



PLANNING

To: Planning & Zoning Commission
From: Dakari Hill, Senior Planner
Through: David Hoover, AICP, Director of Development Services
Cc: Suzanne Porter, AICP, Planning Manager
Re: Planning & Zoning Commission Meeting – March 19, 2024

Item No. 5

Agenda Item:

Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit to allow a Licensed Child-Care Center use, on 2.0± acres, on Barnes Addition, Block A, Lot 1, located on the east side of Parvin Street and 190± feet south of Seventh Street. (ZONE-23-0038)

Future Land Use Plan:

The Future Land Use Plan recommends the Old Town District. The proposed zoning request conforms to the Future Land Use Plan.

Zoning:

The property is zoned Single-Family 15.

Thoroughfare Plan:

This property has direct access to Parvin Street.

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 not received any response to the proposed zoning request to date.

Attached Documents:

1. Aerial & Zoning Maps
2. Survey
3. Site Plan
4. Landscape Plan
5. Elevations
6. Fencing Exhibit

Description of Agenda Item:

The purpose of this request is to obtain a Specific Use Permit to operate a licensed child-care center, The School House. The applicant plans to convert an existing residential home into the proposed licensed child-care center. The building will be expanded 430 square feet for a total area of 2,794 square feet. The site is approximately two acres and will have a licensed child-care center, barn, green house, and playground. The child-care center is planning for a maximum enrollment of 60 students and ten staff members.

Compatibility:

This zoning change would not be seen as out of character with the existing neighborhood due to compatibility with the uses in the surrounding area. The property to the east, Reynolds Middle School, is operated by Prosper Independent School District. The similarity of these surrounding uses emphasizes that a licensed child-care center is compatible with the area.

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

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Single Family-15	Residential	Old Town District
North	Single Family-15	Residential	Old Town District
East	Single Family-15	Middle School	Old Town District
South	Single Family-15	Residential	Old Town District
West	Single Family-15	Residential	Old Town District

Conditions:

The applicant is requesting that the following conditions be part of the Specific Use Permit.

- **Condition 1:**

The landscape easement on the northern boundary is proposed to be ten feet.

The Zoning Ordinance requires 15-foot landscape easements adjacent to residential development. The applicant is requesting a five-foot reduction in this requirement for a total of ten feet to accommodate parking, a fire lane, and drive aisle north of the building. Staff recommends compliance with the requirement for a 15-foot landscape easement.

- **Condition 2:**

The screening on the property lines is proposed to be wrought-iron fencing overlaid with a metal mesh where vines will grow. Columns will be spaced 16 feet apart and have a veneer of hardie panel to match the building. (See Fencing Exhibit)

The Zoning Ordinance requires a six-foot masonry wall adjacent to residential zoning. The applicant is requesting an alternative fence to provide a natural look that matches the design of the building. Staff recommends compliance with the requirement for a six-foot masonry wall.

Specific Use Permit Criteria:

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

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
 - *Reynold's Middle School operated by Prosper ISD is directly east of the property. The adjacent educational use indicates that a licensed child-care center is both harmonious and compatible with its surrounding existing uses.*
2. *Are the activities requested by the applicant normally associated with the requested use?*
 - *The activities will include both educational activities and recreational activities. These activities requested by the applicant are normally associated with the requested use.*
3. *Is the nature of the use reasonable?*
 - *The compatibility of the licensed child-care center with the surrounding area makes the nature of the use reasonable.*
4. *Has any impact on the surrounding area been mitigated?*
 - *The requirement for 15-foot landscape easements and a six-foot masonry wall adjacent to residential areas will mitigate the impact to the surrounding area. The applicant's current proposal does not adequately mitigate the impact on the surrounding area.*

Staff recommends approval of the request subject to full compliance with the Zoning Ordinance regarding landscaping and screening.

Town Staff Recommendation:

Town Staff recommends approval of the Specific Use Permit request for a Licensed Child-Care Center subject to the following conditions:

1. The landscape easement on the northern boundary shall be a minimum of 15 feet.
2. The screening around the property shall be a six-foot masonry wall.

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 April 16, 2024.