



## PLANNING

**To:** Mayor and Town Council

**From:** David Soto, Planning Manager

**Through:** Bob Scott, Interim Town Manager  
Chuck Ewings, Executive Director of Development and Infrastructure Services

**Re:** Specific Use Permit – Wireless Communications and Support Structure

Town Council Meeting – January 24, 2023

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**Agenda Item:**

Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a new Wireless Communications and Support Structure, on .2± acre, located on the north side of Prosper Trail, west of Legacy Drive. (S22-0011)

**Description of Agenda Item:**

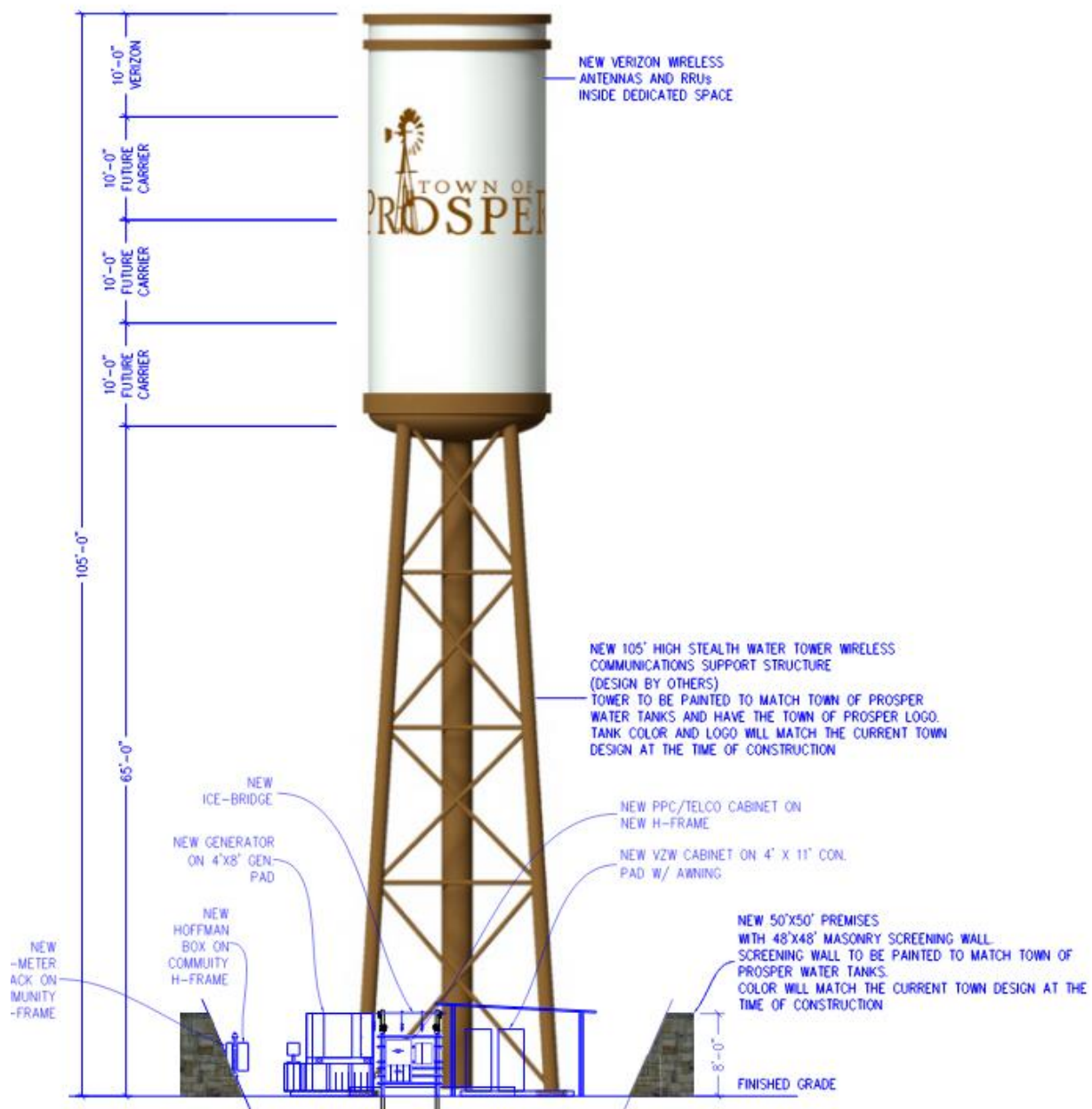
The zoning and land use of the surrounding properties are as follows:

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Agricultural	Residential-Developed	Retail & Neighborhood Services
<b>North</b>	Planned Development-110	Legacy Storage Center	Retail & Neighborhood Services
<b>East</b>	Agricultural	Residential-Developed	Retail & Neighborhood Services
<b>South</b>	Agricultural	Residential-Developed	Retail & Neighborhood Services
<b>West</b>	Agricultural	Residential Developed	Medium Density Residential

Requested Zoning – The purpose of this request is to allow construction of a new 105' Wireless Communications and Support Structure. The Specific Use Permit shows four (4) Wireless Communication antennas that would be placed on the structured and their associated 50' by 50' ground lease area. These antennas would be screened and not visible to the surrounding area. The ground equipment is in an area currently screened with an 8' Masonry screening wall.

In 2020, The Town has completed a survey on areas of opportunities for wireless communication and support structures. The goal for this survey was to provide developers areas that were well suited for such use and was to provide a comprehensive plan of communication towers for the Town of Prosper. These areas are potentially schools sites, parks or town properties. Regarding this specific request, this area is not one of those areas of opportunities. The applicant has provided information on why this area should be given consideration of a new Wireless Communications and Support Structure.

Below is the exhibit of the proposed tower.



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

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
2. *Are the activities requested by the applicant normally associated with the requested use?*
3. *Is the nature of the use reasonable?*
4. *Has any impact on the surrounding area been mitigated?*

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 & Neighborhood Services.

**Thoroughfare Plan** – This property currently has direct access to Legacy Drive.

**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. To date, staff has received one letter of support.

**Attachments:**

1. Aerial and Zoning Maps
2. Exhibits.
3. Letter of intent
4. Reply Form
5. Area of Opportunities Map

**Planning & Zoning Recommendation:**

At their December 6, 2022, meeting, the Planning & Zoning Commission recommended the Town Council approved the request, by a vote of 7-0 subject that the elevations match the Town standards to include the Town Logo and Town color scheme. Since then the applicant has revised to include the town logo and town color scheme.

**Town Staff Recommendation:**

Town staff recommends approval of a request for a Specific Use Permit for a new Wireless Communications and Support Structure, on .2± acre, located on the north side of Prosper Trail, west of Legacy Drive. (S22-0011)

**Proposed Motion:**

I move to approve/deny a request for a Specific Use Permit for a new Wireless Communications and Support Structure, on .2± acre, located on the north side of Prosper Trail, west of Legacy Drive. (S22-0011)