



**MINUTES**  
**Regular Meeting of the**  
**Prosper Planning & Zoning Commission**  
108 W. Broadway St., Prosper, Texas  
Town of Prosper Municipal Chambers  
Tuesday, March 15, 2016, 6:00 p.m.

**1. Call to Order / Roll Call.**

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

Commissioners present: Chair John Alzner, Secretary David Snyder, Chad Robertson, Tripp Davenport, Craig Andres, and Brandon Daniel.

Commissioner(s) absent: Vice Chair John Hema

Staff present: John Webb, Director of Development Services; Alex Glushko, Senior Planner; Jonathan Hubbard, Planner; and Pamela Clark, Planning Technician

**2. Pledge of Allegiance.**

**CONSENT AGENDA**

- 3a. Consider and act upon minutes from the March 1, 2016, Regular Planning & Zoning Commission meeting.
- 3b. Consider and act upon a Site Plan for East Prosper Village on 2.0± acres, located on the northeast corner of Prosper Trail and Coit Road. This property is zoned Planned Development-1 (PD-1). (D16-0012).
- 3c. Consider and act upon a Site Plan for a big box retail building and fuel center (Kroger), in Prosper Plaza, on 21.0± acres, located on the north side of US 380, 600± feet west of Custer Road. This property is zoned Planned Development-76 (PD-76). (D16-0013).
- 3d. Consider and act upon a Final Plat for Prosper Plaza, Block A, Lots 4, 4X and 10, on 21.0± acres, located on the north side of US 380, 600± feet west of Custer Road. This property is zoned Planned Development-76 (PD-76). (D16-0014).
- 3e. Consider and act upon a Final Plat for Gates of Prosper, Block A, Lot 2, on 12.0± acres, located on the southeast corner of Preston Road and future Richland Boulevard. This property is zoned Planned Development-67 (PD-67). (D16-0015).
- 3f. Consider and act upon a Final Plat for Gates of Prosper, Block B, Lots 1 and 3, on 28.3± acres, located on the northeast corner of Preston Road and future Richland Boulevard. This property is zoned Planned Development-67 (PD-67). (D16-0016).
- 3g. Consider and act upon a Site Plan for twenty-one retail buildings in the Gates of Prosper, on 40.0± acres, located on the east side of Prosper Road, north and south of future Richland Boulevard. This property is zoned Planned Development-67 (PD-67). (D16-0017).

- 3h. Consider and act upon a Site Plan for a memory care facility, on 4.5± acres, located on the west side of Hays Road, 900± feet north of First Street. This property is zoned Planned Development-7 (PD-7). (D16-0019).
- 3i. Consider and act upon a Final Plat for Prosper Town Center, Phase 4, Block A, Lot 1, on 4.5± acres, located on the west side of Hays Road, 900± feet north of First Street. This property is zoned Planned Development-7 (PD-7). (D16-0020).

Secretary Snyder requested Items 3h and 3i be pulled from the Consent Agenda for discussion.

Motioned by Snyder, seconded by Davenport, to approve Items 3a, 3b, 3c, 3d, 3e, and 3g on the Consent Agenda, subject to staff recommendations. Motion approved 6-0.

Items 3h and 3i. Snyder inquired if a memory care facility is a permitted use within Planned Development-7 (PD-7).

*Glushko:* Stated the use is permitted within PD-7.

Motioned by Snyder, seconded by Daniel, to approve Items 3h and 3i, subject to staff recommendations. Motion approved 6-0.

#### **REGULAR AGENDA**

4. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Child Day Care Center and Private Athletic Stadium or Field (with no lights) for St. Martin de Porres Catholic Church, on 51.7± acres, located on the north side of US 380, 1,400± feet west of Teel Parkway. This property is zoned Planned Development-40 (PD-40). (S16-0004).

#### **Staff Discussion**

*Glushko:* Summarized the SUP request, provided information on the zoning of the surrounding properties, and presented exhibits provided by the applicant. Confirmed that the church and private school uses are permitted by right and emphasized the SUP request is to allow the child day care center and athletic fields. Informed Commission that Town staff has received one (1) Public Hearing Notice Reply Form in opposition and one (1) Public Hearing Notice Reply Form not in opposition to the request. Recommended approval of the request.

*Daniel:* Inquired about the Town's alcohol regulations.

*Andres:* Inquired about measurements from property lines, and how adjacent properties could be subdivided to allow alcohol sales.

*Alzner:* Inquired about the uses permitted by right, and those requiring approval of an SUP.

*Glushko:* Explained regulations for church, public or private schools, and day care centers. Explained how the subject property and surrounding could be subdivided to allow for alcohol sales. Confirmed that the church and private school uses are permitted by right and that the SUP request is to allow the child day care center and athletic fields.

Public Hearing was opened by Chair Alzner.

### Public Hearing Discussion

*Steve Knobbe (St. Martin de Porres Parishioner and Project Liaison):* Provided background of St. Martin de Porres Catholic Church, including current and future operations, building and site design, and timeline for construction. Stated the parish will not petition to increase the distance for the sale of alcohol beyond the 300 feet requirement, but would protest sexually oriented businesses within the proximity of the development.

*Bill Baird (Applicant):* Described which access points are being proposed with phase 1, future access points, and traffic impact on the surrounding area. Stated that all school and church traffic queuing for both phase 1 and buildout will take place onsite without stacking onto adjacent thoroughfares. Indicated the school will not expand classes beyond 8<sup>th</sup> grade and intends for the athletic fields to be non-lighted.

*Webb:* Stated TxDOT must approve traffic signals on US 380, and the need is warranted by traffic counts. Discussed the proposed access points and the importance of the traffic being dispersed in multiple directions.

*Alex Alvarado (Adjacent Property Representative):* Requested to table the SUP request until his client, Texas Republic Realty, has an opportunity to speak with the church.

*Snyder:* Asked for clarification on the timeline implications of a tabling request and the potential issues Texas Republic Realty feels may arise from the approval of the SUP.

*Webb:* Discussed timeline for consideration at Town Council.

*Daniel:* Confirmed the SUP request is for a child day care center, and the proposed school use is permitted by right; therefore the 300 feet alcohol regulation is already applicable, regardless of the SUP request.

*Simon Beakly (Adjacent Property Representative):* Stated the SUP request would negatively affect both of Texas Republic Realty's properties.

*Duncan Gray (Adjacent Property Owner):* Expressed concerns regarding the alcohol regulations that would be imposed with the approval of the SUP.

*Glushko:* Described the proposed lot layout, and indicated that Mr. Gray's property would not fall within 300 feet of the church, school, or day care lot.

*Bill Baird (Applicant Representative):* Described the 300 foot distance from the property line and confirmed no church or educational facilities will be developed on the easternmost lot.

*Patrick Jones (St. Martin Parishioner):* Expressed support for the church and the use.

*David Blom (Windsong Ranch Developer):* Expressed appreciation for the St. Martin de Porres staff taking time to discuss proposed development with Windsong residents, noted support for the request, and discussed how the pressure of upcoming development could warrant traffic signals in the area along US 380.

Public Hearing was closed by Chair Alzner.

Commission Discussion

*Commission:* Expressed support for the request.

Motioned by Snyder, seconded by Davenport, to approve Item 4, subject to staff recommendations. Motion approved 6-0.

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

*Webb:* Informed audience that the next Public Hearing for Item 4 is scheduled for April 12, 2016, at the regularly scheduled Town Council meeting. Inquired if the Commissioners would be available for a Spring tour.

- 6. Adjourn.**

Motioned by Daniel, seconded by Davenport, to adjourn. Motioned approved 6-0 at 7:03 p.m.

  
Pamela Clark, Planning Technician

  
David Snyder, Secretary