

October 25, 2016

**Public Hearing-**

**Specific Use Permit:** Edgestone at Legacy, Block A, Lot 1(SUP16-0016)

**Owner(s):** HT Stonebrook Land II

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**DESCRIPTION:**

A request for a Specific Use Permit for a Licensed Child-Care Center on one lot on 5.6± acres on the southwest corner of Legacy Drive and Stonebrook Parkway. Zoned Planned Development-167-Single Family-10/Single Family-8.5/Single Family-7/Patio Home. Neighborhood #39. SS

**HISTORY:**

**Ordinance No. 01-01-07:** Zoned 440.9± acres from Agricultural District to Planned Development-Information and Technology/Retail/Single Family-5/Patio Home on January 19, 2001.

**Ordinance No. 15-07-41:** Zoned 440.9± acres from Agricultural District to Planned Development-Information and Technology/Retail/Single Family-5/Patio Home to Planned Development-Single Family-10, Single Family- 8.5, Single Family-7, and Patio Home, Planned Development Office-1, Agricultural District, and the Planned Development-167 to Retail, Single Family-7, Patio Home and Specific Use Permit-121 for a Private School.

**CASE OVERVIEW:**

Children's Learning Adventure has requested a Specific Use Permit (SUP) for a Licensed Child-Care Center. The play area is located at the south side of the property away from residential development and adjacent to open space.

The facility is proposing a max amount of students at 608 while maintaining 50 total staff and complies with the City's development standards for child-care centers. A six (6') foot masonry screen wall is being proposed along the western property line to screen from residential property.

The surrounding land uses are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Vacant	PD-167-SingleFamily-10/SingleFamily-8.5/SingleFamily-7/PatioHome	Suburban Neighborhood
East	Vacant	Agricultural	Floodplain
South	Vacant	PD-167-SingleFamily-10/SingleFamily-8.5/SingleFamily-7/PatioHome	Floodplain
West	Vacant	PD-167-SingleFamily-10/SingleFamily-8.5/SingleFamily-7/PatioHome	Suburban Neighborhood

**COMPATIBILITY CONSIDERATIONS:**

When considering an application for a SUP, the Planning & Zoning Commission may recommend and the City Council may establish conditions and regulations necessary to protect the health, safety, morals, and general welfare of the neighborhood and/or the City. In addition, the use shall be in general conformance with the Comprehensive Plan and general objectives of the City. These conditions are either addressed per this application or will be addressed during the future Site Plan reviews.

**COMPREHENSIVE PLAN:**

The Comprehensive Plan recommends that Licensed Child-Care Center should:

- Be located along major and minor thoroughfares, or as part of a mixed use development located on a collector street or higher;

The Licensed Child-Care Center is located on the southwest corner of Legacy Drive and Stonebrook Parkway (a major intersection). A Traffic Impact Analysis (TIA) has been approved by Staff.

- Have direct access from a median opening;

The Child-Care Center accesses Stonebrook Parkway at a median.

- Be compatible in architectural character with surrounding residential uses or other uses as noted;

The Licensed Child-Care Center will be the first development in this immediate area. Architectural plans are of high quality and will set a precedent for this area. The renderings will be attached as a condition of approval.

- Not be located at residential subdivision entrances;

The Child-Care Center is not located at a subdivision entrance. The subdivision is to be separated by a limited access control gate where it abuts the Child-Care Center.

- Outdoor play areas should be located away from residential areas;

Outdoor play area is located away from future residential development.

**PUBLIC INPUT:**

The residential property is currently under construction; however, no lots have been platted or sold. Furthermore, the SUP applicant is also the land owner of the residential property; therefore, no meetings with HOAs were necessary.

**SUMMARY:**

Staff supports this request for an SUP for a Licensed Child-Care Center as it is an appropriate use at this location, is compatible with the proposed adjacent developments, and does not negatively affect the surrounding uses.

**RECOMMENDATION:**

Recommended for approval subject to:

1. The Licensed Child-Care Center shall have a maximum enrollment capacity of 608 children;
2. The traffic circulation and parking for the Licensed Child-Care Center shall operate in compliance with the traffic circulation study provided with submittal of this request.
3. Under this permit, the Licensed Child-Care Center is never allowed to operate with a set arrival time or dismissal time for any group of students. If the Licensed Child-Care Center wishes to institute a set arrival time or dismissal time in the future, it will need to apply for a new specific use permit. The new application shall require the submittal of a new traffic circulation study and the analysis of any site improvements and/or modifications necessary to change the operation of the facility.
4. After due notice is given, this permit shall be rescinded if traffic from the Licensed Child-Care Center is found to be queuing up in the public right-of-way of Stonebrook Parkway or Legacy Drive.