

## **PLANNING AND ZONING COMMISSION DRAFT MINUTES, APRIL 6, 2015**

PUBLIC HEARING AGENDA Item #11- SU150403 - Specific Use Permit - 1700 W. Polo Rd. Ste 190, "So Amazing" Day Programs Inc. (City Council District 6). Senior Planner Doug Howard presented the case report and a Power Point presentation for approval of a Specific Use Permit for an Adult Day Care facility, "So Amazing" Day Programs Inc. The subject site is addressed as 1700 W. Polo Rd., specifically Suite 190, generally located on the north side of Polo Rd. and east of Matthew Rd., and zoned Planned Development 115 (PD-115) District. The applicant is Sonya Golden, So Amazing Day Programs Inc.

Mr. Howard stated this site has a multi-tenant building, facilitating various uses from retail, restaurants, and personal services. The applicant proposed to operate an adult day care facility within suite 190.

Mr. Howard stated the UDC defines an Adult Day Care Center: An establishment that provides counseling, recreation, supervision or food, or any combination thereof, on a daily or regular basis, to four (4) or more elderly or disabled persons who are not related by blood, marriage or adoption, to the owner of the establishment. Clients of an Adult Day

Mr. Howard stated the Care Center shall not require institutionalization in a hospital, nursing or convalescent home or similar specialized facility. Non-permanent overnight care is allowed as an ancillary use for clients of such a facility. The applicant is not purposing any changes to the existing building. No analysis of dimensional requirements is needed. The site has currently has access from W Polo Rd. and Matthew Rd. There are no proposed changes to the existing drive access points. The property currently has 323 parking spaces available. Base on the existing businesses and the applicants proposed use, the property is only required to have about 226 parking spaces. The building currently has 3 vacant suites and will be served by the remaining 97 remaining spaces.

Mr. Howard stated staff is in full support of this application and recommends approval with the following conditions:

1. As outlined within the Operational Plan contained within the Specific Use Permit Application File No. SU150403, and as more specifically stated and codified herein, the development shall adhere to the following operational standards:
  - A. All operations shall be conducted entirely on-site. The public right-of-way shall not be utilized for business activities;
  - B. Unloading spaces shall be provided as required by the Unified Development Code for day care facilities;
  - C. No overnight stays will be permitted;
  - D. Must be in compliance with TDSHS – Texas Food Establishment Rules and local ordinances regarding food service;
  - E. The site must maintain the minimum number of required parking for all uses as required by the Unified Development Code, as amended;
  - F. Must comply with all federal, state, and local laws;

- G. Such establishment shall not accommodate individuals who pose a direct threat to the health, safety or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Medical treatment or rehabilitative services shall not be provided in an Adult Day Care Center;
  - H. Must comply with any outstanding Development Review Committee comments for the Specific Use Permit found in File No. SU150403; and
2. Future expansions to this use will require the submittal of a revised site layout to the planning department.

Chairman Garrett noted there were no questions for staff, opened the public hearing, and asked for speakers.

Sonya Golden, 1413 Queens Brook Lane, Fort Worth, TX was present representing the case and to respond to questions from the Commission.

Commissioner Womack asked, in the gift shop, what type of merchandise would be sold.

Mrs. Golden replied jewelry, pictures, and crafts made by the clients.

Commissioner Gray asked, how many clients, do they anticipate having.

Mrs. Golden replied at the moment they only have 8, but would be determined by the occupancy load permitted in the space.

Commissioner Moser asked if this day care was affiliated with the other existing day care in the shopping center.

Mrs. Golden replied no, but they do serve the same type of clients.

There being no further discussion on the case, Commissioner Gray moved to close the public hearing and case SU150403 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Gray

Second: Moser

Ayes: Garrett, Gray, Johnson, Perez, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: **9-0**

Motion: **carried.**