



## PLANNING

**To:** Planning & Zoning Commission

**Item No. 5.**

**From:** David Soto, Planning Manager

**Re:** Planning & Zoning Commission Meeting –May 09, 2023

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon 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 on the southeast corner of Prosper Trail and Teel Parkway. (Z21-0010)

**History:**

The applicant was originally tabled on April 18, 2023. The applicant revised the conceptual layout due to some of the concerns based on comments made by Artesia at the April 18 meeting.

**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>	Agriculture (A), a portion of Planned Development-40 (PD-40), and a portion of Single Family-12.5 (SF-12.5)	Single Family Residential (Windsong Ranch, Phase 6A)	Medium Density Residential
<b>North</b>	Planned Development-40 (PD-40)	Single Family Residential (Windsong Ranch, Phase 8, 9, and 10)	Medium Density Residential
<b>East</b>	Single Family-12.5 (SF-12.5)	Single Family Residential (Park Place)	Medium Density Residential
<b>South</b>	Artesia	Artesia	High Density Residential
<b>West</b>	Planned Development-40 (PD-40)	Single Family Residential (Legacy Garden)	Medium Density Residential

## **Requested Zoning**

The purpose of this request is to rezone 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 private residential development and retirement housing development. The applicant is proposing 2 subdistricts. The proposed sub-districts are Tract 1 (Residential Tract) 61.43 acres which follows SF-10 based zoning and allows a maximum of 141 single family dwellings. Tract 2 (Retirement Tract) 11.98 acres which creates its own standards and allows 2 retirement housing developments. In addition, the applicant is proposing entry points for the non-residential and residential development.



### **Tract 1 – Residential Tract**

Below is a comparison table outlining the proposed development standards that deviate from the minimum standard per the zoning ordinance. These do not include all the deviations. Based on the information below there is not much deviation from our SF-10 Zoning District

<b>Comparison Table Tract 1</b>		
	<b>Town of Prosper SF-10</b>	<b>New Planned Development</b>
Minimum Lot Area	10,000sqft	10,000sqft
Minimum Lot Width	80'	80'
Minimum Lot Depth	125'	125'
Size of Yards	Front Yard 25' Side Yard 8' Interior, 15' Corner Rear Yard 25'	Front Yard 25' Side Yard 8' Interior, 15' Corner Rear Yard 25'

Minimum Dwelling area	1,800 Square Feet	1,800 Square Feet
Maximum Lot Coverage	45%	50%
Maximum Height	Two and a half stories, no greater than 40'.	Two and a half stories, no greater than 40'.
Garages	All homes shall have a minimum enclosed parking area (garage) of 400 square feet	All homes shall have a minimum enclosed parking area (garage) of 400 square feet
Exterior Materials	Exterior materials shall be 100% masonry (brick, cast stone, stone or stucco) on all walls facing any street, and 80% masonry on each (not cumulative) remaining side and rear elevations.	Exterior materials shall be 100% masonry (brick, cast stone, stone or stucco) on all walls facing any street, and 80% masonry on each (not cumulative) remaining side and rear elevations.

Staff has concerns with the compatibility regarding the lot sizes in comparison to surrounding area as well as non-compliance with the future land use plan per the comprehensive plan.

Park Place, a subdivision to the east, allows for 206 single family residential lots (12,500sqft minimum) with a based zoning of Single Family-12.5 (SF12.5)

Toward the west and north, Windsong Ranch allows Types A-F which range in size from 6,000sqft to 20,000sqft. More specifically, Windsong Ranch Phase 9 toward the north has 92 single family residential lots (Min 9,000sqft) and Windsong Ranch Phase 6A toward the west has 102 Single Family residential lots (18 Type A – Min 8,000sqft, 3 Type B – Min 9,000sqft and 81 Type E – Min 6,000sqft). Although Windsong Ranch has some smaller lots adjacent to the subject property, the master planned community provides amenities, green spaces and around 700 lots above the min 12,500sqft.

## Tract 2 – Retirement Tract

The applicant is proposing a maximum of 2 retirement housing facilities and created its own development standards below:

### **B. Size of Yards:**

1. Minimum Front Yard: Twenty-five 25'
2. Minimum Side Yard:
  - (a) 10' feet adjacent to any nonresidential district
  - (b) 25' feet for a one story building adjacent to any residential district.
3. Minimum Rear Yard Setback:
  - (a) 10' feet adjacent to any nonresidential district
  - (b) 25' feet for a one story building adjacent to any residential district.

### **C. Maximum Height:** Two stories, no greater than 40'.

Per the zoning ordinance, the definition is listed below for Retirement Housing.

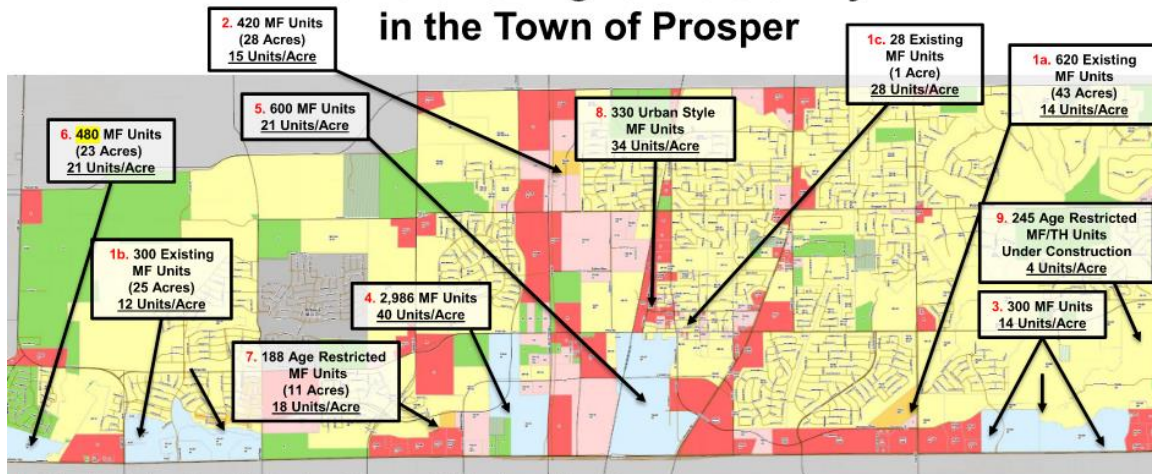
*Retirement Housing means a building or group of buildings consisting of attached or detached dwelling units designed for the housing of age-restricted residents. In addition to housing, this type of facility may provide services to its residents such as meals in a central dining room, housekeeping, transportation and activity rooms. The facility shall not be licensed as an assisted living center or a skilled nursing home.*

Although retirement housing has its own definition, it is considered a form of multi-family. Per the Planned Development all development shall conform to the definition above. If a Multi-family use without age-restricted residents is a proposed, a rezoning request will be required.

The applicant is proposing that Non-residential shall be 100% masonry (brick, cast stone or stone) on all walls facing any street, and 80% masonry on each (not cumulative) remaining side and rear elevations. Stucco will not be allowed. A development agreement will be entered into with the Town of Prosper and the applicant.

***Town-wide Multi-family Units*** - In addition, there are currently 6,197 multi-family units entitled through zoning approvals in the Town (please see map below). In the past, Senior living was considered as a form of Multifamily. Considering the town-wide entitled units, staff has concerns with allowing more multi-family within the Town of Prosper per the Comprehensive Plan.

## Current Zoning for Multifamily in the Town of Prosper



1. 948 existing garden-style multifamily units on 63.8 acres and 312 Townhome units on 65 acres
  - 1a. 620 units in the Orion Prosper and Orion Prosper Lakes complexes on Coit Road
  - 1b. 300 units in Cortland Windsong Ranch, west of Windsong Pkwy, north US 380, 312 Townhome units north of US 380 and west of Teel Parkway
  - 1c. 28 units in the Downtown area
2. PD-35 permits a maximum of 15 units per acre on 28 acres, this density would allow for 420 multi-family units on the east side of DNT, north of Prosper Trail.
3. Brookhollow - permits a maximum of 300 multi-family at 14 units per acre and 250 Townhome units within PD-86.
4. Planned Development-41 (Prosper West) permits a maximum of 2,986 urban-style units on the west side of DNT, north of US 380. Refer to PD-41 for special conditions.
5. Planned Development-67 (Gates of Prosper) permits a maximum of 600 urban-style units within 115 acres on the west side of Preston Road, north of US 380. The multifamily density is 21 units per acre.
6. Planned Development-94 (WestSide) permits a maximum of 480 urban-style units within 23 acres on the east side of FM 1385, north of US 380. The construction of multifamily units is dependent on the development of non-residential uses in this PD – refer to PD-94.
7. Planned Development-98 (Alders at Prosper) permits a maximum of 188 age-restricted units within 11 acres west of Mahard Parkway, north of US 380 and allows for 18 units per acre.
8. Planned Development-106 (Downtown Loft Apartments) permits a maximum of 330 urban-style units within 9 acres east of BNSF Railroad, north of Fifth Street this allows for 34 units per acre.
9. Planned Development -107 (Ladera) – Age restricted detached single-family dwellings on a single lot. The development is classified as multi-family.

Project Number	Status	Number of Units
1. Orion, WSR, Downtown	Existing	948 Units
2. (PD-35)	Entitled	420 Units
3. (Brookhollow)	Under Construction	300 Units
4. (Prosper West)	Entitled	2,986 Units
5. (Gates of Prosper)	Under Construction	600 Units
6. (Westside)	Entitled	243 Units
7. (Alders at Prosper)	Under Construction	188 Units
8. (Downtown Lofts Apt)	Under Construction	330 Units
9. (Ladera)	Under Construction	245 Units

	Total Number of Units	Senior Living	Existing MF	Entitled MF	Under Construction MF
Number of Units	6,174 Units	433 Units	948 Units	3,563 Units	1,663 Units



Future Land Use Plan – The Future Land Use Plan recommends Residential Medium Density. Residential Medium Density includes lot sizes that range between 12,500sqft and 20,000sqft in size. The density ranges between 1.6 dwelling units and 2.5 dwelling units. Although the proposed density is between the residential medium density, the lot sizes do not meet. Therefore the proposed zoning request does not conform to the Comprehensive Plan. The companion item is a Future Land Use Plan Amendment to revise the FLUP to reflect High Density Residential (CA21-0004).

#### **Residential Medium Density**

Medium density residential is also representative of single family detached dwelling units. Lot sizes in medium density residential neighborhoods could range between 12,500 and 20,000 square feet in size. A variation in lot sizes may be permitted to achieve a goal range in density. While a variety of lot sizes may be used within medium density residential neighborhoods, the gross density of such developments will typically not be less than 1.6 dwelling units per acre or greater than 2.5 dwelling units per acre.



Thoroughfare Plan – The property is bounded to the west by Teel Parkway and north by Prosper Trail.

Parks Master Plan – Currently, the Parks Master Plan does not identify a park on the subject property. A 10' trail will be provided along Teel Parkway and Prosper Trail.

#### **Legal Obligations and Review:**

Zoning is discretionary. Therefore, the Planning & Zoning Commission is not obligated to approve the request. Notification was provided to neighboring property owners as required by state law. To date, staff did not receive any response to the proposed zoning request.

#### **Attached Documents:**

1. Aerial and Zoning Maps
2. Proposed Exhibits
3. MF 2023 Exhibit
4. Comprehensive Plan Future Land Use Types

#### **Town Staff Recommendation:**

Town Staff analyzed the request and understands that this area will be developed as residential with some potential neighborhood services in the southeast corner of Teel Parkway and Prosper

Trail. However, Staff is recommending denial of the zoning request due to multi-family use, lot sizes incompatible with the surrounding area, and inconsistency with the medium density residential land use per the Comprehensive Plan.

**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.