



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 12/17/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE SUP-24-09-0043 - Specific Use Permit - Flint Academy (City Council District 2). Specific Use Permit for a Child Day Care Center. Lot 1R, Block 1, Oaks Baptist Church Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development No. 23 (PD-23), within the IH-20 Corridor Overlay District, and addressed as 801 E IH 20 (On November 11, 2024, the Planning and Zoning Commission recommended approval with conditions by a vote of 7-0)

APPLICANT: Glenda Daniels

RECOMMENDED ACTION: Approve with conditions

SUMMARY:

Specific Use Permit for a Child Day Care Center. Lot 1R, Block 1, Oaks Baptist Church Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development No. 23 (PD-23), within the IH-20 Corridor Overlay District, and addressed as 801 E IH 20.

PURPOSE OF REQUEST:

The applicant intends to operate a Child Day Care within an existing Church building. A Specific Use Permit approval by City Council is required for a Child Day Care facility enrolling four or more children under age five and where tuition, fees, and other forms of compensation for the care of children is charged. The facility shall be licensed or approved to operate as a Child Day Care center per Chapter 13, Article VII of the City of Grand Prairie's Code of Ordinances.

The purpose of the Specific Use Permit (SUP) process is to identify and evaluate those uses which might be appropriate within the zoning district and surrounding land uses. When assessing the SUP request, City Council can impose any necessary conditions and restrictions to mitigate impacts upon the surrounding area. The conditions imposed can range from hours of operations, limits on future expansions, and a maximum number of pupils during certain hours.

ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

Table 1. Zoning and Land Use

Direction	Zoning	Existing Use
North	PD-19	IH-20, Apartments
South	PD-23	Undeveloped Lot
West	PD-23	Undeveloped Lot
East	PD-23	Undeveloped Lot

PROPOSED USE CHARACTERISTICS AND FUNCTION:

The applicant intends to operate a Child Day Care center within an existing Church building. The existing site generally conforms to the Unified Development Code (UDC). The site has access from E IH 20.

Article 13, Chapter VII, of the City of Grand Prairie Code of Ordinances regulates Licensed Child Care Centers consistent with the local and state minimum standards. The Public Health and Environmental Quality Department verifies state requirements, minimum outdoor play space, and compliance with food and beverage services associated with the operation of a Child Day Care facility.

The operational plan outlines the facility as a PK3-12th grade academy that includes a nursery for staff use only. They currently have 126 students enrolled and 29 staff members which includes teachers, administration, support staff and a certified daycare worker. Their hours of operations are from Monday through Thursday 8:30 AM to 4:30 PM. Lunch is not provided for students.

The academy has one staff member on security detail. The building is locked at all times. Visitors must sign in and out, and any unknown persons must provide identification. All visitors are required to wear a visitor badge while on campus. Background checks and teacher certifications are not required for staff; however, they do check references.

Following UDC, Article 10, Parking Standards, the minimum parking requirements for child daycare is calculated as one space per 10 pupils plus one space per employee. The site provides 349 spaces for the child day care and church facility. They meet the parking requirements as shown in the following table.

Table 2. Required Parking

Use	Standard	Required	Provided
Child Day Care	1 Space/10 pupils, plus 1 per Employee	232.5 (with School & Church use)	349

VARIANCES:

The applicant is not requesting any variances.

PUBLIC NOTICE:

Notice of this item was published in the Fort Worth Star Telegram and letters were provided to 12 surrounding properties meeting the distance requirements in the Unified Development Code. As of the writing of this staff memo, the following letters have been received:

In Support: None

In Opposition: None

RECOMMENDATION:

- On November 11, 2024, the Planning and Zoning Commission recommended approval with conditions by a vote of 7-0:
 1. The applicant shall provide a playground that is at least 25% of the licensed childcare capacity area. The licensed capacity area shall have an exit from the building directly onto the playground area.
 2. The applicant shall provide a minimum 6 ft. fence around the playground area.
 3. The applicant shall provide hard plumbed hand sinks in all infant rooms for diaper changing.
 4. The applicant shall maintain compliance with City-adopted fire codes.
 5. The applicant shall maintain compliance with state minimum standards for licensed childcare centers.
 6. The applicant shall maintain compliance with the licensed childcare centers requirements found in Chapter 13, Article VII of the City's Code of Ordinances.
 7. The applicant shall maintain compliance with state regulations and City ordinances for food service operations.
- The Development Review Committee (DRC) recommends approval of the request on with the following conditions:
 1. The applicant shall provide a playground that is at least 25% of the licensed childcare capacity area. The licensed capacity area shall have an exit from the building directly onto the playground area.
 2. The applicant shall provide a minimum 6 ft. fence around the playground area.
 3. The applicant shall provide hard plumbed hand sinks in all infant rooms for diaper changing.
 4. The applicant shall maintain compliance with City-adopted fire codes.
 5. The applicant shall maintain compliance with state minimum standards for licensed childcare centers.
 6. The applicant shall maintain compliance with the licensed childcare centers requirements found in Chapter 13, Article VII of the City's Code of Ordinances.
 7. The applicant shall maintain compliance with state regulations and City ordinances for food service operations.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE ZONING ORDINANCE AND MAP BY SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY FOR A SPECIFIC USE PERMIT TO ALLOW A CHILD DAY CARE FACILITY LOCATED AT 801 E IH 20. LOT 1R, BLOCK 1, OAKS BAPTIST CHURCH ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and Map of said city so as to amend the zoning designation of said site to include a Specific Use Permit to allow a Child Day Care;

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on November 11, 2024, after written notice of such public hearing before the Planning and Zoning Commission on the proposed Specific Use Permit had been sent to owners of real property lying within 300 feet of the property on which the creation of a Specific Use Permit to allow a Child Day Care, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 7 to 0 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a Specific Use Permit for a Child Day Care;

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on December 17, 2024, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the, Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the Specific Use Permit and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the specific use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance to the extent that a specific use may be made of said property as herein provided and by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:

SECTION 1. Ordinance Number 4779, being the Unified Development Code of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

passed and approved November 20, 1990, as amended, is hereby further amended so as to establish a Specific Use Permit for a Child Day Care Facility located at 801 E IH 20. Lot 1R, Block 1, Oaks Baptist Church Addition, City of Grand Prairie, Dallas County, Texas, as depicted in Exhibit A – Location Map, attached hereto.

SECTION 2. The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City’s Comprehensive Plan and Unified Development Code. The following standards and conditions which are hereby established as part of this ordinance:

1. The Child Day Care facility and its operations shall adhere to the City Council approved Exhibit B – Site Plan, Exhibit C – Operational Plan.
2. The applicant shall provide a playground that is at least 25% of the licensed childcare capacity area. The licensed capacity area shall have an exit from the building directly onto the playground area.
3. The applicant shall provide a minimum 6 ft. fence around the playground area.
4. The applicant shall provide hard plumbed hand sinks in all infant rooms for diaper changing.
5. The applicant shall maintain compliance with City-adopted fire codes.
6. The applicant shall maintain compliance with state minimum standards for licensed childcare centers.
7. The applicant shall maintain compliance with the licensed childcare centers requirements found in Chapter 13, Article VII of the City’s Code of Ordinances.
8. The applicant shall maintain compliance with state regulations and City ordinances for food service operations.

SECTION 3. That, all development shall conform to the approved site plan.

1. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
2. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

SECTION 4. The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 5. A violation of this Ordinance is a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas. The penalty provided herein shall be cumulative of other remedies provided by State law, and the power of injunction as provided in Texas Local Government Code Section 54.016, as amended, may be exercised in enforcing this ordinance whether or not there has been a complaint filed.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE,
TEXAS, THIS THE 17TH OF DECEMBER 2024.**

SPECIFIC USE PERMIT NO.

CASE NO. SUP-24-09-0043

ORDINANCE NO. #-2024