



City Council Agenda Item Summary Report

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| Meeting Date: September 17 | | | |
| Submitted by: P. Morgan | | | |
| Consent | Discussion Only | Public Hearing X | Action/Discussion |
| Item Title: Hold a public hearing and discuss and consider approval of an Ordinance approving a conditional use permit for a child care center to operate east of the F.M. 741 and Monitor Boulevard intersection. | | | |
| Attachments: Draft Ordinance Site Plan | | | |

Item Summary:

Children’s Lighthouse requests approval of a Conditional Use Permit. The purpose of the request is to operate a child care center.

Image 1: Location Map



Current Standards:

The property is currently vacant and undeveloped. The property consists of 1.80 acres of land zoned within the Fox Hollow Planned Development, regulated by Ordinance 12-33. The base zoning for this property is Neighborhood Service District. Child care center is allowed with approval of a conditional use permit.

Proposed Use:

The proposed child care center facility consists of 11,455 square feet. Stucco and stone are the primary

exterior building materials. Parking standards are met, but an exception is requested for the drop off and pick up area requirements. The zoning ordinance requires a child care facility to provide a semi-circular drop off lane with stacking spaces. The applicant is requesting an exception to the semi-circular drop off lane. The applicant prefers that only parking spaces are used instead of any drive-thru lanes for child pick up and drop off. Each parent/guardian is required to enter the building to drop off or pick up their child.

The applicant is required to provide screening along the northern property line bordering the Fox Hollow Residential Subdivision. The applicant is proposing to use rhino rock wall panels along the northern property line. The City's Building Official has determined that rhino rock is an approved masonry product. A wrought iron fence is provided on the side property lines.

The landscape plan complies with zoning regulations. Trees are provided along the street frontage and plantings are provided to screen automobile headlights facing Monitor and F.M. 741.

Zoning Ordinance Considerations:

When considering applications for a Conditional Use Permit, Section 34b of the City of Forney Zoning Ordinance provides the following considerations for the Planning and Zoning Commission and City Council:

1. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in Article V of this Ordinance;
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
 - a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
 - b. Off-street parking and loading areas;
 - c. Refuse and service areas;
 - d. Utilities with reference to location, availability, and compatibility;
 - e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;
 - f. Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
 - g. Required yards and open space;
 - h. Height and bulk of structures;
 - i. Hours of operation;
 - j. Exterior construction material and building design; and
 - k. Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.
5. The proposed use is not materially detrimental to public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

Accessibility:

The property has direct access to Monitor Boulevard and a proposed shared access point to F.M. 741.

Notification:

Notification was provided in the newspaper and to property owners within two-hundred feet (200') of the property. As of this writing, staff has received no public comment regarding this request.

Future Requirements:

If approved, future development of the property will require approval of:

1. Final Plat
2. Site Plan
3. Building Plans (staff approved)

Recommendation:

On September 5, 2019, the Planning and Zoning Commission unanimously recommended approval as presented (with standard parking spaces instead of the semi-circular lane)