



AGENDA
Planning and Zoning Commission
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, May 02, 2023
6:00 PM

Welcome to the Prosper Planning & Zoning Commission Meeting.

Citizens may watch the meeting live by using the following link:
<https://prospertx.new.swagit.com/views/378/>

Addressing the Planning & Zoning Commission:

Those wishing to address the Planning and Zoning Commission must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

If you are attending in person, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

If you are watching online, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/ Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town staff for further assistance.

Citizens and other visitors attending Planning and Zoning Commission meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the Town Council meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Town Council during that session of the Town Council. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may address the Commission when the item is considered by the Planning & Zoning Commission.

1. Call to Order / Roll Call.
2. Pledge of Allegiance

CONSENT AGENDA:

Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of a Commission Member or staff.

- [3a.](#) Consider and act upon the minutes from the April 4, 2023, Planning & Zoning Commission meeting.
- [3b.](#) Consider and act upon the minutes from the April 18, 2023, Planning & Zoning Commission meeting.

CITIZEN COMMENTS

The public is invited to address the Commission on any topic. However, the Commission is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Comment Request Form" and present it to a staff member prior to the meeting.

REGULAR AGENDA:

If you wish to address the Commission, please fill out a "Public Comment Request Form" and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning and Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission.

- [5.](#) Conduct a Public Hearing, and consider and act upon a request to rezone 34.7± acres from Commercial District (C) to a new Planned Development for Mixed Use, located northside of Prosper Trail and west of Dallas Parkway. (Z22-0019)
- 6. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
- 7. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, April 28, 2023, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, April 4, 2023, 6:00 p.m.

1. Call to Order / Roll Call

The meeting was called to order at 6:00 p.m.

Commissioners Present: Vice Chair Damon Jackson, Secretary Mike Pettis, Sekou Harris, Cameron Reeves

Staff Present: David Soto, Planning Manager; Paul Rodriguez, Senior Planner; Doug Braches, Planning Technician; Terry Welch; Town Attorney

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

3a. Consider and act upon the minutes from the March 21, 2023, Planning & Zoning Commission meeting.

Motioned by Pettis, seconded by Reeves, to approve the Consent Agenda, Motion approved 4-0.

CITIZEN COMMENTS

REGULAR AGENDA

4. Consider and act upon a Preliminary Site Plan for a Retail and Hotel Development, Lots 11 & 12 of Block A Gates of Prosper on 4.5± acres, located on the south side of Lovers Lane, east of Coleman Street. The property is zoned Planned Development-67 (PD-67). D22-0103.

Paul Rodriguez (*Staff*): Presented information regarding Item 4.

Commissioners expressed concerns regarding parking requirements. Commissioners asked questions regarding available parking on the site during high volume events and the impact on the surrounding areas.

Kevin Patel (*Applicant*): Addressed commissioners concerns and questions regarding parking and explained the traffic study exhibit and shared parking agreement with surrounding properties.

Commissioners expressed continued concern regarding parking for high volume events.

Kevin Patel (*Applicant*): Explained the hotel brand's business practices, outlook, and current market demands regarding parking requirements.

Commissioners inquired about previously approved hotels parking requirements.

Commissioners express continued concern regarding fewer parking spaces and suggest that the hotel enter into an agreement with the Town to address future potential problems.

Motion by Pettis to approve Item 4, seconded by Reeves, Motion approved 3-1 with Commissioner Harris in opposition.

5. Conduct a public hearing, and consider and act upon a request to rezone 34.7± acres from Commercial District (C) to a new Planned Development for Mixed Use, located northside of Prosper Trail and west of Dallas Parkway. (Z22-0019)

David Soto (*Staff*): Presented information regarding Item 5.

Commissioner Harris expressed concerns regarding Town staff's recommendation for denial of Item 5.

Commissioners expressed concerns regarding the multi-family aspect of the proposed zoning as well as asked questions regarding the structure of the parking garage façade and building materials.

Nolan Bradshaw (*Applicant*): Presented information regarding Item 5.

Commissioners expressed concerns regarding the number of multi-family units, building materials and reasoning behind the building height standards.

Commissioners asked questions regarding the townhouse trigger language to clarify as per lots or individual units, required property owner association, retail triggers and strengthening development triggers.

Nolan Bradshaw (*Applicant*): Responded to commissioners' questions and explained development practices regarding Item 5 along with the potential consequences to additional development triggers.

Vice Chair Damon Jackson opens the Public Hearing for Item 5.

There being no additional speakers Vice Chair Damon Jackson closed the Public Hearing for Item 5.

Commissioners discussed the potential of sunset triggers and asked questions regarding zoning expiration and the ability of the Town to enforce development standards.

Terry Welch (*Staff*): Answers commissioners' questions that approved zoning does not have an expiration period and that a Development Agreement might be able to solve some of the commissioners' concerns.

Commissioner Harris expressed general support of Item 5 based on Dallas North Tollway Guidelines along with a Development Agreement for the Applicant to enter with the Town.

Commissioner Pettis expressed general opposition of Item 5 due to clarity of development standards language.

Nolan Bradshaw (*Applicant*): Responds to commissioners' concerns.

Motion by Harris to table Item 5 to May 2nd Planning & Zoning Commission Meeting with direction for staff to meet with Applicant on multi-family aspect and to reconfigure triggers regarding retail and multi-family combination.

Prior to a second, commissioners requested the Applicant to speak on Item 5.

Applicant discusses the possibility to amend the number of apartment and multi-family units.

Commissioner Harris withdrew his motion to table Item 5 to May 2nd Planning & Zoning Commission Meeting.

Commissioner Pettis requested a clear timetable regarding all aspects of development from the Applicant.

Motion by Harris to table Item 5 to May 2nd Planning & Zoning Commission Meeting with direction for staff to meeting with Applicant on additional triggers and the number of multi-family units. Seconded by Reeves, Motion denied 2-2 with Commissioners Pettis and Jackson in opposition.

Motion by Pettis to deny Item 5, seconded by Jackson, Motion denied 2-2 with Commissioners Harris and Reeves in opposition.

Commissioners discuss development standards and additional recommended actions for the Applicant to take along with overall discussion on what action for the Planning and Zoning Commission to take on Item 5.

Motion by Pettis to table Item 5 to May 2nd Planning & Zoning Commission meeting with direction for town staff to work with Applicant on further refining Item 5 development standards, seconded by Harris, Motion approved 3-1 with Vice Chair Jackson in opposition.

6. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

David Soto (Staff): Presented information regarding upcoming zoning cases and opportunities for additional training and educational opportunities for commissioners.

7. Adjourn.

Motioned by Harris, seconded by Reeves to adjourn. Motion approved 4-0 at 8:31 p.m.

Doug Braches, Planning Technician

Michael Pettis, Secretary



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, April 18, 2023, 6:00 p.m.

1. Call to Order / Roll Call

The meeting was called to order at 6:04 p.m.

Commissioners Present: Chair Brandon Daniel, Vice Chair Damon Jackson, Secretary Mike Pettis, Tommy Van Wolfe, Cameron Reeves, Josh Carson

Staff Present: David Soto, Planning Manager; Dakari Hill, Senior Planner; Talia Stevenson; Senior Administrative Assistant; Jeremy Page, Town Attorney

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

3a. Consider and act upon a request for a Site Plan for Bank, on 1.4± acres, located on the south side of Lovers Lane, west of Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0042)

3b. Consider and act upon a request for a Replat for Gates of Prosper, Block A, Lot 5R on 1.4± acres, located on the south side of Lovers Lane and west of Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23- 0043).

Motioned by Van Wolfe, seconded by Pettis, to approve the Consent Agenda, Motion approved 6-0.

CITIZEN COMMENTS

REGULAR AGENDA

5. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Residential Medium Density to Residential High Density, generally located on the southeast corner of Prosper Trail and Teel Parkway. This is a companion case to Z21-0010. (CA22-0001).

David Soto (*Staff*): Presented information regarding Item 5.

Commissioners asked questions regarding if there has been a precedent set by previous Zoning or Future Land Use Plan amendments. Commissioners

Chair Brandon Daniel opened the Public Hearing for Item 5.

Nate Parrot (*Applicant*): Presented information regarding Item 5, explaining the reasoning behind needing an amendment to the Future Land Use Plan.

Commissioners asked questions regarding retirement housing component related to companion Item 4 and examples of the product the applicant is proposing.

Nate Parrot (*Applicant*): Answered the commissioners' questions regarding the product.

David Huber (*Citizen*): Spoke in opposition to Items 5 & 4. Expressed concerns regarding lack of development information of existing pond on site as well as deviations from the current Future Land Use Plan. Expressed concerns regarding screening adjacent to Artesia subdivision.

Tino Garza (*Citizen*): Spoke in opposition to Items 5 & 4. Expressed concerns regarding the existing pond, floodplain, and retaining walls. Expressed concerns regarding specificity in what proposed open space means.

David Blom (*Citizen*): Spoke on proposed lot sizes of Items 4 & 5 as they are compatible with surrounding existing subdivision of Windsong Ranch. Did not speak in support or opposition to Items 4 & 5. Expressed general concern regarding multi family aspect and possible alternative method of getting a commercial zoning.

Chair Brandon Daniel closed the Public Hearing for Item 5.

Commissioners asked questions regarding additional public feedback for Items 5 & 4 other than filled out public reply forms.

Commissioners asked for clarification regarding proposed open space and landscaping.

Nate Parrot (*Applicant*): Applicant answered commissioners' questions regarding treatment of the floodplain area and at what point in the development process will more specifics be announced regarding floodplain mitigation.

Commissioners discuss Item 5 regarding lot sizes and what a change from Medium to High Density Residential will open future potential developments. Commissioners expressed general concerns regarding future possibilities that a High Density Residential District could bring.

Commissioners asked questions regarding if tabling a Future Land Use Plan Amendment is possible to a future Planning & Zoning Commission.

Jeremy Page (*Staff*): Answered commissioners' questions regarding tabling process for companion public hearing Items 5 & 4.

Motion by Pettis to table Item 5 to a future Planning & Zoning Commission Meeting in conjunction with Item 4 being tabled, seconded by Van Wolfe, motion approved 6-0.

- 4. Conduct a Public Hearing, and consider and act upon a request to rezone 69.9± acres from Agriculture (A), a portion of Planned Development-40 (PD-40), and a portion of Single Family-12.5 (SF-12.5) to Planned Development-Single Family (PD-SF), generally to allow for a residential development and retirement housing development, located on the southeast corner of Prosper Trail and Teel Parkway. (Z21-0010)**

David Soto (*Staff*): Presented information regarding Item 4.

Chair Brandon Daniel opened the Public Hearing for Item 4.

Nate Parrot (*Staff*): Presented information regarding Item 4.

David Huber (*Citizen*): Expressed concerns regarding existing pond with ongoing land disturbance to the site. Asking for additional clarification regarding proposed retaining wall adjacent to the Artesia subdivision.

Chair Brandon Daniel closed the Public Hearing for Item 4.

Commissioners expressed general concern regarding public comments for Item 4. Commissioners directed Applicant to meet with members of the public to address their concerns.

Commissioners asked Town Staff for clarification on what action can be taken for Item 4.

Jeremy Page (*Staff*): Answered commissioners' questions and explained process for tabling, approving, or denying a Zoning Change with a companion item to amend the Future Land Use Plan.

Commissioners asked questions regarding timeframe before next public hearing in terms of tabling or denying item 4.

David Soto & Jeremy Page (*Staff*): Answered commissioners' question regarding timeline for tabling and waiting period should an item be denied by Town Council.

Motion by Pettis to table Item 4 to May 16th, seconded by Jackson, motion approved 6-0.

- 6. Conduct a Public Hearing, and consider and act upon a request to rezone 66.7± acres from Agriculture (A) to Planned Development-Single Family (PD-SF), generally to allow for a residential development, is located on the east side of FM-1385, north of US-380. (Z22-0011)**

Item 6 has been withdrawn by the Applicant.

- 7. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Residential Low Density to Residential High Density, generally located on the east side of FM-1385, north of US-380. This is a companion case to Z22-0011. (CA22-0001).**

Item 7 has been withdrawn by the Applicant.

- 8. Conduct a Public Hearing, and consider and act upon a request to amend 166± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding Page 3 of 3 building materials, located on the northside of First Street and west of Windsong Parkway. (ZONE-23-0006)**

David Soto (*Staff*): Presented information regarding Item 8.
Chair Brandon Daniel opened the Public Hearing for Item 8.

David Blom (*Applicant*): Presented information regarding Item 8.

Zach Schneider (*Applicant*): Presented information regarding Item 8.

Commissioners asked questions regarding price points for the proposed single family residence products and the durability of the materials.

Zach Schneider (*Applicant*): Answered commissioners' questions.

Chair Brandon Daniel closed the Public Hearing for Item 8.

Motion by Jackson to approve Item 8, seconded by Van Wolfe, motion approved 6-0.

9. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

David Soto (Staff): Presented information regarding Town Council adoption of Westside Planned Development amendment, as well as upcoming proposed zoning items going to the next Town Council Meeting.

Jeremy Page (Staff): Presented information regarding open meetings act and other various legal information for the Planning & Zoning Commission.

10. Adjourn.

Motioned by Carson, seconded by Van Wolfe to adjourn. Motion approved 6-0 at 7:48 p.m.

Doug Braches, Planning Technician

Michael Pettis, Secretary



PLANNING

To: Planning & Zoning Commission

Item No. 4

From: David Soto, Planning Manager

Re: Planning & Zoning Commission Meeting – May 2, 2023

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request to rezone 34.7± acres from Commercial District (C) to a new Planned Development for Mixed Use, located northside of Prosper Trail and west of Dallas Parkway. (Z22-0019) (Request to be tabled)

Description of Agenda Item:

The application was submitted on November 7, 2022 and it has been requested to be tabled indefinitely to allow additional time to finalize the request.

Staff Recommendation:

Staff recommends the Planning & Zoning Commission to table this item indefinitely. Staff will send out notices once the applicant is ready to move forward.