



## PLANNING AND ZONING CASE SUMMARY

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### **BACKGROUND**

**APPLICANT:** Veronica Becerra on behalf of Kids Empire Dallas Mesquite, LLC.

**REQUESTED ACTION:** Rezone from General Retail to Planned Development – General Retail with a Conditional Use Permit to allow an indoor recreational facility (indoor children’s playground).

**LOCATION:** 3600 Gus Thomasson Road, Suite 125

**CASE NUMBER:** Z0518-0039

**COMMUNITY RESPONSES:** No responses.

### **STAFF COMMENTS AND ANALYSIS**

The applicant is requesting a rezoning to a Planned Development (PD) – General Retail (GR) with a Conditional Use Permit (CUP) to allow an indoor recreational facility (indoor playground). The request includes a rezoning to PD-GR as indoor recreation is not permitted in the GR zoning district with or without a CUP. The applicant followed staff’s suggestion to utilize a PD with a base zoning of GR instead of requesting Light Commercial zoning. Rezoning to PD-GR would allow approval of the CUP for indoor recreation without having to allow those uses that are permitted by right in the LC zoning district. The indoor playground is intended for children ages 2 - 12 years of age. The facility includes floor to ceiling climbing bars, slides, a running course, imagination areas, smaller play rooms for toddlers, a children’s disco room and a seating area. The concept is to allow children to interact and be social while enjoying physical activity. The facility will have a pantry that will provide drinks and prepacked snacks. No food is prepared on site. The business will be open 7 days per week. Hours are expected to be from 10:00 am to 8:00 pm Monday through Thursday and 10:00 am to 10:00 pm Friday through Sunday. The facility will also be available for birthday parties and special events.

### **RECOMMENDATION**

At the July 9, 2018, meeting, the Planning and Zoning Commission voted unanimously (6-0) to recommend approval to rezone the subject property to Planned Development – General Retail with a Conditional Use Permit to allow an indoor recreational use located at 3600 Gus Thomasson Road., Suite 125, with the following stipulations:

1. The uses permitted shall be limited to those uses permitted in the General Retail (GR) zoning district subject to the same requirements applicable in the GR district, except that a CUP may be granted to allow indoor recreation facilities and such use may be permitted within 100 feet of a residential district.
2. A CUP for indoor recreation is hereby approved with the following conditions:
  - a. This CUP shall be limited to Suite 125, a building containing approximately 15,457 square feet.
  - b. The CUP is granted specifically to Kids Empire Dallas Mesquite, LLC, doing business as Kids Empire and is not assignable or transferrable.