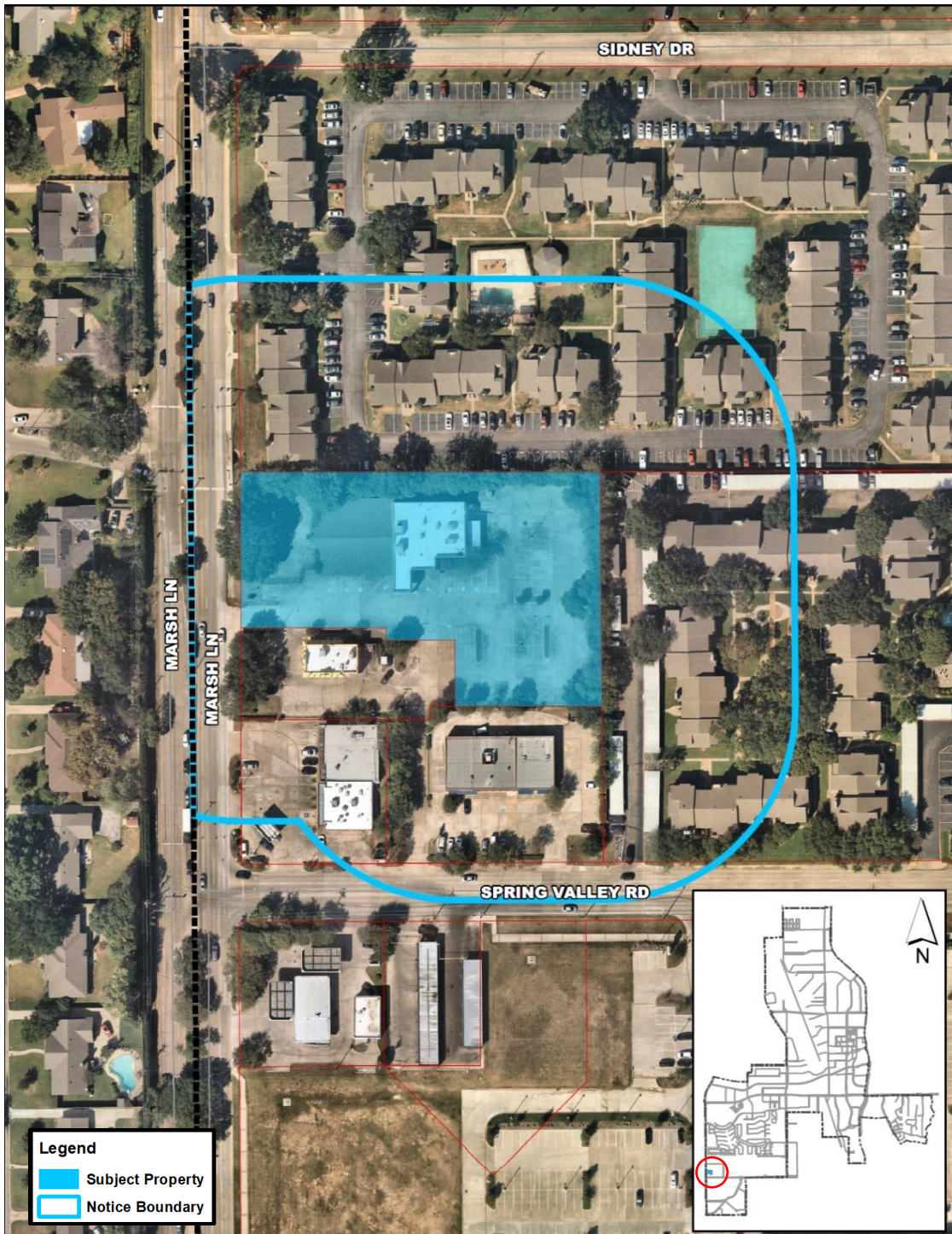


# 1842-SUP

**PUBLIC HEARING** Case 1842-SUP/14450 Marsh Lane (Tierra Encantada). Hold a Public Hearing, Present, Discuss, and Consider Action on a Recommendation regarding an Ordinance for Property Located at 14450 Marsh Lane, currently Zoned Local Retail (LR), for a Special Use Permit (SUP) to allow a Day Nursery.

## LOCATION MAP





November 12, 2021

## STAFF REPORT

RE: 1842-SUP/14450 Marsh Lane (Tierra Encantada)  
LOCATION: 14450 Marsh Lane  
REQUEST: Approval of a Special Use Permit for a day nursery.  
APPLICANT: Amanda Bocchinfuso, M+A Architects  
DISCUSSION:

Background: A day nursery is proposed in an existing, vacant building located on the east side of Marsh Lane, approximately 250 feet north of Spring Valley Road. This property is zoned Local Retail (LR) District.

The subject building was previously occupied by an adult education facility, ELS Language Center, and a Special Use Permit (SUP) for a day nursery (Brilliance Pre-School, Inc.) was previously approved by Ordinance No. 095-043 and amended by Ordinance No. 099-022. These uses vacated the property several years ago, and the building has remained vacant since those departures.

Tierra Encantada Spanish Immersion Childcare & Preschool is a franchise with 6 existing locations in several states. It opened its first location in 2013 and is expected to open 2 locations in the Houston area. Tierra Encantada offers childcare for children ranging from 6 weeks to 6 years of age with a focus on bilingual education that fosters early cognitive development and diversity within a curated curriculum.

Proposed Plan: The applicant is requesting approval of an SUP for a day nursery that would occupy the existing building and has proposed improvements to the site, which include the addition of playground facilities, landscape improvements, minor building façade improvements, and interior renovations.

The floor plan accommodates 10,599 square feet for ten classrooms for the various age ranges, (infant, toddler, and preschool) and supporting area which includes an indoor playroom, kitchen, administrative offices, and a breakroom. It is anticipated that there will be a maximum of 153 students and 27 staff members (1 to 2 staff members for each classroom and administrative staff). There are two outdoor playground areas, on the north side and west side of the building, that will be resurfaced with poured safety surface and playground equipment.

Parking: The Town's zoning ordinance does not establish required parking for day nursery uses; however, the site is sufficiently parking to serve the operations of the business. The site will provide a total of 89 parking spaces, which results in a parking ratio of 1 parking space per 120 square feet of building floor area.

Uses such as day nurseries or schools typically required parking based on assembly area (cafeteria, gym, etc.) capacity or anticipated personnel. Given that the school plans to retain 27 staff members and that parking turnover will be frequent due to most site parking demand being generated by student drop off and pickup, Staff believes that the proposed parking will exceed parking demand for the site.

Exterior Facades: The existing building is primarily comprised of brick façade materials, which the applicant will not be changing. The applicant will be doing some aesthetic and maintenance improvements to the exterior of the building by replacing the exiting storefront, doors, and windows, removing existing light fixtures mounted along the roof, and repainting an existing walk-in cooler on the east side of the building.

Landscaping: The landscape plan shows the preservation of existing landscaping, including along the Marsh Lane frontage and portions of the landscape buffer to the north and east, adjacent to the existing multi-family neighborhoods. At the recommendation of the Town's landscape architect, the landscape buffer that is within the playground area on the north side of the building, will be replaced with Nellie R Stevens holly to eliminate potential toxic risk associated with existing Red Tip Photinia plantings. Additionally, the applicant is providing landscape area encompassing 28 percent of the property and will plant additional trees within the parking lot to comply with the Town's landscape ordinance.

#### RECOMMENDATION: **APPROVAL WITH CONDITIONS**

This new day nurse represents positive reinvestment in the Marsh Lane corridor and will provide a needed service to area residents.

Staff recommends approval of the request, subject to the following conditions:

- Existing SUP Ordinance No. O95-043 and amending SUP Ordinance No. O99-022 are repealed upon issuance of a Certificate of Occupancy for the proposed use.
- The applicant shall provide staff with proof of state childcare license prior to issuance of a Certificate of Occupancy.



Case 1842-SUP/Tierra Encantada

November 16, 2021

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 16, 2021, voted to recommend approval of an Ordinance changing the zoning on property located at 14450 Marsh Lane, currently zoned Local Retail (LR), by approving a Special Use Permit (SUP) for a day nursery, subject to the following conditions:

- Existing SUP Ordinance No. O95-043 and amending SUP Ordinance No. O99-022 are repealed upon issuance of a Certificate of Occupancy for the proposed use.
- The applicant shall provide staff with proof of state childcare license prior to issuance of a Certificate of Occupancy.
- The facility perimeter fence is increased to a minimum of 6 feet in height.

Voting Aye: Catalani, Craig, DeFrancisco, Fansler, Meleky, Resnik, Souers

Voting Nay: none

Absent: none

SPEAKERS AT THE PUBLIC HEARING:

For: none

On: none

Against: none