AGENDA

Regular Meeting of the
Prosper Planning & Zoning Commission
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Tuesday, March 3, 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 February 17, 2015 Regular Planning & Zoning Commission meeting.

3b. Consider and act upon a Site Plan and Final Plat for Windsong Ranch, Phase 2C-1, for 158 single family attached residential lots, on 44.1± acres, located on the west side of Teel Parkway, 2,000± feet south of Fishtrap Road. The property is zoned Planned Development-40 (PD-40). (D15-0009).

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. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan, on the east side of Main Street, from Third Street to First Street, from Old Town – Office to Old Town – Main Street Retail. (CA15-0001). *[Companion to Case #Z15-0001]*

5. Conduct a Public Hearing, and consider and act upon a request to rezone 0.8± acre, located on the southeast corner of Main Street and Third Street from Commercial (C) to Downtown Retail (DTR). (Z15-0001). *[Companion to case #CA15-0001]*

6. Conduct a Public Hearing, and consider and act upon a request to rezone 1.1± acres, located on the north side of Third Street, 200± feet east of Coleman Street from Single Family-15 (SF-15) to Downtown Single Family (DTSF). (Z15-0002).

7. Conduct a Public Hearing, and consider and act upon a request to amend 3.5± acres of Planned Development-17 (PD-17), located on the northwest corner of First Street and Preston Road. (Z15-0003).

8. Consider and act upon a request for a Variance to the Subdivision Ordinance regarding Thoroughfare Screening along Windsong Parkway and Gee Road, for Windsong Ranch, Phases 1A, 1B, 3A-1, and 3B. (V15-0001).

9. Discuss Residential Design and Development Standards.

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

11. 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 February 27, 2015, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

_____ _____

Robyn Battle, 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.

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.

MINUTES

Regular Meeting of the
Prosper Planning & Zoning Commission
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Tuesday, February 17, 2015, 6:00 p.m.

Prosper is a place where everyone matters.

1. Call to Order / Roll Call.

The meeting was called to order at 6:01 p.m.

Commissioners present: Chair Mike McClung, Vice Chair Craig Moody, Brian Barnes, David Snyder, John Hema and John Alzner.
Secretary Chris Keith arrived at 6:09 p.m.

Staff present: Hulon Webb, Executive Director of Development and Community Services; John Webb, Director of Development Services; Alex Glushko, Senior Planner; Robert Winningham, Executive Director of the Economic Development Corporation; and Pamela Clark, Planning Technician.

2. Recitation of Pledge of Allegiance.

CONSENT AGENDA

3a. Consider and act upon minutes from the February 3, 2015 Regular Planning & Zoning Commission meeting.

3b. Consider and act upon a Preliminary Site Plan for a retail development (Windsong Ranch Marketplace), on 46.6± acres, located on the northeast corner of US 380 and Gee Rd. The property is zoned Planned Development-40 (PD-40). (D14-0043).

3c. Consider and act upon a Site Plan and a Final Plat for Windsong Ranch Marketplace, Block A, Lots 4, 5, 7, 8 & 9, and a Conveyance Plat for Windsong Ranch Marketplace, Block A, Lots 1, 2, 3, 6 & 10, for a grocery store (Kroger), a convenience store with fuel pumps, and two (2) retail/restaurant buildings, on 23.1± acres, located on the northeast corner of US 380 and Gee Road. The property is zoned Planned Development-40 (PD-40). (D14-0094).

3d. Consider and act upon a Preliminary Plat for Windsong Ranch, Phase 2D, for 161 single family residential lots, on 62.8± acres, located on the southwest corner of Fishtrap Road and Teel Parkway. The property is zoned Planned Development-40 (PD-40). (D14-0092).

3e. Consider and act upon a Preliminary Site Plan for Windsong Ranch Townhomes, Phase 2C, for 300 single family attached residential lots, on 65.5± acres, located on the west side of Teel Parkway, 400± feet south of Fishtrap Road. The property is zoned Planned Development-40 (PD-40). (D14-0093).

3f. Consider and act upon a Site Plan for La Cima Crossing, Block A, Lot 1, for a convenience store with gas pumps (Valero), on 2.4± acres, located on the northwest corner of US 380 and La Cima Boulevard. The property is zoned Planned Development-2 (PD-2). (D15-0004).

Vice Chair Moody requested to pull item 3f for discussion.

Motioned by Moody, seconded by Snyder, to approve items 3a, 3b, 3c, 3d, and 3e subject to staff recommendations. Motion approved 6-0.

After clarification, motioned by Moody, seconded by Snyder, to approve item 3f subject to staff recommendations. Motion approved 6-0.

REGULAR AGENDA

4. Consider and act upon a Preliminary Site Plan for a medical/general office development (Prosper Trails Office Center), and a solid living screening in lieu of a masonry wall, on 4.2± acres, located on the southwest corner of Prosper Trail and Coit Road. The property is zoned Office (O). (D14-0089).

5. Consider and act upon a Site Plan and a Final Plat for Prosper Trails Office Center, Block A, Lots 1, 2, 3 & 4, and a Conveyance Plat for Prosper Trails Office Center, Block A, Lots 5, 6 & 7, for a medical office development, on 4.2± acres, located on the southwest corner of Prosper Trail and Coit Road. The property is zoned Office (O). (D14-0088).

Glushko: Requested to combine the two items for consideration of items 4 and 5. Explained the reason for items 4 and 5 being on the Regular Agenda was because the applicant requested solid living screening in lieu of a masonry wall. Explained the requests were previously approved but the applicant has proposed to shift the building slightly closer to the adjacent residential properties, which requires approval by the Planning & Zoning Commission. He noted the buildings still met the setback requirements. Presented photographs of the property looking east and west. Recommended items 4 and 5 for approval subject to staff recommendations.

Commission Discussion

Motioned by Snyder, seconded by Hema, to approve items 4 and 5 subject to staff recommendations. Motion approved 7-0.

6. Consider and act upon a Preliminary Plat for Falls of Prosper, for 148 single family residential lots, on 90.1± acres, located on the northwest corner of Prosper Trail and Coit Road. The property is zoned Planned Development-70 (PD-70). (D15-0007).

Glushko: Summarized the request. Presented an aerial photograph of the property and presented the approved zoning exhibit for the property. Stated the reason for being on the Regular Agenda is to recommend denial due to the not meeting the Town's minimum development standards. Stated the 100 foot powerline easement proposed in the single family's residential lots does not conform to the zoning, Planned Development-70 (PD-70). Stated the Town has concerns with the 100-foot powerline easement that is included in the single family residential lots as future land owners will be required to maintain and pay taxes on unusable land. Stated the Town's Engineering Department has concerns with the layout and how lot-to-lot drainage can be avoided without significant grading in the easement. Stated Town concerns by the 4.2± acre estate lot and the balance of the property being laid out near the maximum allowable density which could create a unnecessary hardship for a non-residential lot or further subdivision. Due to lack of conformance with zoning, recommended denial of the preliminary plat.

Mardy Brown (Applicant): Explained that the zoning exhibit was to be used only as a conceptual layout for the development. Provided information on the inclusion of the powerline easement into the single family residential lots. Provided comparison of surrounding developments and how they included the power line easement. Explained that the developer does not own the 4.2± acres estate lot and that the owner is aware they would be required to apply for a Specific Use Permit for the development a daycare center on that lot. Stated the homeowners association would be responsible for the installation of the wrought iron fencing along the powerline easement and would be responsible for the maintenance of the 25' residential lot outside the 50' hike and bike trail easement/common area lot.

Mehrdad Moayedi (Applicant): Presented information from previous public hearing meeting minutes from past Planning & Zoning Commission and Town Council meeting regarding the intended use of the 4.2± acres corner lot.

Commission Discussion. Expressed desire to have ornamental metal fences erected at the time of development, prior to the construction of homes, to give buyers fair warning that a portion of the lot is within an easement, outside the fence, and unusable. Commissioners concurred with concerns expressed by staff but wanted the applicant to work with staff.

Motioned by Snyder, seconded by Keith, to table item 6 and allow the applicant more time to address staff and Commission concerns. Motion passed 7-0.

7. Discuss activities of the Prosper Economic Development Corporation.

H. Webb: Appeared on behalf of the EDC and requested to reschedule their presentation to the March 3, 2015 meeting.

8. Discuss date of future tour.

J.Webb: Stated that all of the Commissioners were not available on the same day for a tour in March. Commission suggested the tour be held on April 7, 2015.

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

10. Adjourn.

Motioned by Snyder, seconded by Moody to adjourn. Motion approved 7-0 at 7:47 p.m.

_____ _____

Pamela Clark, Planning Technician **Chris Keith, Secretary**

TOWN OF PROSPER

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 – March 3, 2015**

Agenda Item:
Consider and act upon a Site Plan and Final Plat for Windsong Ranch, Phase 2C-1, for 158 single family attached residential lots, on 44.1± acres, located on the west side of Teel Parkway, 2,000± feet south of Fishtrap Road. The property is zoned Planned Development-40 (PD-40). (D15-0009).

Description of Agenda Item:
The Site Plan shows 158 townhome units, and the Final Plat dedicates all easements necessary for development. Access is provided from Teel Parkway. Adequate parking has been provided. The Site Plan and Final Plat conform to the Planned Development-40 (PD-40) development standards.

Budget Impact:
There are no significant budget implications associated with the approval of this Site Plan and Final Plat.

Legal Obligations and Review:
The Site Plan and Final Plat meet minimum development requirements.

Attached Documents:
1. Site Plan
2. Final Plat

Town Staff Recommendation:
Town staff recommends approval of the Site Plan and Final Plat 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, street sections, sidewalks, and hike and bike trails.

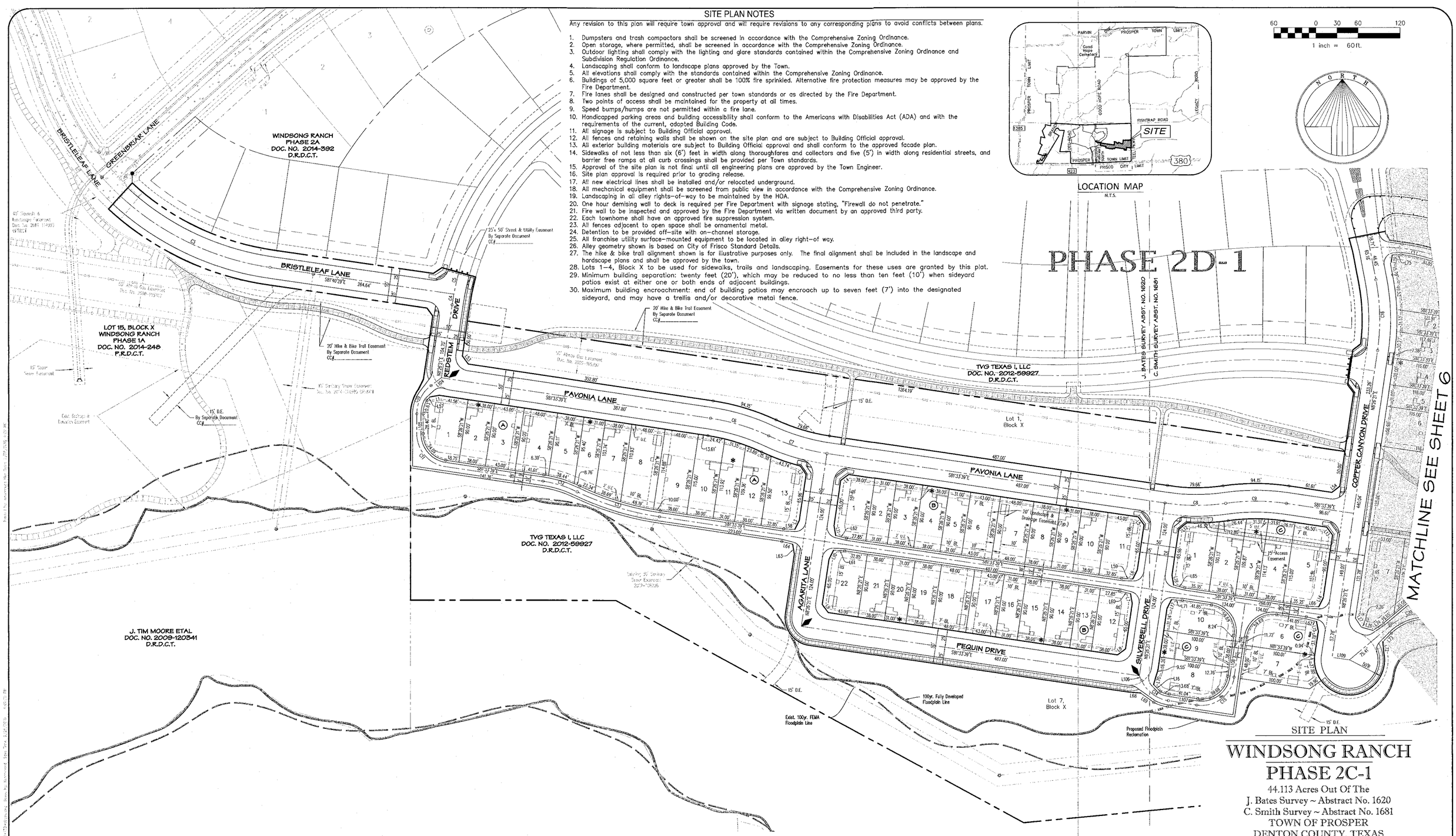
SITE PLAN NOTES

Any revision to this plan will require town approval and will require revisions to any corresponding plans to avoid conflicts between plans.

1. Dumpsters and trash compactors shall be screened in accordance with the Comprehensive Zoning Ordinance.
2. Open storage, where permitted, shall be screened in accordance with the Comprehensive Zoning Ordinance.
3. Outdoor lighting shall comply with the lighting and glare standards contained within the Comprehensive Zoning Ordinance and Subdivision Regulation Ordinance.
4. Landscaping shall conform to landscape plans approved by the Town.
5. All elevations shall comply with the standards contained within the Comprehensive Zoning Ordinance.
6. Buildings of 5,000 square feet or greater shall be 100% fire sprinkled. Alternative fire protection measures may be approved by the Fire Department.
7. Fire lanes shall be designed and constructed per town standards or as directed by the Fire Department.
8. Two points of access shall be maintained for the property at all times.
9. Speed bumps/humps are not permitted within a fire lane.
10. Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
11. All signage is subject to Building Official approval.
12. All fences and retaining walls shall be shown on the site plan and are subject to Building Official approval.
13. All exterior building materials are subject to Building Official approval and shall conform to the approved facade plan.
14. Sidewalks of not less than six (6') feet in width along thoroughfares and collectors and five (5') in width along residential streets, and barrier free ramps at all curb crossings shall be provided per Town standards.
15. Approval of the site plan is not final until all engineering plans are approved by the Town Engineer.
16. Site plan approval is required prior to grading release.
17. All new electrical lines shall be installed and/or relocated underground.
18. All mechanical equipment shall be screened from public view in accordance with the Comprehensive Zoning Ordinance.
19. Landscaping in all alley rights-of-way to be maintained by the HOA.
20. One hour demising wall to deck is required per Fire Department with signage stating, "Firewall do not penetrate."
21. Fire wall to be inspected and approved by the Fire Department via written document by an approved third party.
22. Each townhome shall have an approved fire suppression system.
23. All fences adjacent to open space shall be ornamental metal.
24. Detention to be provided off-site with on-channel storage.
25. All franchise utility surface-mounted equipment to be located in alley right-of way.
26. Alley geometry shown is based on City of Frisco Standard Details.
27. The hike & bike trail alignment shown is for illustrative purposes only. The final alignment shall be included in the landscape and hardscape plans and shall be approved by the town.
28. Lots 1-4, Block X to be used for sidewalks, trails and landscaping. Easements for these uses are granted by this plat.
29. Minimum building separation: twenty feet (20'), which may be reduced to no less than ten feet (10') when sideyard patios exist at either one or both ends of adjacent buildings.
30. Maximum building encroachment: end of building patios may encroach up to seven feet (7') into the designated sideyard, and may have a trellis and/or decorative metal fence.

LOCATION MAP
N.T.S.

60 0 30 60 120
1 inch = 60ft.



SITE PLAN

WINDSONG RANCH PHASE 2C-1

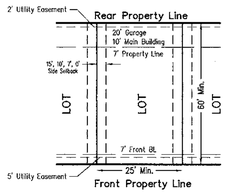
44.113 Acres Out Of The
J. Bates Survey ~ Abstract No. 1620
C. Smith Survey ~ Abstract No. 1681
TOWN OF PROSPER
DENTON COUNTY, TEXAS

Sheet 5

Site Data Summary Table	
General Site Data	
Zoning	Single Family – PD-40
Proposed Use	Townhomes (158 units – 1 or 2 Bdrm.)
Area	1,921,569 Sq. Ft./44.113 Ac.
Lot Area	649,131 Sq. Ft./14.902 Ac.
Lot Coverage (Percent)	33.8
Total Required Parking	
2 enclosed Sp. Per 1 or 2 Bdrm. (158 units x 2) = 316 Spaces (Garage)	
Impervious Area (Square Feet)	309,242
Open Space Required (20%)	384,314
Open Space Provided (Square Feet)	752,368

LEGEND

1/2" IRS	Iron Rod Set	U.E.	Utility Easement
1/2" IRF	Iron Rod Found	W.M.E.	Wall Maintenance Easement
B.L.	Building Line Setback	H.E.	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
W.E.	Water Easement		10'x10' Transformer Easement
H.O.A.	Home Owners Association	*	Consolidated Mail Box



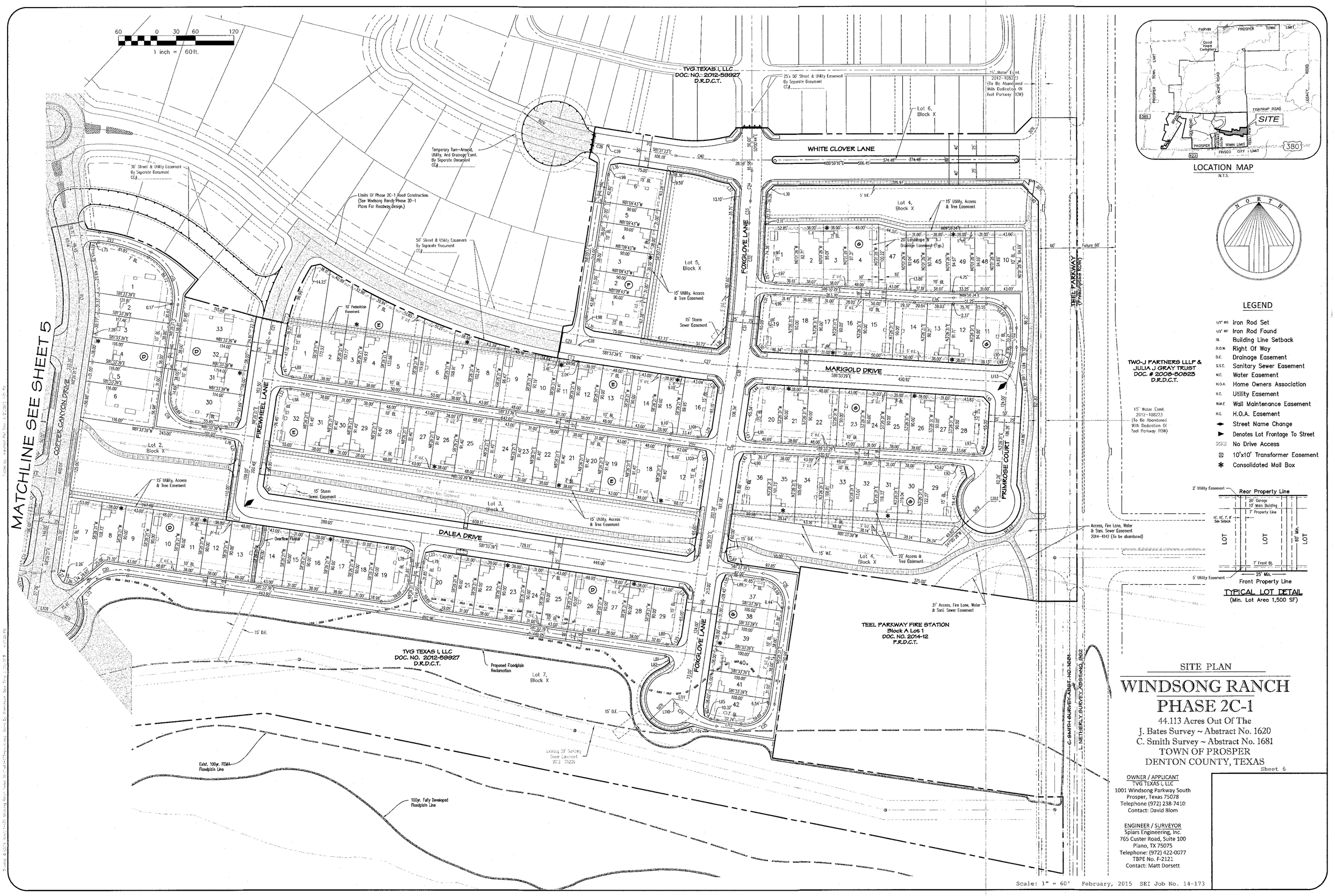
TYPICAL LOT DETAIL
(Min. Lot Area 1,500 SF)

158 LOTS DEVELOPED TO PD-40 STANDARDS
44.113 ACRES (3.58 UNITS/ACRE)
AVERAGE LOT SIZE = 4,105.92 SF

OWNER / APPLICANT
TVG TEXAS I, LLC
1001 Windsong Parkway South
Prosper, Texas 75078
Telephone (972) 238-7410
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

Scale: 1" = 60' February, 2015 SEI Job No. 14-173



SITE PLAN

WINDSONG RANCH PHASE 2C-1

44.113 Acres Out Of The
J. Bates Survey ~ Abstract No. 1620
C. Smith Survey ~ Abstract No. 1681
TOWN OF PROSPER
DENTON COUNTY, TEXAS

Sheet 6

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TVG TEXAS I, LLC
1001 Windsong Parkway South
Prosper, Texas 75078
Telephone (972) 238-7410
Contact: David Blom

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NOTES:

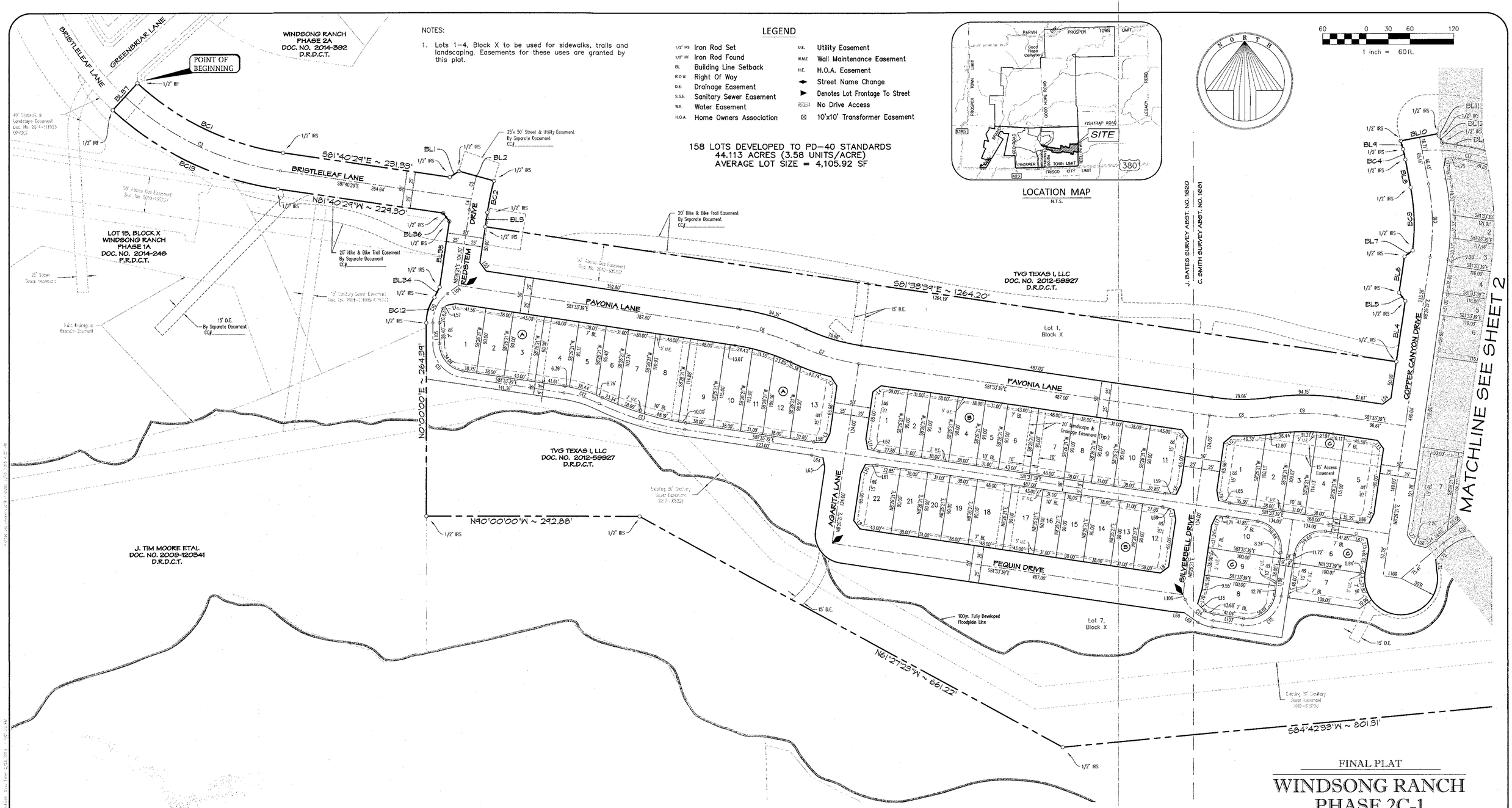
1. Lots 1–4, Block X to be used for sidewalks, trails and landscaping. Easements for these uses are granted by this plat.

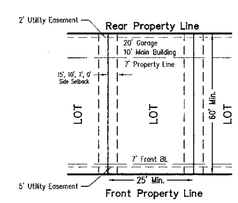
LEGEND

1/2" IRS	Iron Rod Set	U.E.	Utility Easement
1/2" IRF	Iron Rod Found	W.M.E	Wall Maintenance Easement
BL	Building Line Setback	H.E.	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
W.E.	Water Easement	⊠	10'x10' Transformer Easement
H.O.A.	Home Owners Association		

158 LOTS DEVELOPED TO PD-40 STANDARDS
44.113 ACRES (3.58 UNITS/ACRE)
AVERAGE LOT SIZE = 4,105.92 SF

LOCATION MAP
N.T.S.





TYPICAL LOT DETAIL
(Min. Lot Area 1,500 SF)

FINAL PLAT

WINDSONG RANCH PHASE 2C-1

44.113 Acres Out Of The
J. Bates Survey ~ Abstract No. 1620
C. Smith Survey ~ Abstract No. 1681
TOWN OF PROSPER
DENTON COUNTY, TEXAS

Sheet 1 of 4

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Contact: David Blom

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NOTES:

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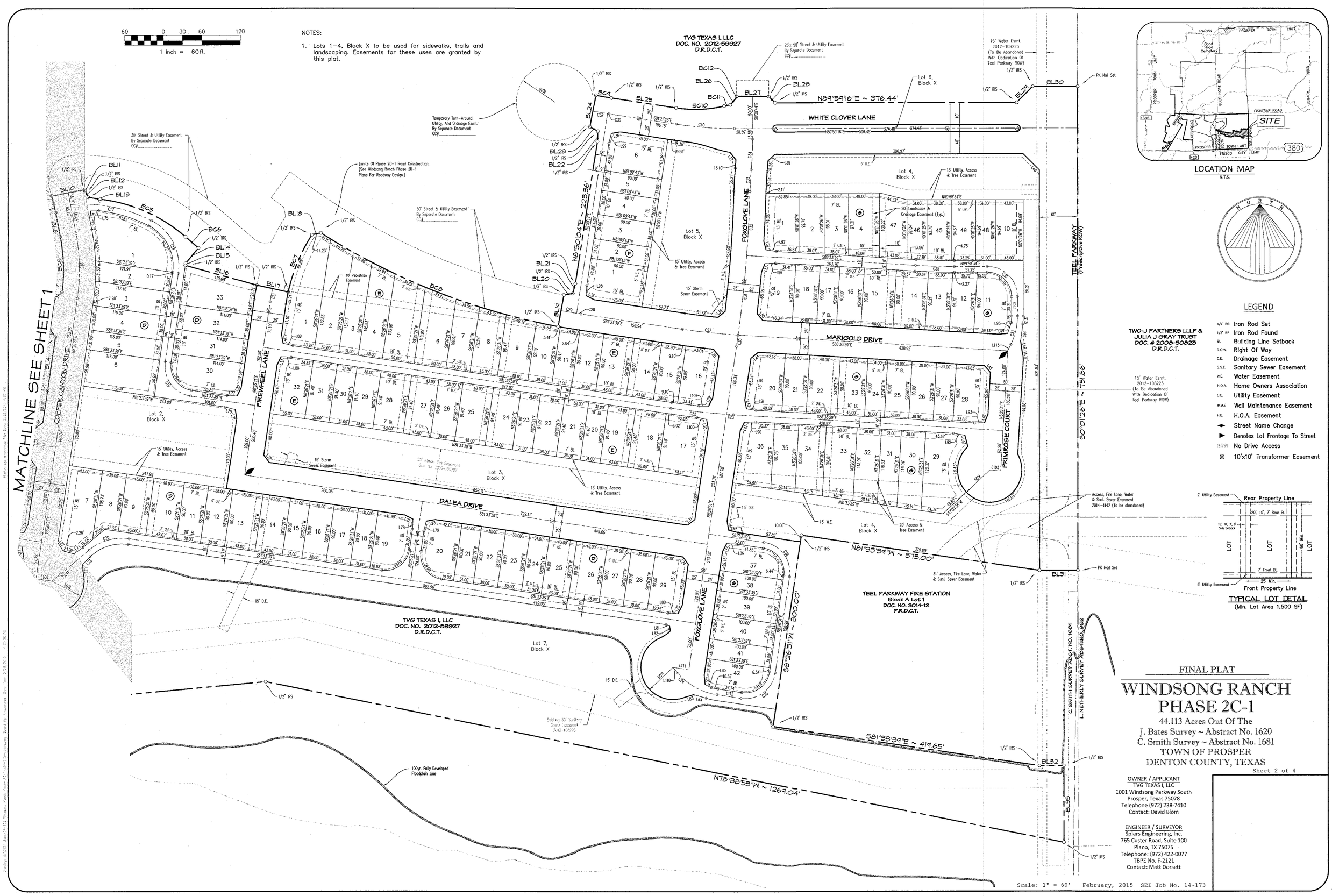

LOCATION MAP
N.T.S.

LEGEND

1/2" IRS	Iron Rod Set
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B.L.	Building Line Setback
R.O.W.	Right Of Way
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W.M.E.	Wall Maintenance Easement
H.E.	H.O.A. Easement
	Street Name Change
	Denotes Lot Frontage To Street
	No Drive Access
	10'x10' Transformer Easement

TYPICAL LOT DETAIL
(Min. Lot Area 1,500 SF)

FINAL PLAT

WINDSONG RANCH PHASE 2C-1

44.113 Acres Out Of The
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Sheet 2 of 4

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Scale: 1" = 60' February, 2015 SEI Job No. 14-173

STATE OF TEXAS §
COUNTY OF DENTON §

OWNER'S CERTIFICATE

BEING a tract of land situated in the J. Bates Survey, Abstract No. 1620 and the C. Smith Survey, Abstract No. 1681, Town of Prosper, Denton County, Texas, the subject tract being a portion of a tract of land conveyed to TVG Texas I, LLC according to the deed recorded in Document No. 2012-59927 of the Deed Records, Denton County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the southerly corner of the northeasterly corner clip at the intersection of Bristleleaf Lane and Greenbriar Lane;

THENCE around a curve to the left having a central angle of 34°22'58", a radius of 375.00 feet, a chord of S 64°29'00" E - 221.67 feet, an arc length of 225.03 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 81°40'29" E, a distance of 231.33 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 56°28'16" E, a distance of 14.90 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 74°42'03" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the left having a central angle of 06°51'36", a radius of 370.00 feet, a chord of S 11°52'09" W - 44.27 feet, an arc length of 44.30 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 08°26'52" W, a distance of 19.70 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 81°33'39" E, a distance of 1264.20 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 08°26'21" E, a distance of 84.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 36°33'39" W, a distance of 14.14 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 08°26'21" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 53°16'03" E, a distance of 14.10 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the left having a central angle of 18°04'07", a radius of 275.00 feet, a chord of N 01°47'28" W - 86.36 feet, an arc length of 86.72 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 10°49'32" W, a distance of 38.84 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a tangent curve to the left having a central angle of 04°23'55", a radius of 190.50 feet, a chord of N 13°01'29" W - 14.62 feet, an arc length of 14.63 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 15°13'27" W, a distance of 11.74 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 79°10'28" E, a distance of 52.92 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 27°42'30" E, a distance of 10.74 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 81°03'49" E, a distance of 18.63 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the right having a central angle of 34°50'39", a radius of 243.00 feet, a chord of S 66°08'28" E - 145.51 feet, an arc length of 147.78 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a reverse curve to the left having a central angle of 01°19'29", a radius of 1157.00 feet, a chord of S 49°22'53" E - 26.75 feet, an arc length of 26.75 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 39°57'22" W, a distance of 31.11 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 08°26'21" W, a distance of 3.06 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 74°27'23" E, a distance of 115.68 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 77°33'29" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the right having a central angle of 20°12'29", a radius of 275.00 feet, a chord of N 22°32'46" E - 96.49 feet, an arc length of 96.99 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 78°13'38" E, a distance of 14.23 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the left having a central angle of 22°21'07", a radius of 1025.01 feet, a chord of S 68°34'31" E - 397.34 feet, an arc length of 399.87 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 10°14'55" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 81°16'38" E, a distance of 14.09 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 14°32'58" E, a distance of 15.85 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 08°50'04" E, a distance of 223.56 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 03°07'54" E, a distance of 15.82 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 61°32'02" W, a distance of 14.25 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 10°46'20" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the left having a central angle of 02°07'43", a radius of 661.00 feet, a chord of S 80°17'31" E - 24.56 feet, an arc length of 24.56 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 81°21'23" E, a distance of 101.90 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a tangent curve to the left having a central angle of 21°32'57", a radius of 200.00 feet, a chord of N 87°52'08" E - 74.78 feet, an arc length of 75.22 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a reverse curve to the right having a central angle of 02°50'51", a radius of 200.00 feet, a chord of N 78°31'05" E - 9.94 feet, an arc length of 9.94 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 40°40'52" E, a distance of 15.16 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the left having a central angle of 00°44'19", a radius of 121.70 feet, a chord of N 00°00'44" W - 1.57 feet, an arc length of 1.57 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 89°59'16" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 45°00'44" E, a distance of 14.14 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 89°59'16" E, a distance of 376.44 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 44°58'55" E, a distance of 35.37 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 89°58'34" E, a distance of 70.00 feet, to a PK Nail set along the approximate centerline of Teel Parkway;

THENCE, S 00°01'26" E, continuing along said centerline, a distance of 751.86 feet, to a PK Nail set at the southeasterly corner of said subject tract and the northeast corner of Block A, Lot 1 conveyed to Teel Parkway Fire Station according to the plat recorded in Document No. 2014-12;

THENCE, S 89°59'16" W, along said common line, a distance of 60.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 81°33'39" W, continuing along said common line, a distance of 375.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 08°26'21" W, continuing along said common line, a distance of 300.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 81°33'39" E, a distance of 419.65 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 89°58'23" E, a distance of 38.06 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 00°01'37" E, a distance of 119.15 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 78°38'53" W, a distance of 1269.04 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 84°42'33" W, a distance of 801.31 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 61°27'23" W, a distance of 661.22 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 90°00'00" W, a distance of 292.88 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 00°00'00" E, a distance of 264.39 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a tangent curve to the right having a central angle of 36°07'41", a radius of 59.00 feet, a chord of N 18°03'51" E - 36.59 feet, an arc length of 37.20 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 26°52'27" E, a distance of 15.81 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 08°26'21" E, a distance of 90.97 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 36°37'04" W, a distance of 14.13 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 81°40'29" W, a distance of 229.30 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a tangent curve to the right having a central angle of 34°22'58", a radius of 425.00 feet, a chord of N 64°29'00" W - 251.23 feet, an arc length of 255.04 feet, to a 1/2" iron rod found;

THENCE, N 42°42'29" E, a distance of 50.00 feet, to the POINT OF BEGINNING with the subject tract containing 1,921,569 square feet or 44.113 acres of land.

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the Town of Prosper, Texas.

Dated this the _____ day of _____, 2015.

_____
DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS REGISTERED DARREN K. BROWN 5252 PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2015.

_____
Notary Public, State of Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, TVG TEXAS I, LLC, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as WINDSONG RANCH PHASE 2C-1, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. TVG TEXAS I, LLC does herein certify the following:

1. The streets and alleys are dedicated for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown, are dedicated for the public use forever for the purposes indicated onthis plat.
4. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved bythe Town of Prosper.
5. The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Town of Prosper's use thereof.
7. The Town of Prosper and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by the Town of Prosper

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas.

WITNESS, my hand, this the _____ day of _____, 2015.

TVG TEXAS I, LLC.
A Texas Limited Liability Company

By: BP-Terra Verde Investor, LLC,
A Delaware Limited Liability Company
Its Managing Manager

By: Terra Verde BP Manager, LLC
A Delaware Limited Liability Company,
Its Managing Member

By: _____
D. Craig Martin, Manager

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2015.

_____
Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 2015 by the Planning & Zoning Commission of the Town of Prosper, Texas.

_____ Planning & Zoning Commission Chair

_____ Town Secretary

_____ Engineering Department

_____ Planning Department

ACCESS EASEMENT

The undersigned covenants and agrees that the access easement(s) may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for the Fire Department, Police, and emergency use in along, upon, and across said premises, with the right and privilege at all times of the Town of Prosper, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

VISIBILITY AND MAINTENANCE EASEMENT (VAM)

The area or areas shown on the plat as "VAM" (Visibility and Maintenance) Easement(s) are hereby given and granted to the Town of Prosper (Called "Town"), its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM Easement. The Town shall have the right, but not the obligation, to maintain all landscaping within the VAM Easement. Should the Town exercise this maintenance right it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, structure, and/or fixtures. The Town in its sole discretion may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the property owner(s). No building, fence, shrub, tree, or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over, or across the VAM Easement. The Town shall also have the right, but not the obligation, to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The Town, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

DRAINAGE AND DETENTION EASEMENT

This plat is hereby adopted by the Owners and approved by the Town of Prosper (Called "Town") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: The Portion of Lot 7, Block X, as shown on the plat is called "Drainage and Detention Easement". The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The Town will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Drainage and Detention Easement, as herein above defined, unless approved by the Town Engineer. Provided, however, it is understood that in the event it becomes necessary for the Town to erect or consider erecting any type of drainage structure in order to improve the storm drainage that my be occasioned by drainage in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the Town shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement, is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The Town shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures, within the Easement.

FINAL PLAT

WINDSONG RANCH PHASE 2C-1

44.113 Acres Out Of The
J. Bates Survey ~ Abstract No. 1620
C. Smith Survey ~ Abstract No. 1681
TOWN OF PROSPER
DENTON COUNTY, TEXAS

Sheet 3 of 4

OWNER / APPLICANT
TVG TEXAS I, LLC
1001 Windsong Parkway South
Prosper, Texas 75078
Telephone (972) 238-7410
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

February, 2015 SEI Job No. 14-173

Boundary Line Table		
Line #	Length	Direction
BL1	14.90'	N 56°28'16" E
BL2	50.00'	S 74°42'03" E
BL3	19.70'	S 08°26'52" W
BL4	84.00'	N 08°26'21" E
BL5	14.14'	N 36°33'39" W
BL6	50.00'	N 08°26'21" E
BL7	14.10'	N 53°16'03" E
BL8	38.84'	N 10°49'32" W
BL9	11.74'	N 15°13'27" W
BL10	52.92'	N 79°10'28" E
BL11	2.73'	S 06°25'36" E
BL12	10.74'	S 27°42'30" E
BL13	18.63'	N 81°03'49" W
BL14	31.11'	S 39°57'22" W
BL15	3.06'	S 08°26'21" W
BL16	115.68'	S 74°27'23" E
BL17	50.00'	S 77°33'29" E
BL18	14.23'	N 78°13'38" E
BL19	50.00'	N 10°14'55" E
BL20	14.09'	N 81°16'38" E

Boundary Line Table		
Line #	Length	Direction
BL21	15.85'	N 14°32'58" E
BL22	15.82'	N 03°07'54" E
BL23	14.25'	N 61°32'02" W
BL24	50.00'	N 10°46'20" E
BL25	101.90'	S 81°21'23" E
BL26	15.16'	N 40°40'52" E
BL27	50.00'	N 89°59'16" E
BL28	14.14'	S 45°00'44" E
BL29	35.37'	N 44°58'55" E
BL30	70.00'	N 89°58'34" E
BL31	60.00'	S 89°59'16" W
BL32	38.06'	N 89°58'23" E
BL33	119.15'	S 00°01'37" E
BL34	15.81'	N 26°52'27" E
BL35	90.97'	N 08°26'21" E
BL36	14.13'	N 36°37'04" W
BL37	50.00'	N 42°42'29" E

Boundary Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
BC1	225.03'	375.00'	221.67'	S 64°29'00" E	34°22'58"
BC2	44.30'	370.00'	44.27'	S 11°52'09" W	6°51'36"
BC3	86.72'	275.00'	86.36'	N 01°47'28" W	18°04'07"
BC4	14.63'	190.50'	14.62'	N 13°01'29" W	4°23'55"
BC5	147.78'	243.00'	145.51'	S 66°08'28" E	34°50'39"
BC6	26.75'	1157.00'	26.75'	S 49°22'53" E	1°19'29"
BC7	96.99'	275.00'	96.49'	N 22°32'46" E	20°12'29"
BC8	399.87'	1025.01'	397.34'	S 68°34'31" E	22°21'07"
BC9	24.56'	661.00'	24.56'	S 80°17'31" E	2°07'43"
BC10	75.22'	200.00'	74.78'	N 87°52'08" E	21°32'57"
BC11	9.94'	200.00'	9.94'	S 78°31'05" W	2°50'51"
BC12	1.57'	121.70'	1.57'	N 00°00'44" W	0°44'19"
BC12	37.20'	59.00'	36.59'	N 18°03'51" E	36°07'41"
BC13	255.04'	425.00'	251.23'	N 64°29'00" W	34°22'58"

Lot Line Table		
Line #	Length	Direction
L1	13.47'	N 80°00'15" E
L2	14.78'	S 33°54'51" E
L3	14.16'	S 26°52'27" W
L4	14.14'	N 53°26'21" E
L5	14.14'	S 36°33'39" E
L6	14.16'	S 26°52'27" W
L7	14.16'	S 09°59'45" E
L8	14.14'	S 53°26'21" W
L9	14.14'	N 36°33'39" W
L10	14.16'	N 26°52'27" E
L11	14.16'	N 09°59'45" W
L12	14.78'	N 50°47'33" E
L13	14.14'	S 36°33'39" E
L14	14.16'	S 26°52'27" W
L15	14.16'	S 09°59'47" E
L16	13.69'	N 43°35'31" W
L17	14.16'	N 26°52'27" E
L18	14.16'	N 09°59'45" W
L19	13.07'	N 08°32'27" E
L20	14.16'	S 26°52'27" W

Lot Line Table		
Line #	Length	Direction
L21	14.16'	S 09°59'45" E
L22	14.16'	S 63°07'33" E
L23	14.16'	N 80°00'15" E
L24	14.14'	S 36°33'34" E
L25	14.16'	S 26°52'36" W
L26	15.19'	N 74°44'35" W
L27	14.83'	N 33°41'30" W
L28	13.74'	S 38°09'23" E
L29	14.33'	S 26°33'03" W
L30	13.98'	S 10°16'31" E
L31	14.14'	S 53°26'26" W
L32	14.14'	N 36°33'39" W
L33	14.16'	N 26°52'27" E
L34	14.16'	N 09°59'45" W
L35	14.13'	N 63°05'11" W
L36	14.17'	N 80°13'42" E
L37	14.79'	S 39°05'20" E
L38	14.39'	S 51°06'12" W
L39	14.53'	N 46°32'19" E
L40	35.37'	S 45°02'37" E

Lot Line Table		
Line #	Length	Direction
L41	14.16'	N 09°59'36" W
L42	14.41'	N 26°19'35" E
L43	13.88'	N 10°26'19" W
L44	14.75'	N 50°56'31" E
L45	14.14'	S 41°33'29" E
L46	14.16'	S 21°52'37" W
L47	17.99'	S 14°59'35" E
L48	17.18'	N 07°48'40" W
L49	14.13'	S 84°57'09" W
L50	13.69'	N 39°46'12" W
L51	14.15'	N 23°06'57" E
L52	14.06'	N 14°35'25" W
L53	14.14'	N 36°33'39" W
L54	14.14'	S 53°26'21" W
L55	14.16'	N 26°52'36" E
L56	14.85'	N 05°13'37" W
L57	6.37'	N 47°50'16" E
L58	15.75'	S 87°16'17" E
L59	15.75'	S 87°16'17" E
L60	15.75'	S 75°51'01" E

Lot Line Table		
Line #	Length	Direction
L61	15.75'	S 87°16'17" E
L62	15.75'	S 75°51'01" E
L63	14.16'	N 09°59'45" W
L64	15.75'	N 75°51'01" W
L65	15.75'	S 75°51'01" E
L66	15.75'	S 87°16'17" E
L67	15.75'	S 75°51'01" E
L68	15.57'	N 84°35'08" W
L69	23.18'	N 54°39'23" W
L70	14.51'	N 16°48'37" E
L71	15.75'	S 87°16'17" E
L72	15.19'	S 05°00'20" E
L73	17.25'	S 44°24'54" W
L74	17.25'	N 55°50'11" E
L75	12.52'	S 87°37'25" W
L76	15.75'	N 75°51'01" W
L77	15.75'	N 87°16'17" W
L78	15.75'	S 02°43'43" W
L79	15.75'	S 14°08'59" W
L80	15.75'	N 87°16'17" W

Lot Line Table		
Line #	Length	Direction
L81	5.43'	N 69°34'35" W
L82	7.93'	N 09°59'36" W
L83	15.09'	S 73°36'01" W
L84	20.03'	S 73°58'36" E
L85	11.03'	N 63°01'51" W
L86	15.75'	N 87°16'17" W
L87	15.75'	N 75°51'01" W
L88	15.75'	N 87°16'17" W
L89	15.75'	N 75°51'01" W
L90	16.72'	S 87°43'53" W
L91	14.80'	N 80°50'51" W
L92	17.54'	N 80°50'51" W
L93	15.75'	S 87°43'53" W
L94	26.77'	N 06°59'29" E
L95	17.71'	N 18°16'52" E
L96	16.77'	S 87°43'53" W
L97	16.42'	N 80°50'51" W
L98	15.72'	S 03°07'37" W
L99	15.77'	S 14°32'53" W
L100	15.56'	N 78°28'13" W

Lot Line Table		
Line #	Length	Direction
L101	15.31'	S 89°54'46" E

Lot Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C1	17.29'	5.50'	11.01'	N 00°00'47" W	179°59'54"
C2	17.28'	5.50'	11.00'	S 00°00'40" E	179°59'46"

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	A	4,878	0.112
2	A	3,420	0.079
3	A	3,870	0.089
4	A	4,320	0.099
5	A	3,499	0.080
6	A	3,090	0.071
7	A	4,090	0.094
8	A	5,442	0.125
9	A	5,520	0.127
10	A	4,361	0.100
11	A	3,470	0.080
12	A	3,975	0.091
13	A	4,909	0.113

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	B	4,221	0.097
2	B	2,790	0.064
3	B	3,420	0.079
4	B	3,420	0.079
5	B	2,790	0.064
6	B	3,870	0.089
7	B	4,320	0.099
8	B	3,420	0.079
9	B	2,790	0.064
10	B	3,420	0.079
11	B	4,671	0.107
12	B	4,221	0.097
13	B	2,790	0.064
14	B	3,420	0.079
15	B	3,420	0.079
16	B	2,790	0.064
17	B	3,870	0.089
18	B	4,320	0.099
19	B	3,420	0.079
20	B	2,790	0.064

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
21	B	3,420	0.079
22	B	4,671	0.107

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	C	5,158	0.118
2	C	4,000	0.092
3	C	3,481	0.080
4	C	4,364	0.100
5	C	6,283	0.144
6	C	4,612	0.106
7	C	5,055	0.116
8	C	4,756	0.109
9	C	3,800	0.087
10	C	4,265	0.098

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	D	8,603	0.197
2	D	3,702	0.085
3	D	4,423	0.102
4	D	4,408	0.101
5	D	3,596	0.083
6	D	6,610	0.152
7	D	6,741	0.155
8	D	3,576	0.082
9	D	3,870	0.089
10	D	4,326	0.099
11	D	3,420	0.079
12	D	3,420	0.079
13	D	4,320	0.099
14	D	3,870	0.089
15	D	2,790	0.064
16	D	3,420	0.079
17	D	3,420	0.079
18	D	2,790	0.064
19	D	4,769	0.109
20	D	4,776	0.110

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
21	D	2,790	0.064
22	D	3,420	0.079
23	D	3,420	0.079
24	D	2,790	0.064
25	D	3,870	0.089
26	D	4,320	0.099
27	D	3,420	0.079
28	D	3,420	0.079
29	D	4,671	0.107
30	D	5,648	0.130
31	D	4,332	0.099
32	D	4,332	0.099
33	D	6,242	0.143

Centerline Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C3	240.04'	400.00'	236.45'	S 64°29'00" E	34°22'58"
C4	47.29'	395.00'	47.27'	S 11°52'09" W	6°51'36"
C5	47.29'	395.00'	47.27'	S 11°52'09" W	6°51'36"
C6	86.91'	300.00'	86.60'	S 73°15'43" E	16°35'52"
C7	86.91'	300.00'	86.60'	S 73°15'43" E	16°35'52"
C8	86.91'	300.00'	86.60'	S 89°51'35" E	16°35'52"
C9	86.91'	300.00'	86.60'	S 89°51'35" E	16°35'52"
C10	46.63'	50.00'	44.96'	S 26°43'10" W	53°26'21"
C11	66.90'	47.00'	61.40'	S 40°46'50" E	81°33'39"
C12	50.98'	176.00'	50.81'	S 73°15'43" E	16°35'52"
C13	122.83'	424.00'	122.40'	S 73°15'43" E	16°35'52"
C14	49.87'	50.00'	47.83'	S 52°59'06" E	57°09'06"
C15	73.83'	47.00'	66.47'	N 53°26'21" E	90°00'00"
C16	100.87'	300.00'	100.39'	S 01°11'35" E	19°15'52"
C17	130.54'	234.00'	128.86'	N 78°39'34" W	31°57'49"
C18	98.06'	79.00'	91.88'	N 27°07'09" W	71°07'00"
C19	73.83'	47.00'	66.47'	N 36°33'39" W	90°00'00"
C20	66.61'	79.00'	64.66'	N 74°16'57" E	48°18'48"
C21	20.96'	300.00'	20.96'	S 10°26'26" W	4°00'11"
C22	87.19'	1124.00'	87.16'	N 83°46'59" W	4°26'40"

Centerline Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C23	10.84'	1124.00'	10.84'	N 86°16'54" W	0°33'10"
C24	71.15'	100.00'	69.66'	N 61°10'40" W	40°45'58"
C25	73.83'	47.00'	66.47'	S 53°26'26" W	89°59'50"
C26	73.83'	47.00'	66.47'	S 36°33'34" E	90°00'10"
C27	87.13'	1000.00'	87.11'	S 84°03'26" E	4°59'33"
C28	6.97'	1000.00'	6.97'	S 81°21'41" E	0°23'57"
C29	31.58'	1000.00'	31.58'	S 80°39'22" E	1°48'34"
C30	18.07'	2000.00'	18.07'	N 08°10'59" E	0°31'04"
C31	223.78'	2000.00'	223.66'	N 04°43'08" E	6°24'39"
C32	223.78'	2000.00'	223.66'	N 04°43'08" E	6°24'39"
C33	34.01'	500.00'	34.00'	N 03°27'43" E	3°53'51"
C34	47.32'	500.00'	47.31'	N 02°41'57" E	5°25'23"
C35	60.49'	1000.00'	60.48'	N 88°17'27" W	3°27'57"
C36	73.83'	47.00'	66.47'	N 45°01'26" W	90°00'00"
C37	45.55'	100.00'	45.16'	N 13°01'31" E	26°05'55"
C38	25.49'	686.00'	25.49'	S 80°17'32" E	2°07'43"
C39	2.33'	686.00'	2.33'	S 81°15'33" E	0°11'41"
C40	90.64'	600.00'	90.56'	S 85°41'03" E	8°39'21"

Centerline Line Table		
Line #	Length	Direction
L102	30.21'	N 00°01'26" W
L103	17.15'	N 86°33'29" W
L104	18.54'	S 53°26'21" W
L105	28.40'	S 00°00'00" E
L106	7.29'	S 24°24'45" E
L107	41.04'	S 81°33'39" E
L108	106.00'	N 08°26'21" E
L109	25.00'	S 81°33'39" E
L110	11.83'	N 40°47'41" W
L111	25.00'	S 81°33'29" E
L112	37.74'	N 81°33'39" W
L113	11.02'	N 26°04'29" E

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	E	8,577	0.197
2	E	6,259	0.144
3	E	4,695	0.108
4	E	5,307	0.122
5	E	6,329	0.145
6	E	5,710	0.131
7	E	4,007	0.092
8	E	4,266	0.098
9	E	4,519	0.104
10	E	3,465	0.080
11	E	2,794	0.064
12	E	3,420	0.079
13	E	4,320	0.099
14	E	3,870	0.089
15	E	3,420	0.079
16	E	4,670	0.107
17	E	6,212	0.143
18	E	4,387	0.101
19	E	3,930	0.090
20	E	2,833	0.065

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
21	E	3,473	0.080
22	E	3,473	0.080
23	E	2,833	0.065
24	E	3,930	0.090
25	E	4,387	0.101
26	E	3,473	0.080
27	E	3,930	0.090
28	E	4,387	0.101
29	E	3,473	0.080
30	E	2,833	0.065
31	E	3,473	0.080
32	E	4,977	0.114

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	F	5,593	0.128
2	F	2,790	0.064
3	F	3,420	0.079
4	F	3,420	0.079
5	F	2,790	0.064
6	F	5,632	0.129

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
1	G	4,935	0.113
2	G	3,567	0.082
3	G	3,654	0.084
4	G	4,741	0.109
10	G	4,071	0.093
11	G	5,002	0.115
12	G	3,528	0.081
13	G	3,452	0.079
14	G	4,501	0.103
15	G	4,500	0.103
16	G	3,420	0.079
17	G	2,790	0.064
18	G	3,420	0.079
19	G	4,767	0.109
20	G	4,953	0.114
21	G	3,420	0.079
22	G	4,320	0.099
23	G	3,870	0.089
24	G	2,790	0.064
25	G	3,420	0.079

Lot Area Table			
Lot #	Block #	Square Feet	Acreage
26	G	3,420	0.079
27	G	2,790	0.064
28	G	4,745	0.109
29	G	7,040	0.162
30	G	4,587	0.105
31	G	3,648	0.084
32	G	4,358	0.100
33	G	5,324	0.122
34	G	4,598	0.106
35	G	3,929	0.090
36	G	5,464	0.125
37	G	4,085	0.094
38	G	3,100	0.071
39	G	3,800	0.087
40	G	3,800	0.087
41	G	3,100	0.071
42	G	4,078	0.094

Open Space Area Table		
Lot #	Block #	Acres
1	X	2.114
2	X	0.711
3	X	1.167
4	X	1.799
5	X	0.720
6	X	0.097
7	X	10.685

FINAL PLAT

WINDSONG RANCH PHASE 2C-1

44.113 Acres Out Of The
J. Bates Survey ~ Abstract No. 1620
C. Smith Survey ~ Abstract No. 1681
TOWN OF PROSPER
DENTON COUNTY, TEXAS

Sheet 4 of 4

OWNER / APPLICANT
TVG TEXAS I, LLC
1001 Windsong Parkway South
Prosper, Texas 75078
Telephone (972) 238-7410
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

February, 2015 SEI Job No. 14-173

TOWN OF PROSPER

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 – March 3, 2015**

Agenda Item:
Consider a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan, on the east side of Main Street, from Third Street to First Street, from Old Town – Office to Old Town – Main Street Retail. (CA15-0001). *[Companion to Case #Z15-0001]*

Description of Agenda Item:
Town staff has received a request to rezone 0.8± acre, located on the southeast corner of Main Street and Third Street from Commercial (C) to Downtown Retail (DTR), Zoning Case #Z15-0001. To consider a rezoning request that does not conform to the Future Land Use Plan, an amendment to the Future Land Use Plan must be considered. A letter from the applicant detailing the basis for the request to amend the Future Land Use Plan and rezone the property is attached.

The Old Town map inset of the Future Land Use Plan currently recommends Old Town – Office for the property. According to the Old Town inset map, along First Street it is anticipated that existing single family uses will gradually transition to boutique, cottage-style office and/or specialty retail uses.

The proposed amendment would revise the Old Town map inset of the Future Land Use Plan on the east side of Main Street, from Third Street to First Street, to a Main Street Retail designation. According to the Old Town inset map, shops, restaurants, and small office uses may be located within the Main Street Retail area, as this area is intended to be the heart and main activity center of the Old Town area. As redevelopment occurs, building frontages should be brought to the property line to be consistent with ultimate streetscape improvements.

Downtown Office (DTO) is the corresponding zoning district to the Old Town – Office designation of the Future Land Use Plan. DTO generally requires greater setbacks, cementitious fiber exterior finishing materials, and high pitched roof forms. Downtown Retail (DTR) is the corresponding zoning district to the Old Town – Main Street Retail designation of the Future Land Use Plan. DTR generally requires zero setbacks, brick construction, and articulated flat roofs commonly seen in older downtown settings.

Consideration should be given to the desired character of Main Street in downtown Prosper. Staff feels that modifying the designation of Main Street, as proposed, and extending the Main

Street Retail designation to First Street provides an opportunity to create an extension of the Broadway Street character and increase the parameters of the downtown core.

Legal Obligations and Review:
The Planning & Zoning Commission is required to hold a public hearing prior to acting on an amendment to the Future Land Use Plan.

Attached Documents:
1. Existing Old Town inset map
2. Proposed Old Town inset map
3. Letter requesting Future Land Use Plan amendment.

Town Staff Recommendation:
Town staff recommends the Planning & Zoning Commission approve the request to amend the Future Land Use Plan, on the east side of Main Street, from Third Street to First Street, from Old Town – Office to Old Town – Main Street Retail.

Town Council Public Hearing:
Upon a recommendation by the Planning & Zoning Commission, in accordance with the Town's Development Schedule, a public hearing for this item would be scheduled for the Town Council at their Regular meeting on March 24, 2015.

Old Town Transportation Plan

Section A: Four lane divided roadway with a landscaped median and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

Section B: Two lane divided boulevard with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

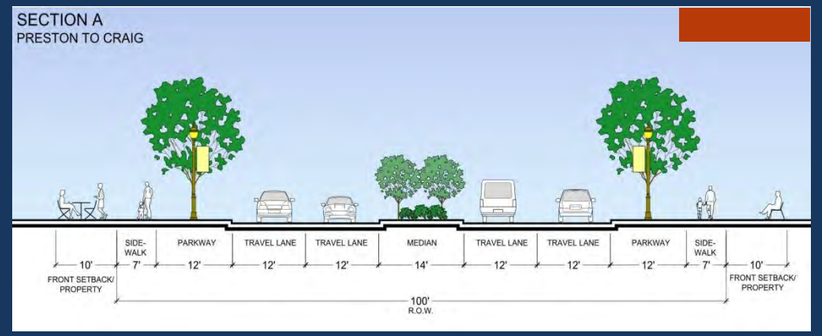
Section C: Two lane divided boulevard with a large center median containing landscaping. On-street parallel parking is permitted and a landscaped parkway separates pedestrians from traffic.

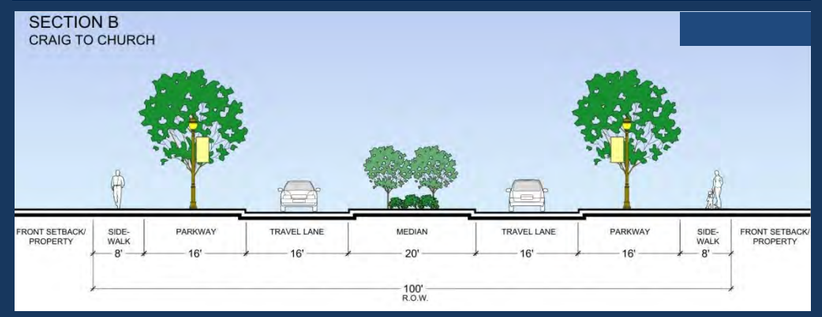
Section D: Two lane undivided urban roadway. Wide 20' sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

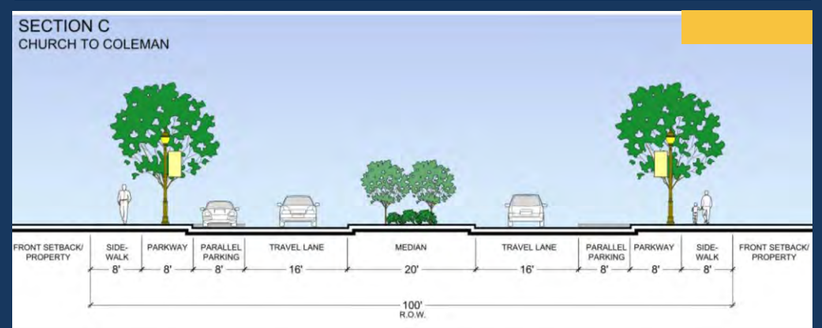
Section E: Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8' sidewalk. A large private setback of 25' is included.

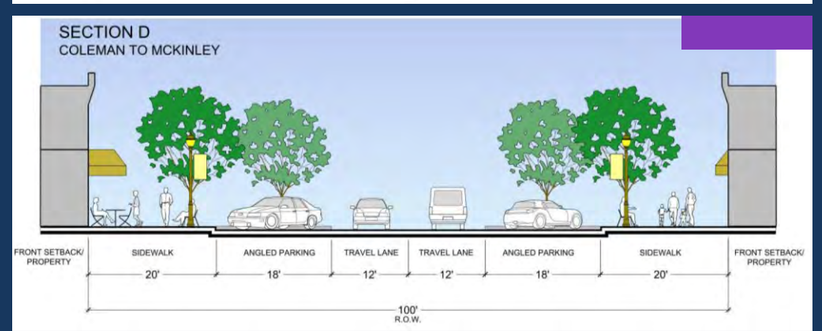
Section F: Two lane undivided roadway with on-street parallel parking and a 15' sidewalk. 10' of the sidewalk will be located within the right-of-way and the additional 5 feet will be a 5' setback to building face.

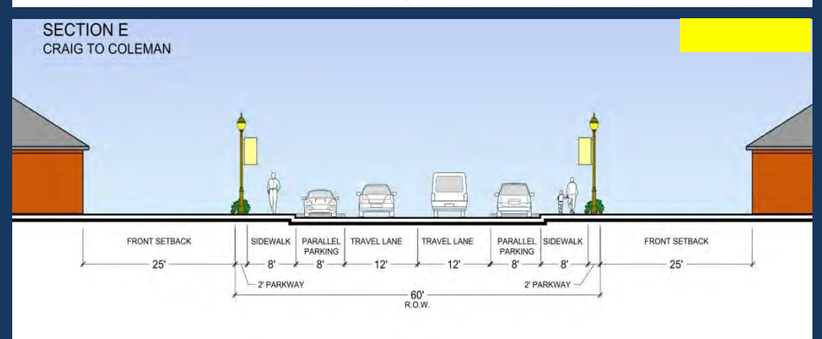
Section G: Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10' sidewalk are included.

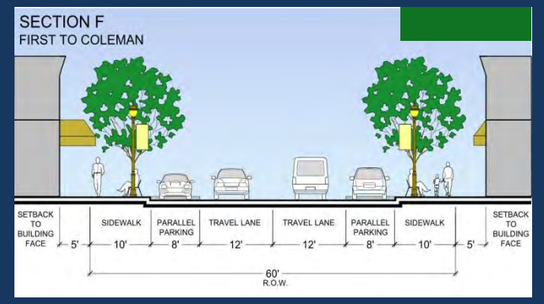


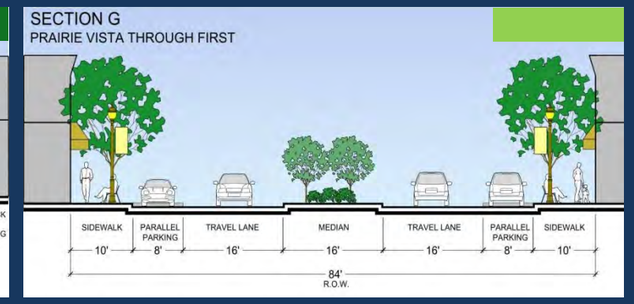


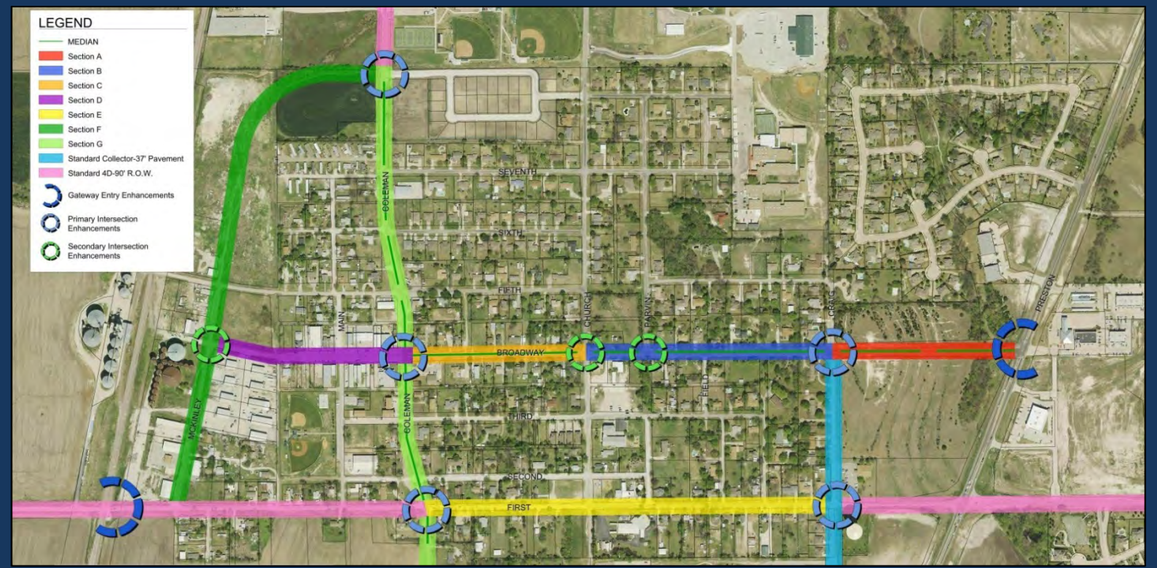


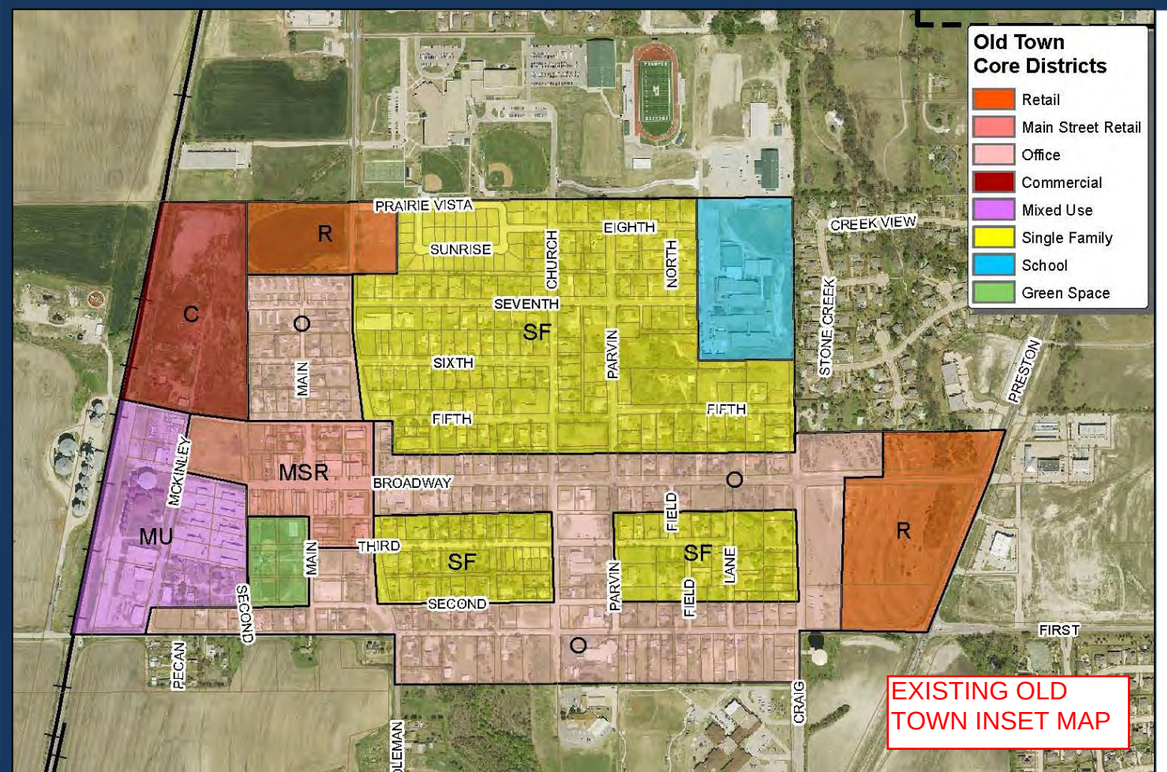












Land Use

The predominant land use within Old Town will be **single-family** residential. All infill development within such areas should conform to the architectural guidelines established for the Old Town district. Such guidelines are created to protect the continuity of look and feel within Old Town.

Along Broadway and First Street, single-family uses will gradually transition to boutique, cottage-style **office** and/or specialty retail uses. Broadway west of Coleman, will be the retail core of the downtown.

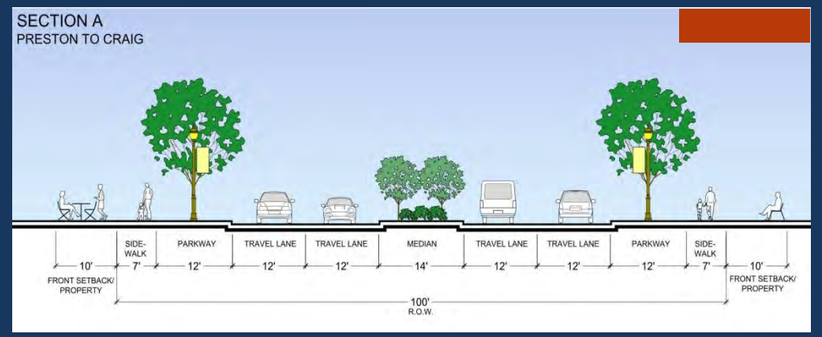
Shops, restaurants, and small office uses may be located within the **main street retail** area. This area is intended to be the heart and main activity center of the Old Town Area. As redevelopment occurs, building frontages should be brought to the property line to be consistent with ultimate streetscape improvements.

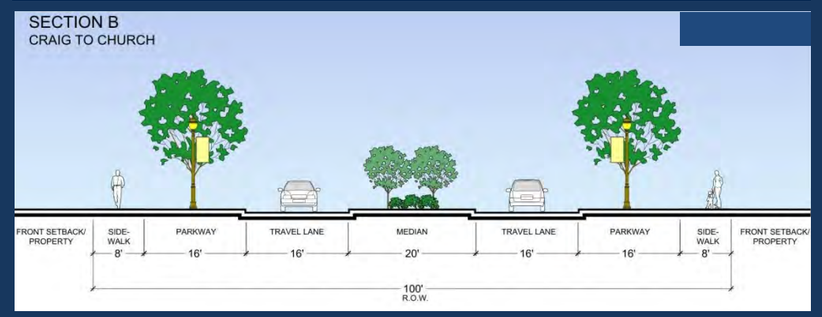
Adjacent to the retail core, a **mixed-use** district incorporating mixed use lofts/apartments will serve as a buffer between the Business Park and the core of Old Town. This area will also provide rooftops that service adjacent retail establishments.

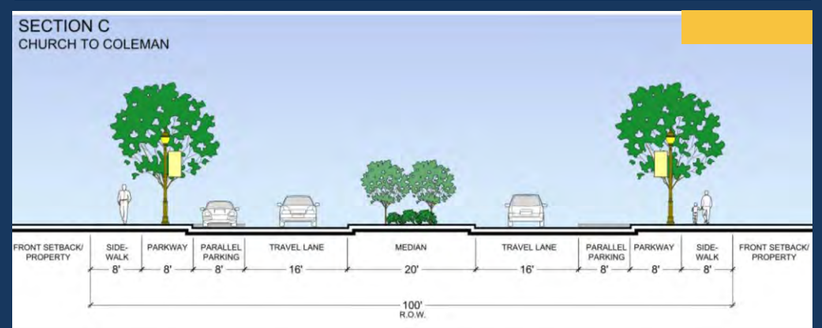
The **Green space** area will serve as a community park and its location adjacent to the retail core of Old Town and the mixed-use district will make it an opportunistic and useable open space area.

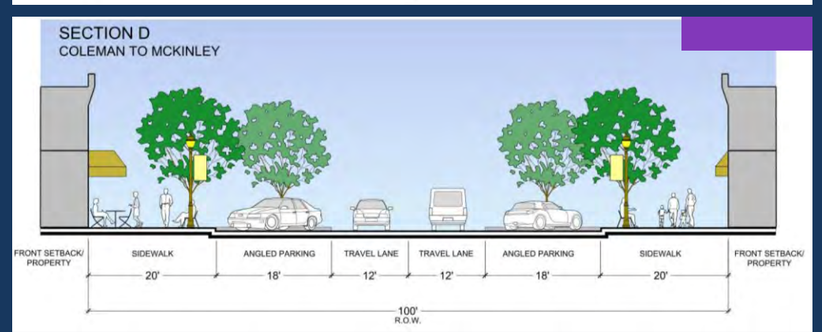
Niche **retail** is recommended along Preston Road and at the northern end of Coleman. Retail development within these areas should fit within the architectural framework of the Old Town area. Setbacks should be reduced, when possible, along Coleman and Broadway to frame the roadways.

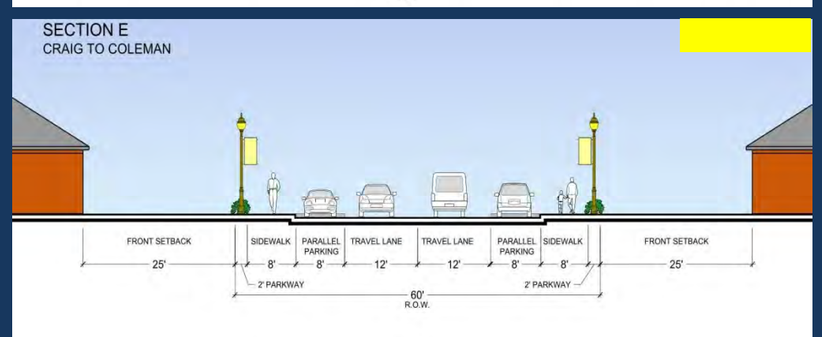
Old Town Transportation Plan

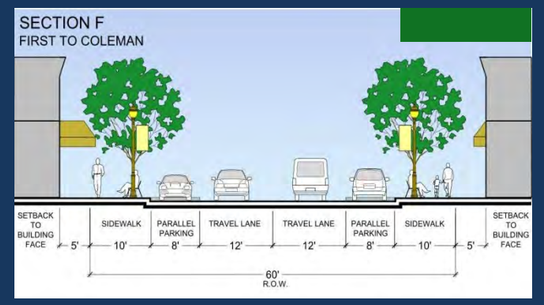


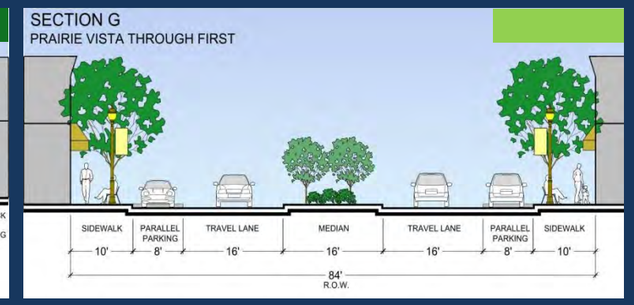












Section A

Four lane divided roadway with a landscaped median and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

Section B

Two lane divided boulevard with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

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Two lane undivided urban roadway. Wide 20' sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

Section E

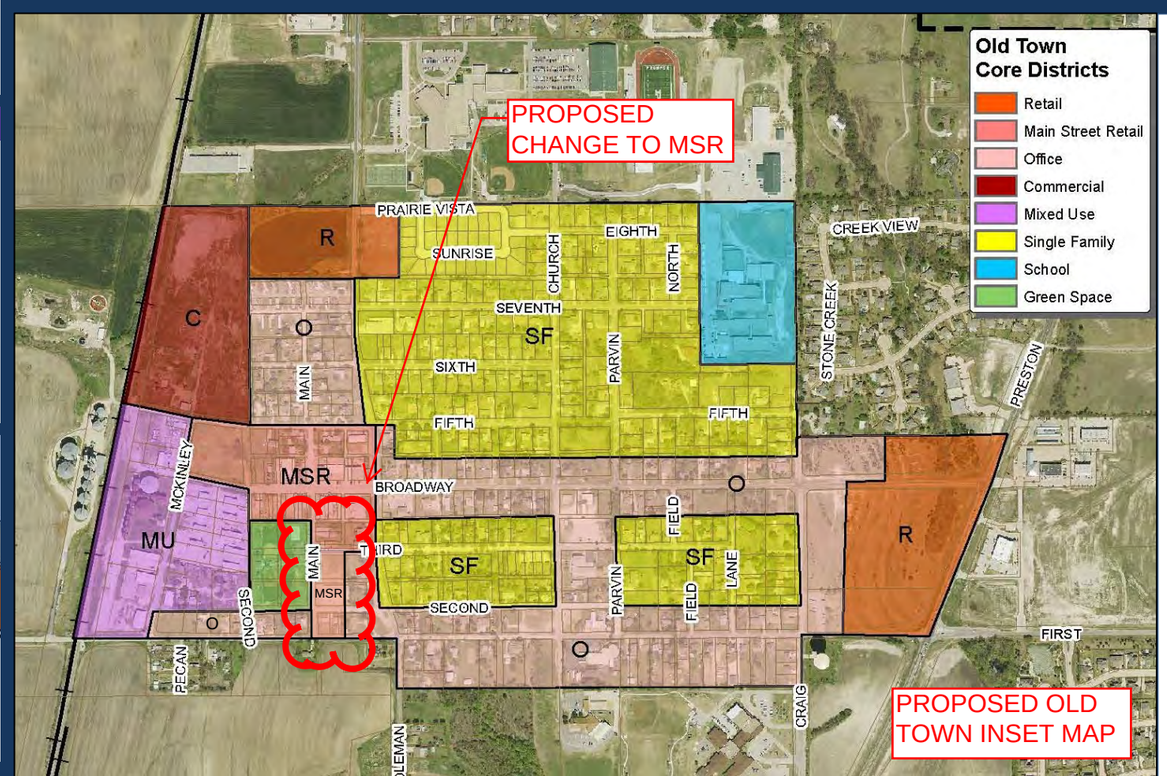
Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8' sidewalk. A large private setback of 25' is included.

Section F

Two lane undivided roadway with on-street parallel parking and a 15' sidewalk. 10' of the sidewalk will be located within the right-of-way and the additional 5 feet will be a 5' setback to building face.

Section G

Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10' sidewalk are included.



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TOWN OF PROSPER

Prosper is a place where everyone matters.

PLANNING

To: **Planning & Zoning Commission**

From: **John Webb, AICP, Director of Development Services**

Re: **Planning & Zoning Commission Meeting – March 3, 2015**

Agenda Item:
Conduct a Public Hearing, and consider and act upon a request to rezone 0.8± acre, located on the southeast corner of Main Street and Third Street from Commercial (C) to Downtown Retail (DTR). (Z15-0001). *[Companion to case #CA15-0001]*

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

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Commercial	Undeveloped	Old Town Core District – Office
North	Downtown Retail	Multi-Family	Old Town Core District – Main Street Retail
East	Downtown Office	Office	Old Town Core District – Office
South	Commercial	Commercial	Old Town Core District – Office
West	Single Family-15	Town Athletic Fields	Old Town Core District – Green Space

Requested Zoning – Z15-0001 is a request to request to rezone 0.8± acre, located on the southeast corner of Main Street and Third Street from Commercial (C) to Downtown Retail (DTR). (Z15-0001).

The purpose of the application is to allow the development of an office building that has a retail/storefront appearance. The DTR District is intended to accommodate retail development in the original downtown portion of the Town. The applicant believes the site is more suitable to the storefront style of building "framing" Main Street rather than a building setback a minimum of

25 feet from the front property. If developed under the Downtown Office District as recommended by the Future Land Use Plan, the building would also be required to incorporate a porch and have a pitched roof.

At the time of an application for "straight" zoning, the applicant is not required to submit an exhibit depicting how the property will be specifically developed. However, the applicant has submitted the attached exhibit as a conceptual image of the style of the structure.

Future Land Use Plan – The Future Land Use Plan recommends Old Town Core District – Office for this portion of Main Street. Since the request is not in conformance with the Future Land Use Plan, there is a companion request to amend the Plan. As noted in the staff report for the Future Land Use Plan amendment, staff supports the amendment since the Downtown Retail District standards are more appropriate for this section of Main Street.

Thoroughfare Plan – Main Street is a collector-type roadway but is not depicted not on the Thoroughfare Plan. Third Street is not depicted not on the Thoroughfare Plan.

Water and Sanitary Sewer Services – Water and sanitary sewer service are available at the site.

Access – Access to the property is provided from Main Street and Third Street.

Schools – This property is located within the Prosper Independent School District (PISD).

Parks – It is not anticipated that this property will be needed for the development of a park.

Environmental Considerations – There is no 100-year floodplain on the property.

Legal Obligations and Review:
Notification was provided to neighboring property owners as required by State Law. To date, staff has not received any public hearing notice reply forms.

Attached Documents:
1. Zoning Exhibit A
2. Zoning map of the surrounding area

Town Staff Recommendation:
Town staff recommends the Planning & Zoning Commission approve the request to rezone 0.8± acre, located on the southeast corner of Main Street and Third Street from Commercial (C) to Downtown Retail (DTR), subject to approval of the companion Future Land Use Amendment (case #CA15-0001).

Town Council Public Hearing:
Upon a recommendation by the Planning & Zoning Commission, in accordance with the Town's Development Schedule, a public hearing for this item would be scheduled for the Town Council at their Regular meeting on March 24, 2015.

BROWN & GRIFFIN
Real Estate Advisors LP

113 W Broadway • Prosper, TX 75078 • Phone (972) 347-9900 • Fax (972) 767-4809
E-Mail: luke@bgreal.com Web: www.bgreal.com

Date: February 17, 2015

Town of Prosper
409 E First St.
Prosper, TX 75078

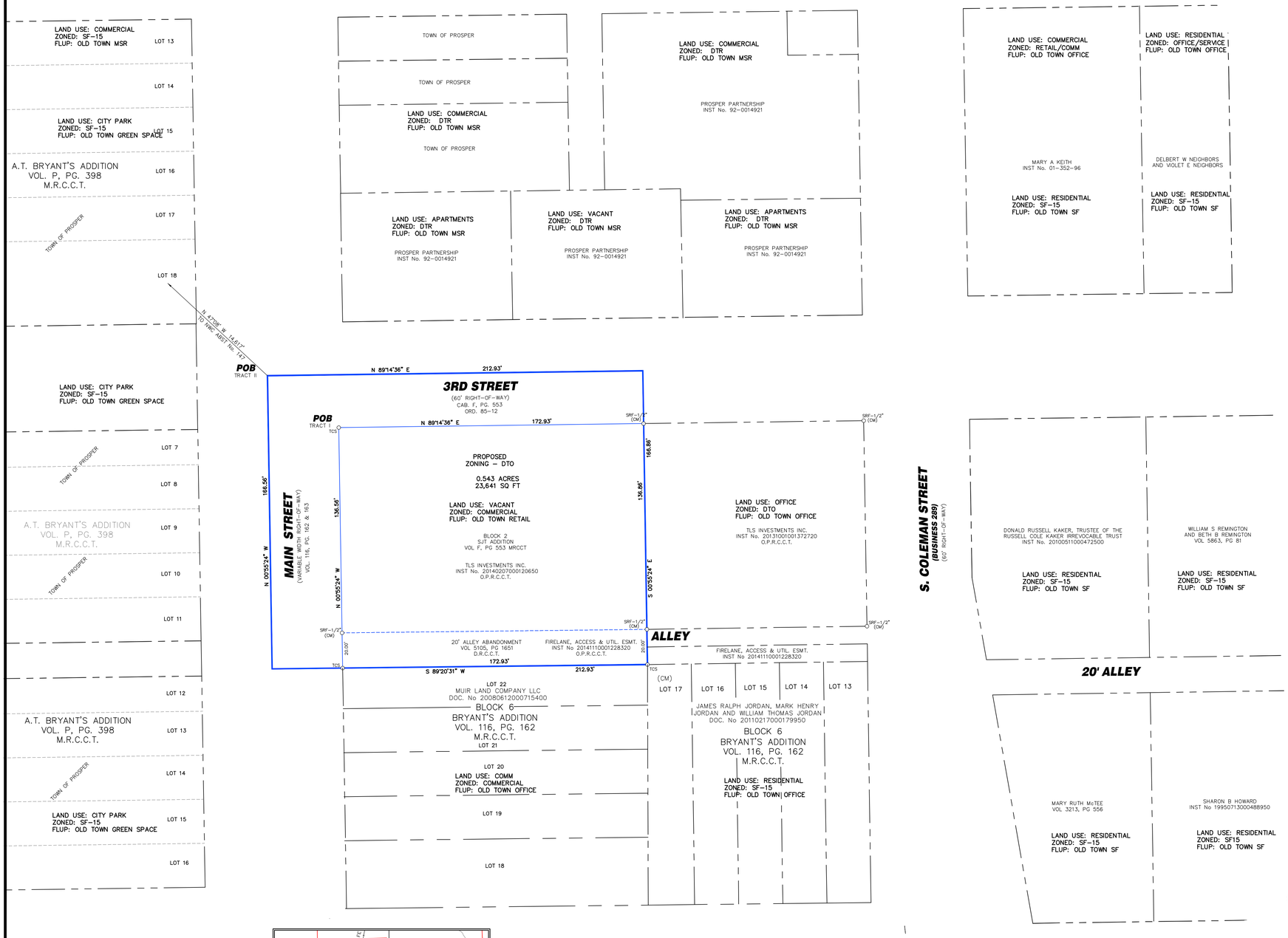
Town Council and Planning & Zoning Commission:

We would like to rezone our property at the southeast corner of Third St. and Main St. in downtown Prosper, from Commercial (C) to Downtown Retail District (DTR). DTR zoning will accommodate the type of building construction that is more in line with the vision for downtown, including brick construction, smaller setbacks and on-street parking. We would like to contribute to the establishment of a Main St. corridor consistent with the design standards and expectations of Broadway St. Existing examples of projects that would match our proposed development would include the Cotton Gin Café building and the front facade of The Initiative Gymnastics. The current designation of our property is Old Town Office according to the Future Land Use Plan's Old Town Core inset map, which would be supported by the Downtown Office District (DTO). The DTO development standards would require hardy siding, 8:12 pitched roofs, and covered porches, which we believe to be more in line with the vision for properties east of Coleman St. We respectfully request a change in the Future Land Use Plan's Old Town Core inset map to designate the properties along Main St., from Third St. south to First St., to be shown as Main Street Retail, as opposed to Old Town Office.

Sincerely,

Luke Brown
Brown & Griffin Real Estate

TLS Investments, Inc.



LEGAL DESCRIPTION

TRACT I

BEING all that certain tract of land situated in the Collin County School Land, Survey, Abstract No. 147, in the City of Prosper, Collin County, Texas, being the same tract conveyed in
Warranty Deed dated February 7, 2014 by Starn Air, Inc. to TLS Investments, Inc. recorded in Instrument No. 20140207000120650 of the Official Public Records of Collin County, Texas and being portion of Block 2 of SJT Addition, an addition to the City of Prosper, Collin County, Texas according to the plat thereof recorded in Volume F, Page 553 of the Map Records of Collin County, Texas, and a 20 foot Alley abandonment and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod with "TerraCorp" cap set for the northwest corner of said Block 2, said point being in the south right-of-way line of 3rd Street (a 60 foot wide right-of-way) and in the east right-of-way line of Main Street (an 80 foot wide right-of-way);

THENCE North 89 degrees 14 minutes 36 seconds East, along the south right-of-way line of said 3rd Street, a distance of 172.93 feet to a 1/2 inch steel rod found for corner;

THENCE South 00 degrees 55 minutes 24 seconds East, over and across said Block 2, passing at 116.86 feet a 1/2 inch steel rod found in the south line of said Block 2 and in the north line of said 20 foot Alley Abandonment, a total distance of 136.86 feet to a 5/8 inch steel rod with "TerraCorp" cap set for corner in the south line of said 20 foot Alley Abandonment;

THENCE South 89 degrees 20 minutes 31 seconds West, along the south line of said 20 foot Alley Abandonment, a distance of 172.93 feet a 5/8 inch steel rod with "TerraCorp" cap set in the east right-of-way line of said Main Street;

THENCE North 00 degrees 55 minutes 24 seconds West, along the east right-of-way line of said Main Street, passing at 20.00 feet a 1/2 inch steel rod found for the southwest corner of said Block 2, a total distance of 136.56 feet to the POINT OF BEGINNING and containing 23,641 square feet and 0.543 acres of land, more or less.

TRACT II

BEING all that certain tract of land situated in the Collin County School Land, Survey, Abstract No. 147, in the City of Prosper, Collin County, Texas, being the same tract conveyed in
Warranty Deed dated February 7, 2014 by Starn Air, Inc. to TLS Investments, Inc. recorded in Instrument No. 20140207000120650 of the Official Public Records of Collin County, Texas and being portion of Block 2 of SJT Addition, an addition to the City of Prosper, Collin County, Texas according to the plat thereof recorded in Volume F, Page 553 of the Map Records of Collin County, Texas, and a 20 foot Alley abandonment and a portion of Main Street and 3rd Street, said tract being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of 3rd Street (a 60 foot wide right-of-way) and the centerline of of Main Street (an 80 foot wide right-of-way);

THENCE North 89 degrees 14 minutes 36 seconds East, along the centerline of said 3rd Street, a distance of 212.93 feet to a 1/2 inch steel rod found for corner;

THENCE South 00 degrees 55 minutes 24 seconds East, over and across said Block 2, passing at 116.86 feet a 1/2 inch steel rod found in the south line of said Block 2 and in the north line of said 20 foot Alley Abandonment, passing at a distance of 136.86 feet to a 5/8 inch steel rod with "TerraCorp" cap set for corner in the south line of said 20 foot Alley Abandonment and continuing for a total distance of 166.86 feet to the Southeast corner of said alley abandonment;

THENCE South 89 degrees 20 minutes 31 seconds West, along the south line of said 20 foot Alley Abandonment, a distance of 172.93 feet a 5/8 inch steel rod with "TerraCorp" cap set in the east right-of-way line of said Main Street then continuing for a total distance of 212.93 feet to a point in the said centerline of Main Street;

THENCE North 00 degrees 55 minutes 24 seconds West, along the said centerline Main Street, for a distance of 166.56 feet to the POINT OF BEGINNING and containing 35,490 square feet and 0.815 acres of land, more or less.

Z15-0001
EXHIBIT A
A PORTION OF

BLOCK 2, SJT ADDITION & BRYANT'S 1ST ADDITION LOT 22A, BLOCK 6

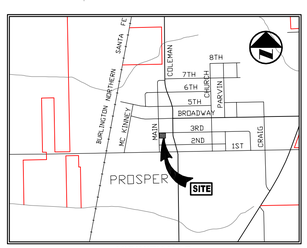
AND BEING SITUATED IN THE
COLLIN COUNTY SCHOOL LAND SURVEY,
ABSTRACT No. 147
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

NOTES

1. Bearings shown hereon are based on NAD83 (CORS96, EPOCH 2002) tied to the Texas Coordinate System of 1983, North Central Zone (4202) using the Geoshack "GeoNet" RTK GPS Network.

FLOOD NOTE

According to the F.I.R.M. #48085C0235J this property does lie in "Zone X" and does not lie within the 100-year flood zone.



VICINITY MAP

N

LEGEND

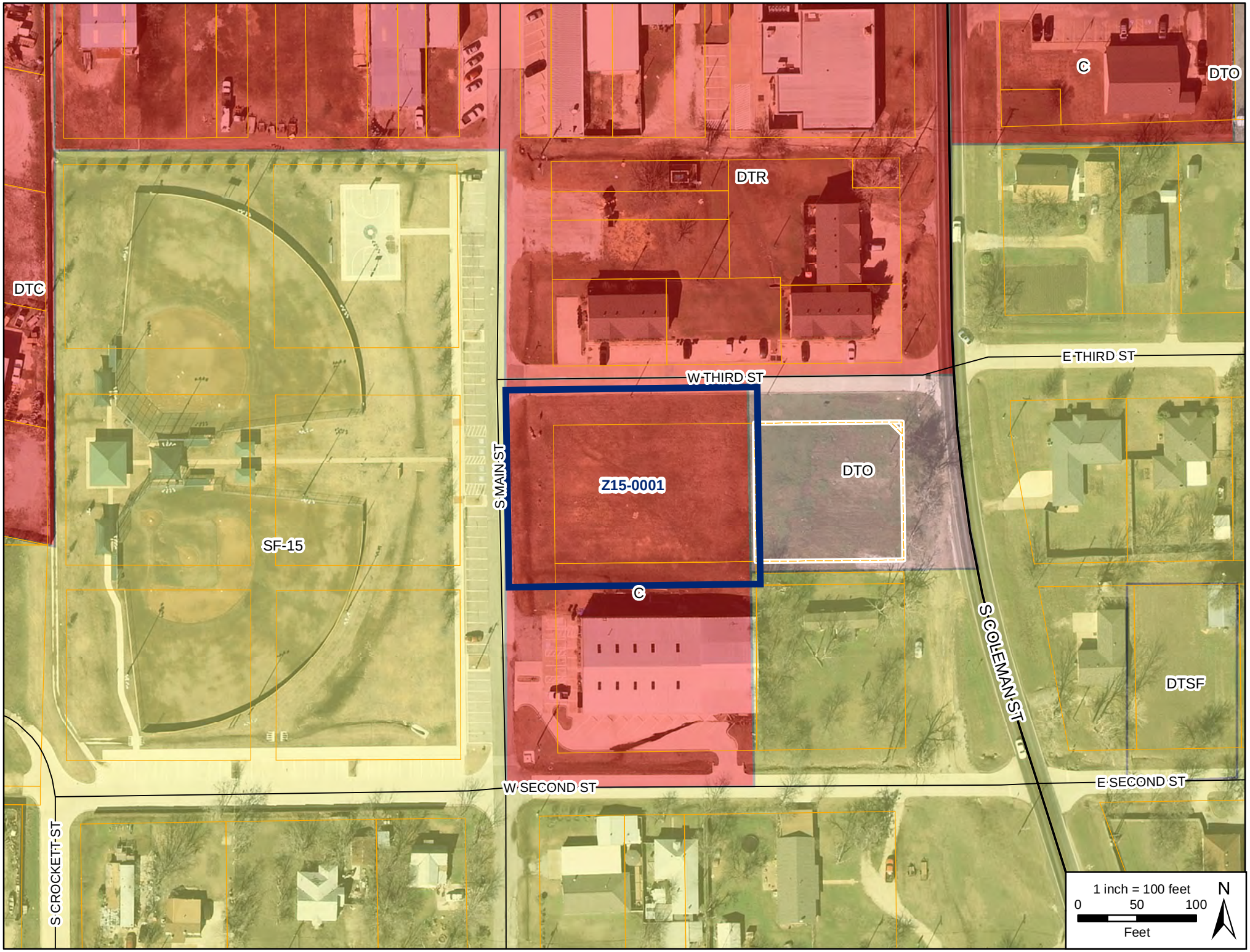
(CM).....CONTROLING MONUMENT
SRF.....STEEL ROD FOUND
TCS.....5/8-INCH STEEL ROD W/"TERRACORP" CAP SET
( ).....PLAT/DEED CALLS

20 0 20
Scale 1" = 20'

TLS INVESTMENTS, INC.
861 N. Coleman
P.O. Box 129
Prosper, TX 75078

TerraCorp Associates LLC
3960 Broadway Blvd. Ste 236
Garland, TX 75043
ph. 972-805-4529, fax 972-805-4527
www.terracorpsurvey.com

14121120-EXHIBIT A


DTC
SF-15
S CROCKETT ST
W SECOND ST
S MAIN ST
W THIRD ST
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E THIRD ST
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DTSF
E SECOND ST
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50
100
Feet
N

TOWN OF PROSPER

Prosper is a place where everyone matters.

PLANNING

To: **Planning & Zoning Commission**

From: **John Webb, AICP, Director of Development Services**

Re: **Planning & Zoning Commission Meeting – March 3, 2015**

Agenda Item:
Conduct a Public Hearing, and consider and act upon a request to rezone 1.1± acres, located on the north side of Third Street, 200± feet east of Coleman Street from Single Family-15 (SF-15) to Downtown Single Family (DTSF). (Z15-0002).

Description of Agenda Item:
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	Single Family	Old Town Core District – Single Family
North	Downtown Office and Single Family-15	Office and Single Family	Old Town Core District – Office
East	Single Family-15	Single Family	Old Town Core District – Single Family
South	Single Family-15	Single Family	Old Town Core District – Single Family
West	Single Family-15	Single Family	Old Town Core District – Single Family

Requested Zoning – Z15-0002 is a request to rezone 1.1± acres, located on the north side of Third Street, 200± feet east of Coleman Street from Single Family-15 (SF-15) to Downtown Single Family (DTSF).

The purpose of the application is to allow the development of five (5) homes on lots approximately 9,474 square feet in size. The minimum lot size of the DTSF District is 6,000 square feet; the minimum lot size of the SF-15 District is 15,000 square feet. The DTSF District

is intended to accommodate redevelopment in the residential areas of the original town. The District recognizes the predominance of smaller, 50-foot wide lots.

The District also requires that the structures must incorporate covered porches into the front façade, a multiplicity of roof forms, and high pitch roof lines. The recommended architectural styles are Folk traditional, Craftsman, and Victorian. Staff has requested illustrations depicting the character of the proposed buildings, but to date, staff has yet to receive such exhibits from the applicant.

At the time of an application for "straight" zoning, the applicant is not required to submit an exhibit depicting how the property will be specifically developed. But the attached zoning exhibit depicts the establishment of five (5) lots in accordance with the Downtown Single Family District. The developer has or will be removing the existing structures to build the five (5) new homes.

Future Land Use Plan – The Future Land Use Plan recommends Old Town Core District – Single Family. The Comprehensive Plan notes the predominate land use within Old Town will be single family residential. The proposed rezoning request is in conformance with the Future Land Use Plan.

Thoroughfare Plan – Third Street is a residential street and is not depicted not on the Thoroughfare Plan.

Water and Sanitary Sewer Services – Water and sanitary sewer service are available at the site.

Access – Access to the property is provided from Third Street.

Schools – This property is located within the Prosper Independent School District (PISD).

Parks – It is not anticipated that this property will be needed for the development of a park. There is a small public park within 0.25 mile of the site.

Environmental Considerations – There is no 100-year floodplain on the property.

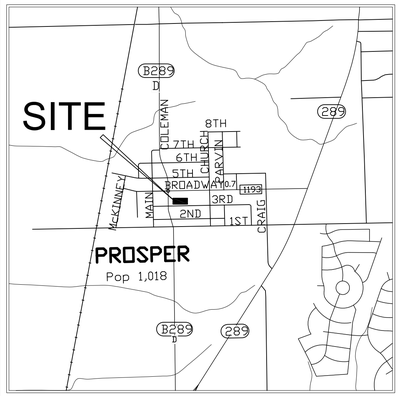
Legal Obligations and Review:
Notification was provided to neighboring property owners as required by State Law. To date, staff has not received any public hearing notice reply forms.

Attached Documents:
1. Zoning Exhibit A
2. Zoning map of the surrounding area

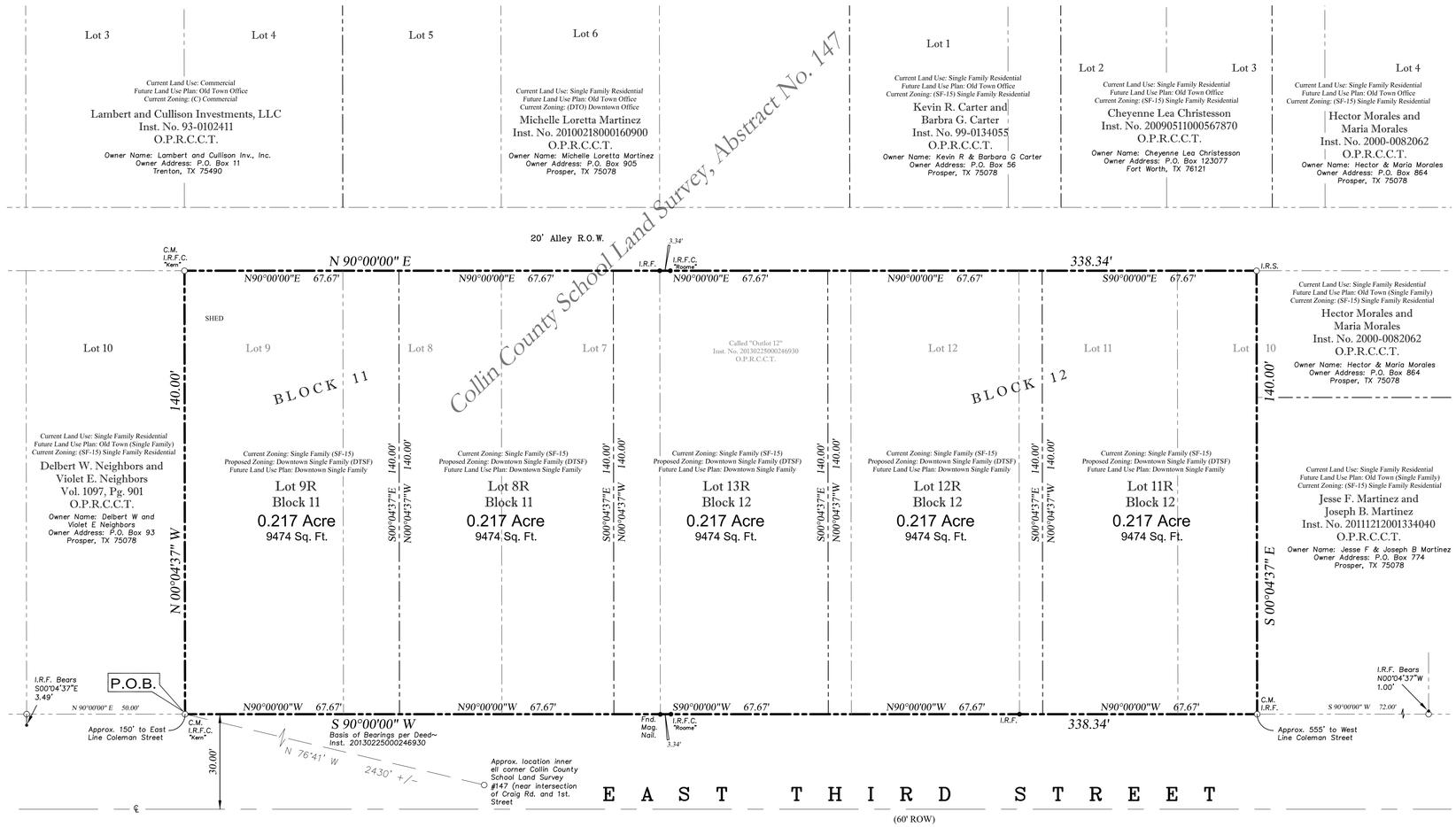
Town Staff Recommendation:
Town staff recommends the Planning & Zoning Commission approve the request to rezone 1.1± acres, located on the north side of Third Street 200± feet east of Coleman Street from Single Family-15 (SF-15) to Downtown Single Family (DTSF).

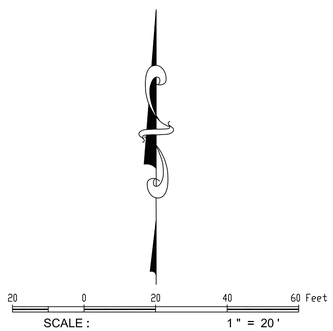
Town Council Public Hearing:

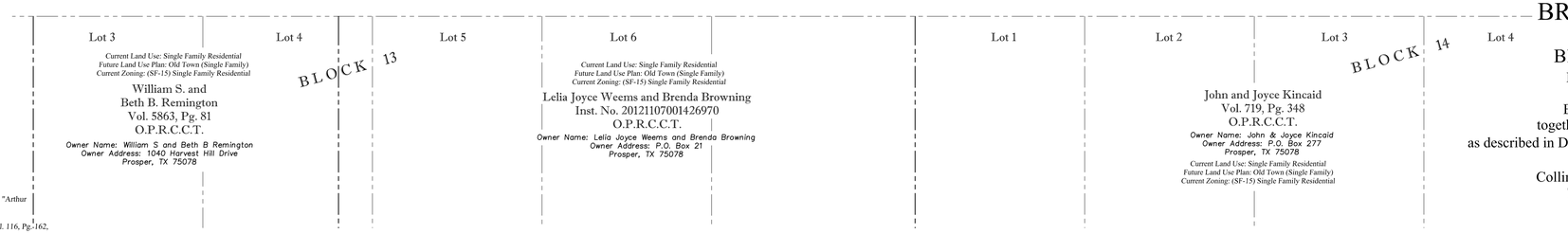
Upon a recommendation by the Planning & Zoning Commission, in accordance with the Town's Development Schedule, a public hearing for this item would be scheduled for the Town Council at their Regular meeting on March 24, 2015.



VICINITY MAP (not to scale)







State of Texas §
County of Collin §

Owner's Certificate and Dedication

FIELD NOTE DESCRIPTION

BEING *all that certain lot, parcel, or tract of land situated in the Collin County School Land Survey, Abstract Number 147, Town of Prosper, Collin County, Texas, being all that certain tract of land described by Deed to K.R. Pettis and Marcia Pettis, as recorded under Instrument Number 20130402000442160, of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), together with all that certain tract of land described by Deed to Marcia Ann Pettis, as recorded under Instrument Number 20130225000246930, O.P.R.C.C.T., together with all that certain tract of land described by Deed to Marcia Pettis, as recorded under Instrument Number 20131211001630190, O.P.R.C.C.T., being all of Lots 7, 8, and 9, in Block 11, part of Lot 10, all of Lots 11 and 12, in Block 12, of Bryant's Addition to Prosper, according to the Plat thereof recorded in Volume 116, Page 162, of the Map Records of Collin County, Texas, together with all that tract of land referred to as "Outlot 12" by Deed Recorded under Instrument Number 20130225000246930, O.P.R.C.C.T., and being more particularly described as follows:*

BEGINNING *at a ½ inch iron rod with cap stamped "Kern" found for the southwest corner of the herein described tract, same being the southwest corner of said Lot 9, also being the southeast corner of Lot 10, in said Block 11, also being in the north line of East 3rd Street;*

THENCE *North 00 degrees 04 minutes 37 seconds West, with the east line of said Lot 10 and the west line of said Lot 9, a distance of 140.00 feet to a ½ inch iron rod with cap stamped "Kern" found for corner, same being the northwest corner of said Lot 9, also being the northeast corner of said Lot 10, also being in the south line of a 20 foot alley Right-of-Way;*

THENCE *North 90 degrees 00 minutes 00 seconds East, with the south line of said Alley, passing at a distance of 150.00 feet a ½ inch iron rod found for the northeast corner of said Lot 7, continuing on said course for a total distance of 338.34 feet to a ½ inch iron rod with yellow cap stamped "Arthur Surveying Company" set for corner, same being the northwest corner of a tract of land described by Deed to Jesse F. Martinez and Joseph B. Martinez, as recorded under Instrument Number 20111212001334040, O.P.R.C.C.T.;*

THENCE *South 00 degrees 04 minutes 37 seconds East, with the west line of said Martinez tract, a distance of 140.00 feet to a ½ inch iron rod found for corner, same being the southwest corner of said Martinez tract, also being in the north line of said East 3rd Street, said point being South 90 degrees 00 minutes 00 seconds West, a distance of 72.00 feet from the southeast corner of said Martinez tract, said southeast corner being witnessed by a ½ inch iron rod found, which bears North 00 degrees 04 minutes 37 seconds West, a distance of 1.00 feet ;*

THENCE *South 90 degrees 00 minutes 00 seconds West, with the north line of said East 3rd Street, passing at a distance of 75.00 feet a ½ inch iron rod found for the southwest corner of said Lot 11, passing at a distance of 185.00 feet a ½ inch iron rod with cap stamped "Roome" found for the southwest corner of said Marcia Ann Pettis (Inst. 20130225000246930) tract, continuing on said course for a total distance of 338.34 feet to the* ***POINT OF BEGINNING*** *and containing 1.087 acres of land, more or less, and being subject to any and all easements that may affect.*

Z15-0002

ZONING EXHIBIT "A"

BRYANT'S #1 ADDITION

Block 11, Lots 8R and 9R
Block 12, Lots 11R, 12R, and 13R

BRYANT'S ADDITION TO PROPSER
Block 11, Lots 7,8, and 9
Block 12, Lots 12, 11, and part of Lot 10
together with a tract of land known as "Outlot 12"
as described in Deed recorded under Instrument No. 20130225000246930
Being a 1.087 Acre tract out of the
Collin County School Land Survey, Abst. No. 147
Town of Prosper, Collin County, Texas
– 2015 –

LEGEND

C.M.	CONTROLLING MONUMENT
I.R.F.	IRON ROD FOUND
I.R.S.	IRON ROD SET
A.S.C.	ARTHUR SURVEYING CO.
sq. ft.	SQUARE FEET

NOTES:

1. All iron rods found are ½ inch unless otherwise noted. All iron rods set are ½ inch with a yellow cap stamped "Arthur Surveying Company".
2. Bearings are based on the north line of East Third Street as shown on Plat of Bryant's Addition to Prosper (Vol. 116, Pg. 162, M.R.C.C.T).
3. No portion of the subject property appears to lie within a Special Flood Hazard Area according to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 480141 0235 J, present effective date of map June 2, 2009, herein property is situated within Zone "X" (unshaded). No floodplain exists on the site.
4. 5 Lots, 1.087 acres
5. The thoroughfare alignments shown on this exhibit are for illustrative purposes and do not set the alignment. The alignment is determined at time of final plat.
6. Location of abstract lines shown hereon are approximate.

OWNER / DEVELOPER
Marcia Ann Pettis
509 E. First Street
Prosper, Texas 75078
(972) 979-9700

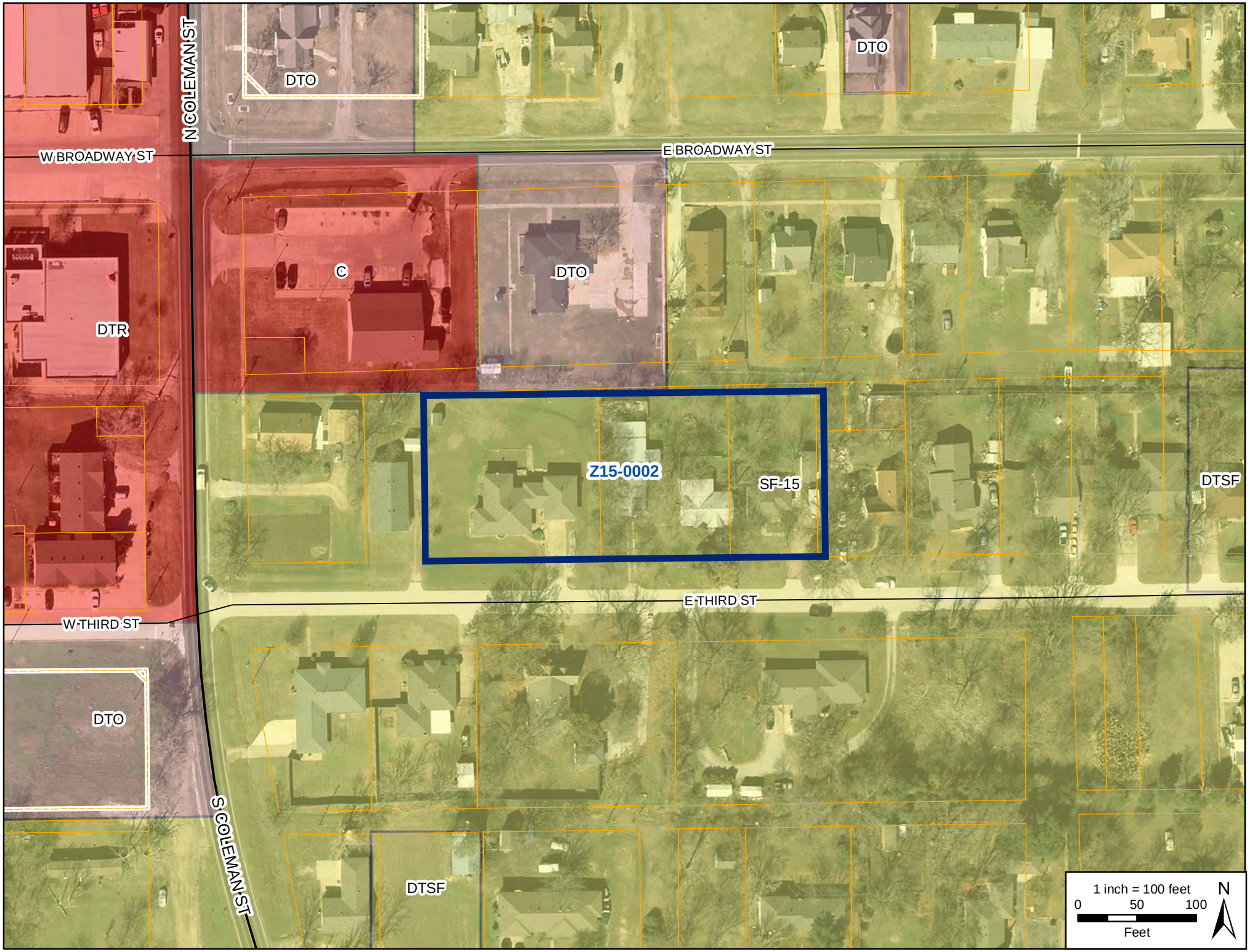
Arthur Surveying Co.
Professional Land Surveyors
220 Elm St., # 200 - Lewisville, TX 75057
Ph. 972.221.9439 - TFRN# 10063800
arthursurveying.com Established 1986

STATE OF TEXAS REGISTERED DOUGLAS L. ARTHUR 4357 PROFESSIONAL LAND SURVEYOR

Douglas L. Arthur R.P.L.S. No. 4357

DRAWN BY: J.H.B. DATE: 01/19/2015 - REV: 02/13/2015 SCALE: 1"=20' CHECKED BY: D.L.A. ASC NO.: 1412236

P:\1-ARTHUR\Plotting\203 E. 3rd Street - Prosper\dwg\REV2-13-15 - ZONING EXHIBIT - 1412236.dwg 2/16/2015 7:49:14 AM CST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TOWN OF PROSPER

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 – March 3, 2014**

Agenda Item:
Conduct a Public Hearing, and consider and act upon a request to amend 3.5± acres of Planned Development-17 (PD-17), located on the northwest corner of First Street and Preston Road. (Z15-0003).

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

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-17-Retail	Undeveloped	Old Town - Retail
North	Planned Development-17-Retail	Undeveloped	Old Town - Retail
East	Planned Development-7-Commercial	Prosper Town Center / Undeveloped	Commercial
South	Planned Development-67-Retail/Commercial/Office	Undeveloped	Town Center
West	Planned Development-17 Office	Bank (Prosper State Bank)	Old Town - Office

Requested Zoning – Z15-0003 is a request to amend 3.5± acres of Planned Development-17 (PD-17), located on the northwest corner of First Street and Preston Road. This is a "limited amendment" to PD-17. PD-17 is comprised of 17.5± acres; however, this request would only amend 3.5± acres located at the northwest corner of First Street and Preston Road, as shown on Exhibit A-1. The primary purpose of this request is to amend the development standards to accommodate a specific banking/office building. The banking/office building would be a 3-story building, totaling 25,000 square feet, with underground parking, and a drive-through.

To achieve this, the applicant is proposing to amended the development standards of PD-17, Exhibit B, as follows:

- Building height – The proposed amendment would allow for an increased building height from 30 feet (40 feet, including architectural features), to 60 feet (65 feet, including architectural features), for the building shown on Exhibit D.

- Landscaping – The proposed amendment would allow for a reduction to the perimeter landscape setback requirements along First Street from 25 feet to 20 feet, for an approximately 150 foot segment, as shown on Exhibit D. The First Street right-of-way adjacent to the proposed reduction to the landscape setback, was purchased and constructed by TxDOT, which resulted in an oversized parkway.

- Conceptual Layout – The proposed amendment would include a conceptual layout as shown on Exhibit D.

- Architectural Renderings – The proposed amendment would include architectural renderings as shown on Exhibit E. The proposed architectural renderings meet and exceed the standards set forth in the existing PD, by providing 100% stone on all four sides, exclusive of windows and doors.

Future Land Use Plan – The Future Land Use Plan (FLUP) recommends Old Town – Retail for the property.

Thoroughfare Plan – The property is adjacent to Preston Road, an existing six-lane major thoroughfare, and First Street a proposed four-lane minor thoroughfare. The zoning exhibit complies with the Thoroughfare Plan.

Water and Sanitary Sewer Services – Water and sanitary sewer service have been extended to the property.

Access – Access to the property will be provided from Preston Road and First Street.

Schools – This property is served by the Prosper Independent School District (PISD). It is not anticipated that a school site will be needed on this property.

Parks – It is not anticipated that this property will be needed for the development of a park.

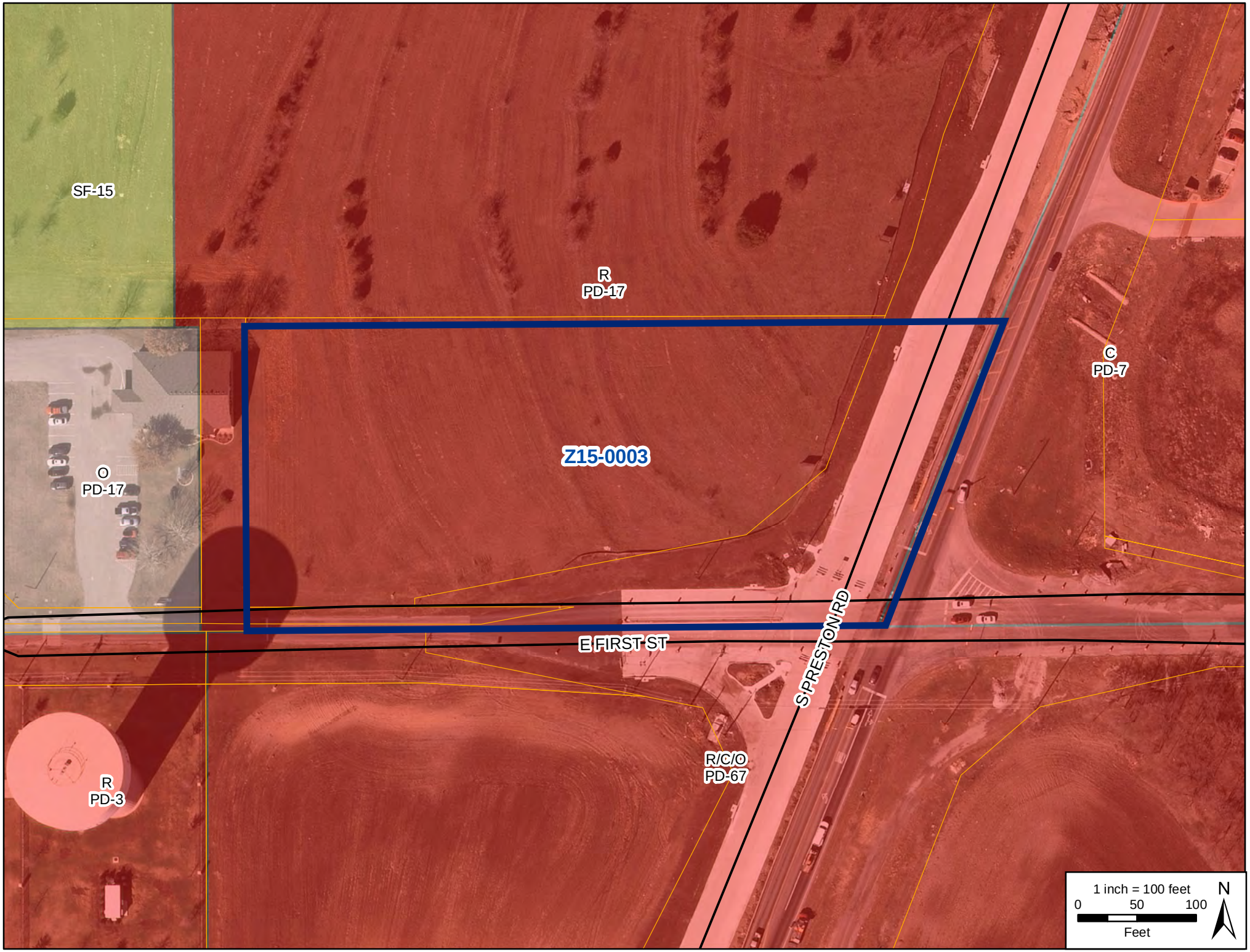
Environmental Considerations – There is no 100-year floodplain located on the property.

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. Town staff has not received any public hearing notice reply forms.

Attached Documents:
1. Zoning map of the surrounding area
2. Proposed PD Exhibits A-1, B, D, and E
3. Existing PD-17

Town Staff Recommendation:
Town staff recommends the Planning & Zoning Commission approve the request to amend 3.5± acres of Planned Development-17 (PD-17), located on the northwest corner of First Street and Preston Road.

Town Council Public Hearing:
Upon a recommendation by the Planning & Zoning Commission, in accordance with the Town's Development Schedule, a public hearing for this item would be scheduled for the Town Council at their Regular meeting on March 24, 2015.


SF-15
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PD-7
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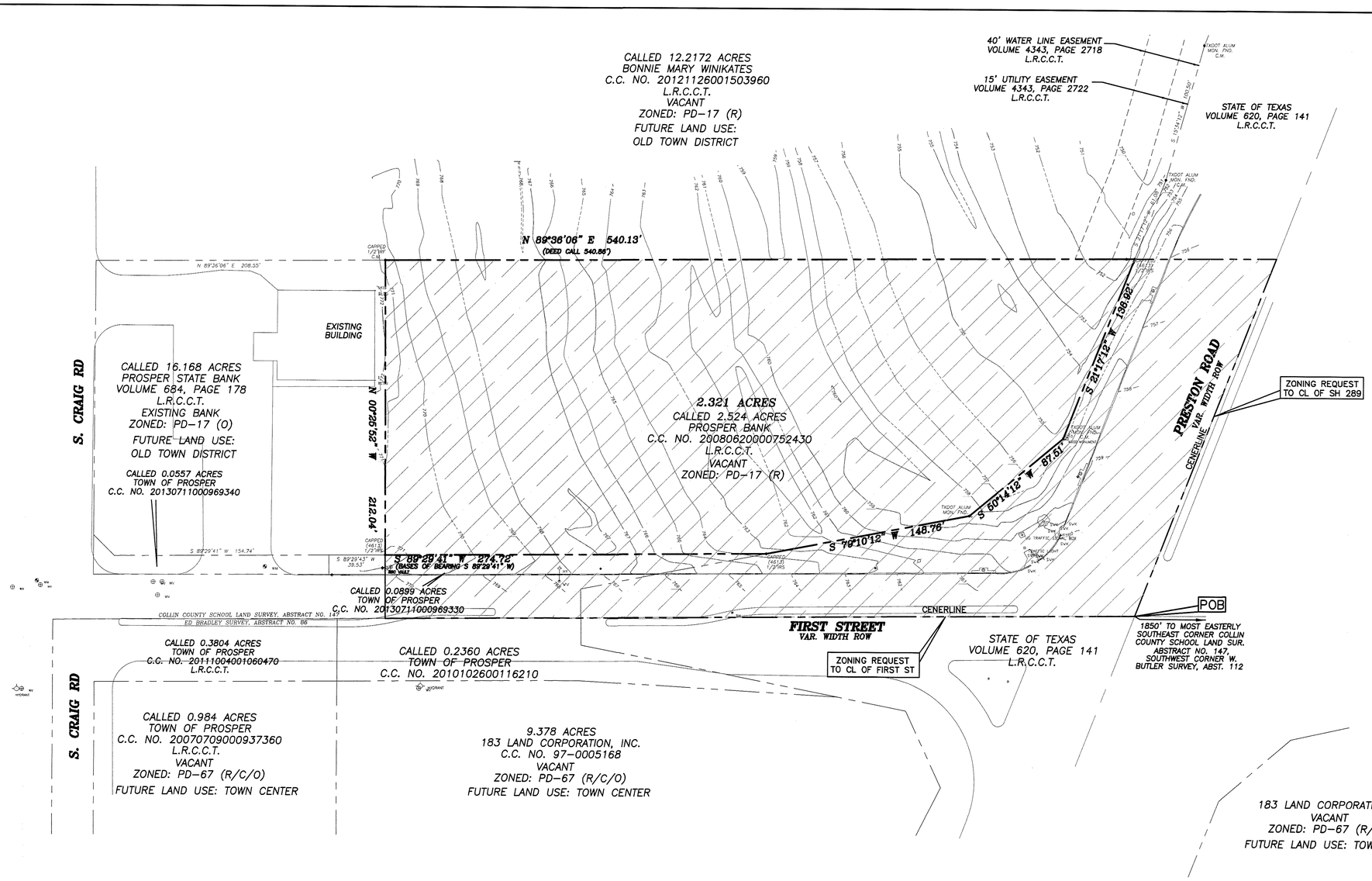


GRAPHIC SCALE

0 20 40 80

(IN FEET)
1 inch = 40 ft.

LEGEND

PROPERTY LINE

PAVEMENT

CONTOUR — — — 765 — — —

ZONING LIMITS

REQUESTED ZONING
3.438 ACRES GROSS (CL OF ROADWAYS)
2.321 ACRES NET

NOTES:

1. BOUNDARY/TOPOGRPAHIC SURVEY PREPARED BY SURDUKAN SURVEYING, INC.
2. THERE IS NO 100-YEAR FLOOD PLAIN ON THE SITE.
3. THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.

PRESTON DEVELOPMENT, LTD.
VACANT
ZONED: PD-7 (C)
FUTURE LAND USE: RETAIL
& NEIGHBORHOOD SERVICES

LEGAL DESCRIPTION

BEING a tract of land situated in the Collin County School Land Survey, Abstract No. 147, Town of Prosper, Collin County, Texas and being part of a called 2.524 acre tract conveyed to Prosper Bank as recorded in County Clerks No. 20080620000752430, Land Records of Collin County, Texas, and being part of S.H. No. 289 and First Street:

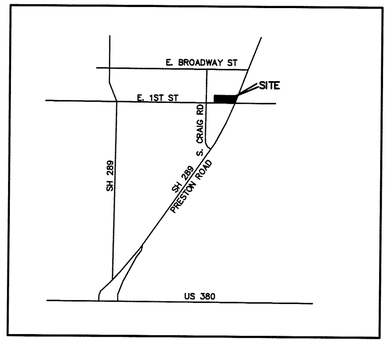
BEGINNING at a the intersection of the center line of S.H. No. 289 and First Street;

THENCE S 89°29'41" W following the center line of First Street a distance of 540.23' to a point;

THENCE N 00°25'52 W a distance of 257.49' to a point;

THENCE N 89°36'06" E a distance of 642.37' to a point in the center line of S.H. No. 289;

THENCE S 21°17'12" W following the center line of S.H. No. 289 a distance of 276.02' to the POINT OF BEGINNING and containing 151,931 square feet or 3.488 acres of land.



LOCATION MAP
N.T.S.

STATE OF TEXAS
REGISTERED
DAVID J. SURDUKAN
4613
PROFESSIONAL
SURVEYOR

OWNER/APPLICANT
PROSPER BANK
805 E. FIRST STREET
PROSPER, TEXAS 75078
469-952-5500 TELE
469-952-5501 FAX

SURVEYOR
SURDUKAN SURVEYING, INC.
DAVID J. SURDUKAN, RPLS
P.O. BOX 126
ANNA, TEXAS 75409
972-924-8200 TELE
972-924-8275 FAX

ENGINEER
VASQUEZ ENGINEERING, L.L.C.
JUAN J. VASQUEZ, P.E.
1919 S. SHILOH ROAD
SUITE 440
GARLAND, TEXAS 75042
972-278-2948 TELE
972-271-1383 FAX

Z15-0003
EXHIBIT "A-1"
PROSPER BANK
PROPOSED BLOCK 1, LOT 1
COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147
TOWN OF PROSPER, COLLIN COUNTY
FEBRUARY 17, 2015

NO.	DATE	APP.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-278-2948
TX Registration # F-12266

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JUAN J. VASQUEZ P.E. 85852, ON 01/26/2015

JUAN J. VASQUEZ
85852
LICENSED
PROFESSIONAL ENGINEER

DEVELOPER:
PROSPER BANK
805 E. FIRST STREET
PROSPER, TX 75078

EXHIBIT A-1

PROSPER BANK
S.H. 289 AND FIRST
TOWN OF PROSPER, TEXAS

Scale: 1" = 20'
Designed by: JJV
Drawn by: TC
Checked by: JJV
505-15\dwg\EXHIBIT A.dwg
Date: 02/17/2015

SHEET
EX A-1

EXHIBIT B
PLANNED DEVELOPMENT STANDARDS

Except as otherwise set forth in these developments standards, the property, as described in Exhibit A-1, shall develop in accordance with Ordinance No. 04-99, as adopted by the Town Council on September 28, 2004.

1.0 Tract 1: Retail

The tract may be developed under the regulations of Retail (R) District as outlined in the Town of Prosper Zoning Ordinance 05-20 as it exists or may be amended, subject to the following amendments:

A. The maximum building height for structures in the Retail tract shall be thirty (30) feet. Architectural features may extend above the thirty (30) foot limit, but shall not exceed forty (40) feet.

   1. The building depicted on Exhibit D shall have a maximum building height of sixty (60) feet. Architectural features may extend above the sixty (60) foot limit, but shall not exceed sixty (65) feet. Examples of architectural features would be balusters, finials, chimneys, entablatures, pediments, pendentives, parapets, or pinnacles.

B. The minimum side and rear yard setbacks for structures in the Retail tract adjacent to a residential zoning district shall be forty (40) feet.

C. A landscape buffer a minimum width of fifteen (15) feet shall be provided along the side and rear property lines adjacent to a residential zoning district. Large evergreen trees shall be planted within this landscape buffer every twenty (20) feet on center. These trees shall be a minimum three (3) inch caliper and a minimum eight (8) feet in height at the time of planting.

D. A six (6) foot masonry screening wall shall be provided by the developer of the Retail tract along the side and rear property lines adjacent to a residential zoning district. The screening wall shall be brick and/or stone to match the building.

E. The uses permitted in the Retail tract shall be those permitted in the Retail District as contained in Zoning Ordinance 05-20 as it exists or may be amended, subject to the following amendment:

   Convenience Stores with Gas Pumps shall be subject to the following development standards:

   1. Permitted only at either the corner of Preston Road and First Street or Preston Road and Broadway Street. The corner shall be determined when development plans are submitted for the property. Gas pumps shall not be located further than two hundred feet (200') from the right-of-way lines of the intersecting thoroughfares;
   2. The building and the canopy shall have pitched roofs;
   3. Canopy support columns shall be entirely masonry encased;

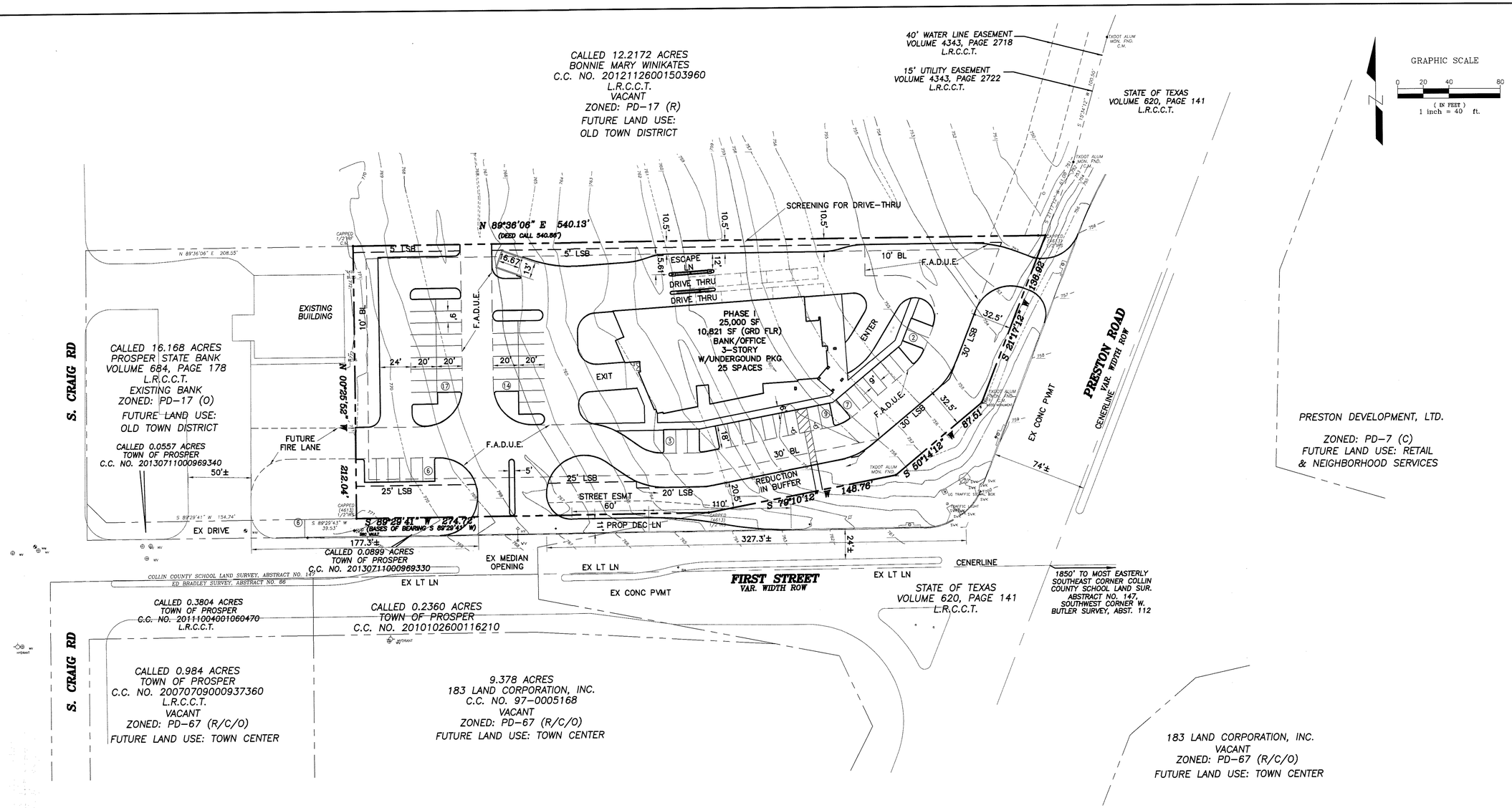
4. The canopy band face shall be a single color consistent with the main structure or an accent color and may not be backlit;
5. Use shall be removed if closed for more than six (6) months.

F. Structures on the Retail tract shall a minimum of ninety (90) percent unit masonry on the façade. Unit masonry shall include brick, natural stone or manufactured stone. The structures shall maintain an equal architectural finish on the sides and rear as on the front.

1. The building depicted on Exhibit D shall substantially conform to the building elevations, as shown on Exhibit E.

G. No wall signs shall be permitted to face any residentially zoned property located directly adjacent to the Retail tract.

H. The perimeter landscape area shall be reduced to a minimum of twenty (20) feet along First Street, as shown on Exhibit D.



LEGEND

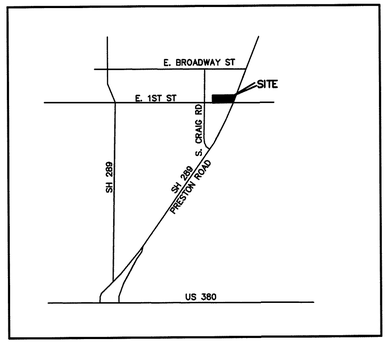
EXISTING		PROPOSED
— — — —	PROPERTY LINE	— — — —
═══	PAVEMENT	═══
— — — 770 — — —	CONTOUR	
	BUFFER	LSB
	FIRE LANE ACCESS, DRAINAGE & UTILITY EASEMENT	F.A.D.U.E.
	BUILDING LINE	BL

NOTES:

1. BOUNDARY/TOPOGRPAHIC SURVEY PREPARED BY SURDUKAN SURVEYING, INC.
2. THERE IS NO 100-YEAR FLOOD PLAIN ON THE SITE.
3. ALL DRIVES, TURN LANES, AND MEDIAN OPENING SHALL MEET THE TOWN OF PROSPER'S THOROUGHFARE DESIGN STANDARDS AND TXDOT'S STANDARDS.
4. ALL FIRE LANES TO MEET TOWN OF PROSPER FIRE LANE STANDARDS, INCLUDING WIDTH AND PAVEMENT SECTIONS.

SITE SUMMARY TABLE

Site Address	NWC S.H. 289 & 1ST STREET	
County	COLLIN	
Project Name	PROSPER BANK	
Zoning District	PD-17	
Proposed use	BANK/GENERAL OFFICE	
Site Area: (R.O.W. DED.)	2.321 Acres 101,094 S.F.	
Building Area	25,000 S.F.	
Building Height:	3 Story - 48' TO TOP PLATE	
Lot Coverage:	10,821 / 101,094 = 10.7%	
Floor Area Ratio:	10,821 S.F. / 101,094 = 1:10.7	
Parking Required:	BANK/GENERAL OFFICE	
	1 SPC/350 S.F.= 25,000/350 = 72 SPACES	
Parking Provided:	Regular Underground	= 18 SPACES
	Regular above ground	= 56 SPACES
	Handicap	= 4 SPACES
	Total	= 78 SPACES
Impervious Area:	70,111 S.F.	
Impervious Area Ratio:	70,111 S.F. / 101,094 = 69.4%	
Pervious Area Ratio:	30,983 S.F./ 101,094 = 30.6%	



LOCATION MAP
N.T.S.

OWNER/APPLICANT
PROSPER BANK
805 E. FIRST STREET
PROSPER, TEXAS 75078
469-952-5500 TELE
469-952-5501 FAX

SURVEYOR
SURDUKAN SURVEYING, INC.
DAVID J. SURDUKAN, RPLS
P.O. BOX 126
ANNA, TEXAS 75409
972-924-8200 TELE
972-924-8275 FAX

ENGINEER
VASQUEZ ENGINEERING, L.L.C.
JUAN J. VASQUEZ, P.E.
1919 S. SHILOH ROAD
SUITE 440
GARLAND, TEXAS 75042
972-278-2948 TELE
972-271-1383 FAX

EXHIBIT "D"
PROSPER BANK
PROPOSED BLOCK 1, LOT 1
2.321 ACRES
COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147
TOWN OF PROSPER, COLLIN COUNTY
FEBRUARY 26, 2015

NO.	DATE	APP.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-278-2948
TX Registration # F-12266

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JUAN J. VASQUEZ, P.E. #85852, ON 02/26/2015

STATE OF TEXAS
JUAN J. VASQUEZ
85852
LICENSED
PROFESSIONAL ENGINEER

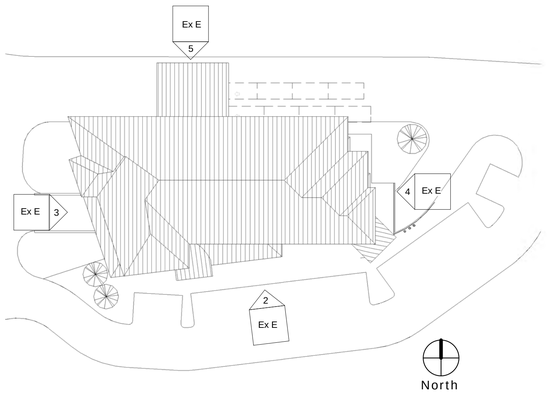
DEVELOPER:
PROSPER BANK
805 E. FIRST STREET
PROSPER, TX 75078

EXHIBIT D

PROSPER BANK
S.H. 289 AND FIRST
TOWN OF PROSPER, TEXAS

Scale: 1" = 20'
Designed by: JJV
Drawn by: TC
Checked by: JJV
560-15\dwg\EXHIBIT D.dwg
Date: 02/25/2015

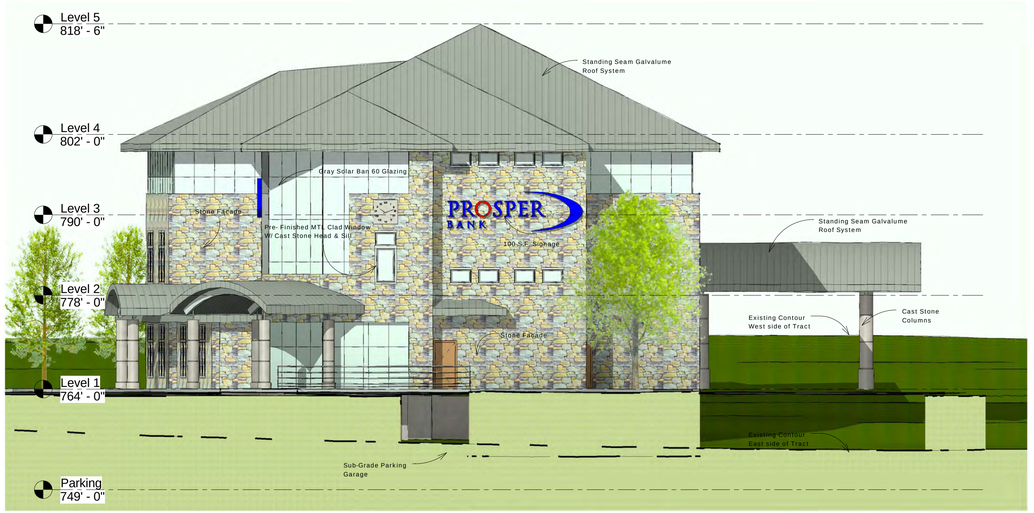
SHEET
EX D



1 Key Plan
1" = 40'-0"

2 South (Front Elevation)
3/32" = 1'-0"

3 West
3/32" = 1'-0"



4 East
3/32" = 1'-0"

5 North
3/32" = 1'-0"

TOTAL SURFACE AREA OF EACH ELEVATION

ELEVATION	Total Area of WALL	Total Area of DOORS & WINDOWS	Total Area of WALL EXCLUDING DOORS & WINDOWS	Total Area of STONE	Percent of STONE
West	3064	1174	1890	1890	100.0%
South	5951	2579	3372	3372	100.0%
North	6940	2031	4909	4909	100.0%
East	3186	649	2537	2537	100.0%

EXHIBIT E
PROSPER BANK
Proposed Block 1, Lot 1
Collin County School Land Survey,
Abstract No. 147
Town of Prosper, Collin County
February 17, 2015

General Notes:
1. This Facade Plan is for conceptual purposes only. All building plans require review and approval from the Building Inspection Department.
2. All mechanical equipment shall be screened from public view in accordance with the Comprehensive Zoning Ordinance.
3. When permitted, exposed utility boxes and conduits shall be painted to match the building.
4. All signage areas and locations are subject to approval by the Building Inspection Department.

OWNER/APPLICANT:
PROSPER BANK
805 E. FIRST STREET
PROSPER, TX. 75078
469-952-5500 TELE
469-952-5501 FAX

SURVEYOR:
SURDUKAN SURVEYING, INC.
DAVID J. SURDUKAN, R.P.L.S.
P.O. BOX 126
ANNA, TX. 75409
972-924-8200 TELE
972-924-8275 FAX

ARCHITECT:
T.A.G., INC.
PERRY THOMPSON, III
P.O. BOX 8113
TYLER, TX. 75711
903-871-0200 TELE
903-539-4067 CELL

TAG
THOMPSON ARCHITECTURAL GROUP INC.
P.O. BOX 8113 TYLER, TEXAS 75711
(903) 871-0200 / (903) 539-4067

REGISTERED ARCHITECT PERRY THOMPSON 4401 STATE OF TEXAS

DATE: 2/16/15
THE SEAL APPEARING ON THIS DOCUMENT IS NOT VALID WITHOUT AN "AUTHORIZED SIGNATURE".
EXPIRES: MARCH 2015

STATEMENT OF OWNERSHIP
THIS ELECTRONIC DRAWING FILE IS RELEASED UNDER THE AUTHORITY OF TEXAS REGISTERED ARCHITECT PERRY THOMPSON, III - #14401. THE ISSUANCE OF THIS FILE IS RESTRICTED PURSUANT TO 22B CHAPTER 1 - RULE 1.122 OF THE RULES AND REGULATIONS OF THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS. THE USER OF THIS ELECTRONIC FILE AGREES TO ASSUME ALL RESPONSIBILITY FOR ANY MODIFICATION TO OR USE OF THIS DRAWING THAT IS NOT CONSISTENT WITH THE REQUIREMENTS OF THE RULES AND REGULATIONS OF THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS. NO PERSON MAY MODIFY THIS DRAWING WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ARCHITECT.

STATEMENT OF JURISDICTION
THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS, P.O. BOX 12337 AUSTIN, TEXAS 78711-2337 (512)305-9000 HAS JURISDICTION OVER COMPLAINTS REGARDING THE PROFESSIONAL PRACTICES OF PERSONS REGISTERED AS ARCHITECTS IN TEXAS.

STATEMENT OF COPYRIGHT
ALL REPORTS, PLANS, SPECIFICATIONS, COMPUTER FILES, FIELD DATA, NOTES, AND OTHER DOCUMENTS PREPARED BY THE ARCHITECT AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF THE ARCHITECT. THE ARCHITECT SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT THERETO. THIS SET OF CONSTRUCTION DOCUMENTS HAS BEEN LICENSED TO THE CLIENT FOR USAGE ONLY ON THIS SITE FOR THIS PROJECT, AND SHALL NOT BE UTILIZED FOR MULTIPLE PROJECTS AND/OR MULTIPLE SITES.

DEVELOPER:
PROSPER BANK
805 E. FIRST STREET
PROSPER, TX. 75078

EXHIBIT E
PROSPER BANK
S.H. 289 AND FIRST
PROSPER, TX. 75078

Exhibt E

Project #	
Date	2-17-15
Drawn By	Author
Checked By	Checker

Ex E

Scale	As indicated

PD-17

TOWN OF PROSPER, TEXAS ORDINANCE NO. 04-99

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 84-16; REZONING A TRACT OF LAND CONSISTING OF 17.46 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, HERETOFORE ZONED SINGLE FAMILY-1 (SF-1) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-RETAIL & OFFICE (PD-R&O); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Prosper, Texas (the "Town Council") has investigated and determined that Zoning Ordinance No. 84-16 should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request from Prosper State Bank and C. Winikates etal ("Applicant") to rezone 17.46 acres of land, more or less, situated in the Collin County School Land Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas; and

WHEREAS, the Town Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the Town Council has further investigated into and determined that it will be advantageous and beneficial to Prosper and its inhabitants to rezone this property as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendments to Zoning Ordinance No. 84-16. Zoning Ordinance No. 84-16 is amended as follows: The zoning designation of the below-described property containing 17.46 acres of land, more or less, situated in the Collin County School Land Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned Development-Retail & Office (PD-R&O). The property as a whole and the boundaries for each zoning classification are more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with the planned development standards, attached hereto as Exhibit "B"; which is incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules, and regulations of Prosper, as they currently exist or may be amended.

Three original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

a. Two (2) copies shall be filed with the Town Secretary and retained as original records and shall not be changed in any matter.

b. One (1) copy shall be filed with the building inspector and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

Written notice of any amendment to this Planned Development District shall be sent to all property owners within two hundred feet (200') of the specific area to be amended.

SECTION 3: No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 4: Unlawful Use of Premises. It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5: Penalty. Any person, firm, corporation or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance No 84-16, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars ($2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Prosper from filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have

passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Savings/Repealing Clause. Prosper's Zoning Ordinance No. 84-16 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8: Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS ON THIS 28th DAY OF SEPTEMBER, 2004.

APPROVED AS TO FORM:

Charles Niswanger, Mayor

ATTESTED TO AND
CORRECTLY RECORDED BY:

Shanae Jennings, Town Secretary

DATE OF PUBLICATION: 10/2/04 & 10/4/04, *Dallas Morning News – Collin County Addition*

RETAIL DISTRICT

ZONING EXHIBIT FOR 16.27 ACRE TRACT

BEING a tract of land situated in the Collin County School Land Survey, Town of Prosper, Collin County, Texas, Abstract No. 147 and being part of a 12.234 acre tract described in Deed from Charles J. Winikates to TEXMO Corporation recorded in Volume 685, Page 99 of the Collin County Deed Records and part of a 2.749 acre tract described in a Deed from Prosper State Bank to TEXMO Corporation recorded in Volume 1300, Page 111 of the Collin County Land Records, and being the same property described as 16.168 acre tract in Volume 663, Page 551, Deed Records Collin County, Texas and all of a 3.9 acre tract described in Volume 684, Page 178, Deed Records Collin County, Texas and being more fully described as follows:

BEGINNING at a point in the centerline of Broadway Street (FM 1193) (a 100' ROW), and the centerline of State Highway No. 289 (a variable width ROW);

THENCE S 20ø 36' 08" W, 987.36 feet along the centerline of said State Highway No. 289 to a point for corner in the centerline of First Street (a variable width ROW);

THENCE S 89ø 10' 59" W, 579.68 feet along the centerline of First Street to a point for corner;

THENCE N 00ø 51' 00" W, 258.22 feet to a point for corner;

THENCE S 89ø 09" 00"W, 20.00 feet to a point for corner;

THENCE N 00ø 51' 00" W, 654.42 feet to a point in the centerline of said Broadway Street;

THENCE N 88ø 48' 00" E, 960.80 feet along the centerline of said Broadway Street to the PLACE OF BEGINNING and containing 16.27 acres of land.

DISCLAIMER

THIS IS FOR ZONING EXHIBIT ONLY. IT DOES NOT IN ANYWAY CONSTITUTE A SURVEY.

September 1, 2004

J. L. LANE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2509

c:\\office\wpwin\wpdoc\wo-4108k.wpd (nl)

OFFICE DISTRICT

ZONING EXHIBIT FOR 1.19 ACRE TRACT

BEING a tract of land situated in the Collin County School Land Survey, Town of Prosper, Collin County, Texas, Abstract No. 147 and being part of a 12.234 acre tract described in Deed from Charles J. Winikates to TEXMO Corporation recorded in Volume 685, Page 99 of the Collin County Deed Records and part of a 2.749 acre tract described in a Deed from Prosper State Bank to TEXMO Corporation recorded in Volume 1300, Page 111 of the Collin County Land Records, and being the same property described as 16.168 acre tract in Volume 663, Page 351, Deed Records Collin County, Texas and all of a 3.9 acre tract described in Volume 684, Page 178, Deed Records Collin County, Texas and being more fully described as follows:

BEGINNING at a point in the centerline of Craig Road (a variable width ROW), and the centerline of First Street (a variable width ROW):

THENCE N 00ø 51' 00" W, 258.22 feet along the centerline of said Craig Road to a point for corner;

THENCE N 89ø 09' 00" E, 200.00 feet to a point for corner;

THENCE S 00ø 51' 00"" E, 258.22 feet to a point for corner in the centerline of First Street (a variable width ROW);

THENCE S 89ø 10' 59" W, 200.00 feet along the centerline of said First Street PLACE OF BEGINNING and containing 1.19 acres of land.

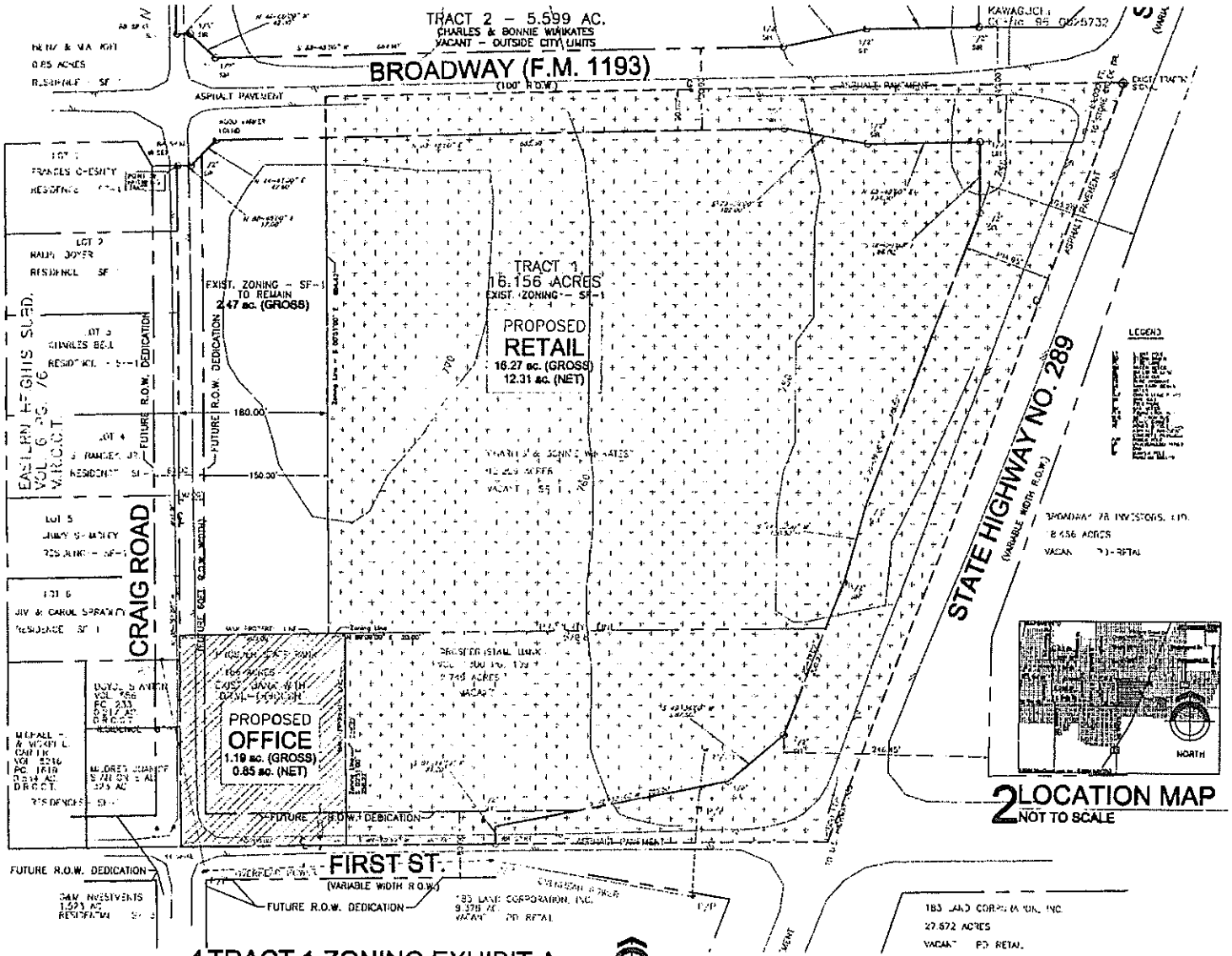
DISCLAIMER

THIS IS FOR ZONING EXHIBIT ONLY. IT DOES NOT IN ANYWAY CONSTITUTE A SURVEY.

September 1, 2004

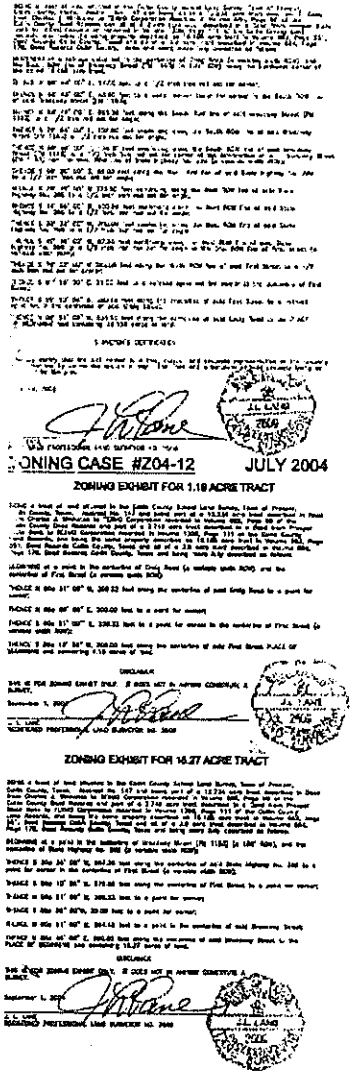
J. L. LANE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2509

c:\\office\wpwin\wpdoc\wo-4108i.wpd (nl)



1 TRACT 1 ZONING EXHIBIT A
SCALE: 1" = 60'-0"

2 LOCATION MAP
NOT TO SCALE


ZONING CASE #Z04-12 JULY 2004

ZONING EXHIBIT FOR 1.19 ACRE TRACT

ZONING EXHIBIT FOR 16.27 ACRE TRACT

ZONING CASE #Z04-12 JULY 2004

OWNERS:
CHARLES AND BONNIE WINIKATES
5948 WELSHIRE DRIVE
DALLAS, TX 75230

PROSPER STATE BANK
P.O. BOX 10
PROSPER, TX 75078
972-335-1122

APPLICANT:
JEFF CARROLL
CALLAWAY CARROLL ARCHITECTS
17770 PRESTON ROAD
DALLAS, TX 75252
972-732-6085

SURVEYOR:
LANE'S SOUTHWEST SURVEYING, INC.
2717 MOTLEY DRIVE
SUITE B
MESQUITE, TX 75150
972-681-4442

6/28/04

REVISIONS
8/10/04 Council Mtg.
Re-sub. for 9/14/04

CALLAWAY CARROLL ARCHITECTS

RE-ZONING OF TRACT 1
(PROPOSED PROSPER STATE BANK DEVT.)
COLLIN COUNTY SCHOOL LAND SURVEY
SWC S.H. 289 and BROADWAY STREET
PROSPER, TX

DRAWN BY CHECKED JC
JOB NO. 3002.0

(ZONING)
EXHIBIT A

SHEET
Z-SP-1

EXHIBIT "B"
PLANNED DEVELOPMENT STANDARDS

1.0 Tract 1: Retail

The tract may be developed under the regulations of the Retail (R) District as outlined in the Town of Prosper Zoning Ordinance 84-16 as it exists or may be amended, subject to the following amendments:

A. The maximum building height for structures in the Retail tract shall be thirty (30) feet. Architectural features may extend above the thirty (30) foot limit but shall not exceed forty (40) feet

B. The minimum side and rear yard setbacks for structures in the Retail tract adjacent to a residential zoning district shall be forty (40) feet.

C. A landscape buffer a minimum width of fifteen (15) feet shall be provided along the side and rear property lines adjacent to a residential zoning district. Large evergreen trees shall be planted within this landscape buffer every twenty (20) feet on center. These trees shall be a minimum three (3) inch caliper and a minimum eight (8) feet in height at the time of planting.

D. A six (6) foot masonry screening wall shall be provided by the developer of the Retail tract along the side and rear property lines adjacent to a residential zoning district. The screening wall shall be brick and/or stone to match the building.

E. The uses permitted in the Retail tract shall be those permitted in the Retail District as contained in Zoning Ordinance 84-16 as it exists or may be amended, subject to the following amendment:

   Convenience Stores with Gas Pumps shall be subject to the following development standards:

   1. Permitted only at either the corner of Preston Road and First Street or Preston Road and Broadway Street. The corner shall be determined when development plans are submitted for the property. Gas pumps shall not be located further than two hundred feet (200') from the right-of-way lines of the intersecting thoroughfares;
   2. The building and the canopy shall have pitched roofs;
   3. Canopy support columns shall be entirely masonry encased;
   4. The canopy band face shall be a single color consistent with the main structure or an accent color and may not be backlit;
   5. Use shall be removed if closed for more than six (6) months.

F. Structures on the Retail tract shall have a minimum of ninety (90) percent unit masonry on the façade. Unit masonry shall include brick, natural stone or manufactured stone. The structures shall maintain an equal architectural finish on the sides and rear as on the front.

G. No wall signs shall be permitted to face any residentially zoned property located directly adjacent to the Retail tract.

2.0 Tract 2: Office

The tract may be developed under the regulations of the Office (O) District as outlined in the Town of Prosper Zoning Ordinance 84-16 as it exists or may be amended.

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PLANNING

To: **Planning & Zoning Commission**

From: **Alex Glushko, AICP, Senior Planner**

Through: **John Webb, AICP, Director of Development Services**

Re: **Planning & Zoning Commission Meeting – March 3, 2015**

Agenda Item:
Consider and act upon a request for a Variance to the Subdivision Ordinance regarding Thoroughfare Screening along Windsong Parkway and Gee Road, for Windsong Ranch, Phases 1A, 1B, 3A-1, and 3B. (V15-0001).

Description of Agenda Item:
Windsong Ranch is a 2,100 acre master planned community located in west Prosper. At ultimate build-out the development could include up to 3,500 single family lots and 250 acres of mixed use/non-residential development, as well as an amenity program consisting of a variety of park types, multiple amenity centers, hike and bike trails, a school sites, and Town facilities.

The applicant is seeking a variance regarding the Subdivision Ordinance requirements for Thoroughfare Screening. A letter from the applicant detailing the basis for the request is attached for reference. In 2011, the Thoroughfare Screening section of the Subdivision Ordinance was amended in order to provide thoroughfare screening adjacent to all single family attached and detached residential developments siding and backing rights-of-way sixty feet (60') or greater. Thoroughfare Screening is required to consist of ornamental metal fencing with masonry columns, meandering sidewalks, berming, and landscaping, in a twenty five foot (25') landscape buffer/common area to be owned and maintained by a Homeowner's Association (HOA). The twenty five foot (25') buffer is required to be exclusive of all required streets and right-turn rights-of-way, drainage easements, and utility easements, unless otherwise approved by the Town Council.

The applicant is requesting a Variance to allow for the encroachment of existing utility easements into the required twenty five foot (25') landscape buffer in Windsong Ranch, Phases 1A, 1B, 3A-1, and 3B, as shown on the attached exhibit. At the time the plats for the various subdivisions were approved, there were no utility easement encroachments into the twenty five foot (25') landscape buffer; however during the construction phase, CoServ Electric required utility easements in order to serve the development. Although there are utility easement encroachments into the required twenty five foot (25') landscape buffer, all required landscaping has been provided in accordance with Town standards, and the landscaping is permitted by the terms of the utility easements, which allows for "landscaping that does not unreasonably restrict or prevent CoServ Electric from utilizing the easement property." Details of the landscape buffer encroachments and the landscaping provided is depicted on the attached Variance Exhibit.

The Subdivision Ordinance contains four (4) criteria to be considered by the Commission and Council in the case of a Variance request.

1. *That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.*
   The timing of CoServ Electric finalizing design of infrastructure necessary to serve the development is a special circumstance that affected the land involved. At this point, strict application of this provision would require substantial redesign of existing approved plans and existing subdivisions.

2. *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.*
   Granting of this variance is necessary for the preservation of a substantial property right of the applicant.

3. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or injuries to other property in the area.*
   Granting of this Variance will not be detrimental to public health, safety or welfare.

4. *That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the areas in accordance with the provisions of this Ordinance.*
   Granting of this Variance will not have the effect of preventing the orderly subdivision of other land in the area.

Attached Documents:

1. Thoroughfare Screening Variance Request Letter
2. Thoroughfare Screening Variance Exhibit

Town Staff Recommendation:

Town staff recommends the Planning & Zoning Commission approve the request for a Variance to the Subdivision Ordinance regarding Thoroughfare Screening along Windsong Parkway and Gee Road, for Windsong Ranch, Phases 1A, 1B, 3A-1, and 3B.

Town Council Consideration and Action:

Upon a recommendation by the Planning & Zoning Commission, in accordance with the Town's Development Schedule, consideration and action for this item would be scheduled for the Town Council at their Regular meeting on March 24, 2015.

spiars
ENGINEERING

765 Custer Road, Suite 100 • Plano, Texas 75075 • (972) 422-0077 • Fax (972) 422-0075 • TBPE Reg. No. F-2121

February 24, 2015

Mr. Alex Glushko
Town of Prosper Planning
409 East First Street
Prosper, Texas 75078

Re: **Variance Request – Landscape Buffer Encroachment**
Windsong Ranch Phases 1A, 1B, 3A, and 3B

Dear Mr. Glushko:

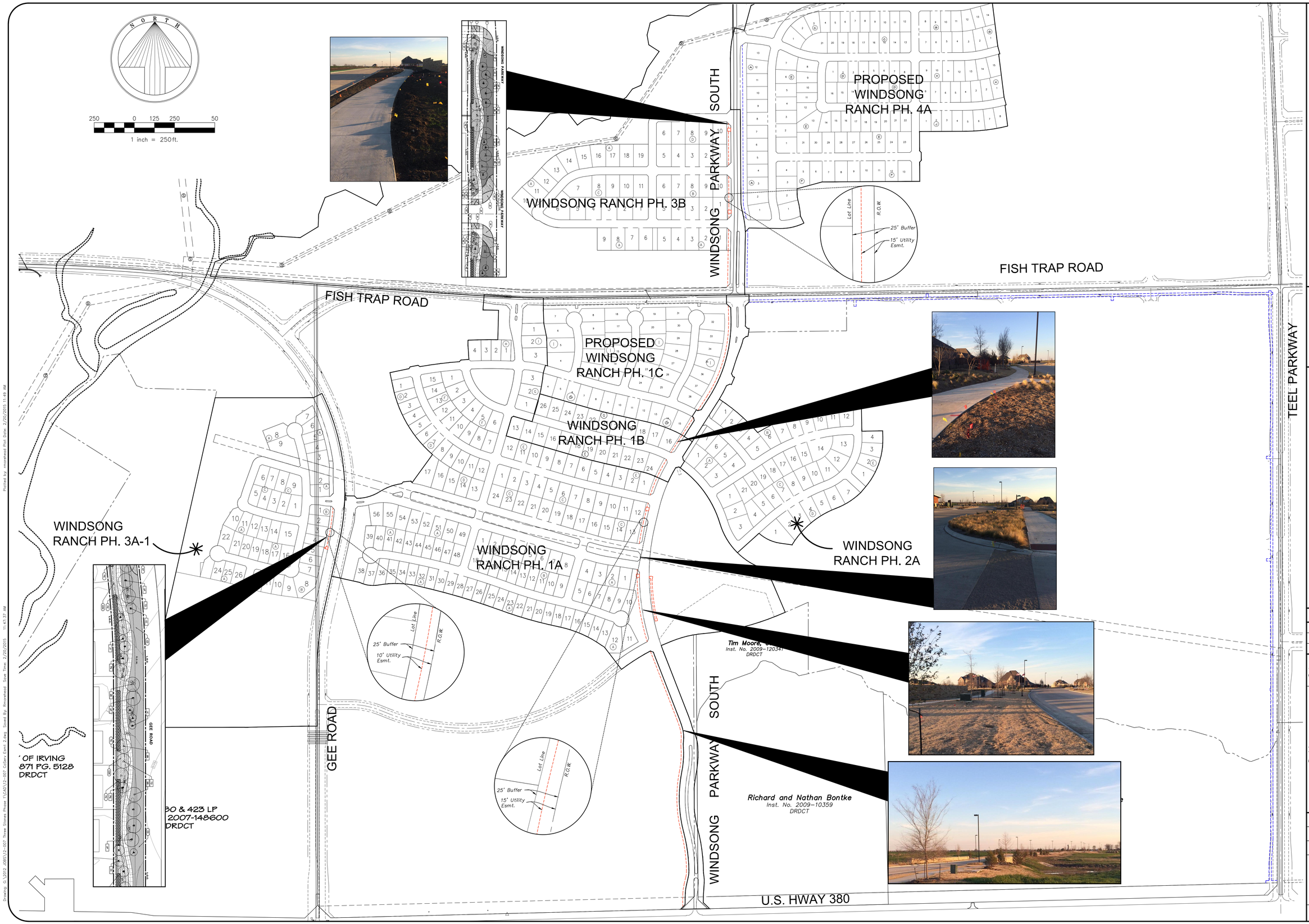
During construction of the above-referenced projects, CoServ Electric finalized their design for electric infrastructure and requested various easements be added to the plats. These easements encroached on the proposed landscape buffers in four locations, which are detailed on the attached CoServ Easement Exhibit. The development team confirmed with CoServ that these easements would have no impact on our ability to install and maintain the approved landscape and hardscape improvements that were planned. The form of easement used to dedicate the easements clearly states that these improvements are considered "Permitted Improvements" (copy attached) and further, the engineering project manager for CoServ emphasized that the buffer could be utilized as planned. Given that the buffers would be owned and maintained by Terra Verde initially, and the homeowners' association eventually, the easements were granted. The attached exhibit shows that the landscape and hardscape have been installed according to plan, and that the intent of the ordinance has not been compromised.

As you know, Staff discovered this condition during the final review process for the Phase 3B plat and alerted the development team that this violated a condition of the subdivision ordinance stating that landscape buffers were to be unencumbered with utility easements. At this point, the plats for Phases 1A and 1B were already filed, and the infrastructure for Phases 3A and 3B were constructed. The subdivision ordinance allows that any such encumbrance can be granted a variance by Town Council; the purpose of this application is to request this variance for the affected phases. As we have discussed, future phases will be designed to prevent this condition. Phases 1C and 4 have been modified to allow the full 25' clear for landscape purposes.

Should you have any questions, please do not hesitate to contact me.

Sincerely,
Spiars Engineering, Inc.

Matthew M. Dorsett, P.E.



piars ENGINEERING
765 Custer Road, Suite 100 Plano, TX 75075
(972) 422-0077 Fax (972) 422-0075 TBPE No. F-2121

COSERV EASEMENT EXHIBIT

TOWN OF PROSPER, DENTON COUNTY TEXAS

Issue Dates:
1/15/2013

Date
Revisions

Scale:
Drawn By:
Checked By:

Sheet 1 of 1

SEI No. 12-155

Drawing: G:\2012 JOBS\12-007 Three Stones Phase 1\CAD\12-007 CoServ Esmt 2.dwg Saved By: Rmorehead Save Time: 2/20/2015 11:47:37 AM Plotted by: rmorehead Plot Date: 2/20/2015 11:49 AM

TOWN OF PROSPER

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PLANNING

To: **Planning & Zoning Commission**

From: **John Webb, AICP, Director of Development Services**

Re: **Planning & Zoning Commission Meeting – March 3, 2015**

Agenda Item:
Discuss Residential Design and Development Standards.

Description of Agenda Item:
On February 24, 2015, staff provided an overview of recommended residential design and development standards to the Town Council. Please see the attached staff report and PowerPoint.

Attached Documents:
1. Proposed Amendments
2. Standards Recommended for not Amending
3. Copy of PowerPoint Presentation

Town Staff Recommendation:
Staff desires to provide an overview of these recommended amendments and receive feedback from the Commission prior to initiating the formal amendment process.

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PLANNING

To: **Mayor and Town Council**

From: **John Webb, AICP, Director of Development Services**

Through: **Harlan Jefferson, Town Manager**

Re: **Town Council Meeting – February 24, 2015**

Agenda Item:
Discuss Residential Design and Development Standards.

Description of Agenda Item:
On December 9, 2014, Town staff provided a list of possible amendments to various residential design and development standards. Staff was provided direction to prepare recommended standards which are attached. Staff also identified standards which have been the subject of amending but have recommended no action at this time.

Pending direction and input from the Council, staff will initiate the formal process to amend the required ordinances. The proposed amendments will be processed in accordance with the required Public Hearings. Staff will also seek input from the Prosper Developers Council.

Attached Documents:
1. Proposed Amendments
2. Standards Recommended for not Amending

Town Staff Recommendation:
Town staff requests that the Town Council provide input on the proposed amendments and direction on whether to initiate a formal amendment to the applicable ordinances.

PROPOSED AMENDMENTS

Item 1. Alternating Single Family Plan Elevations (Anti-Monotony)

Applicable Ordinance	Zoning Ordinance, Chapter 4, Section 9
Purpose of Amendment	The monotonous design of homes within a subdivision detracts from the overall aesthetic and economic value of a neighborhood. The provision enhances pride of ownership.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	A minimum of four (4) distinctly different home elevations shall be built on the same side of the street. Similar elevations shall not face each other. The same elevation shall not be within three homes of each other on the same side of the street. Different exterior elevations can be met by meeting at least two of the following criteria: • Different roof forms/profiles • Different façades consisting of different window and door style and placement • Different entry treatment such as porches and columns • Different number of stories
Possible Issues	Determining compliance may be subjective. Additional work on Town Plan Review staff to ensure compliance. Many developers and builders incorporate anti-monotony provisions.

Item 2 Masonry construction for Single Family Facades Facing a Street

Applicable Ordinance	Zoning Ordinance, Chapter 4, Section 9.8
Purpose of Amendment	Improve appearance of homes with public exposure. The Zoning Ordinance currently allows up to 50% cementatious fiberboard on the upper stories of a home when the upper story is not within the same plane as the first floor. The use of non-masonry materials with public exposure diminishes the appearance of the neighborhood.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	Excluding windows, any portion of an upper story facing a street shall be constructed of 100% masonry.
Possible Issues	Cost

Item 3. Impervious Coverage of Front Yards

Applicable Ordinance	Zoning Ordinance, Chapter 4, (new section)
Purpose of Amendment	The current regulations do not address impervious coverage of the front yards. With the exception of required trees, there is no provision preventing the excessive paving of the front yard, resulting in additional storm water run-off and heat.
Implemented in Planned Development Districts?	No
Proposed Text Amendment	The cumulative area of any driveway plus any impermeable surface area located between the front property line and any front building wall shall not exceed fifty (50) percent of the area between the front property line and any front building wall. For the purpose of this subsection, the front wall of a j-swing wall can be used to meet the requirement.
Possible Issues	The requirement for two (2) parking spaces between the property line and the garage will not be compromised, but the amount of additional off-street parking may be reduced.

Item 4. Single Family Corner Lot Landscaping

Applicable Ordinance	Zoning Ordinance, Chapter 4, Section 2.6
Purpose of Amendment	Provide trees on the side yards of corner lots; enhance aesthetics of public realm. Currently a minimum of two trees are required in the front yard, but there is no requirement to plant trees in the side yard of corner lots.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	A minimum of two (2), four (4) caliper inch trees shall be planted in the side yard of a corner lot. Where more than two (2) trees are required per lot, the side yard corner lot trees may be used to meet the requirement. Street trees planted adjacent to the side yard of a corner may also be used to meet the requirement.
Possible Issues	Additional cost

Item 5. Residential Garage Standards

Applicable Ordinance	Zoning Ordinance, Chapter 4, Section 4 (new subsection)
Purpose of Amendment	Garages should be subordinate to the façade of a home and not dominate the streetscape. Neighborhood appeal is diminished where there is a dominance of front facing garage doors. The proposal also ensures that there is adequate space for vehicles parked in the driveway to not block the sidewalk. The amendment does not prohibit front entry garages but rather addresses the negative impacts.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	1) In no instance shall a garage door directly facing a street be less than 25 feet from the property line. 2) Garage doors directly facing a street shall not occupy more than fifty percent (50%) of the width of the front façade of the house. 3) Garage doors directly facing a street shall be located a minimum of five (5) feet behind the main front façade of the house. 4) Where a home has three (3) or more garage/enclosed parking spaces, no more than two (2) garage doors shall face the street, unless the garage doors are located behind the main structure.
Possible Issues	May impact design of the home.

Item 6. Residential Driveway Standards

Applicable Ordinance	Zoning Ordinance, Chapter 4, (New section)
Purpose of Amendment	Driveways are a predominate feature in neighborhoods. Enhancing the paving surface contributes to the quality of the development.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	Enhanced paving treatments shall be provided for all driveways and shall consist of one of the following, or other treatment as approved by the Director of Development Services: 1) Stamp and stain/patterned concrete, shall be dust-on color application to wet concrete. 2) Acid-etched colored concrete for the field with scored colored borders, shall use dust-on color application to wet concrete. 3) Colored concrete with scored smooth border, shall use dust-on color application to wet concrete. 4) Brick or interlocking pavers or pave stone.
Possible Issues	1) Cost 2) Maintenance

Item 7. Chimneys

Applicable Ordinance	Zoning Ordinance, Chapter 4, Section 9 and or the Building Code
Purpose of Amendment	Chimneys are the most difficult part of a home to maintain and tend to be ignored during maintenance. Masonry clad chimneys resist decay and enhance the appearance of the neighborhood. The provision would also apply to townhome and multi-family developments.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	The exterior of chimneys shall be 100% clay fired brick, natural or manufactured stone or stucco.
Possible Issues	Initial higher cost but lower long term maintenance cost.

Item 8. Carports

Applicable Ordinance	Zoning Ordinance, Chapter 4, Section 4 (new subsection)
Purpose of Amendment	Unless properly designed, carports can diminish the appearance of neighborhoods. In most instances, carports can only be constructed in larger lots due to setback requirements. The proposal requires that carports be compatible with the main structure.
Implemented in Planned Development Districts?	Yes, but the requirements prohibited carports rather than establishing standards.
Proposed Text Amendment	The support structures of a carport shall be of the same material as the main structure. The roof shall have a minimum roof pitch of 6:12 and be of similar material as the main structure.
Possible Issues	Cost

Item 9. General Fencing standards

Applicable Ordinance	Code of Ordinances, Fences, Section 3.19
Purpose of Amendment	Improve the quality and appearance of wooden fences.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	Wooden fences shall be board-on-board with a top rail.
Possible Issues	Higher cost for a board-on-board fence.

Item 10. Fencing adjacent to open spaces and hike & bike trails

Applicable Ordinance	Code of Ordinances, Fences, Section 3.19
Purpose of Amendment	Open spaces integrated into neighborhoods are an asset to the community and to the adjacent homeowners. Open fencing prevents a "canyon effect" and provides for greater visibility of the open space/trails. It is common practice to utilize open fencing adjacent to open spaces and trails in other communities.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	Fences adjacent to open space and hike and bike trails shall be ornamental metal, tubular steel or split rail.
Possible Issues	Privacy

Item 11. Corner lot fencing

Applicable Ordinance	Code of Ordinances, Fences, Section 3.19
Purpose of Amendment	Improve the appearance of the street. Aging wooden fences on corner lots diminish the appeal of a neighborhood. In addition, solid fencing on corner lots also create a canyon effect along the street and detract from the "open feel" of a neighborhood.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	Fences on corner lots shall be ornamental metal. Existing wood fences may be replaced with a wood fence in accordance with the standards for wood fences as they exist or may be amended.
Possible Issues	Privacy

Item 12. Required Wet Detention

Applicable Ordinance	Subdivision Ordinance
Purpose of Amendment	Allow detention ponds to serve as an amenity to the neighborhood. Water and water features have demonstrated to be an asset to the subdivision and neighboring homes.
Implemented in Planned Development Districts?	Yes
Proposed Text Amendment	All required detention areas shall be designed for constant water level wet detention with a fountain.
Possible Issues	Maintenance cost of fountain and source of water during drought conditions. (The majority of the existing detention ponds are not served by well water).

Development Standards Considered but not Recommended for Amendments

Increasing Side Yards

The Zoning Ordinance requires that the minimum side yard be at least 10% of the minimum lot width. For example, where the lot width is 100 feet, the minimum side yard is 10 feet. Increasing the minimum side yard requirement would impact the size of the home.

Enhanced Exterior Lighting

Some Planned Development Districts have required "an exterior lighting package to illuminate front entrances, landscaping and trees located in the front yard and garage." Builders and homeowners generally install adequate lighting near entrances; however, the lighting of landscaping should be the choice of the homeowner or the HOA.

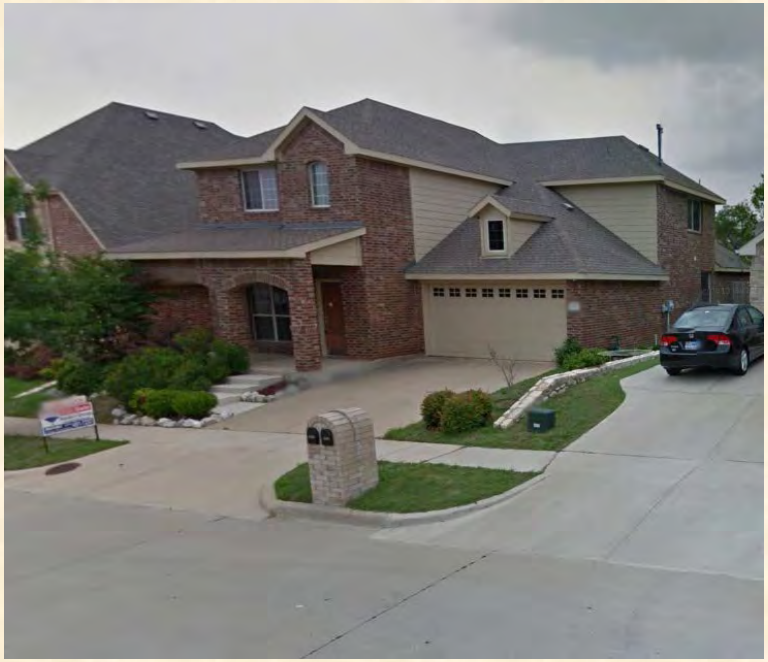
Discuss Residential Design and Development Standards. **(JW)**

1. Alternating Single Family Plan Elevations (Anti-Monotony)

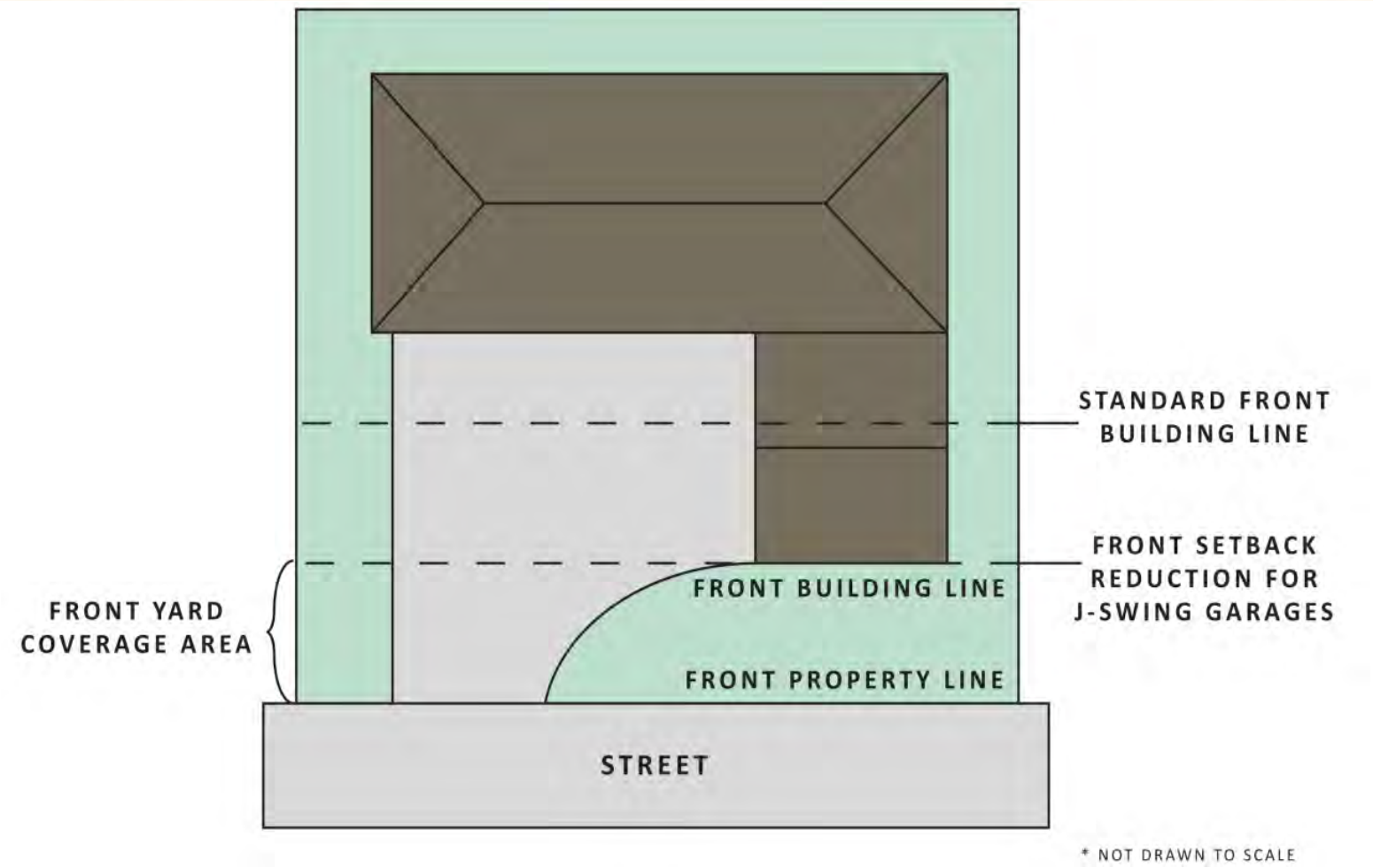
- A minimum of four (4) distinctly different home elevations shall be built on the same side of the street.
- Similar elevations shall not face each other.
- The same elevation shall not be within three homes of each other on the same side of the street.
  - Different roof forms/profiles
  - Different façades consisting of different window and door style and placement
  - Different entry treatment such as porches and columns
  - Different number of stories

2. Masonry Construction for Single Family Facades Facing a Street

- Excluding windows, any portion of an upper story facing a street shall be constructed of 100% masonry.



3. Impervious Coverage of Front Yards



3. Impervious Coverage of Front Yards

- The cumulative area of any driveway plus any impermeable surface area located between the front property line and any front building wall shall not exceed fifty (50) percent of the area between the front property line and any front building wall.
- The front wall of a j-swing wall can be used to meet the requirement.

4. Single Family Corner Lot Landscaping

4. Single Family Corner Lot Landscaping

- A minimum of two (2), four (4) caliper inch trees shall be planted in the side yard of a corner lot.
- Where more than two (2) trees are required per lot, the side yard corner lot trees may be used to meet the requirement.
- Street trees planted adjacent to the side yard of a corner may also be used to meet the requirement.

5. Residential Garage Standards

5. Residential Garage Standards

- In no instance shall a garage door directly facing a street be less than 25 feet from the property line.
- Garage doors directly facing a street shall not occupy more than fifty percent (50%) of the width of the front façade of the house.
- Garage doors directly facing a street shall be located a minimum of five (5) feet behind the main front façade of the house.
- Where a home has three (3) or more garage/enclosed parking spaces, no more than two (2) garage doors shall face the street, unless the garage doors are located behind the main structure.

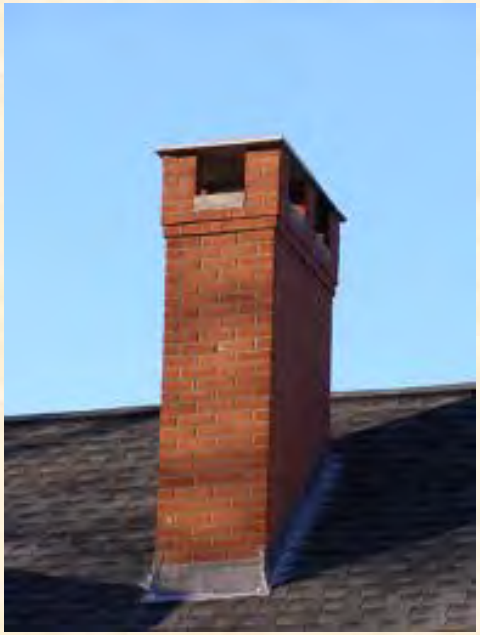
6. Residential Driveway Standards

6. Residential Driveway Standards

- Stamp and stain/patterned concrete, shall be dust-on color application to wet concrete.
- Acid-etched colored concrete for the field with scored colored borders, shall use dust-on color application to wet concrete.
- Colored concrete with scored smooth border, shall use dust-on color application to wet concrete.
- Brick or interlocking pavers or pave stone.

7. Chimneys

- The exterior of chimneys shall be 100% clay fired brick, natural or manufactured stone or stucco.



8. Carports

- The support structures of a carport shall be of the same material as the main structure. The roof shall have a minimum roof pitch of 6:12 and be of similar material as the main structure.

9. General Fencing Standards

- Wooden fences shall be board-on-board with a top rail.

10. Fencing Adjacent to Open Spaces and Hike & Bike Trails

- Fences adjacent to open space and hike and bike trails shall be ornamental metal, tubular steel or split rail.

11. Corner Lot Fencing

11. Corner Lot Fencing

- Fences on corner lots shall be ornamental metal. Existing non-ornamental metal fences may be replaced with a similar material in accordance with the standards for those fences as they exist or may be amended.

12. Required Wet Detention

- All required detention areas shall be designed for constant water level wet detention with a fountain

Standards not Recommended for Amendments

- Increasing Side Yards
- Enhanced Exterior Lighting

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PLANNING

To: **Planning & Zoning Commission**

From: **Alex Glushko, AICP, Senior Planner**

Through: **John Webb, AICP, Director of Development Services**

Re: **Planning & Zoning Commission Meeting – March 3, 2015**

The chart below summarizes the Town Council's actions from their February 24, 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 amending Specific Use Permit-4 (SUP-4), to allow for Office/Showroom uses, on 5.4± acres, located on the east side of Prosper Commons Boulevard, 300± feet south of Richland Boulevard. (S15-0001).	Approved 5-0.	Ordinance Adopted 6-0.