



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: Planned Development for Creekside

Town Council Meeting – November 26, 2024

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

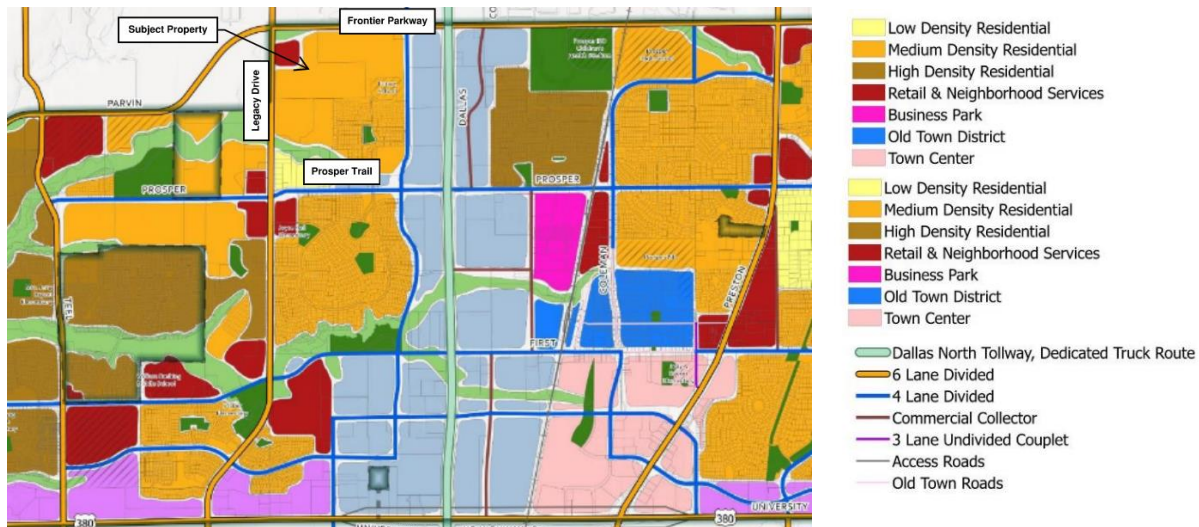
Agenda Item:

Conduct a Public Hearing and consider and act upon a request to rezone 120.5± acres on Collin County School Land Survey 12, Abstract 147, Tract 45 from Planned Development-44 (Single Family & Retail) to a Planned Development with Single Family and Retail uses, located on the southeast corner of Legacy Drive and Frontier Parkway. (ZONE-24-0013)

Future Land Use Plan:

The Future Land Use Plan recommends Medium Density Residential and Retail & Neighborhood Services District.

- Medium Density Residential recommends single-family detached dwelling units on lots that range from 12,500 square feet to 20,000 square feet. Medium Density Residential neighborhoods may have a variation of lot sizes provided that the density is within a specific range (1.6 – 2.5 dwelling units per acre). Although the lot sizes are less than 12,500 square feet, the density is 2.4 dwelling units per acre.
- The Retail & Neighborhood Services District recommends retail establishments that provide merchandise for retail sales, banks, neighborhood offices, and small medical offices.



Zoning:

The property is zoned Planned Development-44.

Thoroughfare Plan:

This property has direct access to Legacy Drive and Frontier Parkway.

Parks Master Plan:

The Parks Master Plan does indicate a park is needed on the subject property. This park is shown as the Neighborhood Park on the Conceptual Plan.

Hike & Bike Trail:

The Hike & Bike Trail Master Plan requires a hike and bike trail along Legacy Drive and Frontier Parkway as well as an internal trail connecting Legacy Drive to the Neighborhood Park.

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. Staff has not received any response to the proposed zoning request to date.

Attached Documents:

1. Aerial & Zoning Maps
2. Future Land Use Exhibit
3. Exhibit A-1 – Written Metes and Bounds
4. Exhibit A-2 – Boundary Exhibit
5. Exhibit B – Letter of Intent
6. Exhibit C – Development Standards (Clean)
7. Exhibit C – Development Standards (Redlined)
8. Exhibit D – Conceptual Plan
9. Exhibit E – Development Schedule
10. Exhibit F – Elevations
11. Exhibit G – Landscape Plan
12. Exhibit H – HOA Trail Exhibit
13. Draft Development Agreement

Summary of Redlines:

The summary of the redlines for the Development Standards is shown below.

1. The applicant is requesting a maximum of fifty-five Type A Lots (10,500 SF). Town Staff is recommending a maximum of fifty Type A Lots.
2. The applicant is requesting a minimum of fifty Type C Lots (12,000 SF). Town Staff is recommending a minimum of fifty-five Type C Lots.
3. The applicant is requesting that all lots have a minimum front setback of 25 feet and are staggered at 20, 25, and 30 feet. Town Staff is recommending that all lots have a minimum front setback of 25 feet and are staggered at 25, 30, and 35 feet.
4. The applicant is requesting to have an “Alcohol Beverage Sales” use by right. Town Staff is recommending that this use be removed.
5. The applicant is requesting to have an “Alcohol Beverage Establishment” use by Specific Use Permit. Town Staff is recommending that this use be removed.
6. The applicant is requesting that the “Bank, Savings and Loan, or Credit Union” use have an associated drive-through by right. Town Staff is recommending that this use not have an associated drive-through.
7. The applicant is requesting that the “Commercial Amusement, Indoor” use be permitted by right if does not exceed 15,000 square feet and permitted by Specific Use Permit if it exceeds 15,000 square feet. Town Staff is recommending that this use be permitted by Specific Use Permit regardless of it’s square footage.
8. The applicant is requesting that the “Retail Stores and Shops” use be permitted by right if it does not exceed 70,000 square feet. Town Staff is recommending that this use be permitted by right if it does not exceed 39,999 square feet.
9. The applicant is requesting that a “Big Box” use be defined as exceeding 70,000 square feet. Town Staff is recommending that this use be defined as exceeding 40,000 square feet.
10. The applicant is requesting to plant a double row of large, three-inch (3”) caliper trees in a 30-foot landscape buffer adjacent to the residential area instead of Town Staff’s recommendations. Town Staff is recommending that the commercial development immediately adjacent to the residential area be office uses (medical and professional uses) only, have only one multi-tenant building, and be located closer to Frontier Parkway based on size.
11. Town Staff is recommending that all site plans and façade plans in the Retail portion of the development be approved by Town Council.

Redline Key:

The key for the redlines to the Development Standards is shown below.

- Blue (Not Highlighted) – Proposed by applicant with no objections from Town Staff.
- Blue (Highlighted) – Proposed by applicant with objections from Town Staff.
- Red (Not Highlighted) – Proposed by Town Staff with no objections from applicant.
- Red (Highlighted) – Proposed by Town Staff with objections from applicant.

Description of Agenda Item:

The purpose of this request is to rezone the property from Planned Development-44 (Single Family & Retail) to a Planned Development with a base zoning of Single Family-10 for the residential section and Retail for the commercial section. The intent of the request is to construct a maximum of 225 homes on 90.7± acres. Additionally, the intent is to construct commercial buildings with retail uses on 29.8± acres at the southeast corner of Legacy Drive and Frontier Parkway.

Compatibility:

This zoning change would not be out of character with the existing area due to compatibility with the surrounding properties. All surrounding properties have the same Future Land Use designation of Medium Density Residential. Additionally, the Future Land Use Plan recommends commercial uses on the hard corner of Legacy Drive and Frontier Parkway as proposed in the zoning request.

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

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-44 (Single Family-10 and Office/Retail)	Vacant	Medium Density Residential and Retail & Neighborhood Services
North	City of Celina	Vacant	N/A
East	Planned Development-115 (Single Family)	Vacant	Medium Density Residential
South	Planned Development-63 (Single Family-15)	Vacant	Medium Density Residential
West	City of Celina	Vacant	N/A

RESIDENTIAL SECTION

Density:

Per the Town’s Future Land Use Plan, the gross density of Medium Density Residential developments will not be less than 1.6 dwelling units per acre or greater than 2.5 dwelling units per acre. The proposed development would allow for a maximum of 225 single family homes on 90.7 acres, putting the density for this development at 2.5 units per acre.

District Regulations:

The residential district regulations within the Planned Development compared to the previously approved Planned Development (PD-44) are shown below.

	Previous Regulations (Planned Development-44)	Proposed District Regulations (Development Standards)
Size of Yards	Front: 25’ (Type A & B) 30’ (Type C) Side: 8’ 15’ (Adj. to Side Street) Rear: 25’	Front: 25’ Side: 8’ 15’ (Adj. to Side Street) Rear: 25’
Size of Lots	Minimum Area: 10,000 SF (Type A) – Max. of 54 11,000 SF (Type B) – Max. of 95	Minimum Area: 10,500 SF (Type A) – Max. of 55 11,000 SF (Type B)

	12,000 SF (Type C) – Min. of 49 Minimum Lot Width: 80' Minimum Lot Depth: 125'	12,000 SF (Type C) – Min. of 50 Minimum Lot Width: 76' (70' on Cul-De-Sac) Minimum Lot Depth: 140' (120' on Cul-De-Sac)
Maximum Height	Stories: 40'	Stories: Two and a Half Stories or 40'
Maximum Lot Coverage	Lot Coverage: 45 Percent	Lot Coverage: 50 Percent

Uses:

The list of permitted uses within the residential section of this Planned Development is shown below.

- By Right:
 - Accessory Building
 - Construction Yard and Field Office, Temporary
 - Home Occupation
 - Homebuilder Marketing Center
 - Model Home
 - Park or Playground
 - School, Public
 - Single Family Dwelling, Detached

- By Specific Use Permit:
 - Antenna and/or Antenna Support Structure, Non-Commercial
 - House of Worship
 - Private Recreation Center
 - Private Street Development
 - School, Private or Parochial

- Uses That Would Be Eliminated:
 - Athletic Stadium or Field, Private
 - Athletic Stadium or Field, Public
 - Bed and Breakfast Inn
 - Cemetery or Mausoleum
 - Day Care Center, Adult
 - Day Care Center, Child
 - Day Care Center, In-Home
 - Farm, Ranch, Stable, Garden, or Orchard
 - Garage Apartment
 - Golf Course and/or Country Club
 - Guest House
 - Household Care Facility
 - Municipal Uses Operated by the Town of Prosper
 - Private Utility, Other Than Listed
 - Rehabilitation Care Facility
 - School District Bus Yard
 - Sewage Treatment Plant/Pumping Station
 - Stealth Antenna, Commercial
 - Telephone Exchange

- Temporary Building
- Utility Distribution/Transmission Facility
- Water Treatment Plant

Architectural Standards:

The residential architectural standards within this Planned Development are shown below.

- Building Materials:
 - Permitted Materials
 - Architectural Concrete Block
 - Cementitious Material
 - Clay Fired Brick
 - Granite
 - Marble
 - Stone (Natural, Precast, or Manufactured)
 - Stucco (Three-Coat Process Cement Plaster)
 - Design
 - The exterior façade of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry.
 - Cementitious materials may constitute up to twenty percent (20%) of the area for stories other than the first story.
 - On side and rear elevations, cementitious materials may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story.
 - Any portion of an upper story, excluding windows, that faces a street, public or private parks, or hike and bike trails, shall be one hundred percent (100%) masonry and cementitious fiber board may be used for up to twenty percent (20%).
 - The exterior cladding of chimneys shall be brick, natural, or manufactured stone, or stucco.
 - Cementitious materials may be used for architectural features, including window box outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features.
- Roofing:
 - Materials
 - Structures constructed on lots shall have a composition slate, clay tile, standing seam metal, or cement/concrete tile roof.
 - Metal roofs shall be non-reflective colors.
 - Pitch
 - A minimum of sixty-five percent (65%) of the surface area of composition roofs shall maintain a minimum roof pitch of eight by twelve (8:12).
 - A minimum of seventy-five percent (75%) of the surface area of clay tile, cement tile, slate or slate products, standing seam metal, or concrete tile shall maintain a minimum roof pitch of three by twelve (3:12).

Pedestrian Connectivity and Amenities:

The pedestrian connectivity and amenities standards within the residential section of this Planned Development require an enhanced entrance consisting of a divided entry drive with a landscaped corridor extending into the community, a Community Amenity Park (that will provide activity and gathering space for residents), and a Neighborhood Park to be dedicated to the Town. Additionally, sidewalk connections will be provided between blocks, pathways to the Neighborhood Park, and to the Town’s Hike and Bike Trail System.

- **Enhanced Entrance:**
 - From Legacy Drive to Community Amenity Park
 - Ten-Foot Hike & Bike Trail (One Side)
 - Three-Inch (3”) Caliper Shade Trees in 40’ Intervals (Both Sides)

- **Community Amenity Park (Min. of Four Listed Amenities)**
 - Gathering Areas w/ Pavers, Decomposed Granite, and/or Turf & Seating (Min. of 1,000 SF)
 - Grill and Picnic Areas
 - Neighborhood Playground Facility
 - Open Natural Grass Play Areas (Min. of 15,000 SF)
 - Sand Volleyball Pit
 - Shade Structure with Seating
 - Tennis Court/Pickleball Court
 - Other Amenities as approved by the Director of Development Services

- **Neighborhood Park:**
 - Seven Acre Park Dedicated to Town

Maintenance:

The developers shall establish a Homeowner’s Association (HOA) for the residential area where membership is mandatory for each lot. The association will be responsible for operation and maintenance of all common areas and/or common facilities contained within the residential area or adjacent right-of-way.

COMMERCIAL SECTION

District Regulations:

The commercial district regulations within this Planned Development in comparison to the previously approved Planned Development (PD-44) are shown below.

	Previous Regulations (Planned Development-44)	Proposed District Regulations (Development Standards)
Size of Yards	Front: 30’ Side: 15’ (Adj. to Non-Residential) 30’ (One-Story Adj. to Residential) 60’ (Two-Story Adj. to Residential) Rear: 15’ (Adj. to Non-Residential)	Front: 30’ Side: 0’ (Adj. to Creek Area) 15’ (Adj. to Non-Residential) 50’ (One-Story Adj. to Residential) 75’ (Two-Story Adj. to Residential) Rear: 0’ (Adj. to Creek Area)

	30' (One-Story Adj. to Residential) 60' (Two-Story Adj. to Residential)	15' (Adj. to Non-Residential) 50' (One-Story Adj. to Residential) 75' (Two-Story Adj. to Residential)
Size of Lots	Minimum Area: 10,000 SF Minimum Lot Width: 100' Minimum Lot Depth: 100'	Minimum Area: 10,000 SF Minimum Lot Width: 100' Minimum Lot Depth: 100'
Maximum Height	Stories: Two Stories or 40'	Stories: Two Stories or 40'
Maximum Lot Coverage	Lot Coverage: 40 Percent	Lot Coverage: 40 Percent

Uses:

The list of permitted uses within the commercial section of this Planned Development is shown below.

- By Right:
 - Administrative, Medical, or Professional Office
 - **Alcoholic Beverage Sales – Town Staff in Opposition**
 - Antique Shop
 - Artisan’s Workshop
 - Bank, Savings and Loan, or Credit Union
 - Beauty Salon/Barber Shop
 - Building Material and Hardware Sales, Minor
 - Business Service
 - **Commercial Amusement, Indoor (Less Than 15,000 SF) – Town Staff in Opposition**
 - Community Center
 - Construction Yard and Field Office, Temporary
 - Dry Cleaning, Minor
 - Furniture, Home Furnishings and Appliance Store
 - Governmental Office
 - Gymnastics/Dance Studio
 - Health/Fitness Center
 - House of Worship
 - Insurance Office
 - Locksmith/Security System Company
 - Museum/Art Gallery
 - Nursery, Minor
 - Pet Day Care
 - Print Shop, Minor
 - Private Recreation Center
 - Restaurant
 - **Retail Stores and Shops (Less Than 70,000 SF) – Town Staff in Opposition**
 - Retail/Service Incidental
 - School, Private or Parochial
 - School, Public
 - Theater, Neighborhood
 - Veterinarian Clinic and/or Kennel, Indoor

- By Specific Use Permit:
 - Antenna and/or Antenna Support Structure, Commercial
 - **Alcoholic Beverage Establishment – Town Staff in Opposition**
 - Assisted Care or Living Facility
 - **Big Box (Greater Than 70,000 SF) – Town Staff in Opposition**
 - Child Care Center, Incidental
 - Child Care Center, Licensed
 - Commercial Amusement, Indoor (Greater Than 15,000 SF)
 - Community Center
 - Convenience Store with Gas Pumps **(By Right in PD-44)**
 - Convenience Store without Gas Pumps
 - Day Care Center, Adult
 - Gas Pumps **(By Right in PD-44)**
 - Massage Therapy, Licensed **(By Right in PD-44)**
 - Meeting/Banquet/Reception Facility
 - Restaurant, Drive-In **(By Right in PD-44)**
 - Restaurant with Drive-Through
 - Stealth Antenna, Commercial **(By Right in PD-44)**

- Uses That Would Be Eliminated:
 - Accessory Building
 - Antenna and/or Antenna Support Structure, Non-Commercial
 - Bed and Breakfast Inn
 - Beer & Wine Package Sales
 - Caretaker's/Guard Residence
 - Farmer's Market
 - Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
 - Municipal Uses Operated by the Town of Prosper
 - Private Club
 - Private Utility, Other Than Listed
 - Temporary Building
 - Winery

Architectural Standards:

The architectural standards within the commercial section of this Planned Development are shown below. Building materials and colors are required to be compatible with those used throughout the entire development. Additionally, all construction shall have an approved façade plan before issuance of a building permit.

- Building Materials:
 - Primary Materials
 - Clay Fired Brick
 - Granite
 - Marble
 - Stone (Natural, Precast, or Manufactured)

 - Big Box Uses
 - Architectural Concrete Block
 - Architecturally Finished Concrete Tilt Wall
 - Split Face Concrete Masonry Unit

- Secondary Materials (Ten Percent or Less of Elevation Area)
 - All Primary Materials
 - Aluminum or Other Metal
 - Cedar or Similar Quality Decorative Wood
 - EIFS
 - Stucco

Screening:

The screening standards within the commercial section of this Planned Development require an eight-foot masonry wall adjacent to residential development that will be constructed by the first commercial property to develop. A wall maintenance easement will be provided along both sides of the screening wall.

Pedestrian Connectivity and Amenities:

The pedestrian connectivity and amenities standards within the commercial section of this Planned Development require the creek area to be located on a separate lot that will be owned and maintained by the Property Owners' Association. The creek area will consist of a meandering walking path spanning between Legacy Drive and Frontier Parkway and will include shaded pedestrian congregation areas.

Maintenance:

The developers shall establish a Property Owners' Association for the commercial area where membership is mandatory for each lot. The association will be responsible for operation and maintenance of all common areas and/or common facilities contained within the commercial area or adjacent right-of-way.

Town Staff Recommendation:

The proposed zoning request is compliant with the Future Land Use Plan. It provides the Town with the ability to eliminate undesired uses and require Specific Use Permits for some of the uses permitted by right under the current zoning. Additionally, it allows the Town to execute a Development Agreement that ensures quality architectural standards for this development. For these reasons, Town Staff recommends approval of the request subject to Town staff's recommendations to rezone 120.5± acres on Collin County School Land Survey 12, Abstract 147, Tract 45 from Planned Development-44 (Single Family & Retail) to a Planned Development with Single Family and Retail uses, located on the southeast corner of Legacy Drive and Frontier Parkway.

Planning & Zoning Recommendation:

The Planning & Zoning Commission recommended approval of this item by a vote of 4-3 at their meeting on November 5, 2024. Commissioners Jackson, Carson, and Harris voted in opposition to this item due to concerns pertaining to the lots within the proposed residential subdivision not falling in the desired lot size range for Medium Density Residential subdivisions (12,500 SF to 20,000 SF) and preferring larger lot sizes instead of larger home sizes.

Proposed Motion:

I move to approve/deny the request to rezone 120.5± acres on Collin County School Land Survey 12, Abstract 147, Tract 45 from Planned Development-44 (Single Family & Retail) to a Planned Development with Single Family and Retail uses, located on the southeast corner of Legacy Drive and Frontier Parkway.