

**SPECIAL USE PERMIT**

Case Coordinator: Loren Shapiro

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**GENERAL PROJECT INFORMATION**

**ZONING:** (SF-7/14) Single-Family Residential

|       | <b><u>SURROUNDING ZONING</u></b>    | <b><u>SURROUNDING LAND USES</u></b>  |
|-------|-------------------------------------|--------------------------------------|
| NORTH | (SF-7/14) Single-Family Residential | R.L. Turner High School              |
| SOUTH | (SF-7/14) Single-Family Residential | Single-Family Residential            |
| EAST  | City of Farmers Branch              | Retail and Drive-Through Restaurants |
| WEST  | (SF-7/14) Single-Family Residential | R.L. Turner Tennis Courts            |

**REQUEST:** A Special Use Permit request to allow a day care center with a maximum capacity of 84 children. An accompanying zoning request proposes to rezone the property to (O-2) Office District.

**PROPOSED USE:** Church with a day care center

**ACRES/LOTS:** 3.265 acres/1 lot

**LOCATION:** 1700 South Josey Lane

**HISTORY:** The property has been zoned (SF-7/14) Single-Family District since at least the 1970's.

The property has not been platted.

**COMPREHENSIVE PLAN:** School, Police or Fire Station

**TRANSPORTATION PLAN:** Josey Lane is designated as an (A6D) Six-Lane Divided Arterial.

**REPRESENTATIVE/OWNER:** Calvert & Co. Architects Inc./North Dallas Family Church

## **STAFF ANALYSIS**

### **PROPOSAL**

This is a request to grant a Special Use Permit to allow a child day care center for 84 children. The day care center will operate from inside the existing building. No new buildings or expansions are proposed with the request, except an overhang cover over the drop off point in the stacking lane along the east side of the building.

Child day care centers are not allowed in the Single-Family Residential zoning districts. Therefore the property would need to be rezoned and a Special Use Permit granted on the property.

A companion case on the agenda, Case No. 12-18Z2 North Dallas Family Church, proposes to rezone the property from (SF-7/14) Single-Family Residential District to (O-2) Office District, which allows a child day care center with an approved Special Use Permit.

### **CURRENT ZONING**

The subject property is on a single tract zoned (SF-7/14) Single-Family Residential District.

- The current zoning allows places of worship (churches).
- The (SF-7/14) Single-Family District prohibits child day care centers.
- The Comprehensive Zoning Ordinance requires a Traffic Impact Analysis (TIA) for all child day care centers with an enrollment of 85 or more students.
- A minimum four (4) foot high wall or iron or metal fence shall enclose outdoor activity space for child day care centers. The minimum separation between rods shall be no less than four (4) inches on-center apart.
- Parking Requirements
  - Religious organizations: 1 space per 40 square feet in the main sanctuary.
  - Child day care center: 1 space per 5 students;

The designated student disembarkation point of a day care center provides off-street vehicle stacking spaces if it is less than two hundred-fifty (250) feet from the main entrance of the site; and

Fifty percent (50%) of the required parking spaces shall be located adjacent to the main entrance of the kindergarten or day care center and situated such that children will not be required to cross a fire lane, driveway, or any other point of vehicular travel to enter the building or facility.

### **PROPOSED ZONING**

- The (O-2) Office District allows places of worship (churches).
- The (O-2) Office District zoning allows a child day care center with an approved Special Use Permit.

**ELEMENTS TO CONSIDER:**

- The 84-children day care center is proposed inside the existing 23,274 square feet one-story, church facility on the southwest corner of Josey Lane and Cox Street.

*Staff stipulated a maximum 84 children as part of the Special Use Permit.*

- The play space for the day care shows a 4-foot chain-link fence around the play space.

*The conceptual site and landscape plan shall be revised to reflect a metal fence consistent with the Comprehensive Zoning Ordinance regulations for child day care centers.*

- The property provides 102 parking spaces.

*No traffic impact analysis was required since the maximum number of students shall be under 85, as regulated in the Comprehensive Zoning Ordinance.*

*Staff recommends a stipulation regulating the hours of operation for the child day care center in order to ensure sufficient parking is available for both the child day care and church:*

- *Shall be from 6:00 a.m. to 6:00 p.m. Monday through Friday; and*
- *The child day care center hours of operation shall not interfere with the arrival and dismissal times of R.L. Turner High School or service hours for the church.*

- One driveway accesses Josey Lane and two access Cox Street. No access exists nor are any proposed through the surrounding residential neighborhoods nearby.

*Staff stipulated that the driveway from Josey Lane is closed during times of child day care drop-off and pick up to eliminate stacking on the street.*

- The applicant is adding 12 ornamental and two canopy trees along Josey Lane, improving the streetscape.
- An existing retail shopping center and three outparcel restaurants are across the street and east along Josey Lane, in the City of Farmers Branch.
- R.L. Turner High School is located north and across Cox Street. The high school has tennis courts to the west of the subject property.
- The Holiday Park single-family residential subdivision is located south of the property. However, no vehicular cross-access will impact any residential areas.

**CONCLUSION**

The proposed 84-children day care center appears to be an appropriate use with the church if the hours of operation and traffic circulation restrictions are stipulated with the Special Use Permit. The child day care center would not impact nearby residential areas and would be compatible with surrounding commercial and the high school uses.