



PLANNING & ZONING COMMISSION

AGENDA REQUEST

AGENDA OF:	5/11/10	AGENDA REQUEST NO:	IV-A
INITIATED BY:	HAROLD ELLIS, PLANNER II <i>HE</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	HAROLD ELLIS, PLANNER II	ASSISTANT PLANNING DIRECTOR:	
		ADDITIONAL DEPARTMENT HEAD (S):	N/A

SUBJECT / PROCEEDING: CONDITIONAL USE PERMIT (CUP) TO OPERATE A DAYCARE AT COMMERCE GREEN PLAZA, AT THE INTERSECTION OF COMMERCE GREEN PLAZA AND US HWY 90A, IN THE BUSINESS OFFICE (B-O) DISTRICT / PUBLIC HEARING, DISCUSSION AND DIRECTION

EXHIBITS: PRELIMINARY ANALYSIS, VICINITY MAP, AERIAL IMAGE OF SITE, PROPOSED SITE LAYOUT PLAN, SITE PHOTOS APPLICATION, CORRESPONDENCE, RECORDED PLAT EXCERPT, HEARING NOTICE

CLEARANCES		APPROVAL	
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LEGAL:	N/A	INTERIM PLANNING DIRECTOR:	DOUGLAS P. SCHOMBURG, AICP <i>D.P.S.</i>
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RECOMMENDED ACTION

Public Hearing followed by Discussion and Direction from the Commission.

EXECUTIVE SUMMARY

Ms. Gina Vu has requested Conditional Use Permit (CUP) to operate a daycare at Commerce Green Plaza, which is currently under site plan review with the City. A daycare is classified as SIC 8351 and requires a CUP in the Business Office (B-O) zoning district, which is the zoning classification for property. The property consists of 2.25 acres and is currently platted as Commerce Green Business Park Reserve "A", recorded in March of 2010. As indicated on the attached Vicinity Map, the property is located on the south side of US Hwy 90A, between Commerce Green Plaza and Alkire Lake Drive.

Ms. Vu is currently in negotiations with The Goddard School, which is a daycare franchise. The facility is proposed to be part of a single commercial center structure (Commerce Green Plaza), and consist of approximately 7,000 sq ft with approximately 5,000 sq ft of outdoor playground. The number of students is anticipated to be 125 ranging in age from 6 weeks to 6 years old.

EXHIBITS

DEVELOPMENT CODE PROVISIONS FOR CONDITIONAL USE PERMITS:

Sec. 2-22. Standard of Review

In reviewing the application, the Commission and Council will consider the impact the proposed use would have on surrounding premises and the community, including traffic, noise, and property values; any conditions or restrictions that could mitigate any adverse impact; and other matters that are relevant to a determination of whether the use would be a compatible and appropriate use of the premises.

Sec. 2-23. Conditions

The Commission may recommend, and the Council may impose, reasonable conditions and restrictions in the granting of a permit to mitigate any adverse impacts of the proposed use. The conditions must be specified in the ordinance approving the permit.

GENERAL SITE INFORMATION AND ANALYSIS:

The following is a summary of general site information.

Adjacent Zoning	North:	Restricted Industrial (M-1)
	South:	Business Office (B-O)
	East:	General Business (B-2)
	West:	Residential Estate (R-1E)
	Site:	Business Office (B-O)

PRELIMINARY ANALYSIS:

Case Overview: Commerce Green Plaza is currently under Site Plan review with the City. The proposed commercial center is approximately 27,600 square feet and the proposed daycare is just under 7,000 square feet. The daycare is located at the far West portion of the building, abutting the Alkire subdivision. A playground is proposed along the side and a portion of the rear building with direct access to the daycare facility. At the time of Site Plan submittal, the only known tenant for the center is the proposed daycare.

Land Use: From a zoning perspective the proposed use, a daycare may, be compatible with the area. The Business Office (B-O) zoning district *allows for the development of office uses and certain limited service and retail uses which are compatible with offices.* In order for the Commission to have an understanding of the types of uses that could possibly occupy the remaining portion of the shopping center, a summary of those uses is provided below.

It is important for the Commission to consider the types of uses that would be allowed by-right in the remaining portion of the shopping center not being used for the daycare, if approved. Any uses that are allowed with the approval of a Conditional Use Permit will have the ability to be more thoroughly examined at the time of their request, which would be after the daycare is in operation, if approved.

Primary uses which would be permitted by-right in this zoning district and which would be typical for the proposed shopping center include (but are not limited to)the following:

- Bank type facilities
- Mortgage bankers and brokers
- Insurance agents
- Real estate uses
- Advertising agencies
- Credit agencies
- Computer services
- Medical, dental, and health services offices
- Legal services
- Schools/Universities
- Business and professional organizations
- Political organizations
- Religious organizations (churches)
- Engineering/Surveying/architectural services
- Accounting type services
- Research services
- Consulting
- Public relations

Other uses which could be permitted with an approved Conditional Use Permit (CUP) in this zoning district and which could be and are typically operated in shopping centers (but are not limited to)the following:

- Travel agency
- Eating places
- Miscellaneous personal services
- Miscellaneous business services
- Elementary and secondary schools
- Training services
- Child care services
- Adult care services
- Residential care

Adjacent Land Uses	North:	Schlumberger Campus
	South:	Emeritus Assisted Living Facility
	East:	Smart Financial Credit Union
	West:	Alkire Subdivision
	Site:	Vacant

At this time, there have not been any issue identified that would be detrimental or negatively impact the area with the proposed use of a daycare at this location. Recommended conditions of approval may be added to the Commission's recommendation to City Council which may help to mitigate possible negative impacts identified through the Conditional Use Permit process.

Infrastructure Impact:

Water, Sewer, Drainage and Traffic items will be required to meet the City of Sugar Land's design standards. This individual use is not anticipated to adversely impact infrastructure.

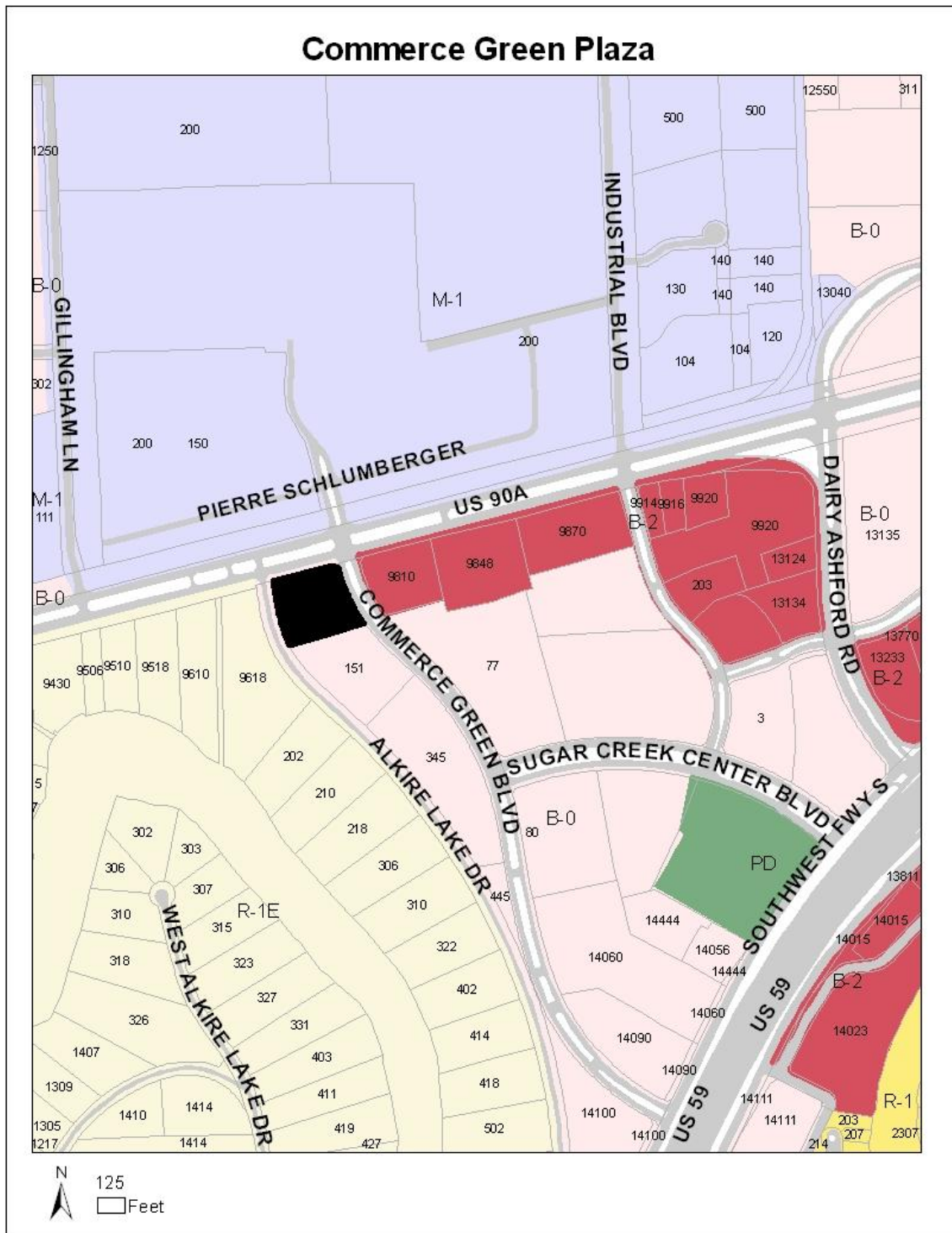
PUBLIC HEARING:

The Notice of Public Hearing was published in a newspaper of general circulation and on the City of Sugar Land website. All property owners within 200' of the property were notified. At the time of writing this report, we have received no inquiries.

POINTS FOR CONSIDERATION:

- This request does not appear to conflict with the Comprehensive Plan or Land Use Plan
- Site Plan for Commerce Green is currently in review with the City
- Onsite circulation differs from a traditional school due to the pick-up and drop-off practices of a daycare
- Child care services are permitted by-right in B-1 and B-2 zoning districts with no Commission or Council review
- Business Office zoning is typically more office and services related and is more restrictive with retail uses

Vicinity Map:

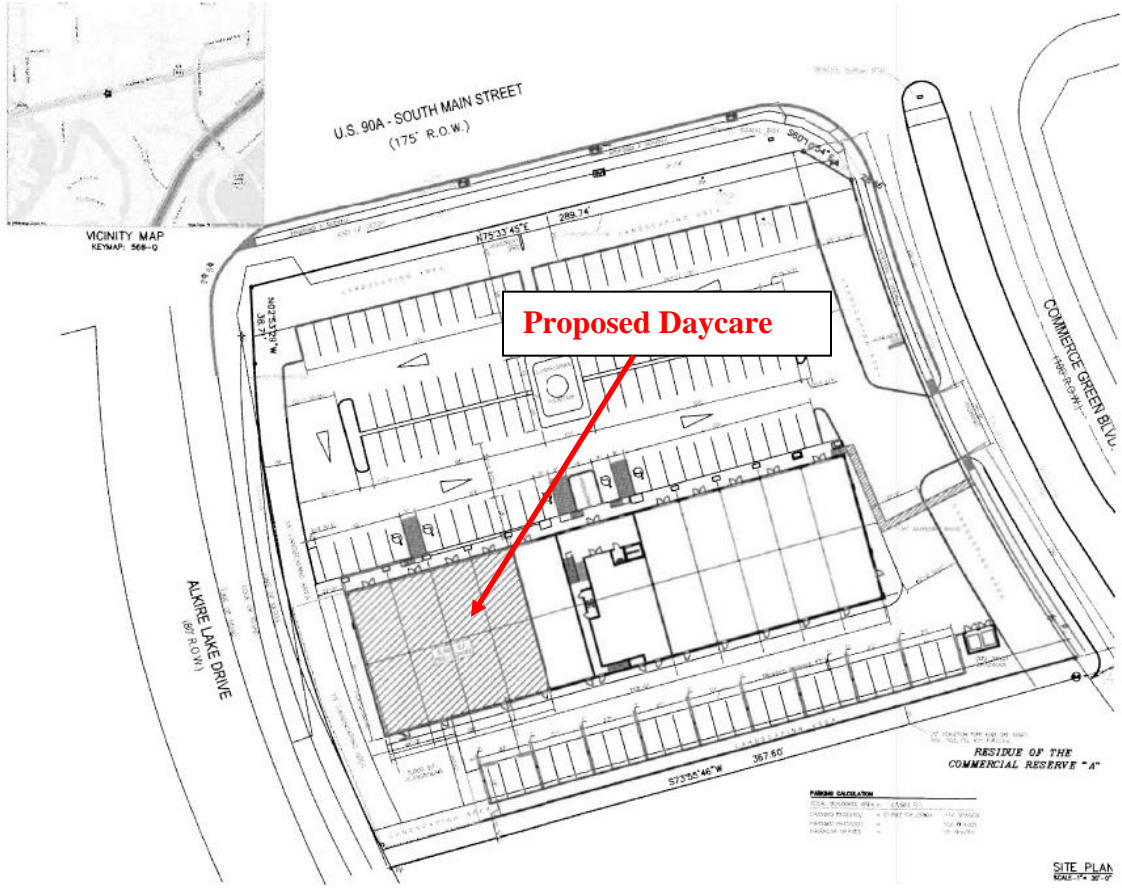


Aerial Image of Site:

Commerce Green Plaza



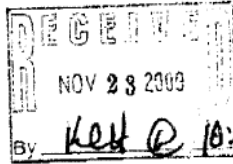
Proposed Site Layout Plan:



Site Photos:



Application:



FOR OFFICE USE
Accounting Code: ZC
\$1,113.25

**PLANNING DEPARTMENT
CONDITIONAL USE PERMIT (CUP) OR REZONING APPLICATION**

**DUE TO DETAILS REQUIRED FOR CUP APPLICATIONS, STAFF STRONGLY RECOMMENDS A PRE-DEVELOPMENT MEETING PRIOR TO SUBMITTAL.*

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

Applicant

Contact Gina Vu
Address 435 W. Alkire Lake Drive, Sugar Land, Texas 77478
Phone 713-382-8387 Fax 281-242-4510 Email placeofvision@gmail.com

Owner (Note that owner must also sign form if different than applicant)

Contact Nguyen Family Partnership, LTD
Address 435 W. Alkire Lake Drive, Sugar Land, Texas 77478
Phone 713-382-8387 Fax 281-242-4510 Email placeofvision@gmail.com

Property Legal Description Commerce Green Business Park - Reserve "A" See Attached
Lot Abstract No. 15 Block Slide Nos. 651/A AND 651/B Subdivision Sugar Creek Center
Current Zoning District B.O. Proposed Zoning District, if rezoning app. _____
If this is a CUP application: new building existing building
Proposed Use (CUP only) Pre-School for students from age 2 1/2 to 6 years

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and undersigned is authorized to make this application. Application expires 6 months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on request.

X _____
Signature of Applicant (Requires property owners signature if different than owner) Date 11/23/09

- Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):
- Three (3) copies of the completed application
 - Check for \$1,113.25 per Ord. 1701 (non-refundable)
 - Metes and bounds legal description of the site or county slide number of plat, if recorded
 - If CUP- Two (2) copies at least 11" x 17" in size of the CUP layout plan, including a vicinity map and north arrow on each copy (color drawings not required)
 - If CUP- Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including plan of operation, traffic circulation, parking, and other pertinent information

SEE SEPARATE PLANNED DEVELOPMENT (PD) DIST. APPLICATION FOR PD ZONING
Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed
App. Revised Oct. 2006

Correspondence:

March 30, 2010

CUP Application for Child Care Facility in Commerce Green Plaza – Sugar Land

After researching and analyzing several childcare franchises, we are considering The Goddard School System for supporting our childcare facility.

The Goddard School franchisees develop state-of-the art facilities. They are dedicated to staffing their Schools with well-trained, caring professionals in order to provide families with a distinct alternative to customary childcare. The learning environment includes a core curriculum emphasizing early childhood development and incorporated enrichment programs in manners, fitness, foreign language, art history, music appreciation, dance, math, sign language and world cultures.

The Goddard School is committed to providing the best early childhood development experience for the children in our community.

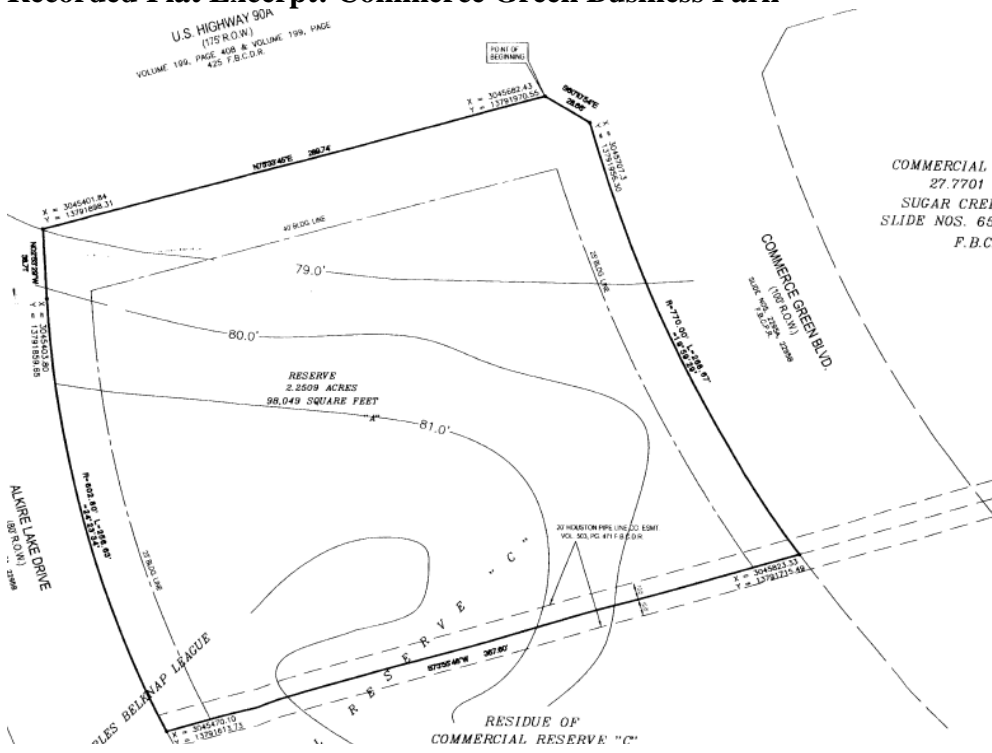
- Indoor facility : 6,688 square feet
- Outdoor playground: 5,000 square feet
- Reserved parking spaces: 30
- Number of students: 125
- Age: 6 weeks – 6 years old

Gina L Vu

Cell: 713-382-8287

Email: placeofvision@gmail.com

Recorded Plat Excerpt: Commerce Green Business Park



COMMERCIAL
27.7701
SUGAR CREEK
SLIDE NOS. 65
F.B.C

**COMMERCE GREEN BUSINESS PARK
RESERVE "A"**

RESERVES "A" CONTAINING 2.2509 ACRES OR 98,049
SQUARE FEET OF LAND
BEING A PART OF COMMERCIAL RESERVE "C",
LOCATED IN THE GEORGE BROWN AND CHARLES
BELKNAP LEAGUE, ABSTRACT NO. 15,
SUGAR CREEK CENTER, SLIDE NOS. 651/A AND 651/B,
PLAT RECORDS,
FORT BEND COUNTY, TEXAS.

REASON FOR REPLAT:
TO CREATE ONE RESERVE

ONE (1) RESERVE ONE (1) BLOCK

SCALE: 1"= 40' DATE 11-09-09



PLAT ATTACH 2010024940
3 PGS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2010 Mar 24 02:35 PM 20100034

DA \$300.00

Dianne Wilson COUNTY CLERK
FT BEND COUNTY TEXAS

Public Hearing Notice:

NOTICE OF PUBLIC HEARING

**CONDITIONAL USE PERMIT
COMMERCE GREEN BUSINESS PARK RESERVE "A"**

CONDITIONAL USE PERMIT FOR A DAYCARE CENTER LOCATED IN COMMERCE GREEN PLAZA AT THE INTERSECTION OF COMMERCE GREEN BOULEVARD AND U.S. HIGHWAY 90A IN THE BUSINESS OFFICE (B-O) DISTRICT, 2.25 ACRES PLATTED AS COMMERCE GREEN BUSINESS PARK RESERVE "A"

PURPOSE: ONE (1) PUBLIC HEARING SHALL BE HELD AT WHICH ALL PERSONS INTERESTED IN THE PROPOSED CONDITIONAL USE PERMIT (CUP) SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD.

**WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
2700 TOWN CENTER BOULEVARD NORTH**

**WHEN: PLANNING AND ZONING COMMISSION MEETING
6: 30 P.M., MAY 11, 2010**

DETAILS OF THE PROPOSED CONDITIONAL USE PERMIT (CUP) MAY BE OBTAINED BY CONTACTING THE CITY OF SUGAR LAND PLANNING OFFICE AT (281) 275-2218 OR BY EMAIL AT PLANNING@SUGARLANDTX.GOV. THE PLANNING OFFICE IS OPEN MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M., AND IS LOCATED IN CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS. PLEASE CONTACT US IF YOU WISH TO SET UP AN APPOINTMENT TO GO OVER ADDITIONAL DETAILS IN PERSON.