



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday October 10, 2023, 6:00 p.m.

1. Call to Order / Roll Call

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

Commissioners Present: Chair Brandon Daniel, Cameron Reeves, Sekou Harris, Glen Blanscet, John Hamilton

Staff Present: David Hoover, Director of Development Services; Suzanne Porter, Planning Manager; Dakari Hill, Senior Planner; Doug Braches, Planner; Jerron Hicks, Planner; Reynaldo Merlos, Planning Tech

2. Recitation of the Pledge of Allegiance.

3. Consider and act upon the appointment of the Planning & Zoning Commission Chair, Vice Chair, and Secretary.

Chair Brandon Daniel opens the floor to entertain discussion and/or motion for Chair.

Motion by Commissioner Harris to appoint Brandon Daniel as Chair. Seconded by Commissioner Reeves. Motion approved 5:0.

Chair Brandon Daniel continues the meeting.

Motion by Commissioner Harris to appoint Damon Jackson as Vice-Chair. Second by Commissioner Blanscet. Motion approved 5:0.

Motion by Commissioner Harris to appoint Cameron Reeves as Secretary. Seconded by Commissioner Blanscet. Motion approved 5:0.

4. Rules of Order

Chair Brandon Daniel asks if Town Staff can create an informational meeting to discuss consent items in more detail before certain meetings and comments that attendance is vital in being part of the Planning & Zoning Commission.

5. CONSENT AGENDA

5a. Consider and act upon the minutes from the September 19, 2023, Planning & Zoning Commission meeting.

5b. Consider and act upon a Final Plat for Preston 48 Addition, Block A, Lot 3R, on 2.4± acres, located on the southwest corner of East Prosper Trail and North Preston Road. The property is zoned Commercial (C). (DEVAPP-23-0009)

- 5c. Consider and act upon a Site Plan for a Car Wash in accessory to a Convenience Store with Gas Pumps, on 2.4± acres, located on the southwest corner of East Prosper Trail and North Preston Road. The property is zoned Commercial (C). (DEVAPP-23-0075)
- 5d. Consider and act upon a Final Plat for Pearls of Prosper, Block A, Lots 1-14 & Lot 1X, Block B, Lots 1-4 & Lot 2X, Block C, Lots 1-14, Block D, Lot 1, Block E, Lot 1, and Block F, Lot 1, on 23.2± acres, located on the southwest corner of West Prosper Trail and North Legacy Drive. The property is zoned Planned Development-14 (PD-14) The Parks at Legacy. (DEVAPP-23-0078)
- 5e. Consider and act upon a Final Plat for Star Trail, Phase 14, Block J, Lots 1-37, Lot 2X, and Lot 6X, Block K, Lots 1-17 & Lot 4X, on 15.9± acres, located south of West Prosper Trail and west of North Legacy Drive. The property is zoned Planned Development-66 (PD-66) Star Trail. (DEVAPP-23-0157)
- 5f. Consider and act upon a Final Plat for Star Trail, Phase 15, Block A, Lots 1-40, Lot 1X, and Lot 5X, Block B, Lots 1-33 & 3X, on 20.4± acres, located south of West Prosper Trail and west of North Legacy Drive. The property is zoned Planned Development-66 (PD-66) Star Trail. (DEVAPP-23-0154)
- 5g. Consider and act upon a Final Plat for Star Trail, Phase 16, Block C, Lots 16-50, 5X, 9X, and 10X, Block D, Lots 1-16 & Lot 7X, Block E, Lots 1-16 & Lot 8X, and Block F, Lots 1-17, on 22± acres, located on the southwest corner of Prosper Road and North Legacy Drive. The property is zoned Planned Development-66 (PD-66) Star Trail. (DEVAPP-23-0163)
- 5h. Consider and act upon a Final Plat for Wandering Creek, Phase 1, Block A, Lots 1-18, Block B, Lots 1-13, Block C, Lots 1-13, Block D, Lots 1 & 22-27, Block E, Lots 1-44, Block F, Lots 1-11, Block G, Lots 1-12, and Block I, Lot 1, on 49.0± acres, located south of East First Street and west of North Custer Road. The property is zoned Planned Development-90 (PD-90) Brookhollow North. (DEVAPP-23-0156)
- 5i. Consider and act upon a Final Plat for Teel 380 Addition, Block A, Lot 6, on 2.9± acres, located north of US-380 and west of South Teel Parkway. The property is zoned Planned Development-40 (PD-40) Windsong Ranch. (DEVAPP-23-0159)
- 5j. Consider and act upon a Site Plan for a Restaurant and Retail Store, on 2.9± acres, located north of US-380 and west of South Teel Parkway. The property is zoned Planned Development-40 (PD-40) Windsong Ranch. (DEVAPP-23-0160)

Commissioner Blanscet requests that Items 5d, 5e, 5f, 5g, and 5h to be pulled for discussion. Motion by Commissioner Reeves to approve amended item 5a, and 5b, 5c, 5i, and 5j and pull 5d, 5e, 5f, 5g and 5h for consideration. Second by Commissioner Blanscet. Motion carried 5:0.

Dakari Hill (*staff*): Presents Item 5d.

Commissioner Blanscet questions if the three open spaces are zoned for retail.

Dakari Hill (*staff*): Answers Commissioner Blanscet question that yes, they are zoned for retail per the PD.

Commissioner Blanscet questions if the remaining two spaces are in the residential area and if they will be true open spaces for public use.

Dakari Hill (*staff*): Answers Commissioner Blanscet's question that yes, the two open spaces are in the residential area and will be for public use.

Dakari Hill (*staff*): Presents Item 5e. Refers the Commission to the Applicant and Engineer.

Scott Shipp (*applicant*): Comments that the strip along Prosper Trail is an open space and follow[ing] the interior road on the east side, there is a strip of open space. There is also a 7-acre public park just south of the amenity center.

Commissioner Blanscet questions if there will be aside walk or walking trail in that area.

Scott Shipp (*applicant*): Answers Commissioner Blanscet that yes there will be.

Dakari Hill (*staff*): Comments that the Star Trail phases presented tonight are to the west of Legacy Road. Presents Item 5f.

No questions from the Commissioners.

Dakari Hill (*staff*): Presents Item 5g.

Commissioner Blanscet requests that the applicant step forward to answer the following questions. Why there is no thoroughfare and continue First Street and instead develop more housing.

Scott Shipp (*applicant*): Answers Commissioner Blanscet's question, stating that they wanted to preserve the identity of the master plan of the Star Trail Community.

Commissioner Blanscet comments that he hoped for Star Trail developers to continue First Street and alleviate the traffic congestion that is coming out of the Artesia community but understands the decision Star Trail made.

Dakari Hill (*staff*): Presented Item 5h.

Commissioner Blanscet questions that in the PD, this particular tract is required to be Type A lots.

Dakari Hill (*staff*): Answers Commissioner Blanscet question, stating that this PD has been broken up, there have been amendments by new PDs to the type of lots that can be used.

Commissioner Blanscet comments that in the Future Land Use Plan (FLUP), this is labeled as low density but appears more as medium density.

Dakari Hill (*staff*): Comments that the lots have different sizes but will balance out to maintain the low density.

Commissioner Blanscet thanks the staff for the additional information regarding all the items presented tonight.

Commissioner Blanscet motions to approve items 5d, 5e, 5f, 5g and 5h, subject to Town staff recommendations. Second by Commissioner Hamilton. Motion passes 5:0.

CITIZEN COMMENTS

No citizen comments.

REGULAR AGENDA

- 6. Conduct a Public Hearing and consider and act upon a request to rezone 0.3± acres from Single Family-15 (SF-15) to Downtown Single-Family (DTSF), for Hillside Addition, Block 2, Lot 4, located north of East Fifth Street and west of North Church Street. (ZONE-23-0018)**

Dakari Hill (*staff*): Presents Item 6 about 209 E. Fifth Street being rezoned from SF-15 to DTSF. Town Staff has received one reply form in support and two calls in opposition, but no reply forms were submitted.

Commissioner Harris questions who received the calls.

Dakari Hill (*staff*): Answers Commissioner Harris' question, states that the Planning Technician, Rey Merlos, received the calls which was reason to note their opposition.

Commissioner Harris asks what the reasoning for public opposition.

Dakari Hill (*staff*): Answers Commissioner Harris question that the home would be larger than homes in the surrounding area.

Commissioner Harris questions the difference between the lots.

Dakari Hill (*staff*): Answers Commissioner Harris' question stating that all these lots were grandfathered and therefore non-conforming lots. The Future Plan for the Downtown Area is to rezone the whole area to DTSF.

Chair Brandon Daniel asks if for the time being, are these rezoning cases in the downtown area still going to come to Planning and Zoning Commission (P&Z).

Dakari Hill (*staff*): Responds to Chair Brandon Daniel's question that yes, for the time being, they still will go through P&Z.

Commissioner Reeves comments that there needs to be a discussion about how to approach the rezoning.

Commissioner Harris questions if there is a situation or circumstances where the commissioners would deny a request.

David Hoover (*staff*): Answers Commissioner Harris' question that there is a Downtown Master Plan, but it is not an ordinance. There is also a Downtown map in the Comprehensive plan that discusses the downtown, however there is no real implementation. Comments on the previous zoning case on Coleman Street where Town Council wants a PD to limit the uses in that area.

Commissioner Hamilton questions if the lot coverage is the only thing that is changing.

David Hoover (*staff*): Answers Commissioner Hamilton that yes, it is.

Commissioner Blanscet questions how far Town Staff is in the overlay discussion.

David Hoover (*staff*): Answers Commissioner Blanscet's question, stating there is a meeting for this Friday. (October 6, 2023)

Commissioner Harris questions if Legal has seen this proposal and if they approve.

David Hoover (*staff*): Answers Commissioner Blanscet that Legal does not really get involved with case reviews unless there is a specific problem that requires it.

Chair Brandon Daniel questions Commissioner Blanscet if there is a specific concern with the case.

Commissioner Blanscet answers that he is concerned about spot zoning.

David Hoover (*staff*): Answers Commissioner Blanscet's concern that this is not the case in this situation.

Commissioner Hamilton commented that if this is a spot zoning issue with the intention to correct issue in the future.

David Hoover (*staff*): Comments that spot zoning relates to being detrimental to surrounding properties which is not the case in this item.

Chair Brandon Daniel opened the Public Hearing.

Chair Brandon Daniel asks about the square footage of the home.

Jennifer Richter (*applicant*): Presents Item 6 with square footage and history of lot. There has been a previous home on the lot and was relocated to allow for a new home to be allowed on the lot.

Chair Brandon Daniel thanks the applicant.

Jordan Cornier (*resident*): Expresses general support for the rezoning.

Chair Brandon Daniel closed the Public Hearing.

Commissioner Hamilton has no additional questions and in support of item.

Commissioner Harris has no issues and is in support of the item.

Commissioner Reeves that legacy is what Prosper is about and in support of item.

Commissioner Blanscet comments that overlay process should have been done first but in support of item.

Chair Brandon Daniel is in support of the item.

Commissioner Reeves motions to approve Agenda Item 6, subject to Town Staff recommendation. Motion seconded by Commissioner Harris to approve Agenda Item 6. Approved 5:0.

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

Dakari Hill (*Staff*): Presented information regarding Prosper Hills Ordinance Adoption and Development Agreement, 313 N Coleman Street, Pradera Development Agreement, McDonalds SUP, Batch Plant SUP extension, and introduces the new Commissioner and new Planning Manager.

Commissioner Harris questions why the McDonalds SUP is being tabled for the next Town Council meeting.

Dakari Hill (*Staff*): Answers Commissioner Harris' question that the applicant, Matt Moore, emailed Town Staff and stated that he will not be able to attend the October 10, 2023 Town Council meeting.

8. Adjourn.

Motioned to Adjourn by Commissioner Hamilton, seconded by Commissioner Blanscet. Motion approved 5:0 at 7:05 p.m.

Reynaldo Merlos, Planning Technician

Cameron Reeves, Secretary