



PLANNING

To: Planning & Zoning Commission **Item No. 4**

From: Dakari Hill, Senior Planner

Through: David Hoover, Director of Development Services

Re: Planning & Zoning Commission Meeting – September 5, 2023

Agenda Item:

Conduct a Public Hearing and consider and act upon a request to amend the Future Land Use Plan from Downtown Office (DTO) to Downtown Retail (DTR), generally located on the southwest corner of West Seventh Street and North Coleman Road. This is a companion case to ZONE-23-0016. (COMP-23-0003).

Description of Agenda Item:

Staff has received a request to rezone 0.2± acres from Single Family-15 (SF-15) to Downtown Retail (DTR) to allow for a commercial building with office and retail uses, located on the southwest corner of West Seventh Street and North Coleman Road. (ZONE-23-0016)

Rezoning requests, which do not conform to the Future Land Use Plan, shall be accompanied by a request to amend the Future Land Use Plan. The Comprehensive Plan document anticipates the Town will encounter “development proposals that do not directly reflect the purpose and intent of the land use pattern as shown on the Future Land Use Plan map.”

Land use districts designated on the Future Land Use Plan are intended to depict general areas where land uses are considered appropriate for an area, and such districts are not intended to be parcel specific. If the Planning & Zoning Commission and Town Council believe the property located on the southwest corner of West Seventh Street and North Coleman Road is more appropriately classified as Downtown Retail on the Future Land Use Plan, then it would be appropriate to reclassify the property.

Comprehensive Factors:

Changes in overall development patterns that deviate from the Plan's recommendations could impact the ultimate capacity of the community.

The Plan states, "it should be incumbent upon the applicant making such a proposal to provide evidence that the proposal meets the aforementioned considerations, supports community goals and objectives as set forth within this Plan, and represents long term economic and/or social benefits for the community as a whole, not just a short-term financial gain for whoever is developing the project."

The applicant provided the attached letter (attachment 3), in response.

The document recommends that "development proposals that are inconsistent with the Future Land Use Plan map (or that do not meet its general intent)" should be reviewed based on the following questions and should be reviewed on their own merit. The responses to each criterion are listed below:

1. Will the proposed change enhance the site and the surrounding area?

- *"Yes, the proposed change will enhance the site and the surrounding area by promoting a vibrant and mixed-use environment, revitalizing the downtown core, and creating spaces for people to work, live, and socialize."*

2. Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?

- *"Yes, the proposed 'Mixed-Use Downtown' designation represents a better use than the current designation because it aligns with the evolving needs and aspirations of the community, fostering a dynamic and interconnected urban environment."*

3. Will the proposed use impact adjacent residential areas in a negative manner?

- *"No, the proposed mixed-used development is designed to minimize any negative impact on adjacent residential areas. Buffer zones, appropriate design elements, and community engagement will be employed to ensure compatibility."*

4. Will the proposed use be compatible with and/or enhance adjacent residential uses?

- *"Yes, the mixed-used development will be carefully designed to be compatible with adjacent residential uses, offering amenities and services that benefit residents without compromising their quality of life."*

5. Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?

- *"Yes, the mixed-use development will be designed to harmonize with adjacent uses in terms of appearance, hours of operation, and overall compatibility, promoting a cohesive and attractive urban fabric."*

6. Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?

- *“Yes, the mixed-use development will present significant benefits to public health, safety, welfare, and social well-being by creating a lively, accessible, and inclusive urban environment that promotes community engagement and social interactions.”*

7. Would it contribute to the Town’s long term economic stability?

- *“Yes, the proposed mixed-use development will contribute to the Town’s long-term economic stability by attracting investments, generating tax revenue, and supporting local businesses, thereby strengthening the overall economic resilience of the community.”*

The Plan also recommends that “it is important to recognize that proposals not directly consistent with the Plan could reflect higher and better long-term uses than those originally envisioned and shown on the Future Land Use Plan map for a particular area. This may be due to changing markets, demographics, and/or economic trends that occur at some point in the future after the Plan is adopted. These proposals should be approved and the Future Land Use Plan map should be amended accordingly if such changes occur, especially if there are demonstrated significant social and/or economic benefits to the Town of Prosper.”

Legal Obligations and Review:

The Town Council is required to hold a Public Hearing prior to acting on an amendment to the Future Land Use Plan.

Attachments:

1. Aerial Map
2. Current FLUP Map
3. Request Letter

Staff Recommendation:

There are two options for a recommendation, subject to the action taken on the companion case for the amendment to the Future Land Use Plan (COMP-23-0003).

1. If the Town Council recommends approval of the amendment to the Future Land Use Plan, the Commission should recommend approval of the rezoning request.
2. If the Town Council recommends denial of the amendment to the Future Land Use Plan, the Council should recommend denial of the rezoning request.

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 September 26, 2023.