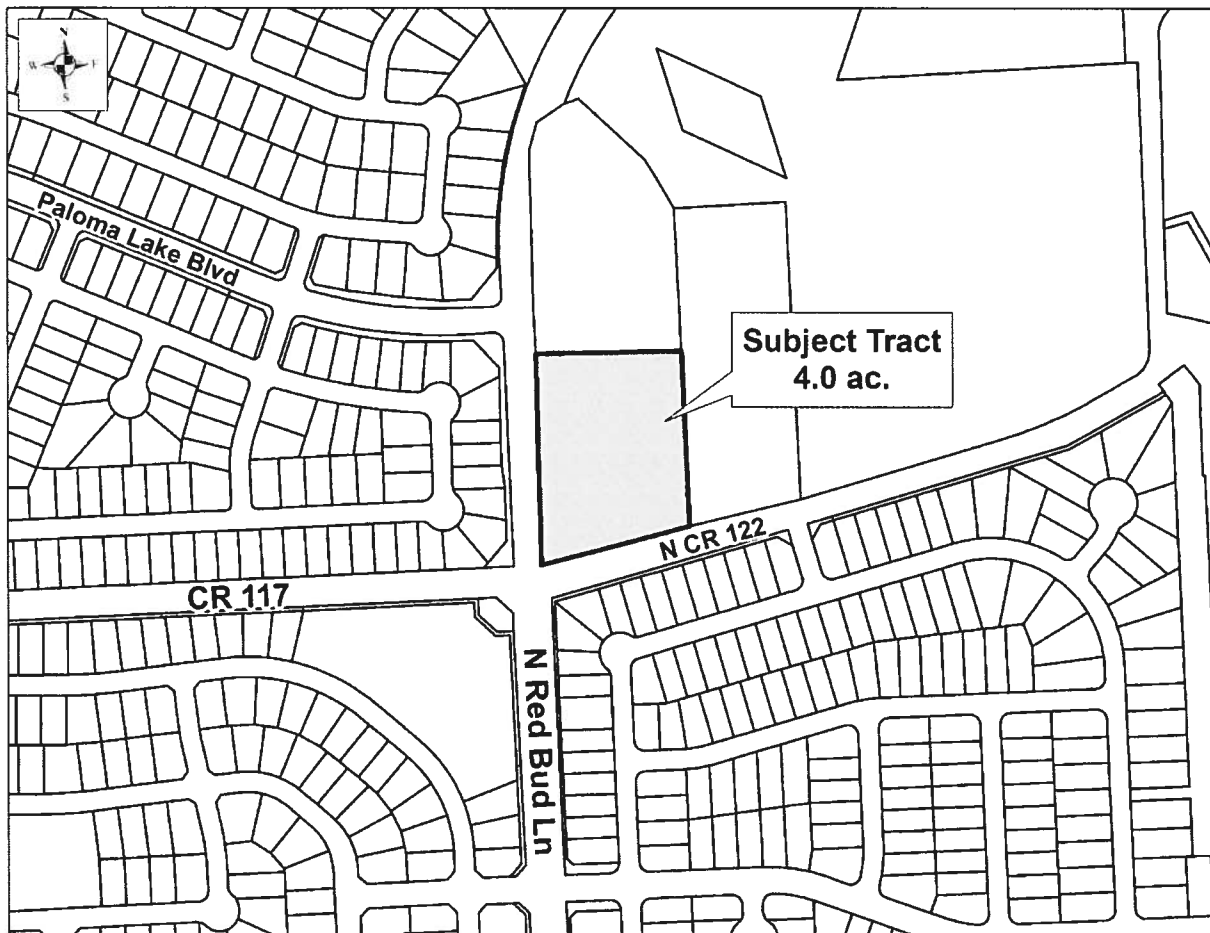


**SPECIAL EXCEPTION REQUEST  
1401 N. Redbud Lane**



**SPECIAL EXCEPTION REQUEST:** To allow a daycare facility of 10,000 square feet or greater.

**BACKGROUND:** The 4.0-acre tract is zoned as C-2 (Local Commercial), which provides for day care. Because the site has frontage on Red Bud Lane, a designated arterial roadway, the zoning district allows for a day care exceeding 7,500 square feet, but less than 10,000 square feet. Part III, Section 2-35 of the code states that a special exception is required for a day care of 10,000 square feet or greater. The proposed day care facility would be 11,000 square feet.

The zoning code has specific requirements for day care facilities when adjoining existing or planned single or two-family homes, including a 25-foot unencumbered landscape buffer and a masonry fence at least eight feet

in height. This site does not adjoin residential areas, however.

The code also requires that all day care facilities that exceed 7,500 square feet shall submit a traffic impact analysis (TIA) for review and approval by the transportation division. The TIA shall address the projected traffic impacts to the surrounding neighborhood and how these impacts will be mitigated. A TIA has been completed and it is under review. North Red Bud Lane, currently a two-lane undivided road, is planned as a 4-lane divided arterial. County Road (CR) 117/122 is two-lane undivided road. A determination on driveway locations and the potential need for a left-turn bay on N. Red Bud will be made as the property is platted and review of a site plan takes place.

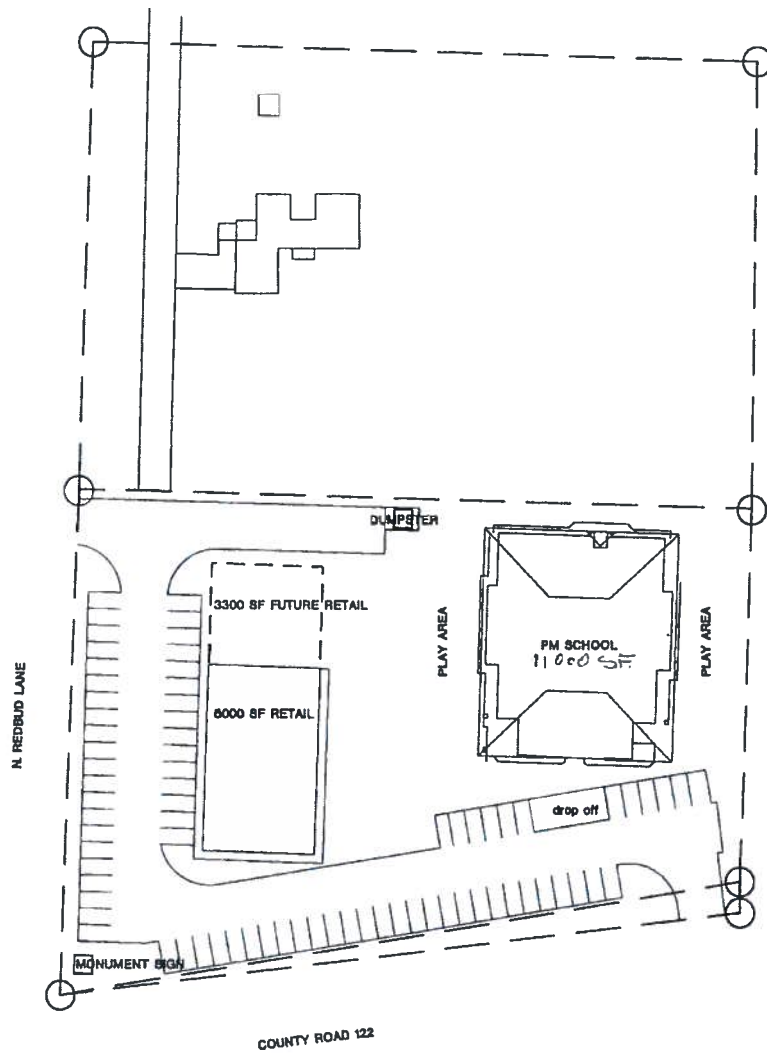
DATE OF REVIEW:	October 24, 2018
OWNERS:	TOP Family, LLC
APPLICANT:	Alvin G. Peters, Architect
DESCRIPTION:	1401 N. Redbud Lane, Tract 1, Robert McNutt Survey, Abstract No. 422
ZONING:	C-2 (Local Commercial)
LAND USE:	undeveloped
LOCATION:	Northeast corner of N. Red Bud Ln. and CR 117
ADJACENT LAND USE:	North: vacant - C-2 (Local Commercial) South: single family – PUD No. 98 – Madsen Ranch (across CR 122) East: vacant – OF (Office) West: single family – Paloma Lake (across N. Red Bud Lane)
GENERAL PLAN POLICY:	Residential
STAFF ANALYSIS:	<p>The applicant proposes to construct a day care facility with 11,000 square feet, which requires the approval of a special exception. See <b>Exhibit “A”</b>, submitted by the applicant.</p> <p>The requested special exception shall be reviewed by the ZBA according to specific criteria described in Part III, Section 10-53 of the code. The criteria and staff analysis are provided below:</p>

- 1) Consistent with Zoning Ordinance:  
The proposed exception shall be specifically listed as permitted by special exception in the zoning district under consideration. The proposed exception shall meet the purpose and intent of this chapter and the use shall meet all the minimum standards established in this chapter for this type of use.
- 2) Consistent with General Plan:  
The proposed exception shall be consistent with the development policies and goals and objectives as embodied in the general plan.
- 3) Compatible with surrounding area:  
The required site plan shall ensure compatibility with existing land uses in the surrounding area. The proposed use will not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.
- 4) Harmonious with character and scale of surrounding area:  
The proposed site plan, circulation plan, and schematic architectural, signage, and landscaping designs shall be harmonious with the character of the surrounding area.
- 5) Impacts minimized:  
The likely impact on public infrastructure such as roads, parking facilities, water and wastewater systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to adequately service the proposed use shall be minimized without negatively impacting uses in the area and in the city.
- 6) Effect on natural environment:  
The potential creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts shall be minimized.

**RECOMMENDATION:**

This exception request meets the factors required by Section 10-53 of the code, as the location of the day care does not pose any apparent conflicts with, or danger to, the neighboring residential uses. Staff recommends approval.

EXHIBIT "A"



01

1401 N. REDBUD LANE  
pm round rock site plan 04.10.2018 90 parking spaces  
SCALE: 1" = 50'-0"

Exhibit "D"





Paloma Lake Blvd

CR 117

N Red Bud Ln

N CR 122

Subject Tract  
4.0 ac.

