Planning Commission Final Report

Case No. 0816-04
HTE No. 16-10000030

Planning Commission Hearing Date: August 24, 2016

Applicant & Legal Description	**Applicant:** MBA-Mi Mundo Daycare, LLC **Representatives:** Antonio Martinez **Owner**: BAPS Corpus Christi, LLC **Legal Description/Location:** Peary Place Annex "D", located on the west side of Paul Jones Avenue between Brittany Drive and Argonne Drive.
Zoning Request	**From**: "RS-6" Single-Family 6 District **To**: "CN-1" Neighborhood Commercial District **Area**: 0.4752 acres **Purpose of Request**: To allow a commercial daycare facility.

Existing Zoning and Land Uses

	Existing Zoning District	Existing Land Use	Future Land Use
Site	"RS-6" Single-Family 6	Public/Semi-Public	Commercial
North	"CN-1" Neighborhood Commercial	Low Density Residential	Commercial
South	"RS-6" Single-Family 6	Vacant	Medium Density Residential
East	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
West	"CG-2" General Commercial	Commercial	Commercial

ADP, Map & Violations	**Area Development Plan**: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is consistent with the adopted Future Land Use Map and the Southside Area Development Plan. **Map No.**: 038033 **Zoning Violations**: None

Transportation	**Transportation and Circulation**: The subject property has approximately 150 feet of street frontage along Paul Jones Avenue, which the Urban Transportation Plan designates as a "C3" Primary Collector street. The maximum desirable average daily trips (ADT) for a designated "C3" is 4,000 to 8,500 daily trips. The subject property is located on the west side of Paul Jones Avenue approximately 650 feet south of South Padre Island Drive.				
Street R.O.W.	**Street**	**Urban Transportation Plan Type**	**Proposed Section**	**Existing Section**	**Traffic Volume**
	Paul Jones Avenue	"C3" Primary Collector	75' ROW 50' paved	60' ROW 28' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District in order to convert the property into a commercial day care facility.

Development Plan: The applicant is proposing to convert the existing three buildings into a commercial day care facility: one building for infants less than 18 months old; one building for children 19 months and older; and one building for an office. The buildings, which were a former church and residence, are located on a 0.4752 acre tract of land.

Existing Land Uses & Zoning: The subject property is zoned "RS-6" Single-Family 6 and consists of a former church and accessory residential use. North of the subject property is zoned "CN-1" Neighborhood Commercial and is being used as low density residential. South is vacant land in the "RS-6" Single-Family 6 District. East of the subject property is zoned "RS-6" Single-Family 6 with low density residential uses and to the west is zoned "CG-2" General Commercial, consisting of retail commercial uses.

AICUZ: The subject property is **not** located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "CN-1" Neighborhood Commercial District is consistent with the Southside ADP and the adopted Future Land Use Plan's designation of the property as commercial. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Commercial service areas designed to serve local neighborhoods should be conveniently located and in harmony with the surrounding neighborhood. *(Policy Statement, Commercial Policy Statement G)*
- Expansion of commercial uses into or within residential areas may be permitted only if such expansion maintains or improves the residential desirability of the impacted neighborhood (Comprehensive Plan, Commercial Policy Statement D).

- True "neighborhood" commercial activities should be aimed toward meeting the daily convenience retail needs of nearby residents for food, pharmaceuticals, personal services, etc.
- Being that Paul Jones Avenue is a primary collector, the requested, “CN-1” Neighborhood Commercial, district allows to propose appropriate land uses and a corresponding transportation network to serve future land uses.
- A “CN-1” Neighborhood Commercial district would facilitate infrastructure planning through a reasonable estimate of future land use, thereby enabling infrastructure to be planned accordingly.

Plat Status: The subject property is platted.

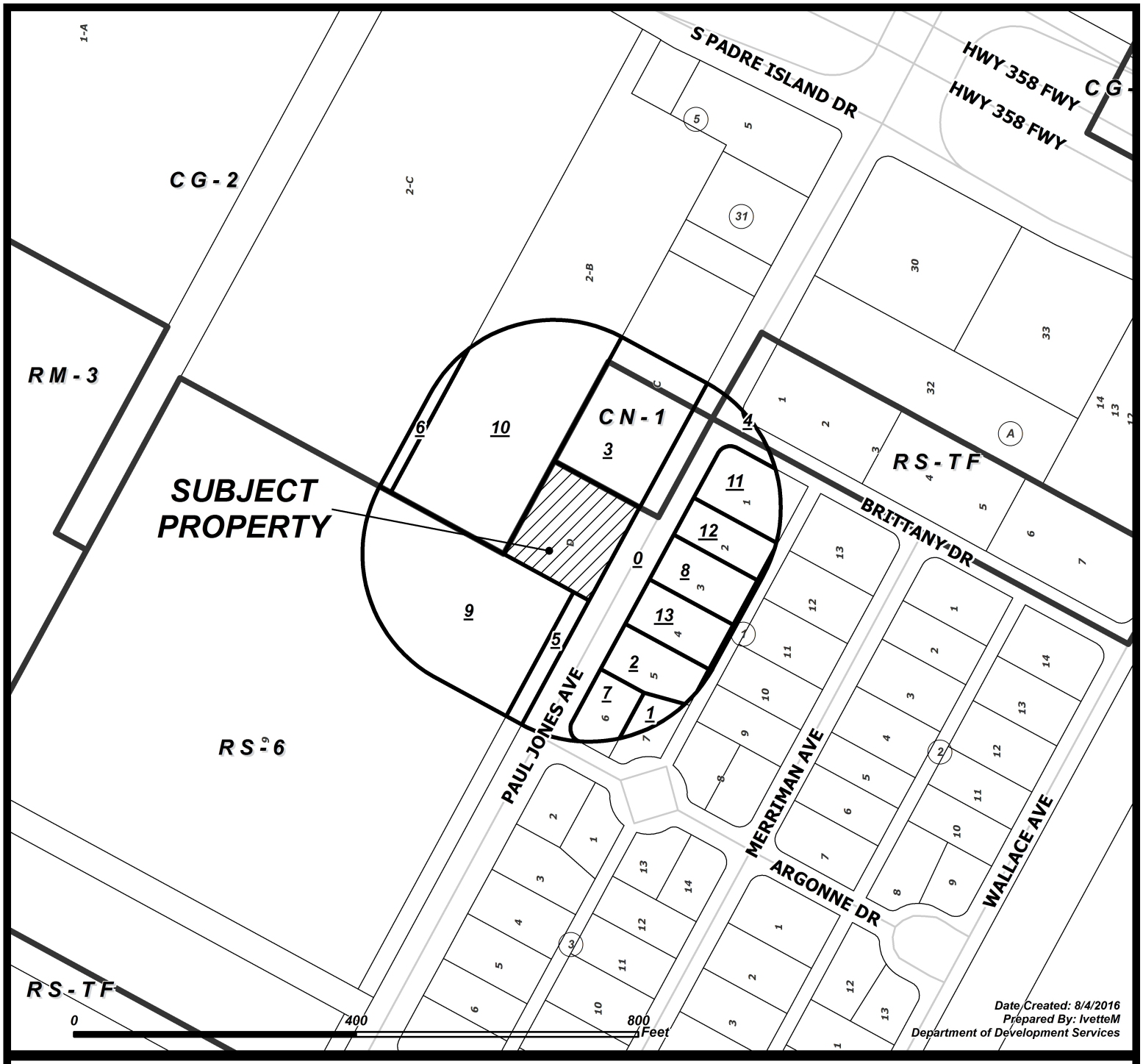
Department Comments:

- The proposed rezoning complies with the Comprehensive Plan:
  - The proposed use of commercial daycare satisfies the residential need for personal services.
  - The proposed daycare is located on a primary collector street that serves approximately 250 low density residential units.
- It is staff’s opinion that the proposed rezoning would benefit the surrounding residential properties and the property to be rezoned is consistent with the Future Land Use Plan’s designation of the property as commercial.
- A “CN-1” District would allow the use of a commercial daycare and other neighborhood commercial uses that are compatible with the surrounding residential subdivision.
- Staff’s opinion is that a daycare use does increase the residential desirability of this neighborhood, which is one of the findings required of the Comprehensive Plan when deciding which commercial uses to allow within residential areas.

Planning Commission and Staff Recommendation:
Approval of the change of zoning from the “RS-6” Single-Family 6 District to “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 13 within 200-foot notification area 2 outside notification area ***As of August 30, 2016:*** In Favor – 0 inside notification area – 0 outside notification area In Opposition – 0 inside notification area – 0 outside notification area Totaling 0.00% of the land within the 200-foot notification area in opposition.

Attachments:
1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Public Comments Received (if any)



CASE: 0816-04

ZONING & NOTICE AREA

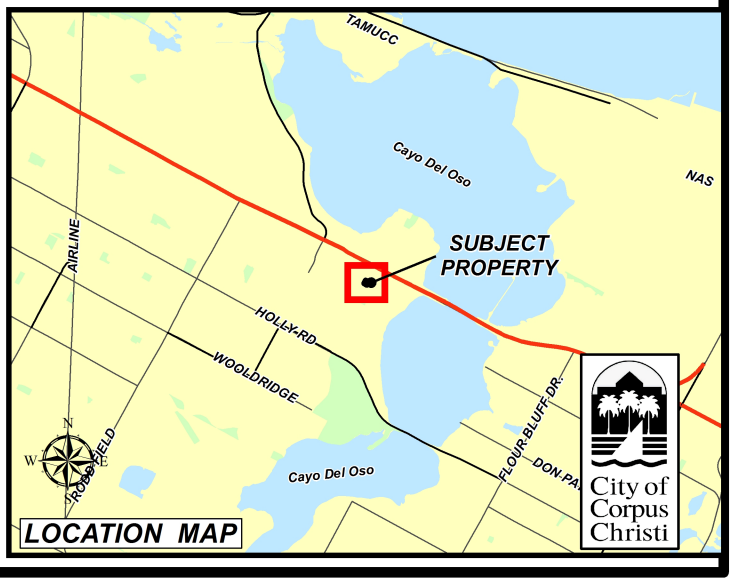
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

Subject Property with 200' buffer

Owners in favor

4 Owners within 200' listed on attached ownership table

X Owners in opposition



16-10000030

REZONING APPLICATION

Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

Office Use Only

Case No.: 0816-04 Map No.: 038033

PC Hearing Date: August 24, 2016 Proj.Mgr: Priscilla

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street
Hearing Time: 5:30 p.m.

** A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.*
** INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.*

1. Applicant: Antonio Martinez Contact Person: Antonio Martinez
Mailing Address: 7245 Dunn's Point Dr.
City: Corpus Christi State: TX ZIP: 78414 Phone: (361) 561-7413
E-mail: [redacted] Cell: (361) 537-1782

2. Property Owner(s): BAPS CORPUS CHRISTI LLC Contact Person: Lee Hassman
Mailing Address: 81 Suttons Lane
City: Piscataway State: NJ ZIP: 08854 Phone: (361) 561-7413
E-mail: [redacted] Cell: (361) 815-2121

3. Subject Property Address: 1617 Paul Jones Area of Request (SF/acres): 0.4752
Current Zoning & Use: Church-Residential RS-6 Proposed Zoning & Use: Daycare CN-1
12-Digit Nueces County Tax ID: 6533 - 0000 - 0040
Subdivision Name: Peary Place Annex D 150' x 138' Block: Lot(s):
Legal Description if not platted:

4. Submittal Requirements:
☒ **Early Assistance Meeting**: Date Held 6-8-16 ; with City Staff Priscilla Ramirez
☐ **Land Use Statement** ☐ **Disclosure of Interest** ☒ **Copy of Warranty Deed** (Title Co.)
IF APPLICABLE:
☐ Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) ☐ Site Plan for PUD or Special Permit
☐ Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) ☐ Lien Holder Authorization
☐ Appointment of Agent Form if landowner is not signing this form

I certify that I have provided the City of Corpus Christi with a *complete* application for review; that I am authorized to initiate this rezoning as or on behalf of the Property Owner(s); and the information provided is accurate.

Owner or Agent's Signature — Applicant's Signature
LEE R. HASSMAN — Antonio Martinez
Owner or Agent's Printed Name — Applicant's Printed Name

Office Use Only: Date Received: 7-11-16 Received By: AD ADP: SS
Rezoning Fee: 1107.50 + PUD Fee Ø + Sign Fee 10.00 = Total Fee 1117.50
No. Signs Required 1 @ $10/sign Sign Posting Date:

The location will be used as a Daycare.

MBA/Mi Mundo Daycare
Children need to learn at their own pace and have the creative and nurturing environment to support their growth. Our staff and curriculum provide an incredibly nurturing environment that leads to success. Mi Mundo daycare opened its doors on August 2013 with the goal of providing a safe, exciting and rewarding learning experience for children. The vision for Mi Mundo was to create a learning environment where children would come and learn using the Montessori philosophy along with learning a second language. There were six students and two staff members when it opened. In November 2013 it started an infant room. Mi Mundo started growing and now holds 57 children. Our current location doesn't offer us the room to continure to grow and provide more children a creative and nurturing enviornment. Our goals is to grow to 90 children.

2. Identify the existing land uses adjoining the area of request:

North - empty lot

South - Little miss kick ball park

East - residential

West - storage facility

DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. ***Every question must be answered***. If the question is not applicable, answer with "NA".

NAME: MBA/Mi Mundo Daycare, LLC

STREET: 3202 Rodd Field Road **CITY:** Corpus Christi **ZIP:** 78414

FIRM is: (●) Corporation ( ) Partnership ( ) Sole Owner ( ) Association ( ) Other _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. **State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Job Title and City Department (if known)
n/a	

2. **State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Title
n/a	

3. **State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Board, Commission, or Committee
n/a	

4. **State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Consultant
n/a	

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Antonio Martinez (Print Name) Title: Manager

Signature of Certifying Person: [signature] Date: 8/3/16

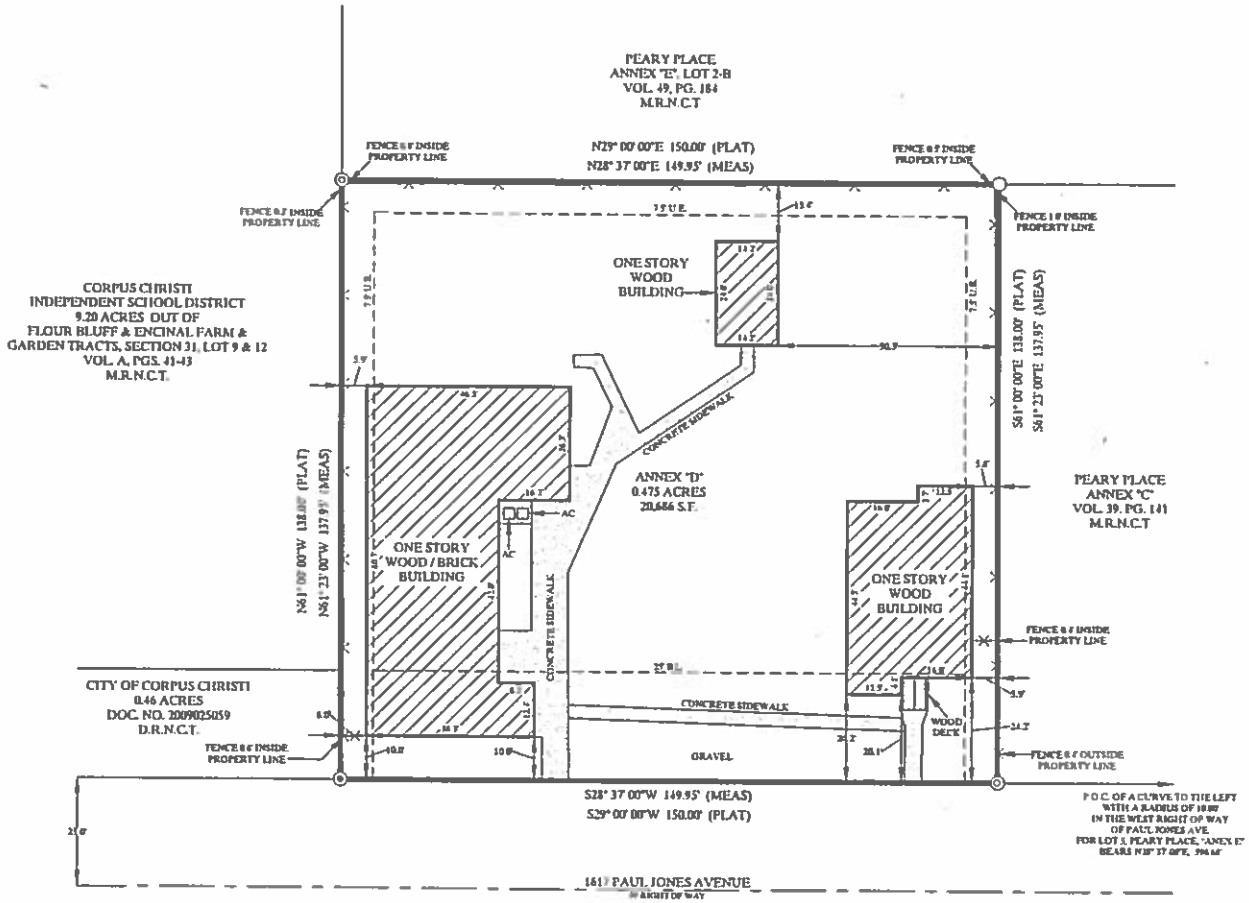
SURVEY OF
A 0.475 ACRE TRACT BEING PEARY PLACE ANNEX "D", AS SHOWN ON A MAP
RECORDED IN VOLUME 39, PAGE 141, MAP RECORDS NUECES COUNTY, TEXAS.

SCALE 1" = 20'

Brister Surveying
4455 South Padre Island Drive Suite 31
Corpus Christi, Texas 78411
Office 361-850-1200
Fax 361-850-1202
bristersurveying@corpus.tcoxbc.com
Firm Registration No. 100172000

BUYER: ANGELES MARTINEZ
ANTONIO MARTINEZ

GF NO. 01021 - 9950 (06-20-16)



× = WIRE FENCE
⊛ = SET 5/8" IRON ROD
◎ = FOUND 5/8" IRON ROD
○ = PROPERTY CORNER NO ACCESS

NOTES
1) TOTAL SURVEYED AREA IS 0.475 ACRES
2) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM
3) SET 5/8" IRON ROD = IRON ROD SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.

STATE OF TEXAS
RONALD E. BRISTER
5407
PROFESSIONAL
LAND SURVEYOR

THIS SURVEY DOES NOT INCLUDE TITE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY JUNE 22, 2016 AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

Ronald E. Brister

RONALD E. BRISTER R.P.L.S. NO. 5407

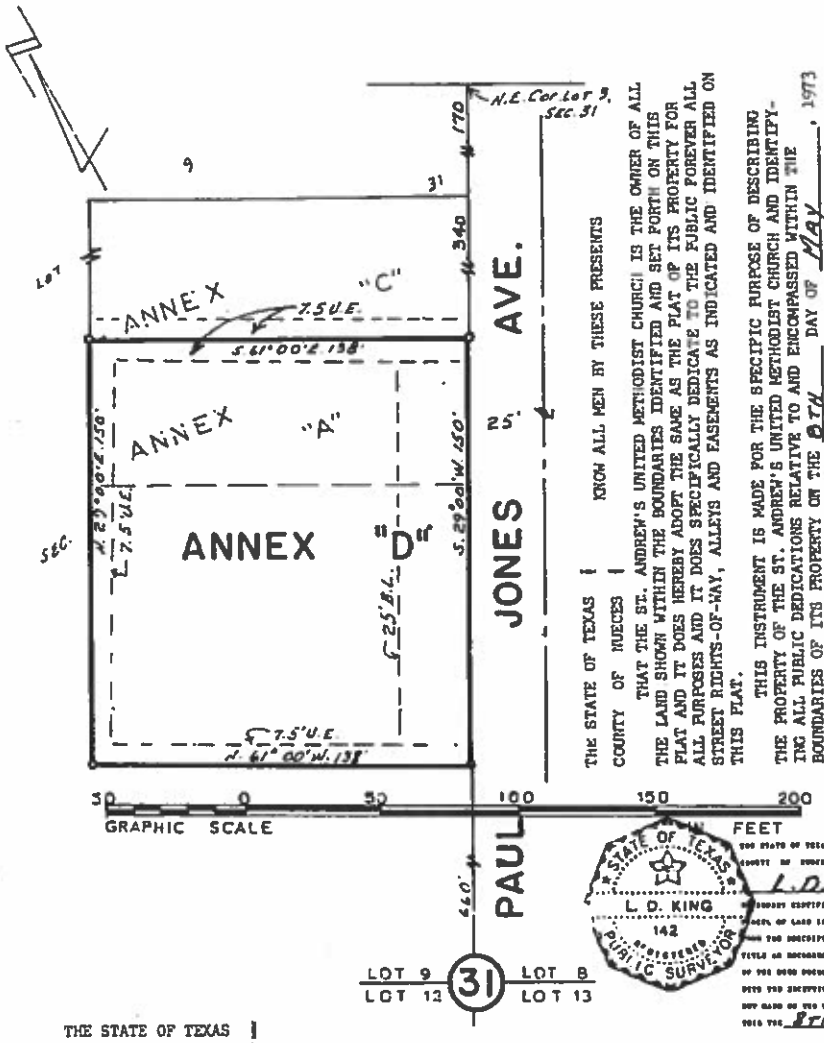
DATE JUNE 23, 2016

BY GRAPHIC PLOTTING ONLY THIS PROPERTY IS LOCATED WITHIN ZONE B AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT MAPS COMMUNITY PANEL 485464 0315 D DATED AUGUST 1, 1999 AND IS IS NOT LOCATED IN A DESIGNATED 1.0 YEAR FLOOD ZONE

JOB NO. 16052

V. 39 P. 141

PR. 171



THE STATE OF TEXAS]
COUNTY OF NUECES]

KNOW ALL MEN BY THESE PRESENTS

THAT THE ST. ANDREW'S UNITED METHODIST CHURCH IS THE OWNER OF ALL THE LAND SHOWN WITHIN THE BOUNDARIES IDENTIFIED AND SET FORTH ON THIS PLAT AND IT DOES HEREBY ADOPT THE SAME AS THE PLAT OF ITS PROPERTY FOR ALL PURPOSES AND IT DOES SPECIFICALLY DEDICATE TO THE PUBLIC FOREVER ALL STREET RIGHTS-OF-WAY, ALLEYS AND EASEMENTS AS INDICATED AND IDENTIFIED ON THIS PLAT.

THIS INSTRUMENT IS MADE FOR THE SPECIFIC PURPOSE OF DESCRIBING THE PROPERTY OF THE ST. ANDREW'S UNITED METHODIST CHURCH AND IDENTIFYING ALL PUBLIC DEDICATIONS RELATIVE TO AND ENCOMPASSED WITHIN THE BOUNDARIES OF ITS PROPERTY ON THE 8TH DAY OF May, 1973

W. C. Calk
W. C. CALK, TRUSTEE
ST. ANDREW'S UNITED METHODIST CHURCH

THE STATE OF TEXAS]
COUNTY OF NUECES]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED W. C. CALK, TRUSTEE OF ST. ANDREW'S UNITED METHODIST CHURCH OF CORPUS CHRISTI, TEXAS, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID ST. ANDREW'S UNITED METHODIST CHURCH OF CORPUS CHRISTI, TEXAS, AND THAT HE EXECUTED THE SAME AS THE ACT OF THE SAID ST. ANDREW'S UNITED METHODIST CHURCH FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 8th DAY OF May, 1973.

Henry J. Kerber
NOTARY PUBLIC IN AND FOR
NUECES COUNTY, TEXAS
Henry J. Kerber

STATE OF TEXAS
L. D. KING
142
REGISTERED PUBLIC SURVEYOR

THE STATE OF TEXAS]
COUNTY OF NUECES]

I, L. D. King, HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT DRAWING AND PLAT OF A TRACT OF LAND IN THE CITY OF CORPUS CHRISTI, NUECES COUNTY, TEXAS, PREPARED FROM THE DESCRIPTION OF THE LAND CONTAINED IN A DEED OF RECORD EVIDENCE OF TITLE AS RECORDED IN VOLUME 1445 PAGE 1 OF THE DEED RECORDS OF THE COUNTY CLERK'S OFFICE OF NUECES COUNTY, TEXAS, WITH THE EXCEPTION OF SUCH PUBLIC DEDICATIONS NOT CONVEYED TO SAID CITY BY GRANT ON THE FACE OF THIS PLAT.

THIS THE 8TH DAY OF May, 1973

L. D. King

THE STATE OF TEXAS]
COUNTY OF NUECES]

THIS PLAT APPROVED BY DIRECTOR OF DEVELOPMENT SERVICES, CITY OF CORPUS CHRISTI, THIS THE 8 DAY OF MAY, 1973

James K. Lewis, P.E.
DIRECTOR OF DEVELOPMENT SERVICES

THE STATE OF TEXAS]
COUNTY OF NUECES]

THIS PLAT APPROVED May 22, 1973
BY THE PLANNING COMMISSION OF THE CITY OF CORPUS CHRISTI, TEXAS.
THIS 23rd DAY OF May, 1973

Carl C. Hoch, CHAIRMAN
Chas. F. Cunningham, SECRETARY

NO. 61171
FILED FOR RECORD
AT 4:15 O'Clock P.M.
on the 11 day of JUN. 1973
MRS. HENRY E. GOUGER
Clerk, County Court, Nueces County, Tex.
By Bessie Lee Deputy

RECORDED IN VOL. 39 PAGE 141
MAP RECORDS OF NUECES COUNTY
AT 10:10 O'Clock A.M.
on the 12 day of JUNE 1973
MRS. HENRY E. GOUGER
Clerk, County Court, Nueces County, Texas
By Bessie Lee Deputy

SCALE 1" = 40'
DATE MAY 9 1973

PLAT OF **PEARY PLACE ANNEX "D"**

Being the Southwest 50 feet of Peary Place Annex "A" as shown by map recorded in Volume 27 page 39, and 100 feet out of the Southeast corner of Lot 9 in Section 31 of the Flour Bluff and Encinal Farm and Garden Tracts as shown by map of record in Volume 41-43 of the Map Records of Nueces County, Texas.

GF # GF# 01021-9950CP

Stewart Title

NOTICE OF CONFIDENTIAL RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED WITH VENDOR'S LIEN

DATE: July 29, 2016

GRANTOR: **BAPS CORPUS CHRISTI, LLC, a Delaware Limited Liability Company**

GRANTOR'S ADDRESS: 81 Suttons Lane, Piscataway, NJ 08854

GRANTEE: **MBA-MI MUNDO DAYCARE, LLC**

GRANTEE'S ADDRESS: 7245 Dunn's Point Dr.
Corpus Christi, TX 78414

CONSIDERATION:

TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration including a note of even date herewith in the principal amount of $50,000.00, executed by Grantee, payable to Grantor. The note is secured by a vendor's lien retained in this deed in favor of Grantor, and by a Deed of Trust of even date from Grantee to Michael J. Shelly, P.C., a Texas professional corporation, Trustee. The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

PROPERTY:

PEARY PLACE ANNEX "D", an addition to the City of Corpus Christi, Nueces County, Texas, according to map or plat recorded in Volume 39, Page 141 of the Map Records of Nueces County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements, rights-of-way, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens

and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; and encroachments or overlapping of improvements; taxes for the current year, the payment of which Grantee assumes, zoning laws, regulations and ordinances of municipal and other governmental authority, if any, affecting the property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

BAPS CORPUS CHRISTI, LLC

By: Narha Patel

Narhari Patel, Manager

(Acknowledgment)

THE STATE OF OHIO
COUNTY OF Cuyahoga

Before me the undersigned authority on this day personally appeared Narhari Patel, Manager of BAPS CORPUS CHRISTI, LLC, a Delaware limited liability company, on behalf of said company, known to me [or proved to me on the oath of _____, or through Ohio driver license (description of identity card or other document)] to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29 day of July, 2016.

Anna R. Gangale
Notary Public

ANNA R. GANGALE
Notary Public, State of Ohio
My Comm. Expires July 21, 2018

PREPARED IN THE LAW OFFICE OF:
Michael J. Shelly, P.C.
Attorney at Law
5102 Holly Rd., Suite A
Corpus Christi, Texas 78411

AFTER RECORDING RETURN TO:

Stewart Title
5102 Holly Road, Suite B
Corpus Christi, TX 78411

GF # 01021-99500P
Stewart Title

Doc# 2016032138
Pages 4
08/02/2016 9:45AM
e-Filed & e-Recorded in the
Official Public Records of
NUECES COUNTY
KARA SANDS
COUNTY CLERK
Fees $23.00

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of Race, Color,Religion, Sex, Handicap, Familial Status or National Origin is invalid and unenforceable under FEDERAL LAW, 3/12/89

STATE OF TEXAS
COUNTY OF NUECES
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN FILE NUMBER SEQUENCE ON THE DATE AND AT THE TIME STAMPED HEREON BY ME AND WAS DULY RECORDED IN THE OFFICIAL PUBLIC RECORDS OF NUECES COUNTY TEXAS

COUNTY CLERK
NUECES COUNTY TEXAS

children including those related to the caretaker, shall not exceed 12 at any given time.

2. No portion of an outdoor play or instruction area shall be located within the required street yard area of the property. Such areas may be located in side or rear yards.

3. A day care home shall employ only residents of the home, including all paid and unpaid care providers.

5.2.4.D. Day Care Center

A day care center shall be permitted in accordance with the use tables in Article 4 subject to the following standards:

1. A day care center shall provide regular care for between seven and twelve children for less than 24 hours a day.

2. Off-street parking and loading shall be provided in accordance with Section 7.2 notwithstanding the provisions in Subsection 7.2.7. A drive-through loading area with a minimum width of 10 feet and a holding capacity of at least three 18-foot long vehicles, exclusive or parking spaces shall be provided for each day care center.

3. No portion of an outdoor play or instruction area shall be located within the required street yard area of the property. Such areas may be located in side or rear yards.

5.2.4.E. Commercial Day Care

A commercial day care facility shall be permitted in accordance with the use tables in Article 4 subject to the following standards:

1. A commercial day care center shall provide regular care to any number of adults or children for less than 24 hours a day.

2. Signs shall be in accordance with Section 7.5.

3. Off-street parking and loading shall be provided in accordance with Section 7.2. Notwithstanding the provisions in Subsection 7.2.7 a drive-through loading area with a minimum width of 10 feet and a holding capacity of one vehicle per 500 square feet of gross floor area in the facility, exclusive of parking spaces, shall be provided for each commercial day care. No facility shall be required to have a loading zone with a capacity in excess of six spaces for 18-foot long vehicles.

4. No portion of an outdoor play or instruction area shall be located within the required street or side yard area of the property. Outdoor play or instruction areas shall be located in the rear or side yard of the property.

5.2.5. Golf Course

0 55 110 220 330 440 Feet

N