



## PLANNING

**To:** Planning & Zoning Commission

**Item No. 4**

**From:** David Soto, Planning Manager

**Re:** Planning & Zoning Commission Meeting – May 16, 2023

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Residential Medium Density to Residential High Density, generally located on the southeast corner of Prosper Trail and Teel Parkway. This is a companion case to Z21-0010. (CA22-0001).

**Description of Agenda Item:**

Town staff has received a request to rezone 69.9± acres from Agriculture (A), a portion of Planned Development-40 (PD-40), and a portion of Single Family-12.5 (SF-12.5) to Planned Development-Single Family (PD-SF), generally to allow for a residential development and retirement housing development, located northside of Prosper Trail and west of Dallas Parkway. (Z21-0010)

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 southeast corner of Prosper Trail and Teel Parkway is more appropriately classified as High Density Residential on the Future Land Use Plan, then it would be appropriate to reclassify the property.

See below for proposed plan amendment. Images of the existing and proposed amendment are shown below.

***Existing***



***Proposed***



## Legend

 Low Density Residential	 Old Town District	 Major Gateway
 Medium Density Residential	 Town Center	 Minor Gateway
 High Density Residential	 Tollway District	 Town of Prosper
 Retail & Neighborhood Services	 US 380 District	 ETJ
 Business Park	 100 Year Floodplain	

## 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. Please see the response to each criteria listed below.

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

*Yes. We are proposing homes that are similar in size or larger than many of the homes in this area. And, because the retirement living site is located at the southeast corner of Teel Parkway (future six lane major thoroughfare) and Prosper Trail (future four lane minor thoroughfare) and being surrounded by single family residential, we feel that this is a wonderful location/opportunity to create a development that serves existing and future neighborhoods by making retirement housing an available option which will make a positive impact in this part of Prosper.*

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

*Yes. The current land use map shows this area as medium density residential. That said, the majority of the existing residential in this area is classified as high density. The proposed retirement living provides an additional housing option for a different age group that is compatible with the existing and proposed single-family residential.*

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

*No. The retirement living will provide a place where grandparents can be close to their children and grandchildren. In some cases, the residents of the retirement living will be in walking distance of their families.*

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

*Yes. The proposed single-family residential use already exists. The retirement living will enhance the surrounding area by providing an additional form of housing that local families and residents can take advantage of. The retirement living will only be one-story, and the architecture and building materials will be similar to what is being built in Prosper Hills.*

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

*The single-family residential will blend right into the neighborhood. The retirement living facility hours of operation will be on par with single-family residential. The building(s) will be single-story and constructed of similar materials (note that stucco will not be allowed in the retirement living portion of this development).*

**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 single-family homes will build upon the reputation of the existing homes already built in this part of town. The retirement living will provide a place where multiple generations can live closer together*

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

*Yes. More rooftops will add to the town's tax base and the retirement living will provide an option for retirees who want to downsize but stay close to everything they love about Prosper.*

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. If such changes occur, and especially if there are demonstrated significant social and/or economic benefits to the Town of Prosper, then these proposals should be approved and the Future Land Use Plan map should be amended accordingly."

**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. Existing Future Land Use Plan
2. Proposed Future Land Use Plan
3. Request Letter
4. Comprehensive Plan Future Land Use Types

**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 (CA22-0001).

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 June 13, 2023.