

FILE NUMBER: Z223-334(WK) **DATE FILED:** September 13, 2023

LOCATION: South line of Forney Road, west of Lomax Drive

COUNCIL DISTRICT: 5

SIZE OF REQUEST: Approx. 30,000 sf **CENSUS TRACT:** 48113008500

OWNER/APPLICANT: Pamela Jefferson [Sole Owner]

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 the request is to allow a child-care facility on the site.

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

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

BACKGROUND INFORMATION:

- The area of request is within an R-7.5(A) Single Family District.
- The request is for a new SUP. The previous SUP No. 1285 for a child-care facility lapsed.
- The lot has frontage on Forney Road.

Zoning History:

There have been no zoning cases in the area in the past five years.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing/Proposed ROW |
|---------------------|---------------------|-----------------------|
| Forney Road | Community Collector | 80' |

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Land Use:

| | Zoning | Land Use |
|-------|------------|---------------|
| Site | R-7.5(A) | Child Care |
| North | PD No. 822 | School |
| East | R-7.5(A) | Single family |
| South | R-7.5(A) | Single family |
| West | R-7.5(A) | Single family |

Land Use Compatibility:

The request site is within an R-7.5(A) Single Family District and is currently occupied by the applicant. The R-7.5(A) District allows for child-care facility uses with a specific use permit.

Other uses surrounding the area of request include single family residential to the east, west, and south, and a school to the north. The child-care use on the site is complimentary to the community services developments that have previously occurred along Forney Road.

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. The child-care use will be complimentary to the surrounding area and serve the existing community.

Landscaping:

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

Parking:

Per code, the parking for a child-care facility is 1 space per 500 square feet of floor area unless otherwise determined in the SUP. The applicant is requesting four parking spaces on the site.

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 in an “H” MVA area that extends to the south, east, and west. North of the request area across Forney Road is an “F” MVA cluster.

CPC Action
March 7, 2024

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a ten-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District, between Lomax Drive and Wimbledon Way.

Maker: Herbert
Second: Shidid
Result: Carried: 12 to 0

For: 12 - Chernock, Hampton, Herbert, Forsyth, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Haqq, Hall

Against: 0
Absent: 3 - Treadway, Kingston, Rubin
Vacancy: 0

| | | |
|-----------------|-----------|------------|
| Notices: | Area: 200 | Mailed: 20 |
| Replies: | For: 0 | Against: 0 |

Speakers: None

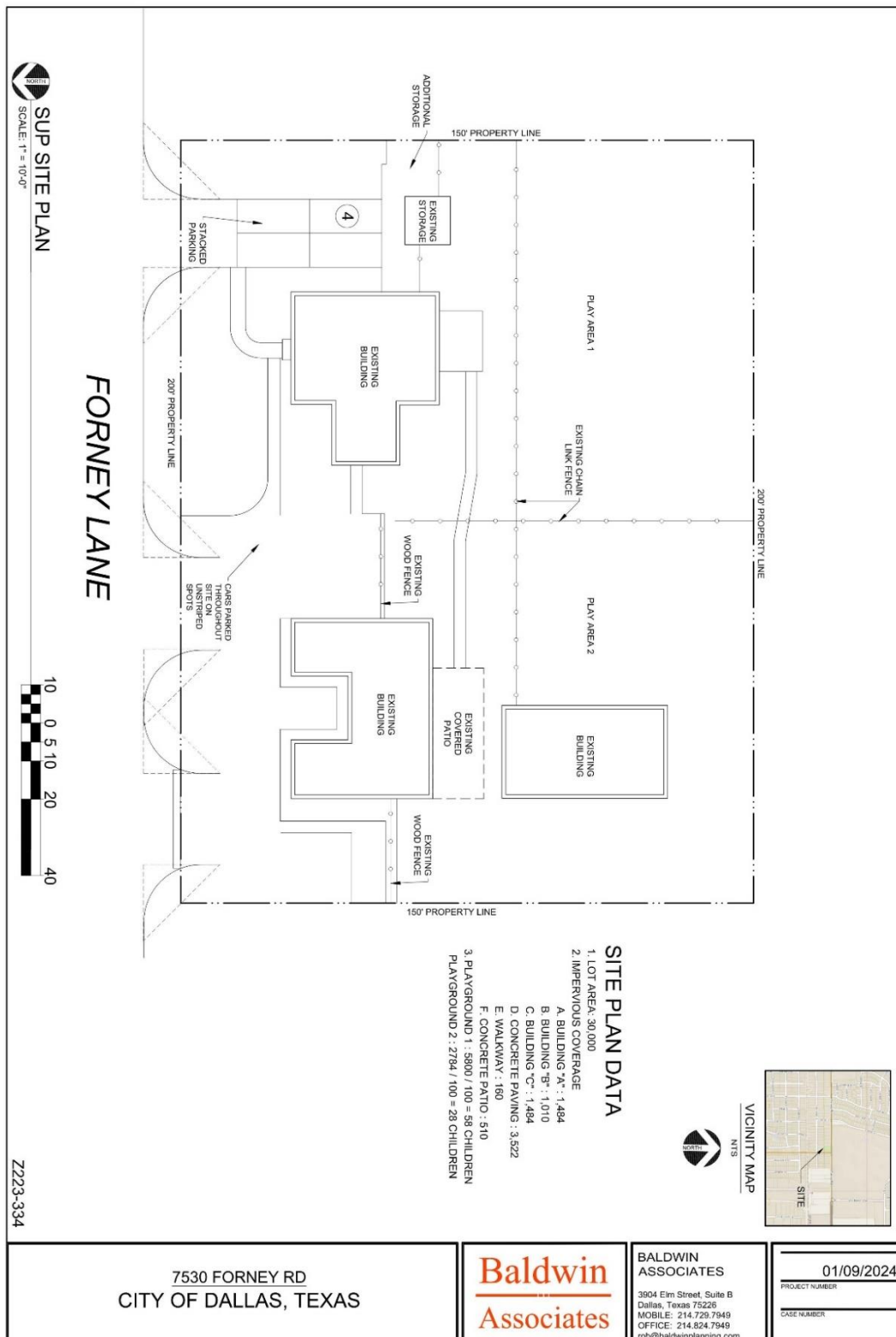
**CPC RECOMMENDED
PROPOSED CONDITIONS**

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 (ten years from the passage of this ordinance), and is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of the Dallas City Code, as amended. In order 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 application for automatic renewal is strictly enforced.)
4. DRIVE: A circular drive or similar area must be provided for the off-street loading and unloading of children in the location shown on the attached site plan.
5. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
6. HOURS OF OPERATION: The child-care facility may only operate between 6:00 a.m. and 6:00 p.m., Monday through Friday.
7. FLOOR AREA: Maximum floor area is 3,978 square feet.
8. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on attached site plan. No other ingress or egress is permitted.
9. PARKING: A minimum of four off-street parking spaces must be provided in the location shown on the attached site plan
10. SCREENING: A minimum six-foot-high solid screening fence must be provided as shown on the attached site plan. Parking areas adjacent to residential uses must be screened with a minimum six-foot-high solid screening fence.

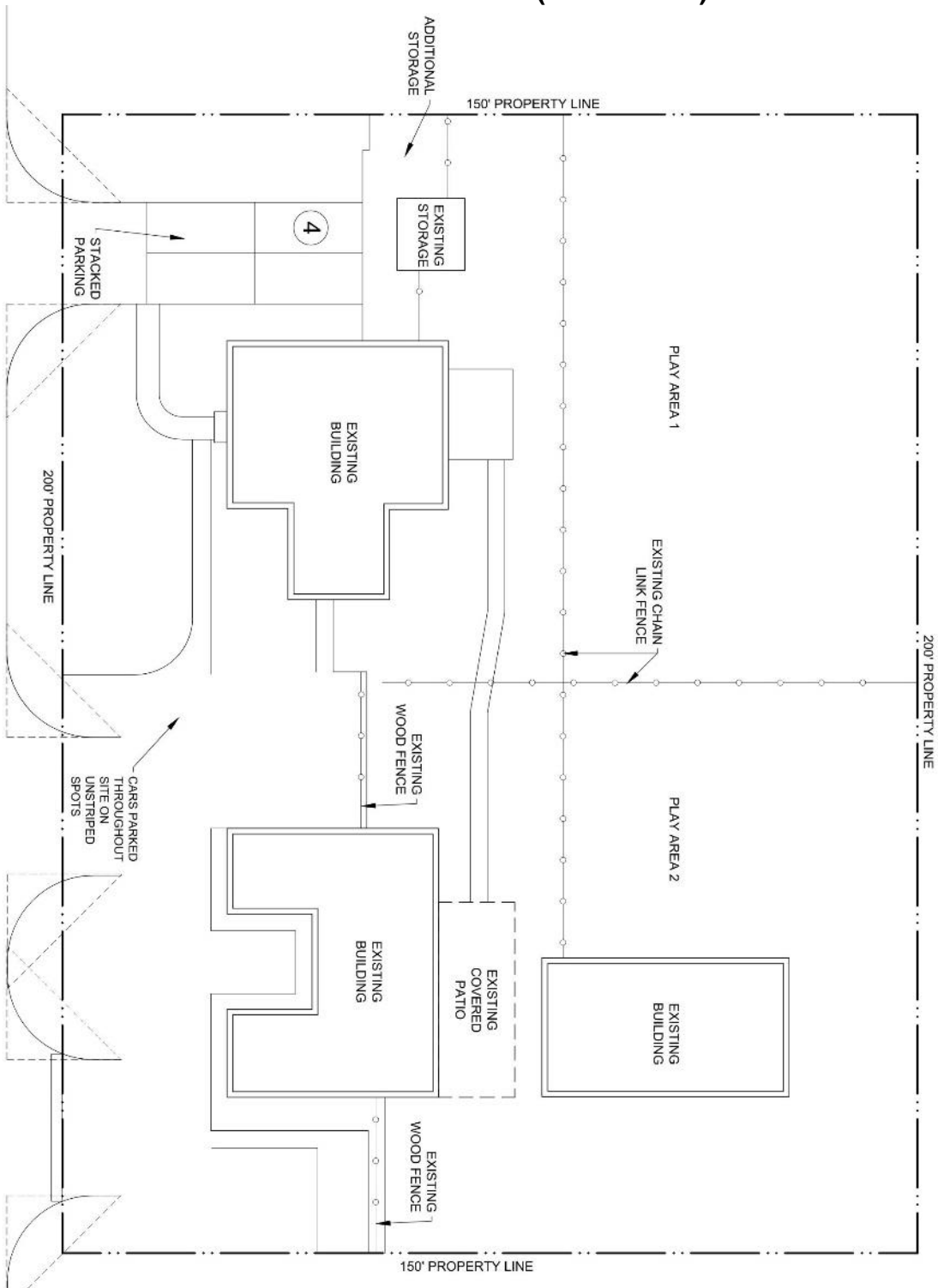
11. MAINTENANCE: The property will be adequately maintained in good repair and neat appearance.

12. 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.

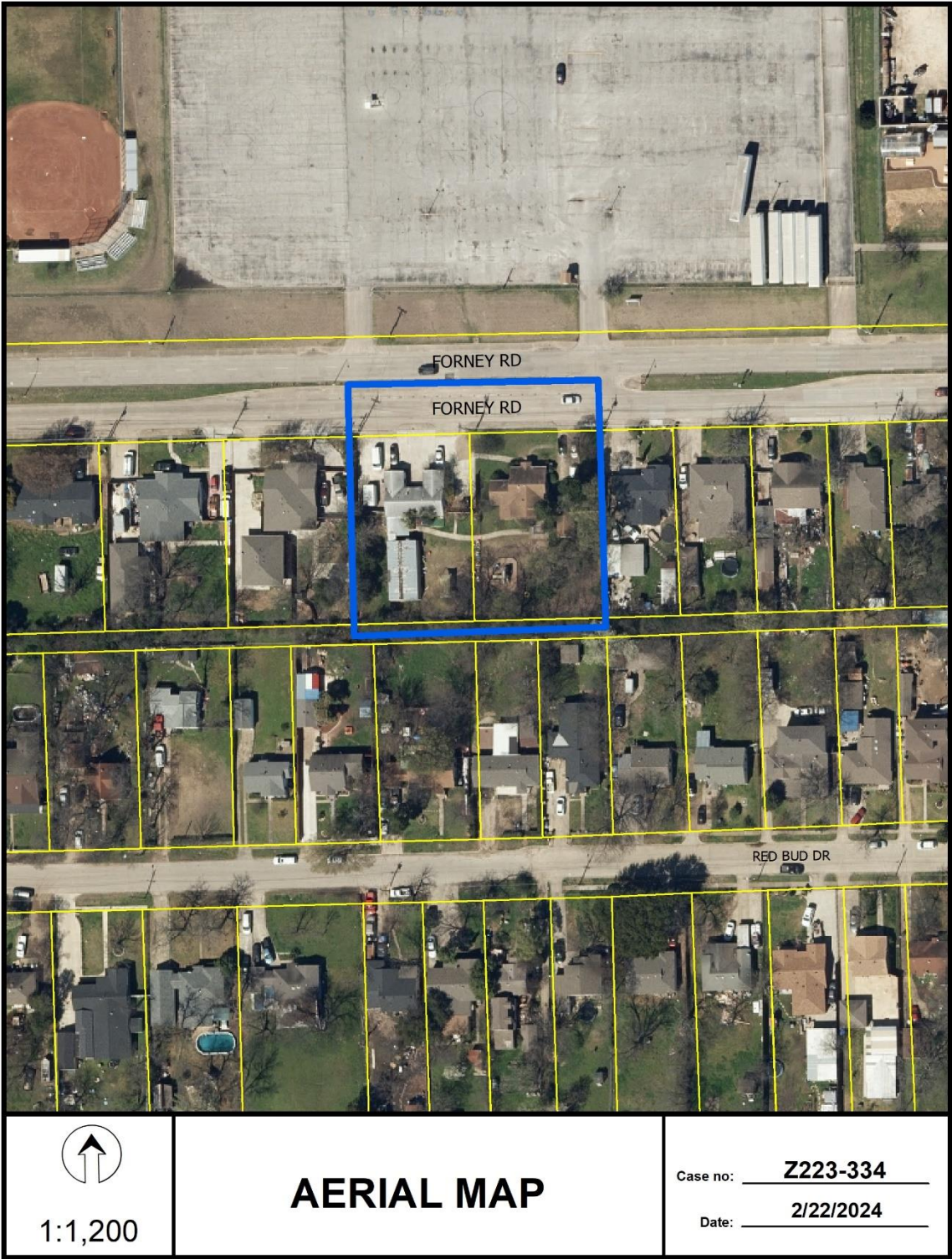
CPC RECOMMENDED PROPOSED SITE PLAN

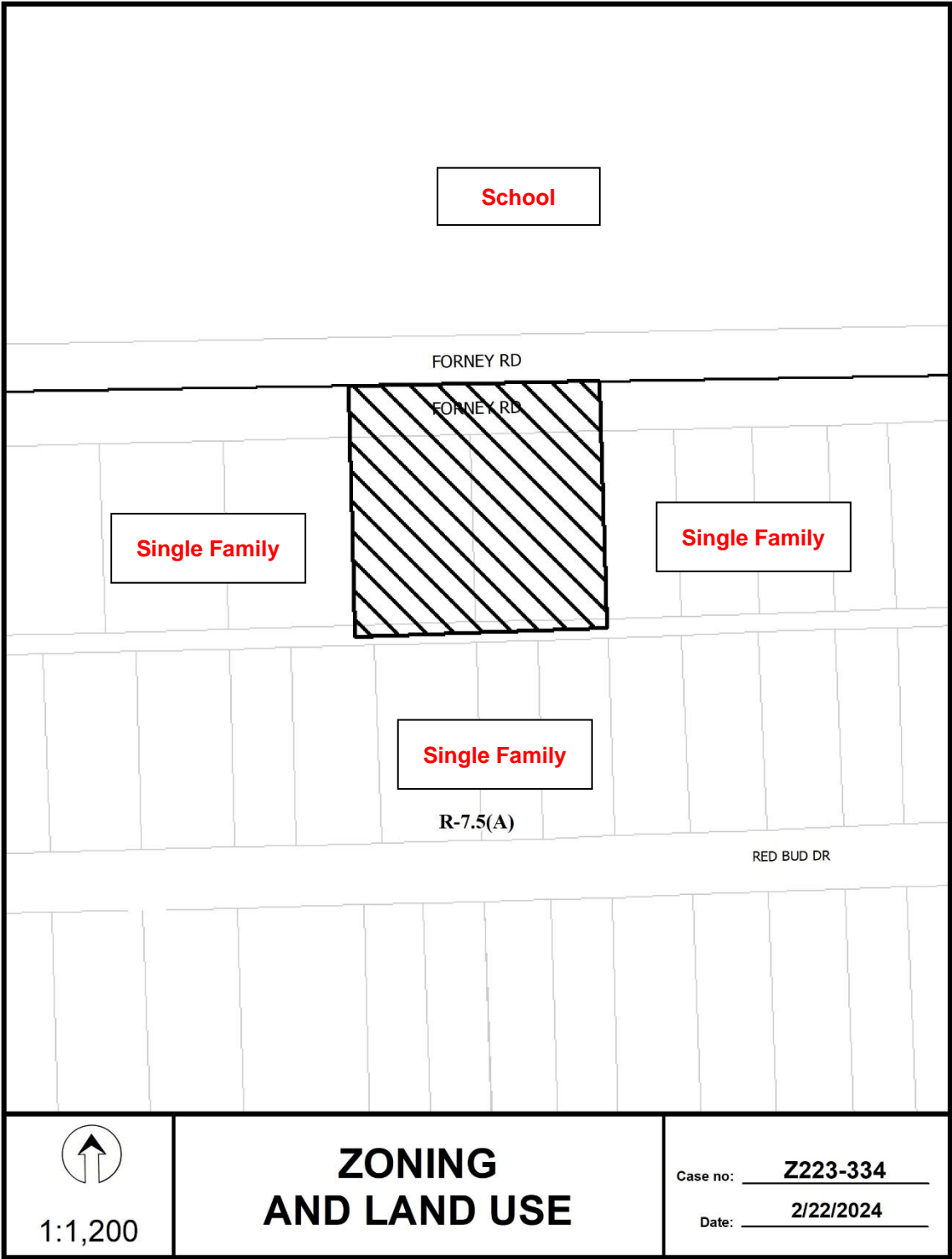


PROPOSED SITE PLAN (ENLARGED)











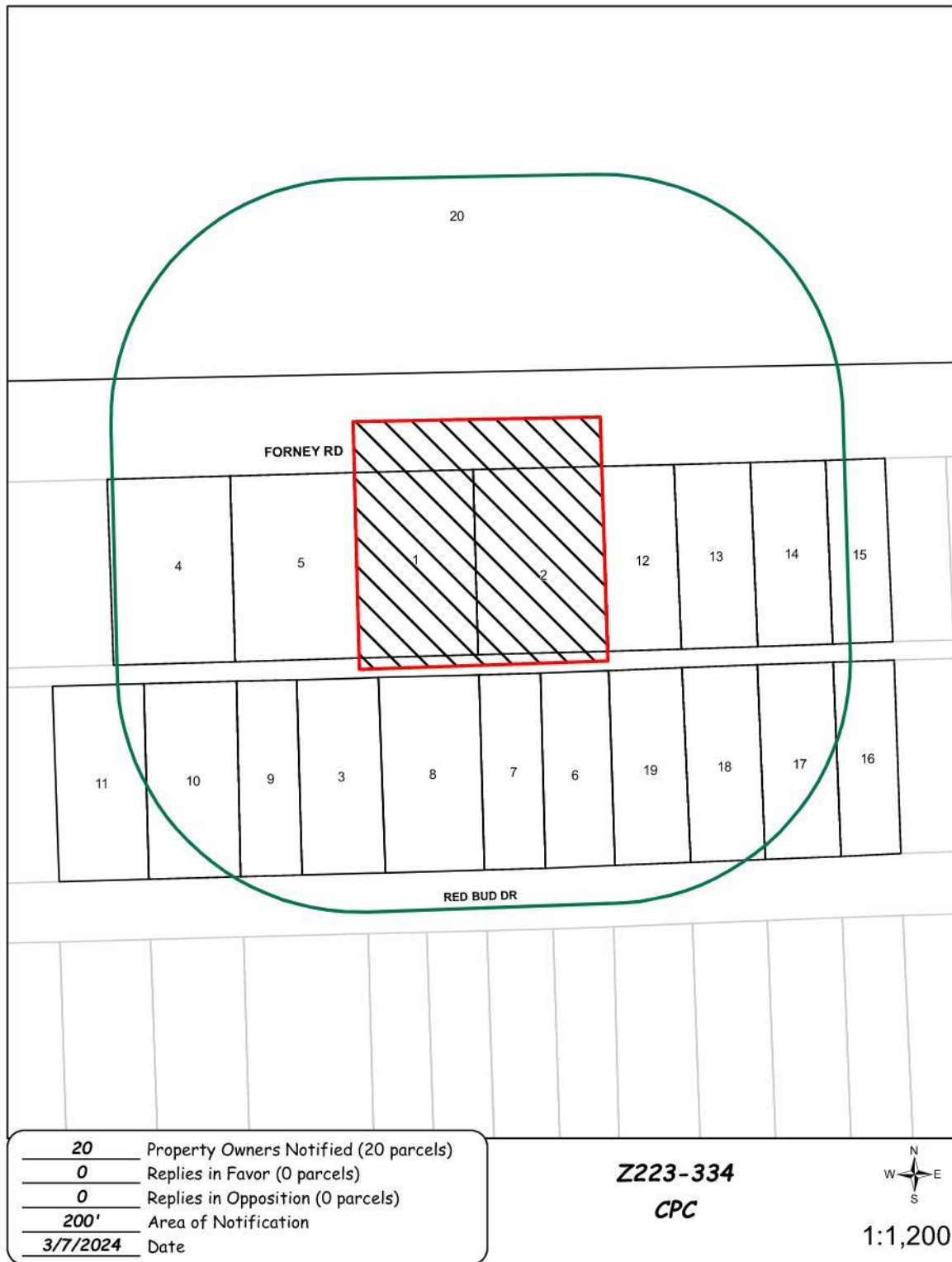
Market Value Analysis



1:4,800

Market Value Analysis

Printed Date: 2/22/2024



03/06/2024

Reply List of Property Owners***Z223-334******20 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed***

| <i>Reply</i> | <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|---------------------|-----------------------|-----------------------|---------------------------------|
| 1 | 7530 | FORNEY RD | JEFFERSON ROY L & |
| 2 | 7538 | FORNEY RD | JEFFERSON ROY |
| 3 | 7523 | RED BUD DR | DELEON MARIA |
| 4 | 7514 | FORNEY RD | SUCHIL ISIDRO |
| 5 | 7522 | FORNEY RD | ISDRO SUCHIL |
| 6 | 7539 | RED BUD DR | BE ZE INVESTMENTS LLC SERIES 23 |
| 7 | 7535 | RED BUD DR | ESPARZA FELICIANO LOZANO |
| 8 | 7531 | RED BUD DR | RODRIGUEZ MARIO J RODRIGUEZ |
| 9 | 7519 | RED BUD DR | MOORE REIKO S EST |
| 10 | 7509 | RED BUD DR | LOPEZ ROGER |
| 11 | 7507 | RED BUD DR | GUAJARDO DARIO RAY |
| 12 | 7602 | FORNEY RD | Taxpayer at |
| 13 | 7608 | FORNEY RD | AGUILAR JUAN |
| 14 | 7612 | FORNEY RD | RODRIGUEZ JOSE ADRIAN |
| 15 | 7616 | FORNEY RD | SANCHEZ FLORENTINO |
| 16 | 7617 | RED BUD DR | DEL RIO ARTURO & |
| 17 | 7611 | RED BUD DR | HERRERA REYES & |
| 18 | 7607 | RED BUD DR | MOLINA JORGE & IRENE |
| 19 | 7603 | RED BUD DR | RAMOS FERNANDO |
| 20 | 7777 | FORNEY RD | Dallas ISD |