



TITLE: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Ladybird Enterprises, Inc., on Behalf of ASG Eldorado Pavillion Ltd, for Approval of a Request to Rezone Approximately 3.12 Acres, from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Allow for a Daycare Facility, Located Approximately 325 Feet South of Eldorado Parkway and West of Ridge Road, and Accompanying Ordinance

MEETING DATE: August 21, 2012

DEPARTMENT: Planning

CONTACT: Michael Quint, Senior Planner

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:
 1. Use and development of the subject property shall conform to the requirements of "PD" – Planned Development District Ordinance No. 99-05-44, except as follows:
 - a. Day care uses shall be permitted on Tract 2, which is more fully depicted on the attached Zoning Exhibit.

ITEM SUMMARY:

- The applicant is requesting to rezone approximately 3.12 acres of land, located approximately 325 feet south of Eldorado Parkway and west of Ridge Road from "PD" - Planned Development District to "PD" - Planned Development District in order to modify which portions of the subject property will allow for the development of a day care facility.
- In May of 2003, Tract 1 as shown on the attached Zoning Exhibit was rezoned to allow for the development of a day care facility. However, a day care facility was never developed on the property. The property owner now wishes to shift where day care uses could be developed from Tract 1 to Tract 2 as shown on the attached Zoning Exhibit. All other development standards and applicable regulations are to remain the same. Subsequent to the approval of this rezoning

request, day care uses will only be allowed on Tract 2 and will no longer be a permitted use on Tract 1.

- The applicant has expressed the desire to develop an approximately 18,000 square foot day care facility on Tract 2 which could accommodate up to 250 children.

BACKGROUND INFORMATION:

- See the attached staff report.

SPECIAL CONSIDERATIONS:

- See the attached staff report.

FINANCIAL SUMMARY:

- See the attached staff report.

BOARD OR COMMISSION RECOMMENDATION:

- At the July 24, 2012 Planning and Zoning Commission meeting, the Commission voted to unanimously recommend approval of the proposed rezoning request as recommended by Staff.