

CITY PLAN COMMISSION

THURSDAY, DECEMBER 7, 2023

Planner: Martin Bate

FILE NUMBER: Z223-283(MB)

DATE FILED: May 31, 2023

LOCATION: Southeast corner of Davenport Road and Winding Creek Road

COUNCIL DISTRICT: 12

SIZE OF REQUEST: ± 0.41 acres

CENSUS TRACT: 48085031718

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER/APPLICANT: Friends of Kesher Foundation

REQUEST: An application for an amendment to deed restrictions [Z934-263] on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to allow church and child-care facility uses.

STAFF RECOMMENDATION: Approval of an amendment to deed restrictions [Z934-263] as volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is currently zoned a CS Commercial Service District with deed restrictions [Z934-263]. The property contains a commercial structure and surface parking lot.
- The applicant proposes to repurpose the property for use as a church (synagogue) and as a child-care facility.
- To accomplish this, they request an amendment to the existing deed restrictions [Z934-263] that would permit the church and child-care uses on this property.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Davenport Road	Community Collector	60 feet
Winding Creek Road	Local Street	-

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 and outlines several goals and policies which can 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. 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.

Land Use:

	Zoning	Land Use
Site	CS Commercial Service District.	Office
North	Planned Development No. 106	Single family
East	TH-2(A) Townhouse District	Single family
West	TH-2(A) Townhouse District; CS Commercial Service District with deed restrictions [Z989-132]	Single family; Office showroom / warehouse
South	CS Commercial Service District	Office

Land Use Compatibility:

The area of request is predominantly surrounded by a mix of single family and commercial properties. To the north, east, and west, there are single-family houses. To the south and southwest, there are a variety of commercial services. Staff assesses the applicant's proposal for amending the deed restrictions to allow specific institutional and community service uses to be compatible with surrounding uses in the area. Furthermore, existing requirements in the deed restrictions, including solid fencing and landscaping, help transition from the Commercial Service District to the neighboring residential districts.

The request area is currently zoned a CS Commercial Service District. The applicant proposes to repurpose the property for use as a church (synagogue) and a child-care facility. As churches and child-care facilities are both permitted institutional and community service uses under a CS Commercial Service District, staff does not object to the proposed amendment to the deed restrictions that would allow these two uses.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. The existing and proposed deed restrictions also require the following landscaping elements:

- A minimum of one large canopy tree and three large evergreen shrubs (as defined in Section 51A-10.100 of the Dallas Development Code) shall be provided for each 50 linear feet of Winding Creek Road frontage. The landscaping must be located on the north side of the required screening fence. Plant materials must be maintained in a healthy, growing condition.

Parking:

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 a church, one space per 333 square feet in floor area is required if the church has less than 5,000 square feet of floor area and is located in a shopping center with more than 20,000 square feet in floor area.

For informational purposes only, the applicant has provided a site plan indicating that the worship area will occupy 1,064 square feet while the child-care facility will occupy 3,942 square feet. Four parking spaces would be required for the worship area, while 8 would be required for the child-care facility, for a total of 12 spaces. The site plan proposes seven parking spaces for the church (synagogue) and 10 spaces for the child-care facility, for a total of 17 spaces.

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 currently within a “D” MVA area. To the north, east and west are “B” MVA clusters along Davenport Road and Winding Creek Road. Further north is a “B” MVA cluster along Frankford Road.

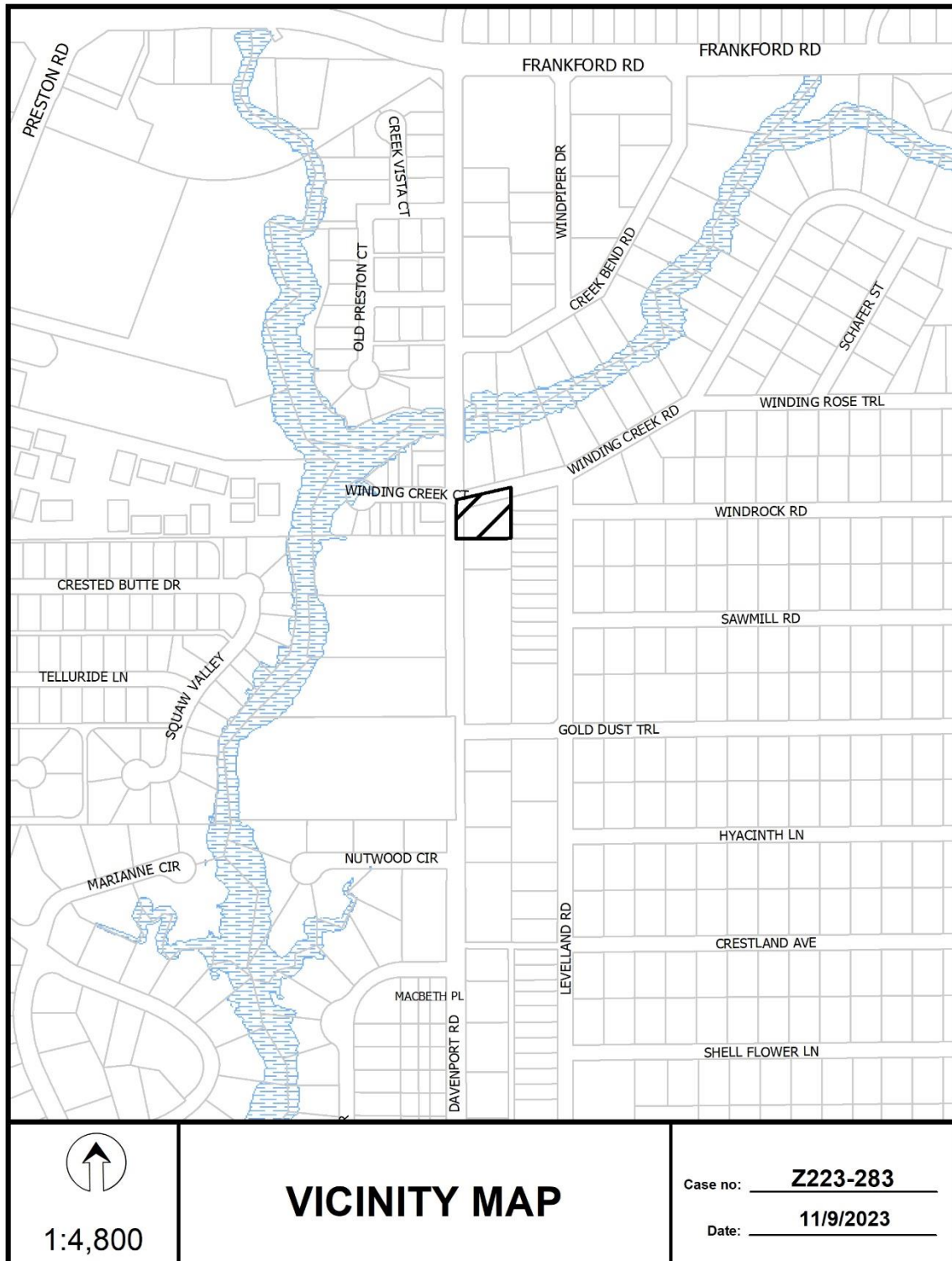
List of Officers

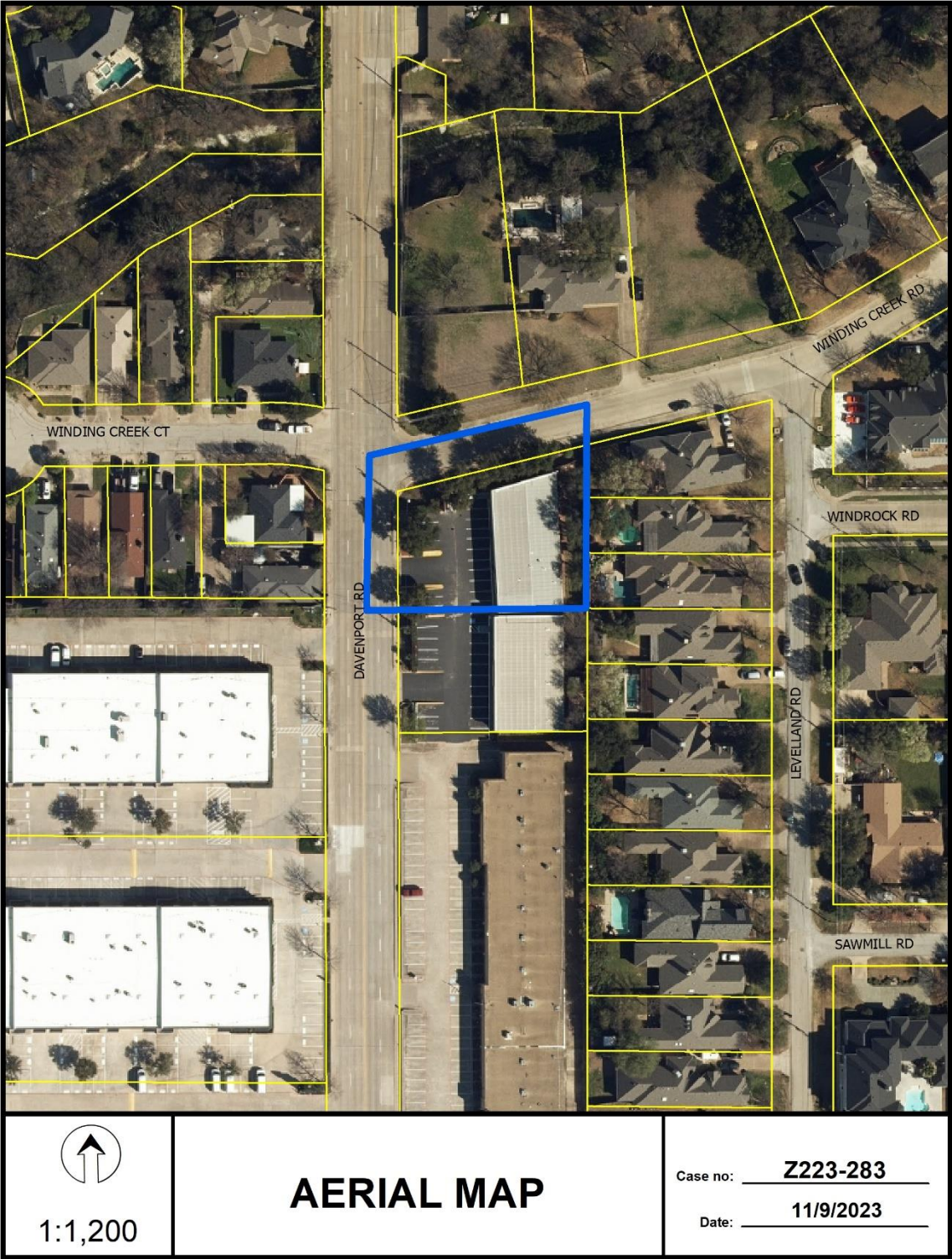
Friends of Kesher Foundation, Inc.

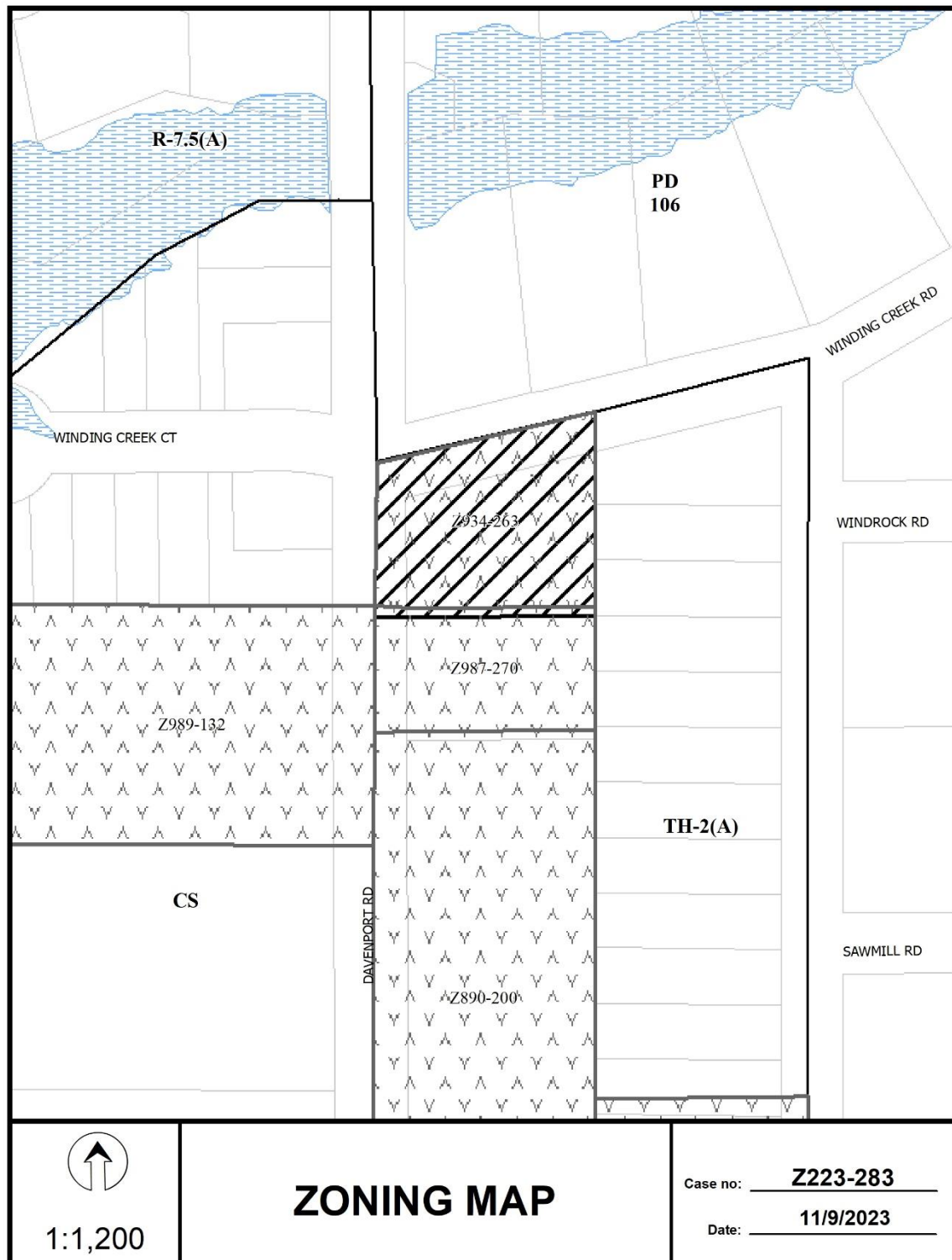
Asher Goldschmidt, President
Boris Olshamsky, Director
Peter Kibrile, Director
Vogel G. Rivka, Director
Genn Zilberberg, Secretary

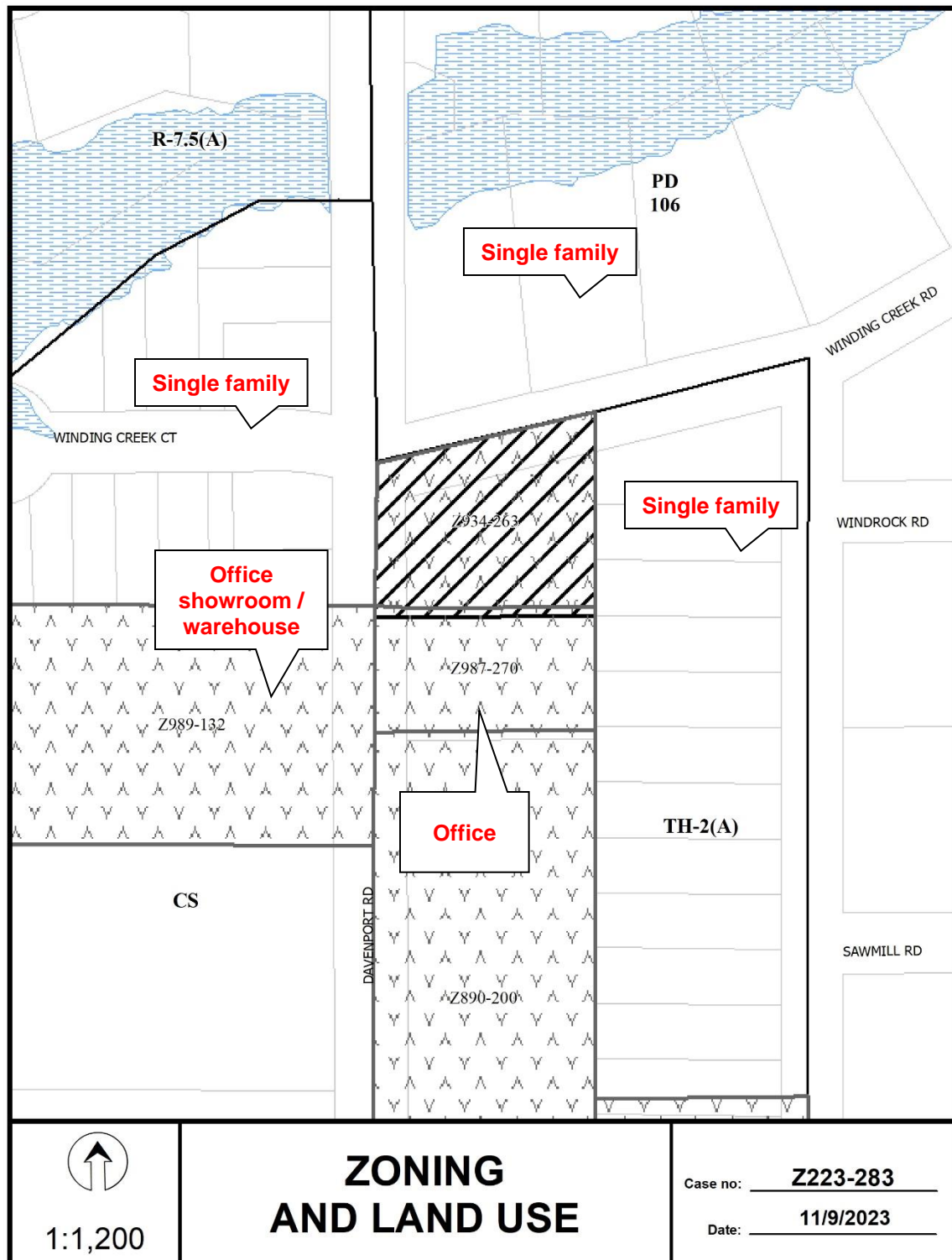
APPLICANT'S VOLUNTEERED DEED RESTRICTIONS (AMENDED)

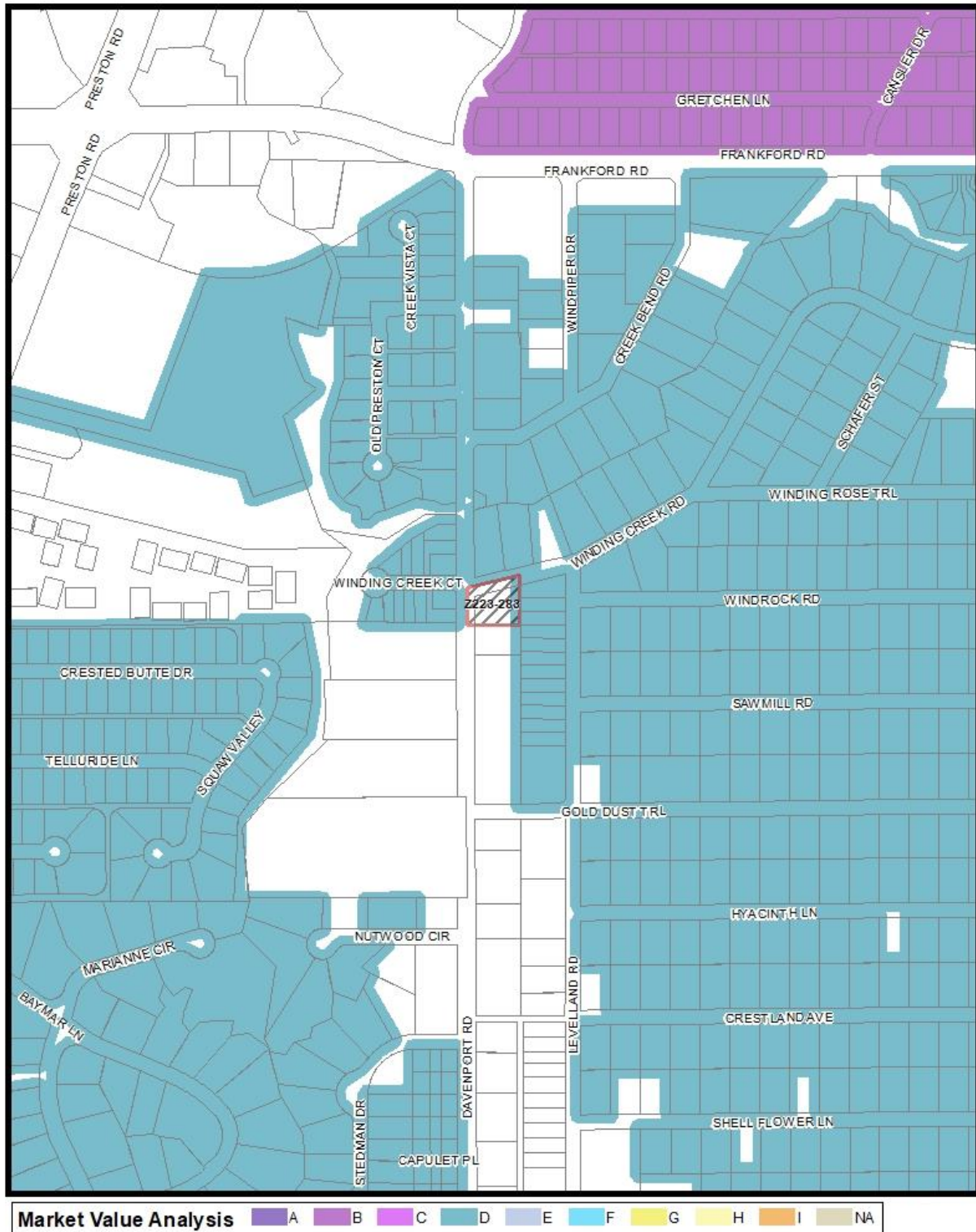
1. No structure on the Property may exceed a maximum height of 15 feet.
2. Six-foot high solid screening fence erected along east property line and along Winding Creek Road frontage.
3. Ingress and egress to and from Winding Creek Road prohibited.
4. Prior to submission of an application for a certificate of occupancy on the Property, a minimum of one large canopy tree and three large evergreen shrubs (as defined in Section 51A-10.100 of the Dallas Development Code) shall be provided for each 50 linear feet of Winding Creek Road frontage. The landscaping must be located on the north side of the required screening fence. Plant materials must be maintained in a healthy, growing condition.
5. The only main uses permitted on the Property are:
 - a. Office.
 - b. Office showroom/warehouse.
 - c. Electronics service center.
 - d. Personal service use is limited to a maximum of 1,000 square feet in floor area.
 - e. Church
 - f. Child-care facility.All other uses are prohibited.
6. Density on the Property shall be limited to a maximum floor area ratio of "0.5" and lot coverage shall be limited to 50%.







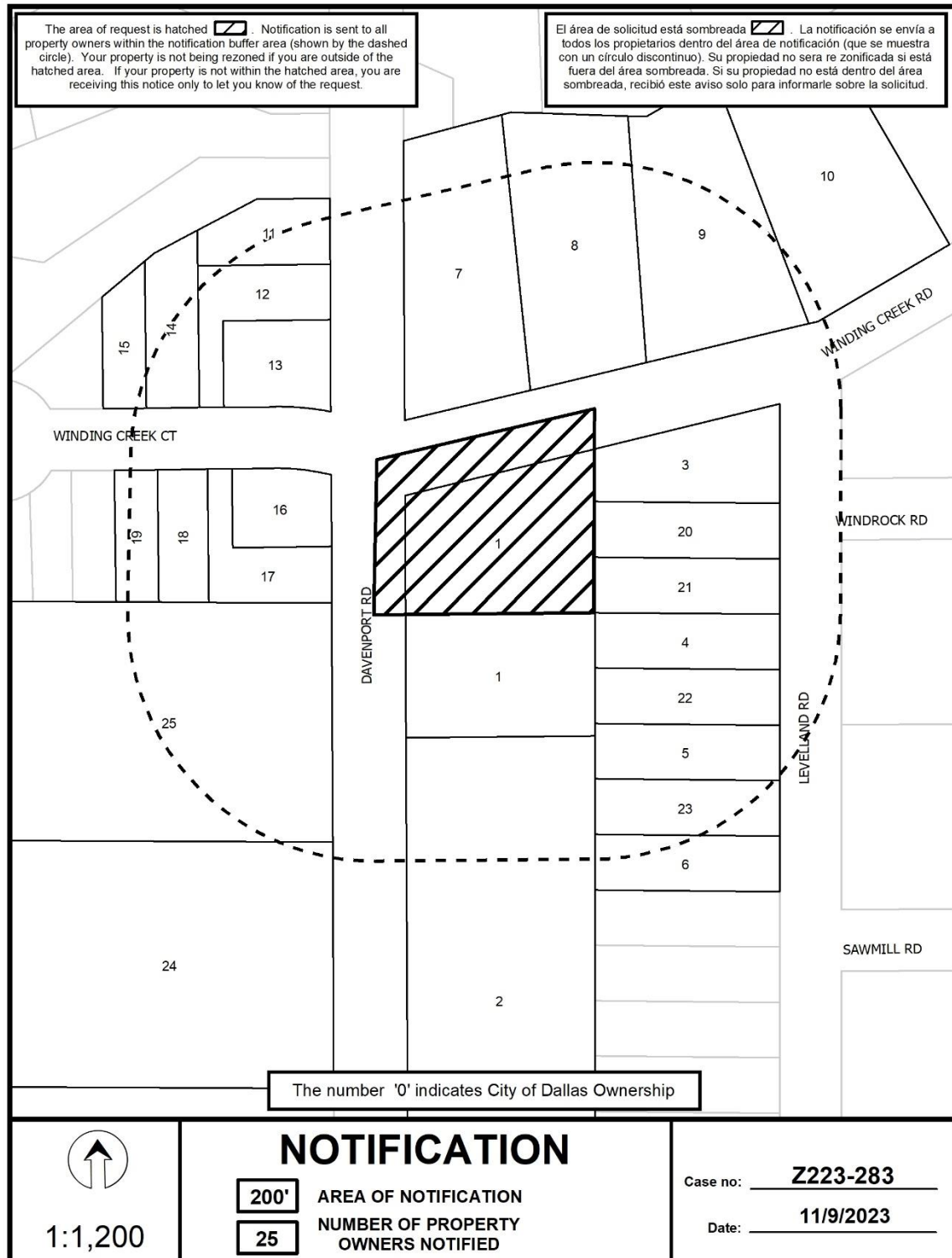




1:4,800

Market Value Analysis

Printed Date: 11/9/2023



11/09/2023

Notification List of Property Owners***Z223-283******25 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	17822 DAVENPORT RD	FRIENDS OF KESHER FOUNDATION INC
2	17800-17818 DAVENPORT RD	DSW DAVENPORT PROPERTIES LP
3	6929 LEVELLAND RD	KITCHEN ERIC D
4	6923 LEVELLAND RD	WELL TOBA A/K/A TOVA WELL REVOCABLE TRUST &
5	6919 LEVELLAND RD	MESHELL JOYCE M
6	6915 LEVELLAND RD	YAKUBOV YURIY &
7	7001 WINDING CREEK RD	Taxpayer at
8	7005 WINDING CREEK RD	Taxpayer at
9	7009 WINDING CREEK RD	SABONI DORIS
10	7015 WINDING CREEK RD	ASHER EDUARDO
11	17911 DAVENPORT RD	COZZENS BARBARA
12	17909 DAVENPORT RD	DE LA CUEVA LUPITA
13	6921 WINDING CREEK CT	KROHN HANA
14	6915 WINDING CREEK CT	MILLER ANNA
15	6913 WINDING CREEK CT	RODELA RATTLER TRUST
16	6920 WINDING CREEK CT	BARTHEL ROSE MARIE
17	17875 DAVENPORT RD	LUNA BLANCA ESMERALDA
18	6916 WINDING CREEK CT	MARTINEZ RUBEN L
19	6914 WINDING CREEK CT	PATTERSON THOMAS M
20	6927 LEVELLAND RD	STEVENS BRENT H
21	6925 LEVELLAND RD	WISE ROSELYN
22	6921 LEVELLAND RD	SALMAN BORISLAV & MILENA
23	6917 LEVELLAND RD	MARGOLIES ANDREW & JENNIFER
24	17817 DAVENPORT RD	GRANBERRY-DAVIS LP
25	17819 DAVENPORT RD	GRANBERRY WARD LP