

FILE NUMBER: Z201-307(KC) **DATE FILED:** July 23, 2021

LOCATION: Southeast corner of Military Parkway and Academy Drive

COUNCIL DISTRICT: 5 **MAPSCO:** 47 R

SIZE OF REQUEST: 1.1 Acres **CENSUS TRACT:** 84.00

REPRESENTATIVE: Jarvis James

OWNER/APPLICANT: TBOC Church

REQUEST: An application for a Specific Use Permit for a foster home on property zoned R-7.5(A) Single Family District with Specific Use Permit No. 1340 for a child-care facility.

SUMMARY: The purpose of the request is to allow a foster home. The site currently holds Specific Use Permit No. 1340 for a child-care facility.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and staff's recommended conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The site is currently developed with a church and a childcare facility.
- The childcare use is currently permitted by SUP No. 1340 within the base zoning district of R-7.5(A) Single Family District.
- SUP No. 1340 was approved on 10/22/1997 to allow for a childcare facility with a permanent time period.
- The applicant is proposing to redevelop a portion of the site by converting 16 classrooms into 16 bedrooms to be used as a foster home.
- The Dallas Development Code defines a foster home as a facility that provides room, board, and supervision to five or more persons under 18 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility.
- Following the meeting of December 2, 2021, the SUP conditions have been updated to remove the provision related to number of bathrooms.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Military Pkwy.	Principal Arterial	100'
Academy Dr.	Local Street	56'

Traffic:

The Engineering Division of the Sustainable Development and Construction 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. The *forwardDallas! Comprehensive Plan* 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:

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

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use:

	Zoning	Land Use
Site	R-7.5(A), SUP 1340	Church, childcare facility
North	R-7.5(A)	Single-family
East	R-7.5(A)	Cemetery
South	R-7.5(A)	Single-family
West	R-7.5(A)	Undeveloped, Single-family

Land Use Compatibility:

The site is currently developed as a church and childcare facility. The property to the east of the site is a cemetery. The rest of the site is surrounded by single-family residential. Located down the street to the east is another church across Military Pkwy.

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 site currently has the central portion of the building being used as a church. The western 5,660 square feet are being used as a childcare facility. The proposed use of a foster home will be located on the eastern portion of the building. The applicant has stated that they are converting 16 classrooms into 16 bedrooms to be used by Child Protective Services. Since this use is located along Military Pkwy. with access to the parking area from the access road, it would not be adding traffic in the neighborhood causing a burden to the residents. The property that is directly adjacent to the area where the proposed use is located is a cemetery with a large open space up front where the request site is. Staff recommends approval of this request with consideration of the neighborhood serving use being in close proximity to residential uses. However, does not support the permanent timeframe requested. Staff is recommending a timeframe of a three-year period. This will allow staff to analyze the use at the end of the three years to make sure that the use does not have any traffic or other issues spilling over to the residential uses that surround the site.

Landscaping:

Landscaping will be provided per Article X of the Dallas Development Code, as amended.

Parking:

Parking will be provided per the Dallas Development Code, as amended. A foster home use requires two parking spaces. The church use requires one space for each four fixed seats in the sanctuary or auditorium. When an SUP is required for the child care facility, the off-street parking requirement may be established in the ordinance granting the SUP, otherwise one space per 500 square feet of floor area. Since the site was built in 1964, it has delta credits to cover the parking requirement. The existing parking on the site will be sufficient for the proposed and existing uses.

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 in an MVA cluster. The properties surrounding the site are in a "G" MVA cluster.

List of Partners/Principals/Officers

Jarvis James, Pastor

Regina James, Moderator

CPC ACTION
DECEMBER 16, 2021

Motion: It was moved to recommend **approval** of a Specific Use Permit for a foster home for a three-year period, subject to a site plan and staff's recommended conditions on property zoned R-7.5(A) Single Family District with Specific Use Permit No. 1340, at the southeast corner of Military Parkway and Academy Drive.

Maker: Shidid
Second: Hampton
Result: Carried: 11 to 0

For: 11 - Popken, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Haqq,
Kingston, Rubin

Against: 0
Absent: 2 - Suhler, Standard
Vacancy: 2 - District 3, District 10

Notices: Area: 300 Mailed: 45
Replies: For: 0 Against: 0

Speakers: For: Jarvis James, 6508 Military Parkway, Dallas, TX, 75227
Against: None

CPC ACTION
DECEMBER 2, 2021

Motion: In considering an application for a Specific Use Permit for a foster home on property zoned R-7.5(A) Single Family District with Specific Use Permit No. 1340, at the southeast corner of Military Parkway and Academy Drive, it was moved to **hold** this case under advisement until December 16, 2021.

Maker: Shidid
Second: Hampton
Result: Carried: 12 to 0

For: 12 - Popken, Hampton, Shidid, Carpenter, Jackson,
Blair, Jung, Suhler, Haqq, Stanard, Kingston,
Rubin

Against: 0
Absent: 1 - Anderson
Vacancy: 2 - District 3, District 10

Notices:	Area: 300	Mailed: 45
Replies:	For: 0	Against: 0

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Against: None

CPC RECOMMENDED CONDITIONS

1. **Use:** The only use authorized by this specific use permit is for a foster home.
2. **Site Plan:** Use and development of the Property will comply with the attached site plan.

CPC Recommendation:

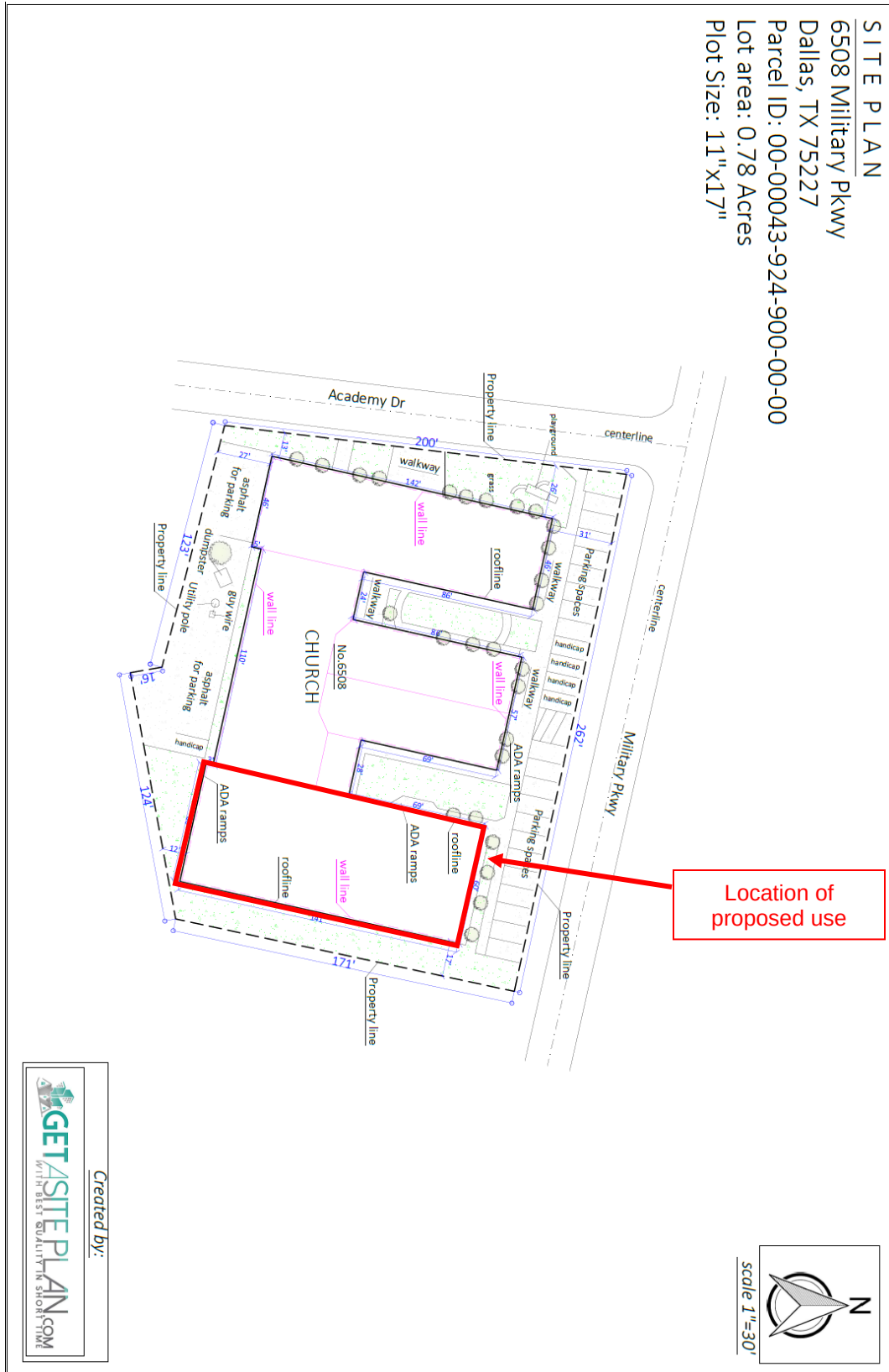
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|---|
| 3. <u>Time Limit:</u> This specific use permit is approved for a time period that expires on _____ (three years) from the passage of this ordinance. |
|---|

Applicant's Request:

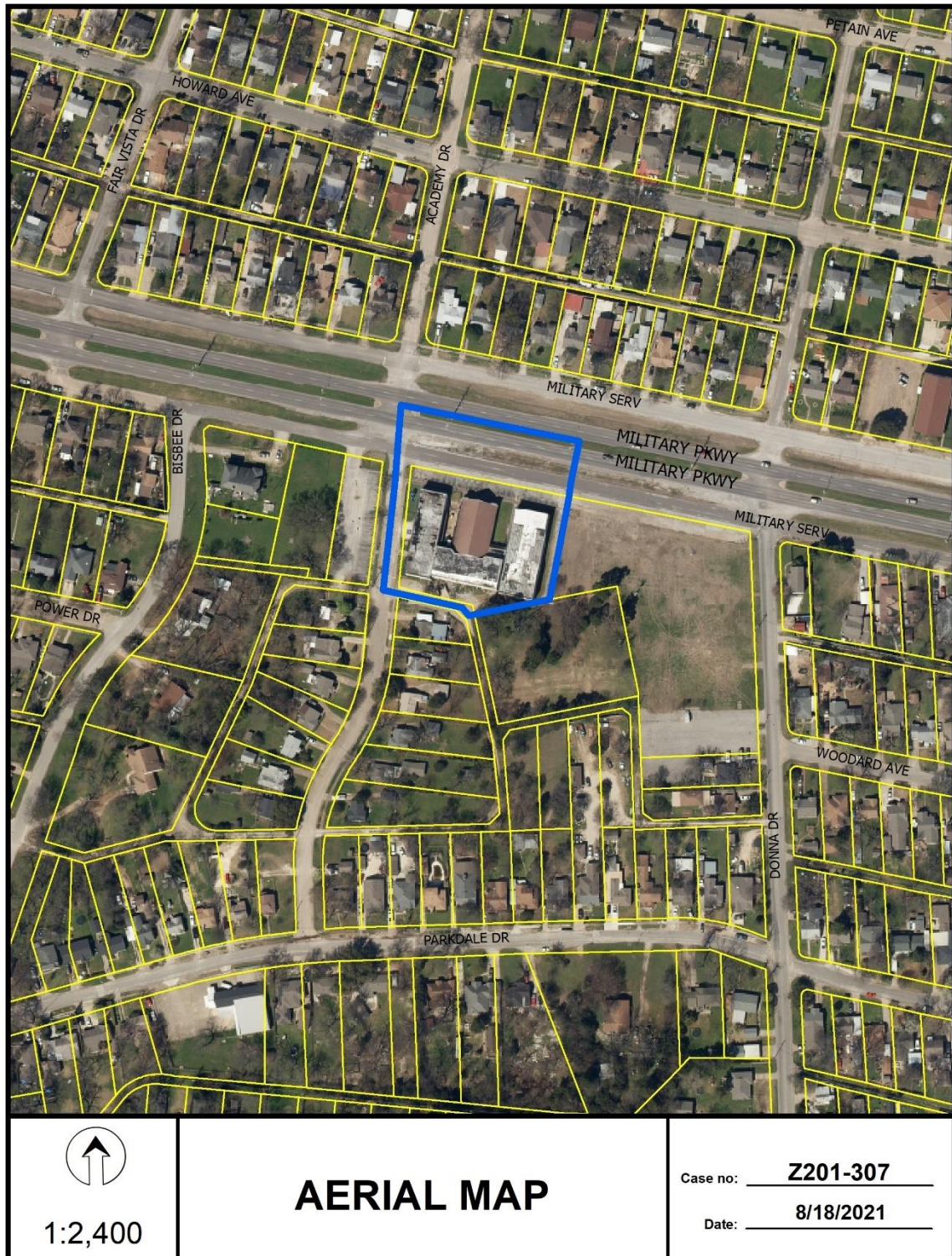
- | |
|---|
| 3. <u>Time Limit:</u> This specific use permit has no expiration date. |
|---|

4. **Landscaping:** Landscaping must be provided as shown on the attached site plan.
5. **Dumpsters:** An existing dumpster is provided in the location shown on the attached site plan and will be used upon passage of this ordinance.
6. **Maintenance:** The entire 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, and with all ordinances, rules, and regulations of the City of Dallas.

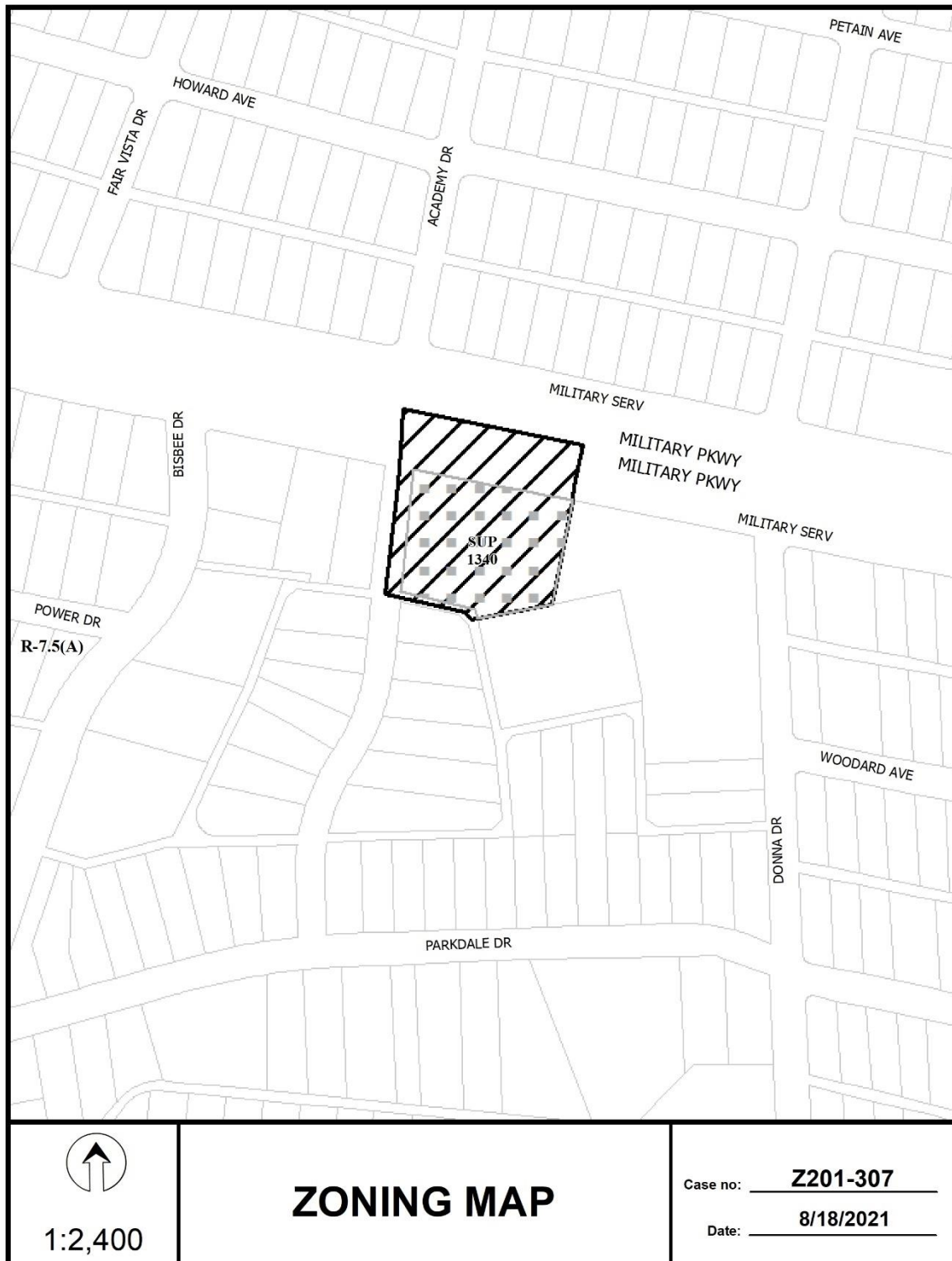
CPC RECOMMENDED SITE PLAN

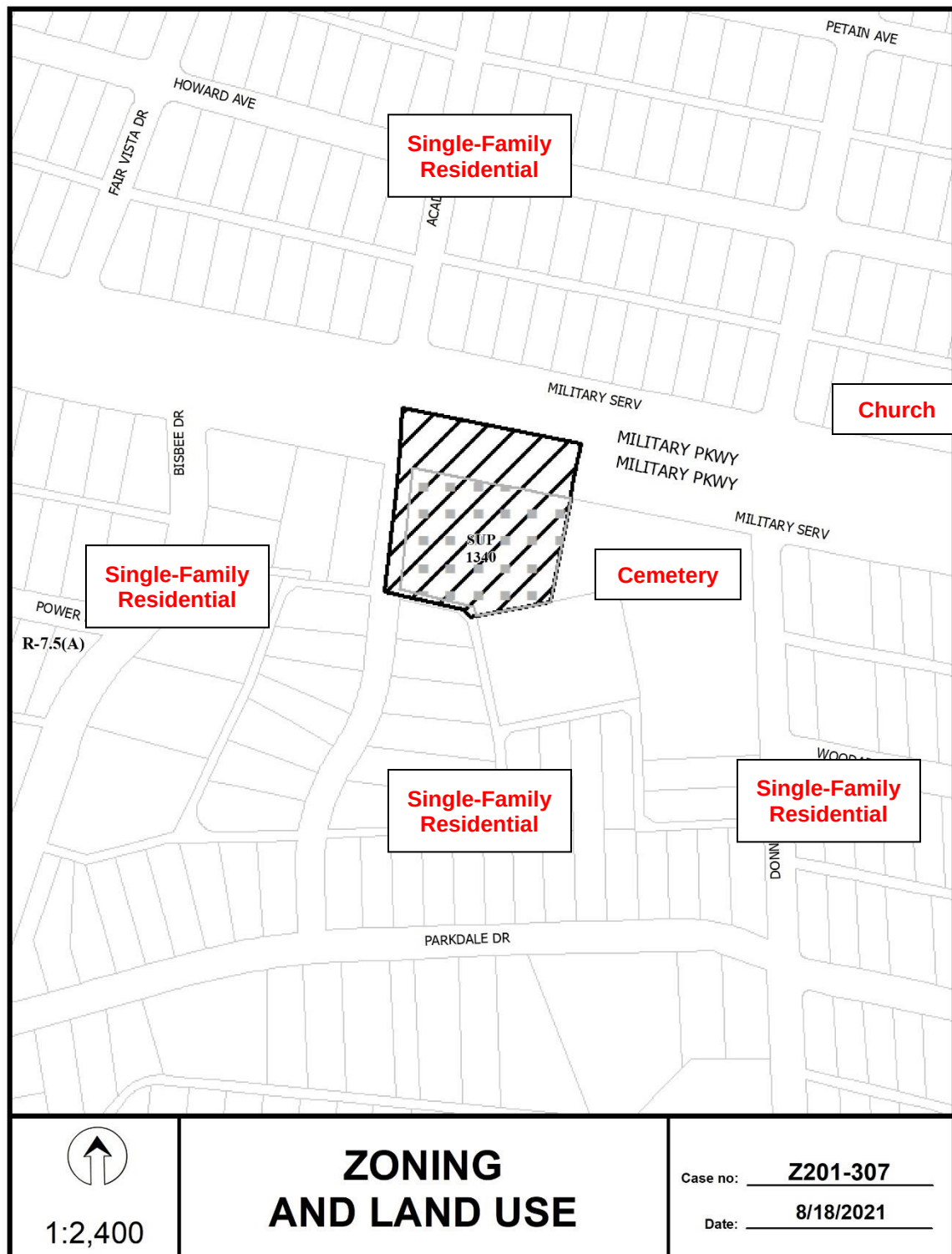


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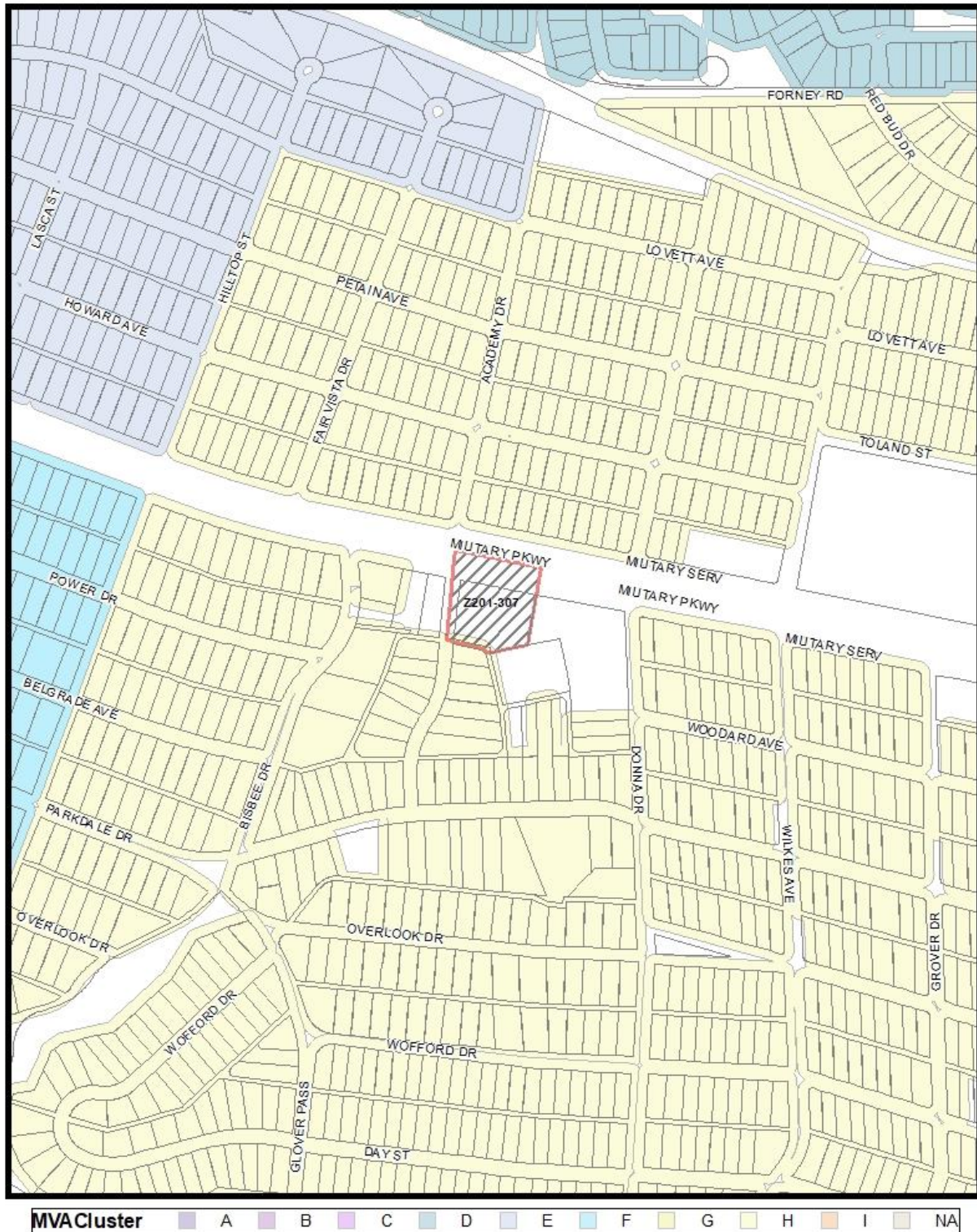


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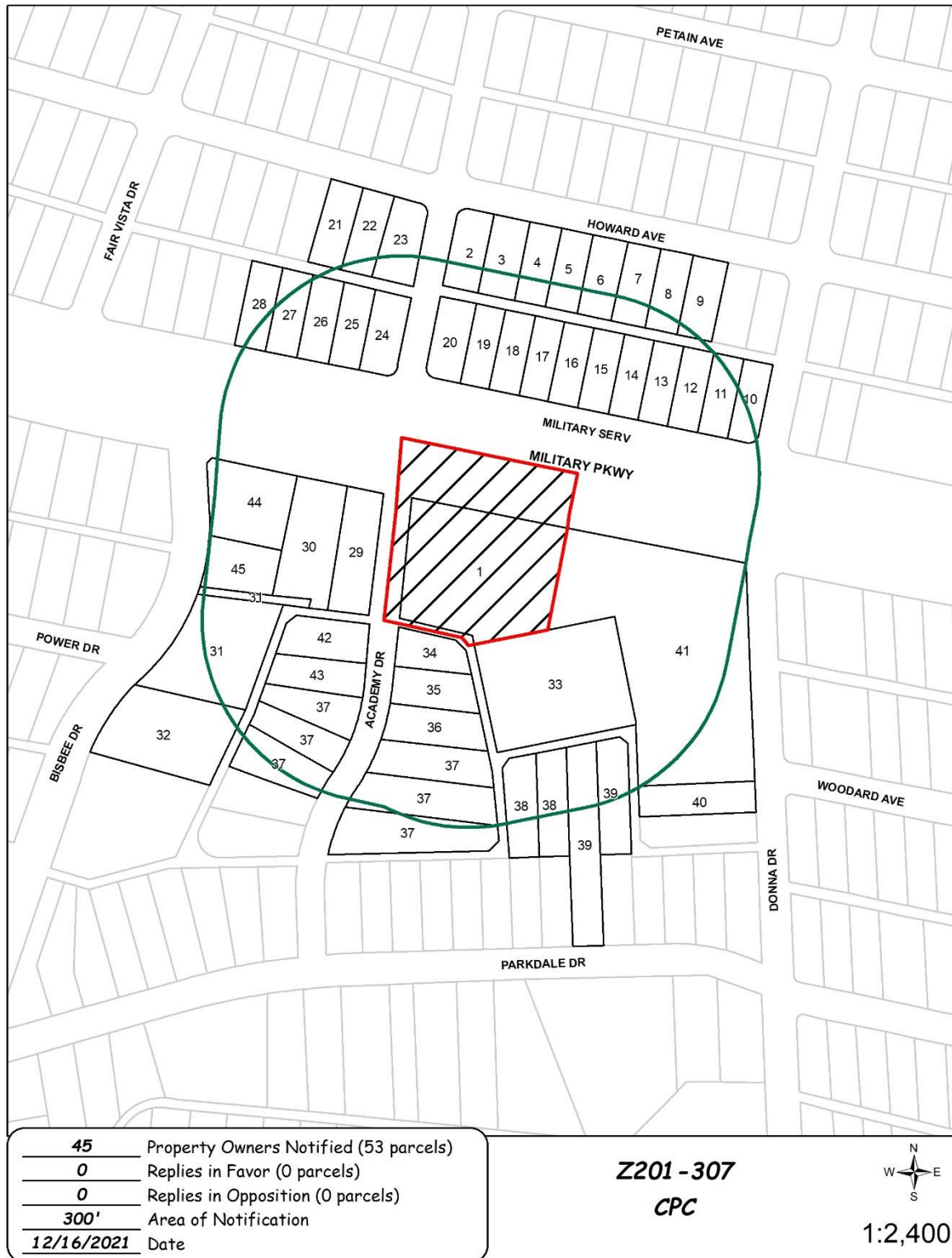


1:4,800

Market Value Analysis

Printed Date: 8/18/2021

CPC RESPONSES



12/15/2021

Reply List of Property Owners***Z201-307******45 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	6508 MILITARY PKWY	Taxpayer at
	2	6502 HOWARD AVE	CHAVARRIA VICTORINO &
	3	6506 HOWARD AVE	SERRANO HUMBERTO
	4	6510 HOWARD AVE	MEJIA EUCARIO
	5	6514 HOWARD AVE	FERNANDEZ JOSE &
	6	6518 HOWARD AVE	TOVAR JONATHAN E &
	7	6604 HOWARD AVE	Taxpayer at
	8	6608 HOWARD AVE	CALDERON KENIS IVAN
	9	6612 HOWARD AVE	ESPARZA JUAN & MAYRA
	10	6623 MILITARY PKWY	CARRANZA LUCILA &
	11	6619 MILITARY PKWY	BEARD LEON JR &
	12	6615 MILITARY PKWY	MENDEZ ALMA BEATRIZ &
	13	6611 MILITARY PKWY	AVILES IVAN JAIMES
	14	6607 MILITARY PKWY	MOTA JOSE R
	15	6603 MILITARY PKWY	PEDROZA ALBERTO F & ROSA
	16	6519 MILITARY PKWY	AGUILAR PAULINO
	17	6515 MILITARY PKWY	AGUILAR PAULINO
	18	6511 MILITARY PKWY	CLEVE ONE LLC
	19	6507 MILITARY PKWY	LEVISAY LAURINE MARIE S EST OF
	20	6503 MILITARY PKWY	OLSSON THERESA S ESTATE O
	21	6422 HOWARD AVE	LEON FIDEL
	22	6426 HOWARD AVE	ALVAREZ JOSE F & DINORA
	23	6434 HOWARD AVE	CERVANTES EUGENIO &
	24	6437 MILITARY PKWY	FUENTES MAIRA MARGARITA
	25	6431 MILITARY PKWY	LOPEZ MARCO & MARIA
	26	6427 MILITARY PKWY	FUENTES JUAN

12/15/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6423	MILITARY PKWY	IBARRA JUAN & AIDEE V
28	6419	MILITARY PKWY	MENDEZ FELIPE DE JESUS ROMERO
29	3930	BISBEE DR	URBAN PARK BAPT CHURCH
30	3930	BISBEE DR	BROWN HARVEY
31	3930	BISBEE DR	HURTADO REYNA E
32	3828	BISBEE DR	CHAVEZ LEOVARDO &
33	6650	MILITARY PKWY	CEMETARY
34	3828	ACADEMY DR	PULIDO JOSE
35	3822	ACADEMY DR	MERAZ LUIS ALBERTO FERNANDEZ &
36	3818	ACADEMY DR	MACK JIMMY JOE
37	3814	ACADEMY DR	MILLER SUE YOUNG
38	6603	PARKDALE DR	CANTU MANAGEMENT TRUST
39	6611	PARKDALE DR	DIAZ FRANCISCO
40	3823	DONNA DR	SANCHEZ DOMINGUEZ JULIA MARIA
41	6670	MILITARY PKWY	JCRB MILITARY REALTY LP
42	3831	ACADEMY DR	MILLER RAYMOND D
43	3825	ACADEMY DR	CACIQUE JESUS J & PAULA R
44	6400	MILITARY PKWY	VINCENT BETTY ESTATE
45	3932	BISBEE DR	VINCENT JAKE