

Zoning Case 0723-06



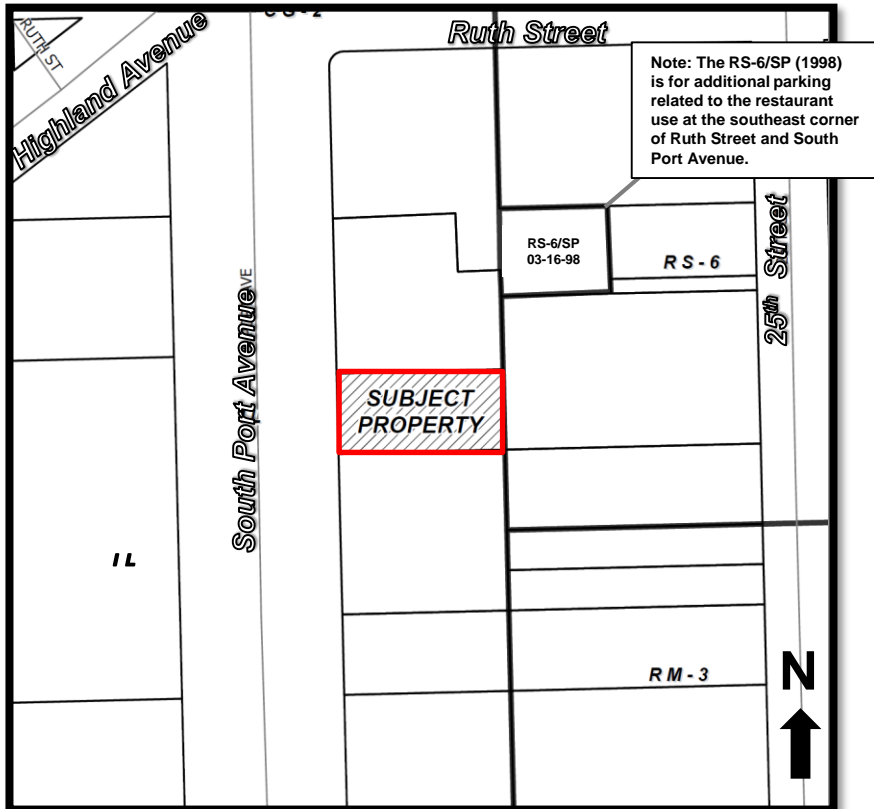
Costa Blue 914 S. Port Series DISTRICT 1

Rezoning for a property at
914 South Port Avenue
From "IL" to "IL/SP"



City Council
October 17, 2023

Zoning and Land Use



Proposed Use:

To allow for a commercial daycare, adaptive reuse of a former place of worship.

Area Development Plan:

Westside (January 2023)

Future Land Use Map:

Mixed Use

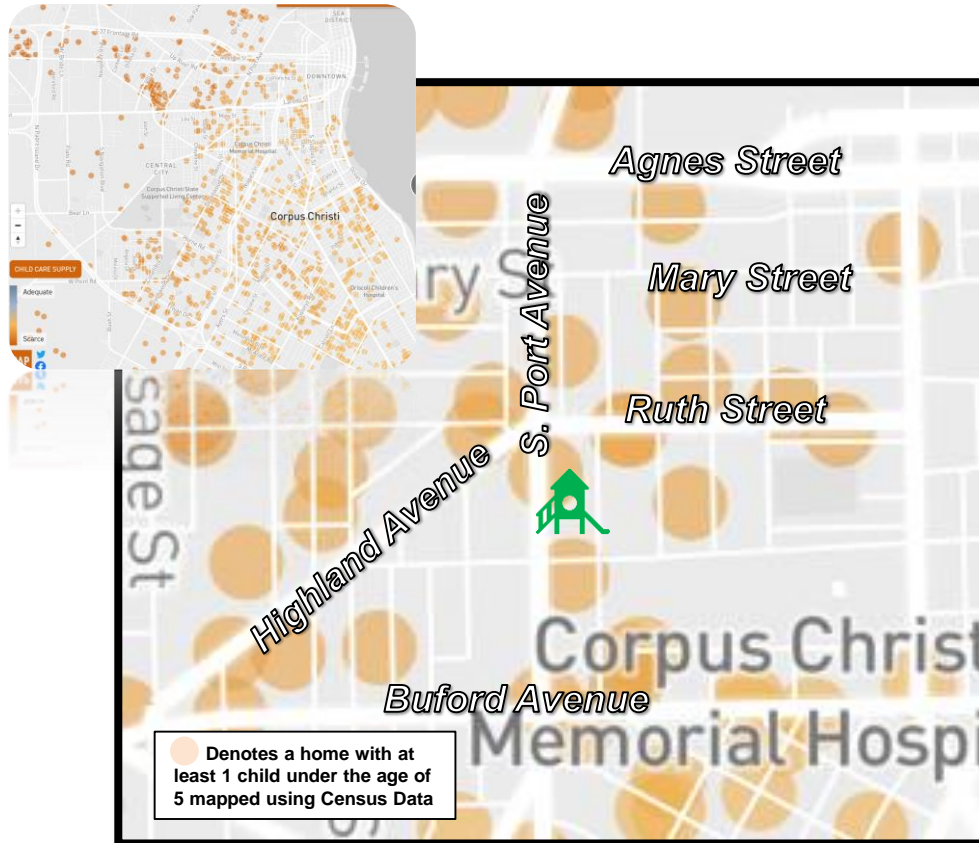
Existing Zoning:

"IL" Light Industrial

Adjacent Land Uses:

- North, South: Commercial uses, Zoned "IL"
- East: Low-Density Residential uses, Zoned "RS-6"
- West: Commercial uses, Zoned "IL"

Background



Current Lessee

Ds Childcare – currently operating as a State Licensed, home daycare.

Proposed Expansion

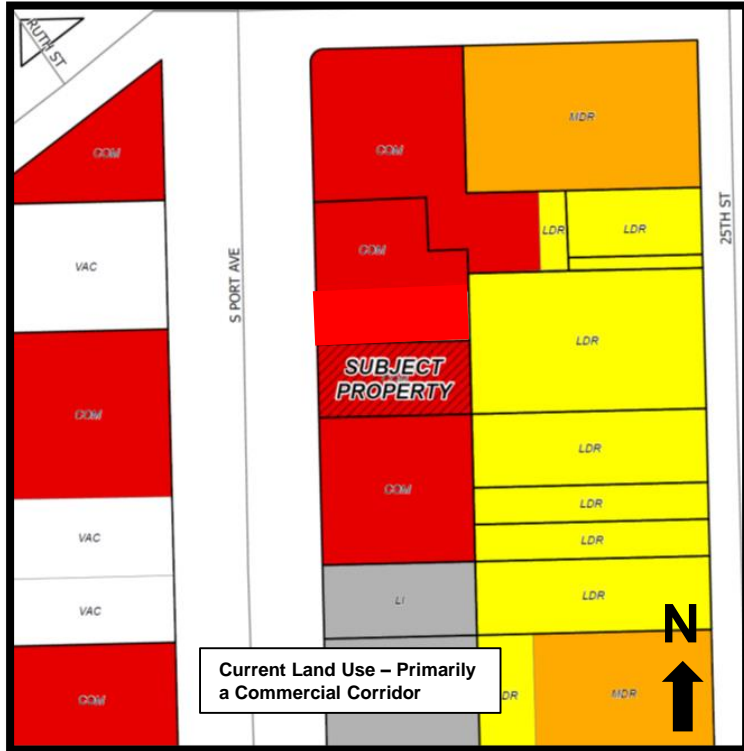
Ds Childcare has received a Childcare Provider Expansion grant to offset operational costs associated with expanding the home daycare and relocating to the subject property.

Child Care Desert:

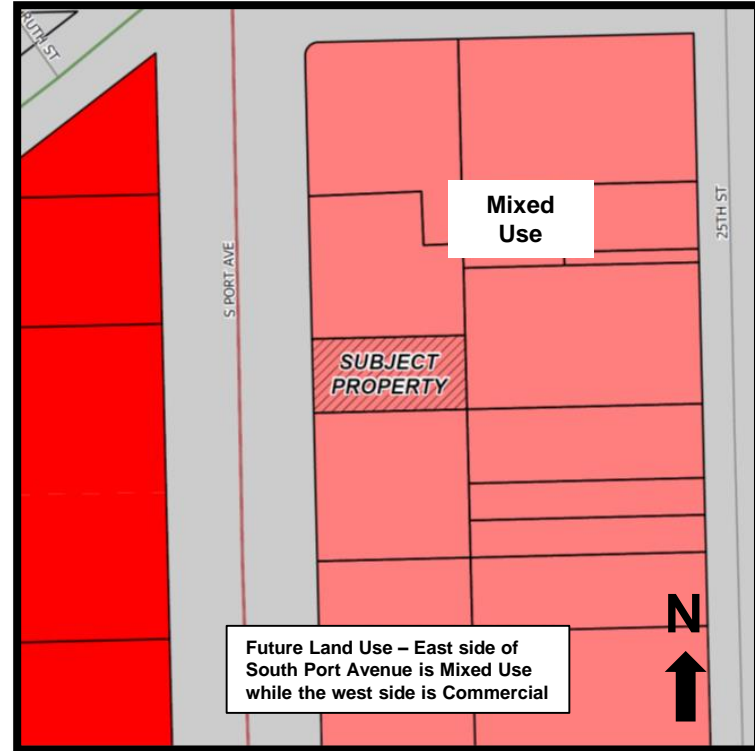
With assistance from the Workforce Commission, the lessee determined local childcare deserts – defined as an area with at least 30 children under the age of 6 and either no childcare provider at all or so few that there are more than 3 times as many children under 5 as they are childcare spots available – determined using census data

Land Use

Current



Future



Public Notification

19 Notices mailed inside the 200' buffer
4 Notices mailed outside the 200' buffer

Notification Area

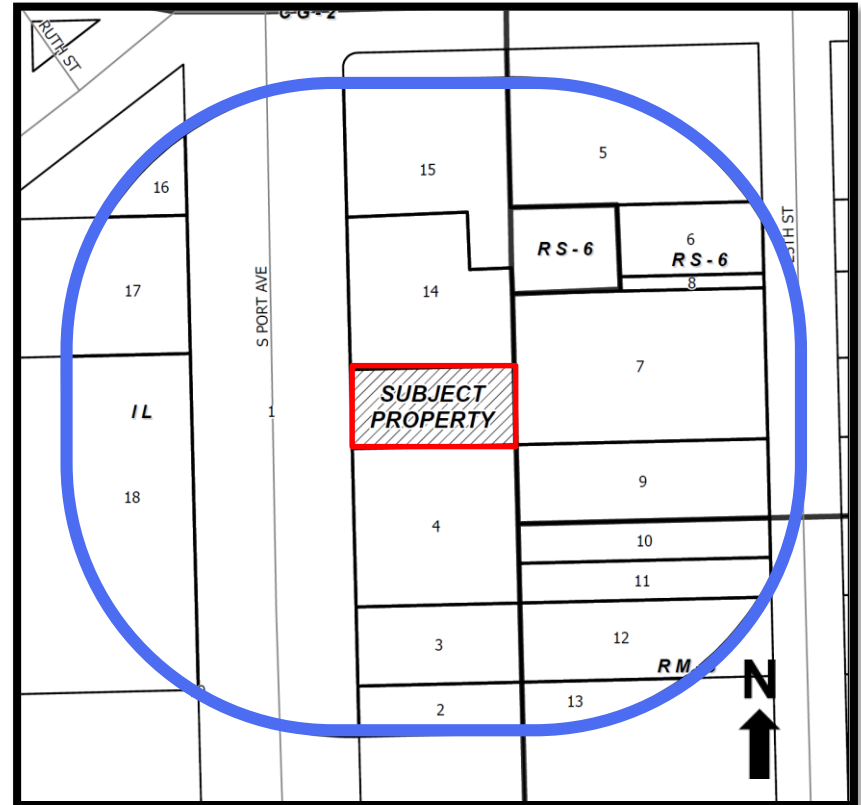
Opposed: 0 (0.00%)
Separate Opposed Owners: 0



In Favor: 0 (0.00%)



*Notified property owner's land in SQF/ Total square footage of all property in the notification area = Percentage of public opposition.



Staff Analysis And Recommendation

- The proposed rezoning, while inconsistent with the Future Land Use Map, is consistent with PlanCC and the Westside Area Development Plan by supporting:
 - Economic Development
 - Entrepreneurship
 - Essential needs such as daycare
- The subject property is ideally sited as the area is identified as a Childcare Desert.
- The entire east block of South Port Avenue from Buford Avenue to Ruth Street is light industrially zoned with a Future Land Use proposing Mixed Use. Staff seeks to main the continuity in the zoning district which allows commercial to light industrial uses.
- The requested special permit can provide the limited use of a commercial daycare and address parking issues, including the required drive-through loading area.

PLANNING COMMISSION & STAFF RECOMMENDATION (August 23, 2023):
Approval of the change of zoning from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit subject to conditions.

Special Permit Conditions

1. Use: The only use allowed other than uses allowed in the base zoning district is a commercial daycare.
2. Off-Street Parking and Loading: A signed shared parking agreement must be submitted with the building permit application to include 4 employee parking spaces and a drive-thru loading area with 5 vehicle stacking spaces.
3. Occupancy: Shall be limited to 4 employees and no more than 38 children.
4. Screening: Outdoor play area shall be screened according to Texas Child Care Licensing requirements.
5. Location of Outdoor Play or Instruction Area: May be allowed in the front of the property but not in the required street yard.
6. State Licensing: The applicant shall maintain Texas Child Care Licensing.
7. Hours of Operation: The hours of operation shall be limited from 6:00 AM to 7:00 PM.
8. Other Requirements: The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
9. Time Limit: In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Site Plan

- Four designated Employee Parking Spaces.
- Drive Thru Loading Area & Stacking: Ingress on Port Avenue and Egress on Ruth Street.
- Covered walkway from parking area to daycare building.
- Bollards in front of Play Area.

