



PLANNING

To: Mayor and Town Council

From: David Hoover, AICP, Director of Development Services

**Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager**

Re: Specific Use Permit for Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio

Town Council Meeting – January 9, 2024

Strategic Visioning Priority: 3. Commercial Corridors are ready for Development

Agenda Item:

Conduct a public hearing to consider and act upon a request for a Specific Use Permit (SUP) to allow Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio uses on 3.6± acres on Windsong Ranch Office Addition, Block A, Lot 2, located south of Parvin Road and east of North Teel Parkway. The property is zoned Planned Development-103 (PD-103) Windsong Ranch Office. (ZONE-23-0023)

Description of Agenda Item:

The applicant has submitted a Specific Use Permit (SUP) request to allow for certain uses in two buildings on the subject property. As a companion item, the Preliminary Site Plan (DEVAPP-23-0184) is also on the Planning & Zoning Commission agenda for December 19, 2023.

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

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-103 (Office)	Undeveloped	Retail & Neighborhood Services
North	Planned Development-103 (Office)	Under construction (Veterinary Clinic)	Retail & Neighborhood Services
East	Planned Development-40 (Single Family)	Undeveloped	Retail & Neighborhood Services
	Zoning	Current Land Use	Future Land Use Plan
South	Planned Development-40 (Single Family)	Floodplain	Floodplain
West	Planned Development-40 (Single Family)	Residential (Developed)	High Density Residential

Proposed Uses:

In 2020, a Planned Development was approved for this property and the lot to the north that established a base zoning of Office and provided for the allowance of certain uses, as follows:

Uses permitted by right:

- Assisted Living Facility
- Restaurant
- Veterinarian Clinic and/or Kennel, Indoor

Uses permitted upon approval of a Specific Use Permit:

- Commercial Amusement, Indoor *
- Convenience Store without Gas Pumps
- Dry Cleaning, Minor
- Gymnastics/Dance Studio
- Retail Stores and Shops
- Restaurant with drive-through*

*These two uses are not being requested with this Specific Use Permit request.

Prohibited uses:

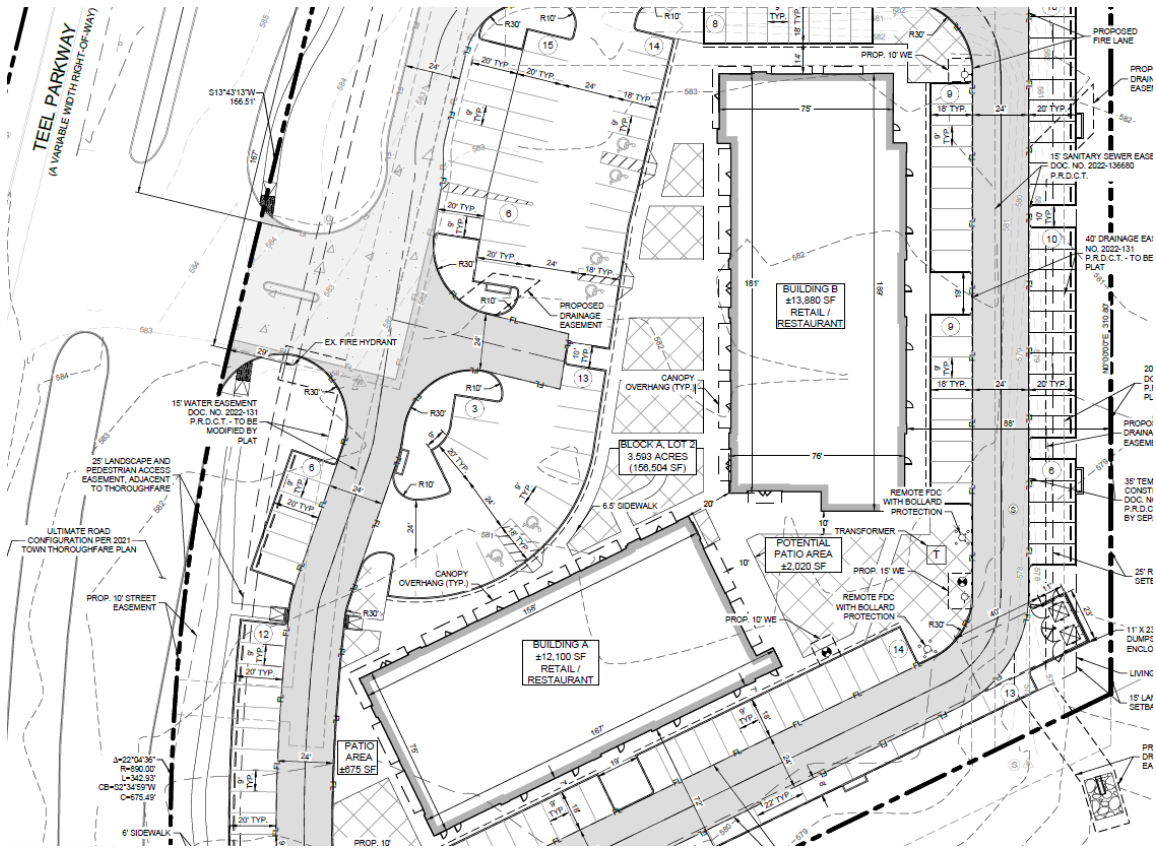
- Recycling Collection Point

The applicant is proposing to develop two multi-tenant buildings on the property and requests approval of a Specific Use Permit to allow all but the Commercial Amusement, Indoor and Restaurant with drive-through uses. The applicant's Letter of Intent (see attachment) lists several of the possible retail stores and shops that could occupy building space.

Building Size and Location

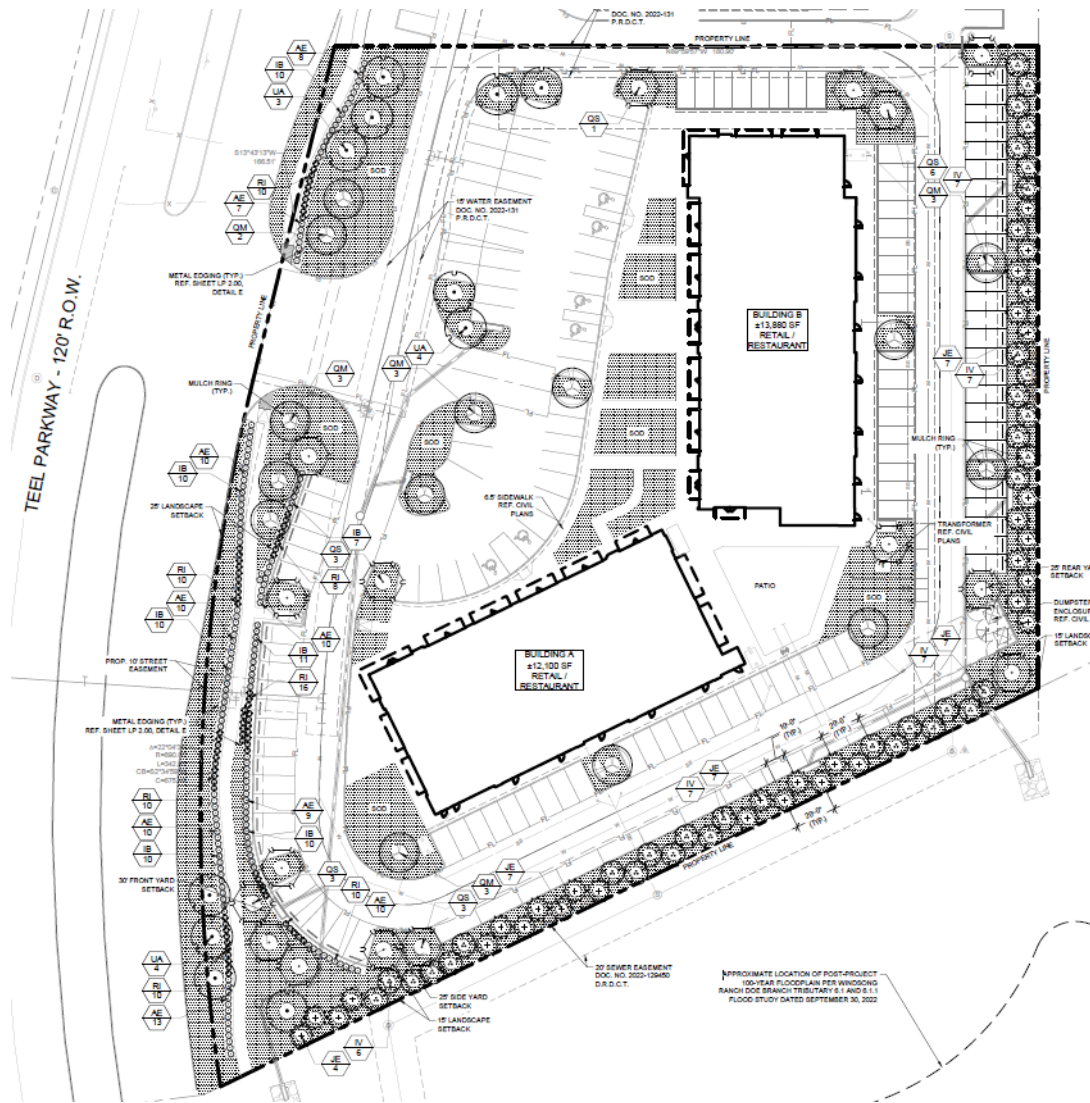
The two buildings are 12,100 square feet (Building A – southern building) and 13,880 square feet (Building B – northern building), for a total of 25,980 square feet. For parking calculation purposes, the developer has anticipated 20,380 square feet being allocated to retail uses and 5,600 square feet for restaurant use. There are two outdoor patios consisting of 2,695 square feet.

The Office zoning district standards restrict the sizes of buildings within 200 feet of residential uses or zoning to 10,000 square feet. The proposed buildings are greater than 10,000 square feet and are separated from the adjacent residential zoning to the east by 88 feet and to the south by 72 feet. Staff finds that the location of the buildings will not negatively impact the surrounding properties. The land to the west is currently undeveloped and owned by Prosper Independent School District. Property immediately to the south is a creek that is approximately 500 feet in width; a residential neighborhood is developed south of the creek.



Screening

Since the property is adjacent to residential zoning, a living screen is proposed along the east and south property lines. A living screen is recommended in this location to blend with the natural creek environment to the south and will be a suitable screen adjacent to any future school-related or residential development to the east. A living screen is subject to the approval of the Specific Use Permit.

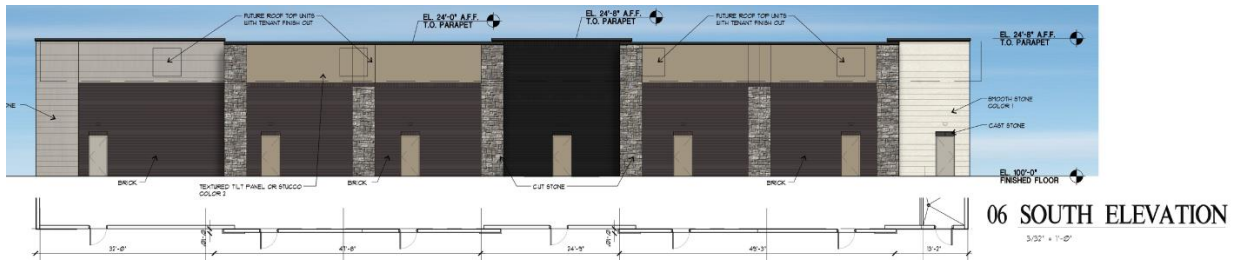


Building Elevations

The proposed buildings will be compatible with the veterinary clinic being constructed to the north and the Development Agreement requirements in place for this property.

Building A – Southern Building





06 SOUTH ELEVATION



04 WEST ELEVATION



05 EAST ELEVATION

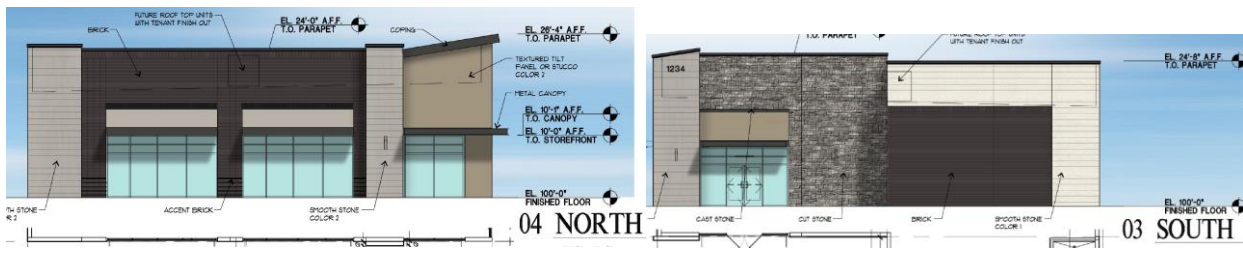
Building B – Northern Building



02 WEST ELEVATION FRONT



05 EAST ELEVATION



04 NORTH

03 SOUTH

The Zoning Ordinance contains the following four (4) criteria to be considered in determining the validity of a Specific Use Permit request.

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*

The proposed uses are compatible with the veterinary clinic being constructed to the north. The property will be screened from residential zoning to the east and south with a living screen. The proposal will provide services to nearby residential development.

2. *Are the activities requested by the applicant normally associated with the requested use?*

All of the proposed uses are compatible in nature with the surrounding developments and will serve the surrounding properties. These are typical uses in multi-tenant structures.

3. *Is the nature of the use reasonable?*

When the zoning was approved for this property, it was conceived that these uses may be appropriate in this location, but a Specific Use Permit was required to allow for the review of site layout, screening, and elevations.

4. *Has any impact on the surrounding area been mitigated?*

The applicant has designed a site with two buildings that will be architecturally compatible with the surrounding development and a living screen will be installed to buffer these buildings that are larger than 10,000 square feet from the adjacent residential zoning.

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

Future Land Use Plan – The Future Land Use Plan recommends Retail and Neighborhood Services.

Thoroughfare Plan – This property currently has direct access to Teel Parkway.

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

Budget Impact:

There is no budgetary impact affiliated with this item.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and state law. The developer of Windsong responded to Staff that there are no concerns with the proposed uses.

Attached Documents:

1. Aerial and Zoning Maps
2. Survey
3. Letter of Intent
4. Site Plan
5. Landscape Plan
6. Façade Plan

Town Staff Recommendation:

Town Staff recommends approval of a Specific Use Permit (SUP) request to allow Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio uses on the property with the building size and placement as shown on the Site Plan Exhibit and a living screen as shown on the Landscape Plan Exhibit. The Planning & Zoning Commission recommended approval of this item (7-0) at their meeting on December 19, 2023.

Proposed Motion:

I move to approve/deny the request for a Specific Use Permit (SUP) to allow Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio uses on 3.6± acres on Windsong Ranch Office Addition, Block A, Lot 2, located south of Parvin Road and east of North Teel Parkway, with the building size and placement as shown on the Site Plan Exhibit and a living screen as shown on the Landscape Plan Exhibit.