HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 22, 2022**
ACM: Majed Al-Ghafry

FILE NUMBER: Z212-168(RM) **DATE FILED:** January 14, 2022

LOCATION: North line of Blue Ridge Boulevard, north of the intersection of Blue Ridge Boulevard and Pomeroy Drive

COUNCIL DISTRICT: 3

SIZE OF REQUEST: Approx. 2.46 acres **CENSUS TRACT:** 0108.03

REPRESENTATIVE: Elsie Thurman, Land Use Planning & Zoning Services

OWNER/APPLICANT: Jessica Gonzales, La Escuelita Spanish Preschool

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

SUMMARY: The purpose of the request is to allow a child-care facility on the site.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-10(A) Single Family District and is currently developed with a single family use.
- The applicant proposes to use the existing residential structure as a child-care facility. This use requires a Specific Use Permit in the R-10(A) District.
- The proposed child-care facility would operate between 7:00 a.m. and 6:30 p.m., Monday through Friday.
- In addition to use of the existing structure, the applicant proposes to add a playground area and educational garden to the site. They also propose to add parking spaces to meet the minimum parking requirements of a child-care facility.

Zoning History:

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

1. **Z189-176:** On June 26, 2019, City Council approved Planned Development District No. 1018 for R-10(A) Single Family uses and a public school other than an open enrollment charter school on property zoned an R-10(A) Single Family District in an area generally bounded by South Westmoreland Road, Sprague Drive, and Boulder Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Blue Ridge Boulevard	Local Street	-
Pomeroy Drive	Local Street	-

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.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining 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:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Land Use:

	Zoning	Land Use
Site	R-10(A) Single Family District	Single family
North	R-10(A) Single Family District	Single family
East	R-10(A) Single Family District	Church
South	R-10(A) Single Family District	Single family
West	R-10(A) Single Family District	Single family

Land Use Compatibility:

The area of request is currently surrounded by single family uses as well as a church to the east. Staff finds the applicant's proposal compatible with these surrounding uses.

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 use is not foreseen to be detrimental to surrounding properties, and it will provide child-care services within easy access of neighborhood residents. Staff also supports the proposed time limit of five years without eligibility for automatic renewal because this would be a new use of the property. A time limit without eligibility for automatic renewal will allow for continued monitoring of the site in the future.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a child-care facility is one space per 500 square feet or floor area. For the existing 3,111 square foot residential structure, this equates to six required parking spaces. As demonstrated on the proposed site plan, the applicant will provide 13 parking 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 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 currently within an “F” MVA cluster and abuts other “F” MVA clusters to the north and west. South of the request area is an “E” MVA cluster.

List of Officers

La Escuelita Spanish Immersion Preschool, LLC

Jessica Gonzalez, Officer/Owner
Ivan Gonzales, Officer/Owner

CPC ACTION
May 19, 2002

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a five-year period, subject to a site plan and conditions on property zoned an R-10(A) Single Family District on the north line of Blue Ridge Boulevard, north of the intersection of Blue Ridge Boulevard and Pomeroy Drive.

Maker: Blair
Second: Rubin
Result: Carried: 10 to 0

For: 10 - Popken, Hampton, Anderson, Shidid, Carpenter, Blair, Housewright, Standard, Kingston, Rubin
Against: 0
Absent: 4 - Vann, Jung, Gibson, Haqq
Vacancy: 1 - District 3

*out of the room, shown voting in favor

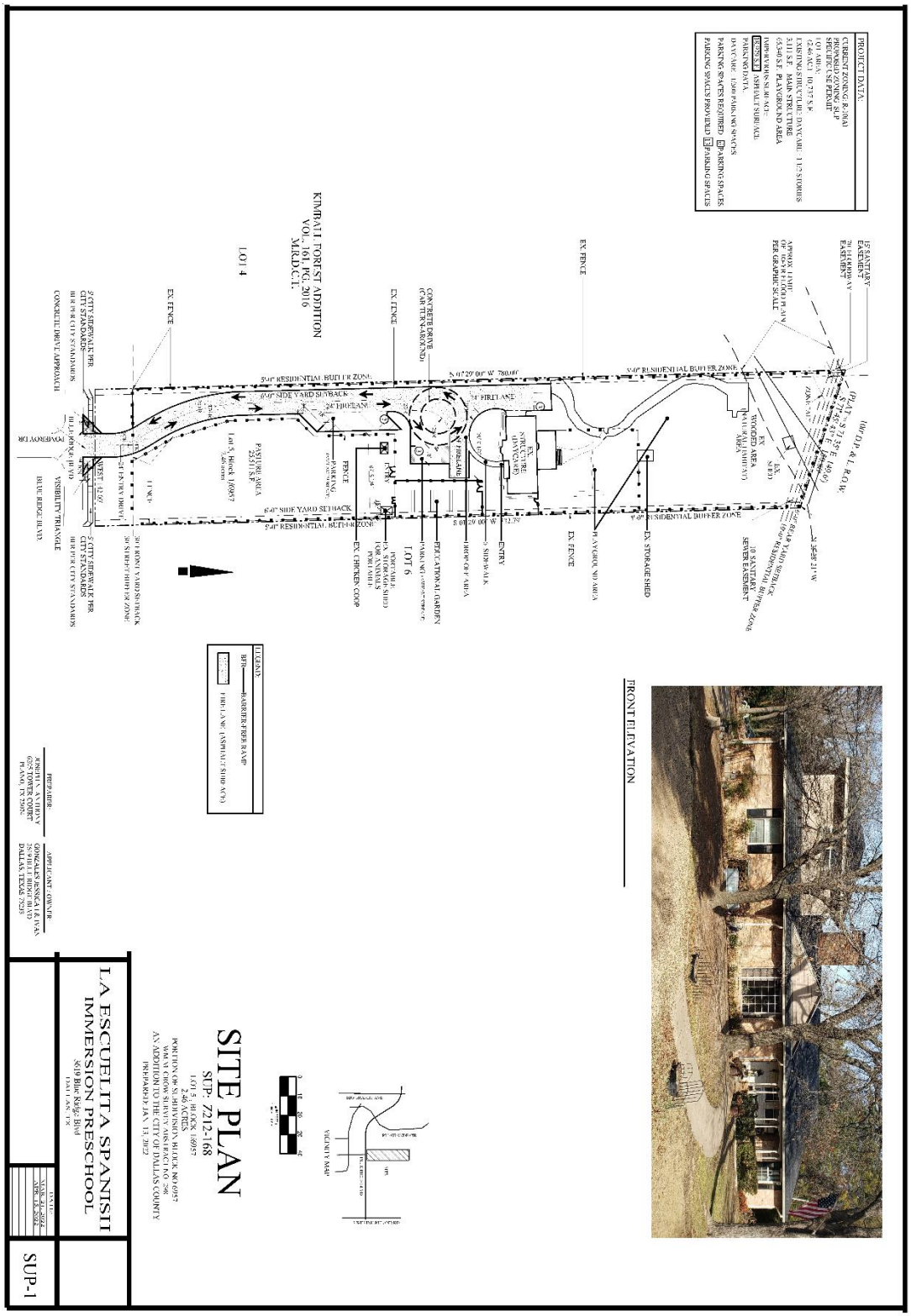
Notices: Area: 300 Mailed: 48
Replies: For: 3 Against: 4

Speakers: For: Jessica Gonzales, 3619 Blue Ridge Blvd, Dallas TX 75233
Elsie Thurman, 9406 Biscayne Blvd, Dallas TX 75218
Ivan Gonzales, 3619 Blue Ridge Blvd, Dallas TX 75233
Against: None

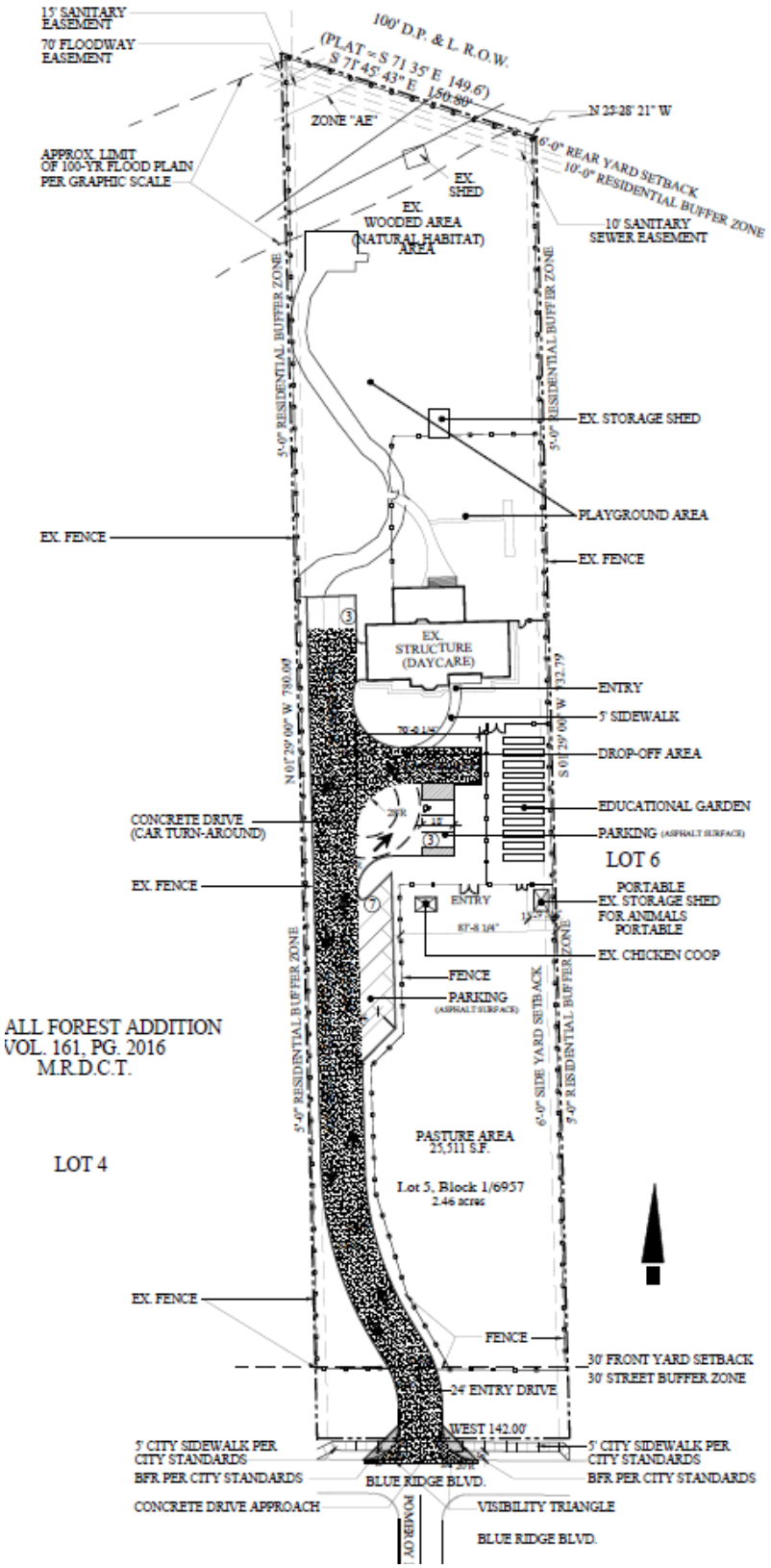
CPC RECOMMENDED CONDITIONS

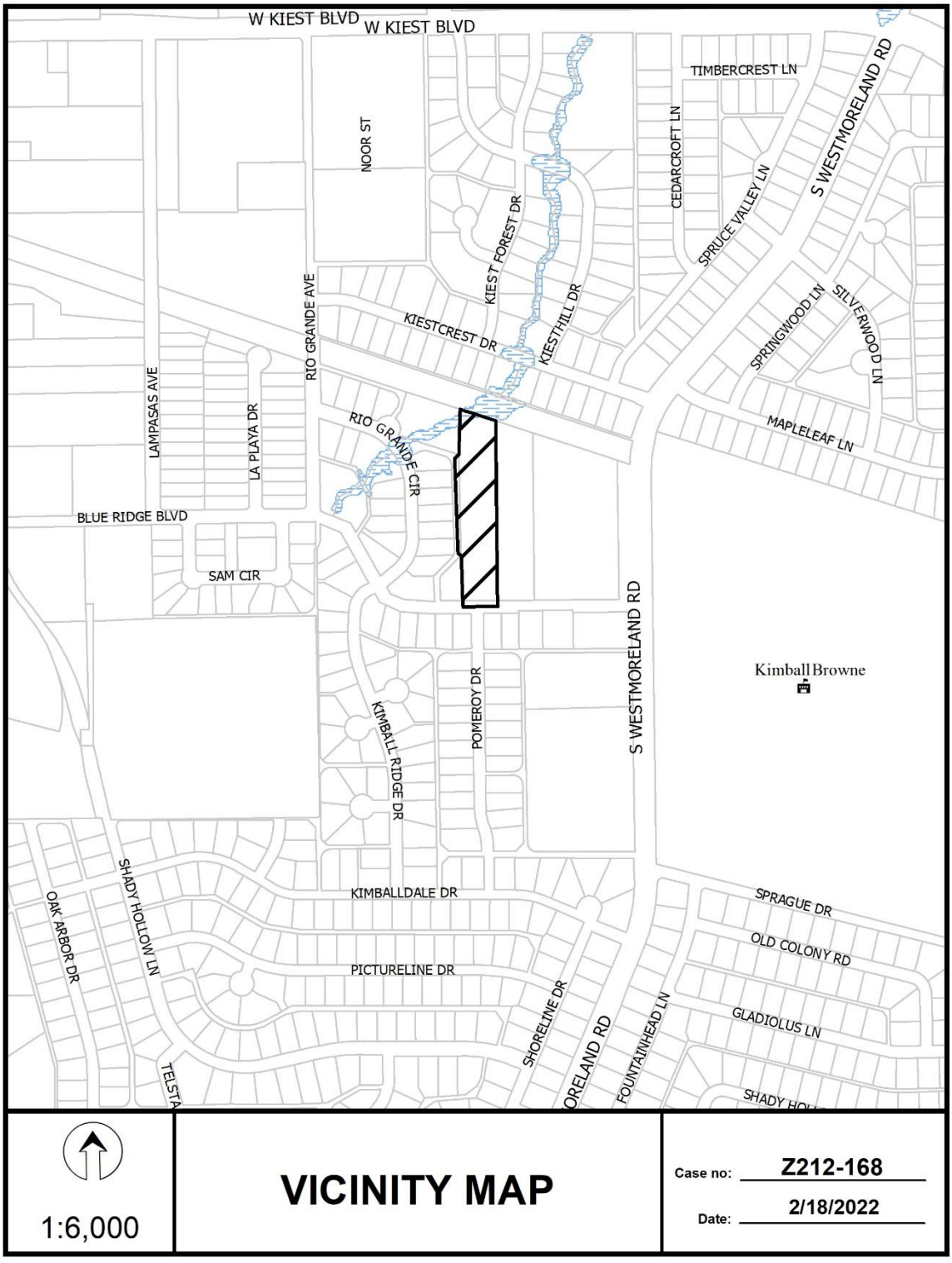
1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance).
4. ENROLLMENT: Enrollment in the child-care facility may not exceed 53 children.
5. HOURS OF OPERATION: The child-care facility may only operate between 7:00 a.m. and 6:30 p.m., Monday through Friday.
6. OUTDOOR PLAY AREA: A minimum of 60 square feet of outdoor play area must be provided for each child in the outdoor play area at one time. The outdoor play area must be located as shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 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

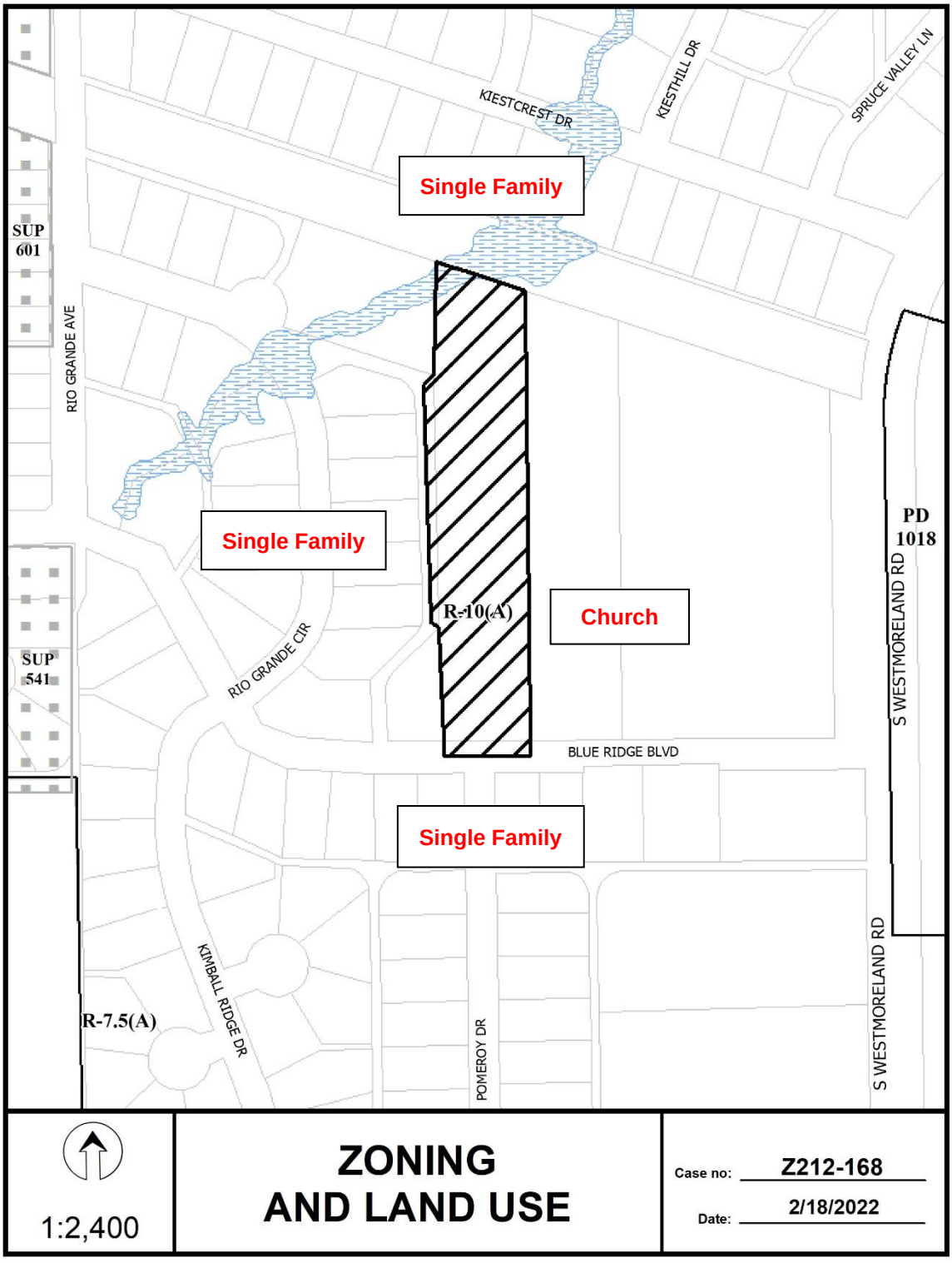


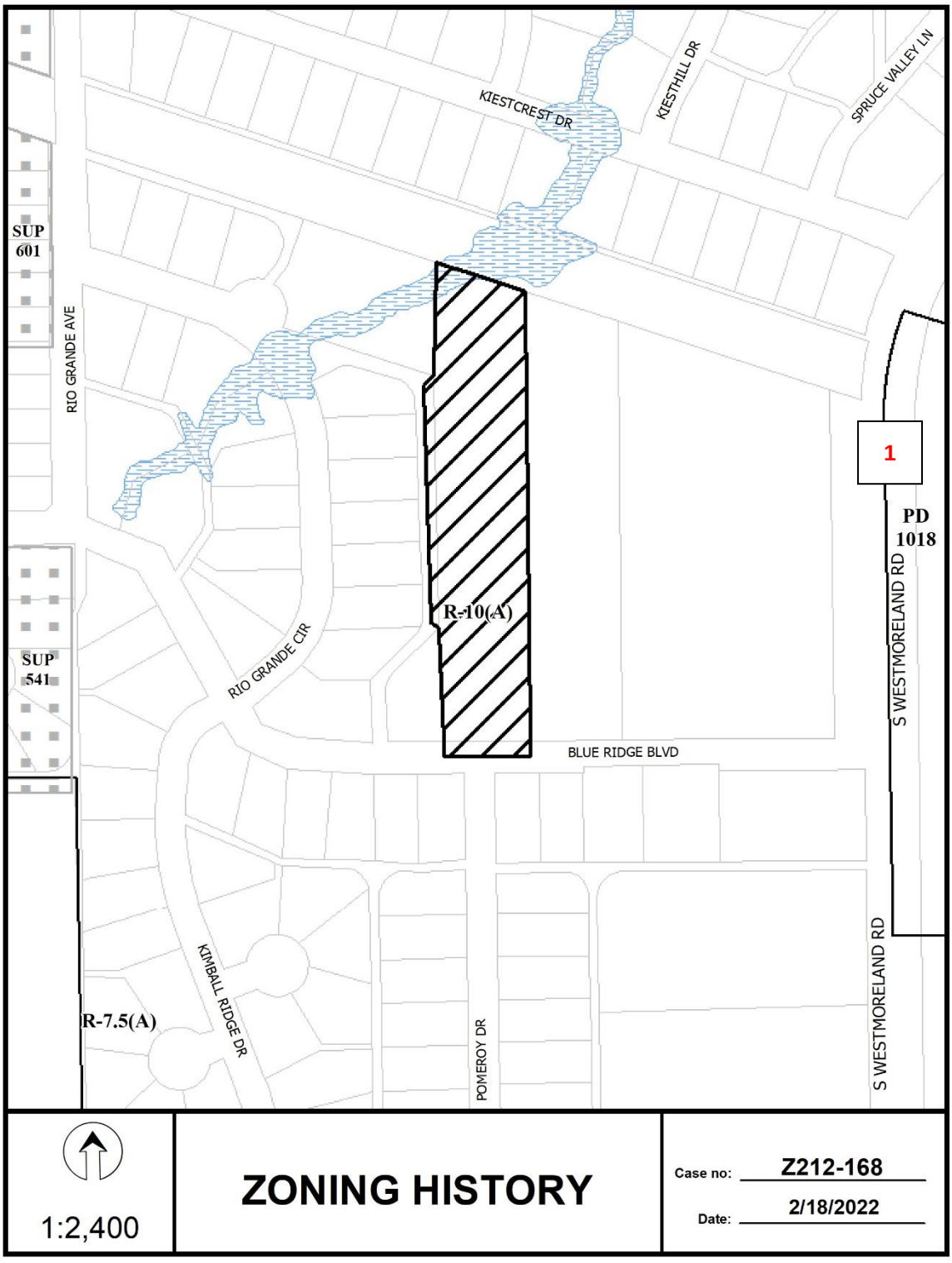
CPC RECOMMENDED SITE PLAN (ENLARGED)

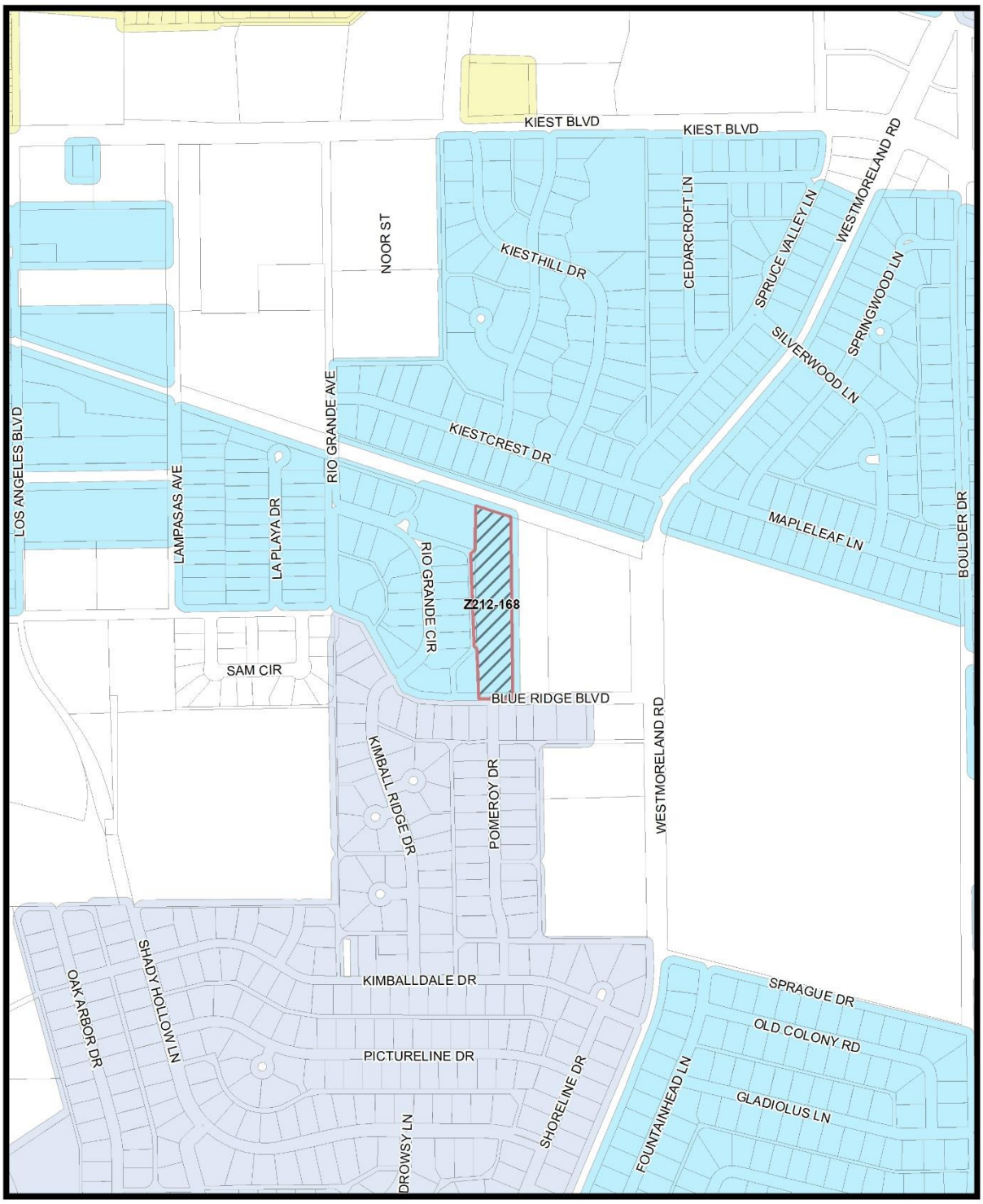



W KIEST BLVD
W KIEST BLVD
NOOR ST
TIMBERCREST LN
CEDARCROFT LN
S WESTMORELAND RD
SPRUCE VALLEY LN
KIEST FOREST DR
KIESTHILL DR
KIESTCREST DR
RIO GRANDE AVE
SPRINGWOOD LN
SILVERWOOD LN
LAMPASAS AVE
LA PLAYA DR
RIO GRANDE CIR
MAPLELEAF LN
BLUE RIDGE BLVD
SAM CIR
Kimball Browne
POMEROY DR
KIMBALL RIDGE DR
KIMBALLDALE DR
SPRAGUE DR
OLD COLONY RD
OAK ARBOR DR
SHADY HOLLOW LN
PICTURELINE DR
SHORELINE DR
GLADIOLUS LN
FOUNTAINHEAD LN
1:6,000
VICINITY MAP
Case no: Z212-168
Date: 2/18/2022

KIESTCREST DR
KIESTHILL DR
SPRUCE VALLEY LN
RIO GRANDE AVE
RIO GRANDE CIR
BLUE RIDGE BLVD
S WESTMORELAND RD
S WESTMORELAND RD
KIMBALL RIDGE DR
POMEROY DR
1:2,400
AERIAL MAP
Case no: Z212-168
Date: 2/18/2022


KIESTCREST DR
KIESTHILL DR
SPRUCE VALLEY LN
Single Family
SUP 601
RIO GRANDE AVE
Single Family
R-10(A)
Church
PD 1018
S WESTMORELAND RD
SUP 541
RIO GRANDE CIR
BLUE RIDGE BLVD
Single Family
KIMBALL RIDGE DR
R-7.5(A)
POMEROY DR
S WESTMORELAND RD
1:2,400
ZONING AND LAND USE
Case no: Z212-168
Date: 2/18/2022


KIESTCREST DR
KIESTHILL DR
SPRUCE VALLEY LN
SUP 601
RIO GRANDE AVE
1
PD 1018
R-10(A)
SUP 541
RIO GRANDE CIR
S WESTMORELAND RD
BLUE RIDGE BLVD
KIMBALL RIDGE DR
R-7.5(A)
POMEROY DR
S WESTMORELAND RD
1:2,400
ZONING HISTORY
Case no: Z212-168
Date: 2/18/2022



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

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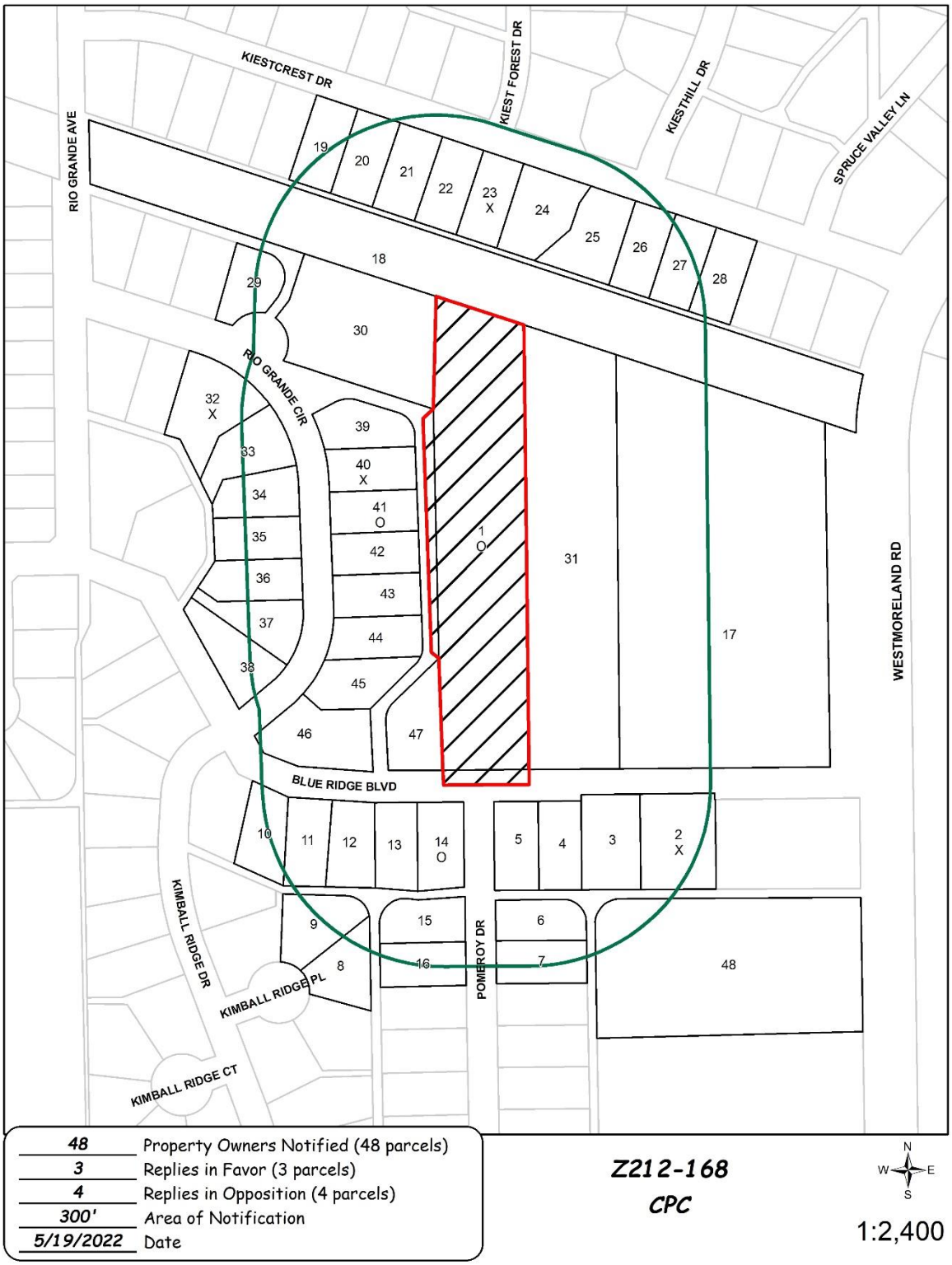
Market Value Analysis

Printed Date: 2/18/2022


KIESTCREST DR
KIEST FOREST DR
KIESTHILL DR
SPRUCE VALLEY LN
RIO GRANDE AVE
RIO GRANDE CIR
WESTMORELAND RD
BLUE RIDGE BLVD
KIMBALL RIDGE DR
KIMBALL RIDGE PL
KIMBALL RIDGE CT
POMEROY DR
48 Property Owners Notified (48 parcels)
3 Replies in Favor (3 parcels)
4 Replies in Opposition (4 parcels)
300' Area of Notification
5/19/2022 Date
Z212-168
CPC
N
W
E
S
1:2,400

05/18/2022

Reply List of Property Owners

Z212-168

48 Property Owners Notified 3 Property Owners in Favor 4 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
O	1	3619	BLUE RIDGE BLVD	GONZALES JESSICA I & IVAN
X	2	3504	BLUE RIDGE BLVD	Taxpayer at
	3	3614	BLUE RIDGE BLVD	RODRIQUEZ NASARIO ESTATE OF
	4	3618	BLUE RIDGE BLVD	PORTILLO GLORIA ETELVINA
	5	3622	BLUE RIDGE BLVD	WILLIAMS BILLY RAY AND
	6	3612	POMEROY DR	HUGHES HENRY LANE
	7	3618	POMEROY DR	NORMAN BENJAMIN T
	8	3640	KIMBALL RIDGE PL	SHIELDS MICHAEL W
	9	3636	KIMBALL RIDGE PL	WILLIAMSON GLORIA
	10	3652	BLUE RIDGE BLVD	BROWN LEON C & MADIE
	11	3648	BLUE RIDGE BLVD	TAYLOR ALBERT JR
	12	3644	BLUE RIDGE BLVD	ROBERSON EDWARD LEE
	13	3636	BLUE RIDGE BLVD	GARCIA JORGE C &
O	14	3628	BLUE RIDGE BLVD	RICE SHARON A
	15	3611	POMEROY DR	CAVAZOS BRENDA M
	16	3617	POMEROY DR	GONZALEZ SONIA I
	17	3535	S WESTMORELAND RD	CENTRO DE ADORACION
	18	3400	S WESTMORELAND RD	ONCOR ELECRTIC DELIVERY COMPANY
	19	3720	KIESTCREST DR	PECK JOSEPHINE
	20	3716	KIESTCREST DR	MATTHEWSKEELING ANNA JOYCE
	21	3710	KIESTCREST DR	MOORING CHARLES
	22	3706	KIESTCREST DR	GLASPIE JESSIE
X	23	3616	KIESTCREST DR	KELLEY JAMES GRANT JR & MASON ALLEN ALVES
	24	3610	KIESTCREST DR	JACKSON JOYCE LYNN
	25	3604	KIESTCREST DR	VILLARREAL ANTONIO R
	26	3530	KIESTCREST DR	LARNEY BRIAN D

05/18/2022

Reply	*Label #*	*Address*		*Owner*
	27	3526	KIESTCREST DR	LAO HO &
	28	3520	KIESTCREST DR	BLUE OAK CAPITAL LLC
	29	3516	RIO GRANDE CIR	DEPASS NIGEL
	30	3520	RIO GRANDE CIR	WESLEY PAT A
	31	3615	BLUE RIDGE BLVD	MIRACLE CENTER CHURCH OF
X	32	3519	RIO GRANDE CIR	SAENZ HENRY JESSE
	33	3527	RIO GRANDE CIR	ROJAS FRANCISCO &
	34	3533	RIO GRANDE CIR	PERKINS PENNY R
	35	3537	RIO GRANDE CIR	NOBLES TOMMY &
	36	3543	RIO GRANDE CIR	NELSON COREY
	37	3549	RIO GRANDE CIR	LOFTIS FANNIE MAE P EST OF
	38	3555	RIO GRANDE CIR	DURON ANTONIO B
	39	3526	RIO GRANDE CIR	BEROTTE JULIUS & DESTINEE
X	40	3532	RIO GRANDE CIR	GARRETT DEBRA A
O	41	3536	RIO GRANDE CIR	LEWIS DELORES
	42	3540	RIO GRANDE CIR	TORALES MOISES
	43	3544	RIO GRANDE CIR	PEREZNEGRON VICTOR &
	44	3548	RIO GRANDE CIR	FREEMAN JACQUELYN
	45	3552	RIO GRANDE CIR	JOHNSON ALFRED J
	46	3556	RIO GRANDE CIR	SILVA JULIA CRUZ
	47	3635	BLUE RIDGE BLVD	GERALD KRACYNTHIA
	48	3701	S WESTMORELAND RD	FREEDOM MISSIONARY