**DATE**: November 17, 2020

**TO:** Honorable Mayor & City Council

FROM: M. Nathan Barbera, Chair, Planning & Zoning Commission

**SUBJECT:** Results of Planning & Zoning Commission Meeting of November 16, 2020

AGENDA ITEM NO. 3A - PUBLIC HEARING ZONING CASE 2020-026 APPLICANTS: CORAM DEO ACADEMY

Request for a Specific Use Permit for Private School on 8.2 acres, and to rescind Specific Use Permit No. 335 (S-335) for Day Care Center on 3.7 acres, located at the southwest corner of Independence Parkway and Ridgeview Drive. Zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center (Submitted under the Interim Comprehensive Plan).

APPROVED: 8-0 DEN		IED:		TAB	LED:		
Speaker Card(s) Re	ceived	Support:	2	Oppose:	1	Neutral:	0
Letters Received Wi	thin 200' Notice Area:	Support:	0	Oppose:	2	Neutral:	0
Petition Signatures I	Received:	Support:	0	Oppose:	0	Neutral:	0
Other Responses:		Support:	0	Oppose:	0	Neutral:	0

#### STIPULATIONS:

Recommended to rescind Specific Use Permit No. 335 for Day Care Center and approve the Specific Use Permit for Private School with the following stipulations:

- 1. Maximum number of students: 538 daily onsite, and 1,000 total enrollment.
- 2. Exterior lighting located within 200 feet of the western property line must not be visible from 9:00 p.m. until 6:00 a.m. unless directed downward.

#### MR/kls

xc: Glenn Campbell, Coram Deo Academy Kevin Wier, Spiars Engineering Jeanna Scott, Building Inspections Manager

#### CITY OF PLANO

#### PLANNING & ZONING COMMISSION

November 16, 2020

#### Agenda Item No. 3A

Public Hearing: Zoning Case 2020-026

**Applicant:** Coram Deo Academy (Submitted Under the Interim Comprehensive Plan)

#### **DESCRIPTION:**

Request for a Specific Use Permit for Private School on 8.2 acres, and to rescind Specific Use Permit No. 335 (S-335) for Day Care Center on 3.7 acres, located at the southwest corner of Independence Parkway and Ridgeview Drive. Zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center. Project #ZC2020-026.

#### **BACKGROUND:**

The subject property is currently developed as a private school, and a religious facility with Specific Use Permit No. 335 for Day Care Center. The underlying zoning is Planned Development-59-Single-Family Residence-6 (PD-59-SF-6) and Single-Family Residence-7 (SF-7). These zoning districts allow private school with approval of a specific use permit.

A private school is defined as a school under the sponsorship of a private agency or corporation other than a public or religious agency, having a curriculum generally equivalent to public elementary or secondary school.

The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district, which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established. Section 6.100 (Specific Use Permits) of Article 6 (Specific Use Permits and Certificates of Occupancy) states the following:

"The Planning & Zoning Commission in considering and determining its recommendations to the City Council on any request for a specific use permit may require from the applicant plans, information, operating data, and expert evaluation concerning the location, function, and characteristics of any building or use proposed. The City Council may, in the interest of the public welfare and to insure compliance with this ordinance, establish conditions of operation, location, arrangement, and type and manner of construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the City Council may

impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions."

### History

- Coram Deo Academy (CDA) has been operating as a private school at the Cornerstone Church location since August 20, 2012.
- In 2013, CDA purchased the 8.3 acre parcel from Cornerstone Church. Cornerstone Church continues to operate as a religious facility on the northern building as a lease hold tenant. CDA does not hold classes in the religious facility building, but has the right to use the church building for special events.
- In 2014, CDA built the existing school building as a pre-K through 12th grade school and received a Certificate of Occupancy in January 2015. At this time, city staff did not realize the school was a separate entity from the religious facility, so the applicant was not notified of the requirement to obtain an SUP.
- In August 2020, CDA contacted City of Plano staff to discuss replatting the property from two existing lots into one lot. In discussions with staff, the applicant was made aware that an SUP was required.
- In September 2020, CDA filed an application to obtain a Specific Use Permit for the Private School on the property in order to address this concern. The applicant has provided a site plan to record the land use changes. The plat and another site plan will be filed at a later date to propose combining the property into one lot.

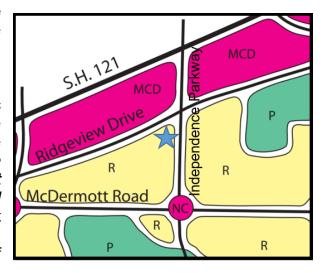
#### **Surrounding Land Use and Zoning**

North	Across Ridgeview Drive, single-family residences zoned Single-Family Residence Attached (SF-A).		
West	Single-family residences zoned Planned Development-59-Single-Family Residence-6 (PD-59-SF-6).		
East	Across Independence Parkway, single-family residences zoned Single-Family Residence-7 (SF-7).		
South	Across Paradise Valley Drive, single-family residences zoned Planned Development-59-Single-Family Residence-6 (PD-59-SF-6) and SUP No. 381 for Private Recreation Center		

#### Conformance to the *Interim Comprehensive Plan (1986-based)*

**Future Land Use Map (2011)** - The Future Land Use Map of the Interim Comprehensive Plan shows the school site as Residential.

The Land Use Element also includes an Appendix for Land Use Categories. Public and private schools are identified in the Public and Semi Public category. The Appendix states that locations "should be provided for institutional and public uses that are appropriate for the intensity and character of each." This policy indicates that the city should consider how the school will affect the surrounding uses and determine if site specific mitigations might be necessary.



In the **Education Element**, private schools are identified as being available in Plano, serving preschool through high school. They support one of the major concepts of making a wide range of educational opportunities for all ages.

This location for school facilities is in conformance with the *Interim Comprehensive Plan*.

#### **Private Schools Use**

Schools are a typical land use located within and adjacent to neighborhoods in Plano. Schools offering primary and secondary curriculum are usually sited on parcels of land within proximity to residential areas. The location of the property adjacent to residential neighborhoods, its access to public streets, and separation from adjacent neighborhoods to the north, south, and east by streets indicate this location is appropriate for a private school use. To the west are single-family homes with residential fences that abut the subject property.

Private schools that include secondary students often have outside activities that may include sports fields. Consideration should be given to the location and direction of light standards as to prevent lighting to negatively impact adjacent residential neighborhoods.

#### **Proposed SUP Stipulations**

The applicant's request is for an SUP for a private school for grades Pre-K through 12th grade. The applicant is proposing the following stipulations for the Specific Use Permit in their purpose letter and as noted below:

- 1. Maximum number of students: 538 daily onsite.
- 2. Exterior lighting located within 200 feet of the western property line must not be visible from 9:00 p.m. until 6:00 a.m. unless directed downward.

Currently, the private school has 255 students onsite at any time, as shown in the companion site plan. The school currently has 526 students enrolled, and the applicant is proposing a maximum student cap of 538. Additionally, the applicant is proposing a restriction on lighting to respect the adjacent residents to the west.

#### Rescission of Specific Use Permit No. 335 for Day Care Center

In addition to the request for private school use, the applicant is proposing to rescind Specific Use Permit No. 335 for Day Care Center. That SUP was associated with a former occupant of the property and is no longer needed.

#### SUMMARY:

The property owner is requesting a Specific Use Permit for a Private School and to rescind Specific Use Permit No. 335 for Day Care Center. The request is in conformance with the Interim Comprehensive Plan. The applicant is proposing stipulations to cap the ultimate number of students allowed onsite and to respect the adjacent residents.

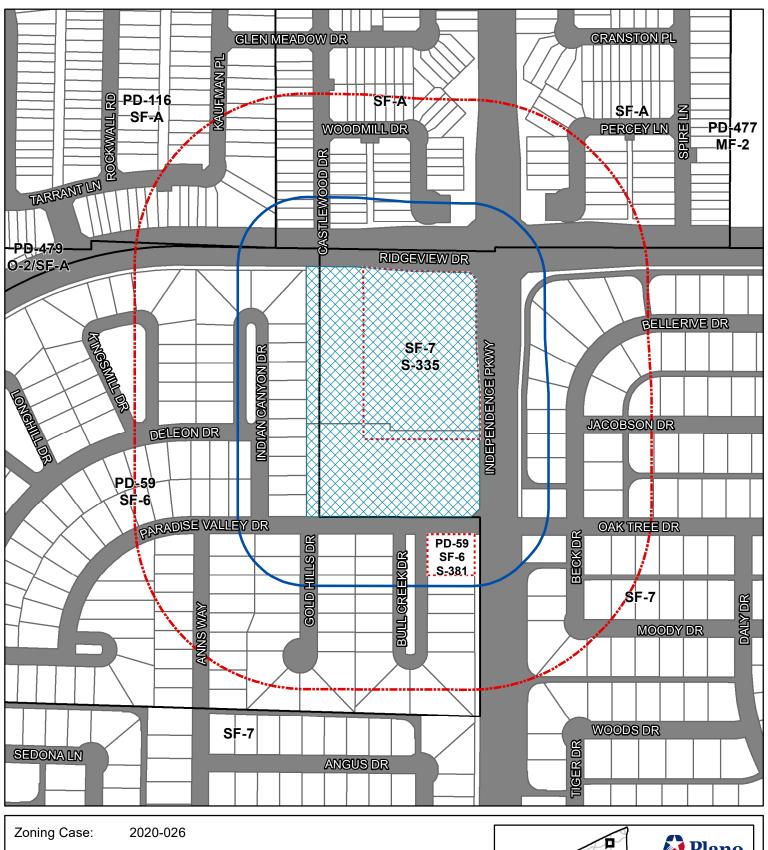
The Site Plan associated with the SUP applications, which covers existing conditions on the site, is on the same agenda.

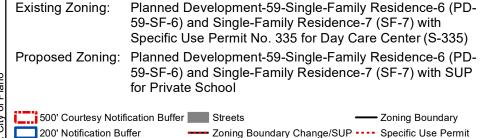
Staff is in support of this request.

#### RECOMMENDATION:

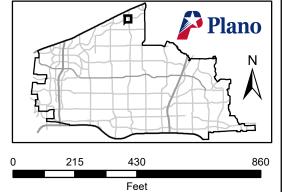
Recommended to rescind Specific Use Permit No. 335 for Day Care Center and approve the Specific Use Permit for Private School with the following stipulations:

- 1. Maximum number of students: 538 daily onsite, and 1,000 total enrollment.
- 2. Exterior lighting located within 200 feet of the western property line must not be visible from 9:00 p.m. until 6:00 a.m. unless directed downward.





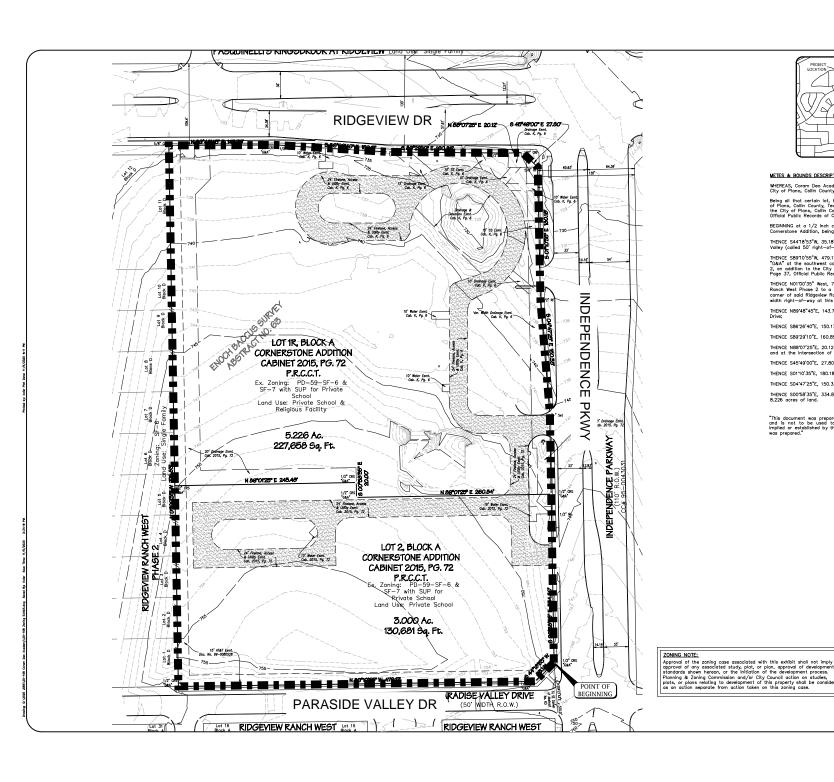
---- Municipal Boundaries



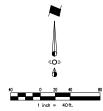
Source: City of Plano

Subject Property









#### METES & BOUNDS DESCRIPTION (PER PLAT)

WHEREAS, Coram Deo Academy, a Texas non-profit corporation, is the owner of a tract of land situated in the City of Plano, Collin County, Texas and being more particularly described as follows:

Being all that certain lot, tract or prone of lond dispates in the Enach Boccus Surrey, Martnert Number 63. City of Brann, Collin County, Tenson, and heing 8.205 Areas, Comerstein addition, Lots 18 6.2. 8064 A, an addition to the City of Plann, Collin County, Tenson, according to the plot thereof recorded in Cobinet 2015, Page 72 of the Official Public Records of Collin County, Tenson and being more particularly described os follows:

BEGINNING at a 1/2 inch capped rod stamped "G&A" set at the southeast corner of said Lot 2, Block A of Cornerstone Addition, being the west line of Independence Parkway (called 110' right-of-way at this point);

THENCE S4418'53"W, 35.18' feet to a 1/2 inch capped rod stamped "G&A" set in the north line of Paradise Valley (called 50' right-of-way at this point);

THENCE S8910'55"W, 479.17 feet along sold north line of Poradise Valley to 1/2 inch capped rod set stamped "C&A" at the southwest corner of sold Lot 2 and also being the southwest corner of Ridgeview Ranch West Phase 2, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet M, Page 37, Official Public Records, Collin County, Texas;

THENCE NOTON'S West, 725.83 feet dong the west line of said Lots IR & 2 and the cost line of solid Ridgeries Ronch West Phase 2 to a 5/8 inch copped not dound at the northwest corner of said to 1R and the northwest corner of said Ridgeriew Ronch West Phase 2 and being in the south line of Ridgeriew Drive (called a variable width right-ch-cyary at this point).

THENCE N89'48"45"E, 143.76 feet to a 1/2 inch capped rod stamped "G&A" set in said south line of Ridgeview Drive:

THENCE S86'26'40"E, 150.17 feet to a 1/2 inch rod found;

THENCE S89'29'10"E, 160.85 feet to a 1/2 inch capped rod found;

THENCE N88'07"25"E, 20.12 feet to a 1/2 inch capped rod found at the most northeasterly corner of said Lot 1R and at the intersection of said Independence Parkway and Ridgeview Drive;

THENCE S45'49'00"E, 27.80 feet to a 5/8 inch rod found in said west line of Independence Parkway;

THENCE S0110'35"E. 180.18 feet to a 1/2 inch rod found:

THENCE SO4"47"25"E, 150.33 feet to a "+" set in concrete;

THENCE S00°58'35"E, 334.80 feet to the POINT OF BEGINNING and containing approximately 358,339 square feet or 8.226 acres of land.

"This document was prepared under 22 TAC §663,21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

CITY PROJECT #ZC2020-026 ZONING EXHIBIT

#### CORNERSTONE ADDITION

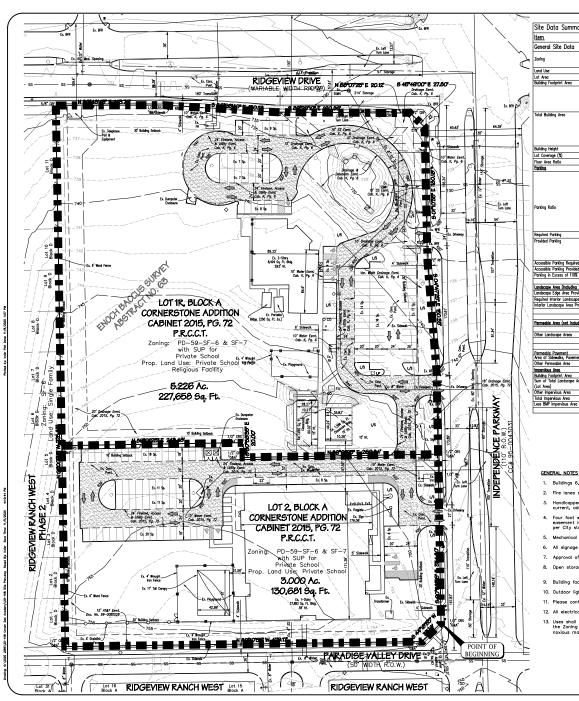
LOTS 1R & 2, BLOCK A - 8.226 Acres situated in the

ENOCH BACCUS SURVEY, ABST. 63 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS

> Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: David Bond

OWNER/APPLICANT Coram Deo Academy 4900 Wichita Trail Flower Mound, TX 75022 Phone 469-774-6762

Scale: 1"=40' September, 2020 SEI Job No. 20-158







APPROVED November 16, 2020 CITY OF PLANO

**EXPIRES** CITY OF PLANO

- 1. Buildings 6,000 or greater square feet shall be 100% fire sprinkled
- 2. Fire lanes shall be designed and constructed per City standards.
- Handicapped parking areas shall be designed and provided per City standards and shall comply with requirements of the current, adopted International Building Code.
- 5. Mechanical units, dumpsters and trash compactors shall be screened in accordance with the Zonina Ordinance
- 7. Approval of the Site Plan is not final until all engineering plans are approved.
- 8. Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
- 10. Outdoor lighting shall comply with illumination standards within Section 6-466 of the Code of Ordinances.

- 13. Uses shall conform in operation, location, and construction to the following performance standards in Section 3–1300 of the Zoning Code: noise, smoke and particulate matter, obdrous matter, fire or explosive hazard material, taxic and produce matter, vibration and/or other performance standards.

PURPOSE: The purpose of this revised site plan is to add Private School use.

All dimensions are to face of curb or edge of building unless otherwise noted.

Water Meter & Sewer Schedule								
	Туре	Size	No.	Sewer				
Lot 1R	Domestic	1"	1	8"				
	Irrig.	2"	1	-				
Lot 2	Туре	Size	No.	Sewer				
	Domestic	2"	1	6"				
	Irrig.	2"	1	-				

#### LEGEND

Firelane, Access & Utility Easement -- 750-- Fxisting Contour

L/S Landscape Area

Existing Power Pole Barrier Free Ramp Existing Fire Hydrant

CITY PROJECT #RSP2020-056 REVISED SITE PLAN

#### CORNERSTONE ADDITION

LOTS 1R & 2, BLOCK A - 8.226 Acres situated in the

ENOCH BACCUS SURVEY, ABST. 63 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS

> ENGINEER/SURVEYOR Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: David Bond

OWNER/APPLICANT Coram Dec Academy 4900 Wichita Trail Flower Mound, TX 75022 Phone 469-774-6762

Scale: 1"=40' September, 2020 SEI Job No. 20-158

Muzaib Riaz City of Plano – Planner 1520 K Avenue 2<sup>nd</sup> Floor Suite 250 Plano, Texas 75074

RE: Coram Deo Academy - SUP Purpose Letter

Dear Mr. Riaz,

Thank you for your time to date on our current request for a SUP Application for Coram Deo Academy located at 9645 Independence Pkwy, Plano, TX 75025 at the southwest corner of Ridgeview Drive and Independence Parkway. As you consider our request, I wanted to provide a bit of historical background on Coram Deo Academy, along with a summary of our SUP application.

Coram Deo Academy (CDA) is a Pre  $k-12^{th}$  grade Classical, Christian, University model school with three DFW locations, Plano, Flower Mound and Dallas. One of the distinctives of CDA is the university model structure. This collaborative model has students attending onsite classes on either a Monday/Wednesday or Tuesday/Thursday schedule with an offering of optional elective classes on Friday. On the off days, or home days, students conduct their schoolwork at home with the assistance and guidance of their parents.

CDA has been operating as a Private School at this location since August 20, 2012. In 2013 CDA purchased the 8.226 acre parcel from Cornerstone Church. In 2014 CDA built the existing school building as a pre-K through  $12^{th}$  grade school per the attached building permit (Exhibit A) and the attached certificate of occupancy (Exhibit B) and has been in operation in its current form since then. In August 2020, CDA staff reached out to the City of Plano to discuss replatting the property from the existing two lots into one lot. During these discussions City of Plano staff mentioned that our current use as a Private Pre K  $- 12^{th}$  School was not covered under the existing SUP 335 despite being approved for such in 2014 and requested we pursue an updated SUP on the property in order to address this concern. Therefore, CDA has submitted the following SUP Application to request:

- 1. Creation of a SUP to cover the current 8.226 acres currently owned by Coram Deo Academy to allow for a Pre-k 12<sup>th</sup> grade private school as an allowable use.
- 2. Remove the existing day care facility use as an allowable use.
- 3. Approve the existing Site Plan associated with the SUP applications which covers existing conditions on the site.

Additionally, City of Plano staff has requested a couple considerations which we are amenable to agreeing to in order to enhance the existing state of the property and limit the impact on the surrounding neighborhoods.

- 1. Maximum number of students per school day to 538.
- 2. Exterior lighting located within 200 feet of the western property line must not be visible from 9:00 p.m. until 6:00 a.m. unless directed downwards.

If you should have any further questions or need any further information about this request or the previous information surrounding our existing building please do not hesitate to reach out to me directly.

Thanks,

**Britton Church** 

Coram Deo Board Advisor

214-263-2088

## Exhibit A 2014 CDA School Building Permit

PLANO BUILDING INSPECTIONS PERMIT - PERMIT - PERMIT - PERMIT Office 972-941-7140 Fax 972-941-7187 Internet request wl.plano.gov/Click2GovBP/ Building Inspection request 972-941-7140 Fire 972-941-7161 Health 972-941-7143 Recycling 972-769-4393 -----Date 3/28/14 Application pin number . . . 804194 Property Address . . . . . 9645 INDEPENDENCE PKY CORAM DEO ACADEMY Subdivision Name . . . . . . CORNERSTONE ADDITION Application desc NEW CONSTRUCTION FOR SCHOOL Owner Contractor ----------CORNERSTONE BAPTIST CHURCH OF HILL & WILKINSON - GENERAL 9725 INDEPENDENCE PKWY 2703 TELECOM PKY STE 120 TX 750255234 RICHARDSON RICHARDSON (214) 299-4300 (469) 774-6762 Structure Information 000 000 NEW 1 STORY SCHOOL (K-12) Construction Type TYPE II-B NON-RATED Occupancy Type . . . . EDUCATION OR DAY-CARE Roof Type . . . . . . . OTHER Other struct info ... NO. OF BACKFLOW ASSEMBLY CONST.DEBRIS DEP REFUND % .00 FIRE ALARM SYS F.D. Y HIGH PILED STORAGE (Y/N) N OCCUPANT LOAD FOR A OCC. 1758 PARKING PER ZONING ORD.

SETBACK: FRONT
SETBACK: LEFT SIDE
SETBACK: REAR LOT LINE
SETBACK: RIGHT SIDE
SEE SITE PLAN
SETBACK: RIGHT SIDE
SEE SITE PLAN AUTO-SPRINKLER SYS (Y/N) Y NUMBER OF STORIES 1 ZONING PER GIS SF7 ZONING PER GIS Permit . . . . . GOMMERCIAL BUILDING Additional desc . 🔅 Phone Access Code . 5400023 Sub Contractor ALLIED/REPUBLIC WASTE SERVICES Issue Date . . . .

PERMIT MUST BE ON JOB SITE FOR INSPECTION
Office hours: M - F 8:00 AM - 5:00 PM
Inspector office hours: 7:00 AM-7:30AM & 3:00 PM-3:30PM
www.buildinginspections.org
TELL US HOW WE'RE DOING AT www.surveymonkey.com/s/planobi

# Exhibit B 2014 Certificate of Occupancy for CDA School Building

