKYLINE DR	MONEY BUNYAN TR
O	41	8803	SKYLINE DR	PETRIN BARBARA C
	42	8735	SKYLINE DR	EVENDEN BENJAMIN B
	43	8729	SKYLINE DR	STEVENS DOROTHY M
	44	8723	SKYLINE DR	ROBERSON SAMPSON K
	45	8717	SKYLINE DR	PRICE DELORIS A
	46	8711	SKYLINE DR	VANDYKE ARTHELMA
	47	8705	SKYLINE DR	DANIELS BRUCE E &
	48	8633	SKYLINE DR	KELLEY TIFFANI & NICHOLAS
	49	8627	SKYLINE DR	HAGGERTY MYRNA SUE
	50	8621	SKYLINE DR	HOLMES JAMES SR
	51	8615	SKYLINE DR	TUCKER CHRISTINE RENE &
	52	8609	SKYLINE DR	VSP DALLAS LLC
	53	8603	SKYLINE DR	PRESBYTERIAN VILLAGE NORTH INC
	54	8817	STULTS RD	POWELL RICHARD & DEBRA
	55	8566	STULTS RD	YOUTH BELIEVING IN CHANGE INC
	56	8550	STULTS RD	RUTCOMM LLC
	57	8700	STULTS RD	RICHARDSON ISD

01/04/2023

Reply	Label #	Address		Owner
	58	9422	CLEARWATER DR	MARSHALL JERALDENE M
	59	9416	CLEARWATER DR	DAVIS DOROTHY
	60	9410	CLEARWATER DR	SANCHEZ ERIKA L
	61	9404	CLEARWATER DR	GEMINI REALTY INVESTMENT
	62	9324	CLEARWATER DR	Taxpayer at
	63	8707	HANFORD DR	GEORGE MONCY &
	64	8715	HANFORD DR	MCDANIEL COLIN & LINDSAY
	65	8721	HANFORD DR	MCPHERSON STEPHANIE E &
	66	8727	HANFORD DR	RUVALCABA ROGELIO
	67	8735	HANFORD DR	BARNHART JAMES E
	68	8741	HANFORD DR	ECHOLS HERTHA H
	69	8805	HANFORD DR	SPRATT GARET G & TAYLOR R
	70	8811	HANFORD DR	Taxpayer at
	71	8819	HANFORD DR	BOYD CHERYL L
	72	8584	STULTS RD	DOHERTY PAUL E
	73	8592	STULTS RD	CERVANTES JOSE
	74	8598	STULTS RD	STEVENS KATHLEEN
	75	8606	STULTS RD	WHETSTONE BEVERLY J
	76	8614	STULTS RD	HARTSELL MIKEAL CAMERON &
	77	8622	STULTS RD	HOFFMAN CLARK &
	78	8630	STULTS RD	SMITH THOMAS LEE
	79	8633	BANFF DR	Taxpayer at
	80	8625	BANFF DR	Taxpayer at
	81	8619	BANFF DR	HASTSELL MIKEAL CAMERON &
O	82	8611	BANFF DR	HARTSELL MIKEAL CAMERON & EMILY G
	83	8605	BANFF DR	WALLACE STAN
	84	8599	BANFF DR	WILLIAMS SHIRLEY A EST OF
	85	8589	BANFF DR	WHETSTONE BEVERLY
	86	8581	BANFF DR	MINOR JICORI
	87	8580	BANFF DR	BLUE JANE
Χ	88	8586	BANFF DR	ANDERSON SANDRA & JAMES

Z212-302(MP)

01/04/2023

Reply	Label #	Address		Owner
	89	8592	BANFF DR	HUYEN KHANH
	90	8598	BANFF DR	TAAFFE SELENE
	91	8606	BANFF DR	BARNHILL VINCE E &
	92	8612	BANFF DR	EMBAYE SOLOMON &
	93	8620	BANFF DR	GRIMES CHRISTOPHER
	94	8626	BANFF DR	HILL KAREN
	95	8599	HANFORD DR	JUAREZ BENJAMIN &
	96	8593	HANFORD DR	ESTRADA EDUARDO
	97	8587	HANFORD DR	TAYLOR LURENE LEE
	98	8581	HANFORD DR	HUNTER BRYCE & MALLORY BARKOCY
	99	8575	HANFORD DR	FENNELL WALTER D EST OF
	100	9415	BOUNDBROOK AVE	HUEY JANE ANN
	101	9409	BOUNDBROOK AVE	CHEN SUCHUNG CHRISTINA
	102	9405	BOUNDBROOK AVE	HAAR JANICE
	103	9325	BOUNDBROOK AVE	PARNELL DAVID Z & SUSAN K
O	104	9319	BOUNDBROOK AVE	Taxpayer at
	105	9315	BOUNDBROOK AVE	HARO KELLY J
	106	9309	BOUNDBROOK AVE	WU VICKY
	107	8835	STULTS RD	NEW MOUNT ZION BAPTIST
	108	8568	STULTS RD	YOUTH BELIEVING IN CHANGE
	109	8920	STULTS RD	YMCA OF METROPOLITAN DALLAS