

FILE NUMBER: Z212-251(MP) **DATE FILED:** April 1, 2022

LOCATION: On the north line of Grady Niblo Road, between Kiwanis Road and Patriot Parkway

COUNCIL DISTRICT: 3

SIZE OF REQUEST: 6.99 acres **CENSUS TRACT:** 165.21

APPLICANT/REPRESENTATIVE: Craig Spiers

OWNER: Paul Ward

REQUEST: An application for a renewal of Specific Use Permit No. 2236 for an open-enrollment charter school or private school on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of the request is to allow the private school to continue to operate on this site. No additional classrooms are proposed.

STAFF RECOMMENDATION: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, a traffic management plan, and conditions.

CPC RECOMMENDATION: Approval for a ten-year period, subject to a site plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The area of request is currently developed as an open-enrollment charter school and private school.
- The applicant is requesting to renew the use of Elementary school, Pre-K through 6th grade, without modifying the existing school operations and building, with no increase to the existing seven classrooms. The proposed use is permitted in the district only with a specific use permit.
- The SUP was originally approved May 24, 2017 for a period of 5 years. The previous approval expired on May 24, 2022.
- The traffic management plan is proposing a queue with an entrance and exit on Grady Niblo Road.
- The applicant does not propose any changes to the site plan or conditions.

Zoning History:

There has been one zoning case in the area in the past five years.

1. **Z201-306-** On June 2, 2022, the City Plan Commission recommended denial without prejudice of an application for a Planned Development District for R-5(A) Single Family District uses on property zoned an A(A) Agricultural District on the north line of Grady Niblo Road, east of Spur 408.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Grady Niblo Road	Local	45 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.

The Traffic Management Plan describes the queuing system. The TMP projects a maximum accumulation of 15 vehicles, and the site plan provides at least 16 on-site queue spaces. This limited maximum accumulation is achieved through staggered drop-off times, staff coordinated traffic direction, and ongoing education of families.

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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT OPPORTUNITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

Policy 1.1.2 Focus on Southern Sector development opportunities.

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 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	A(A) Agricultural District with Specific Use Permit No. 2236	Private School, Church
North	A(A) Agricultural District	Undeveloped
East	A(A) Agricultural District	Undeveloped
South	Planned Development District No. 701	Single Family
West	MF-1(A) Multifamily District	Multifamily

Land Use Compatibility:

The area of request is currently developed as a 15,000-square-foot church and charter school, with a drop-off queue accessed from Grady Niblo Road. Properties to the north and east of the site are currently undeveloped. Single family is developed to the south. Property to the west of the site is developed as multifamily.

The existing school includes grades Pre-K through 6 with 7 classrooms. Hours of operation for the school will be limited to 6:30 a.m. to 6:00 p.m., Monday through Friday. The applicant is not proposing changes to the current classroom limit of 7 or to the building footprint.

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 proposed use is consistent with the character of the surrounding area and is not foreseen to be detrimental to adjacent properties. The

proposed SUP would not alter the building footprint or the manner in which the subject site interacts with its environment. It would allow for the facility to continue operations.

Additionally, the request is consistent with the Comprehensive Plan goals to provide greater access to community facilities in proximity to neighborhoods. Staff finds a renewal period of ten years with eligibility for automatic renewal for additional ten-year periods will allow continued monitoring of the site in the future. The SUP site plan grants additional oversight to building siting and traffic flow over time. The large area of the site and limited size of the school help accommodate the school operations and queuing while limiting impact to nearby residential properties.

Landscaping:

Any new development on the site will require landscaping per Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for an open enrollment charter school is one-and-one-half spaces per elementary classroom. Seven classrooms are planned to be devoted to the elementary school, with 11 car spaces being required for this use overall.

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 1,114 square feet, and it is not equipped with fixed seats, benches, or pews. This equates to a total of 40 parking spaces.

The combined requirement of the uses is 51 car spaces. As illustrated on the site plan, the site provides 67 total car 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

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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 and surrounding properties are within a “D” MVA cluster.

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List of Partners/Principals/Officers

Hope Academy for Dyslexia

Craig Spiers

**CPC Action
December 15, 2023**

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 2236 for an open-enrollment charter school or private school for a ten-year period, subject to a site plan, a traffic management plan, and conditions on property zoned an A(A) Agricultural District, on the north line of Grady Niblo Road, between Kiwanis Road and Patriot Parkway.

Maker: Carpenter
Second: Hampton
Result: Carried: 13 to 0

For: 13 - Popken, Hampton, Shidid, Carpenter, Wheeler-Reagan, Blair*, Jung, Housewright, Treadway, Haqq*, Stanard, Kingston, Rubin

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 4

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 32
Replies: For: 1 Against: 2

Speakers: For: None
For (Did not speak): Celeste Spiers, 1313 Plattner St., Grand Prairie, TX, 75050
Against: None

January 5, 2023 CPC Minutes

5. 23-136 **Z212-251(MP)**

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 2236 for an open-enrollment charter school or private school for a ten-year period, subject to a site plan, a traffic management plan, and conditions on property zoned an A(A) Agricultural District, on the north line of Grady Niblo Road, between Kiwanis Road and Patriot Parkway.

Maker: Carpenter
Second: Hampton
Result: Carried: 13 to 0

Z212-251(MP)

For: 13 - Popken, Hampton, Shidid, Carpenter, Wheeler-Reagan, Blair*, Jung, Housewright, Treadway, Haqq*, Stanard, Kingston, Rubin

Against: 0

Absent: 0

Vacancy: 2 - District 3, District 4

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 32

Replies: For: 1 Against: 2

Speakers: For: None

For (Did not speak): Celeste Spiers, 1313 Plattner St., Grand Prairie, TX, 75050

Against: None

**CPC RECOMMENDED
SUP No. 2236 CONDITIONS**

1. USE: The only uses authorized by this specific use permit are a private school or an open-enrollment charter school.
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 May 24, 2022~~ (ten years from the passage of this ordinance).

Staff Recommendation and Applicant Request:

TIME LIMIT: This specific use permit expires ~~on May 24, 2022~~ (ten years from the passage of this ordinance), but is eligible for automatic renewal for additional for ten-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. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. CLASSROOMS: The maximum number of classrooms is seven.
6. DRIVE: A pick-up and drop-off area for students must be provided in the location shown on the attached site plan.
7. HOURS OF OPERATION: The private school or open open-enrollment charter school may only operate between 6:30 a.m. and 6:00 p.m., Monday through Friday.
8. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
9. PARKING: Parking must be located as shown on the attached site plan.
10. TRAFFIC MANAGEMENT PLAN: The private school complies with the attached traffic management plan.
 - (a) In general. The operation of the uses must comply with the 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.
 - (1) 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 **September 1, 2023**. After the initial traffic study, the Property owner or operator shall submit biannual updates of the traffic study to the director by November 1st of each **odd** numbered year.

(2) 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

(3) 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.

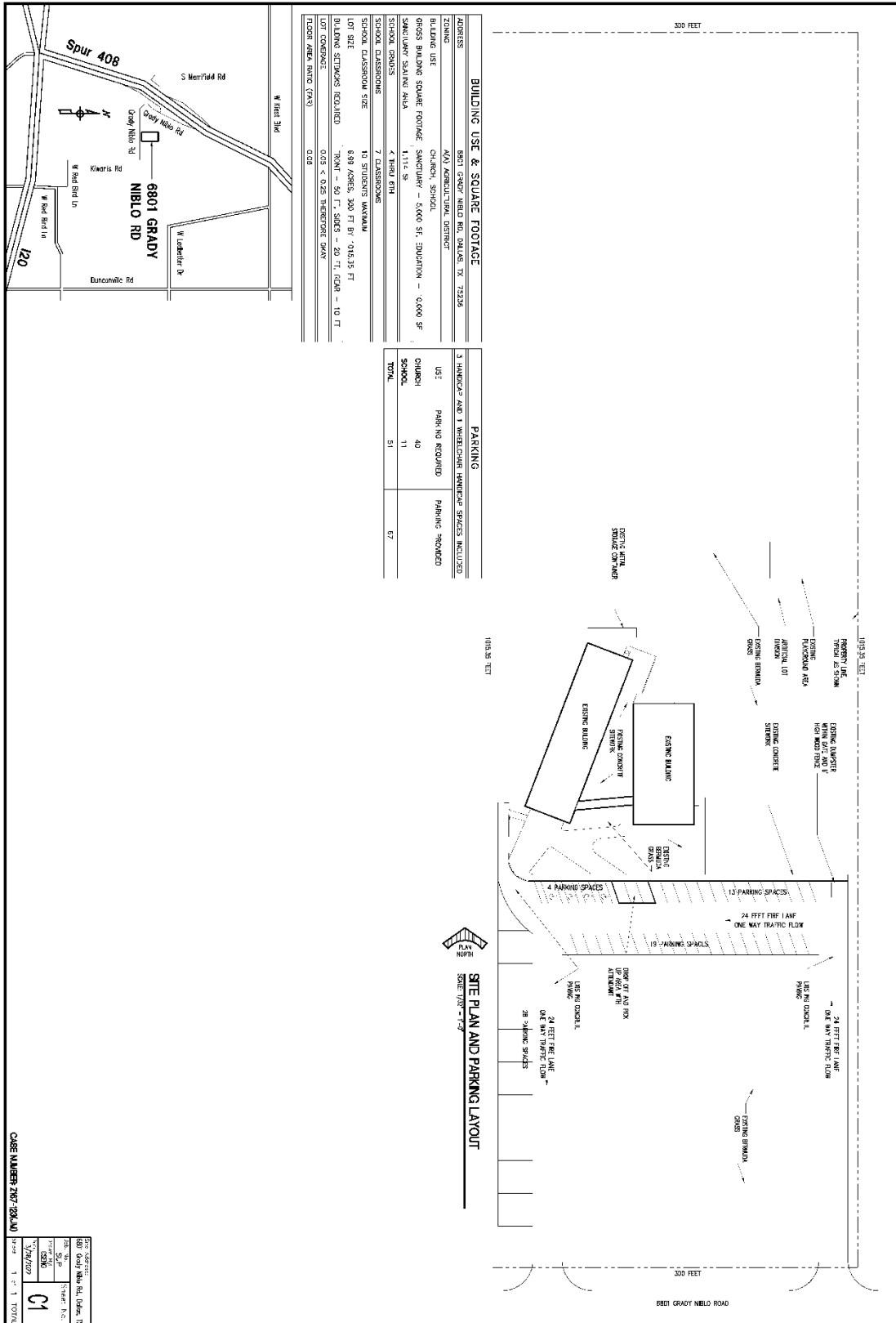
(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1,105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(2) 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,

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

12. 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.

EXISTING SITE PLAN (no changes)



BUILDING USE & SQUARE FOOTAGE	
ADDRESS	8801 GRADY NIBLO RD, DALLAS, TX 75238
ZONING	AM1 AGRICULTURAL BUREAU
BUILDING USE	CHURCH, SCHOOL
GROSS BUILDING SQUARE FOOTAGE	SANCTUARY - 5,000 SF, EDUCATION - 1,000 SF
CHANGUWER SQUARE AREA	1,112 SQ
SCHOOL CLASSROOMS	4 THIRD FLOOR
SCHOOL CLASSROOMS	7 CLASSROOMS
SCHOOL CLASSROOM SIZE	110 STUDENTS MAXIMUM
LOT SIZE	6.99 ACRES, 300 FT BY 1,015.35 FT
BUILDING SETBACKS REQUIRED	FRONT - 30 FT, SIDES - 20 FT, REAR - 10 FT
LOT COVERAGE	0.25 < 0.25 HERETOFORE GRAY
FLOOR AREA RATIO (FAR)	0.09

PARKING	
3 HORIZONTAL AND 1 VERTICAL HANDICAP SPACES INCLUDED	
USE	PARKING REQUIRED
CHURCH	40
SCHOOL	11
TOTAL	51
	PARKING PROVIDED
	51

CASE NUMBER 207-28240

DATE	11/11/2020
SCALE	1" = 1' 0" (PLAN)
PROJECT	6801 GRADY NIBLO RD, DALLAS, TX
OWNER	SP
DESIGNER	CM

CPC RECOMMENDED TRAFFIC MANAGEMENT PLAN

Traffic Management Plan And Queuing Analyses

Hope Academy for Dyslexia located at 6801 Grady Niblo Road, Dallas, TX 75236 will provide education services to a maximum of 72 students as follows:

Kindergarten – (10 students maximum per class, maximum one class per grade)

1st through 6th grades – (10 students maximum per class, maximum one class per grade)

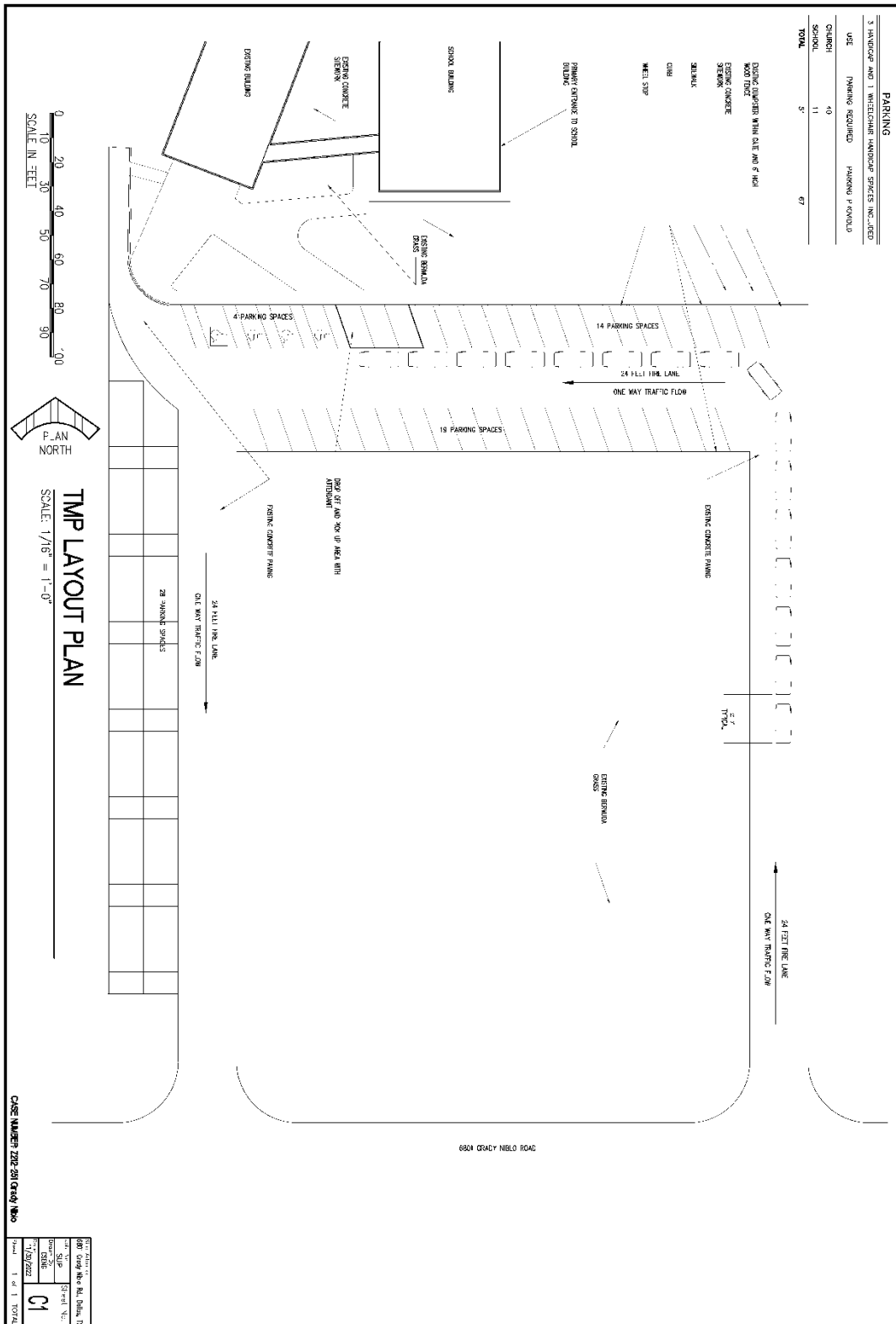
The school provides one central drop off location (see site plan for location) with 66 spaces, each space measuring minimum 9 feet by 20 feet with 500 feet available for queuing of vehicles in a single file.

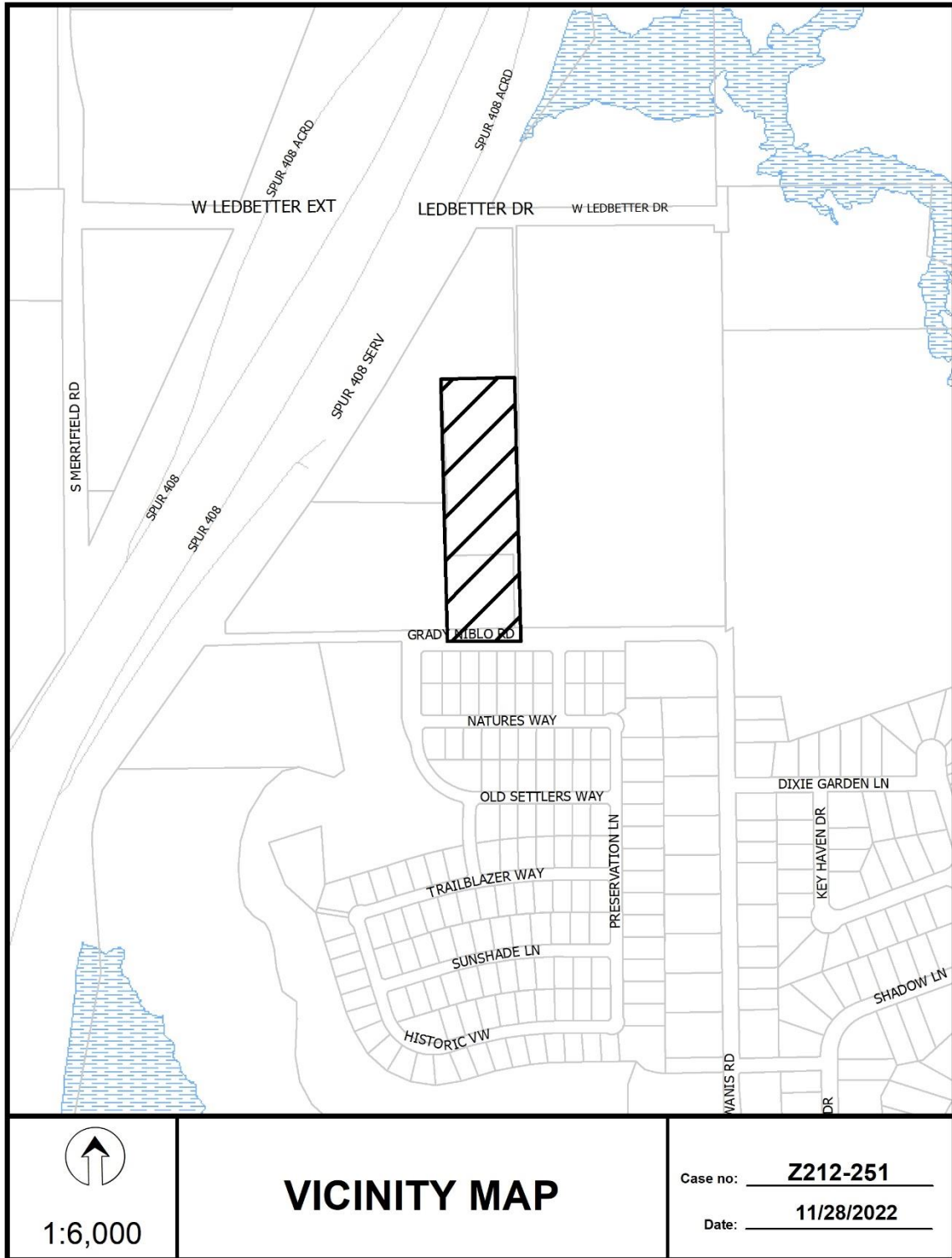
During traffic periods (drop off and pick up) the school will provide an Administrator and carpool attendants (as needed) to assist children exiting the vehicles thereby decreasing the time a vehicle waits in a Drop Off location. The school will provide security personnel to assist with traffic management as needed. During Drop Off the school expects to have a maximum of two vehicles in the Drop Off location and eight to ten vehicles in the queuing spaces provided at any given time, if needed. With over 20 student enrolled, more attendants will be provided and different grade levels will be staggered by 5 minutes. During pick up parents will have the option as to parking and escort students to vehicle or student will be escorted to vehicle by carpool attendants.

Each entrance and exit from the campus is unidirectional, allowing for only one way traffic. Vehicle flow through the campus is primarily from north to south along a one-way road. All exits from the campus allow for egress to the east or west along Grady Niblo Road. The school will provide their own private security to assist with traffic flow as necessary.

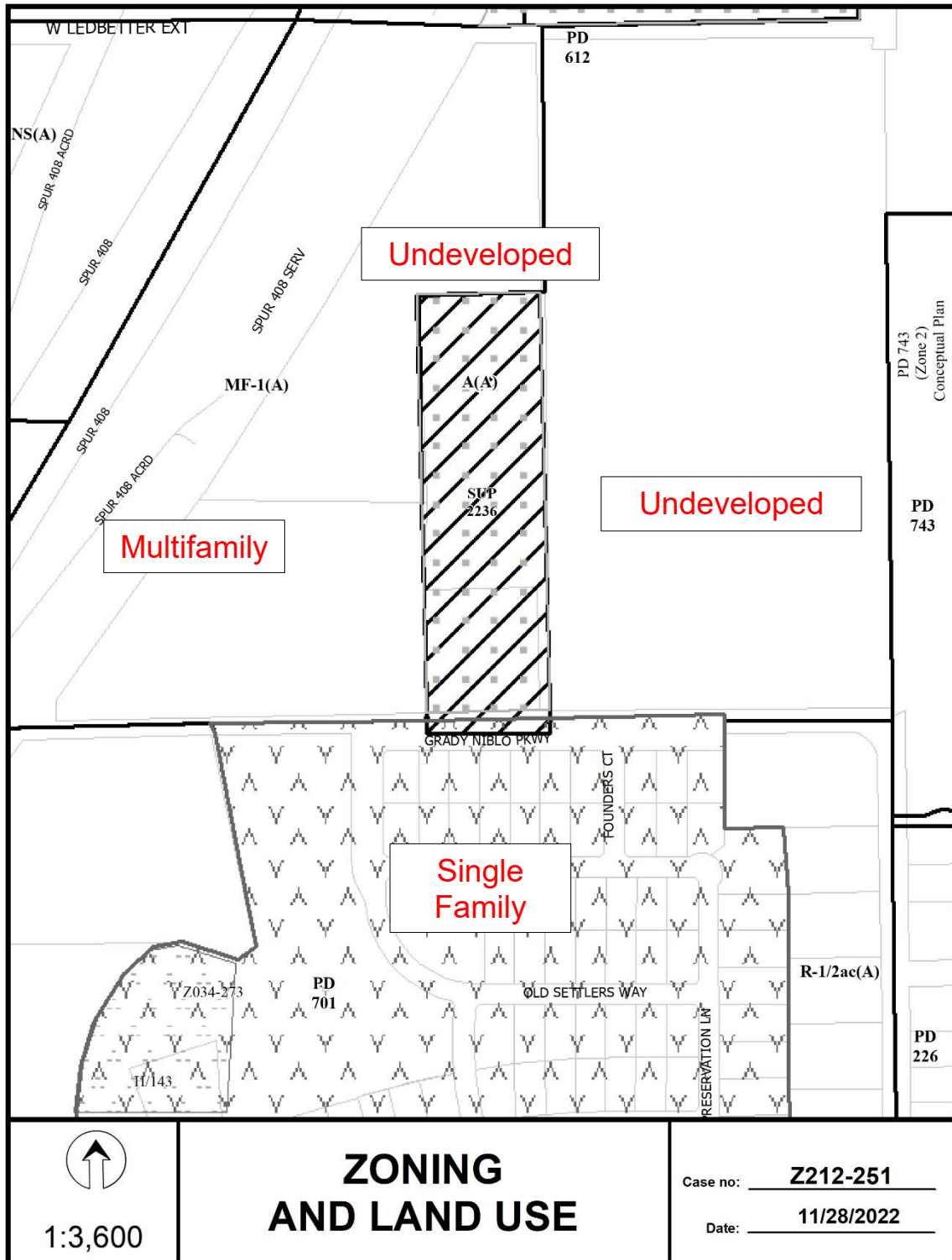
All families will be educated as to the traffic flow plan of the school. This educational process takes place throughout the year by means of meetings and fliers.

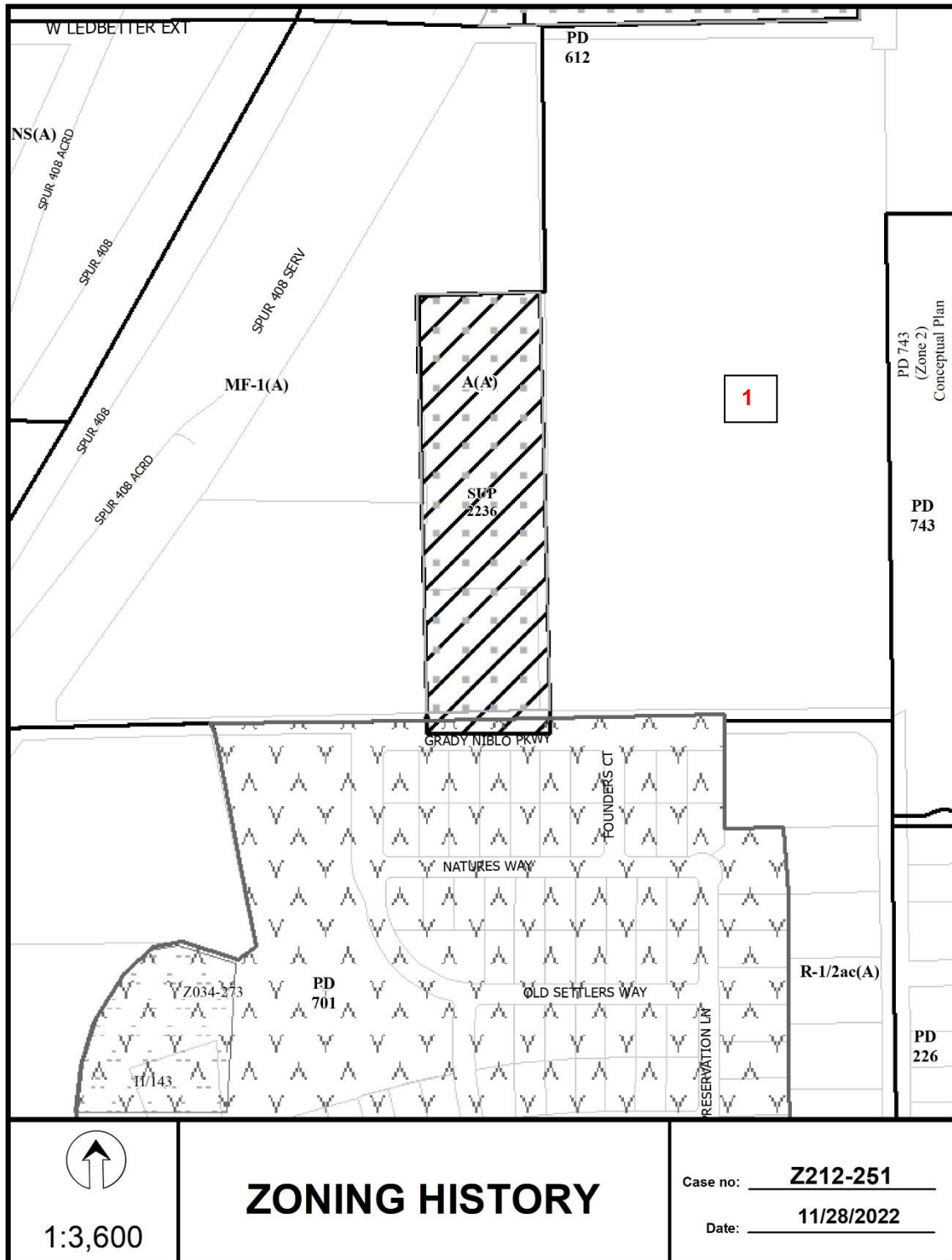
This Traffic Management plan will be filed with the City of Dallas' Department of Public Works and Transportation Department and updated each year during the school's summer break.

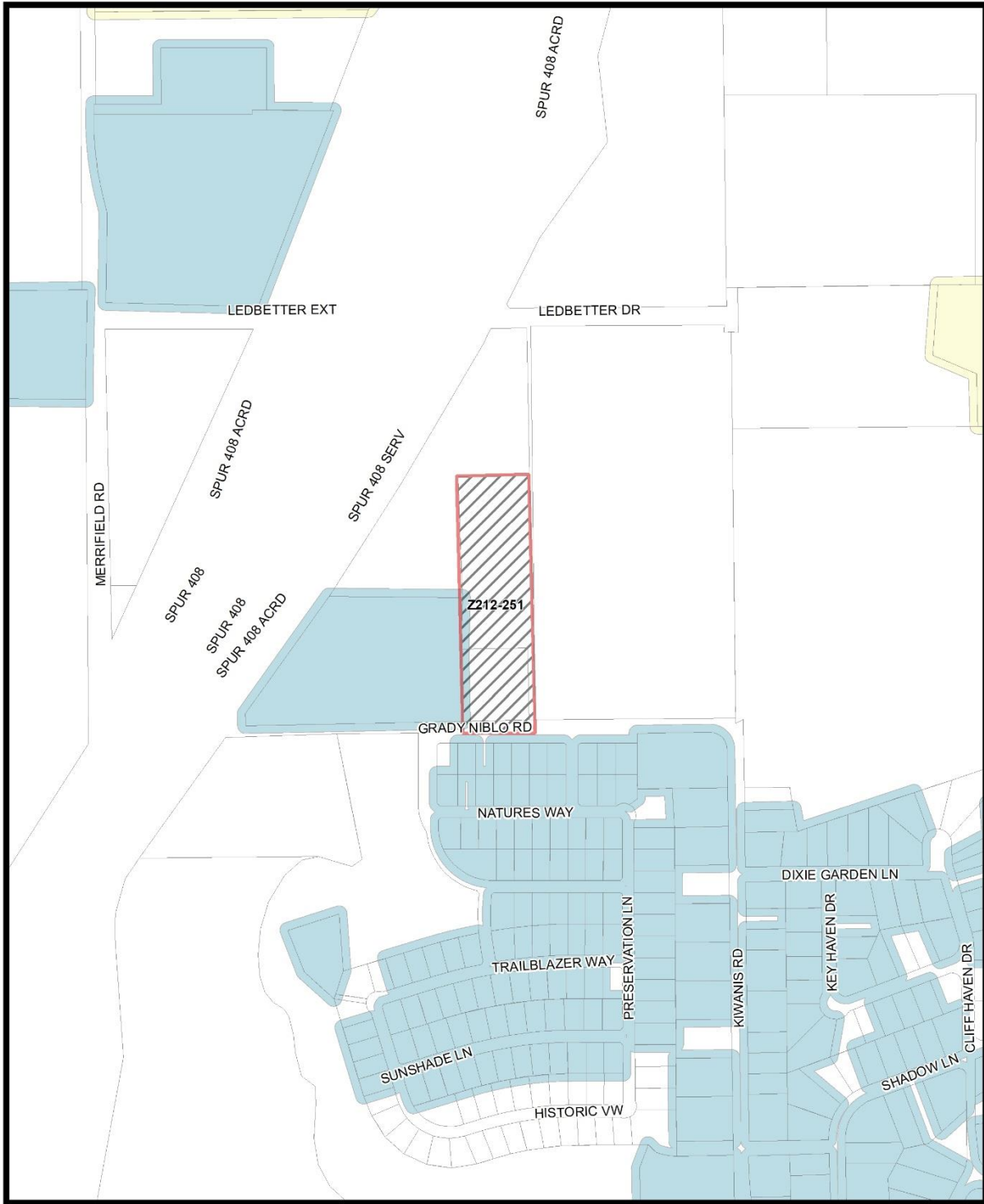










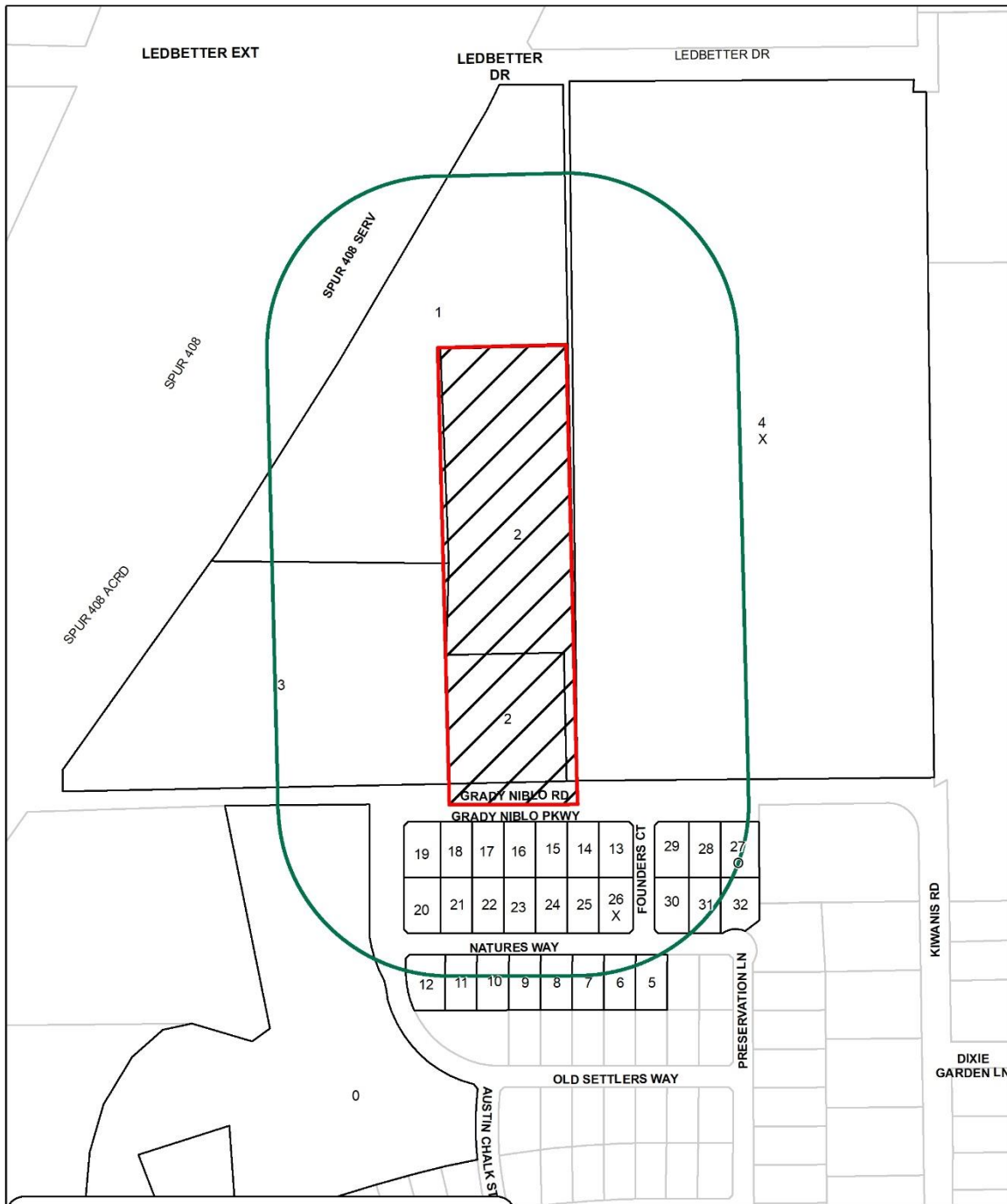


Market Value Analysis A B C D E F G H I NA

 1:6,000

Market Value Analysis

Printed Date: 11/21/2022



<u>32</u>	Property Owners Notified (34 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>400'</u>	Area of Notification
<u>1/5/2023</u>	Date

Z212-251
CPC



1:3,600

01/04/2023

Reply List of Property Owners***Z212-251******32 Property Owners Notified 1 Property Owners in Favor 2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	4500 SPUR 408	SHONUAGA GABRIEL T &
	2	6801 GRADY NIBLO RD	BETHEL TEMPLE LAKEVIEW
	3	4810 SPUR 408	PATRIOT RIDGE I LTD CO
X	4	6711 GRADY NIBLO RD	JOHNSON ZELDA FAY ET AL
	5	6720 NATURES WAY	NICHOLSON SHARRON &
	6	6726 NATURES WAY	WOODELL NANCY G
	7	6732 NATURES WAY	PENQUITE SHAVODKAY & MICHAEL
	8	6738 NATURES WAY	EDUSEI ABEL JR & SUSAN A
	9	6744 NATURES WAY	GREGORY ALEXANDER ROBERT
	10	6750 NATURES WAY	HERNANDEZ JESUS H
	11	6756 NATURES WAY	OROPEZA VERENICE
	12	6762 NATURES WAY	Taxpayer at
	13	6724 GRADY NIBLO PKWY	KIM ERICA D
	14	6730 GRADY NIBLO PKWY	BOELTER DONALD ANTHONY
	15	6736 GRADY NIBLO PKWY	VILLANUEVA DAN & FERMINA
	16	6802 GRADY NIBLO PKWY	AGUIRRE HUMBERTO
	17	6808 GRADY NIBLO PKWY	CHRISTIAN LEVI JR
	18	6814 GRADY NIBLO RD	CLAY CURTIS III
	19	6820 GRADY NIBLO PKWY	CURTIS CHARLES G & JAMI L
	20	6763 NATURES WAY	BRIONES PEDRO G CUEVAS &
	21	6757 NATURES WAY	WILLIAMS DARIUS T
	22	6751 NATURES WAY	ROMINES PAUL & TIFFANY L
	23	6745 NATURES WAY	MILLER FELICIA W
	24	6739 NATURES WAY	GUPTA RAJIV K & BHAVANA
	25	6733 NATURES WAY	SANTOS DAENA DE LOS
X	26	6727 NATURES WAY	HANDY BEVERLY A &

Z212-251(MP)

01/04/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	27	6702 GRADY NIBLO PKWY	PICKNEY JASON A & DEANNE L
	28	6706 GRADY NIBLO PKWY	TIMBERLAKE MICHAEL RAY
	29	6714 GRADY NIBLO PKWY	Taxpayer at
	30	6715 NATURES WAY	CASTILLO CELIA &
	31	6709 NATURES WAY	HAWTHORNE CYNETHIA D
	32	6703 NATURES WAY	WOODELL ALBERT F IV & ERICA RENE