



PLANNING

To: Planning & Zoning Commission **Item No. 5**

From: Suzanne Porter, AICP, Planning Manager

Through: David Hoover, AICP, Director of Development Services

Re: Specific Use Permit – Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio
Planning & Zoning Commission Meeting – December 19, 2023

Agenda Item:

Conduct a Public Hearing to consider a request for a Specific Use Permit to allow Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio uses on 3.6± acres on Windsong Ranch Office Addition, Block A, Lot 2, located south of Parvin Road and east of North Teel Parkway. The property is zoned Planned Development-103 (PD-103) Windsong Ranch Office. (ZONE-23-0023)

Description of Agenda Item:

The applicant has submitted a Specific Use Permit request to allow for certain uses in two buildings on the subject property. As a companion item, the Preliminary Site Plan (DEVAPP-23-0184) is also on the Planning & Zoning Commission agenda for December 19, 2023.

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

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-103 (Office)	Undeveloped	Retail & Neighborhood Services
North	Planned Development-103 (Office)	Under construction (Veterinary Clinic)	Retail & Neighborhood Services
East	Planned Development-40 (Single Family)	Undeveloped	Retail & Neighborhood Services
South	Planned Development-40 (Single Family)	Floodplain	Floodplain

West	Planned Development-40 (Single Family)	Residential (Developed)	High Density Residential
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Proposed Uses:

In 2020, a Planned Development was approved for this property and the lot to the north that established a base zoning of Office and provided for the allowance of certain uses, as follows:

Uses permitted by right:

- Assisted Living Facility
- Restaurant
- Veterinarian Clinic and/or Kennel, Indoor

Uses permitted upon approval of a Specific Use Permit:

- Commercial Amusement, Indoor *
- Convenience Store without Gas Pumps
- Dry Cleaning, Minor
- Gymnastics/Dance Studio
- Retail Stores and Shops
- Restaurant with drive-through*

*These two uses are not being requested with this Specific Use Permit request.

Prohibited uses:

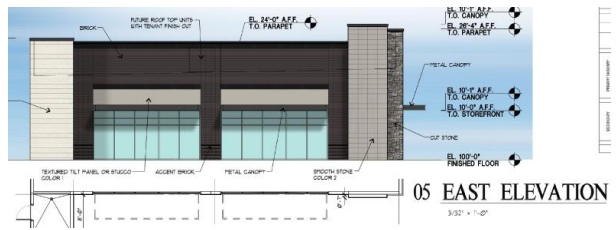
- Recycling Collection Point

The applicant is proposing to develop two multi-tenant buildings on the property and requests approval of a Specific Use Permit to allow all but the Commercial Amusement, Indoor and Restaurant with drive-through uses. The applicant's Letter of Intent (see attachment) lists several of the possible retail stores and shops that could occupy building space.

Building Size and Location

The two buildings are 12,100 square feet (Building A – southern building) and 13,880 square feet (Building B – northern building), for a total 25,980 square feet. For parking calculation purposes, the developer has anticipated 20,380 square feet being allocated to retail uses and 5,600 square feet for restaurant use. There are two outdoor patios consisting of 2,695 square feet.

The Office zoning district standards restrict the sizes of buildings within 200 feet of residential uses or zoning to 10,000 square feet. The proposed buildings are greater than 10,000 square feet and are separated from the adjacent residential zoning to the east by 88 feet and to the south by 72 feet. Staff finds that the location of the buildings will not negatively impact the surrounding properties. The land to the west is currently undeveloped and owned by Prosper Independent School District. Property immediately to the south is a creek that is approximately 500 feet in width; a residential neighborhood is developed south of the creek.



Building B – Northern Building



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

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*

The proposed uses are compatible with the veterinary clinic being constructed to the north. The property will be screened from residential zoning to the east and south with a living screen. The proposal will provide services to nearby residential development.

2. *Are the activities requested by the applicant normally associated with the requested use?*

All of the proposed uses are compatible in nature with the surrounding developments and will serve the surrounding properties. These are typical uses in multi-tenant structures.

3. *Is the nature of the use reasonable?*

When the zoning was approved for this property, it was conceived that these uses may be appropriate in this location, but a Specific Use Permit was required to allow for the review of site layout, screening, and elevations.

4. *Has any impact on the surrounding area been mitigated?*

The applicant has designed a site with two buildings that will be architecturally compatible with the surrounding development and a living screen will be installed to buffer these buildings that are larger than 10,000 square feet from the adjacent residential zoning.

In conclusion, 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 and Neighborhood Services.

Thoroughfare Plan – This property currently has direct access to Teel Parkway.

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. Staff has received no responses to the proposed Specific Use Permit request.

Attached Documents:

1. Aerial and Zoning Maps
2. Survey
3. Letter of Intent
4. Site Plan
5. Landscape Plan
6. Façade Plan

Town Staff Recommendation:

Town Staff recommends approval of a Specific Use Permit request to allow Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio uses on the property with the building size and placement as shown on the Site Plan Exhibit and a living screen as shown on the Landscape Plan Exhibit.

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 January 9, 2024.