

**FILE NUMBER:** Z189-282(PD)

**DATE FILED:** May 28, 2019

**LOCATION:** West side of Webb Chapel Road, north of the terminus of Townsend Drive

**COUNCIL DISTRICT:** 13

**MAPSCO:** 23 F

**SIZE OF REQUEST:** ±10,152 sq. ft.

**CENSUS TRACT:** 0096.11

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**OWNER:** Dhina Benitez

**REPRESENTATIVE/APPLICANT:** Ramon Aranda

**REQUEST:** An application for a Specific Use Permit for a child-care facility use on property zoned an R-10(A) Single Family District.

**SUMMARY:** The applicant proposes to remodel the existing building to accommodate a child-care facility with a maximum of 2,181 square feet. No new structures are proposed with this request.

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

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

**BACKGROUND INFORMATION:**

- The applicant proposes to remodel the existing single-family residence to be used as a child-care facility for maximum 12 children.
- The subject site is approximately 10,152 square feet in area and contains an approximately 2,181 square foot, one-story single-family structure.
- No new construction is proposed. However, the structure is proposed to be remodeled to allow a playground and five off-street parking spaces.
- The subject site is zoned an R-10(A) Single Family District. The City of Dallas Development Code allows child-care facilities within an R-10(A) District subject to approval of a Specific Use Permit.

**Surrounding Zoning History:** There have been no zoning changes requested in the area within the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Webb Chapel Road	Principal Arterial	100 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determine that the proposed request will not have a negative impact on the surrounding street system.

**Comprehensive Plans:**

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 applicant's request is consistent with the following 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.

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

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

## 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.

5.3.1.5 Build neighborhood facilities, such as schools, libraries and community centers, within walking distance of transit stations and homes.

## **STAFF ANALYSIS:**

### **Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-10(A)	Single Family
<b>North</b>	R-10(A)	Single Family
<b>South</b>	R-10(A)	Church, surface parking lot
<b>East</b>	R-10(A)	Undeveloped
<b>West</b>	R-10(A)	Single Family

### **Land Use Compatibility:**

The 10,152-square-foot request site is developed with an existing single family structure consisting of 2,181 square feet in area. On site there is also an 827-square-foot attached covered porch structure slated for a future outdoor playground on the rear side of the property. The applicant proposes to remodel and repurpose the existing structure on the property for a child-care facility for a maximum of 12 children with hours of operation proposed from 7:00 a.m. to 8:00 p.m., Monday through Saturday. The site is surrounded

by single family residential lots on all sides and a church use with surface parking to the south.

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 recommends approval because child-care facilities are assets within residential communities. Additionally, the small scope of the proposed child-care facility limits the potential impact upon surrounding properties and because the proposed condition of a five-year period with automatic renewals for an additional five-year period will allow an opportunity for staff to reevaluate the use to determine it's compatibility with adjacent properties.

#### **Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-10(A)	30'	6'	1 Dwelling Unit/ 10,500 sq. ft.	30'	45%		Single family

#### **Parking:**

The off-street parking requirement for a child-care facility is one space per 500 square feet of floor area. The applicant is required to provide 4 off-street parking spaces for a child-care facility that has approximately 2,181 square feet of floor area. The applicant is proposing to provide 5 spaces with one required handicapped space.

#### **Landscaping:**

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

**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 within an “F” MVA cluster, and surrounded by an “F” MVA cluster to the west and north and a “D” MVA cluster to the east across Royal Haven Lane.

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**CPC Action**  
**January 9, 2020**

**Z189-282(PD)**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a child-care facility use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions (as briefed) on property zoned an R-10(A) Single Family District, on the west side of Webb Chapel Road, north of the terminus of Townsend Drive.

Maker: Murphy  
Second: MacGregor  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 3

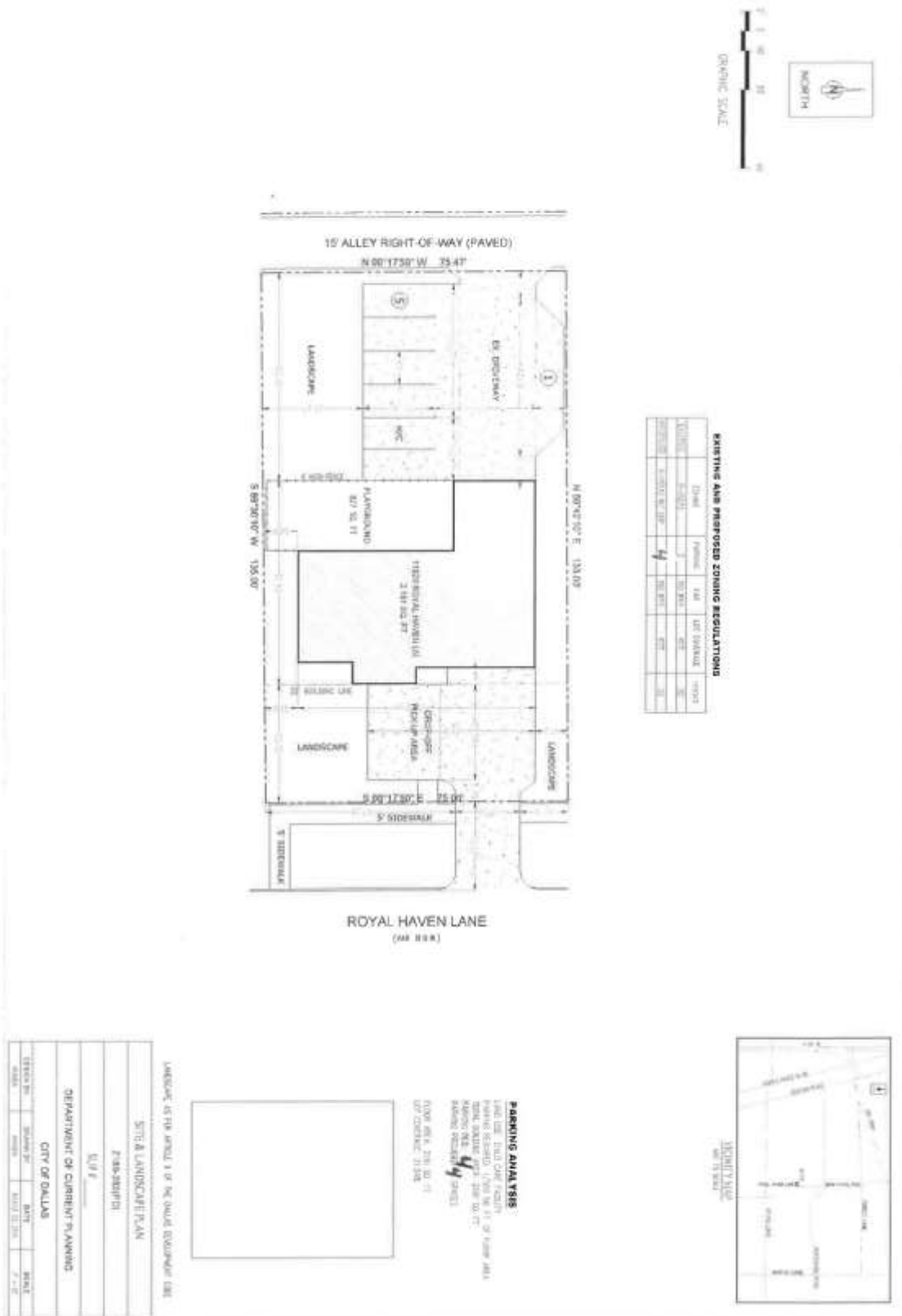
**Notices:** Area: 200 Mailed: 13  
**Replies:** For: 2 Against: 1

**Speakers:** None

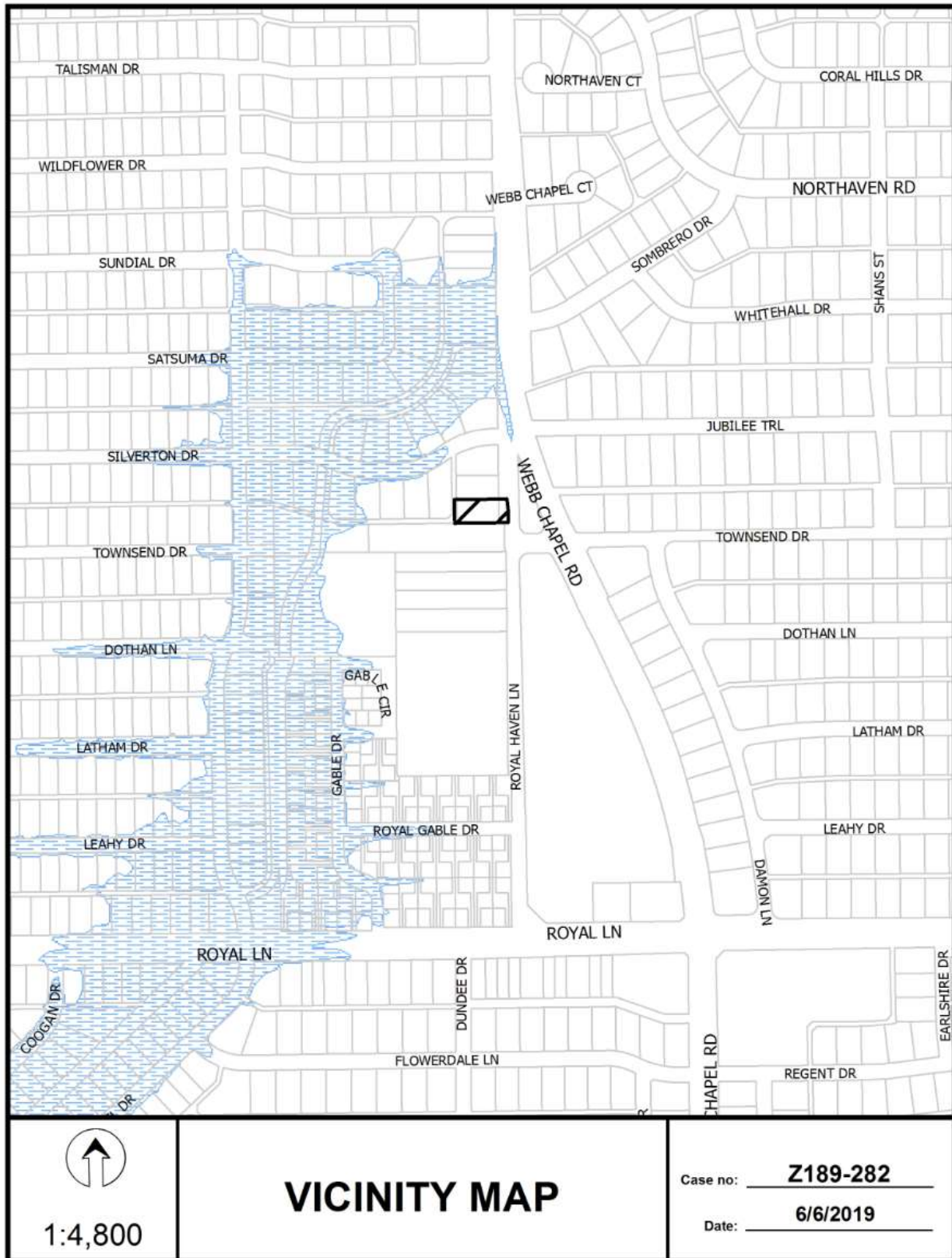
<b>PROPOSED SUP CONDITIONS</b>
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1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit terminates \_\_\_\_\_ (five-year from the passage of the ordinance but is eligible for automatic renewal for additional five-year periods pursuant to Section 51 A-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 8:00 p.m., Monday through Saturday.
5. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
6. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: A minimum of five off-street parking spaces must be provided as shown on the attached site plan
8. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X, as amended.
9. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
10. 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.

## PROPOSED SITE PLAN



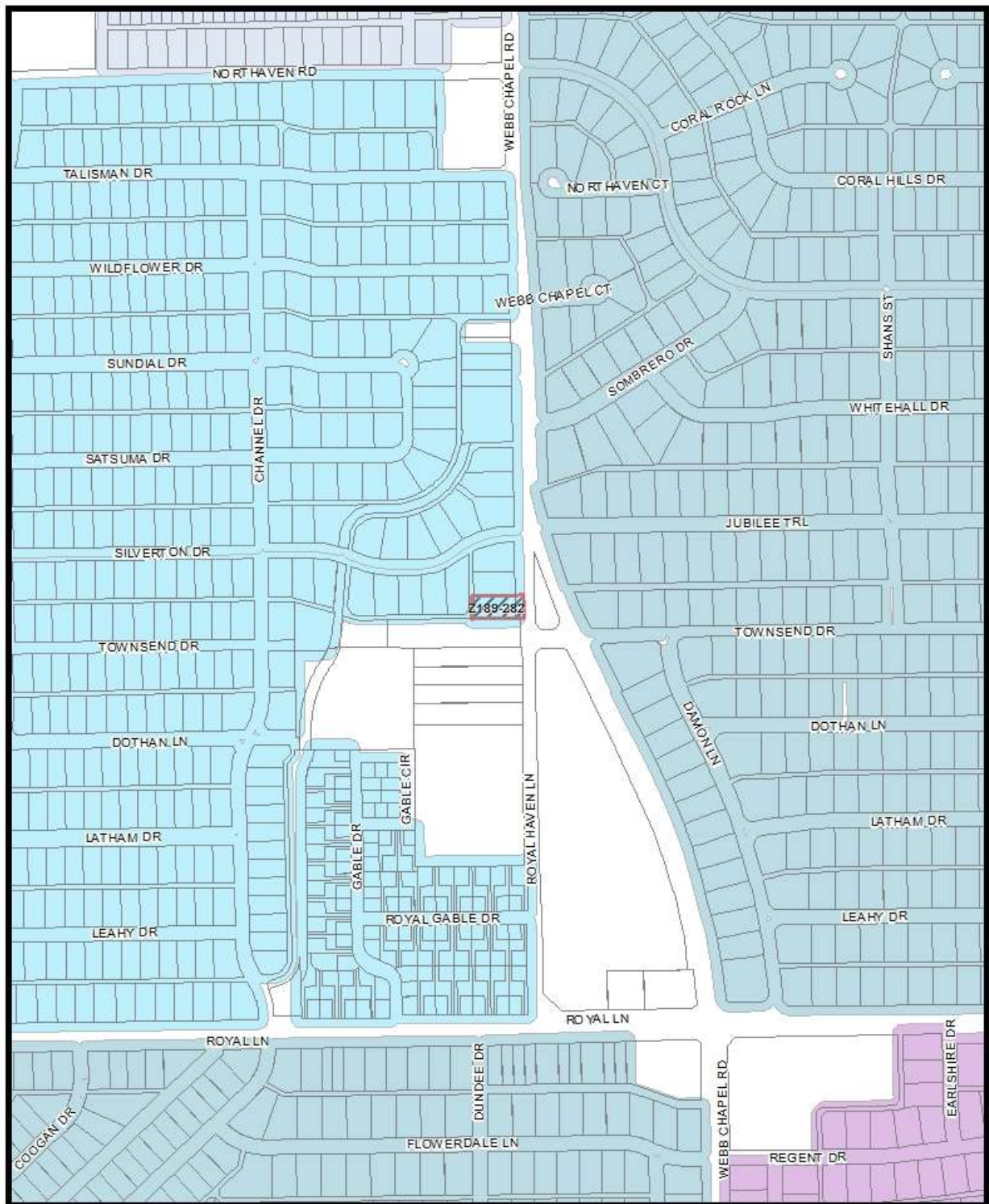










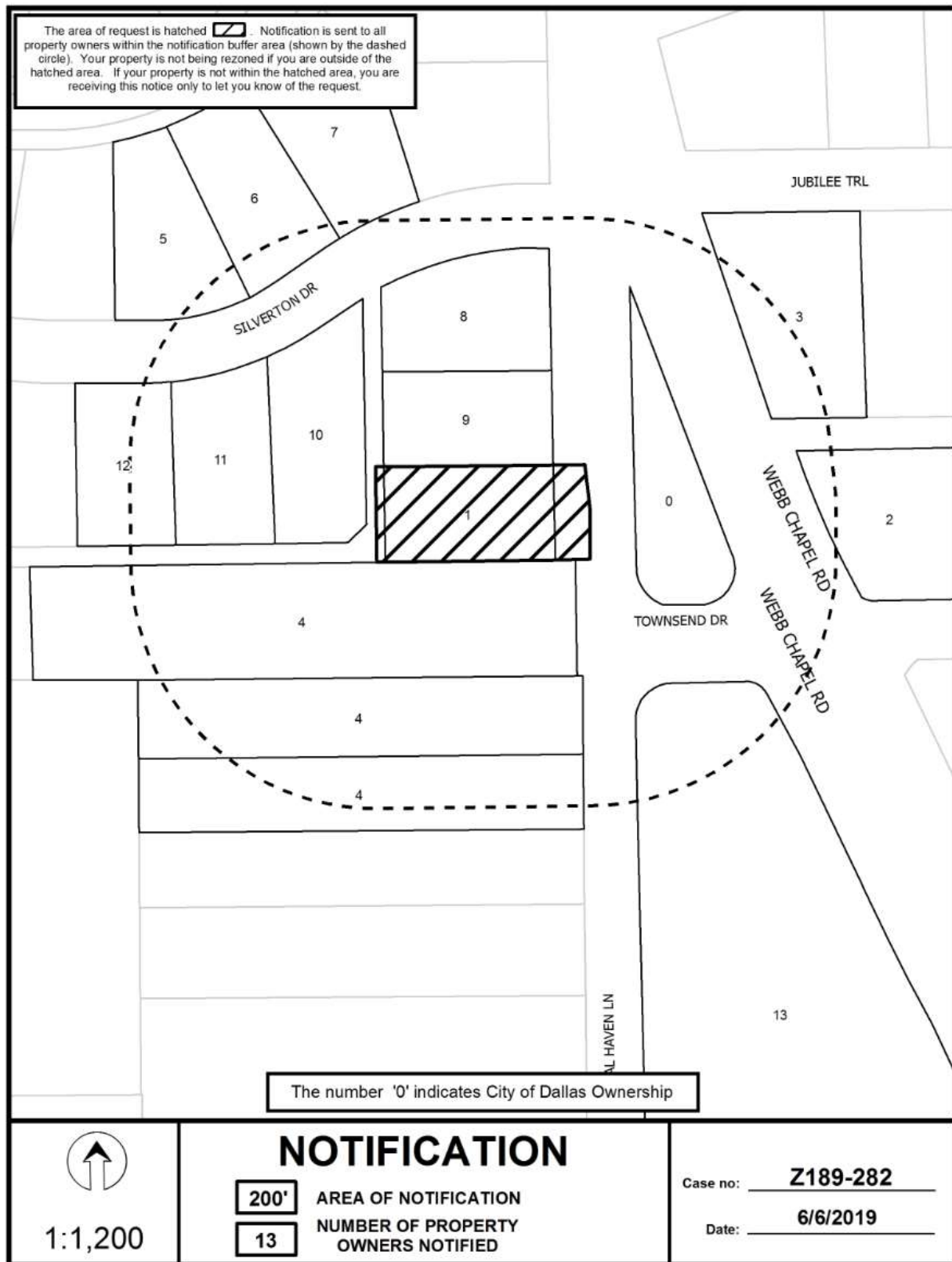


MVA Cluster   A   B   C   D   E   F   G   H   I   NA



# Market Value Analysis

Printed Date: 6/6/2019



06/06/2019

## ***Notification List of Property Owners***

***Z189-282***

***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	11029 ROYAL HAVEN LN	FERMAN DHINA A BENITEZ
2	3191 TOWNSEND DR	SLATER DONALD A &
3	3108 JUBILEE TRL	ABILITY CONNECTION TEXAS
4	11025 WEBB CHAPEL RD	ROMAN CATHOLIC DIOCESE DALLAS
5	3145 SILVERTON DR	POULOS ELEANOR
6	3153 SILVERTON DR	HOEFER JAMES A ET AL
7	3159 SILVERTON DR	LIGHTHOUSE NORTH TEXAS HOLDINGS LLC
8	11043 ROYAL HAVEN LN	HANDYMAK LLC
9	11035 ROYAL HAVEN LN	AYALA ECDOMILIA BAUTISTA &
10	3152 SILVERTON DR	RUSHING GAIL E
11	3146 SILVERTON DR	OSTMAN NORMA
12	3140 SILVERTON DR	BAUTISTA JACKELINE TR
13	10815 WEBB CHAPEL RD	CENTRO NP HOLDINGS 12 SPE LLC