

**FILE NUMBER:** Z190-178(PD)                      **DATE FILED:** January 6, 2020

**LOCATION:** West side of North Winnetka Avenue, southwest of Canada Drive

**COUNCIL DISTRICT:** 6                              **MAPSCO:** 44 K

**SIZE OF REQUEST:** ±0.32 acres                      **CENSUS TRACT:** 101.02

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Planning

**APPLICANT/OWNER:** Vecinos Unidos, Inc.

**REQUEST:** An application for a Specific Use Permit for a community service center use on property zoned a TH-2(A) Townhouse District and Specific Use Permit No. 525 for a day nursery.

**SUMMARY:** The applicant proposes to operate a community service center use within an existing 3,076-square-foot structure.

**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 TH-2(A) District permits a community service center use only by a Specific Use Permit. The property also contains SUP No. 525 for a day nursery. SUP No. 525 was approved in 1970 for a permanent time period.
- The 13,939-square-foot site is currently developed with a 3,076-square foot structure constructed in 1960 as a single family dwelling. The proposed use will operate in the existing structure.
- The Development Code defines a community service center as a multi-functional facility where a combination of social, recreational, welfare, health, habilitation, or rehabilitation services are provided to the public. For purposes of this definition, a facility where only business transactions or administrative, educational, school support, counseling, informational, referral, or out-patient medical, dental, or optical treatment services (or any combination of these activities) take place is not considered to be a community service center.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
N. Winnetka Avenue	Minor Arterial	50 ft.	50 ft.
Vecinos Boulevard	Local Collector	24 ft.	24 ft.

**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 because it is retaining the existing zoning regulations while allowing an additional use that is not only compatible but allowed within the district with an added layer of regulation.

## 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

### **GOAL 5.3** ESTABLISHING WALK-TO CONVENIENCE

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

The *Neighborhood Plus Plan* was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

**Policy 4.1** Promote Dallas as a city of neighborhoods and publicize neighborhood assets and programs.

**Policy 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

**STAFF ANALYSIS**

**Surrounding land uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	TH-2(A), SUP No. 525	Single Family, day nursery (nonactive)
<b>North</b>	TH-2(A)	Single Family
<b>East</b>	TH-2(A)	Single Family
<b>South</b>	TH-2(A)	Single Family
<b>West</b>	R-5(A)	Utility Flood Control

**Land Use Compatibility:**

The approximately .32-acre request site is currently developed with a one-story, 3,076 structure and a day nursery use. The applicant is proposing to operate a community service center use which will provide social and recreational service for the neighborhood in addition to the day nursery. The request site is zoned a TH-2(A) Townhouse District. The TH-2(A) District allows a community service use by SUP only.

The request site is surrounded by residential uses to the north, west and south with a utility use to the west.

The existing SUP No. 525 for a day nursery was approved in 1970 for a permanent time period. While the Dallas Comprehensive Zoning Ordinance established prior to Chapter 51 references a day nursery use the ordinance does not define it. However, Chapter 51 established prior to March 1, 1987 defines a day nursery or kindergarten use as an establishment for four or more children left for care of and training during the day. However, Chapter 51A renames and redefines a day nursery or kindergarten use as a child care facility and defines the use as a facility that provides care, training, education, custody, treatment, or supervision for person under 14 years of age who are not related by blood, marriage or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers. Since SUP No. 525 has a permanent time period and the operator may utilize the structure for both a day nursery and a proposed community service center, the representative has opted against terminating or amending the SUP. However, the applicant has no plan to operate the day nursery, at this time. Additionally, Chapter 51A defines a community service center as a multi-functional facility where a combination of social, recreations, welfare, health, habilitation, or rehabilitation services are provided to the public.

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 request does appear to have an adverse impact on the surrounding zoning and land uses.

Staff took into consideration the location of the request site, at the entrance of the subdivision/neighborhood on a minor arterial street with minimal intrusion to the existing neighborhood. Staff also considered the long-time operation of this center without the necessary SUP in this area of the city and the service that the proposed use provides to the needs of the community. Therefore, staff finds the proposed use to be a complementary and compatible use with the surrounding single-family neighborhood and thus supports the request.

**Parking:**

The off-street parking requirements for a community service center is one space for each 200 square feet of floor area and the day nursery requires one space for every ten children, per SUP No. 525. The maximum floor area for the proposed use is approximately 3,076 square feet and will require a minimum of 15 off-street spaces which the applicant and site will provide. Additionally, the representative informed staff that SUP No. 525 for the day nursery is no longer in operation. However, if in the future the use begins to operate, the site will be required to comply with the parking requirements for both uses.

**Landscaping:**

No new construction or pavement is proposed by this application. New construction will require landscaping in accordance with Article X. Additionally, the 10-foot landscape buffer separating the off-street parking from the adjacent residential district to the north is not required due to the spaces being existing and the applicant not triggering Article X due to the kind of material intended.

**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 to orange, representing the weakest markets. The area of request is within and surrounded by an identifiable "F" MVA category.

**LIST OF OFFICERS**

Vecinos Unidos, Inc.

Ella Veronica Beltran, Director

Mark Baker, Director and Secretary

Mary Velez, Director and Chairperson

Z190-178(PD)

CPC Action  
June 18, 2020

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a community service center use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned a TH-2(A) Townhouse District with Specific Use Permit No. 525 for a day nursery, west side of North Winnetka Avenue, southwest of Canada Drive.

Maker: Carpenter  
Second: Rubin  
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Carpenter, Jackson, Blair, Jung,  
Housewright, Schultz, Schwope, Murphy,  
Garcia, Rubin

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 18  
**Replies:** For: 1 Against: 0

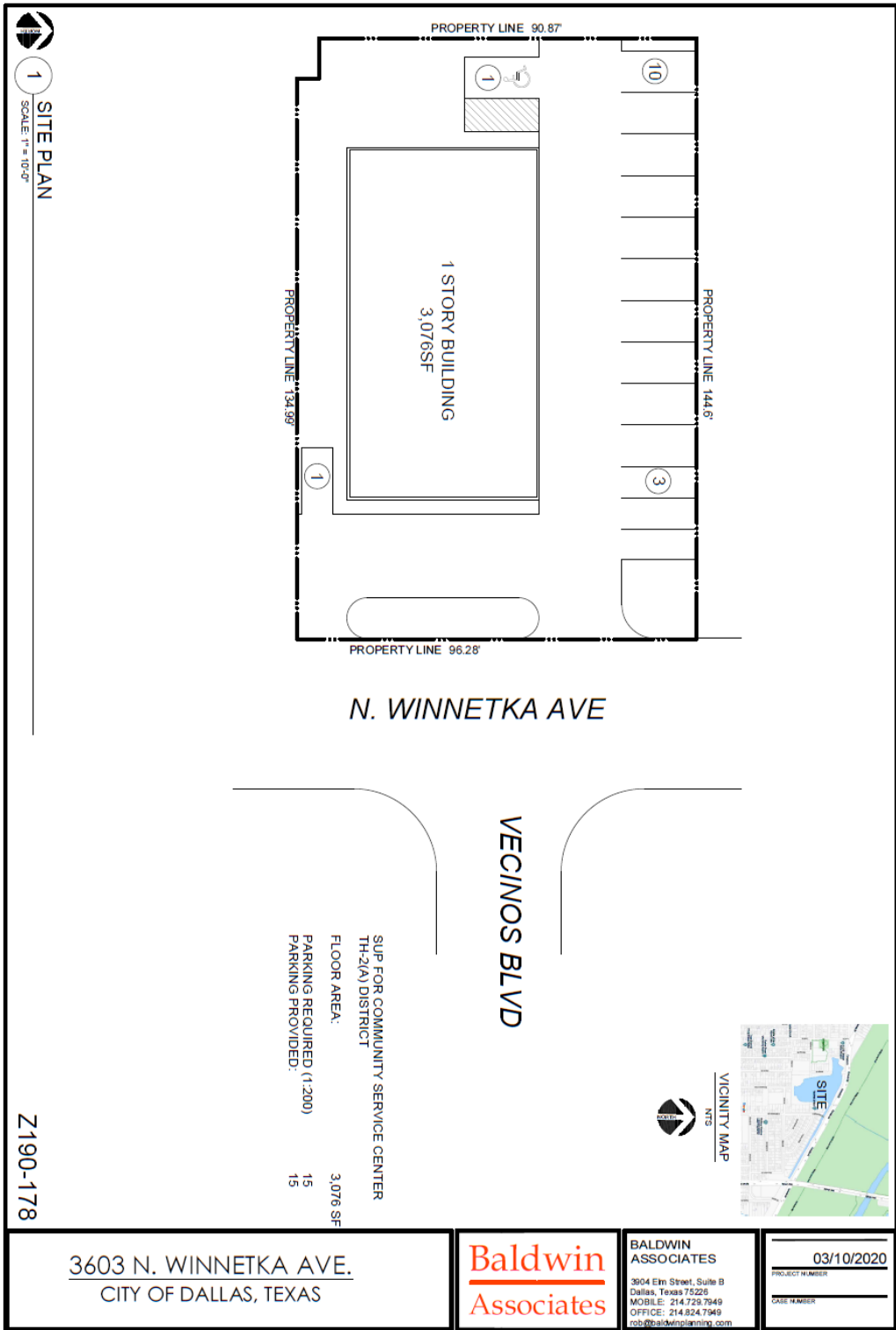
**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Against: None

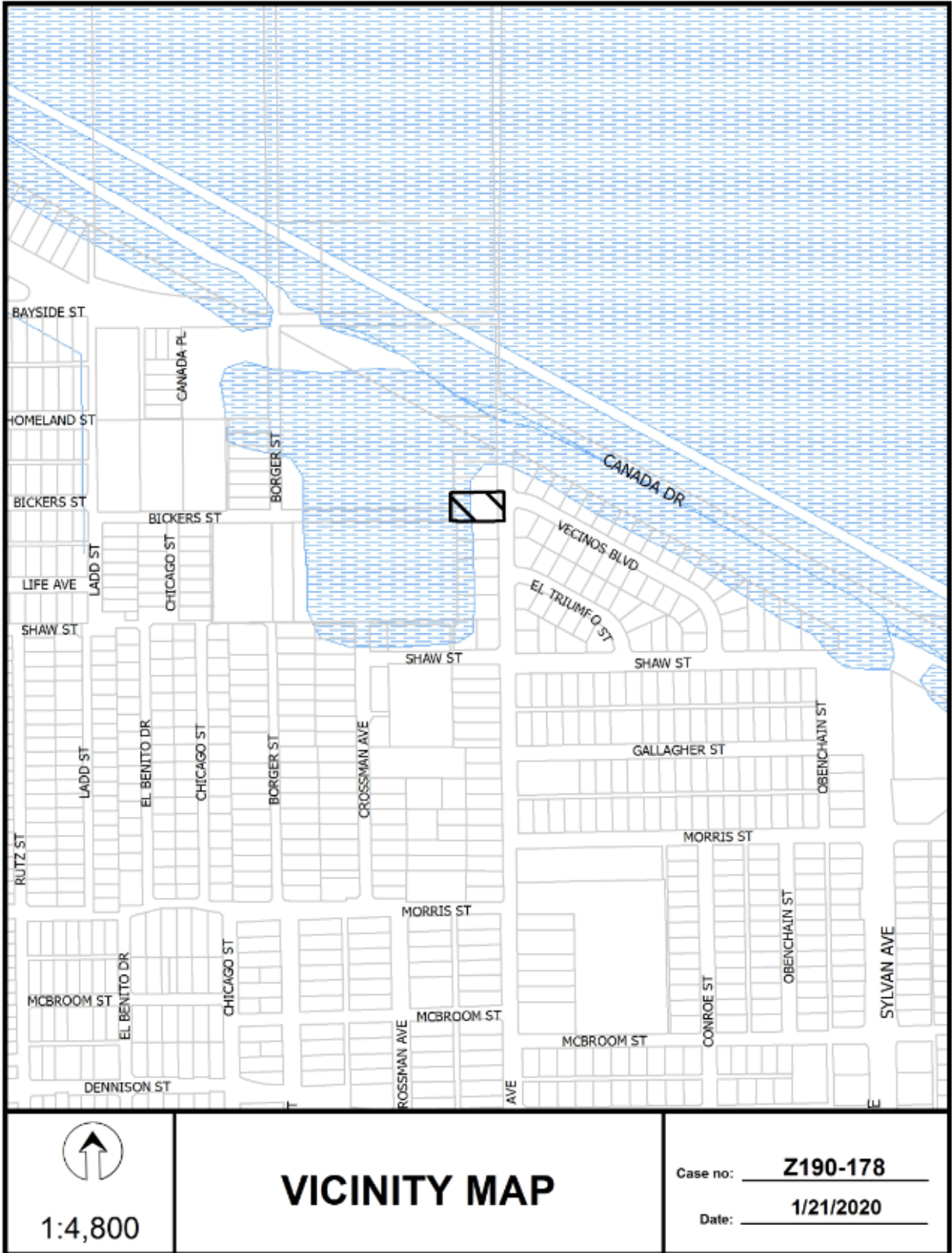
**CPC RECOMMENDED CONDITIONS**

1. USE: The only use authorized by this specific use permit is a community service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a \_\_\_\_\_(five-year period but is eligible for automatic renewal for additional five-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. MAXIMUM FLOOR AREA: The maximum floor area is 3,076 square feet.
5. PARKING: A minimum of 15 off-street parking spaces must be provided in the location as shown on the attached site plan.
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**





1:4,800

### VICINITY MAP

Case no: Z190-178  
Date: 1/21/2020



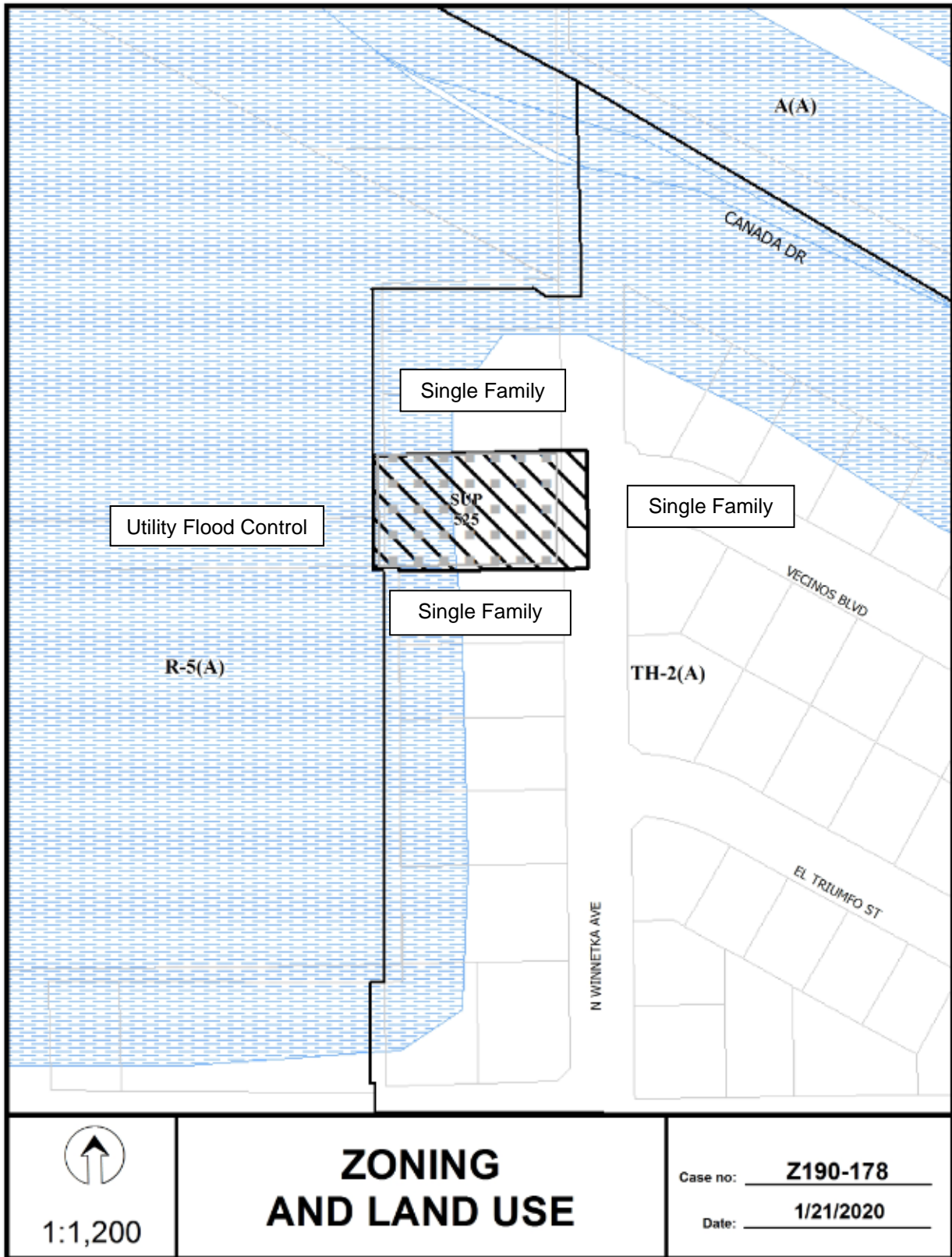
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# AERIAL MAP

Case no:     **Z190-178**    

Date:     **1/21/2020**







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

1:4,800

# Market Value Analysis

Printed Date: 1/22/2020

**CPC RESPONSES**



<b>18</b>	Property Owners Notified (20 parcels)
<b>1</b>	Replies in Favor (1 parcels)
<b>0</b>	Replies in Opposition (0 parcels)
<b>200'</b>	Area of Notification
<b>6/18/2020</b>	Date

**Z190-178**  
**CPC**



1:1,200

06/17/2020

**Reply List of Property Owners****Z190-178****18 Property Owners Notified****1 Property Owners in Favor****0 Property Owners Opposed**

<b>Reply</b>	<b>Label #</b>	<b>Address</b>	<b>Owner</b>
	1	1200 BICKERS ST	DALLAS COUNTY FLOOD
O	2	3603 N WINNETKA AVE	VECINOS UNIDOS INC
	3	3609 N WINNETKA AVE	BARRAZA RODOLFO & JUANA
	4	4 CANADA DR	DALLAS CITY & COUNTY
	5	1053 EL TRIUMFO ST	CASTILLO VICTOR &
	6	1047 EL TRIUMFO ST	CASTILLO FRANCISCO
	7	944 VECINOS BLVD	RAZO PALOMA
	8	948 VECINOS BLVD	OROZCO NICOLAS & RAMONA
	9	952 VECINOS BLVD	CAMACHO GUILLERMINA P &
	10	963 VECINOS BLVD	GAITAN BERNARDINO &
	11	959 VECINOS BLVD	SHETH HEMANG A
	12	955 VECINOS BLVD	RAZO PASCUAL & MANUELA
	13	951 VECINOS BLVD	GARCIA MARIA DE LOS ANGELES
	14	3509 N WINNETKA AVE	GUERRERO SANTIAGO &
	15	3513 N WINNETKA AVE	RAZO LAZARO
	16	3517 N WINNETKA AVE	VILLATORO PASTORA
	17	3521 N WINNETKA AVE	CRUZ RAYMUNDO &
	18	3605 N WINNETKA AVE	ALEMAN ESTEBAN