

FILE NUMBER: Z212-264(JM) **DATE FILED:** May 6, 2022

LOCATION: Southeast corner of South Polk Street and Beckleymead Avenue

COUNCIL DISTRICT: 8

SIZE OF REQUEST: ± 0.66-acre **CENSUS TRACT:** 166.05

REPRESENTATIVE: Warren Ellis, JSA Development Group

APPLICANT: Charles and Christie Dade

OWNER: MBKK Properties, LLC.

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to develop a child-care facility at the site.

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

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

BACKGROUND INFORMATION:

- The property is zoned an R-7.5(A) Single Family District, which requires a Specific Use Permit to allow the operation of a child-care facility.
- The Dallas Development Code defines a child-care facility 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 the facility is operated for profit or charges for the services it offers.
- According to DCAD records, the property contains two parcels which are both undeveloped and have a combined area of 28,887 square feet, or 0.66 acres. Historic Aerials indicate the property was developed with a single-family structure similar to properties in the vicinity from the 1950s through the late 1970s but has since been vacant.
- The applicant requests an SUP to develop a 3,500-square-foot child-care facility.

Zoning History:

There have been no recent zoning cases at the subject site or in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Polk Street	Principal Arterial	90 feet	100 feet
Beckleymead Avenue	Community Collector	60 feet	60 feet

Traffic:

The SUP requirements indicate a traffic impact analysis is required with the application. A traffic management plan was provided which indicates, as the site plan also denotes, that the traffic will enter from Beckleymead Avenue in a one-way manner and exit onto Polk Street. Additionally, the TMP provided shows enough space for a bypass lane. 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.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which 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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

NEIGHBORHOOD PLUS

GOAL 2.3 Expand health, childcare, and transportation programs for low-income areas.

Action 2.3.5 Build partnerships between employers, transportation providers, apartment managers, developers, and childcare providers to increase accessibility of affordable childcare to working parents.

STAFF ANALYSIS

Land Use:

Area	Zoning	Land Use
Site	R-7.5(A) Single Family District	Undeveloped
North	RR Regional Retail District, DRs	Truck stop, general merchandise or food store, fueling station, restaurant, and undeveloped
East	R-7.5(A) Single Family District	Single-family
South	R-7.5(A) Single Family District	Single-family
West	Planned Development District No. 668	Public school (D.A. Hulcy “Steam” Middle School) and DISD Athletic Complex

Land Use Compatibility:

The approximate ± 0.66-acre site is comprised of two lots which will either have to meet the legal build site requirements or be replatted for development as proposed. The site is zoned an R-7.5(A) Single Family District and is currently undeveloped. The applicant is proposing to develop a 3,500-child-care facility. A child-care facility is classified as an institutional and community service use. Residential neighborhoods need services like

this, as well as other institutional and recreational options. However, this non-residential use requires consideration in residential districts which is why a Specific Use Permit is required to operate a child-care facility at this site.

Surrounding uses include an adjacent truck stop, general merchandise or food store, fueling station, and restaurant uses to the north; single-family uses to the east, and south; and a public school/Dallas ISD athletic facility to the west. The proposed hours of operation for the child-care facility will be Monday through Friday from 6:30 am to 8:30 pm, with an enrollment that may not exceed 75 children. Staff does not prefer to limit enrollment in the SUP conditions since enrollment is typically based on the state licensing process/requirements.

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.

Staff is in support of the SUP request for a five-year period with eligibility for automatic renewals for additional five-year periods because the request is compatible with the surrounding uses and meets several land use policy goals and the above SUP general provisions. The proposed child-care facility is consistent with the residential block in which it lies. The effect on the adjacent property and community welfare is to provide a use that is necessary and compatible with the residential neighborhood. Overall, transitioning the site to a residentially compatible use is complementary to this block as it will enhance the uses at this intersection. The existing truck stop to the north is questionable as a compatible use, however it is operating legally and located on the next block which permits intensive commercial uses (RR Regional Retail District). Staff believes better management of the use of the truck stop will alleviate the questionable nature of compatibility. Ultimately, the surrounding residences, neighborhood schools/park, and community will benefit from the proposed child-care facility.

Parking:

Pursuant to §51A-4.204 of the Dallas Development Code for a child-care facility use that requires an SUP, the off-street parking requirement may be established in the ordinance

granting the SUP, otherwise one parking space per 500 square feet of floor area is required. The site contains approximately 3,500 square feet of floor area, which would require seven parking spaces. There is an additional outdoor play area; however, this area does not require parking. The site plan indicates 11 parking spaces for the child-care facility will be provided. Since this is a surplus and the development code permits the SUP conditions to write the parking requirement, staff has not included the parking spaces provided in the SUP conditions to not require overparking per the conditions. The development code requirements will have to be met and any changes to the site plan would require consideration of a minor or regular amendment depending on what would be proposed at that time.

One additional consideration is the TMP submitted indicates the need for multiple parking spaces for the staff and storage/usage of the two passenger vans for the facility operations. However, as proposed, the land use is over-parked.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. The site has residential adjacency to the east and south. These frontages must maintain an RBZ residential buffer zone. This is a landscape area along that portion of the perimeter of a lot where the residential adjacency exists. The RBZ must have an average depth of 10 feet, a minimum depth of five feet, and a maximum depth of 30 feet. No portion of the residential buffer zone may exceed 10 percent of the lot depth excluding paved surfaces at points of vehicular and pedestrian ingress or egress. The site plan proposed reflects a landscape buffer area along the east and south frontages.

Market Value Analysis:

Market Value Analysis (MVA) is a tool to aid residents and policymakers 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 target intervention strategies more precisely 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 subject site is not within MVA Category; however, the surrounding residential district is within the "G" category.

**CPC Action
December 15, 2022**

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a five-year period, subject to site plan (within the docket) and conditions to include a provision requiring a fence around the perimeter of the site on property zoned an R-7.5(A) Single Family District, on the southeast corner of South Polk Street and Beckleymead Avenue.

Maker: Blair
Second: Kingston
Result: Carried: 12 to 1

For: 12 - Popken, Hampton, Shidid, Carpenter, Wheeler-Reagan, Blair, Jung, Treadway, Haqq, Stanard, Kingston, Rubin

Against: 1 - Housewright
Absent: 1 - Gracey
Vacancy: 1 - District 4

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

Speakers: For: Warren Ellis, 8700 Stonebrook Parkway, Frisco, TX, 75034
Charles Dade, 8630 Morgan Ct., Waxahachie, TX, 75167
Brittany Whitaker, 1538 Bar Harbor, Dallas, TX, 75232
Steve Stoner, 7557 Rambler Rd., Dallas, TX, 75231
For (Did not speak): Kira Sewell, 3440 Holliday Rd., Dallas, TX, 75224
Against: None

November 3, 2022

Motion: In considering an application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District, on the southeast corner of South Polk Street and Beckleymead Avenue, it was moved to **hold** this case under advisement until December 15, 2022.

Maker: Blair
Second: Stanard
Result: Carried: 12 to 0

For: 12 - Popken, Hampton, Gracey, Shidid, Carpenter, Blair, Jung, Housewright, Haqq, Stanard, Kingston, Rubin

Against: 0
Absent: 2 - Anderson, Vann
Vacancy: 1 - District 11

Notices: Area: 200 Mailed: 13
Replies: For: 0 Against: 1

Speakers: For: Warren Ellis, 8700 Stonebrook Pkwy., Frisco, TX, 75034
Charles Dade, 801 W. Kiest Blvd., Dallas, TX, 75224
Christie Dade, 801 W. Kiest Blvd., Dallas, TX, 75224
Kira Sewell, 3440 Holliday Rd., Dallas, TX, TX, 75224
Deosha Taylor, 3002 Courtney Ln., Glenn Heights, TX, 75154
Jasmine Johnson, 2732 Meadow Bluff Ln., Dallas, TX, 75237
Brittany, Whitaker, 3245 Buckskin Dr., Dallas, TX, 75241
Denise Foster, 530 Ryan Rd., Dallas, TX, 75224
Steve Stoner, 7557 Rambler Rd., Dallas, TX, 75231
Dorian Curtis, Address not given
For (Did not speak): Symone Stern, 3137 W. Pentagon Pkwy., Dallas, TX, 75233
Against: None

List of Partners Officers

Genesis Foundation Child-care and Learning Center

- Pastor Charles Dade, Director
- Mrs. Christies Dade, Manager

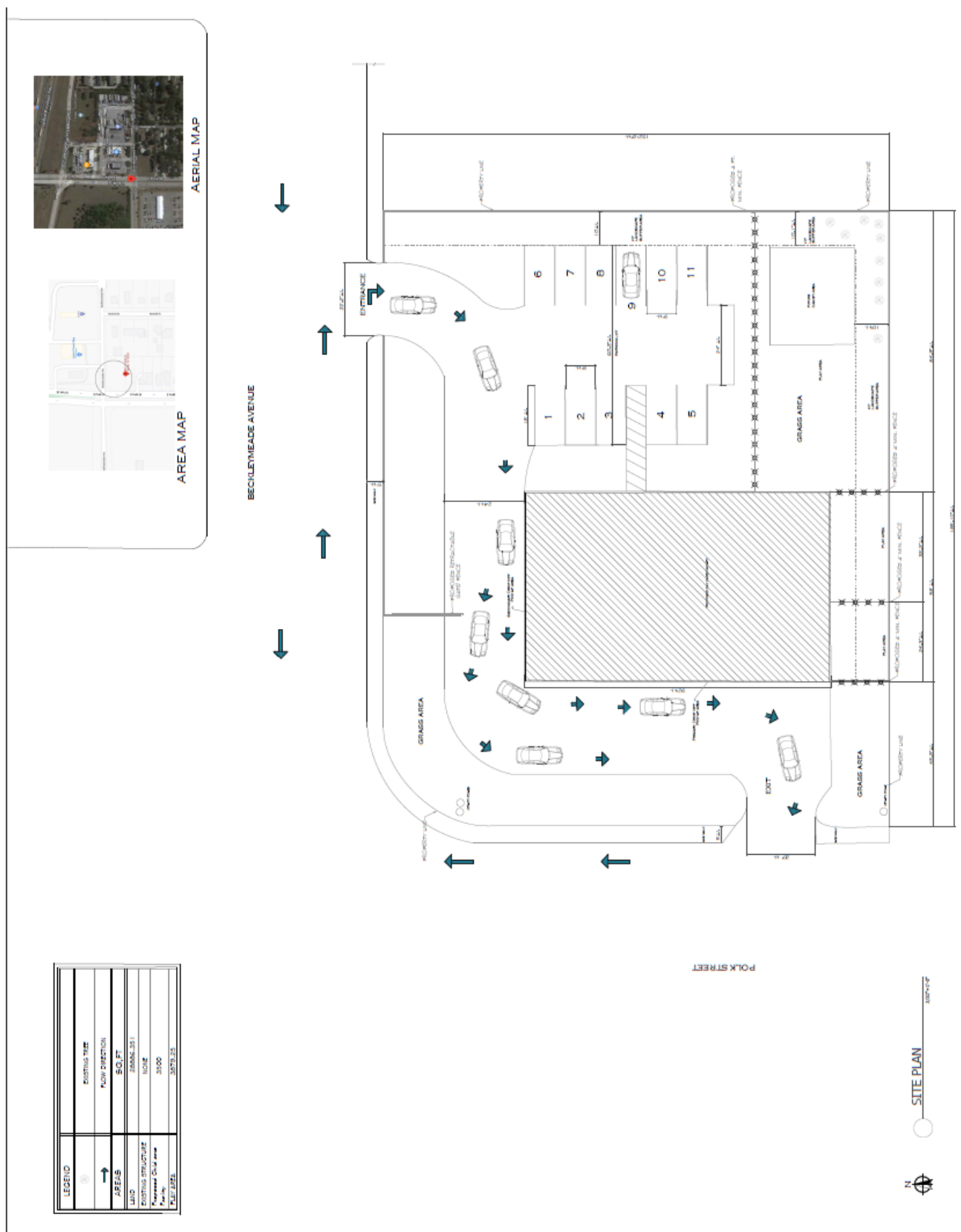
MBKK Properties, LLC

- Michael B. Tucker, Member
- Patrick Tucker, Member

CPC Recommended SUP Conditions

1. **USE**: The only uses authorized by this specific use permit is a child-care facility.
2. **SITE PLAN**: Use 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. **FLOOR AREA**: The maximum floor area for the child-care facility is 3,500 square feet in the location shown on the attached site plan.
5. **HOURS OF OPERATION**: The child-care facility may only operate between 6:30 a.m. and 8:00 p.m., Monday through Friday.
6. **FENCING**: The fence facing South Polk Street must be at least 50 percent transparent.
7. **INGRESS/EGRESS**: Ingress and egress must be provided in the location shown on the attached site plan. No other or egress is permitted.
8. **MAINTENANCE**: The Property must be properly maintained in a state of good repair and neat appearance.
9. **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 SUP Site Plan



TMP (for informational purposes only)



MEMORANDUM

To: City of Dallas Transportation Development Services

From: Steve E. Stoner, P.E., PTOE

CC: Warren Ellis – JSA Development Group, LLC
Pastor Charles and Christie Dade – Genesis Child Care Center

Date: October 13, 2022

Subject: **Traffic Management Plan for the Proposed Genesis Child Care Center**
PK #1345-22.612

BACKGROUND

The services of Pacheco Koch (PK) were retained by Genesis Child Care Center (GCCC) to prepare a Traffic Management Plan (TMP) required by the City of Dallas relative to the proposed rezoning of the subject property located at 8910 S Polk Street—in the southeast quadrant of the intersection of S Polk Street and Beckleymeade Avenue. GCCC is a proposed childcare facility that is anticipated to have a licensed capacity of up to 70 children. A site plan and site location map are attached.

EVALUATION

Existing Facility

GCCC operates an existing childcare facility at 801 W Kiest Boulevard. The existing facility has a licensed capacity of 33 children, and hours of operation are 6:30 AM-6:00 PM. Children may arrive and depart at any time during hours of operation, but typical peak arrival times are between 7:00-9:00 AM and peak departure times are between 4:00-5:30 PM. PK conducted observations of traffic characteristics at the existing facility during the peak morning drop-off and afternoon pick-up periods on October 7 and 11, 2022, at which times up to 25 children were present. During both drop-off and pick-up, pre-authorized parents or guardians must park their vehicles and walk the children in/out to register arrival/departure. On school days, the operators of the facility also transport some children to/from nearby schools using passenger vans.

During the morning observations, the observed maximum number of vehicles simultaneously on site was approximately four (4) vehicles, including two (2) staff vehicles. During the afternoon pick-up time, the observed maximum number of vehicles simultaneously on site was approximately

seven (7) vehicles, include three (3) staff vehicles and one (1) passenger van. The average dwell time of each parent/guardian was less than five (5) minutes.

Proposed Facility

The proposed facility on S Polk Street is anticipated to operate in the same manner as the existing facility but with a larger licensed capacity. It is estimated that approximately seven (7) staff may simultaneously be on site at one time.

The proposed site will provide two driveways—the driveway on Beckleymeade will be for entry only and the driveway on Polk will be for exit only. Other than within the eleven-space parking lot, traffic flow through the site will be one-way from Beckleymeade to Polk. Upon entry, parents/guardians will be expected to briefly parallel park along an internal curb adjacent to the front and side of the building while dropping off or picking up children. Staff will be available to assist children entering and exiting their vehicles. The reception area (i.e., “front door”) of the building will be located on S Polk Street frontage as far south as possible in order to encourage loading/unloading in locations that maximizes internal queue length. The proposed site plan accommodates approximately 215 linear feet of on-site queuing in a single row, plus another 175 linear feet of overflow queue in the bypass lane. Additionally, at least a couple of parking spaces in the parking lot will be available for parents that may require extra time.

By extrapolating the observed maximum number of vehicles simultaneously on site at the existing facility, the proposed facility is anticipated to have a maximum queue of up to 8.4, or nine (9), parent/guardian vehicles on site simultaneously. At 23.5 linear feet per vehicle (including gaps), this maximum queue equates to approximately 212 linear feet.

CONCLUSION

The proposed site for the Genesis Child Care Center will provide an on-site queue lane for nine (9) parent/guardian vehicles plus overflow for at least seven (7) more vehicles in the bypass lane. This design is anticipated to accommodate the anticipated maximum of up to nine parent/guardian vehicles on site simultaneously.

In order to minimize risk of the queue of parent-/guardian- vehicles from extending into Beckleymeade Avenue, the following measures are recommended:

- 1) GCCC should provide verbal, written, and graphical instructions to parents/guardians at orientation, and periodically thereafter, for the intended on-site traffic circulation and parking protocols for child drop-off and pick-up. These instructions shall include being efficient, cooperative, and mindful of safety and traffic flow through the site. During peak drop-off and pick-up times, available GCCC staff should be stationed at the preferred loading/unloading areas to facilitate safe and efficient child loading/unloading so as to avoid queue spillback onto Beckleymeade Avenue.
- 2) If the queue of parent-/guardian- vehicles extends or is anticipated to extend to Beckleymeade Avenue, GCCC staff should take the initiative to direct vehicles to briefly form a second queue line in the by-pass lane until the queue dissipates. However, child loading/unloading should only occur from the curb lane adjacent to the building. Any staff directing traffic from within the internal roadway should wear appropriate gear, including safety vests, and carry reversible “STOP/GO” paddleboard signs. GCCC staff should not operate in the public right-of-way.

END OF MEMO

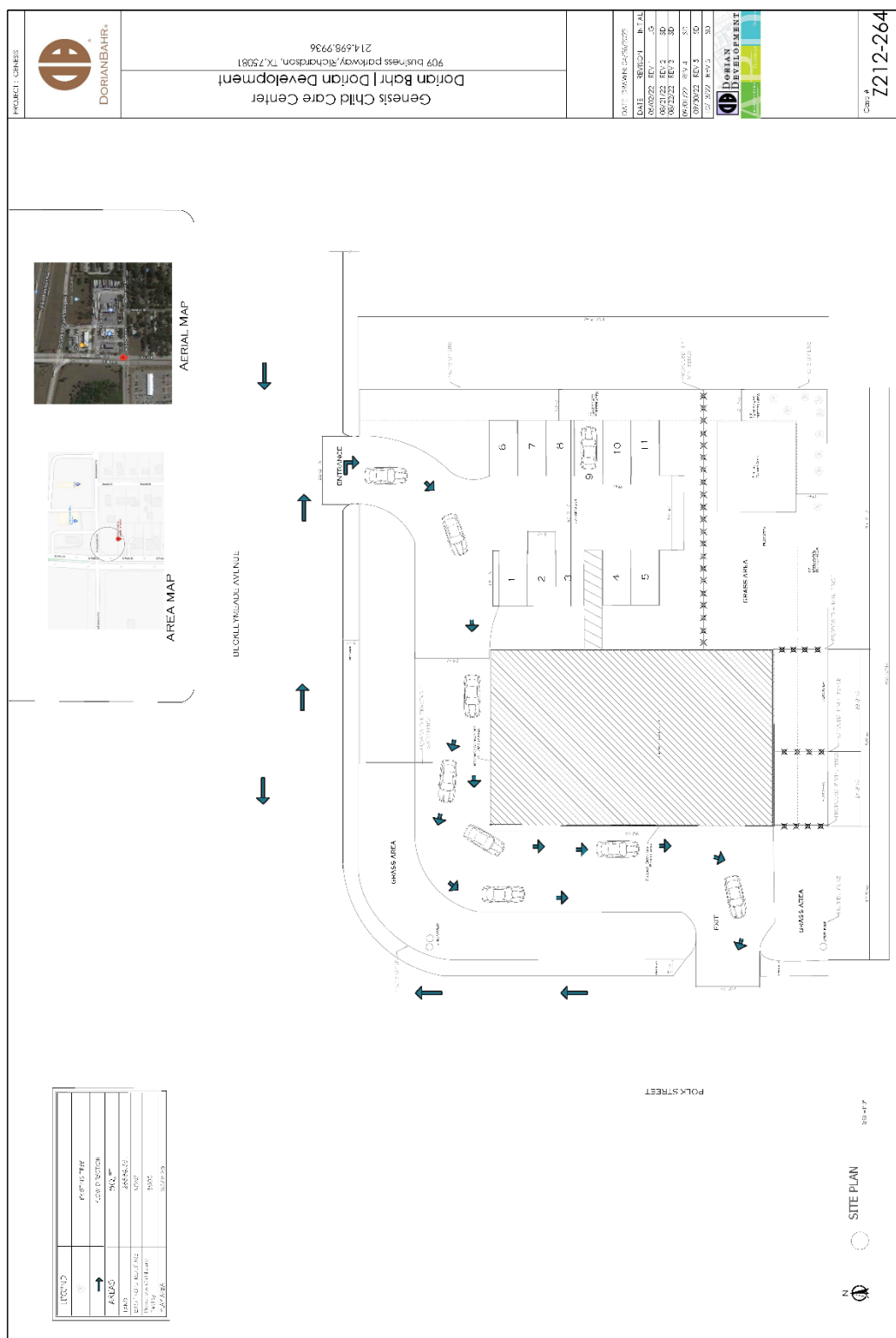
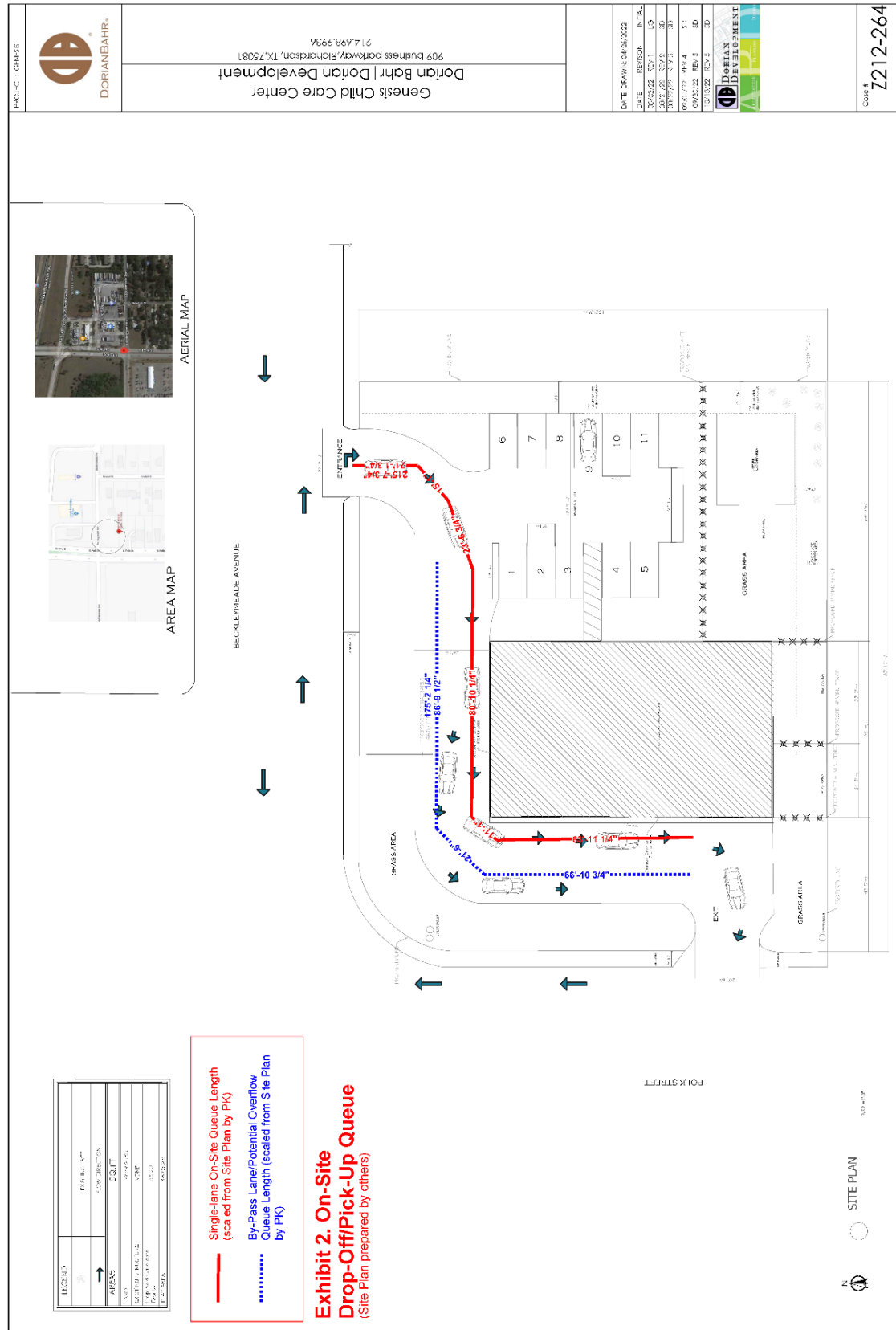
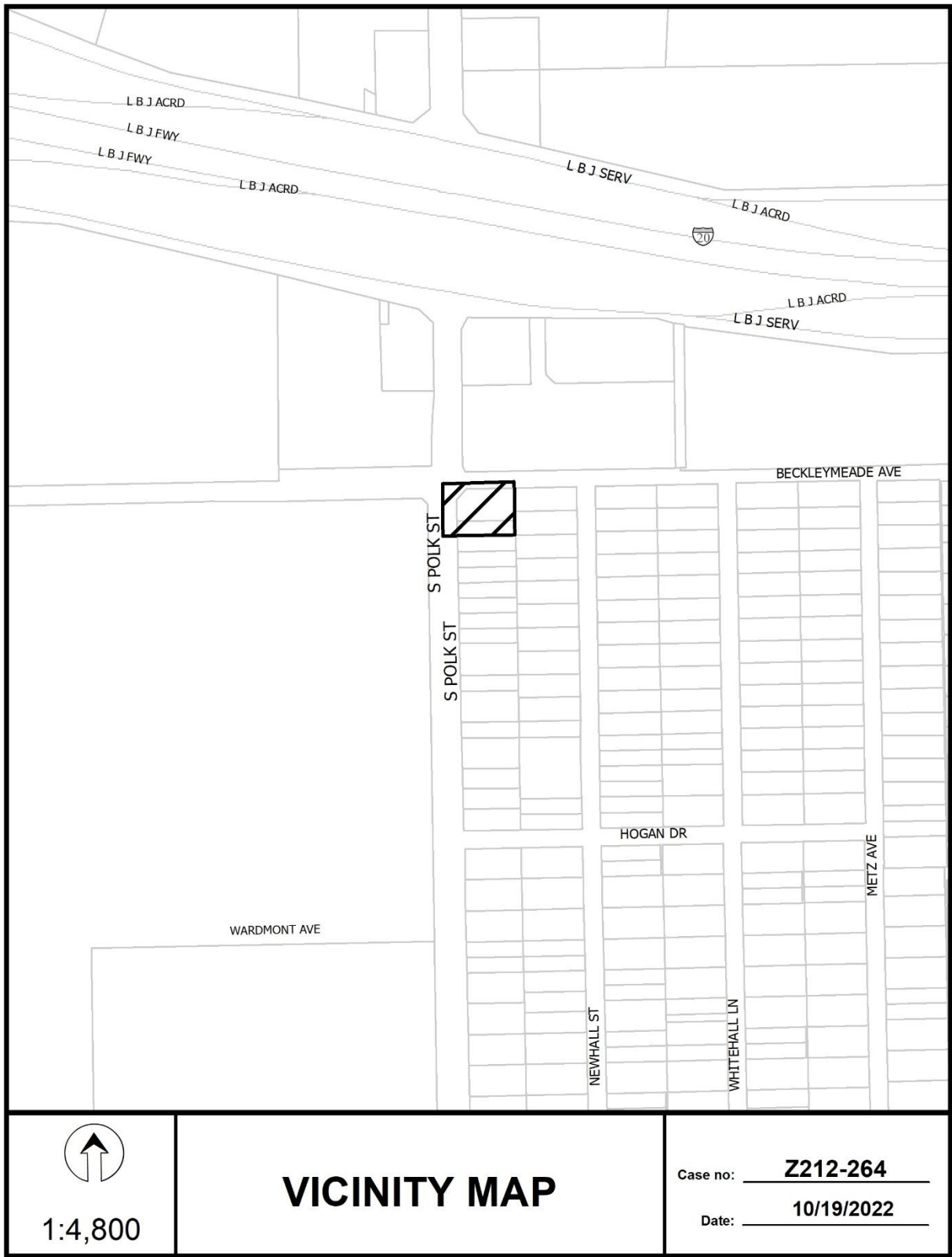
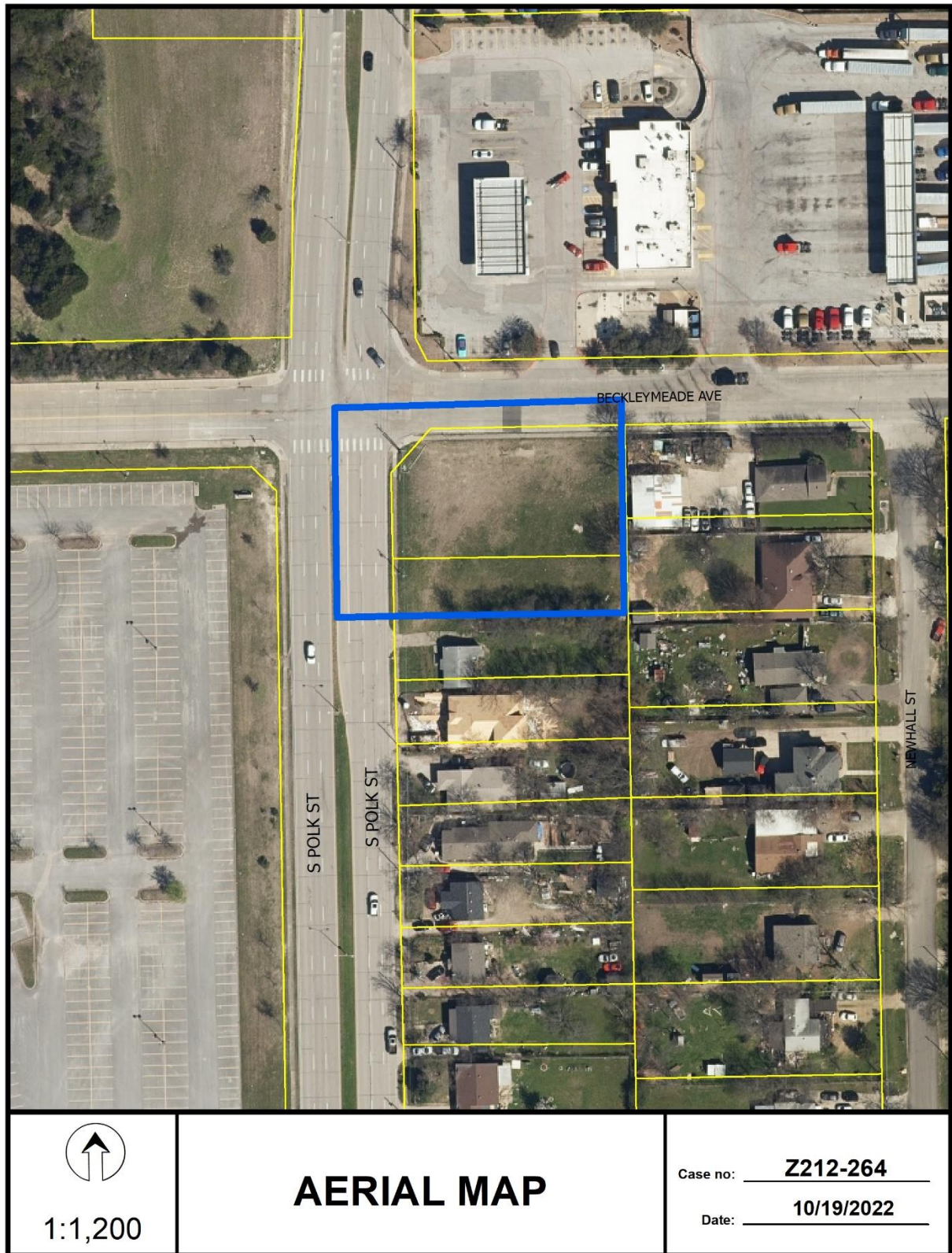


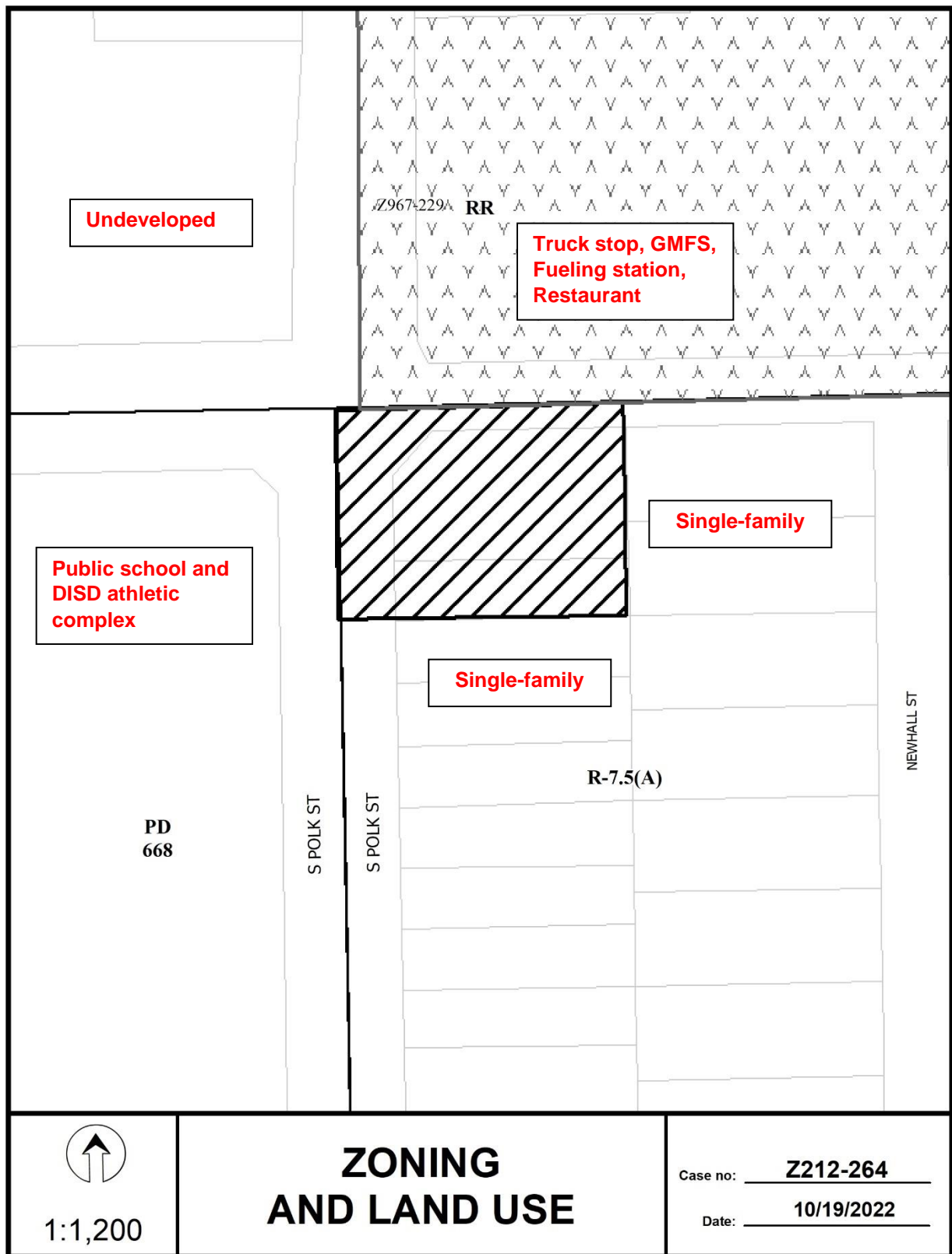


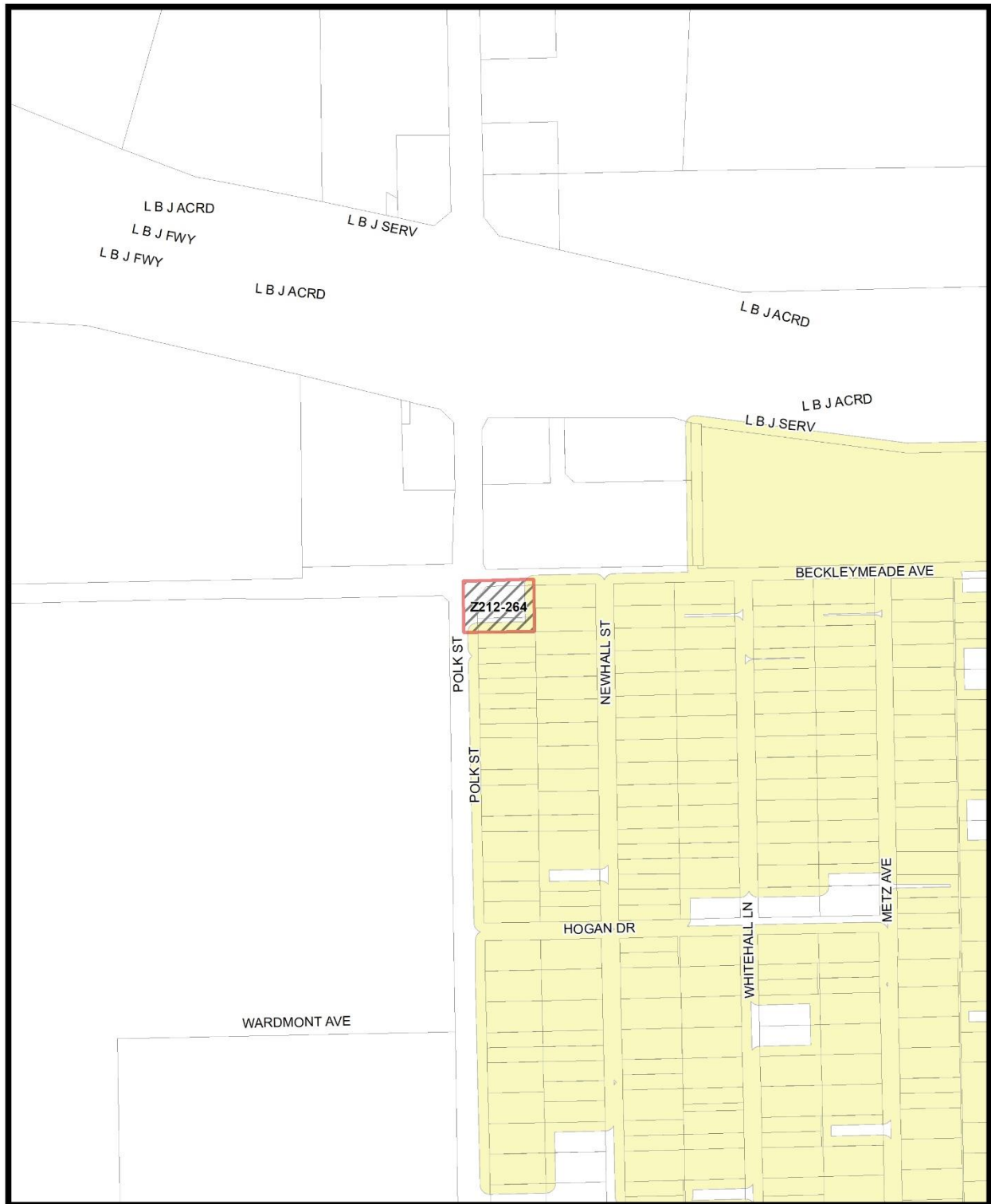
EXHIBIT 1 - SITE LOCATION MAP
Traffic Management Plan - Genesis Child Care Center











MVACluster A B C D E F G H I NA

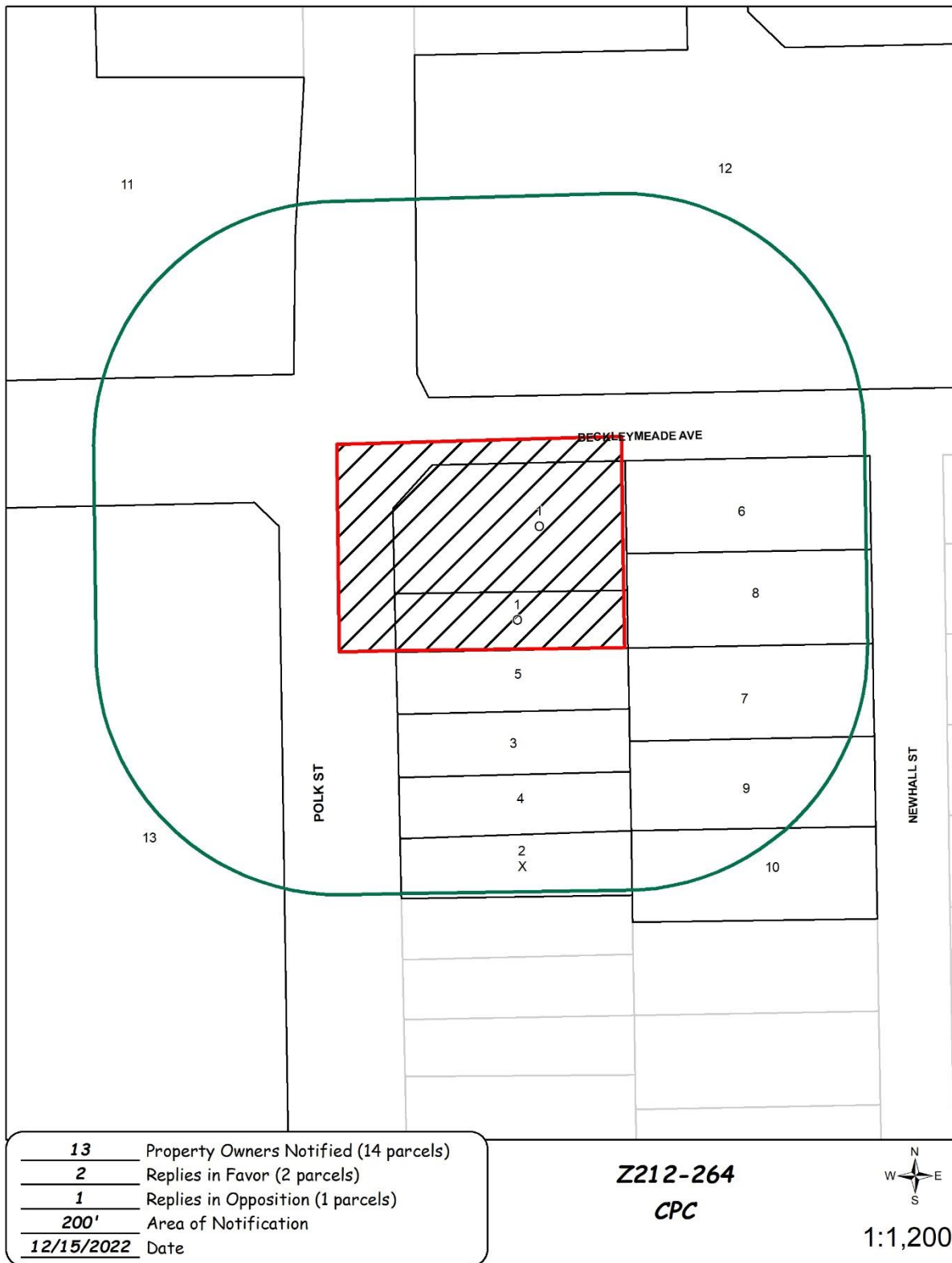


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Market Value Analysis

Printed Date: 10/19/2022

CPC RESPONSES



12/14/2022

Reply List of Property Owners***Z212-264******13 Property Owners Notified******2 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	2	8926 S POLK ST	MARTINEZ EDUARDO
	3	8922 S POLK ST	TAFORKEM HIRAM R
	4	8924 S POLK ST	PEREZ RAFAEL & LAURA
	5	8914 S POLK ST	ERVIN BESSIE &
	6	8903 NEWHALL ST	RODRIGUEZ MARTIN
	7	8911 NEWHALL ST	MARTINEZ NANCY H
	8	8907 NEWHALL ST	SALINAS ALEJANDRINA
	9	8915 NEWHALL ST	MOLINA PASCUAL
	10	8919 NEWHALL ST	BECERRA JOSE
	11	8631 S POLK ST	BROOKS PHILLIP W
	12	8800 S POLK ST	LOVES COUNTRY STORES INC
	13	9191 S POLK ST	Dallas ISD
O	A1	8910 S POLK ST	MBKK PROPERTIES LLC
O	A2	8908 S POLK ST	MBKK PROPERTIES LLC