



PLANNING

To: Planning & Zoning Commission **Item No. 5**
From: Dakari Hill, Senior Planner
Through: David Hoover, AICP, Director of Development Services
Cc: Suzanne Porter, AICP, Planning Manager
Re: Planning & Zoning Commission Meeting – February 20, 2024

Agenda Item:

Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a Child Care Center, Licensed use on 9.7± acres, on Collin County School Land Survey, Abstract 147, Tracts 145, 168, and 172, located 305' south of First Street and 0' east of Church Street. (ZONE-23-0035)

Future Land Use Plan:

The Future Land Use Plan recommends Town Center. The proposed zoning request does conform to the Future Land Use Plan.

Zoning:

The property is zoned Single-Family 15 (SF-15).

Thoroughfare Plan:

This property has direct access to Church Street.

Parks Master Plan:

The Parks Master Plan does not indicate a park is needed on the subject property.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and state law. Staff has not received any response to the proposed zoning request to date.

Attached Documents:

1. Aerial & Zoning Maps
2. Survey
3. Site Plan

Description of Agenda Item:

The purpose of this request is to obtain a Specific Use Permit to continue the operation of a licensed child-care center at First Baptist Church. Currently, the church operates First Friends Preschool out of classrooms in both their main building and temporary building. A Specific Use Permit is required for a licensed child-care center unless it is operated by an independent school district.

Compatibility:

This zoning change would not be seen as out of character with the existing neighborhood due to compatibility with the uses in the surrounding area. The property to the north is a family resource center operated by Prosper ISD. Additionally, an elementary school, Rucker Elementary, is located to the east of the property. The similarity of these surrounding uses emphasizes that a licensed child-care center is compatible with the area.

The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Single Family-15	House of Worship	Town Center
North	Downtown Office	Family Resource Center (PISD)	Town Center
East	Single Family-15	Elementary School (Rucker Elementary)	Town Center
South	Planned Development-67	Vacant	Town Center
West	Planned Development-67	Vacant	Town Center

History:

In 2016, a temporary building was permitted for First Baptist Church due to temporary buildings being allowed by right for houses of worship. These temporary buildings have a life span of three years and must be renewed at the end of the three-year period. Additionally, a one-year extension can be granted at the end of the three-year period instead of renewing. The church's temporary building was permitted in 2016 and in 2019. Then in 2022, a one-year extension was granted for the temporary building.

Throughout this time, First Baptist operated their licensed child-care center out of both their main building and temporary building. A Specific Use Permit is required for a licensed child-care center that is not operated by an independent school district.

When the church came back to renew the temporary building in 2023, Staff determined that a Specific Use Permit was needed for the child-care center.

Conditions:

Staff recommends that the following conditions be part of the Specific Use Permit.

- Condition 1: The Specific Use Permit will expire two years after Town Council approval.
- Condition 2: The temporary building will be removed once the permanent building is built.
- Condition 3: Upon expiration of the Specific Use Permit, a one-year extension may be granted by the Planning & Zoning Commission if progress has been made.

Specific Use Permit Criteria:

The Zoning Ordinance contains the following four (4) criteria to be considered in determining the validity of an SUP request.

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
 - *Yes, a family resource center operated by Prosper ISD is directly to the north of the church. Additionally, Rucker Elementary is directly to the east of the church. The adjacent educational uses indicate that a licensed child-care center is an appropriate use and consistent with the surrounding area.*
2. *Are the activities requested by the applicant normally associated with the requested use?*
 - *Yes, it is common practice for houses of worship to have licensed child-care centers associated with them. Churches within the Town such as Prosper United Methodist Church (Specific Use Permit-3), St. Paul's Episcopal Church (Specific Use Permit-10), and St. Martin de Porres Catholic Church (Specific Use Permit-15) all have an educational or licensed child-care component.*
3. *Is the nature of the use reasonable?*
 - *Yes, a licensed child-care use is compatible with the surrounding area and commonly associated with houses of worship.*
4. *Has any impact on the surrounding area been mitigated?*
 - *The Specific Use Permit will have a two-year expiration date which should cause the permanent building to be constructed within that time frame.*

Staff believes the applicant has satisfied the criteria and recommends approval of the request.

Town Staff Recommendation:

Town Staff recommends approval of the Specific Use Permit request for a Licensed Child-Care Center subject to the following conditions:

1. The Specific Use Permit will expire two years after Town Council approval.
2. The temporary building will be removed once the permanent building is built.
3. Upon expiration of the Specific Use Permit, a one-year extension may be granted by the Planning & Zoning Commission if progress has been made.

Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on March 12, 2024.