



**MEETING DATE:** May 27, 2025

**PRESENTED BY:** Xavier Cervantes, Director of Planning

**AGENDA ITEM:** Conduct a public hearing and consideration of a Conditional Use Permit to Neva P. Masengale for a Home Occupation - Daycare in a (R-1) Single Family Residential District, being Lot 37, Woodcrest Estates, located at 2807 Norma Drive, Adoption of Ordinance #\_\_\_\_\_ – Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- May 2, 2025 – Application for Conditional Use Permit (“CUP”) submitted to the City.
- May 8, 2025 – In accordance with State and local law, notice of required public hearings was mailed to all property owners within 200 feet of the subject tract, and notice of public hearings was published in the Progress Times.
- May 21, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission.
- May 27, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The site is located at the Northwest corner of Taylor Road and Norma Drive.
- Per Code of Ordinance, a Home Occupation requires the approval of a Conditional Use Permit by the City Council.
- The applicant proposes a home daycare for parents to leave their children in a safe and caring environment. The applicant is proposing a daycare where the children can learn skills needed for school and life lessons taught by trained individuals in early childhood development.
- The proposed hours of operation are as follows: Monday–Friday from 7:30 am to 5:30 pm
- Staff: 5 employees (\*Note: Sec.1.56(1)(d) states: There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises.)
- Parking: The applicant proposes to utilize the two existing parking spaces on the driveway for drop-off and pickup. Staff is concerned that this proposed home occupation could create traffic concerns due to being too close to the stop sign and Shary Road.
- During the Planning and Zoning Meeting, there was public opposition. The concerns voiced were in regards to traffic, and children’s safety. Staff mailed out (23) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties.

**STAFF RECOMMENDATION:**

Staff recommends approval of the request subject to the following conditions:

1. 1 year re-evaluation to continue to assess this new home occupation.

2. Applicant to be limited to one (1) employee at a time, or must submit a petition reflecting 90% of the property owners within 200 foot radius in favor of the variance to the number of employees allowed.
3. Pickup and Dropoff of children must be within the private property.
4. Continued compliance with all City Codes (Building, Fire, Health, Noise, etc.)
5. CUP is not to be transferable to others.
6. Hours of operation: Monday–Friday from 7:30 am to 5:30 pm

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**Departmental Approval:** N/A

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**Advisory Board Recommendation:** Denial

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**City Manager's Recommendation:** Approval *MRP*

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**RECORD OF VOTE:**                      **APPROVED:** \_\_\_\_\_

**DISAPPROVED:** \_\_\_\_\_

**TABLED:** \_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ DISSENTING \_\_\_\_\_