

AGENDA
Regular Meeting of the
Prosper Planning & Zoning Commission
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Tuesday, August 18, 2015, 6:00 p.m.

1. Call to Order / Roll Call.
2. Pledge of Allegiance.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A Planning & Zoning Commissioner may remove any item for discussion and separate action. Planning & Zoning Commissioners may vote nay on any single item without comment and may submit written comments as part of the official record.)

- 3a. Consider and act upon minutes from the August 4, 2015 Regular Planning & Zoning Commission meeting.
- 3b. Consider and act upon a Site Plan for a Utility Distribution/Transmission Facility (Atmos Gas), on 0.2± acre, located on the south side of First Street, 500± feet west of the BNSF Railroad. The property is zoned Planned Development-67 (PD-67). (D15-0026).
- 3c. Consider and act upon a Final Plat of Windsong Ranch, Phase 2E, being 26 single family residential lots, on 7.8± acres, located on the southeast corner of Fishtrap Road and Windsong Parkway. The property is zoned Planned Development-40 (PD-40). (D15-0054).

REGULAR AGENDA

(If you wish to address the Planning & Zoning Commission during the regular agenda, please fill out a "Speaker Request Form" and present it to the Chair prior to the meeting. Citizens wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized by the Chair. Those wishing to speak on a non-public hearing related item will be recognized on a case-by-case basis, at the discretion of the Planning & Zoning Commission.)

4. Discussion on proposed amendments to the Zoning Ordinance regarding permitted land uses.
5. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
6. Adjourn.

Note: The order in which items are heard on the agenda is subject to change.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the inside window at the Town Hall of the Town of Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on August 14, 2015, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

Carol Myers, Deputy Town Secretary

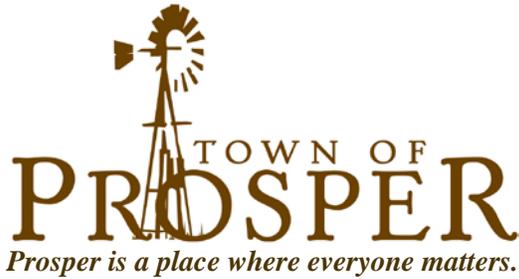
Date Noticed Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Planning & Zoning Commission.

<p>NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Planning & Zoning Commission meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.</p>



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Tuesday, August 4, 2015, 6:00 p.m.

1. Call to Order / Roll Call.

Meeting was called to order at 6:01 p.m.

Commissioners present: Chair Craig Moody, Vice Chair Chris Keith, Brandon Daniel, John Hema, and John Alzner

Commissioner(s) absent: Secretary David Snyder, Brian Barnes

Staff present: Alex Glushko, Senior Planner; and Pamela Clark, Planning Technician

2. Recitation of Pledge of Allegiance.

CONSENT AGENDA

- 3a. Consider and act upon minutes from the July 21, 2015 Regular Planning & Zoning Commission meeting.**
- 3b. Consider and act upon a Revised Preliminary Plat of Prosper Lake on Preston, being 163 single family residential lots on 75.2± acres, located on the north side of Prosper Trail, 1,000± feet east of Preston Road. The property is zoned Single Family-15 (SF-15). (D15-0058).**
- 3c. Consider and act upon a Preliminary Plat of Star Trail, being 1,120 single family residential lots on 518.1± acres, located on the southwest corner of Prosper Trail and future Shawnee Trail. The property is zoned Planned Development-66 (PD-66). (D15-0021).**
- 3d. Consider and act upon a Preliminary Site Plan for a retail development (Prosper Plaza), on 36.0± acres, located on the northwest corner of US 380 and Custer Road. The property is zoned Commercial (C), Planned Development-25 (PD-25), and Planned Development-73 (PD-73). (D15-0050).**
- 3e. Consider and act upon an Amending Plat of Glenbrooke Estates, Phase 1, Block N, Lot 7, on 0.2± acre, located on the east side of English Ivy Drive, 400± feet south of Glenbrooke Drive. The property is zoned Agricultural (A). (D15-0059).**

Motioned by Keith, seconded by Hema, to approve Items 3a, 3c, 3d, and 3e on the Consent Agenda, subject to staff recommendations. Motion approved 5-0.

Item 3b. Alzner requested information regarding what type of buffers would be installed between the development and the Shops at Prosper Trail. Also requested what type of fencing

would be installed between the development and the existing residence. Keith requested information regarding public access to the pond and hike and bike trails.

Glushko: The boundary between the shops at Prosper Trail and Phase 1 of the development is an eight foot masonry wall. A detention pond would buffer Phase 1 from the existing residence and the lots will be required to comply with standard fencing requirements. Stated the roadway adjacent to the pond has been removed but pedestrians will still have access to hike and bike trails.

Motioned by Alzner, seconded by Daniel, to approve Item 3b subject to staff recommendations. Motion approved 5-0.

REGULAR AGENDA

4. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

Glushko: Reminded Commissioners that applications for Boards and Commissions are due to the Town Secretary by August 7, 2015. Provided a status update that a Public Hearing will be held on August 25, 2015, at Town Council to discuss residential design standards.

5. Adjourn.

Motioned by Hema, seconded by Keith, to adjourn at 6:11 p.m. Motion approved 5-0.

Pamela Clark, Planning Technician

David Snyder, Secretary



Prosper is a place where everyone matters.

PLANNING

To: Planning & Zoning Commission

From: Alex Glushko, AICP, Senior Planner

Through: John Webb, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – August 18, 2015

Agenda Item:

Consider and act upon a Site Plan for a Utility Distribution/Transmission Facility (Atmos Gas), on 0.2± acre, located on the south side of First Street, 500± feet west of the BNSF Railroad. The property is zoned Planned Development-67 (PD-67) and Specific Use Permit-12 (SUP-12). (D15-0026).

Description of Agenda Item:

On August 11, 2015 the Town Council approved a Specific Use Permit request (Case #S15-0004) to permit a Utility Distribution/Transmission Facility (Atmos Gas). The Site Plan shows the Utility Distribution/Transmission Facility and the 8-foot screening wall, consisting of brick-like concrete panels, stone columns, and an alternative wood gate. Access is provided from First Street. The Site Plan conforms to the Planned Development-67 and Specific Use Permit-12 development standards.

Budget Impact:

There are no significant budget implications associated with the approval of this Site Plan.

Legal Obligations and Review:

The Site Plan meets minimum development requirements.

Attached Documents:

1. Site Plan

Town Staff Recommendation:

Town staff recommends approval of the Site Plan subject to:

1. Town staff approval of civil engineering, landscaping, and irrigation plans.
2. Town staff approval of all thoroughfare locations, right-of-way dedications, easements, driveways, turn lanes, drive openings, median openings, sidewalks, and hike and bike trails.
3. Town staff approval of all fire hydrants, standpipes, and fire department connections (FDC).



PLANNING

To: Planning & Zoning Commission
From: Alex Glushko, AICP, Senior Planner
Through: John Webb, AICP, Director of Development Services
Re: Planning & Zoning Commission Meeting – August 18, 2015

Agenda Item:

Consider and act upon a Final Plat of Windsong Ranch, Phase 2E, being 26 single family residential lots, on 7.8± acres, located on the southeast corner of Fishtrap Road and Windsong Parkway. The property is zoned Planned Development-40 (PD-40). (D15-0054).

History:

On August 11, 2015 the Town Council approved Case #Z15-0010 rezoning a portion of the subject property (Block A, Lots 1-9) from Single Family-10 (SF-10) to Planned Development-40 (PD-40). The rezoning requires the lots to develop in accordance with the "Type B" lots of PD-40, with the exception that the minimum lot size be 10,000 square feet, as opposed to 9,000 square feet.

Description of Agenda Item:

The Final Plat shows 26 single family residential lots. Access will be provided from Fishtrap Road and Windsong Parkway. The Final Plat conforms to the Planned Development-40 (PD-40) development standards and the approved Preliminary Plat.

Budget Impact:

There are no significant budget implications associated with the approval of this Final Plat.

Legal Obligations and Review:

The Final Plat meets the minimum development requirements.

Attached Documents:

1. Final Plat

Town Staff Recommendation:

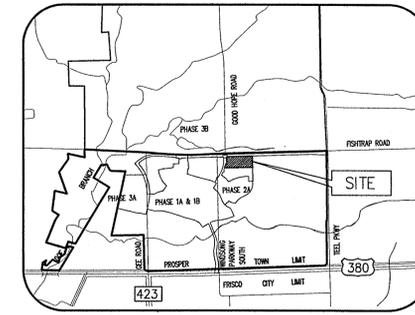
Town staff recommends approval of the Final Plat subject to:

1. Town staff approval of all additions and/or alterations to the easements on the Final Plat.
2. Town staff approval of civil engineering, landscape, irrigation, and screening plans.
3. Town staff approval of all right-of-way dedication, turn lanes, drive openings, street sections, hike and bike trails and easements, and sidewalks.
4. Town staff approval of trees located in the right-of-way.

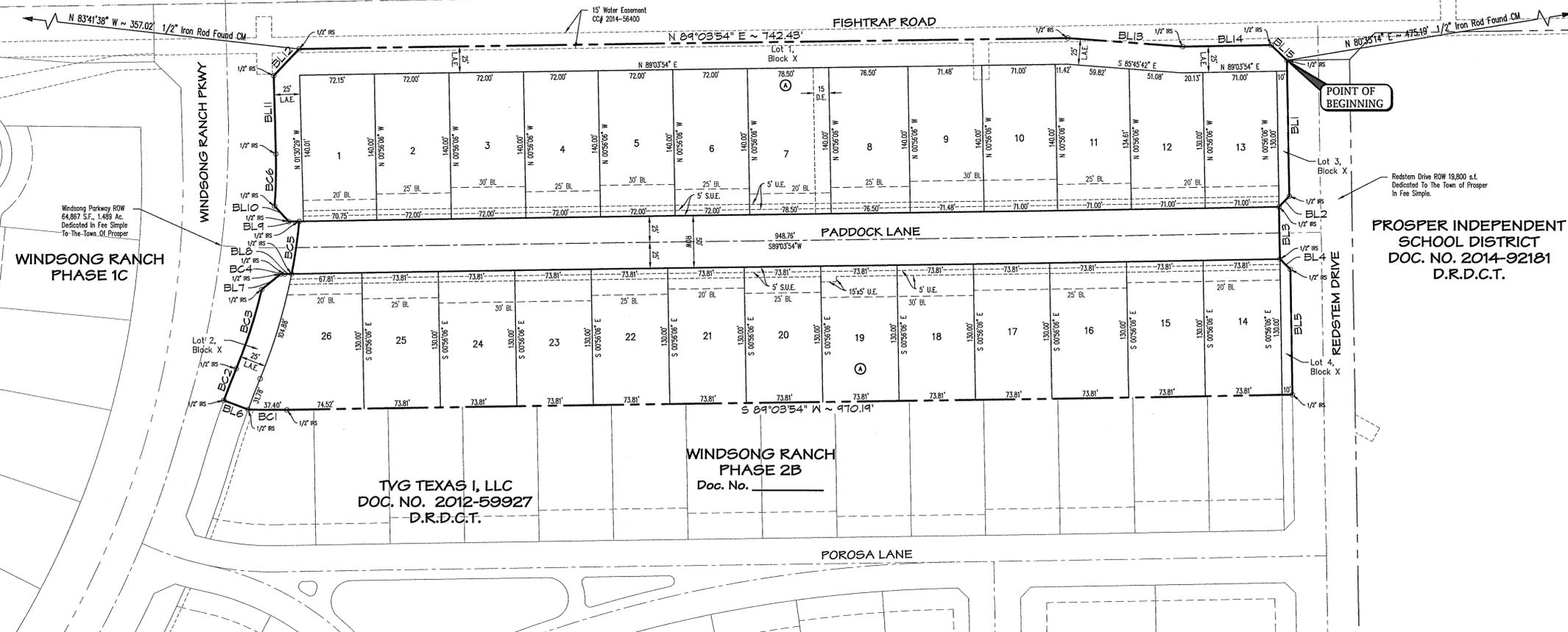
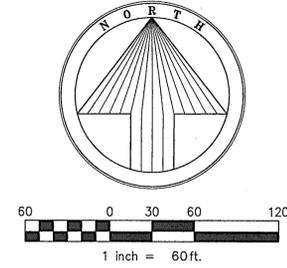
WINDSONG RANCH
PHASE 3B

FUTURE
WINDSONG RANCH
PHASE 4B

Approximate Location Of
FEMA 100 Year Floodplain
Per Firm Map No. 4808SC0230J
Dated June 2, 2009



LOCATION MAP
N.T.S.



NOTES:

- Selling a portion of this addition by metes and bounds is a violation of Town ordinance and state law and is subject to fines and withholding of utilities and building permits.
- All corners are 1/2 inch iron rods with red plastic caps stamped "SPIARS ENG RPLS 5252" unless otherwise noted.
- All development will comply with Town of Prosper PD-40 Requirements.
- All open space areas, Lots 1-4, Block X, to be owned and maintained by the H.O.A.
- Front yard setbacks are staggered per requirements of PD-40 and Zoning Ordinance Section 9.3.F.
- No flood plain exists on site.
- All fences adjacent to open space shall be ornamental metal.
- No transformers or utility pedestals shall be allowed in the sidewalk and utility easement.
- This property is subject to the street tree agreement between TVG Texas I, LLC and the Town of Prosper.
- Detention shall be provided offsite by means of regional detention pond, within Lot 5, Block X of Windsong Ranch Phase 3B addition.
- Lots 1-4, Block X to be used for sidewalks, trails and landscaping. Easements for these uses are granted by this plat.
- Utility easements are prohibited within landscape & access easement unless otherwise approved by the Town of Prosper.

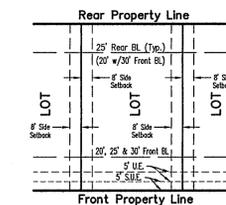
PROSPER INDEPENDENT
SCHOOL DISTRICT
DOC. NO. 2014-92181
D.R.D.C.T.

Legend

- | | | | |
|------------|---|--------|--------------------------------|
| ○ 1/2" IR | Iron Rod Set | U.E. | Utility Easement |
| ○ 1/2" IRF | Iron Rod Found | W.M.E. | Wall Maintenance Easement |
| BL | Building Line Setback | H.O.A. | H.O.A. Easement |
| R.O.W. | Right Of Way | ◆ | Street Name Change |
| D.E. | Drainage Easement | ▶ | Denotes Lot Frontage To Street |
| S.S.E. | Sanitary Sewer Easement | ▨ | No Drive Access Or Parking |
| W.E. | Water Easement | ⊠ | 10'x10' Transformer Easement |
| H.O.A. | Home Owners Association | | |
| S.U.E. | Sidewalk & Utility Easement
(See Note 9) | | |
| L.A.E. | Landscape & Access Easement | | |

26 LOTS DEVELOPED TO PD-40 STANDARDS
7.750 ACRES (3.35 UNITS/ACRE)
AVERAGE LOT SIZE = 9,881.77 SF

Lot Summary	Phase 2E
Type B (Min. 9,000 SF)	26
Total	26



STANDARD LOT DETAIL FOR
LOT TYPE A, B, C, & D

NOTE: Side Setback Adjacent To R.O.W. On a Key Lot Shall Be Equal To The Front Setback Of The Adjacent Lot.

FINAL PLAT

WINDSONG RANCH
PHASE 2E

7.750 Acres Out Of The
J. Bates Survey ~ Abstract No. 1620
TOWN OF PROSPER
DENTON COUNTY, TEXAS

OWNER / APPLICANT TVG TEXAS I, LLC 1001 Windsong Parkway South Prosper, Texas 75078 Telephone (972) 347-9270 Contact: David Blom	ENGINEER / SURVEYOR Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: Matt Dorsett
---	---



PLANNING

To: Planning & Zoning Commission
From: John Webb, AICP, Director of Development Services
Re: Planning & Zoning Commission Meeting – August 18, 2015

Agenda Item:

Discussion on proposed amendments to the Zoning Ordinance regarding permitted land uses.

Description of Agenda Item/Background:

During the August 11, 2015 Town Council meeting, staff provided a briefing regarding numerous land uses in the Zoning Ordinance which should be re-evaluated in terms of the appropriateness of the use being permitted by right or permitted upon approval of a Specific Use Permit (SUP) or eliminated if it is an antiquated term. Staff also noted several antiquated land use terms that may need to be amended or removed from the Zoning Ordinance. The Town Council provided direction to proceed with the amendments and initiate the required Public Hearings.

The following is a draft list of proposed land use chart amendments.

Use	Comments	Proposed Amendment
Pawn Shop	Permitted by right in the Commercial and Industrial Districts. State Law requires the use to be permitted by right in at least one zoning district.	Permit the use only by right in the Industrial District.
Payday Loans/Cash for Car titles	These lending businesses meet the definition of a “Bank or Savings and Loan” and would be permitted by right in all non-residential districts.	Per a recommendation from the Town Attorney, these businesses should be regulated in Chapter 4, Business Regulations of the Town’s Code of Ordinances. The ordinance can contain criteria for the definition, registration, operation and location/minimum spacing of the businesses.

Use	Comments	Proposed Amendment
Auto Repair, Major	Permitted by right in the Commercial and Industrial Districts and by SUP in the Downtown Commercial District.	Permit by right in the Industrial District and require SUP in the Commercial District to determine appropriateness of the use. Remove ability to request SUP in the Downtown Commercial District.
Outside Display, Incidental	This use is not listed in the Zoning Ordinance.	Permit by SUP in non-residential districts, with the exception of the Office, and Downtown Office Districts.
Recycling Collection Point (unmanned donation boxes)	Permitted by right in all non-residential districts except the Downtown Office and Downtown Retail Districts. These boxes tend to become unsightly.	The Town cannot prohibit the use, but it is recommended to establish reasonable conditional development standards for the placement and operation of the donation boxes.
Trailer Rental	Permitted by right in the Commercial, Commercial Corridor and Industrial Districts and permitted by SUP in the Retail District. Due to the open storage and display of the trailers, this use is not appropriate along the Town's primary highways and thoroughfares.	Permit by right in the Industrial District and require SUP in the Commercial District.
Equipment and Machinery Sales and Rental, Major	Permitted by right in the Commercial and Industrial Districts. Due to the open storage and display of the equipment and machinery, this use is not appropriate along the Town's primary highways and thoroughfares.	Permit by right in the Industrial District and require SUP in the Commercial District.
Car Wash, Self-Serve	Permitted by right in the Commercial and Industrial Districts. Due to the noise-generating nature, the use should be evaluated by an SUP in the Commercial District.	Permit by right in the Industrial District and require SUP in the Commercial District.
Motels	These facilities are served by outside corridors and permitted by right with minimal conditional development standards in the Downtown Commercial, Commercial and Commercial Corridor Districts.	Permit by SUP in addition to conditional development standards in the Downtown Commercial, Commercial and Commercial Corridor Districts.

Use	Comments	Proposed Amendment
Residence Hotel	These extended stay facilities have demonstrated the tendency to become long term transient housing. Permitted by right with minimal conditional development standards in the Commercial and Commercial Corridor Districts and restricted to Preston Road, US 380 and DNT.	Permit by SUP in addition to conditional development standards in the Downtown Commercial, Commercial and Commercial Corridor Districts.
Automobile Storage	Permitted by right in the Commercial, Commercial Corridor and Industrial Districts. Due to the open storage, this use may not be appropriate along the Town's primary highways and thoroughfares.	Permit by right in the Industrial District and require SUP in the Commercial District.
General Manufacturing/ Industrial Use	Permitted by right in the Commercial, Commercial Corridor and Industrial Districts. Due to the industrial nature, the use may not be appropriate in the Commercial and Commercial Corridor Districts.	Permit by right in the Industrial District and require SUP in the Commercial and Commercial Corridor Districts.
Flea Market, Inside	Permitted by right in the Commercial District.	Require SUP in the Commercial District.
Flea Market, Outside	Permitted by SUP in the Commercial District. Due to the nature of the use, it is not appropriate in Prosper.	Delete as a permitted use.
Vet Clinic and/or Kennel, Outdoor	Permitted by right in the Commercial, Commercial Corridor and Industrial Districts. Due to the nature of the outdoor facilities, the use may not be appropriate in certain locations.	Permit by right in the Industrial District and require SUP in the Commercial District.
Retirement Housing	Permitted by right in the Townhome, Multifamily and the Mobile Home zoning districts. There is hesitancy to rezone any land to the Multifamily District for a retirement housing product, since there is no guarantee the use will develop as such.	Require SUP in the Townhome and Multifamily Districts to regulate as an age-restricted development.
Helistop (Helicopter landing pad)	Permitted by SUP in the Office, Commercial Corridor and Industrial District. A helistop may be appropriate and necessary for uses in the Retail and Commercial Districts since hospitals are permitted in these districts.	Require SUP in the Office, Retail, Commercial, Commercial Corridor and Industrial Districts.
(Landscape) Nursery, Major	Permitted by right in the Commercial and Commercial Corridor Districts. Due to the nature of the outdoor facilities, the use may not be appropriate in certain locations.	Require SUP in the Commercial and Commercial Corridor Districts.

Use	Comments	
Dance Hall	"Dance Hall" is an antiquated term. Need to recognize and allow professional banquet facilities such as Noah's Event Venue. "Dance Hall" currently permitted by SUP in the Downtown Commercial, Commercial and Commercial Corridor Districts.	Reclassify as a "Meeting/Banquet Facility" and require SUP in the Retail, Downtown Commercial, Commercial and Commercial Corridor Districts.
Furniture Restoration	Permitted by right in the Commercial and Industrial Districts and requires SUP in the Downtown Commercial District. This is an enclosed use and does not pose adverse impacts.	Permit by right in all non-residential districts except for the Office and Downtown Office Districts.
Gunsmith	Antiquated term.	Delete the term since it can be considered as a retail establishment.
Household Appliance Service and Repair	Antiquated term.	Reclassify as "Repair Service, Indoor," and permit by right in all non-residential districts except for Office and Downtown Office Districts. New definition would prohibit engine repair.
Mortuary Funeral Parlor	Permitted by right in the Downtown Commercial, Commercial, Commercial Corridor and Industrial Districts. It is implied that that the use does not permit an on-site crematory.	Amend as conditional use in the same districts and require an SUP for cremation services.
Restaurant or Cafeteria	"Cafeteria" is an antiquated term. A "Luby's" or "Furr's" is considered a restaurant.	Amend term to read, "Restaurant."
Bottling Works	Antiquated term. An operation that bottles beverages can be accommodated as a "General Manufacturing/Industrial Use."	Delete the term.
Auto-related Uses and Restaurants with Drive-thru or Drive-in Services	The "Development Requirements" of the Zoning Ordinance require that buildings and equipment associated with these uses be a minimum of 200 feet from a residential district. This requirement is often overlooked by the development community in their research of the Zoning Ordinance.	Note this requirement as a conditional use in the Use Chart. No change regarding the permitted districts.

Town Staff Recommendation:

Town staff requests that the Planning & Zoning Commission provide input on the proposed amendments.



PLANNING

To: Planning & Zoning Commission
From: Alex Glushko, AICP, Senior Planner
Through: John Webb, AICP, Director of Development Services
Re: Planning & Zoning Commission Meeting – August 18, 2015

The chart below summarizes the Town Council’s actions from their August 11, 2015 meeting on items that received recommendations from the Planning & Zoning Commission:

Item	Planning & Zoning Recommendation	Town Council Action
Conduct a Public Hearing, and consider and act upon an ordinance rezoning 5.1± acres, from Single Family-10 (SF-10) to Planned Development-40 (PD-40), located on the southeast and southwest corners of Fishtrap Road and Windsong Parkway. (Z15-0010).	Approved 6-0.	Approved 6-0.
Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit for a Utility Distribution/Transmission Facility, on 0.2± acres, located on the south side of First Street, 500± feet west of the BNSF Railroad. The property is zoned Planned Development-67 (PD-67). (S15-0004).	Approved 6-0, subject to requiring the proposed screening wall to be a minimum height of eight feet.	Approved 6-0, subject to requiring the proposed screening wall to be a minimum height of eight feet.