

AGENDA
Regular Meeting of the
Prosper Planning & Zoning Commission
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Tuesday, April 19, 2016, 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 April 5, 2016, Regular Planning & Zoning Commission meeting.
- 3b. Consider and act upon a Site Plan for a parking lot (Prosper United Methodist Church), on 1.0± acre, located on the northeast corner of Church Street and Third Street. This property is zoned Downtown Office (DTO). (D16-0001).
- 3c. Consider and act upon a Site Plan for six office/warehouse buildings (Prosper Business Park, Phase 2), on 13.9± acres, located on the east side of future Cook Lane, 1,650± feet south of Prosper Trail. This property is zoned Planned Development-26 (PD-26). (D16-0029).
- 3d. Consider and act upon a Final Plat for Prosper Business Park, Block A, Lots 8 and 9 and Block B, Lots 1, 2, 3, and 8, and consider and act upon a Revised Conveyance Plat for Prosper Business Park, Block A, Lot 8R, on 34.9± acres, located on the east side of future Cook Lane, 1,650± feet south of Prosper Trail. This property is zoned Planned Development-26 (PD-26). (D16-0030).
- 3e. Consider and act upon a Final Plat for CVS Prosper Addition, Block A, Lot 1, on 2.0± acres, located on the northeast corner of US 380 and Coit Road. This property is zoned Planned Development-38 (PD-38). (D16-0031).
- 3f. Consider and act upon a Revised Conveyance Plat for Gates of Prosper, Block A, Lots 2R, 5, 6 and 7, on 12.0± acres, located on the southeast corner of Preston Road and future Richland Boulevard. This property is zoned Planned Development-67 (PD-67). (D16-0032).
- 3g. Consider and act upon a Final Plat for Windsong Ranch Marketplace, Block A, Lots 3, 4, 7, and 8, and consider and act upon a Conveyance Plat for Windsong Ranch Marketplace, Block A, Lots 1, 2, 5, and 6, on 24.4± acres, located on the northeast corner of US 380 and Gee Road. This property is zoned Planned Development-40 (PD-40). (D16-0034).

- 3h. Consider and act upon a Site Plan for a retail shell building in Windsong Ranch Marketplace, on 1.2± acres, located on the east side of Gee Road, 300± feet north of US 380. This property is zoned Planned Development-40 (PD-40). (D16-0035).

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 rezone 5.5± acres, located on the east side of Preston Road, 1,750± feet south of Prosper Trail, from Single Family-15 (SF-15) to Retail (R). (Z16-0007).
5. Conduct a Public Hearing, and consider and act upon a request for an extension of a Specific Use Permit (SUP) for a Concrete Batching Plant, on 5.0± acres, located on the west side of Dallas Parkway, 900± feet south of First Street. The property is zoned Planned Development-19-Commercial Corridor and Specific Use Permit-6 (PD-19-CC and S-6). (S16-0006).
6. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Private Street Development, on 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive. (S16-0005).
7. Consider and act upon a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential, on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (CA16-0002). [*Companion Case Z16-0004*]
8. Consider and act upon a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (Z16-0004). [*Companion Case CA16-0002*]
9. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
10. 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 April 15, 2016, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

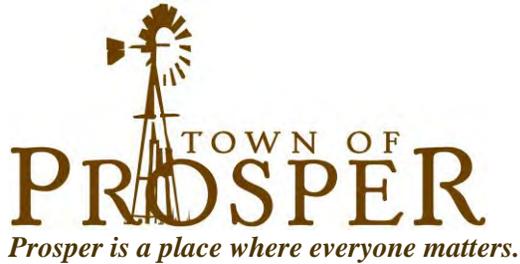
Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Planning & Zoning Commission 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.



P&Z MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Tuesday, April 5, 2016, 6:00 p.m.

1. Call to Order / Roll Call.

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

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

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

2. Recitation of Pledge of Allegiance.

CONSENT AGENDA

- 3a. Consider and act upon minutes from the March 15, 2016, Regular Planning & Zoning Commission meeting.**
- 3b. Consider and act upon a Final Plat of Prosper Center, Phase 1, for 133 single family residential lots and four (4) HOA/open space lots, on 41.8± acres, located on the northeast corner of future Prairie Drive and future Legacy Drive. This property is zoned Planned Development-65 (PD-65). (D16-0023).**

Motioned by Snyder, seconded by Daniel, to approve the Consent Agenda, subject to staff recommendations. Motion approved 5-0.

REGULAR AGENDA

- 4. Consider and act upon a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential, on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (CA16-0002). [Companion Case Z16-0004] THIS REQUEST HAS BEEN TABLED TO THE APRIL 19, 2016 PLANNING & ZONING COMMISSION MEETING.**

Motioned by Snyder, seconded by Daniel, to continue the Public Hearing and table Item 4 to the April 19, 2016 Planning & Zoning Commission meeting. Motion approved 5-0.

- 5. Consider and act upon a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (Z16-0004). [Companion Case CA16-0002] THIS REQUEST HAS**

BEEN TABLED TO THE APRIL 19, 2016 PLANNING & ZONING COMMISSION MEETING.

Motioned by Snyder, seconded by Daniel, to continue the Public Hearing and table Item 5 to the April 19, 2016 Planning & Zoning Commission meeting. Motion approved 5-0.

6. **Consider and act upon a Preliminary Site Plan for two mini-warehouse buildings (Advantage Storage), on 5.1± acres, located on the east side of Prosper Commons Boulevard, 340± feet north of US 380. This property is zoned Commercial (C) and Specific Use Permit-4 (S-4) for Mini-Warehouse. (D16-0026).**
7. **Consider and act upon a Site Plan for a two-story mini-warehouse building (Advantage Storage, Phase 2), on 5.1± acres, located on the east side of Prosper Commons Boulevard, 340± feet north of US 380. This property is zoned Commercial (C) and Specific Use Permit-4 (S-4) for Mini-Warehouse. (D16-0027).**

Hubbard: Summarized the request, and explained the basis for the items being on the Regular Agenda is to request approval of a reduction to the side yard setback. Indicated the proposed building would be consistent with the existing building and would be in conformance with the SUP.

Snyder: Inquired about the basis for the reduction to the side yard setback, and how it would impact the northern adjacent property.

Hector Leon (Applicant Representative): Indicated the reduction to the setback would enable the developer to maximize the usable space on the property, considering restrictions associated to the existing City of Irving waterline easement bisecting the property.

Motioned by Snyder, seconded by Andres, to approve Item 6, subject to staff recommendations. Motion approved 5-0.

Motioned by Snyder, seconded by Alzner, to approve Item 7, subject to staff recommendations. Motion approved 5-0.

8. **Conduct a Public Hearing, and consider and act upon a request to rezone 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive, from Agricultural (A) to Single Family-12.5 (SF-12.5). (Z16-0005).**

Hubbard: Summarized the request and presented an exhibit provided by the applicant. Stated the request conforms to the Future Land Use Plan. Informed Commissioners that no Public Hearing reply forms have been received in opposition to the request. Recommended approval of the request.

Public Hearing was opened by Chair Alzner.

Shea Kirkman (Applicant Representative): Provided a history and overview of the property and described future potential surrounding developments.

There being no other speakers the Public Hearing was closed.

Motioned by Snyder, seconded by Daniel, to approve Item 8, subject to staff recommendations. Motion approved 5-0.

9. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Private Street Development, on 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive. (S16-0005).

Hubbard: Summarized the request and presented exhibits provided by the applicant. Stated staff has concerns with the proposed street layout with regard to safety/potential speeding within the neighborhood. Informed the Commission that since the packet was distributed, the applicant has submitted a revised layout attempting to address staff concerns. Stated that staff has not had adequate time to review the revised plans. Requested Item 9 be tabled to the April 19, 2016 Planning & Zoning Commission meeting.

Public Hearing was opened by Chair Alzner.

Kirkman: Described surrounding properties and potential future development. Requested the Commission consider approving the SUP request with the condition that staff review and support the revised layout prior to Town Council action.

Michael Fannin (Owner): Described the proposed development and proposed development timeline.

The being no other speakers the Public Hearing closed.

Commission Discussion: Commissioners agreed that Item 9 should be tabled to give staff adequate time to review the revised layout, prior to action.

Motioned by Daniel, seconded by Andres, to continue the Public Hearing and table Item 9 to the April 19, 2016, Planning & Zoning meeting. Motion approved 5-0.

10. Conduct a Public Hearing, and consider and act upon a request to amend Chapter 4, Development Requirements of the Zoning Ordinance regarding the consideration of granting exceptions for alternate exterior construction of main buildings. (Z16-0006).

Webb: Described the process and criteria for considering and approving the use of alternate exterior materials.

Snyder: Inquired if approval of an alternate material associated with a request would set a precedent for such a material with future requests. Inquired if a majority of the request criteria is required to be met in order for a request to be approved.

Webb: Noted that the Commission would have discretion on approving or denying each request based the merit of the proposal and approval of an application would not set a precedent.

Public Hearing opened by Chair Alzner.

There being no speakers the Public Hearing was closed.

Motioned by Snyder, seconded by Hema, to approve Item 10, subject to incorporation of the following provisions as provided by Commissioner Snyder:

1. Any exception granted does not establish actual precedent and should not be used for determining future exception requests.
2. Exception approval is conditional upon material acceptance of a majority of criteria.

Motion approved 5-0.

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

Webb: Requested that Commissioners check availability in May for a tour.

- 12. Adjourn.**

Motioned by Snyder, seconded by Daniel, to adjourn. Motion approved 5-0 at 7:08 p.m.

Pamela Clark, Planning Technician

David Snyder, Secretary



PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Site Plan for a parking lot (Prosper United Methodist Church), on 1.0± acre, located on the northeast corner of Church Street and Third Street. This property is zoned Downtown Office (DTO). (D16-0001).

Description of Agenda Item:

The Site Plan shows a parking lot for Prosper United Methodist Church consisting of 88 proposed parking spaces. Access is provided from Church Street and Third Street. The Site Plan conforms to the DTO development standards.

Budget Impact:

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

Legal Obligations and Review:

The Site Plan meets minimum development requirements.

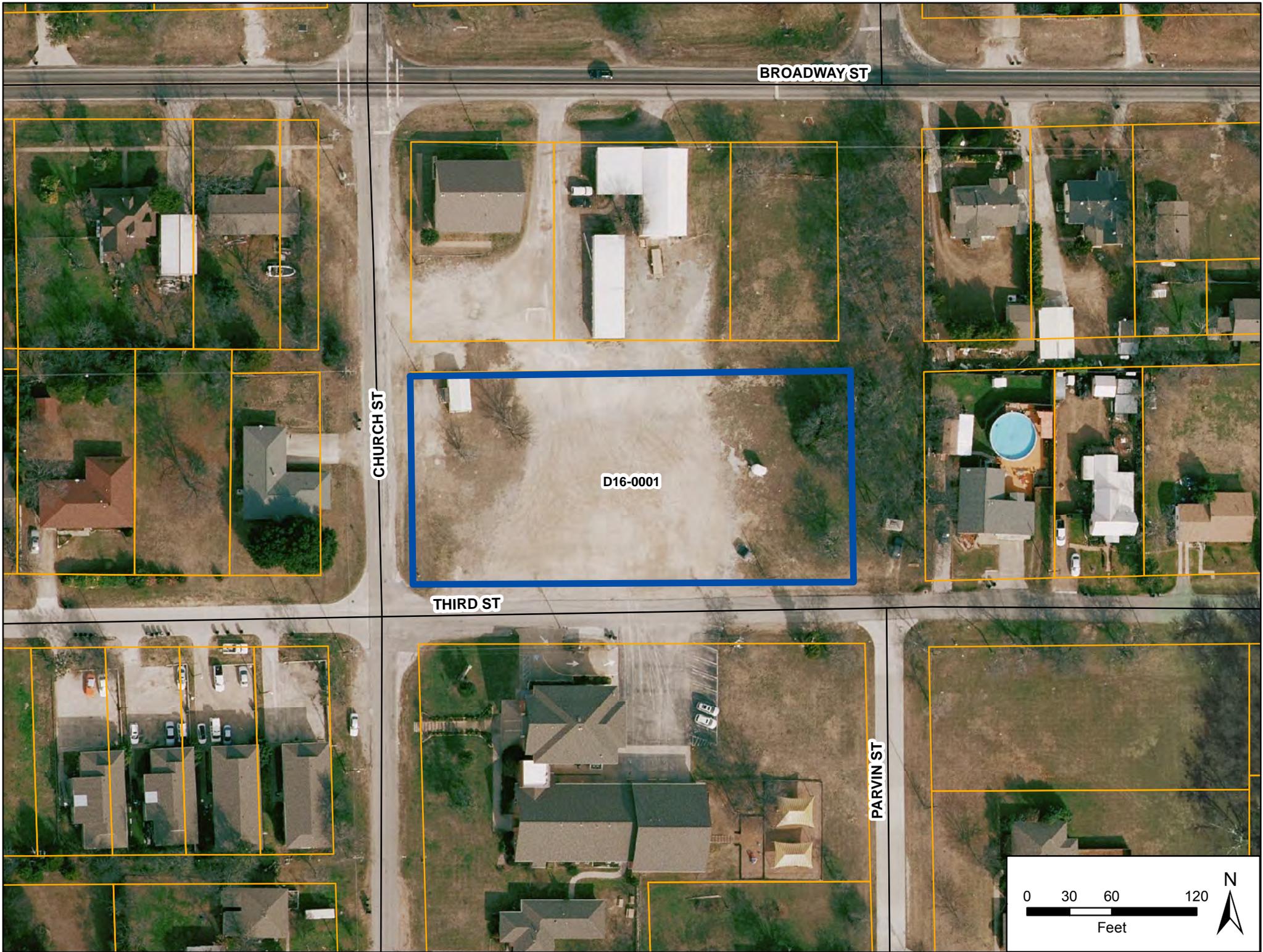
Attached Documents:

1. Location Map
2. Site Plan

Town Staff Recommendation:

Town staff recommends approval of the Site Plan subject to:

1. Town staff approval of civil engineering, landscape, and irrigation plans.
2. Town staff approval of all fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.



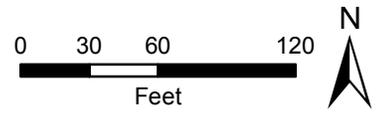
BROADWAY ST

CHURCH ST

D16-0001

THIRD ST

PARVIN ST



APPARENT OWNER:
LEE LODGE
OWNER ADDRESS:
PO BOX 435
PROSPER, TEXAS 75078-0435

PROPERTY LOCATION:
101 CHURCH STREET
PROSPER, TEXAS 75078
LEGAL DESCRIPTION:
BRYANTS ADDITION #1
BLOCK 20, LOTS 1 & 2
VOLUME 000, PAGE 000
D.R.C.C.TX.

APPARENT OWNER:
HJO LTD.
OWNER ADDRESS:
8000 WARREN PARKWAY STE 100
FRISCO, TX 75034-2231

PROPERTY LOCATION:
406 EAST BROADWAY STREET
PROSPER, TEXAS 75078
LEGAL DESCRIPTION:
BRYANTS ADDITION #1
BLOCK 20, LOTS 3, 4 & 5A
INSTRUMENT NO. 20110523000527680
D.R.C.C.TX.

APPARENT OWNER:
MATTHEWS, MARTY L.
OWNER ADDRESS:
PO BOX 757
PROSPER, TX 75078-0757

PROPERTY LOCATION:
EAST BROADWAY STREET
PROSPER, TEXAS 75078
LEGAL DESCRIPTION:
BRYANTS ADDITION #1
BLOCK 20, LOTS 5B & 6
VOLUME 99-003084,
PAGE 4406-0553
D.R.C.C.TX.

APPARENT OWNER:
SCOTT, DON M.
OWNER ADDRESS:
PO BOX 943
PROSPER, TEXAS 75078-0943

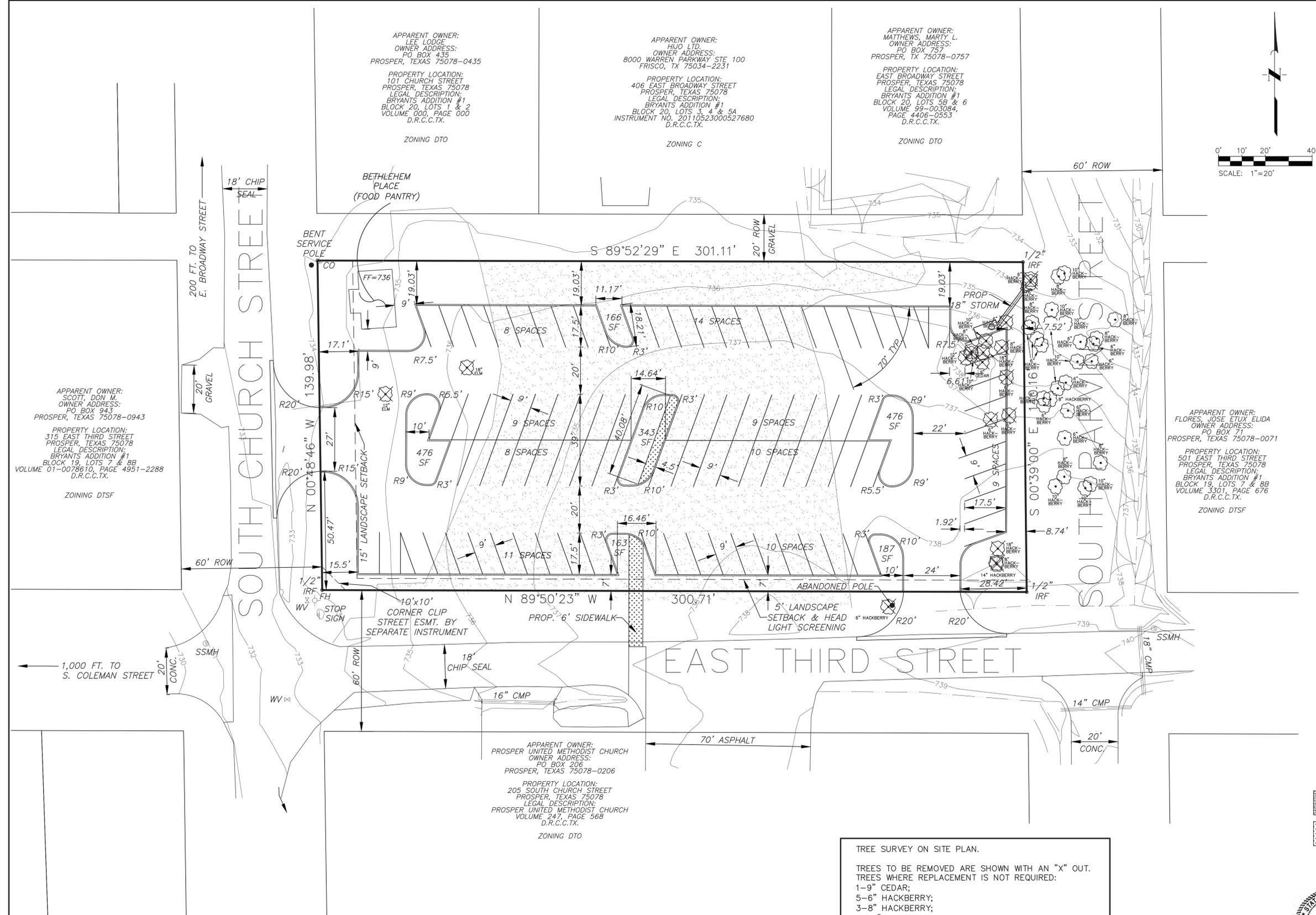
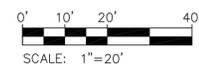
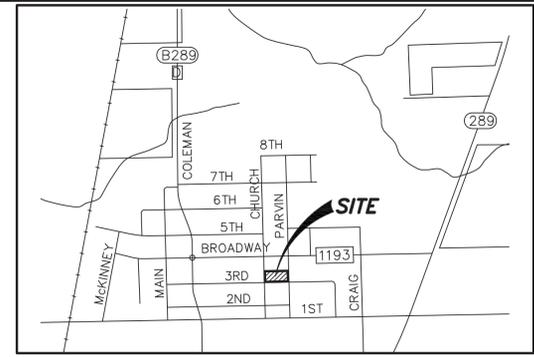
PROPERTY LOCATION:
315 EAST THIRD STREET
PROSPER, TEXAS 75078
LEGAL DESCRIPTION:
BRYANTS ADDITION #1
BLOCK 19, LOTS 7 & 8B
VOLUME 01-0078610, PAGE 4951-2288
D.R.C.C.TX.

APPARENT OWNER:
FLORES, JOSE ETUX ELIDA
OWNER ADDRESS:
PO BOX 71
PROSPER, TEXAS 75078-0071

PROPERTY LOCATION:
501 EAST THIRD STREET
PROSPER, TEXAS 75078
LEGAL DESCRIPTION:
BRYANTS ADDITION #1
BLOCK 19, LOTS 7 & 8B
VOLUME 3301, PAGE 676
D.R.C.C.TX.

APPARENT OWNER:
PROSPER UNITED METHODIST CHURCH
OWNER ADDRESS:
PO BOX 206
PROSPER, TEXAS 75078-0206

PROPERTY LOCATION:
205 SOUTH CHURCH STREET
PROSPER, TEXAS 75078
LEGAL DESCRIPTION:
PROSPER UNITED METHODIST CHURCH
VOLUME 247, PAGE 568
D.R.C.C.TX.



LOT COVERAGE DATA		BLOCK 20, LOTS 7-12	
TOTAL LOT		42,142 S.F./0.967 AC.	
ZONING		DTO	
PROPOSED USE		PARKING LOT	
EXIST. BUILDING COVERAGE	(407/42,142)	0.97%	
IMPERVIOUS AREA		30,089 S.F.	
PERVIOUS AREA		12,053 S.F.	
PARKING SUMMARY	(407/1,000)	1 SPACE REQUIRED	
EXISTING SPACES (205 S. CHURCH ST.)		12	
PROPOSED SPACES (NEW PARKING LOT)		88	
TOTAL PARKING SPACES		100	

HANDICAP SPACES FOR (76-100 SPACES): REQUIRED:
4 SPACES (1-VAN) PROVIDED: * 5 SPACES (2-VAN)
*HANDICAP SPACES LOCATED ON SOUTH SIDE OF EAST THIRD STREET.

LANDSCAPE SUMMARY	
LANDSCAPE REQUIRED 15 SF/SPACE (1,320 SF)	
INTERIOR LANDSCAPE PROVIDED	1,810 SF
ANTICIPATED TREE LOSS: 2-ELM IN POOR CONDITION; 1-CEDAR, 17 HACKBERRY	

PROPOSED TOPOGRAPHY LESS THAN 5-FT
OPEN SPACE REQUIREMENTS 7% OF LOT SIZE
7% X 42,142 SF = 2,950 SF REQUIRED
6,739 SF PROVIDED

NOTE:
DIMENSIONS ARE FC-FC UNLESS NOTED OTHERWISE.
PARKING LOT IS 3,000 PSI, 5" REINFORCED CONCRETE.
ALL PAVING IN ROW IS 3,500 PSI, 6" REINFORCED CONCRETE.
AREAS FOR INTERIOR PARKING ISLANDS ARE BC-BC.

NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE.

WATER METER SCHEDULE		
SIZE	LOCATION	NOTES
1"	S. CHURCH STREET	IRRIGATION METER

LEGEND	
IRF	IRON ROD FOUND
D.R.C.C.TX.	DEED RECORDS, COLLIN COUNTY, TEXAS
WV	WATER VALVE
FW	FIRE HYDRANT
SSMH	SANITARY SEWER MANHOLE
CMP	CORRUGATED METAL PIPE
CO	CLEANOUT
(X)	EXISTING TREE TO BE REMOVED
(Stippled)	EXISTING GRAVEL PAVEMENT TO BE REMOVED
(Dotted)	PROPOSED SIDEWALK

TREE SURVEY ON SITE PLAN.

TREES TO BE REMOVED ARE SHOWN WITH AN "X" OUT.
TREES WHERE REPLACEMENT IS NOT REQUIRED:

- 1-9" CEDAR;
- 5-6" HACKBERRY;
- 3-8" HACKBERRY;
- 2-10" HACKBERRY;
- 1-12" HACKBERRY;
- 1-14" HACKBERRY;
- 2-18" HACKBERRY; AND
- UNHEALTHY TREES OF POOR QUALITY.
- 1-12" ELM; AND
- 1-18" ELM.

NO TREE MITIGATION REQUIRED

TREE REMOVAL FOR DRAINAGE IMPROVEMENT IN ROW
2-6" HACKBERRY

- 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 Zoning Ordinance.
 - 2) Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
 - 3) Outdoor lighting shall comply with the lighting and glare standards contained within the Zoning Ordinance and Subdivision Ordinance.
 - 4) Landscaping shall conform to landscape plans approved by the Town.
 - 5) All elevations shall comply with the standards contained within the 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 Engineering Department.
- 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 Zoning Ordinance.
- 19) Impact fees will be assessed in accordance with the land use classification (s) identified on the Site Data Summary Table; however, changes to the proposed land use at the time CO and/or finish-out-permit may result in additional impact fees and/or parking requirements.

SURVEYOR:
A.N.A. CONSULTING, LLC.
500 Thomson Terrace
Colleyville, Texas 76034
Phone: (817) 253-9900
Contact Person: Edward Khalil, RPLS



OWNER:
PROSPER UNITED METHODIST CHURCH
PO BOX 206
Prospers, Texas 75078-0206
Phone: (817) 253-6985
Contact Person: Bruce Mueller

ENGINEER/APPLICANT:
J. S. GROUND ENGINEERING, LLC
4108 Dundee Court
Colleyville, Texas 76034
Phone: (817) 320-5330
Contact Person: Jeff Ground, P.E.
FIRM REGISTRATION NO. F-1276

TOWN OF PROSPER
CASE # D16-0001

SITE PLAN
PROSPER UNITED METHODIST CHURCH
PARKING LOT ADDITION
BLOCK 20, LOTS 7-12, BRYANTS #1
BEING 0.967 ACRES
THE TOWN OF PROSPER
COLLIN COUNTY, TEXAS

JANUARY 25, 2016



PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Site Plan for six office/warehouse buildings (Prosper Business Park, Phase 2), on 13.9± acres, located on the east side of future Cook Lane, 1,650± feet south of Prosper Trail. This property is zoned Planned Development-26 (PD-26). (D16-0029).

Description of Agenda Item:

The Site Plan shows one 20,150 square foot office/warehouse building and five 25,225 square foot office/warehouse buildings. Access is provided from the future extension of Cook Lane. Adequate parking has been provided. The Site Plan conforms to the PD-26 development standards.

As a companion item, the Final Plat/Conveyance Plat for Prosper Business Park, Phase 2 (D16-0030) is on the April 19, 2016, agenda.

Budget Impact:

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

Legal Obligations and Review:

The Site Plan meets minimum development requirements.

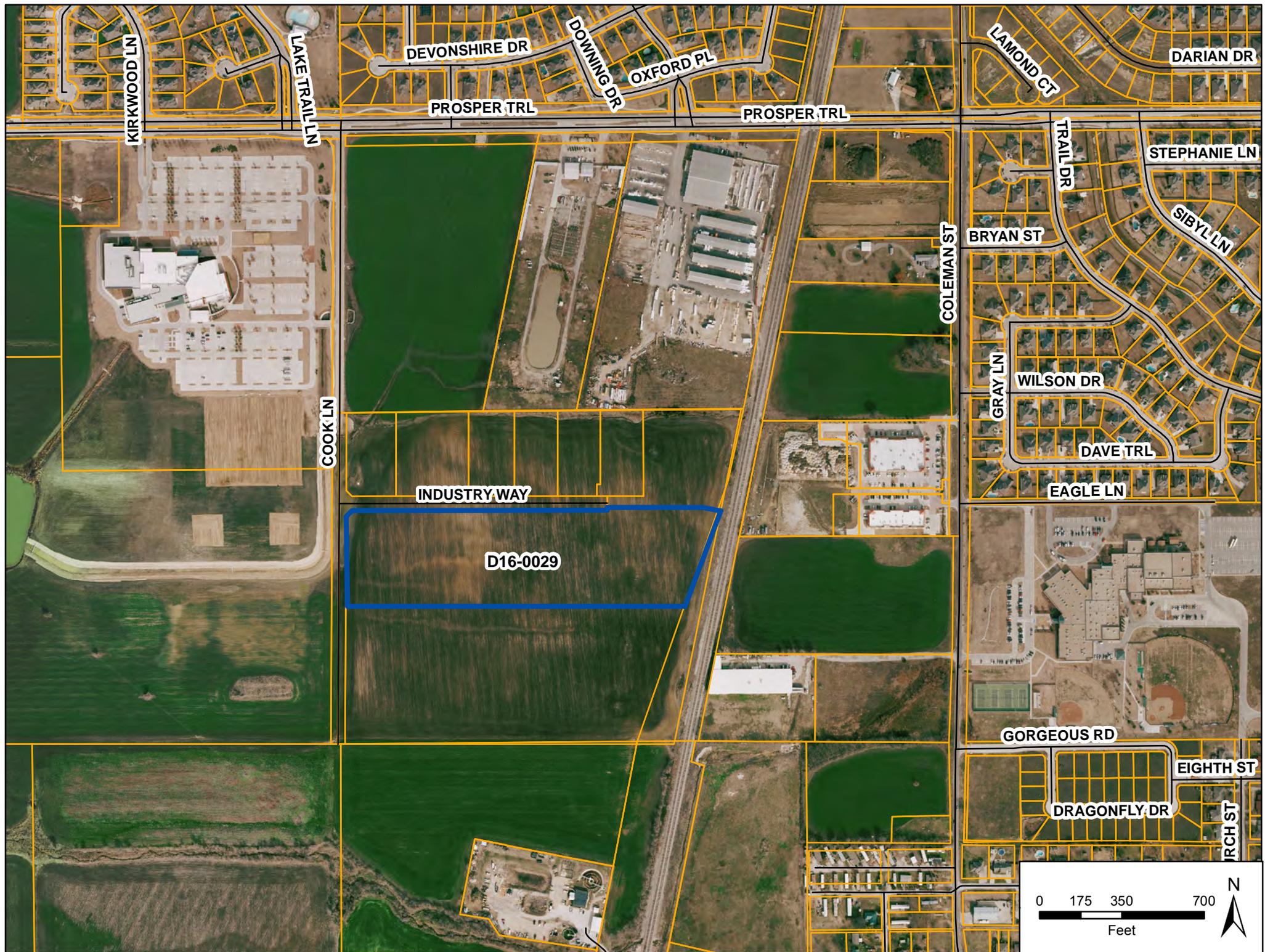
Attached Documents:

1. Location Map
2. Site Plan

Town Staff Recommendation:

Town staff recommends approval of the Site Plan subject to:

1. Town staff approval of civil engineering, landscape, irrigation, and façade plans.
2. Town staff approval of all fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.



KIRKWOOD LN

LAKE TRAIL LN

DEVONSHIRE DR

DOWNING DR

OXFORD PL

PROSPER TRL

PROSPER TRL

LAMOND CT

DARIAN DR

TRAIL DR

STEPHANIE LN

SIBYL LN

BRYAN ST

COLEMAN ST

GRAY LN

WILSON DR

DAVE TRL

EAGLE LN

COOK LN

INDUSTRY WAY

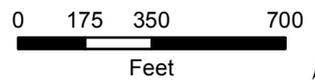
D16-0029

GORGEOUS RD

EIGHTH ST

DRAGONFLY DR

IRCH ST





PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Final Plat for Prosper Business Park, Block A, Lots 8 and 9 and Block B, Lots 1, 2, 3, and 8, and consider and act upon a Revised Conveyance Plat for Prosper Business Park, Block A, Lot 8R, on 34.9± acres, located on the east side of future Cook Lane, 1,650± feet south of Prosper Trail. This property is zoned Planned Development-26 (PD-26). (D16-0030).

Description of Agenda Item:

The purpose of this plat is to dedicate all easements necessary for development of Block A, Lots 8 and 9, and Block B, Lots 1, 2, 3 and 8. The Final Plat and Revised Conveyance Plat conform to the PD-26 development standards.

As a companion item, the Site Plan for Prosper Business Park, Phase 2 (D16-0029) is on the April 19, 2016, agenda.

Budget Impact:

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

Legal Obligations and Review:

The Final Plat/Revised Conveyance Plat meets minimum development requirements.

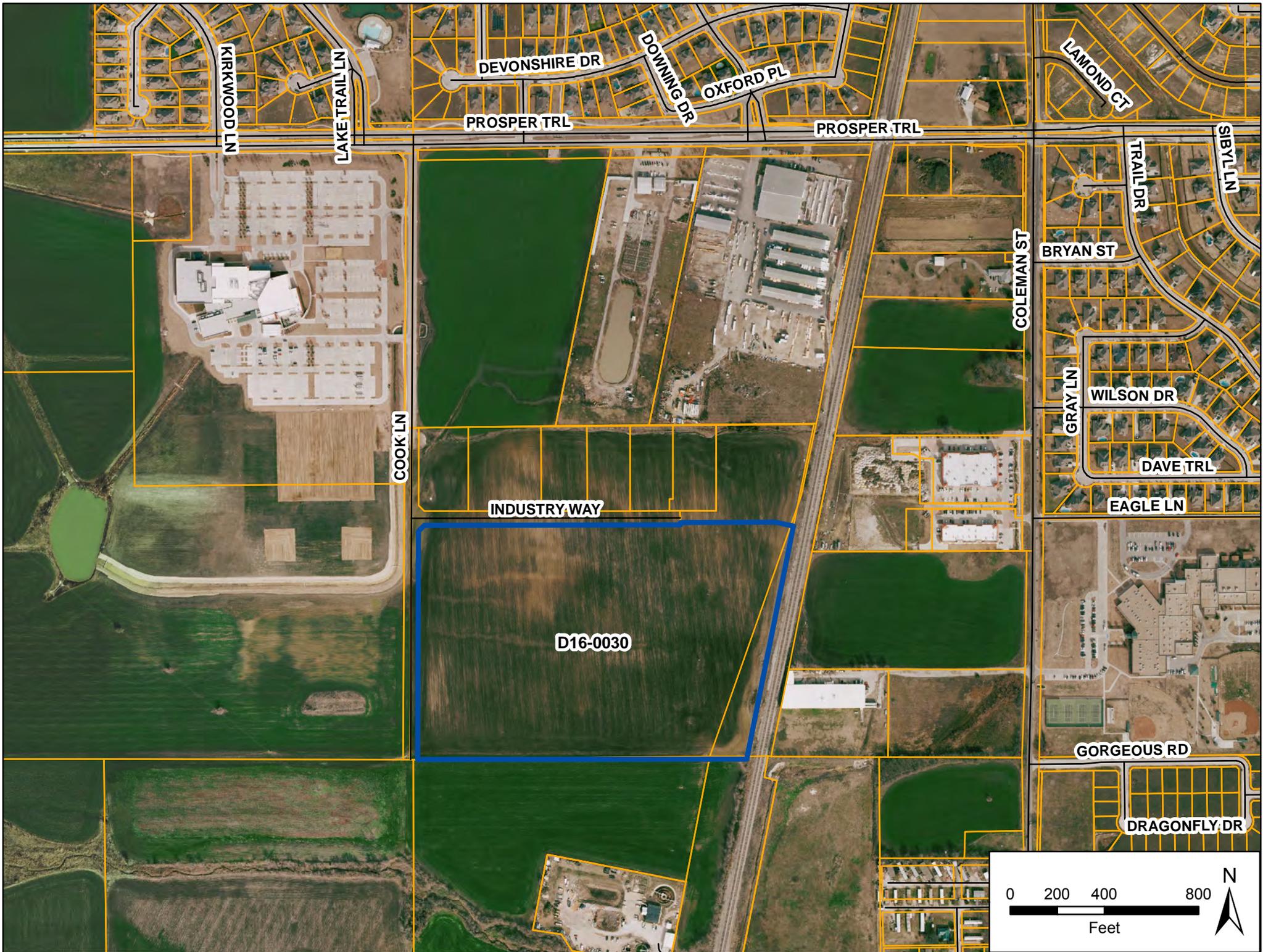
Attached Documents:

1. Location Map
2. Final Plat/Revised Conveyance Plat

Town Staff Recommendation:

Town staff recommends approval of the Final Plat/Revised Conveyance Plat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Final Plat/Revised Conveyance Plat.



KIRKWOOD LN

LAKE TRAIL LN

DEVONSHIRE DR

DOWNING DR

OXFORD PL

LAMOND CT

PROSPER TRL

PROSPER TRL

TRAIL DR

SIBLY LN

BRYAN ST

COLEMAN ST

WILSON DR

DAVE TRL

EAGLE LN

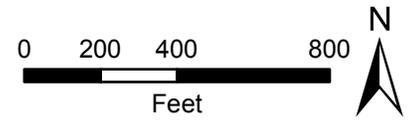
COOK LN

INDUSTRY WAY

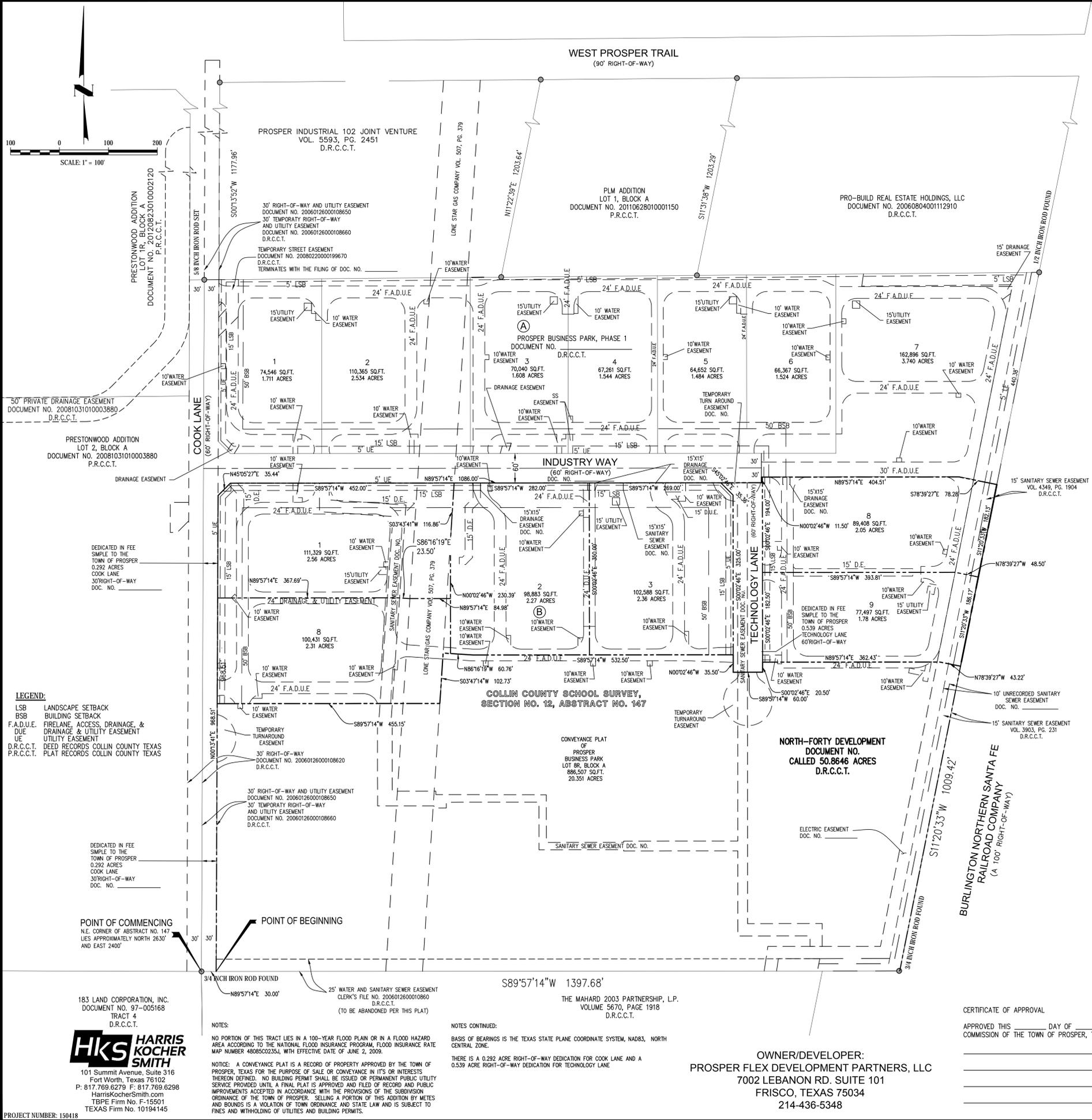
D16-0030

GORGEIOUS RD

DRAGONFLY DR



NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH



OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, PROSPER FLEX DEVELOPMENT PARTNERS, LLC IS THE OWNER OF A TRACT OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL SURVEY, SECTION 12, ABSTRACT NO. 147, COLLIN COUNTY, TEXAS AND BEING ALL OF A 50.871 ACRE TRACT CONVEYED TO THEM BY CENTEX HOMES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A TRACT OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL SURVEY NUMBER 12, ABSTRACT NUMBER 147, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED BY DEED TO PROSPER PLAT OF PRESTONWOOD ADDITION, AN ADDITION TO THE TOWN OF PROSPER, AS RECORDED IN DOCUMENT NUMBER 200810310003880, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS AND ALSO BEING THE NORTHWEST PROPERTY CORNER OF THAT CERTAIN 79.221 ACRE TRACT OF LAND DESCRIBED BY DEED TO 183 LAND CORPORATION, INC., AS RECORDED IN DOCUMENT NUMBER 97-005168, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, AND ALSO BEING THE NORTHWEST PROPERTY CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE MAHARD 2003 PARTNERSHIP, L.P., AS RECORDED IN DOCUMENT NUMBER 2004-0071711, ALSO KNOWN AS VOLUME 5670, PAGE 1918, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;

COMMENCING AT A 3/4 INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID PROSPER FLEX PARTNERS TRACT, SAID IRON ROD ALSO BEING THE SOUTHWEST PROPERTY CORNER OF LOT 2, BLOCK A OF THE CONVEYANCE PLAT OF PRESTONWOOD ADDITION, AN ADDITION TO THE TOWN OF PROSPER, AS RECORDED IN DOCUMENT NUMBER 200810310003880, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS AND ALSO BEING THE NORTHWEST PROPERTY CORNER OF THAT CERTAIN 79.221 ACRE TRACT OF LAND DESCRIBED BY DEED TO 183 LAND CORPORATION, INC., AS RECORDED IN DOCUMENT NUMBER 97-005168, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, AND ALSO BEING THE NORTHWEST PROPERTY CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE MAHARD 2003 PARTNERSHIP, L.P., AS RECORDED IN DOCUMENT NUMBER 2004-0071711, ALSO KNOWN AS VOLUME 5670, PAGE 1918, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;

THENCE N 89°57'14"E, ALONG THE SOUTH PROPERTY LINE OF SAID PROSPER FLEX PARTNERS TRACT COMMUN WITH THE NORTH PROPERTY LINE OF SAID MAHARD 2003 PARTNERSHIP TRACT, A DISTANCE OF 30.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP, STAMPED "HARRIS KOCHER SMITH" SET FOR THE POINT OF BEGINNING, SAID POINT ALSO BEING IN THE EAST RIGHT-OF-WAY LINE OF COOK LANE (A 60' RIGHT-OF-WAY).

THENCE N 00°13'41"E, A DISTANCE OF 968.51 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COOK LANE;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY N 45°05'27"E, A DISTANCE OF 35.44 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF INDUSTRY WAY (A 60' RIGHT-OF-WAY);

THENCE N 89°57'14"E, A DISTANCE OF 1086.00 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID INDUSTRY WAY;

THENCE N 00°02'46"W, A DISTANCE OF 11.50 FEET ALONG THE EAST END OF THE RIGHT-OF-WAY OF SAID INDUSTRY WAY;

THENCE N 89°57'14"E, A DISTANCE OF 404.51 FEET ALONG THE SOUTHERN PROPERTY LINE OF LOT 7, BLOCK A PROSPER BUSINESS PARK;

THENCE S 78°39'27"E, A DISTANCE OF 78.28 FEET ALONG THE SOUTHERN PROPERTY LINE OF LOT 7, BLOCK A PROSPER BUSINESS PARK AND A POINT ALONG THE WEST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY (A 100' RIGHT-OF-WAY AT THIS POINT);

THENCE S 11°20'33"E, A DISTANCE OF 1009.42 FEET ALONG THE EAST PROPERTY LINE OF SAID PROSPER FLEX DEVELOPMENT PARTNERS TRACT AND THE WEST RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY TO A 1 INCH IRON ROD FOUND, BEING THE SOUTHEAST PROPERTY CORNER OF SAID PROSPER FLEX DEVELOPMENT PARTNERS TRACT AND AN ANGLE POINT IN THE WEST RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY TRACT;

THENCE S 89°57'14"W, A DISTANCE OF 1427.68 FEET ALONG THE SOUTH PROPERTY LINE OF SAID PROSPER FLEX DEVELOPMENT PARTNERS TRACT AND NORTH PROPERTY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY TO A 1 INCH IRON ROD FOUND, BEING THE SOUTHEAST PROPERTY CORNER OF SAID PROSPER FLEX DEVELOPMENT PARTNERS TRACT AND AN ANGLE POINT IN THE WEST RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY TRACT;

THENCE S 89°57'14"W, A DISTANCE OF 1427.68 FEET ALONG THE SOUTH PROPERTY LINE OF SAID PROSPER FLEX DEVELOPMENT PARTNERS TRACT AND NORTH PROPERTY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY TO A 1 INCH IRON ROD FOUND, BEING THE SOUTHEAST PROPERTY CORNER OF SAID PROSPER FLEX DEVELOPMENT PARTNERS TRACT AND AN ANGLE POINT IN THE WEST RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN AND SANTA FE RAILROAD COMPANY TRACT;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PROSPER FLEX DEVELOPMENT PARTNERS, LLC ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS PROSPER BUSINESS PARK, LOTS 1-7, BLOCK A AND CONVEYANCE LOT 8, BLOCK A, AN ADDITION TO THE TOWN OF PROSPER, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE PROSPER FLEX DEVELOPMENT PARTNERS, LLC DOES HEREBY 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 ON THIS 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 BY THE 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 ____ DAY OF _____, 20__.

BY: _____

AUTHORIZED SIGNATURE
PRINTED NAME AND TITLE

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 _____ (NAME) 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 _____, 20__.

NOTARY PUBLIC, STATE OF TEXAS

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 UTILITY 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.

FIRE LANE EASEMENT

THE UNDERSIGNED COVENANTS AND AGREES THAT HE (THEY) SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A HARD SURFACE PAVED IN ACCORDANCE WITH TOWN STANDARDS AND THAT HE (THEY) SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR OBSTRUCTION, INCLUDING BUT NOT LIMITED TO THE PARKING, LOADING, OR UNLOADING OF MOTOR VEHICLES, TRAILERS, BOATS, OR OTHER IMPEDIMENTS TO THE ACCESS OF FIRE APPARATUS. THE MAINTENANCE OF PAVEMENT IN ACCORDANCE TO TOWN STANDARDS OF THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER, AND THE OWNER SHALL POST AND MAINTAIN SIGNAGE IN ACCORDANCE TO TOWN STANDARDS IN CONSPICUOUS PLACES ALONG THE FIRE LANES, STATING FIRE LANE, NO PARKING, THE POLICE OR THEIR DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANES AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.

LANDSCAPE EASEMENT

THE UNDERSIGNED COVENANTS AND AGREES THAT THE LANDSCAPE EASEMENT AND RESTRICTIONS HEREIN SET FORTH SHALL RUN WITH THE LAND AND BE BINDING ON THE OWNER(S) OF THE PROPERTY IN THIS SUBDIVISION, THEIR SUCCESSORS AND ASSIGNS, AND ALL PARTIES CLAIMING BY, THROUGH AND UNDER THEM. IN THE EVENT A REPLAT IS REQUESTED ON ALL OR PART OF THIS PROPERTY, THE TOWN MAY REQUIRE ANY SIMILAR OR ADDITIONAL RESTRICTIONS AT ITS SOLE DISCRETION. THE SOLE RESPONSIBILITY FOR MAINTENANCE AND REPLACEMENT OF LANDSCAPE MATERIALS SHALL BE BORNE BY ANY "HOMEOWNERS" ASSOCIATION HEREAFTER ESTABLISHED FOR THE OWNERS OF LOTS IN THIS SUBDIVISION AND/OR THE OWNERS OF THE INDIVIDUAL LOTS WITHIN THIS SUBDIVISION. SUCH MAINTENANCE AND REPLACEMENT SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS, STANDARDS, AND SPECIFICATIONS OF THE TOWN OF PROSPER, AS PRESENTLY IN EFFECT OR AS MAY BE HEREAFTER AMENDED. THIS PROVISION MAY BE ENFORCED BY SPECIFIC PERFORMANCE OR BY ANY OTHER REMEDY ALLOWED BY LAW. THIS LANDSCAPE EASEMENT SHALL BE VOID OF UTILITIES AND OTHER ELEMENTS UNLESS OTHERWISE APPROVED ON THE PLAT.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, TERENCE A. MURRAY, 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 _____, 20__.

TERENCE A. MURRAY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 6059

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 _____ (NAME) 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 _____, 20__.

NOTARY PUBLIC, STATE OF TEXAS

A FINAL PLAT OF
LOTS 8 & 9, BLOCK A and
LOTS 1, 2, 3 & 8, BLOCK B
PROSPER BUSINESS PARK
AND A REVISED CONVEYANCE PLAT OF
LOT 8R, BLOCK A
PROSPER BUSINESS PARK

AN ADDITION TO THE TOWN OF PROSPER, COLLIN COUNTY TEXAS BEING 34.879 ACRES LOCATED IN THE COLLIN COUNTY SCHOOL SURVEY, SECTION NO. 12, ABSTRACT NO. 147, COLLIN COUNTY, TEXAS
TOWN OF PROSPER CASE NUMBER D16-0030
PREPARED APRIL 2016



183 LAND CORPORATION, INC.
DOCUMENT NO. 97-005168
TRACT 4
D.R.C.C.T.

NOTES:
NO PORTION OF THIS TRACT LIES IN A 100-YEAR FLOOD PLAIN OR IN A FLOOD HAZARD AREA ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 48085C0235, WITH EFFECTIVE DATE OF JUNE 2, 2009.
NOTE: A CONVEYANCE PLAT IS A RECORD OF PROPERTY APPROVED BY THE TOWN OF PROSPER, TEXAS FOR THE PURPOSE OF SALE OR CONVEYANCE IN ITS OR INTERESTS THEREON DEFINED. NO BUILDING PERMIT SHALL BE ISSUED OR PERMANENT PUBLIC UTILITY SERVICE PROVIDED UNTIL A FINAL PLAT IS APPROVED AND FILED OF RECORD AND PUBLIC IMPROVEMENTS ACCEPTED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF THE TOWN OF PROSPER. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

NOTES CONTINUED:
BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE.
THERE IS A 0.292 ACRE RIGHT-OF-WAY DEDICATION FOR COOK LANE AND A 0.539 ACRE RIGHT-OF-WAY DEDICATION FOR TECHNOLOGY LANE.

OWNER/DEVELOPER:
PROSPER FLEX DEVELOPMENT PARTNERS, LLC
7002 LEBANON RD. SUITE 101
FRISCO, TEXAS 75034
214-436-5348

CERTIFICATE OF APPROVAL

APPROVED THIS ____ DAY OF _____, 20__ BY THE PLANNING & ZONING COMMISSION OF THE TOWN OF PROSPER, TEXAS.

PLANNING & ZONING COMMISSION CHAIR

TOWN SECRETARY

DEVELOPMENT SERVICES DEPARTMENT

ENGINEERING DEPARTMENT

PROJECT NUMBER: 150418



PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Final Plat for CVS Prosper Addition, Block A, Lot 1, on 2.0± acres, located on the northeast corner of US 380 and Coit Road. This property is zoned Planned Development-38 (PD-38). (D16-0031).

Description of Agenda Item:

The purpose of this plat is to dedicate all easements necessary for development on Block A, Lot 1. The Final Plat conforms to the PD-38 development standards.

Budget Impact:

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

Legal Obligations and Review:

The Final Plat meets minimum development requirements.

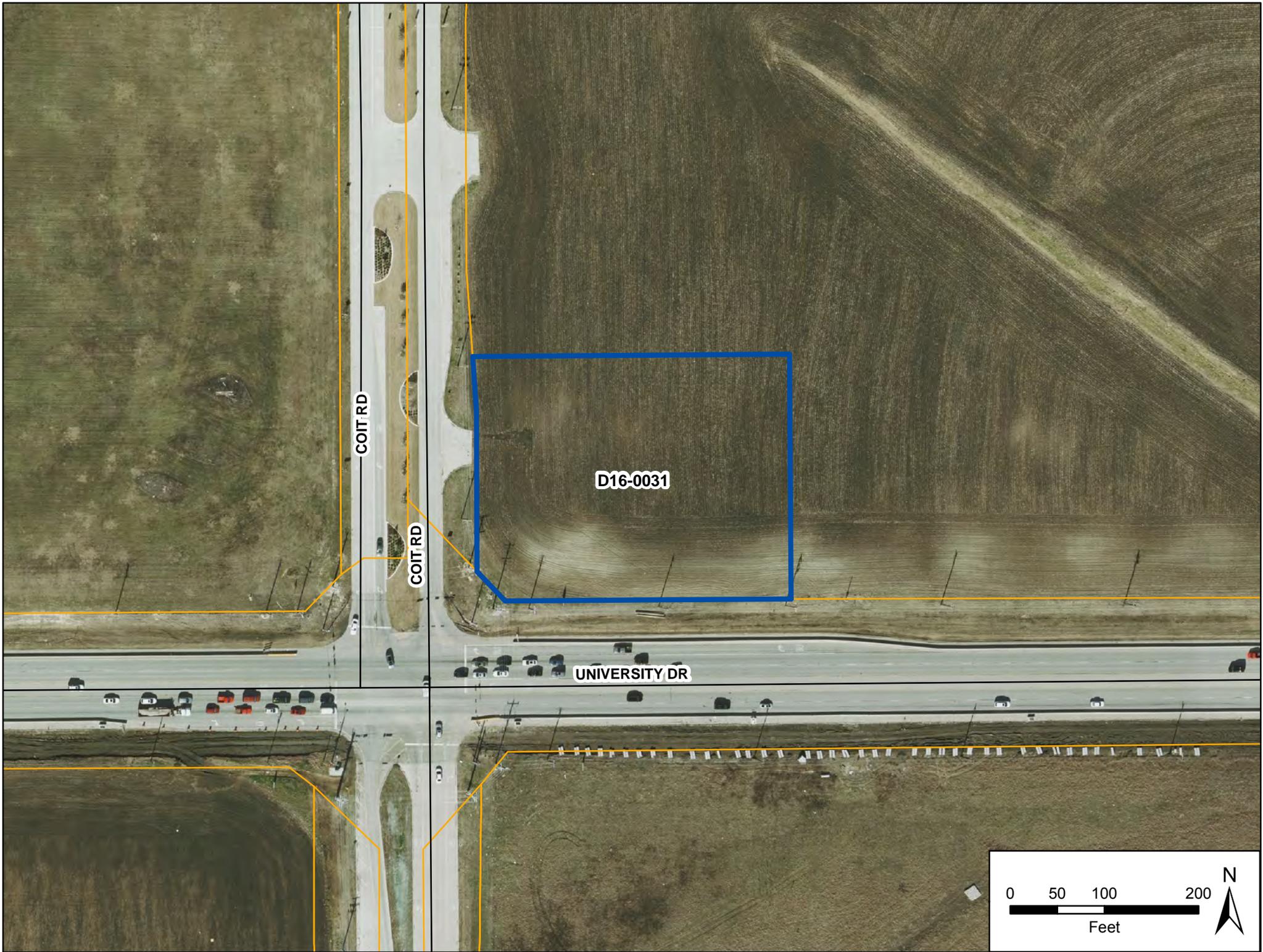
Attached Documents:

1. Location Map
2. Final Plat

Town Staff Recommendation:

Town staff recommends approval of the Final Plat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Final Plat.



COIT RD

COIT RD

D16-0031

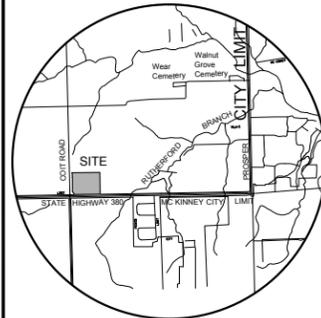
UNIVERSITY DR

0 50 100 200
Feet



ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
CIRS	IRON ROD SET w/CAP STAMPED "WAI"
CIRF	IRON ROD FOUND w/CAP
XCS	"X" CUT IN CONCRETE SET
XCF	"X" CUT IN CONCRETE FOUND
PKS	PK NAIL SET
PKF	PK NAIL FOUND
PP	POWER POLE
GW	GUY WIRE
MH	MANHOLE
WV	WATER VALVE
TP	TELEPHONE PEDESTAL
WM	WATER METER
FH	FIRE HYDRANT
ICV	IRRIGATION CONTROL VALVE
CO	CLEANOUT
AC	AIR CONDITIONER
SB	SIGNAL BOX
SP	SIGNAL POLE
SN	SIGN
SS	SANITARY SEWER
SW	STORM SEWER
TPAD	TRANSFORMER PAD
GM	GAS METER
GMK	GAS MARKER
TMK	TELEPHONE MARKER
TSN	TRAFFIC SIGN
UGC	UNDERGROUND CABLE MARKER
EB	ELECTRIC BOX
EM	ELECTRIC METER
CC#	COUNTY CLERK'S INSTRUMENT NO.
CM	CONTROLLING MONUMENT
GI	GRATE INLET
IN	INLET
HC	HANDICAPPED
MP	METAL POST
MB	MAIL BOX
BILLB	BILLBOARD
GL	GROUND LIGHT
LP	LIGHT POLE



VICINITY MAP
NOT TO SCALE

NOTICE: Selling a portion of this addition by metes and bounds is a violation of town ordinance and state law and is subject to fines and withholding of utilities and building permit.

NO FLOOD PLAIN EXISTS ON THIS SITE

FLOOD NOTE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48085C0235J, dated June 2, 2009, this property is within Flood Zone X.

Zone X - Areas determined to be outside the 0.2% annual chance floodplain.

This flood statement does not imply that the property and/or the structure thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L.	CH. B.
C1	72°56'16"	30.00'	38.19'	35.66'	N53°00'58"E
C2	90°00'00"	30.00'	47.12'	42.43'	S44°29'06"W
C3	49°27'30"	30.00'	25.90'	25.10'	S65°47'09"E
C4	90°00'00"	30.00'	47.12'	42.43'	N45°30'54"W
C5	90°00'00"	30.00'	47.12'	42.43'	N45°30'54"W
C6	89°58'11"	30.00'	47.11'	42.42'	N44°30'01"E
C7	49°26'30"	30.00'	25.89'	25.09'	S25°15'09"E
C8	90°00'00"	30.00'	47.12'	42.43'	S45°30'54"E
C9	89°26'58"	30.00'	46.84'	42.22'	S45°47'13"E
C10	22°38'30"	30.00'	11.86'	11.78'	S78°40'13"W
C11	22°38'30"	30.00'	11.86'	11.78'	S79°11'39"E
C12	59°09'50"	54.00'	55.76'	53.32'	S46°07'45"W
C13	41°30'44"	30.00'	21.74'	21.26'	N54°57'18"E

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N44°21'04"W	43.14'
L2	N89°29'06"E	7.95'
L3	S89°28'41"W	4.41'
L4	N00°00'00"E	19.32'
L5	S89°29'06"W	17.14'
L6	N15°07'50"E	15.88'
L7	N90°00'00"E	8.99'
L8	S00°30'54"E	6.14'
L9	N45°30'54"W	17.92'
L10	S45°30'54"E	12.48'

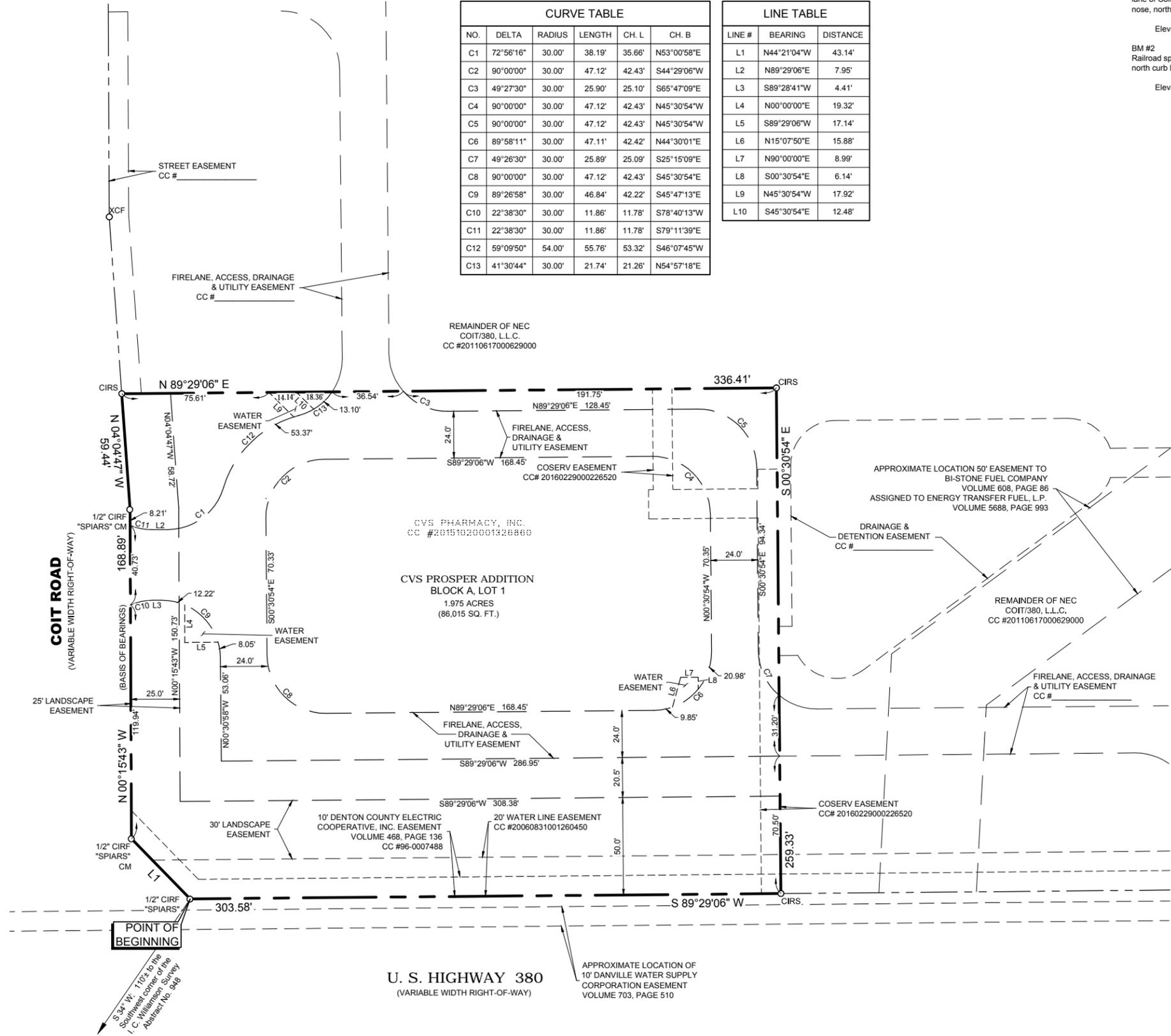
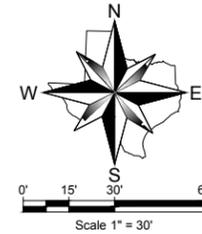
BENCHMARKS

BM #1
Square cut in concrete curb on the west side of the northbound lane of Coit Road, approximately 105' ± north of the median nose, north of U. S. Highway 380.

Elevation = 759.26

BM #2
Railroad spike in power pole approximately 30' ± north of the north curb line of U. S. Highway 380 and 340' east of Coit Road

Elevation = 752.30



REVISION	DATE	APPROVAL

I. C. WILLIAMSON SURVEY, ABSTRACT NO. 948
TOWN OF PROSPER
COLLIN COUNTY, TEXAS
CVS PHARMACY, INC.
ONE CVS DRIVE
WOONSOCKET, RHODE ISLAND

FINAL PLAT
CVS PROSPER ADDITION
BLOCK A, LOT 1

Date : 03.19.16	Scale : 1" = 30'	File : 70936-FPLT	Project No. : 70936
SHEET			
1			
2 OF			

CASE #D16-0031
FINAL PLAT
CVS PROSPER ADDITION
BLOCK A, LOT 1
BEING 1.975 ACRES OUT OF THE I. C. WILLIAMSON,
ABSTRACT NO. 948
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
CVS PHARMACY, INC.
ONE CVS DR.
WOONSOCKET, RI 02895
PH: 817-605-8901

APPLICANT/SURVEYOR:
WINKELMANN & ASSOCIATES, INC.
6750 HILLCREST PLAZA DR., STE. 325
DALLAS, TX 75230
PH: 972-490-7090

C:\70936\SURVEY\Plat\70936-FPLT.dwg

PROPERTY DESCRIPTION

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, We, CVS Pharmacy, Inc., are the sole owners of a tract of land situated in the I. C. WILLIAMSON SURVEY, ABSTRACT No. 948, in the City of Prosper, Collin County, Texas, and being a portion of a tract of land described in deed to NEC Coit/380, L.L.C. as recorded in County Clerk's Instrument No. 20110617000629000, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "SPIARS" found at the Southerly end of a corner clip at the intersection of the North right-of-way of U. S. Highway 380, variable width right-of-way, with the East right-of-way of Coit Road, variable width right-of-way;

THENCE North 44 deg 21 min 04 sec West, along said corner clip, a distance of 43.14 feet to a 1/2-inch iron rod with a plastic cap stamped "SPIARS" found for corner on said East right-of-way of Coit Road;

THENCE North 00 deg 15 min 43 West, along said East right-of-way of Coit Road, a distance of 168.89 feet to a 1/2-inch iron rod with a plastic cap stamped "SPIARS" found for corner;

THENCE North 04 deg 04 min 47 sec West, continuing along said East right-of-way of Coit Road, a distance of 59.44 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

THENCE North 89 deg 29 min 06 sec East, departing said East right-of-way of Coit Road, over and across said NEC Coit/380 tract, a distance of 336.41 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

THENCE South 00 deg 30 min 54 sec East, continuing over and across said NEC Coit/380 tract, a distance of 259.33 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on said North right-of-way of U. S. Highway 380;

THENCE South 89 deg 29 min 06 sec West, along said North right-of-way of U. S. Highway 380, a distance of 303.58 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 86,015 square feet or 1.975 acres of land, more or less. Bearings shown herein are based on an on the ground survey performed on the 7th day of May, 2014 utilizing GPS measurements referenced to the Geoshack VRS network (NAD83).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CVS Pharmacy, Inc. acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as CVS PROSPER ADDITION, Block A, Lot 1, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. The CVS Pharmacy, Inc. do 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 on this 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 by the 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 _____, 2016.

CVS Pharmacy, Inc., a Rhode Island Corporation

By: Toni A. Motta, Assistant Secretary

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

BEFORE ME, the undersigned, a Notary Public in and for the State of Rhode Island, on this day personally appeared Toni A. Motta, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said CVS Pharmacy, Inc., a Rhode Island Corporation, and that she executed the same for the purpose and considerations therein expressed.

Notary Public in and for State of Rhode Island

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

Know All Men By These Presents:

That I, Leonard J. Lueker, 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 _____, 2016.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration # 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090

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 Leonard J. Lueker, 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 _____, 2016.

Notary Public, State of Texas

EASEMENT LANGUAGE

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.

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

LANDSCAPE EASEMENT

The undersigned covenants and agrees that the landscape easement and restrictions herein found forth shall run with the land and be binding on the owner(s) of the property in this subdivision, their successors and assigns, and all parties claiming by, through and under them. In the event a replat is requested on all or part of this property, the Town may require any similar or additional restrictions at its sole discretion. The sole responsibility for maintenance and replacement of landscape materials thereof shall be borne by any homeowners' association hereafter established for the owners of lots in this subdivision and/or the owners of the individual lots within this subdivision. Such maintenance and replacement shall be in conformance with the requirements, standards, and specifications of the Town of Prosper, as presently in effect or as may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law. This Landscape Easement shall be void of utilities and other elements unless otherwise approved on the plat.

DRAINAGE AND DETENTION EASEMENT (ABOVE GROUND DETENTION)

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 CVS Pharmacy, Inc. tract, 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 may 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.

CERTIFICATE OF APPROVAL

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

Planning & Zoning Commission Chair

Town Secretary

Engineering Department

Development Services Department

CASE #D16-0031
FINAL PLAT
CVS PROSPER ADDITION
BLOCK A, LOT 1
BEING 1.975 ACRES OUT OF THE I. C. WILLIAMSON,
ABSTRACT NO. 948
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
CVS PHARMACY, INC.
ONE CVS DR.
WOONSOCKET, RI 02895
PH: 817-605-8901

APPLICANT/SURVEYOR:
WINKELMANN & ASSOCIATES, INC.
6750 HILLCREST PLAZA DR., STE. 325
DALLAS, TX 75230
PH: 972-490-7090

Date : 03.19.16
Scale : N/A
File : 70936-FPLT
Project No. : 70936

SHEET
2 of 2

I. C. WILLIAMSON SURVEY, ABSTRACT NO. 948
TOWN OF PROSPER
COLLIN COUNTY, TEXAS
CVS PHARMACY, INC.
ONE CVS DRIVE
WOONSOCKET, RHODE ISLAND

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS & SURVEYORS
1515 HILL CREST PLAZA, SUITE 325
DALLAS, TEXAS 75230
(972) 490-7090 FAX
Texas Professional Engineers Registration No. 99-001918
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PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Revised Conveyance Plat for Gates of Prosper, Block A, Lots 2R, 5, 6 and 7, on 12.0± acres, located on the southeast corner of Preston Road and future Richland Boulevard. This property is zoned Planned Development-67 (PD-67). (D16-0032).

Description of Agenda Item:

The purpose of the Revised Conveyance Plat is to divide Lot 2 into Lots 2R, 5, 6 and 7 for the purpose of creating individual lots to satisfy the future tenants' leasing contract requirements. The Revised Conveyance Plat is not for development.

Budget Impact:

There are no significant budget implications associated with the approval of the Revised Conveyance Plat.

Legal Obligations and Review:

The Revised Conveyance Plat meets minimum development requirements.

Attached Documents:

1. Location Map
2. Revised Conveyance Plat

Town Staff Recommendation:

Town staff recommends approval of the Revised Conveyance Plat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Revised Conveyance Plat.



COLEMAN ST

PRESTON RD

RICHLAND BLVD

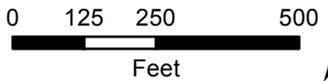
D16-0032

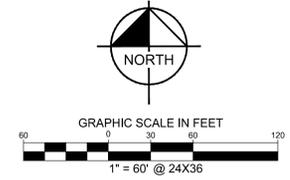
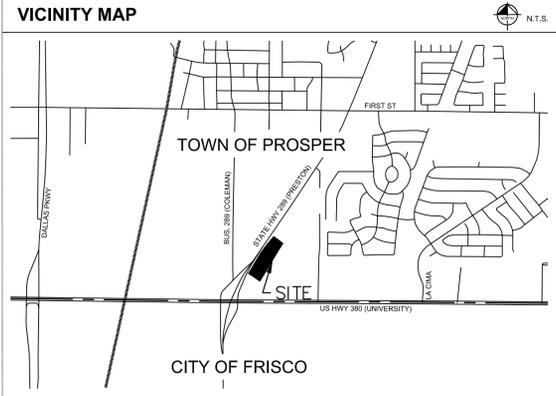
UNIVERSITY DR

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LOVERS LN

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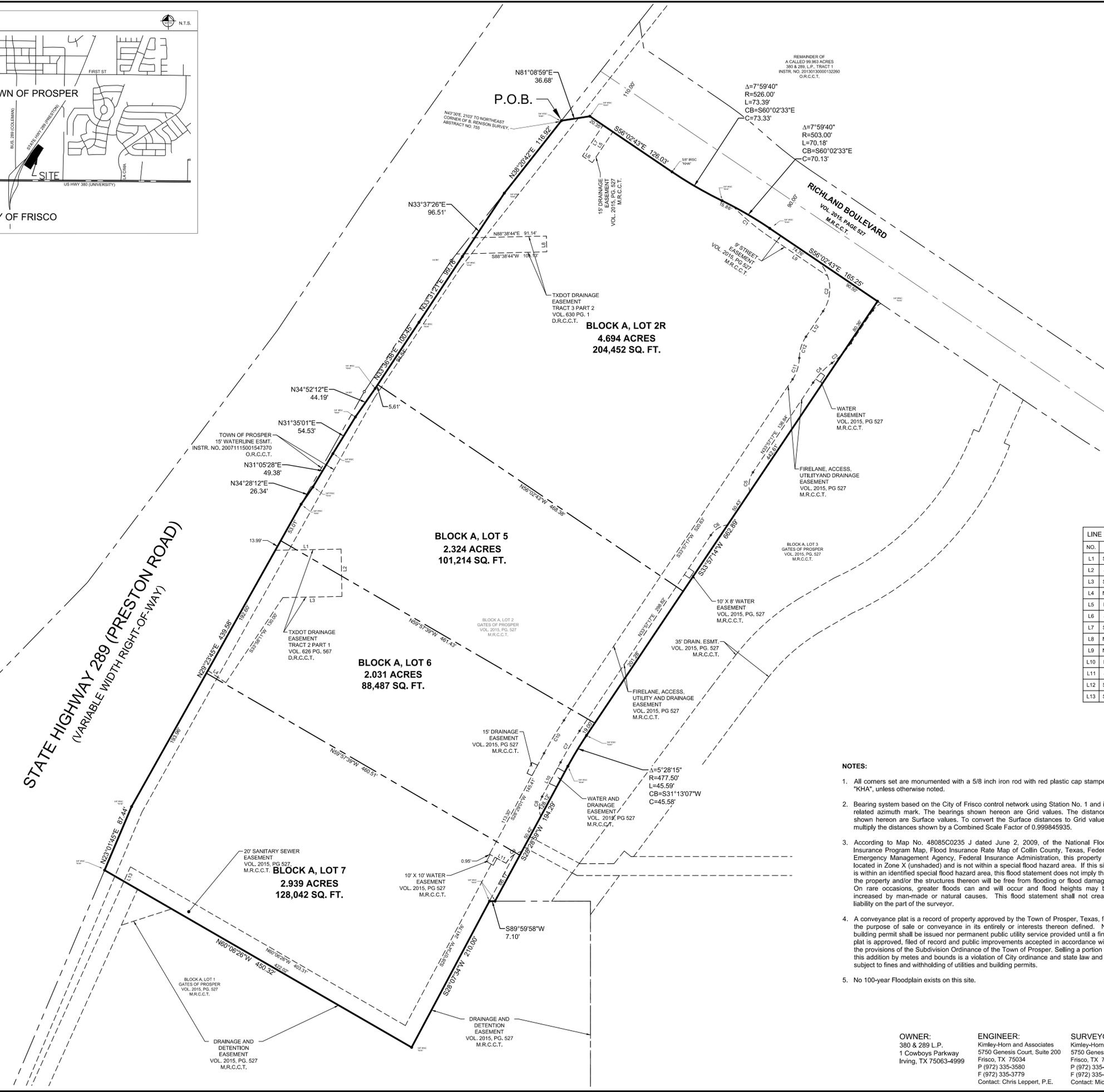




LEGEND

---	BOUNDARY LINE
---	EASEMENT LINE
---	PROPERTY LINE
---	IRON ROD FOUND
---	IRON ROD FOUND WITH CAP
---	IRON ROD SET WITH CAP
---	NOT TO SCALE
---	VOLUME
---	PAGE
---	CONTROLLING MONUMENT
---	DEED RECORDS OF COLLIN COUNTY, TEXAS
---	MAP RECORDS OF COLLIN COUNTY, TEXAS
---	OFFICIAL RECORDS OF COLLIN COUNTY, TEXAS
---	FOUND

The purpose of this revised conveyance plat is to split Lot 2 into Lots 2R, 5, 6, and 7. The creation of separate lots satisfies the future tenants leasing contract requirements.



LINE TABLE

NO.	BEARING	LENGTH
L1	S88°58'11"W	83.66'
L2	S01°01'49"E	60.00'
L3	S88°58'11"W	75.00'
L4	N56°01'48"W	27.57'
L5	N33°57'17"E	47.00'
L6	S56°02'43"E	15.00'
L7	S33°57'17"W	47.00'
L8	N01°21'16"W	20.00'
L9	N56°02'43"W	90.00'
L10	N28°29'01"E	49.41'
L11	S61°30'59"E	24.00'
L12	S33°57'17"W	39.01'
L13	S24°23'50"W	20.09'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	11°44'09"	290.00'	59.40'	S50°10'39"E	59.30'
C2	78°28'44"	50.00'	68.49'	N05°17'05"W	63.26'
C3	9°56'59"	100.00'	17.37'	N48°55'42"E	17.34'
C4	19°56'54"	100.00'	34.82'	S43°55'44"W	34.64'
C5	49°25'02"	30.00'	25.87'	S09°14'46"W	25.08'
C6	49°25'07"	30.00'	25.88'	S58°39'50"W	25.08'
C7	5°28'15"	488.00'	46.60'	S31°13'09"W	46.58'
C8	48°30'43"	30.53'	25.85'	S03°46'03"W	25.09'
C9	49°26'01"	30.00'	25.88'	S53°12'02"W	25.09'
C10	5°28'15"	512.00'	48.89'	S31°13'09"W	48.87'
C11	32°51'55"	50.00'	28.68'	N17°31'19"E	28.29'
C12	32°51'55"	50.00'	28.68'	S17°31'19"W	28.29'

- NOTES:**
- All corners set are monumented with a 5/8 inch iron rod with red plastic cap stamped "KHA", unless otherwise noted.
 - Bearing system based on the City of Frisco control network using Station No. 1 and its related azimuth mark. The bearings shown hereon are Grid values. The distances shown hereon are Surface values. To convert the Surface distances to Grid values, multiply the distances shown by a Combined Scale Factor of 0.999845935.
 - According to Map No. 48085C0235 J dated June 2, 2009, of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in Zone X (unshaded) and is not within a special flood hazard area. If this site is within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - A conveyance plat is a record of property approved by the Town of Prosper, Texas, for the purpose of sale or conveyance in its entirety or interests thereon defined. No building permit shall be issued nor permanent public utility service provided until a final plat is approved, filed of record and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the Town of Prosper. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.
 - No 100-year Floodplain exists on this site.

**REVISED CONVEYANCE PLAT
GATES OF PROSPER
BLOCK A, LOTS 2R, 5, 6 & 7
AN ADDITION TO THE TOWN OF PROSPER**

11.988 ACRES (GROSS)
BEING A REVISED CONVEYANCE PLAT OF BLOCK A, LOT 2 OF GATES OF PROSPER, BLOCK A, LOTS 1-4 RECORDED IN VOLUME 2015, PAGES 527 & 528, MAP RECORDS, COLLIN COUNTY, TEXAS

SITUATED IN THE
BEN RENISON SURVEY, ABSTRACT NO. 755
TOWN OF PROSPER, COLLIN COUNTY, TEXAS
MARCH, 2016
CASE #D16-0032

Kimley»Horn
5750 Genesis Court, Suite 200
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MBM	KHA	04/04/2016	068109008	1 OF 2

OWNER:
380 & 289 L.P.
1 Cowboys Parkway
Irving, TX 75063-4999

ENGINEER:
Kimley-Horn and Associates
5750 Genesis Court, Suite 200
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Chris Leppert, P.E.

SURVEYOR:
Kimley-Horn and Associates
5750 Genesis Court, Suite 200
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Michael B. Marx, R.P.L.S.

DRAWN: KIMLEY-HORN SURVEY/068109008-GATES OF PROSPER PHASE 2-DWG/068109008 LOT 2-REVISED CONVEYANCE PLAT.DWG PLOTTED BY: MARCO, MICHAEL, 4/12/2016 2:15 PM LAST SAVED: 4/20/16 10:48 AM

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF COLLIN §

WHEREAS, 380 & 280, L.P., is the owner of a tract of land situated in the Ben Renison Survey, Abstract No. 755, Town of Prosper, Collin County, Texas and being out of a called 99.963 acre tract conveyed to them by 183 Land Corporation, described as Tract 1 in the Correction Deed recorded under instrument number 20130130000132260, Official Records of Collin County, Texas, and containing all of Block A, Lot 2 of The Gates of Prosper, an addition to the Town of Prosper, recorded in Volume 2015, Page 527, Map Records, Collin County, Texas being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set at the western-most northwest corner of said Lot 2, same being the westerly corner of a visibility clip at the intersection of the easterly right-of-way line of State Highway No. 289 (Preston Road), a variable width right-of-way, with the southerly right-of-way line of Richland Boulevard, a variable width right-of-way as created in said Gates of Prosper;

THENCE North 81°08'89" East, departing said easterly right-of-way line and along the northerly line of said Lot 2 and the southerly right-of-way line of said Richland Boulevard, a distance of 36.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the easterly corner of said visibility clip;

THENCE continuing along said southerly right-of-way and along the northerly line of said Lot 2, the following courses:
South 56°02'43" East, a distance of 126.03 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 7°59'40", a radius of 526.00 feet, a chord bearing and distance of South 60°02'33" East, 73.33 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 73.39 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 7°59'40", a radius of 503.00 feet, a chord bearing and distance of South 60°02'33" East, 70.13 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 70.18 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;

South 56°02'43" East, a distance of 165.25 feet to 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the northwest corner of Block A, Lot 3 of aforesaid Gates of Prosper;

THENCE departing said southerly right-of-way, along the easterly line of said Lot 2 and along the westerly line of said Lot 3, the following courses;

South 33°57'14" West, a distance of 662.89 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 5°28'15", a radius of 477.50 feet, a chord bearing and distance of South 31°13'07" West, 45.58 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 45.59 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;

South 28°28'59" West, a distance of 194.29 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner on the northerly line of Block A, Lot 1 of aforesaid Gates of Prosper;

THENCE departing the westerly line of said Lot 3, along the easterly line of said Lot 2 and along the northerly line of Lot 1, the following courses;

South 89°59'58" West, a distance of 7.10 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 28°07'34" West, a distance of 210.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 60°06'26" West, a distance of 450.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner on the easterly right-of-way of State Highway No. 289 (Preston Road) and the westerly line of said Lot 2,

THENCE departing the northerly line of said Lot 1, along said easterly right-of-way, and along said westerly line, the following courses;

North 23°01'45" East, a distance of 87.44 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°23'45" East, a distance of 439.58 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 34°28'12" East, a distance of 26.34 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 31°05'28" East, a distance of 49.38 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 31°35'01" East, a distance of 54.53 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 34°52'12" East, a distance of 44.19 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 33°36'38" East, a distance of 100.45 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 33°31'21" East, a distance of 99.76 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 33°37'26" East, a distance of 96.51 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 38°20'42" East, a distance of 116.92 feet to the POINT OF BEGINNING and containing 11.988 acres (522,195 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT 380 & 289, L.P., acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as GATES OF PROSPER BLOCK A, LOTS 2R, 5, 6, & 7, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. 380 & 289, L.P. does herein certify the following:

- The streets and alleys are dedicated for street and alley purposes.
- All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- The easements and public use areas, as shown, are dedicated for the public use forever for the purposes indicated on this plat.
- 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 by the Town of Prosper.
- The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- 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.
- 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.
- 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.
- 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 _____, 20_____.

BY: _____
Authorized Signature Printed Name and Title

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for The State of _____, 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 _____, 20_____.

Notary Public, State of _____

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.

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

STREET EASEMENT

The area or areas shown on the plat as "Street Easement" are hereby given and granted to the Town of Prosper (Called "Town") its successors and assigns, as an easement to construct, reconstruct, operate, repair, re-build, replace, relocate, alter, remove and perpetually maintain street and highway facilities, together with all appurtenances and incidental improvements, in, upon and across certain real property owned by Grantor. Appurtenances and incidental improvements include, but are not limited to, curbs, gutters, inlets, aprons, traffic signs with or without attached flashing lights, guard rails, sidewalks, buried conduits, buried City utilities, and underground franchise utilities. Street Easements shall remain accessible at all times and shall be maintained by the Owners of the lot or lots that are traversed by, or adjacent to the Street Easement. After doing any work in connection with the construction, operation or repair of the street and highway facilities, the Town shall restore the surface of the Street Easement as close to the condition in which it was found before such work was undertaken as is reasonably practicable, except for trees, shrubs and structures within the Street Easement that were removed as a result of such work.

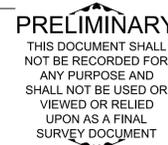
SURVEYOR'S CERTIFICATE

Know All Men By These Presents:

That I, Michael B. Marx, 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 _____, 20_____.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
5750 Genesis Court, Suite 200
Frisco, Texas 75034
Phone 972-335-3580
Fax 972-335-3779



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 Michael B. Marx, 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 _____, 20_____.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 20_____ by the Planning & Zoning Commission of the Town of Prosper, Texas.

- _____ Planning & Zoning Commission Chair
- _____ Town Secretary
- _____ Engineering Department
- _____ Development Services Department

**REVISED CONVEYANCE PLAT
GATES OF PROSPER
BLOCK A, LOTS 2R, 5, 6 & 7
AN ADDITION TO THE TOWN OF PROSPER**

11.988 ACRES (GROSS)

BEING A REVISED CONVEYANCE PLAT OF BLOCK A, LOT 2 OF GATES OF PROSPER, BLOCK A, LOTS 1-4 RECORDED IN VOLUME 2015, PAGES 527 & 528, MAP RECORDS, COLLIN COUNTY, TEXAS

SITUATED IN THE
BEN RENISON SURVEY, ABSTRACT NO. 755
TOWN OF PROSPER, COLLIN COUNTY, TEXAS
MARCH, 2016
CASE #D16-0032

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	04/04/2016	068109008	2 OF 2

SURVEYOR:
Kimley-Horn and Associates
5750 Genesis Court, Suite 200
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Michael B. Marx, R.P.L.S.

ENGINEER:
Kimley-Horn and Associates
5750 Genesis Court, Suite 200
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Chris Leppert, P.E.

OWNER:
380 & 289 L.P.
1 Cowboys Parkway
Irving, TX 75063-4999

DWG NAME: K:\P\PL_SURVEY\068109008\GATES OF PROSPER\PHASE 1\DRAWING\REVISED CONVEYANCE PLAT.DWG PLOTTED BY: MARCK MICHAEL 4/5/2016 10:46 AM LAST SAVED: 4/5/2016 10:42 AM



PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Final Plat for Windsong Ranch Marketplace, Block A, Lots 3, 4, 7, and 8, and consider and act upon a Conveyance Plat for Windsong Ranch Marketplace, Block A, Lots 1, 2, 5, and 6, on 24.4± acres, located on the northeast corner of US 380 and Gee Road. This property is zoned Planned Development-40 (PD-40). (D16-0034).

Description of Agenda Item:

The purpose of this plat is to dedicate all easements necessary for development on Block A, Lots 3, 4, 7, and 8. The Final Plat and Conveyance Plat conform to the PD-40 development standards.

As a companion item, the Site Plan for Windsong Ranch Marketplace, Block A, Lot 3 (D16-0035) is on the April 19, 2016, agenda.

Budget Impact:

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

Legal Obligations and Review:

The Final Plat/Conveyance Plat meets minimum development requirements.

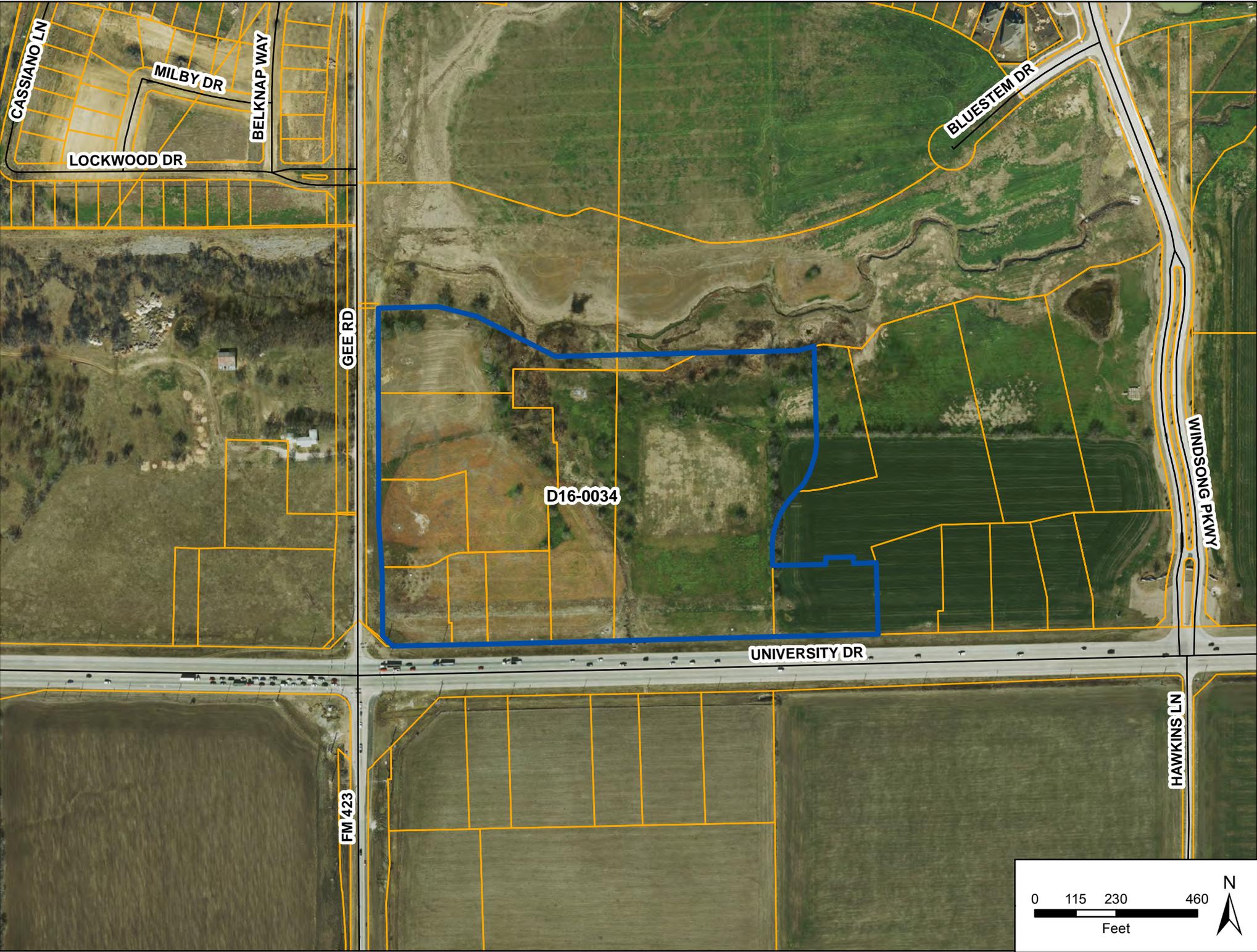
Attached Documents:

1. Location Map
2. Final Plat/Conveyance Plat

Town Staff Recommendation:

Town staff recommends approval of the Final Plat/Conveyance Plat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Final Plat/Conveyance Plat.



CASSIANO LN

MILBY DR

BELKNAP WAY

LOCKWOOD DR

BLUESTEM DR

GEE RD

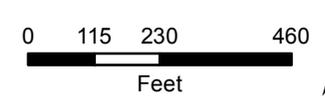
D16-0034

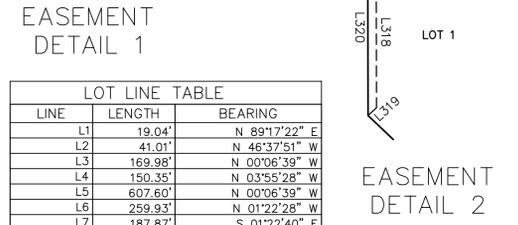
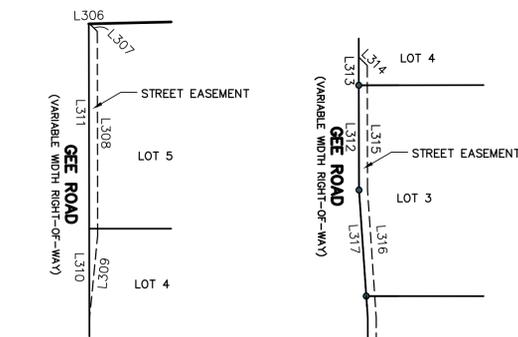
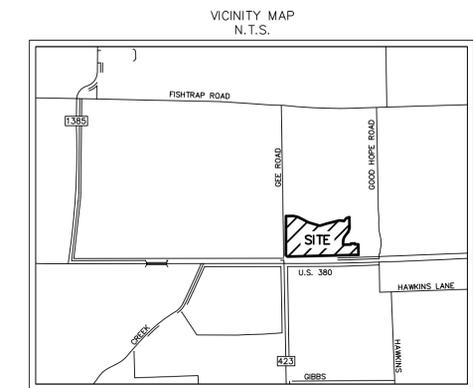
WINDSONG PKWY

UNIVERSITY DR

FM 423

HAWKINS LN





LINE	LENGTH	BEARING
L1	19.04'	N 89°17'22" E
L2	41.01'	N 46°37'51" W
L3	169.98'	N 00°06'39" W
L4	150.35'	N 03°55'28" W
L5	607.60'	N 00°06'39" W
L6	259.93'	N 01°22'28" W
L7	187.87'	S 01°22'40" E
L8	7.63'	N 88°37'20" E
L9	62.04'	S 01°22'40" E
L10	105.82'	S 89°58'36" E
L11	12.62'	N 88°34'34" E
L12	230.03'	S 01°25'26" E
L13	89.44'	S 75°07'46" W
L14	160.82'	N 89°55'20" E
L15	112.49'	S 89°53'42" W
L16	98.16'	N 01°25'26" W
L17	10.00'	N 88°02'45" E
L18	153.38'	S 01°25'26" E
L19	113.03'	N 63°35'48" E
L20	5.53'	N 42°42'29" E
L21	18.93'	S 39°21'02" W
L22	201.52'	S 01°29'22" E

CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	29.77'	219.60'	07°46'04"	S 88°19'55" E	29.75'

LOT	SQ. FT.	ACREAGE
1	48,594	1.116
2	27,741	0.637
3	53,300	1.224
4	164,301	3.772
5	109,245	2.508
6	46,850	1.076
7	551,026	12.650
8	60,810	1.396

LINE	LENGTH	BEARING
BL1	2.80'	S 89°17'50" W
BL2	114.09'	S 76°05'37" E
BL3	48.28'	N 76°03'31" E
BL4	265.34'	S 01°25'26" E
BL5	23.11'	S 42°42'29" W
BL6	18.93'	S 39°21'02" W
BL7	43.36'	S 01°29'22" E
BL8	151.01'	N 88°32'39" E
BL9	19.18'	N 01°27'23" E
BL10	101.04'	S 89°05'46" W
BL11	78.56'	N 88°32'39" E
BL12	19.18'	S 01°27'23" E
BL13	64.65'	N 88°32'38" E
BL14	201.68'	S 88°32'38" W

CURVE	LENGTH	RADIUS	DELTA	CB	CD
BC1	31.59'	165.00'	10°58'10"	S 04°03'39" W	31.54'
BC2	84.36'	262.00'	18°26'52"	S 18°46'10" W	83.99'
BC3	25.68'	100.00'	14°42'53"	S 35°21'03" W	25.61'
BC4	99.38'	515.00'	11°03'25"	S 82°45'39" W	99.23'
BC5	42.26'	203.50'	11°53'50"	N 00°17'14" E	42.18'
BC6	40.94'	226.50'	10°21'19"	S 01°03'30" W	40.88'
BC7	151.81'	566.00'	15°22'05"	N 03°33'54" E	151.36'
BC8	381.23'	842.00'	25°56'26"	S 01°43'16" E	377.98'
BC9	238.29'	1005.00'	13°35'06"	N 07°53'58" E	237.73'
BC10	47.09'	188.50'	14°18'50"	N 08°03'03" E	46.97'
BC11	52.79'	291.50'	10°22'36"	S 08°01'14" W	52.72'
BC12	72.22'	1111.50'	03°43'23"	S 00°58'17" W	72.21'

- GENERAL NOTES:
- IRF - Iron Rod Found
 - Property corners are 1/2 inch iron Rod Set w/ "PEISER & MANKIN SURV" red plastic cap unless otherwise noted.
 - FCP - Fence Corner Post
 - MON. - Monument
 - FADUE - Firelane, Access, Drainage, & Utility Easement
 - DE - Drainage Easement
 - WE - Water Easement
 - UE - Utility Easement
 - SSE - Sanitary Sewer Easement
 - Horizontal and vertical position derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
 - Notice: Selling a portion of this addition by metes and bounds is a violation of town ordinance and state law and is subject to fines and withholding of utilities and building permits.

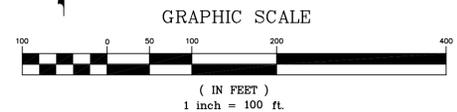
SEE SHEET 2 OF 3 FOR EASEMENT DETAIL

FINAL PLAT
WINDSONG RANCH MARKETPLACE
 LOTS 3, 4, 7, 8, BLOCK A
 19.042 ACRES
 CONVEYANCE PLAT
WINDSONG RANCH MARKETPLACE
 LOTS 1, 2, 5, 6, BLOCK A
 5.337 ACRES
 SITUATED IN THE
 J. SALING SURVEY, ABSTRACT NUMBER 1675
 TOWN OF PROSPER, DENTON COUNTY, TEXAS
 CASE NO. D16-0034

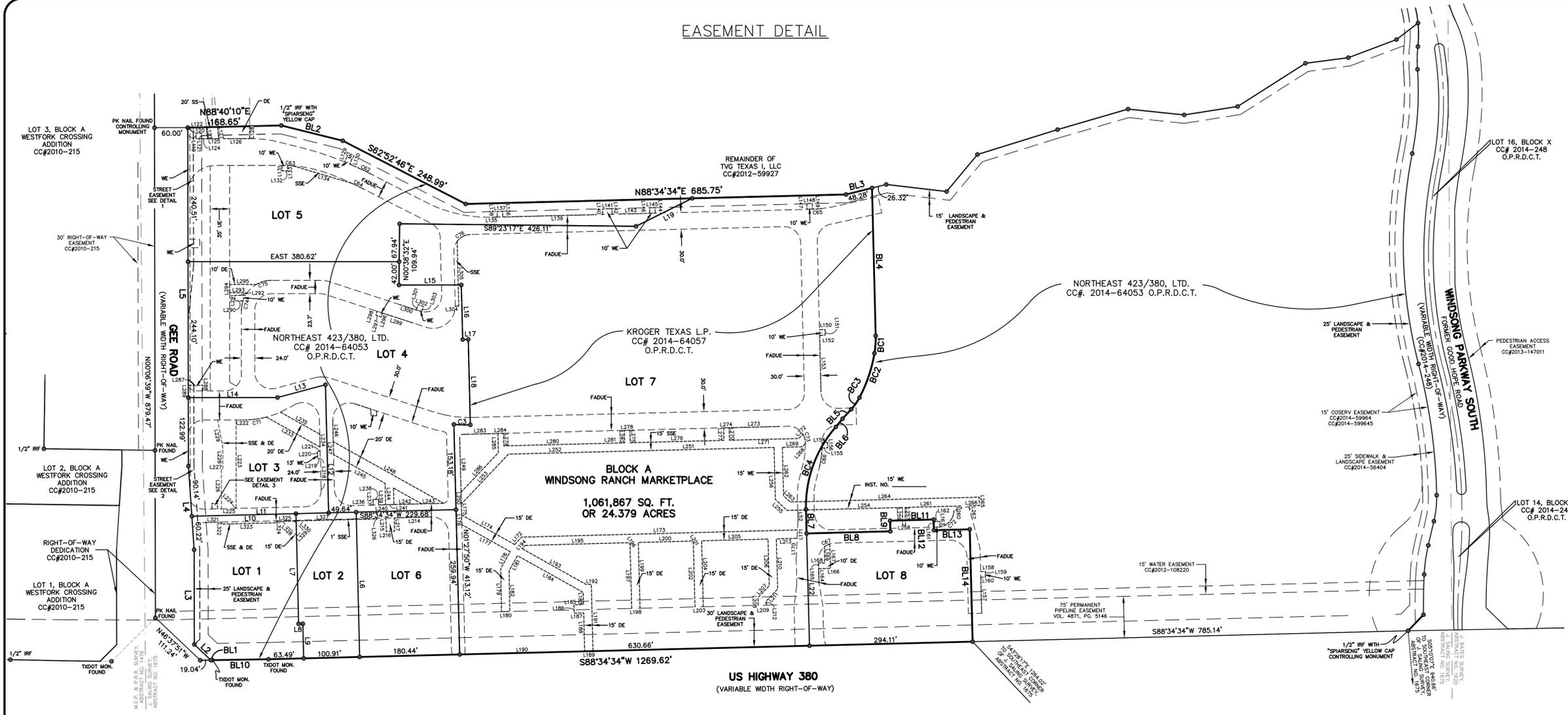
PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE 04/11/2016

JOB NO.:	14-0223	PEISER & MANKIN SURVEYING, LLC www.peisersurveying.com	SHEET 1 OF 3
DATE:	12/08/2014		
FIELD DATE:	06/24/2014		
SCALE:	1" = 100'		
FIELD:	J.D.H.		
DRAWN:	J.B.W.		
CHECKED:	T.R.M.	623 E. DALLAS ROAD GRAPEVINE, TEXAS 76051 817-481-1806 (O) 817-481-1809 (F)	COMMERCIAL RESIDENTIAL BOUNDARIES TOPOGRAPHY MORTGAGE

Member Since 1977



EASEMENT DETAIL



CURVE	LENGTH	RADIUS	DELTA	CB	CD
C3	24.97'	30.22'	47°19'58"	S 67°31'21" W	24.26'
C4	161.21'	216.03'	42°45'24"	S 20°01'09" W	157.50'
C5	19.68'	30.02'	37°33'11"	S 72°01'17" E	19.33'
C6	47.04'	30.00'	89°50'20"	N 45°00'26" E	42.37'
C7	84.74'	54.00'	89°54'43"	S 45°02'38" W	76.31'
C8	16.92'	54.00'	17°57'10"	N 81°01'25" W	16.85'
C9	29.72'	30.00'	56°45'29"	N 63°02'41" W	28.52'
C10	32.42'	30.00'	61°55'14"	N 32°23'03" W	30.87'
C11	27.82'	570.00'	02°47'48"	N 64°16'40" W	27.82'
C12	38.51'	569.98'	03°52'14"	N 67°36'41" W	38.50'
C13	89.73'	250.00'	20°33'51"	N 79°49'44" W	89.25'
C14	68.03'	50.00'	77°57'26"	S 50°20'15" W	62.90'
C15	38.88'	30.00'	74°15'32"	S 51°50'32" W	36.22'
C16	0.01'	20.00'	00°02'20"	S 89°54'27" W	0.01'
C17	72.12'	150.00'	27°32'57"	N 76°09'08" E	71.43'
C18	60.84'	30.00'	116°11'55"	N 59°31'23" W	50.94'
C19	47.12'	30.00'	90°00'00"	S 43°34'34" W	42.43'
C20	47.11'	30.00'	89°58'58"	N 46°24'55" W	42.42'
C21	15.62'	163.03'	05°29'19"	S 02°10'15" W	15.61'
C22	18.38'	124.50'	08°27'24"	S 09°59'38" W	18.36'
C23	37.10'	126.90'	16°45'01"	N 05°48'11" E	36.97'
C24	46.62'	30.01'	89°01'29"	N 45°56'31" W	42.07'
C25	7.85'	5.00'	90°00'00"	S 43°34'34" W	7.07'
C26	21.45'	58.93'	20°51'29"	S 11°43'53" E	21.34'
C27	47.16'	30.00'	90°03'56"	S 43°32'36" W	42.45'
C28	47.12'	30.00'	90°00'30"	N 46°25'26" W	42.43'
C29	43.13'	30.00'	82°02'26"	S 39°45'47" W	39.51'
C30	47.12'	30.00'	90°00'00"	S 46°25'26" W	42.43'
C31	47.62'	30.01'	90°56'08"	S 44°02'59" W	42.78'
C32	42.46'	155.45'	15°39'02"	N 06°23'57" E	42.33'
C33	25.81'	94.50'	15°38'46"	S 06°23'57" W	25.73'
C34	47.12'	30.00'	90°00'00"	S 46°25'26" W	42.43'
C35	46.14'	30.00'	88°07'00"	N 44°31'04" E	41.72'
C36	13.07'	54.00'	13°52'18"	N 08°21'35" W	13.04'
C37	34.63'	266.51'	07°26'38"	N 79°45'25" E	34.60'
C38	21.70'	250.00'	04°58'27"	N 86°05'21" E	21.70'
C39	124.55'	250.00'	28°32'40"	S 77°09'06" E	123.26'
C40	138.38'	600.00'	13°12'51"	N 69°29'11" W	138.07'
C41	48.93'	200.00'	14°01'03"	N 83°06'08" W	48.81'
C42	19.31'	30.00'	36°52'22"	S 71°40'27" E	18.98'
C43	47.12'	30.00'	90°00'00"	N 43°34'34" W	42.43'
C44	47.12'	30.00'	90°00'00"	N 46°25'26" W	42.43'
C45	47.12'	30.00'	90°00'00"	S 43°34'34" W	42.43'
C46	76.36'	40.00'	109°22'12"	N 53°15'52" E	65.28'
C47	49.71'	200.00'	14°14'29"	S 84°18'11" E	49.58'
C48	25.07'	408.88'	03°30'48"	S 74°37'20" E	25.07'
C49	17.56'	48.09'	20°55'09"	N 81°27'50" W	17.46'
C50	9.00'	50.00'	10°19'02"	S 83°19'52" W	8.99'
C51	9.40'	30.00'	17°57'08"	N 81°01'24" W	9.36'
C52	47.08'	30.00'	89°54'44"	S 45°02'40" W	42.39'
C53	54.98'	30.00'	105°07'04"	S 52°25'14" E	47.60'
C54	57.31'	30.00'	109°27'02"	S 53°18'05" W	48.95'
C55	47.04'	30.00'	89°50'23"	S 46°20'37" W	42.37'
C56	15.71'	10.00'	90°00'00"	N 43°34'34" E	14.14'
C57	6.77'	5.00'	77°37'41"	N 40°14'16" W	6.27'
C58	7.72'	230.00'	01°55'24"	S 78°05'25" E	7.72'
C59	24.04'	468.48'	02°56'23"	S 74°55'37" E	24.03'
C60	23.44'	30.00'	44°45'36"	N 67°32'48" E	22.84'
C61	10.01'	610.00'	00°56'24"	N 67°25'49" W	10.01'
C62	42.23'	600.00'	04°01'58"	N 64°53'45" W	42.22'
C63	9.46'	250.00'	02°10'01"	N 86°22'25" W	9.45'
C64	23.28'	570.00'	02°20'25"	N 64°02'58" W	23.28'
C65	17.36'	160.83'	06°11'02"	N 86°05'21" E	17.35'
C66	34.79'	156.87'	12°42'26"	N 07°50'36" E	34.72'
C67	11.35'	30.00'	21°40'13"	S 60°55'24" W	11.28'
C68	22.34'	54.00'	23°41'54"	S 79°34'28" W	22.18'
C69	35.85'	207.50'	08°53'57"	S 82°03'40" W	35.81'
C70	27.33'	192.50'	08°08'08"	S 81°04'45" W	27.31'
C71	38.27'	150.00'	14°37'07"	N 82°37'03" E	38.17'
C72	42.08'	30.00'	80°21'43"	N 40°38'26" E	38.71'
C73	17.84'	31.08'	32°53'10"	N 14°55'07" W	17.59'
C74	17.22'	54.00'	18°16'24"	S 09°13'29" W	17.15'
C75	28.80'	54.00'	30°33'30"	S 74°43'15" W	28.46'
C76	27.32'	30.00'	52°11'00"	S 62°29'04" W	26.39'

LINE	LENGTH	BEARING
L23	14.00'	S 00°06'39" E
L24	94.06'	S 00°06'39" E
L25	47.42'	N 89°55'36" E
L26	114.66'	N 00°05'17" E
L27	46.68'	N 90°00'00" E
L28	41.42'	N 90°00'00" E
L29	132.52'	S 72°02'50" E
L30	32.47'	S 72°02'50" E
L31	6.18'	S 72°02'50" E
L32	102.32'	N 01°25'26" W
L33	85.00'	N 63°19'11" W
L34	51.34'	N 62°52'46" W
L35	119.81'	S 89°53'16" W
L36	17.99'	S 00°06'39" E
L37	62.34'	S 00°06'39" E
L38	66.80'	S 89°55'23" W
L39	7.64'	N 89°55'36" E
L40	23.13'	N 62°22'39" E
L41	127.01'	S 01°25'26" E
L42	33.04'	N 88°34'34" E
L43	110.97'	N 88°35'36" E
L44	217.90'	S 01°25'26" E
L45	14.36'	N 88°33'52" E
L46	9.64'	N 88°35'37" E
L47	26.75'	N 01°24'32" W
L48	28.12'	N 14°13'20" W
L49	17.60'	S 88°34'34" W
L50	570.50'	S 88°34'34" W
L51	389.77'	S 01°25'26" W
L52	15.41'	N 01°29'22" W
L53	70.18'	N 02°35'41" E
L54	44.09'	N 01°29'22" W
L55	70.68'	N 01°29'22" W
L56	40.94'	N 06°56'20" E
L57	55.79'	N 88°34'34" E
L58	50.29'	N 01°29'22" W
L59	40.39'	N 10°01'55" W
L60	41.74'	N 01°29'22" W
L61	207.87'	N 88°34'34" E
L62	102.50'	S 01°25'26" E
L63	24.00'	N 88°34'34" E
L64	90.69'	S 77°28'42" W
L65	2.48'	S 80°57'01" W
L66	271.07'	S 01°25'26" E
L67	32.50'	N 88°34'34" E
L68	30.00'	S 01°25'26" E
L69	32.50'	S 88°34'34" W
L70	2.63'	S 01°25'26" E

LINE	LENGTH	BEARING
L71	28.12'	S 14°13'20" W
L72	30.44'	S 01°25'26" E
L73	191.56'	N 88°34'34" E
L74	27.66'	N 74°29'12" E
L75	71.02'	S 15°17'45" E
L76	110.35'	S 01°25'35" E
L77	30.00'	N 12°47'10" W
L78	68.62'	S 77°13'41" W
L79	573.50'	S 88°34'34" W
L80	109.59'	N 62°52'46" W
L81	39.31'	N 76°05'37" W
L82	96.66'	S 89°53'21" W
L83	571.25'	N 88°34'34" E
L84	268.25'	N 01°25'26" W
L85	565.19'	S 88°34'34" W
L86	96.73'	S 01°25'26" E
L87	24.72'	N 72°02'50" W
L88	72.00'	N 72°02'50" W
L89	24.16'	S 71°58'24" E
L90	165.34'	S 71°58'24" E
L91	68.00'	N 72°02'50" W
L92	26.22'	N 72°02'50" W
L93	86.10'	N 89°59'58" W
L94	110.78'	S 00°05'03" W
L95	75.32'	N 75°04'29" E
L96	124.29'	S 01°25'26" W
L97	32.58'	N 88°44'11" W
L98	132.00'	N 88°34'34" E
L99	113.29'	N 01°25'26" W
L100	77.06'	N 71°59'29" W
L101	60.83'	N 71°58'24" W
L102	3.52'	N 89°36'00" W
L103	200.77'	S 00°06'39" E
L104	17.50'	N 06°56'20" E
L105	15.00'	S 00°06'39" E
L106	17.50'	S 89°53'00" W
L107	442.90'	S 00°06'39" E
L108	51.11'	S 03°55'28" E
L109	180.19'	S 88°34'34" W
L110	46.32'	S 03°55'40" E
L111	15.00'	S 89°56'06" W
L112	264.42'	N 88°34'34" E
L113	24.99'	S 89°55'36" W
L114	5.75'	S 11°45'30" E
L115	398.19'	NORTH
L116	26.91'	N 89°53'01" E
L117	389.12'	NORTH
L118	14.05'	N 60°55'26" W

LINE	LENGTH	BEARING
L119	9.76'	N 00°06'39" W
L120	10.00'	N 89°53'21" E
L121	9.98'	N 00°06'39" E
L122	33.65'	N 88°40'03" E
L123	20.83'	S 06°07'50" E
L124	11.02'	S 89°53'21" W
L125	20.11'	N 89°53'21" E
L126	55.51'	N 89°53'21" E
L127	21.26'	S 06°07'50" E
L128	22.37'	NORTH
L129	10.01'	N 20°09'23" E
L130	10.01'	S 20°09'23" W
L131	10.07'	SOUTH
L132	10.00'	EAST
L133	9.82'	NORTH
L134	111.11'	S 73°32'54" E
L135	9.53'	N 88°34'34" E
L136	10.00'	N 01°25'26" W
L137	10.00'	S 88°34'34" W
L138	10.00'	S 01°25'26" E
L139	179.98'	N 88°34'34" E
L140	10.00'	N 01°25'26" W
L141	17.09'	N 88°34'34" E
L142	10.00'	S 01°25'26" E
L143	67.78'	N 88°34'34" E
L144	10.00'	N 01°25'26" WEST
L145	10.00'	S 88°34'34" W
L146	10.00'	S 01°25'26" W
L147	10.47'	N 01°25'26" W
L148	10.00'	N 88°34'34" E
L149	10.28'	S 01°25'26" E
L150	10.00'	N 88°34'34" E
L151	10.00'	S 01°25'26" E
L152	10.00'	N 88°34'34" W
L153	101.87'	N 01°25'26" W
L154	10.00'	S 88°34'34" W
L155	10.17'	N 88°34'34" E
L156	10.00'	S 03°55'28" E
L157	64.72'	N 01°25'35" W
L158	8.60'	N 88°34'34" E
L159	10.00'	S 01°25'26" E
L160	8.60'	S 88°34'34" W
L161	10.00'	N 01°25'26" W
L162	10.00'	N 88°34'34" E
L163	9.73'	S 01°25'26" E
L164	26.52'	N 01°29'22" W
L165	10.00'	N 01°29'22" W
L166	21.38'	N 88°34'34" E

LINE	LENGTH	BEARING
L167	43.97'	N 01°31'33" W
L168	11.37'	N 88°34'34" E
L169	28.74'	N 01°31'33" E
L170	38.07'	S 02°35'41" W
L171	15.04'	S 02°35'41" W
L172	18.19'	N 43°30'38" E
L173	497.61'	N 88°30'38" E
L174	109.22'	N 00°06'39" W
L175	19.75'	S 01°25'26" E
L176	17.41'	S 01°25'26" E
L177	99.66'	N 60°55'26" W
L178	34.87'	S 29°04'34" W
L179	77.33'	S 00°55'26" W
L180	15.00'	N 88°35'51" E
L181	30.85'	S 29°04'34" W
L182	73.23'	S 00°55'26" W
L183	21.82'	N 01°25'26" W
L184	135.57'	N 60°55'26" W
L185	17.27'	S 88°34'34" W
L186	15.00'	S 01°25'26" E
L187	17.27'	N 88°34'34" E
L188	69.00'	N 01°25'26" W
L189	15.00'	N 88°34'34" E
L190	225.25'	S 01°25'26" E
L191	119.83'	N 01°25'26" W
L192	9.63'	N 01°25'26" WEST
L193	131.76'	N 60°55'26" W

SURVEYOR'S CERTIFICATE

I, TIMOTHY R. MANKIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND AND THAT THE MONUMENTS SHOWN THEREON WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH PLATTING RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION OF THE CITY OF RICHARDSON, TEXAS.

PURPOSE: RELEASE FOR REVIEW 04/11/2016
PRELIMINARY NOT TO BE RECORDED FOR ANY
TIMOTHY R. MANKIN DATE
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6122

STATE OF TEXAS:
COUNTY OF TARRANT:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TIMOTHY R. MANKIN, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ 2016.

NOTARY PUBLIC IN AND FOR TARRANT COUNTY, TEXAS

MY COMMISSION EXPIRES: 08/15/2016

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Northeast 423/380, Ltd., and Kroger Texas L.P. acting herein by and through their duly authorized officers, do hereby certify and adopt this plat designating the herein above described property as a Final Plat WINDSONG RANCH MARKETPLACE, Lots 3, 4, 7, and 8, Block A, and Conveyance Plat WINDSONG RANCH MARKETPLACE, Lots 1, 2, 5, and 6, Block A, an addition to the Town of Prosper, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. The Northeast 423/380, Ltd., and Kroger Texas L.P. do 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 on this 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 by the 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 AT _____, TEXAS, THIS _____ DAY OF _____, 2016.

NORTHEAST 423/380, LTD.

BY: _____

STATE OF TEXAS:
COUNTY OF DALLAS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

WITNESS, MY HAND AT _____, TEXAS, THIS _____ DAY OF _____, 2016.

KROGER TEXAS L.P.

BY: _____

STATE OF TEXAS:
COUNTY OF DALLAS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

TOWN APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, by the Planning and Zoning Commission of the Town of Prosper, Texas.

BY: _____
Planning & Zoning Commission Chairperson

ATTEST: _____
Town Secretary

Engineering Department

Development Services Department

STATE OF TEXAS
COUNTY OF DENTON

Whereas Northeast 423/380, Ltd., and Kroger Texas L.P. are the owners of all that certain 24.379 acre tract of land situated in the J. Saling Survey, Abstract Number 1675, and being a portion of that certain tract of land conveyed to Northeast 423/380, Ltd., according to the deed recorded under County Clerk Document Number 2014-64053, Official Public Records, Denton County, Texas, and being all that certain tract of land conveyed to Kroger Texas L.P., according to the deed recorded under County Clerk Document Number 2014-64057, said Official Public Records, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with plastic yellow cap stamped "Spiarseng" found for the most southerly Southwesterly corner of said Northeast tract, same being the South end of a corner clip at the Northwest intersection of the North right-of-way line of US Highway 380 (variable width right-of-way) and the West right-of-way line of Good Hope Road (variable width right-of-way);

THENCE along the North right-of-way line of said US Highway 380 as follows:
South 88 deg. 34 min. 34 sec. West, a distance of 785.14 feet to a 1/2 inch iron rod set with "Peiser & Mankin SURV" red plastic cap (hereinafter referred to as 1/2 inch iron rod set) for the Southeast corner of aforesaid Kroger tract, same being the POINT OF BEGINNING;
South 88 deg. 34 min. 34 sec. West, passing the Southwest corner of said Kroger tract, same being in the South line of aforesaid Northeast tract, and continuing along the common line of said Northeast tract and said US Highway 380, a total distance of 1269.62 feet to a TXDOT Monument found for angle point;
South 89 deg. 05 min. 46 sec. West, a distance of 101.04 feet to a TXDOT Monument found for angle point;
South 89 deg. 17 min. 50 sec. West, a distance of 2.80 feet to a 1/2 inch iron rod set for the South end of a corner clip in the intersection of said US Highway 380 and Gee Road (variable width right-of-way);

THENCE North 46 deg. 37 min. 51 sec. West, along a West line of said Northeast tract and along said corner clip, a distance of 41.01 feet to a 1/2 inch iron rod set for the most northerly Southwest corner of the herein described tract, same being the North end of said corner clip, same being in the East line of said Gee Road,

THENCE along the East right-of-way line of said Gee Road as follows:
North 00 deg. 06 min. 39 sec. West, a distance of 169.98 feet to a 1/2 inch iron rod set for angle point;
North 03 deg. 55 min. 28 sec. West, a distance of 150.35 feet to a 1/2 inch iron rod set for angle point;
North 00 deg. 06 min. 39 sec. West, a distance of 607.60 feet to a 1/2 inch iron rod set for the Northwest corner of the herein described tract;

THENCE along the Northerly line of said Northeast tract as follows:
North 88 deg. 40 min. 10 sec. East, a distance of 168.65 feet to a 1/2 inch iron rod with plastic yellow cap stamped "Spiarseng" found for angle point;
South 76 deg. 05 min. 37 sec. East, a distance of 114.09 feet to a 1/2 inch iron rod set;
North 62 deg. 52 min. 46 sec. East, a distance of 248.99 feet to a 1/2 inch iron rod set;
North 88 deg. 34 min. 34 sec. East, passing the most northerly Northwest corner of aforesaid Kroger tract, and continuing along the North line of said Kroger tract, a total distance of 685.75 feet to a 1/2 inch iron rod set;

THENCE North 76 deg. 03 min. 31 sec. East, a distance of 48.28 feet to a 1/2 inch iron rod set for the Northeast corner of said Kroger tract;

THENCE along the easterly line of said Kroger tract and through the interior of said Northeast tract as follows:

South 01 deg. 25 min. 26 sec. East, a distance of 265.34 feet to a 1/2 inch iron rod set for the beginning of a curve to the right, having a radius of 165.00 feet and a delta angle of 10 deg. 58 min. 10 sec.;
Along said curve to the right, an arc distance of 31.59 feet and a chord bearing and distance of South 04 deg. 03 min. 39 sec. West, 31.54 feet to a 1/2 inch iron rod set for the beginning of a curve to the right, having a radius of 262.00 feet and a delta angle of 18 deg. 26 min. 52 sec.;
Along said curve to the right, an arc distance of 8.36 feet and a chord bearing and distance of South 18 deg. 46 min. 10 sec. West, 83.99 feet to a 1/2 inch iron rod set for the beginning of a curve to the right, having a radius of 100.00 feet and a delta angle of 14 deg. 42 min. 53 sec.;
Along said curve to the right, an arc distance of 25.68 feet and a chord bearing and distance of South 35 deg. 21 min. 03 sec. West, 25.61 feet to a 1/2 inch iron rod set for angle point;
South 42 deg. 42 min. 29 sec. West, a distance of 23.11 feet to a 1/2 inch iron rod set for angle point;
South 39 deg. 21 min. 02 sec. West, a distance of 18.93 feet to a 1/2 inch iron rod set for the beginning of a curve to the left, having a radius of 515.00 feet and a delta angle of 11 deg. 03 min. 25 sec.;
Along said curve to the left, an arc distance of 99.38 feet and a chord bearing and distance of South 82 deg. 45 min. 39 sec. West, 99.23 feet to a 1/2 inch iron rod set for angle point;
South 01 deg. 29 min. 22 sec. East, a distance of 43.36 feet to a 1/2 inch iron rod set for internal corner of the herein described tract;
North 88 deg. 32 min. 39 sec. East, a distance of 151.01 feet to a 1/2 inch iron rod set for internal corner of the herein described tract;
North 01 deg. 27 min. 23 sec. West, a distance of 19.18 feet to a 1/2 inch iron rod set for angle point;
North 88 deg. 32 min. 39 sec. East, a distance of 78.56 feet to a 1/2 inch iron rod set for angle point;
South 01 deg. 27 min. 23 sec. East, a distance of 19.18 feet to a 1/2 inch iron rod set for angle point;
North 88 deg. 32 min. 38 sec. East, a distance of 64.65 feet to a 1/2 inch iron rod set for corner;
South 88 deg. 32 min. 38 sec. West, a distance of 201.68 feet to the POINT OF BEGINNING and containing 1,061,867 square feet or 24.379 acres of computed land, more or less.

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.

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

LANDSCAPE EASEMENT

The undersigned covenants and agrees that the landscape easement and restrictions herein set forth shall run with the land and be binding on the owner(s) of the property in this subdivision, their successors and assigns, and all parties claiming by, through and under them. In the event a replat is requested on all or part of this property, the Town may require any similar or additional restrictions at its sole discretion. The sole responsibility for maintenance and replacement of landscape materials thereof shall be borne by any homeowners' association hereafter established for the owners of lots in this subdivision and/or the owners of the individual lots within this subdivision. Such maintenance and replacement shall be in conformance with the requirements, standards, and specifications of the Town of Prosper, as presently in effect or as may be hereafter amended. This provision may be or by any other remedy allowed by law. This Landscape Easement shall be void of utilities and other elements unless otherwise approved on the plat.

STREET EASEMENT

The area or areas shown on the plat as "Street Easement" are hereby given and granted to the Town of Prosper (Called "Town") its successors and assigns, as an easement to construct, reconstruct, operate, repair, re-build, replace, relocate, alter, remove and perpetually maintain street and highway facilities, together with all appurtenances and incidental improvements, in, upon and across certain real property owned by Grantor. Appurtenances and incidental improvements include, but are not limited to, curbs, gutters, inlets, aprons, traffic signs with or without attached flashing lights, guard rails, sidewalks, buried conduits, buried City utilities, and underground franchise utilities. Street Easements shall remain accessible at all times and shall be maintained by the Owners of the lot or lots that are traversed by, or adjacent to the Street Easement. After doing any work in connection with the construction, operation or repair of the street and highway facilities, the Town shall restore the surface of the Street Easement as close to the condition in which it was found before such work was undertaken as is reasonably practicable, except for trees, shrubs and structures within the Street Easement that were removed as a result of such work.

DRAINAGE AND DETENTION EASEMENT

THE STATE OF TEXAS
COUNTY OF DENTON
TOWN OF PROSPER

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 Lots 4 and 5, Block A, as shown on the plat is called "Detention Easement". The Detention Easement within the limites of this addition will remain accessible at all times and will be maintained in a safe and sanitary condition by the owners of the lots that are traversed by or adjacent to the 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 construction of any type of building, fence, or any other structure within the Detention Easement, as hereinabove defined, shall be permitted, 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 age that may be occasioned by drainage in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the 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 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 Town shall not be held liable for any damages of any nature resulting from the failure of any structure of structures, within the Easement.

FINAL PLAT
WINDSONG RANCH MARKETPLACE
LOTS 3, 4, 7, 8, BLOCK A
19.042 ACRES
CONVEYANCE PLAT
WINDSONG RANCH MARKETPLACE
LOTS 1, 2, 5, 6, BLOCK A
5.337 ACRES
SITUATED IN THE
J. SALING SURVEY, ABSTRACT NUMBER 1675
TOWN OF PROSPER, DENTON COUNTY, TEXAS
CASE NO. D16-0034

PRELIMINARY. THIS DOCUMENT
SHALL NOT BE RECORDED
FOR ANY PURPOSE
04/11/2016

Table with 4 columns: JOB NO., DATE, FIELD DATE, SCALE, FIELD, DRAWN, CHECKED, PEISER & MANKIN SURVEYING, LLC, COMMERCIAL, RESIDENTIAL, BOUNDARIES, TOPOGRAPHY, MORTGAGE, Texas Society of Professional Surveyors, SHEET, 3, OF, 3.



PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a Site Plan for a retail shell building in Windsong Ranch Marketplace, on 1.2± acres, located on the east side of Gee Road, 300± feet north of US 380. This property is zoned Planned Development-40 (PD-40). (D16-0035).

Description of Agenda Item:

The Site Plan shows one 6,091 square foot retail shell building. Access is provided from Gee Road. Adequate parking has been provided. The Site Plan conforms to the PD-40 development standards.

As a companion item, the Final Plat/Conveyance Plat for Windsong Ranch Marketplace (D16-0034) is on the April 19, 2016, agenda.

Budget Impact:

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

Legal Obligations and Review:

The Site Plan meets minimum development requirements.

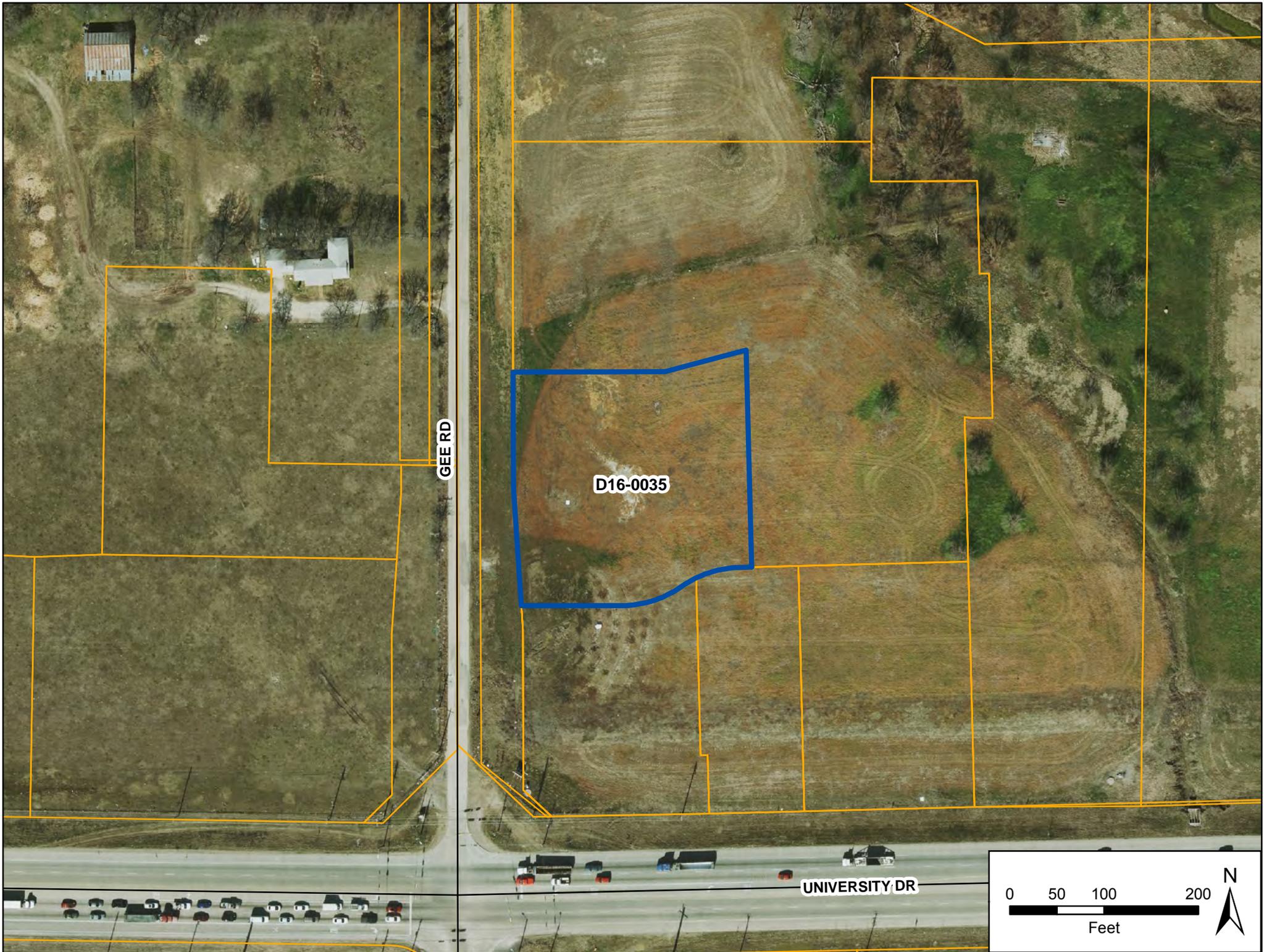
Attached Documents:

1. Location Map
2. Site Plan

Town Staff Recommendation:

Town staff recommends approval of the Site Plan subject to:

1. Town staff approval of civil engineering, landscape, irrigation, and façade plans.
2. Town staff approval of all fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.



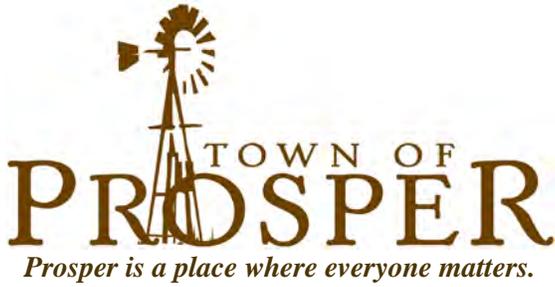
GEE RD

D16-0035

UNIVERSITY DR

0 50 100 200
Feet





PLANNING

To: Planning & Zoning Commission

From: Jonathan Hubbard, Planner

Through: Alex Glushko, AICP, Senior Planner

Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request to rezone 5.5± acres, located on the east side of Preston Road, 1,750± feet south of Prosper Trail, from Single Family-15 (SF-15) to Retail (R). (Z16-0007).

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	Tree Farm (Tree Source, Inc.)	Retail and Neighborhood Services
North	Single Family-15	Tree Farm (Tree Source, Inc.)	Retail and Neighborhood Services
East	Agricultural/Planned Development-58	Single Family Residential (Prestonview Estates) and Office (Allstate Insurance)	Low Density Residential
South	Single Family-15/Retail	Office (Collin County Land Company) and Undeveloped	Retail and Neighborhood Services
West	Commercial / Single Family-15 / Office	Undeveloped / Single Family Residential / Office (Collin county Land Company)	Medium Density Residential

Requested Zoning – The purpose of the rezoning request is to rezone the subject property to Retail in accordance with the Future Land Use Plan to allow for the development of a future retail and/or office development. 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 or

elevations of the proposed building. Prior to development, the developer will be required to submit a Site Plan for review and approval by the Planning & Zoning Commission.

Future Land Use Plan – The Future Land Use Plan recommends Retail and Neighborhood Services. The proposed rezoning request is in conformance with the Future Land Use Plan.

Thoroughfare Plan – The property has direct access to Preston Road, an existing six-lane divided major thoroughfare, and Hays Road, which is depicted on the Thoroughfare Plan as a two-lane undivided commercial collector. Zoning Exhibit A complies with the Thoroughfare Plan.

Water and Sanitary Sewer Services – Water service has been extended to the property and sanitary sewer service will need to be extended to the site prior to or in conjunction with development.

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

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. Town staff has received three Public Hearing Notice Reply Forms; not in opposition to the request.

Attached Documents:

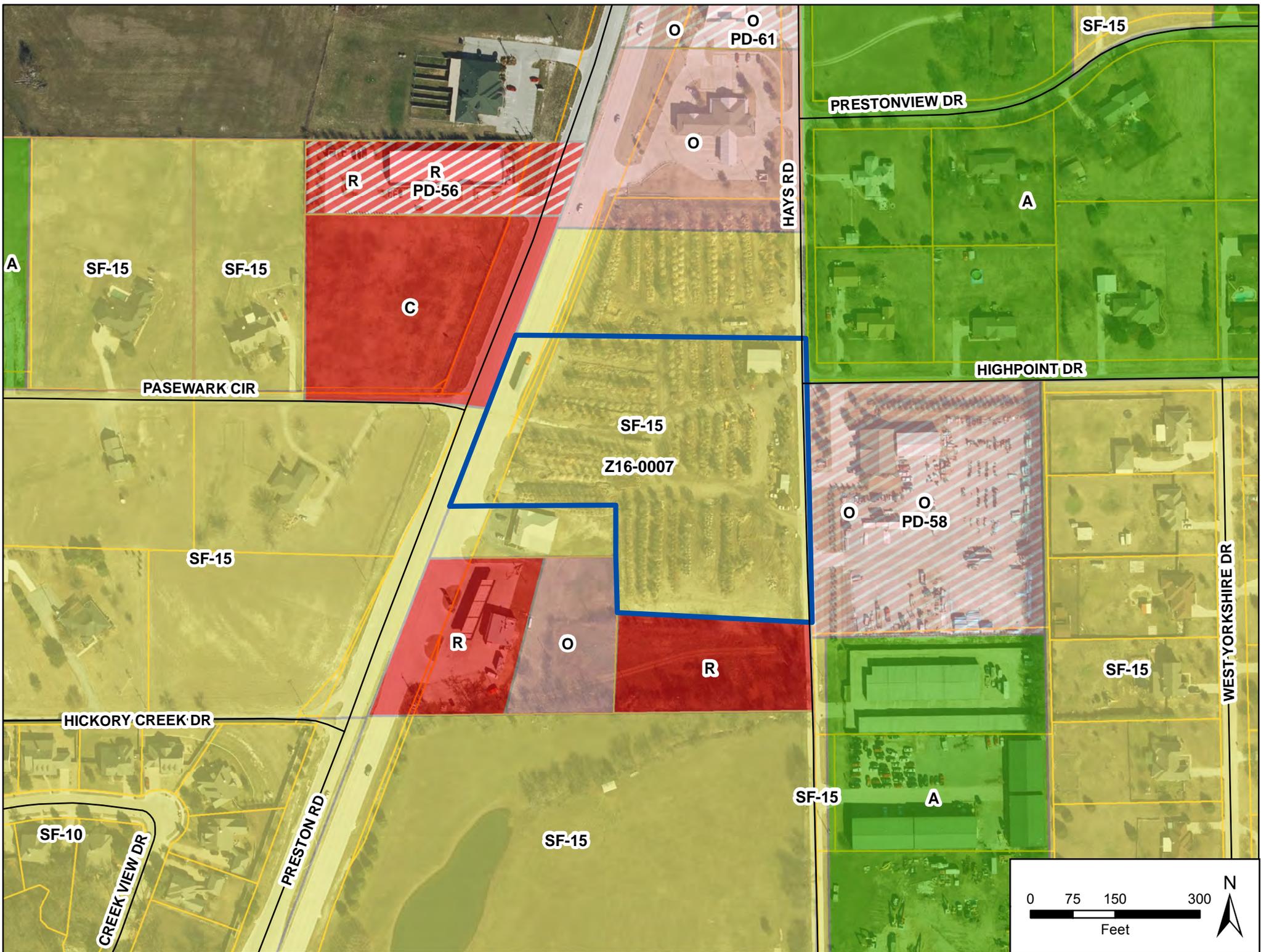
1. Surrounding Zoning Map
2. Zoning Exhibit A
3. Public Hearing Notice Reply Forms

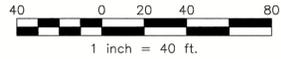
Town Staff Recommendation:

Town staff recommends the Planning & Zoning Commission approve the rezoning request.

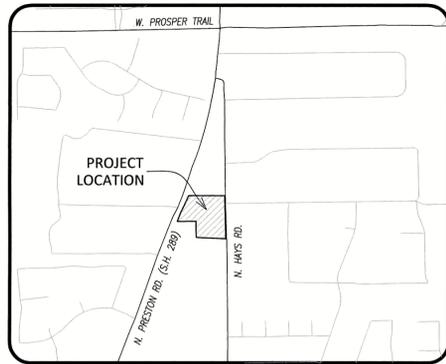
Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on May 10, 2016.



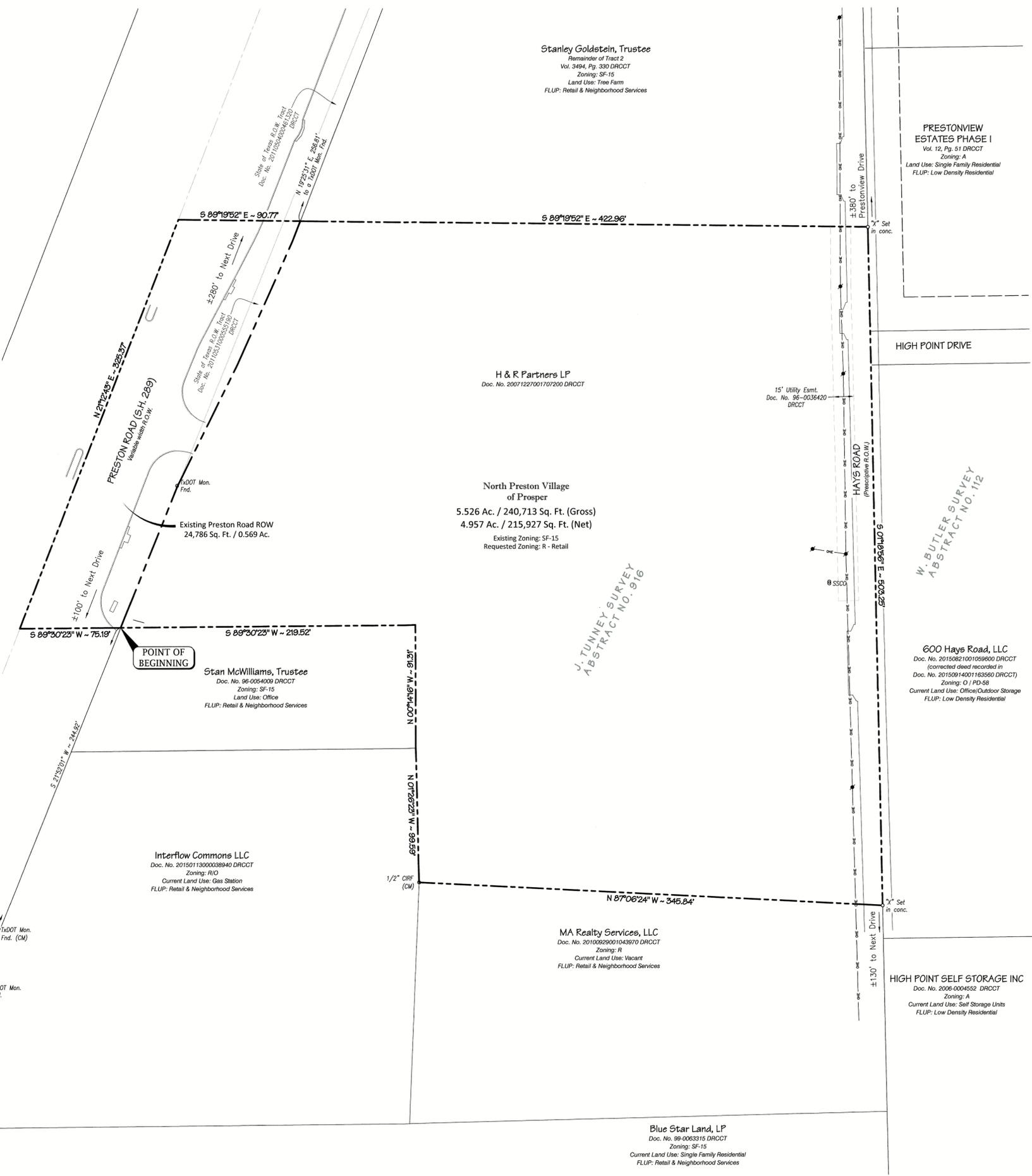


Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).



LOCATION MAP
1" = 1000'

LEGEND	
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "SPIARSEN" SET, UNLESS OTHERWISE NOTED.
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
■	POWER POLE
⊙	SAN. SEWER MANHOLE
⊗	STORM SEWER MANHOLE
⊕	LIGHT POLE/STANDARD
⋈	GLY WIRE ANCHOR
○	BOLLARD
+	SIGNPOST
GM	GAS METER
GAS	GAS LINE MARKER
FDC	FIBEROPTIC CABLE MARKER
FC	FIRE SPRINKLER CONTROL BOX
EB	ELECTRIC BOX
EM	ELECTRIC METER
⊕	IRRIGATION CONTROL VALVE
W	WATER VALVE
⊕	WATER METER
SSCO	SANITARY SEWER CLEANOUT
—	CHAIN LINK FENCE
—	BARBED WIRE FENCE
—	WOOD FENCE
—	OVERHEAD POWER LINE
CM	CONTROL MONUMENT



METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the J. Tunney Survey, Abstract No. 916, Town of Prosper, Collin County, Texas, the subject tract being a portion of a tract conveyed to H & R Partners LP according to the deed recorded in Document No. 20071227001707200 of the Deed Records, Collin County, Texas (DRCT), and a portion of State Highway 289 (also known as Preston Road), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSEN" set on the east line of Preston Road, a variable width right-of-way, also known as State Highway 289, for the northwest corner of Stan McWilliams, Trustee, recorded in Document No. 96-0054009 DRCT, and from which a TxDOT right-of-way monument bears S 21°52'01" W, 244.92 feet;

THENCE S 89°30'23" W, 75.19 feet into said highway to a point on the centerline thereof;

THENCE N 21°12'43" E, 325.37 feet along the center line of Preston Road

THENCE S 89°19'52" E, 90.77 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set for the northeast corner of a right-of-way tract conveyed to the State of Texas, recorded in Document No. 20110531000555190 DRCT, and for the southeast corner of another right-of-way tract conveyed to the State of Texas, recorded in Document No. 20110504000461320 DRCT, and being on the south line of the remainder of that certain tract conveyed to Stanley Goldstein, Trustee, recorded in Volume 3494, Page 330 DRCT, and from which another TxDOT right-of-way monument found for the north corner of said right-of-way tract bears N 19°25'31" E, 256.81 feet;

THENCE S 89°19'52" E, 422.96 feet along the common line thereof to an "X" set in concrete in County Road 77, a prescriptive right-of-way, also known as North Hays Road;

THENCE S 01°18'56" E, 503.25 feet along said road to an "X" set in concrete for the northeast corner of a tract conveyed to MA Realty Services, LLC, recorded in Document No. 20100929001043970 DRCT;

THENCE N 87°06'24" W, 345.84 feet along the common line thereof to a 1/2" iron rod with plastic cap found on the east line of a tract conveyed to Interflow Commons LLC, recorded in Document No. 20150113000038940 DRCT;

THENCE N 01°26'23" W, 99.59 feet along the common line of said Interflow Commons tract to the northeast thereof and to the southeast corner of said Stan McWilliams tract;

THENCE N 00°14'16" W, 91.31 feet along the common line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

THENCE S 89°30'23" W, 219.52 feet continuing along the common line thereof to the POINT OF BEGINNING with the subject tract containing 240,713 square feet or 5.526 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.

Dated this the 11 day of APRIL, 2016.


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



NOTE:

1. No part of the subject land is located in a 100-year Flood Plain or in an identified "flood prone area," as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel 48085C0235J, dated June 2, 2009. The property is located in Zone "X" (areas determined to be outside the 500-year floodplain).

EXHIBIT 'A'

NORTH PRESTON VILLAGE OF PROSPER

J. TUNNEY SURVEY, ABSTRACT NO. 916
IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS
5.526 Ac. Gross / 4.957 Ac. Net
Current Zoning: SF-15
Requested Zoning: R-Retail
Town Case # Z16-0007

ENGINEER / SURVEYOR Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: David Bond	OWNER / APPLICANT H & R Partners, LP 1222 N. Saint Charles Ave. Pilot Point, Texas 76258 Telephone: (214) 729-7609 Contact: Timothy Hoelzel
--	---



**DEVELOPMENT SERVICES
DEPARTMENT
409 E. First St.
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502**

REPLY FORM

SUBJECT:

Zoning Case Z16-0007: The Town of Prosper has received a request to rezone 5.5± acres, from Single Family-15 (SF-15) to Retail (R).

LOCATION OF SUBJECT PROPERTY:

The property is located on the east side of Preston Road, 1,750± feet south of Prosper Trail.

DESCRIPTION OF THE REQUEST:

The purpose of the request is to allow for a retail/office development. The Future Land Use Plan recommends Retail & Neighborhood Services for the property.

I OPPOSE the request as described in the notice of public hearing. Please provide a reason for opposition.
 I DO NOT OPPOSE the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY): _____

Matt Edgemon
Name (please print)

[Signature]
Signature

6251 FM 2478
Address

4/12/16
Date

Mckinney, TX 75071
City, State, and Zip Code

matt@swerosioncontrol.com
E-mail Address

Phone Number (Optional)



Prosper is a place where everyone matters.

DEVELOPMENT SERVICES
DEPARTMENT
409 E. First St.
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502

REPLY FORM

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The property is located on the east side of Preston Road, 1,750± feet south of Prosper Trail.

DESCRIPTION OF THE REQUEST:

The purpose of the request is to allow for a retail/office development. The Future Land Use Plan recommends Retail & Neighborhood Services for the property.

Form box containing response options: 'I OPPOSE the request...' and 'I DO NOT OPPOSE the request...'. Includes a handwritten comment: 'I AM IN FAVOR OF ZONING REQUEST'.

STANLEY GOLDSTEIN, TRUSTEE
WARREN S. WINGERT
Name (please print)

3412 AMHERST ST.
Address

DALLAS, TX. 75225
City, State, and Zip Code

214-957-2871 (cell)
Phone Number (Optional)

Warren S. Wingert
Signature

4-12-16
Date

WWINGERT3412@gmail.com
E-mail Address



Prosper is a place where everyone matters.

DEVELOPMENT SERVICES DEPARTMENT 409 E. First St. P.O. Box 307 Prosper, TX 75078 Phone: 972-346-3502

REPLY FORM

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DESCRIPTION OF THE REQUEST:

The purpose of the request is to allow for a retail/office development. The Future Land Use Plan recommends Retail & Neighborhood Services for the property.

- I OPPOSE the request as described in the notice of public hearing. Please provide a reason for opposition.
I DO NOT OPPOSE the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):

SATISH PATEL Name (please print)

Signature

787 N. PRESTON RD Address

Date 4/11/16

PROSPER TX 75078 City, State, and Zip Code

SATISHK@GMAIL.COM E-mail Address

903-815-0752 Phone Number (Optional)

RECEIVED

APR 15 2016

TOWN OF PROSPER DEVELOPMENT SERVICES



PLANNING

To: Planning & Zoning Commission
From: Jonathan Hubbard, Planner
Through: Alex Glushko, AICP, Senior Planner
Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request for an extension of a Specific Use Permit (SUP) for a Concrete Batching Plant on 5.0± acres, located on the west side of Dallas Parkway, 900± feet south of First Street. The property is zoned Planned Development-19-Commercial Corridor and Specific Use Permit-6 (PD-19-CC and S-6). (S16-0006).

History:

On December 14, 2004, the Town Council adopted an ordinance rezoning the property Planned Development-19 (PD-19). PD-19 permitted a Concrete Batching Plant by right, with the condition that an on-site billing office is included on the property, and allowed the plant for five years following the adoption date of PD-19. At the end of the five year period, a SUP was required to allow for the continued operation. As such, in December of 2009, the Town Council granted a SUP with a two year expiration, in December of 2011, the Town Council further granted a SUP with a two year expiration, and in January of 2014, the Town Council adopted the current SUP (Ordinance No. 14-02) granting a SUP permitting the Concrete Batching Plant to continue the operation subject to the following conditions:

1. The SUP expires January 14, 2017, three (3) years after the adoption of the ordinance. The applicant may seek a renewal term to the SUP in order to continue the Concrete Batching Plant use.
2. An on-site billing office is required to continue the Concrete Batching Plant use. All concrete deliveries from the physical Prosper location shall be billed as taxable to the Town of Prosper.
3. The Town of Prosper reserves the right to audit books to ensure that Prosper is the primary HUB for tax revenue and upon inspections, if there are any failures to correct errors; Town of Prosper reserves the right to revoke the SUP.

The applicant has submitted a SUP application requesting to continue the operation of the Concrete Batch Plant. A sales tax report and the current SUP are attached for reference.

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-19-Commercial Corridor	Concrete Batching Plant	Tollway District
North	Agricultural	John Deere Nursery and Landscaping	Tollway District
East	Commercial Corridor	A-1 Grass, Sand and Stone	Tollway District
South	Single Family-15	Concrete Batching Plants	Tollway District
West	Agricultural	John Deere Nursery and Landscaping	Tollway District

The Zoning Ordinance contains four criteria to be considered in determining the validity of a SUP request. These criteria, as well as staff's responses for each, are below:

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

The surrounding properties are currently used as a major nursery and concrete batching plants. The proposed uses in the Tollway District are office, retail, commercial, mixed use, and high density residential development. While the proposed use of concrete batching plant is harmonious and compatible with the surrounding existing uses, it is not harmonious and compatible with the surrounding proposed uses per existing zoning or the Future Land Use Plan.

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

The activities requested by the applicant, as shown on Exhibit B, are normally associated with the use of a concrete batching plant.

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

The nature of the use is currently reasonable due to the surrounding existing uses and the access to Dallas Parkway. The nature of the use will not be reasonable in the future as office, retail, commercial, mixed use, and high density residential development start to develop along Dallas Parkway.

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

Concrete batching plants typically produce noise, dust, with large amounts of material stored outside. The impact on the surrounding area has not been mitigated.

Future Land Use Plan – The Future Land Use Plan recommends Tollway District for the property, which will consist of the most intense land uses within Prosper, including a

diverse mixture of office, retail and residential. While the proposed concrete batching plant use is not harmonious and compatible with the future vision of the Comprehensive Plan and the Tollway District, the proposed use is currently harmonious and compatible with the existing surrounding uses expected for the near future. In addition to the existing surrounding batching plants, in conjunction with TxDOT improvements to US 380, a temporary batching plant has been approved to serve the project, which is expected to take several years to complete. Although the request is not in conformance with the Future Land Use Plan, staff believes the request for a further two year extension of the SUP is reasonable.

Conformance to the Thoroughfare Plan – The property is adjacent to the Dallas Parkway. The zoning exhibit complies with the Thoroughfare Plan.

Water and Sanitary Sewer Services – Water service is currently provided by the Town and sewer is provided through the use of an aerobic septic system.

Access – Access to the property is provided from Dallas Parkway. Adequate access is provided to the property.

Schools – This property is located within 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:

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. Surrounding Zoning Map
2. Proposed SUP Exhibit A
3. Sales Tax Report
4. Specific Use Permit-6

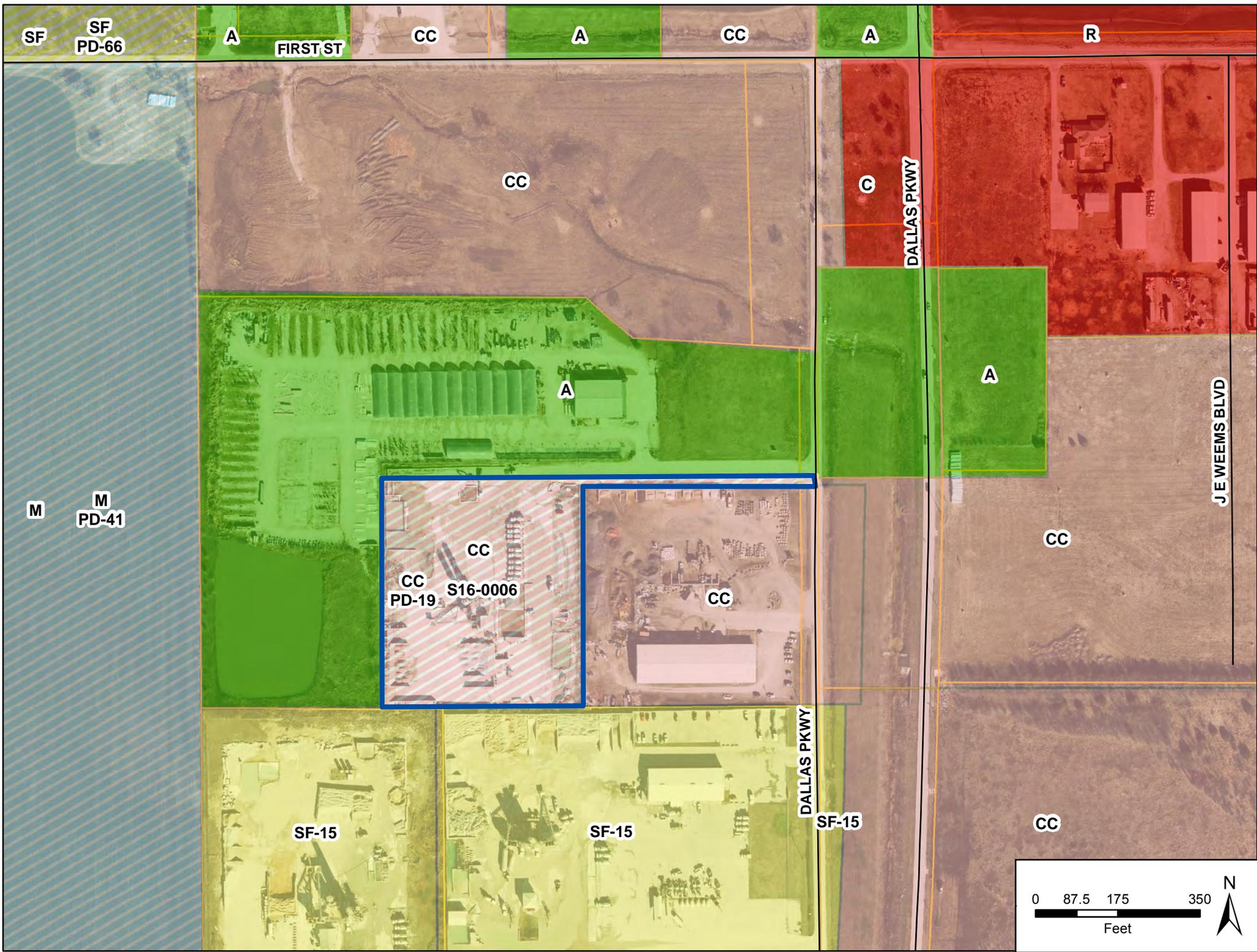
Town Staff Recommendation:

Town staff recommends the Planning & Zoning Commission approve the SUP request, subject to:

1. The SUP expires January 14, 2019, two (2) years after the expiration of the existing ordinance. The applicant may seek a renewal term to the SUP in order to continue the Concrete Batching Plant use.
2. An on-site billing office is required to continue the Concrete Batching Plant use. All concrete deliveries from the physical Prosper location shall be billed as taxable to the Town of Prosper.
3. The Town of Prosper reserves the right to audit books to ensure that Prosper is the primary HUB for tax revenue and upon inspections, if there are any failures to correct errors; Town of Prosper reserves the right to revoke the SUP.

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 May 10, 2016.



MCGINNIS FARMS, INC.
VOL. 4819, PG. 1793
L.R.C.C.T.

CURRENT ZONING = AGRICULTURAL
FUTURE LAND USE PLAN = TOLLWAY DISTRICT
CURRENT LAND USE = LANDSCAPING BUSINESS

COLLIN COUNTY, TEXAS
VOL. 5784, PG. 4420
L.R.C.C.T.

CURRENT ZONING = AGRICULTURAL
FUTURE LAND USE PLAN = TOLLWAY DISTRICT
CURRENT LAND USE = FARM LAND

CURRENT ZONING = PLANNED DEVELOPMENT-19 - COMMERCIAL CORRIDOR
PROPOSED ZONING = PLANNED DEVELOPMENT-19 - COMMERCIAL CORRIDOR
WITH A SPECIFIC USE PERMIT FOR A CONCRETE BATCHING PLANT
FUTURE LAND USE PLAN = TOLLWAY DISTRICT
CURRENT LAND USE = CONCRETE BATCHING PLANT

KIPLING ENTERPRISES, LLC.
TO
G & H PROPERTIES, L.P.
VOL. 5565, PG. 3107
L.R.C.C.T.

CURRENT ZONING = SINGLE FAMILY - 15
FUTURE LAND USE PLAN = TOLLWAY DISTRICT
CURRENT LAND USE = STORAGE/WAREHOUSE

A & J OWENS, LTD.
VOL. 5805, PG. 1782
L.R.C.C.T.

SOUTHERN STAR CONCRETE, INC.
VOL. 5468, PG. 5436
L.R.C.C.T.

SOUTH LOOP
DEVELOPMENT CORP.
VOL. 4186, PG. 2346
L.R.C.C.T.

CURRENT ZONING = SINGLE FAMILY - 15
FUTURE LAND USE PLAN = TOLLWAY DISTRICT
CURRENT LAND USE = CONG. BATCH PLANT

CURRENT ZONING = SINGLE FAMILY - 15
FUTURE LAND USE PLAN = TOLLWAY DISTRICT
CURRENT LAND USE = CONG. BATCH PLANT

FIELD NOTES
4.955 ACRES

BEING all that certain lot, tract, or parcel of land situated in the Collin County School Land Survey Abstract Number 147 in the City of Prosper, Collin County, Texas, being all that certain tract of land conveyed by deed from Lattimore Materials Company, L. P. to A & J Owens, Ltd. recorded in Volume 5805, Page 1782, Land Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set for corner, said point being the northwest corner of that certain tract of land conveyed by deed from Kipling Enterprises, LLC to G & H Properties, L. P. recorded in Volume 5565, Page 3107, Land Records, Collin County, Texas;

THENCE S 60° 49' 49" W, 468.69 feet with the west line of said G & H Properties tract to an iron rod set for corner in the north line of that certain tract of land conveyed by deed from Michael Ramos to South Loop Development Corporation recorded in Volume 4186, Page 2346, Land Records, Collin County, Texas;

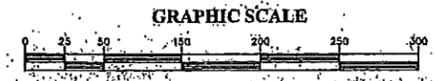
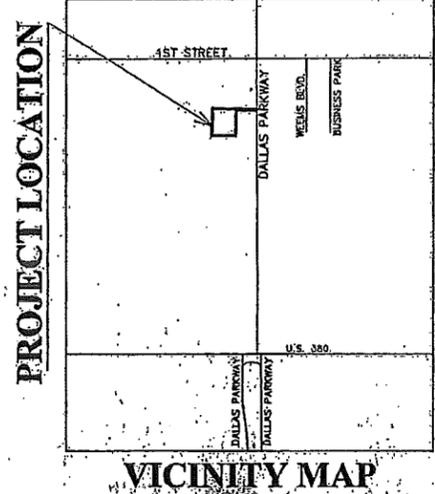
THENCE N 89° 20' 26" W, 428.34 feet with said north line of said South Loop Development Corporation tract and with the north line of that certain tract of land conveyed by deed from Hanson Aggregate Central, Inc. to Solithum Steel Company, Inc. recorded in Volume 5468, Page 5436, Land Records, Collin County, Texas, to an iron rod set for corner, said point being the most southerly southeast corner of that certain tract of land conveyed by deed from Michael Ramos, Trustee, to McGinnis Farms, Inc. recorded in Volume 4819, Page 1793, Land Records, Collin County, Texas;

THENCE N 00° 49' 49" E, 468.27 feet with an east line of said McGinnis Farms tract to an iron rod set for corner in the north line of that certain tract of land conveyed by deed from Michael Ramos to South Loop Development Corporation recorded in Volume 4186, Page 2346, Land Records, Collin County, Texas;

THENCE S 89° 23' 47" E, 802.13 feet with a south line of said McGinnis Farms tract to an iron rod set for corner in the west line of Dallas Parkway, a public roadway having a variable width right-of-way;

THENCE along the arc of a curve to the right having a central angle of 00° 18' 04", a radius of 3808.10 feet, an arc length of 20.01 feet, whose chord bears S 01° 05' 20" E, 20.01 feet with said west line of said Dallas Parkway to an iron rod set for corner in the north line of said G & H Properties tract;

THENCE N 89° 23' 47" W, 374.46 feet with said north line of said G & H Properties tract to the PLACE OF BEGINNING and containing 4.955 acres of land.



NOTES:
THE THOROUGH PAVE ALIGNMENT SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.

Know All Men By These Presents That I, Jerald Yensen, 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.

I further certify that only portions shown of subject property lies within a special flood hazard area according to the FLOOD INSURANCE RATE MAP for Collin County and Incorporated Area, Map Number 4808EC0230, dated June 2, 2009. (Subject property lies in Zone A and Zone X approximately as shown).

Dated this 8th day of August, 2009.

Jerald D. Yensen, Professional Surveyor
Texas P.L.S. No. 4861

LEGEND

- P.U.E. = PUBLIC UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- S.Y.S.L. = SIDE YARD SETBACK LINE
- B.L. = BUILDING LINE
- R.Y.S.L. = REAR YARD SETBACK LINE
- C/W = CONCRETE SIDEWALK
- W/V = WATER VALVE
- W/M = WATER METER
- F.I.R. = FOUND IRON ROD
- S.I.R. = SET IRON ROD
- P.P. = POWER POLE
- L.P. = LIGHT POLE
- I.C.V. = IRRIGATION CONTROL VALVE
- F.O.C. = FIBER OPTIC CABLE
- T.C.B. = TRAFFIC CONTROL BOX
- C.O. = SANITARY SEWER CLEANOUT
- E.B. = ELECTRIC BOX
- TEL. P.D. = TELEPHONE BOX
- F.H. = FIRE HYDRANT
- S.M.M. = STORM SEWER MANHOLE
- F. = FENCE
- OH = OVERHEAD POWER LINE

SUP Case #S16-0006

EXHIBIT "A"

NELSON BROTHERS PROSPER PLANT
SUP APPLICATION FOR CONCRETE BATCHING PLANT
BEING 4.955 ACRES IN THE
COLLIN COUNTY SCHOOL LAND
SURVEY NO. 12 A-147
CITY OF PROSPER, COLLIN COUNTY, TEXAS

LANDMARK SURVEYORS, L.L.C.
4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
FAX (940) 382-9784

OWNER
A & J OWENS, LTD.
721 E. MAIN ST.
LEWISVILLE, TX 75057
(817) 507-8419

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20 AND ORDINANCE NO. 11-73; GRANTING A SPECIFIC USE PERMIT (SUP) FOR CONCRETE BATCHING PLANT, LOCATED ON A TRACT OF LAND CONSISTING OF 4.955 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY NO. 12, ABSTRACT NO. 147, BLOCK 4, TRACT 36, LOCATED AT 570 SOUTH DALLAS PARKWAY, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS; 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. 05-20 and Ordinance No. 11-73 should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request from A & J Owens LTD. ("Applicant") for a Specific Use Permit (SUP) to allow for a Concrete Batching Plant on a tract of land zoned Planned Development-19-Commercial Corridor (PD-19), consisting of 4.955 acres of land, more or less, situated in the Collin County School Land Survey No. 12, Abstract No. 147, Block 4, Tract 36, located at 570 South Dallas Parkway, in the Town of Prosper, Collin County, Texas, and being particularly being described in Exhibit "A", attached hereto and incorporated herein for all purposes; 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 to grant a Specific Use Permit (SUP) have been given in the manner and form set forth by law, public hearings have been held and all other requirements of notice and completion of such 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

Specific Use Permit Granted. Zoning Ordinance No. 05-20 and Ordinance No. 11-73 is amended as follows: Applicant is granted a Specific Use Permit (SUP) to allow the operation of a Concrete Batching Plant, on a tract of land zoned Planned Development-19-Commercial Corridor (PD-19), consisting of 4.955 acres of land, more or less, situated in the Collin County

School Land Survey No. 12, Abstract No. 147, Block 4, Tract 36, located at 570 South Dallas Parkway, in the Town of Prosper, Collin County, Texas, and being particularly being described in Exhibit "A", attached hereto and incorporated herein for all purposes as if set forth verbatim, subject to the following conditions of approval by the Town Council:

1. The SUP expires three (3) years after the adoption of the Ordinance. The applicant may seek a renewal term to the SUP in order to continue the Concrete Batching Plant use.
2. An onsite billing office is required to continue the Concrete Batching Plant use. All concrete deliveries from the physical Prosper location shall be billed as taxable to the Town of Prosper.
3. Town of Prosper reserves the right to audit books to ensure that Prosper is the primary HUB for tax revenue and upon inspections, if there are any failures to correct errors; Town of Prosper reserves the right to revoke the SUP.

The property shall continue to be used in a manner consistent with the conditions expressly stated in the site plan, 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 Specific Use Permit (SUP) shall comply fully with the requirements of all ordinances, rules, and regulations of the Town of Prosper, as they currently exist or may be amended.

Three (3) 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 Official 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 District shall be sent to all owners of properties within the District as well as all properties within two hundred feet (200') of the District to be amended.

SECTION 3

Specific Use Permit Expiration Date. This Specific Use Permit shall expire on January 14, 2017. The applicant may seek an extension to the Specific Use Permit by following the procedure in Chapter 2, Section 25 of the Zoning Ordinance as it currently exists or may be amended.

SECTION 4

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 5

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 6

Penalty. Any person, firm, corporation or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance No. 05-20, 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 7

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.

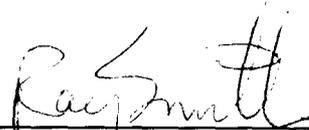
SECTION 8

Savings/Repealing Clause. Prosper's Zoning Ordinance No. 05-20 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 9

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

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE
TOWN OF PROSPER, TEXAS, ON THIS 14TH DAY OF JANUARY, 2014.



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch, Town Attorney



PLANNING

To: Planning & Zoning Commission

From: Jonathan Hubbard, Planner

Through: Alex Glushko, AICP, Senior Planner

Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Private Street Development, on 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive. (S16-0005).

History:

On April 5, 2016, the Planning & Zoning Commission continued the Public Hearing and tabled this item to the April 19, 2016, Planning & Zoning meeting to allow staff and the applicant additional time address concerns with the layout of the proposed subdivision, specifically regarding safety and traffic calming. Since the meeting the applicant has revised the plan and staff believes the revised layout meets the intent of the Town of Prosper’s Thoroughfare Design Manual and Subdivision Ordinance, with regard to safety and traffic calming.

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	Agricultural	Undeveloped	Medium Density Residential
North	Planned Development-40-Single Family and Unincorporated (Annexation Agreement, Resolution 2015-4542)	Undeveloped (Future Community Park)	Medium Density Residential
East	Planned Development-66 – Single Family	Undeveloped	Medium Density Residential
South	Unincorporated (ETJ)	Single Family Residential (Artesia)	High Density Residential
West	Agricultural	Undeveloped	Medium Density Residential

The Zoning Ordinance allows for a Private Street Development subject to approval of a SUP, in accordance with the Conditional Development Standards outlined in Chapter 3, Section 1.4, which is attached for reference.

In conjunction with the SUP request, the applicant is proposing three associated exhibits, as follows:

1. Exhibit A (Boundary Survey)
2. Exhibit B (Conceptual Layout) – The exhibit shows the general layout of the subdivision, including two access points to Prosper Road, two street stubs to future residential subdivisions to the east and west, the location of the proposed gated entry/exit points, the location of the proposed hike and bike trail, and the proposed open space.
3. Exhibit C (Entry Detail) – Shows the locations of entry gates, columns, screening, fencing, stacking, and turnaround.

The Zoning Ordinance contains four criteria to be considered in determining the validity of a SUP request. These criteria, as well as staff's responses for each, are below:

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
The Future Land Use Plan designates the surrounding properties for residential uses. The properties to the north are a future Community Park and a currently unincorporated tract. The property to the east is zoned for single family, the property to the south is an unincorporated single family development (Artesia), and the property to the west is currently zoned Agricultural. As shown on Exhibit B, the proposed private street development will provide emergency access only street stubs to the future residential developments to the east and west. The proposed private street development will not have an adverse impact on the surrounding properties, and the proposed use is harmonious and compatible with the surrounding existing and proposed uses.
2. *Are the activities requested by the applicant normally associated with the requested use?*
The activities requested, as shown on the attached exhibits, are normally associated with the requested use.
3. *Is the nature of the use reasonable?*
On April 5, 2016, the Planning & Zoning Commission approved a request to rezone the subject property from Agricultural to Single Family-12.5 to allow for the development of a single family subdivision, in accordance with the SF-12.5 District standards and the Future Land Use Plan's recommendation of Medium Density Residential. A private street development within a residentially zoned district is typical and the proposed use is reasonable.
4. *Has any impact on the surrounding area been mitigated?*
The proposed SUP does not have any negative impacts on the surrounding properties.

Future Land Use Plan – The Future Land Use Plan recommends Medium Density Residential uses for the property. This request conforms to the Future Land Use Plan.

Conformance to the Thoroughfare Plan – The property has direct access to Prosper Road (future Prosper Trail), a future four-lane divided thoroughfare. The SUP exhibits comply with the Thoroughfare Plan.

Water and Sanitary Sewer Services – Water and sanitary sewer service will need to be extended to the site prior to or in conjunction with development.

Access – Access to the property will be provided from Prosper Road (future Prosper Trail).

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. The Windsong Ranch Community Park is designated for the property immediately north of this site.

Environmental Considerations – The 100-year floodplain located on the property is shown on Exhibit A.

Legal Obligations and Review:

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:

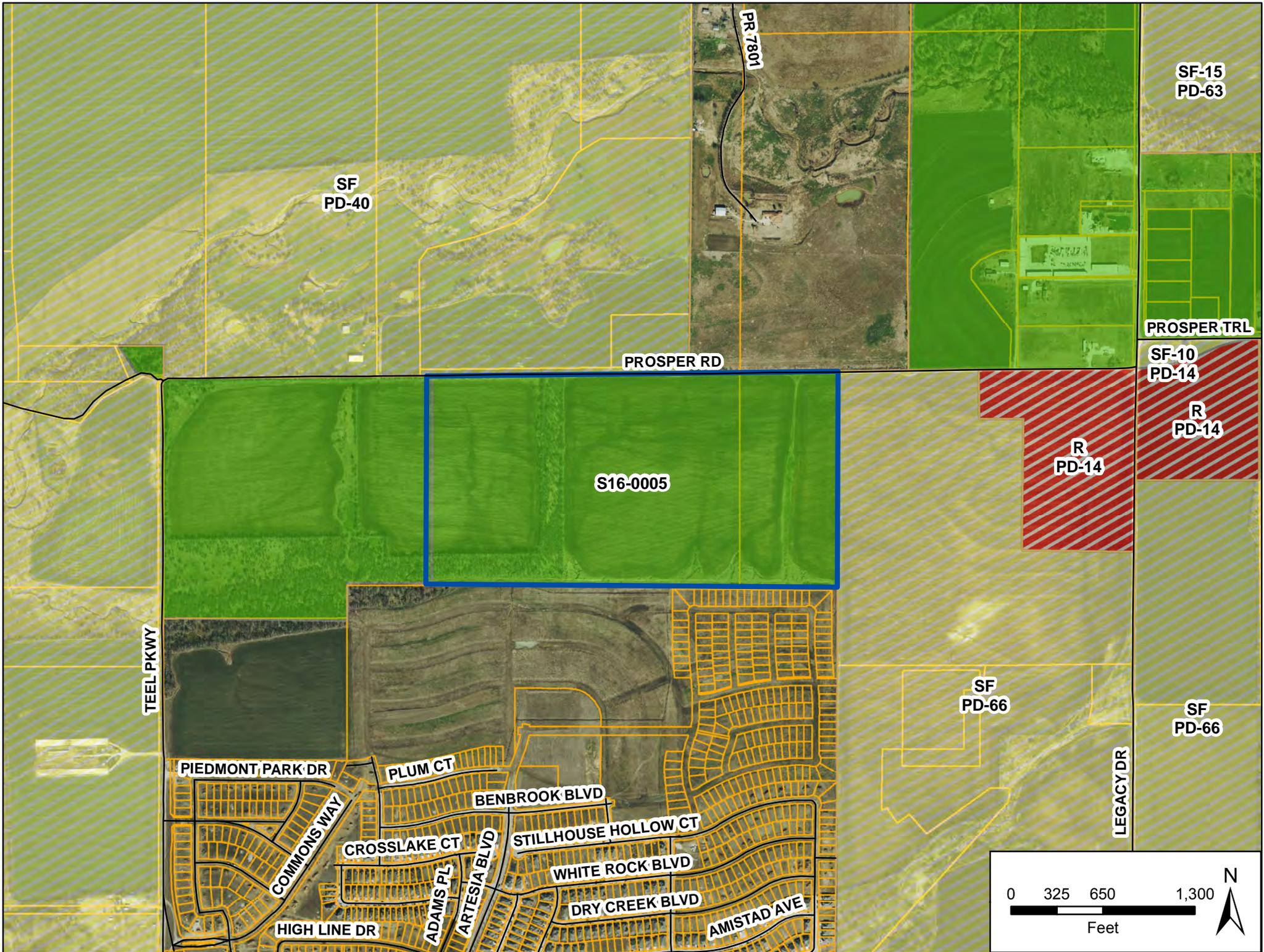
1. Zoning map of surrounding area
2. Proposed SUP Exhibits A, B, and C
3. Conditional Development Standards for Private Street Development

Town Staff Recommendation:

Town staff recommends the Planning & Zoning Commission approve the SUP request.

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 May 10, 2016.



SF
PD-40

PR 7801

SF-15
PD-63

PROSPER RD

PROSPER TRL

SF-10
PD-14

S16-0005

R
PD-14

R
PD-14

TEEL PKWY

SF
PD-66

SF
PD-66

LEGACY DR

PIEDMONT PARK DR

PLUM CT

BENBROOK BLVD

CROSSLAKE CT

STILLHOUSE HOLLOW CT

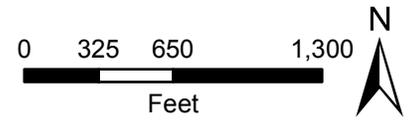
WHITE ROCK BLVD

HIGH LINE DR

ADAMS PL
ARTESIA BLVD

DRY CREEK BLVD

AMISTAD AVE



SURVEY PLAT

TO INWOOD PLAZA JOINT VENTURE; AVEX ACQUISITIONS, INC.; AND LANDAMERICA AMERICAN TITLE:

This is to certify that I have, this date, made an on the ground survey of the property located on Fields Road & Prosper Road in the City of Prosper, Texas, described as follows:

Being a tract of land located in the Louisa Netherly Survey, Abstract No. 962, and the John H. Durrett Survey, Abstract No. 350, Denton County, Texas, and being a part of a tract of land described in deed to Inwood Plaza Joint Venture, recorded in Volume 4233, Page 738, (Doc. No. 98-R0110922), Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the intersection of Fields Road, and Prosper Road, said point being at the northwest corner of said Inwood Plaza Joint Venture tract;

THENCE South 89 degrees 39 minutes 34 seconds East, along the north line of said Inwood Plaza Joint Venture tract, and along the centerline more or less of said Prosper Road, a distance of 1867.59 feet to a 1/2 inch iron rod set for the POINT OF BEGINNING;

THENCE South 89 degrees 39 minutes 34 seconds East, continuing along the north line of said Inwood Plaza Joint Venture tract, and along the centerline more or less of said Prosper Road, a distance of 1852.10 feet to a 1/2 inch iron rod found in the approximate center of said Prosper Road at the southeast corner of a tract of land described in deed to Ernest A. Mahard Jr., recorded in Document Number 93-R0062215, Deed Records, Denton County, Texas, and the southwest corner of a tract of land described in deed to Cuentherman-Baldwin Joint Venture, recorded in Volume 2552, Page 885, Deed Records, Denton County Texas;

THENCE South 89 degrees 45 minutes 15 seconds east, along the north line of said Inwood Plaza Joint Venture tract, and the south line of said Cuentherman-Baldwin Joint Venture tract, and along the centerline more or less of said Prosper Road, a distance of 1058.03 feet to a 1/2 inch iron rod with a red plastic cap stamped "R.P.L.S. No. 3688" set at the northeast corner of said Inwood Plaza Joint Venture tract, said point being North 89 degrees 45 minutes 15 seconds West, a distance of 493.10 feet from the southeast corner of said Cuentherman-Baldwin Joint Venture tract;

THENCE South 01 degrees 06 minutes 38 seconds West, along the east line of said Inwood Plaza Joint Venture tract, a distance of 1524.28 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "daa" found at the northeast corner of a tract of land described in deed to Suncrest Properties, L.P., recorded in Document Number 2004-800, Deed Records, Denton County, Texas;

THENCE North 88 degrees 38 minutes 31 seconds West, along the north line of said Suncrest Properties tract, a distance of 2909.87 feet to a 1/2 inch iron rod with a red plastic cap stamped "R.P.L.S. No. 3688" set for corner

THENCE North 01 degrees 06 minutes 38 seconds East, through the interior of said Inwood Plaza Joint Venture tract, a distance of 1,470.83 feet to the POINT OF BEGINNING and containing 4,356,000 square feet or 100.00 acres of computed land

TOWN OF PROSPER
PROSPER ROAD COMMUNITY PARK
BLOCK A LOT 1

CURRENT ZONING = PD-40
CURRENT LAND USE = VACANT
FUTURE LAND USE = MEDIUM DENSITY RESIDENTIAL

TOWN OF PROSPER
PROSPER ROAD COMMUNITY PARK
BLOCK A LOT 1

CURRENT ZONING = PD-40
CURRENT LAND USE = VACANT
FUTURE LAND USE = MEDIUM DENSITY RESIDENTIAL

RH TWO LP
DOC. NO. 2004-86307
CURRENT ZONING = ANNEXATION AGREEMENT
CURRENT LAND USE = VACANT
FUTURE LAND USE = MEDIUM DENSITY RESIDENTIAL



VICINITY MAP
NOT TO SCALE

S89°39'34"E 1852.10' 45' ROW DEDICATION (BY OTHERS) S89°45'15"E 1058.03' ± 2065' TO LEGACY DRIVE

EXISTING PROSPER ROAD
GRAVEL ROAD
VARIABLE WIDTH

PROSPER 70 INVESTMENTS LTD
TRACT 1C, 69.986 ACRES, OLD
DCAD TR 5 & 6
CURRENT ZONING = AGRICULTURAL
CURRENT LAND USE = VACANT
FUTURE LAND USE = RESIDENTIAL

TRACT 1B
CURRENT ZONING = AGRICULTURAL
CURRENT LAND USE = VACANT
FUTURE LAND USE = MEDIUM DENSITY RESIDENTIAL
PORTION OF
INWOOD PLAZA JOINT VENTURE
VOL. 4233, PG 738
GROSS ACREAGE = 100.00 AC
NET ACREAGE = 97.00 AC
PROPOSED ZONING = SF-12.5

TRACT 10

BLUE STAR ALLEN LAND LP
DOC. NO. 2011-60030
D.R.D.C.T.
CURRENT ZONING = PD-66
CURRENT LAND USE = VACANT
FUTURE LAND USE = MEDIUM DENSITY RESIDENTIAL

N01°06'38"E 1470.83'

S01°06'38"W 1524.28'

50' DRAINAGE EASEMENT

N88°38'31"W 2909.87'

CURRENT ZONING = NOT IN TOWN LIMITS
CURRENT LAND USE = RESIDENTIAL
FUTURE LAND USE = HIGH DENSITY RESIDENTIAL

TRACT IV
CORONA ARTESIA, LLC
DOC. NO. 2008-34098
D.R.T.C.T.

DEVELOPMENT DATA

PROPOSED USE:
RESIDENTIAL: MAX DENSITY OF 2.4 LOTS/ACRE
GROSS ACERAGE: 100.00 ACRES

FLOOD CERTIFICATE
AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR DENTON COUNTY, TEXAS, A PORTION OF THE SUBJECT PROPERTY DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA (100 YEAR FLOOD). MAP DATE 04/18/2011 COMMUNITY PANEL NO. 48121C0430G SUBJECT LOT IS LOCATED IN ZONE 'A & X'.

NOTE:
1. 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.



GRAPHIC SCALE



APPLICANT



4821 MERLOT AVE.
SUITE 210
GRAPEVINE, TX 76051
817-488-4960

DEVELOPER/OWNER

G&R STX INVESTMENTS, LLC
1519 SAN BERNADO AVE.
LAREDO, TX 78040
972-747-9233

SURVEYOR

PEISER SURVEYING CO.
801 ENTERPRISE DRIVE
FLOWER MOUND, TX 75028
972-724-5776

JOB NUMBER: MCF15002_PROSPER 100

DESIGNED BY:

DRAWN BY:

CHECKED BY:

ISSUE DATE: 03.30.16

REV:

Texas Firm No: 15874

PARK PLACE

TOWN OF PROSPER
DENTON COUNTY, TEXAS

100 ACRES BEING TRACT 1B IN THE LOUISA NETHERLY SURVEY, ABSTRACT NO. 962 AND TRACT 10 IN THE J.M. DURRETT SURVEY, ABSTRACT NO. 350

EXHIBIT A

S16-0005

SHEET:

SHEET 1 OF 1



VICINITY MAP
NOT TO SCALE

APPLICANT
Kirkman
 ENGINEERING
 4821 MERLOT AVE.
 SUITE 210
 GRAPEVINE, TX 76051
 817-488-4960

DEVELOPER/OWNER
 G&R STX INVESTMENTS, LLC
 1519 SAN BERNADO AVE.
 LAREDO, TX 78040
 972-747-9233

SURVEYOR
 PEISER SURVEYING CO.
 801 ENTERPRISE DRIVE
 FLOWER MOUND, TX 75028
 972-724-5776

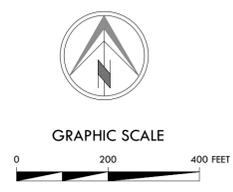
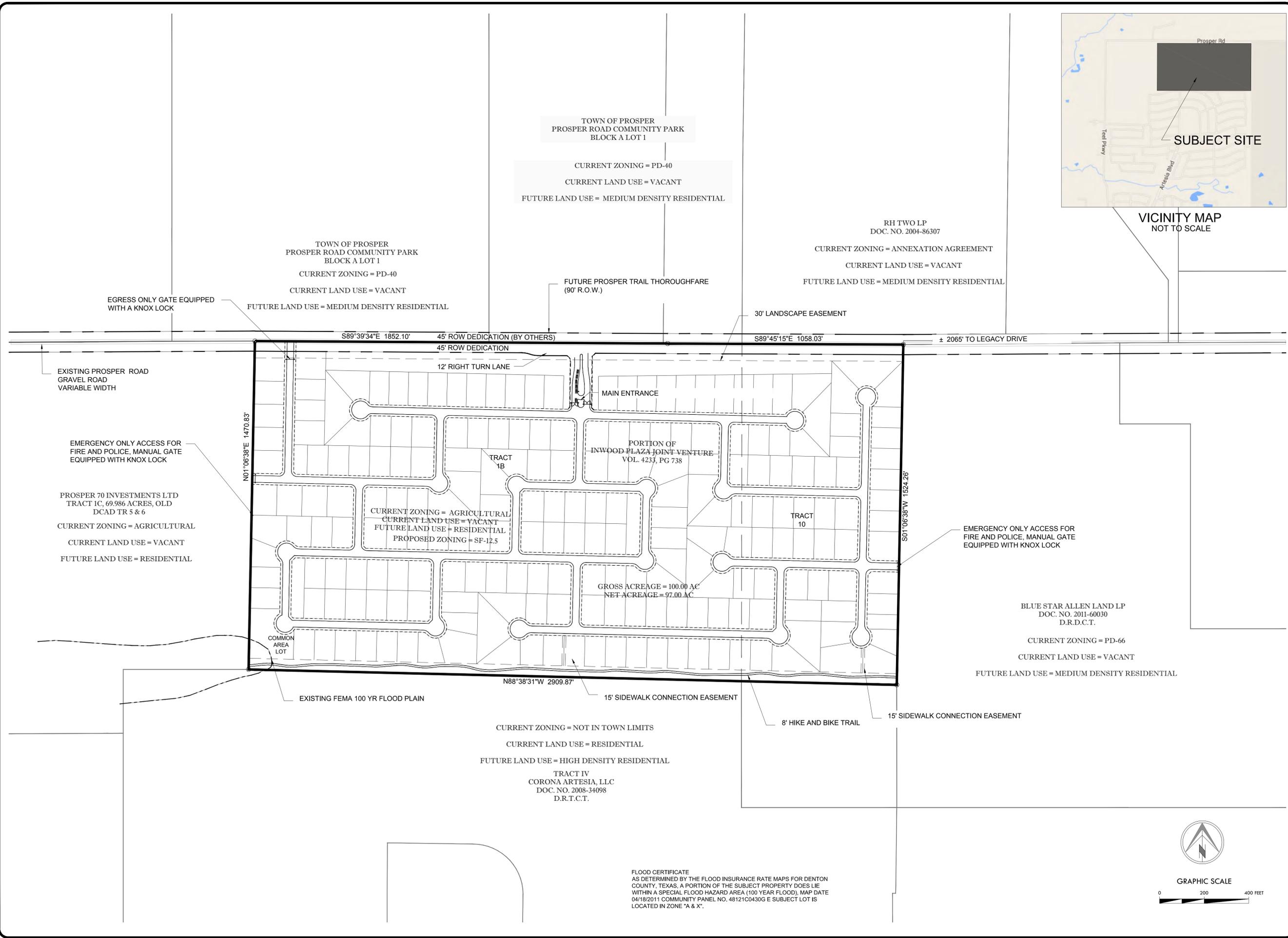
JOB NUMBER: MCF15002_PROSPER 100
 DESIGNED BY:
 DRAWN BY:
 CHECKED BY:
 ISSUE DATE: 03.30.16
 REV:

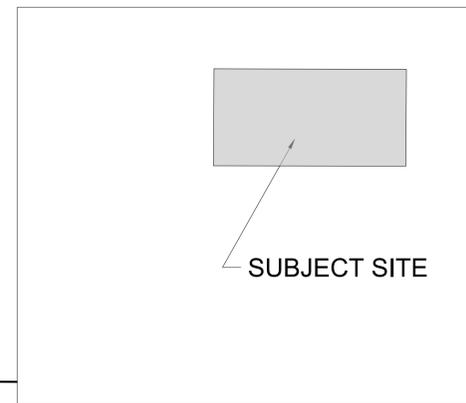
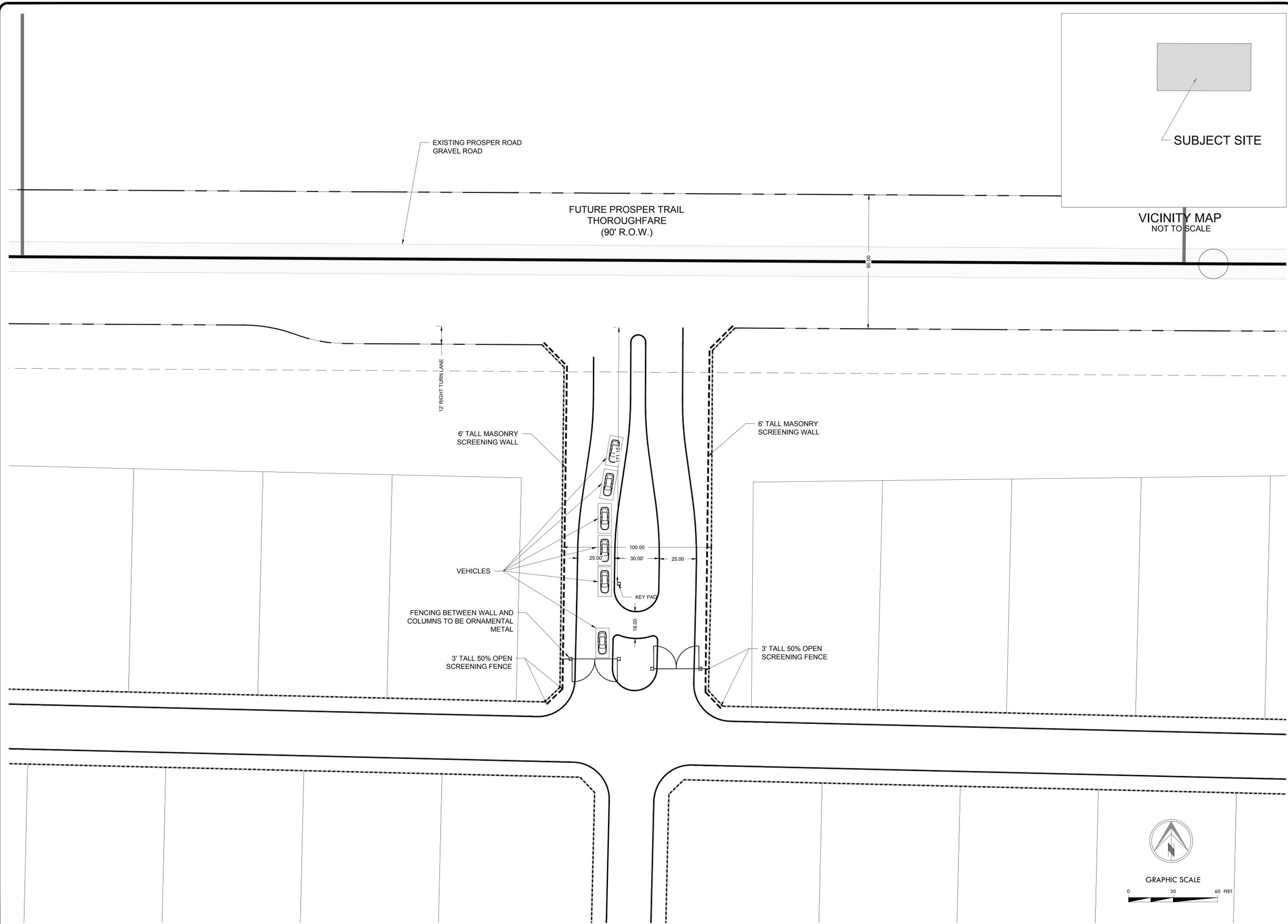
Texas Firm No: 15874

PARK PLACE
 TOWN OF PROSPER
 DENTON COUNTY, TEXAS

100 ACRES BEING TRACT 1B IN
 THE LOUISA NETHERLY SURVEY,
 ABSTRACT NO. 962 AND TRACT
 10 IN THE J.M. DURRETT
 SURVEY, ABSTRACT NO. 350

EXHIBIT B
 S16-0005
 SHEET:
SHEET 1 OF 1





APPLICANT

KE
kirkman
ENGINEERING

4821 MERLOT AVE.
SUITE 210
GRAPEVINE, TX 76051
817-488-4960

DEVELOPER/OWNER

G&R STX INVESTMENTS, LLC
1519 SAN BERNADO AVE.
LAREDO, TX 78040
972-747-9233

SURVEYOR

PEISER SURVEYING CO.
801 ENTERPRISE DRIVE
FLOWER MOUND, TX 75028
972-724-5776

JOB NUMBER: MCF15002_PROSPER 100

DESIGNED BY:

DRAWN BY:

CHECKED BY:

ISSUE DATE: 03.30.16

REV:

Texas Firm No: 15874

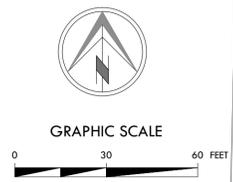
PARK PLACE

TOWN OF PROSPER
DENTON COUNTY, TEXAS

100 ACRES BEING TRACT 1B IN THE LOUISA NETHERLY SURVEY, ABSTRACT NO. 962 AND TRACT 10 IN THE J.M. DURRETT SURVEY, ABSTRACT NO. 350

EXHIBIT C
GATE
S16-0005

SHEET: 1 OF 1



SECTION 24

From and after the effective date of this Ordinance, existing Section 1.4, "Conditional Development Standards," of Chapter 3, "Permitted Uses and Definitions," of the Town's Zoning Ordinance, as amended, is hereby repealed in its entirety and replaced with a new Section 1.4, "Conditional Development Standards," to read as follows:

"1.4 Conditional Development Standards

1. Private Street Development

Private Street Developments are subject to provisions of the Thoroughfare and Circulation Design Requirements ordinance, as it exists or may be amended. Private Street Developments are permitted by Specific Use Permit in the referenced districts. Private Street Developments that exist as of the adoption of the Thoroughfare and Circulation Design Requirements ordinance (May 10, 2005), and properties that are zoned by a planned development that permits Private Street Developments are excluded from the requirement for a Specific Use Permit. In considering a request for a Specific Use Permit for a Private Street Development, the Town Council shall use any of the following criteria:

- a) New Development
 - 1) Non-disruption of planned public roadways or facilities/projects (thoroughfares, parks, park trails, public pedestrian pathways, etc.);
 - 2) Non-disruption to and from properties of future developments either on-site or off-site to the proposed subdivision;
 - 3) No negative effect on traffic circulation on public streets;
 - 4) No impairment of access to and from public facilities including schools or parks;
 - 5) Adequate and timely provision of essential municipal services (emergency services, water/sewer improvements or maintenance, etc.);
 - 6) Existence of natural and/or man-made boundaries around the development (creeks, floodplain, golf courses, parks); and/or
 - 7) Absence of a concentration of Private Street Developments in the vicinity of the requested Private Street Development.
 - 8) And any other criteria deemed appropriate by the Town Council
- b) Conversion of existing subdivision to private streets
 - 1) Criteria would include all the issues and procedures involved with new developments;
 - 2) Petition signed by one hundred percent (100%) of the owners in the existing subdivision requesting approval to convert to private streets;
 - 3) Formation of a property owners' association, if none exists, that would be responsible for owning and maintaining the converted streets and right-of-ways;

- 4) Replatting of existing subdivision to reflect changes; and/or
- 5) Applicant agreeing to contract with the Town for purchase of the converted infrastructure and rights-of-way from the Town.



PLANNING

To: Planning & Zoning Commission

From: Alex Glushko, AICP, Senior Planner

Through: John Webb, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential, on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (CA16-0002). [Companion Case Z16-0004]

History:

At the April 5, 2016, Planning & Zoning Commission meeting, the Public Hearing was continued and this item was tabled to allow the applicant additional time to revise the exhibits associated with the companion zoning case.

Description of Agenda Item:

Town staff has received a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development, Zoning Case Z16-0004.

According to the Comprehensive Plan, Retail & Neighborhood Services typically include retail establishments that provide merchandise for retail sale, banks, neighborhood office and small medical offices. It notes neighborhood service uses should also be strategically placed along the Town's perimeter in order to attract patrons from neighboring communities, enhancing sales tax revenue opportunities. According to the Plan, High Density Residential is for developments consisting of greater than 2.5 dwelling units per acre and lot sizes less than 10,000 square feet. It notes High Density Residential may take the form of multifamily or single family attached dwelling units and may include mixed-use lofts/apartments, patio homes, snout houses, brownstones and townhomes. The proposed development resembles a townhome development with single story duplex, four-plex, five-plex, and six-plex alley served buildings. Further description of the Retail & Neighborhood Services and High Density Residential land use types are in the attached excerpt from page 30 of the Comprehensive Plan.

Rezoning requests which do not conform to the Future Land Use Plan shall be accompanied by a request to amend the Future Land Use Plan. The Comprehensive Plan document anticipates the Town will encounter "development proposals that do not directly reflect the purpose and intent of the land use pattern as shown on the Future Land Use Plan map."

The document recommends that “development proposals that are inconsistent with the Future Land Use Plan map (or that do not meet its general intent)” should be reviewed based on the following questions and should be reviewed on their own merit.

- Will the proposed change enhance the site and the surrounding area?
- Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?
- Will the proposed use impact adjacent residential areas in a negative manner?
- Will the proposed use be compatible with and/or enhance adjacent residential uses?
- Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?
- Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?
- Would it contribute to the Town’s long-term economic stability?

The Plan states, “it should be incumbent upon the applicant making such a proposal to provide evidence that the proposal meets the aforementioned considerations, supports community goals and objectives as set forth within this Plan, and represents long term economic and/or social benefits for the community as a whole, not just a short-term financial gain for whoever is developing the project.”

In response, the applicant provided a letter regarding the proposed amendment, which addresses the aforementioned criteria. The applicant has also indicated that they have met with the adjoining residents of the Greenspoint Subdivision to inform them of this request, and that there is general support for the proposed Future Land Use Plan amendment and the age-restricted, private gated, senior living development.

The Plan also recommends that “it is important to recognize that proposals not directly consistent with the Plan could reflect higher and better long-term uses than those originally envisioned and shown on the Future Land Use Plan map for a particular area. This may be due to changing markets, demographics and/or economic trends that occur at some point in the future after the Plan is adopted. If such changes occur, and especially if there are demonstrated significant social and/or economic benefits to the Town of Prosper, then these proposals should be approved and the Future Land Use Plan map should be amended accordingly.”

The development will consist of 102 units within duplex, four-plex, five-plex, and six-plex buildings, on 12.7 acres, equating to 8.05 dwelling units per acre on a single lot. Because the development consists of multiple buildings on a single lot, it is technically classified as a multifamily development. For comparison purposes, the Multifamily District (MF) allows for a maximum of 15 dwelling units per acre. While this request is classified as a multifamily development, it more closely resembles a townhome development.

As is noted in the Economic Analysis Section of the Comprehensive Plan (attached for reference), the Future Land Use Plan can accommodate over 350 acres of retail acres as projected by the economic analysis; however, in 2012 there was over 750 acres of retail development expected based on the assumptions of the Future Land Use Plan. While an abundance of retail and the associated sales tax can benefit to the Town and citizens, the Plan notes “it is recommended that additional neighborhood service retail zoning beyond what is recommended on the Future Land Use Plan should be avoided,” and that an oversupply of retail may have negative consequences. There is currently an approved Preliminary Site Plan for a retail development of the subject property (Case Case D15-0010) which is attached for reference. Staff recommends the Planning & Zoning Commission consider this opportunity to “down-zone” existing interior retail zoning, which is supported by the Comprehensive Plan.

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. Town staff has received two Public Hearing Notice Reply Forms; not in opposition to the request.

Attached Documents:

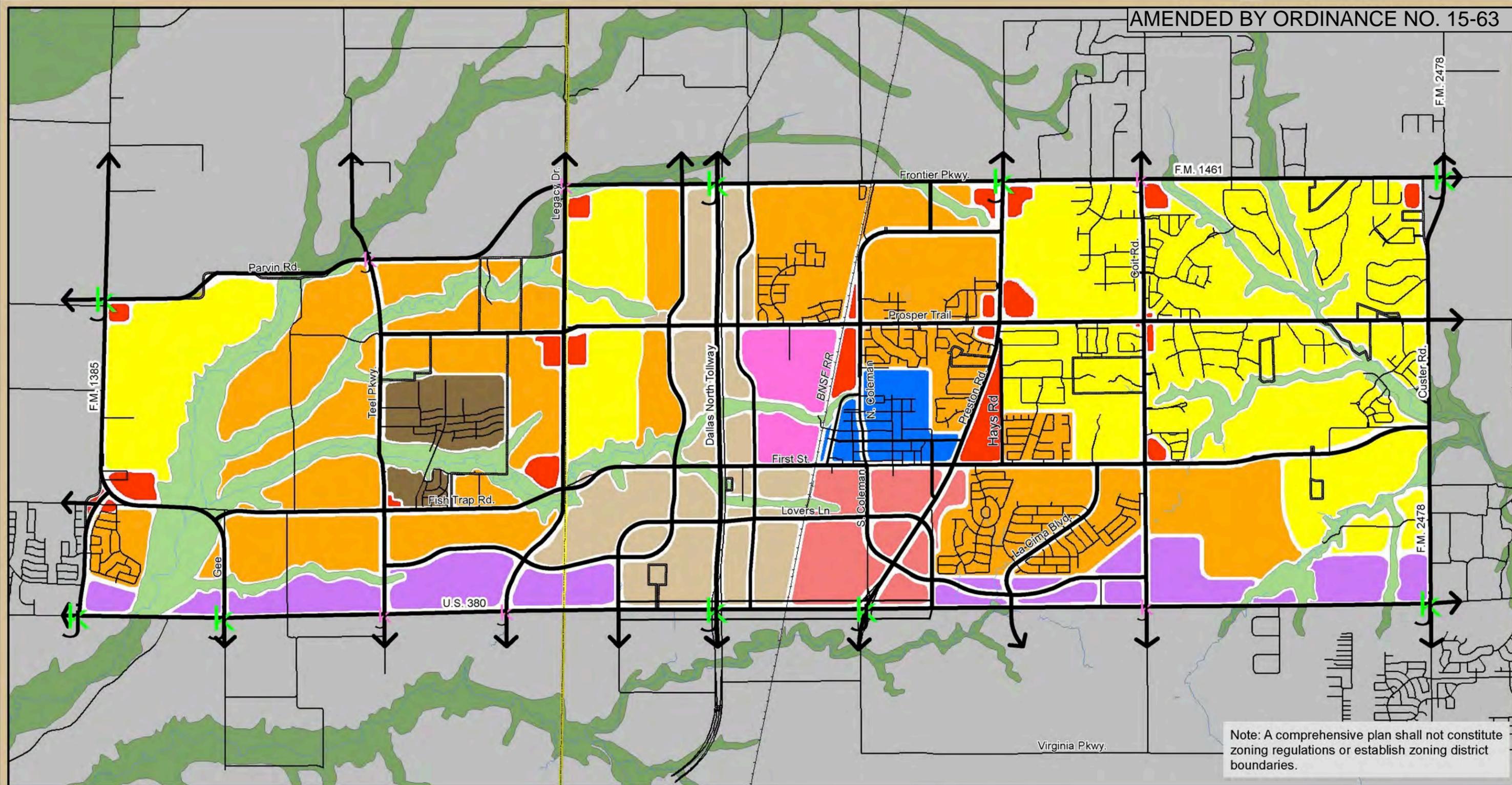
1. Existing Future Land Use Plan
2. Proposed Future Land Use Plan
3. Existing and proposed Future Land Use Plan exhibit
4. Applicant’s Letter Regarding Proposed Amendment
5. Page 30 of the Comprehensive Plan
6. Excerpt of the Economic Analysis from the Comprehensive Plan
7. Approved Preliminary Site Plan (D15-0010)
8. Public Hearing Notice Reply Forms

Town Staff Recommendation:

Town staff recommends the Planning & Zoning Commission consider and act upon an amendment to the Town’s Future Land Use Plan.

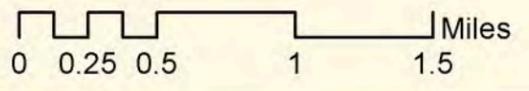
Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council meeting on May 24, 2016.



Note: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

OCTOBER 2015



Legend

- | | | |
|--------------------------------|---------------------|-----------------|
| Low Density Residential | Old Town District | Major Gateway |
| Medium Density Residential | Town Center | Minor Gateway |
| High Density Residential | Tollway District | Town of Prosper |
| Retail & Neighborhood Services | US 380 District | ETJ |
| Business Park | 100 Year Floodplain | |

CURRENT

Future Land Use Plan

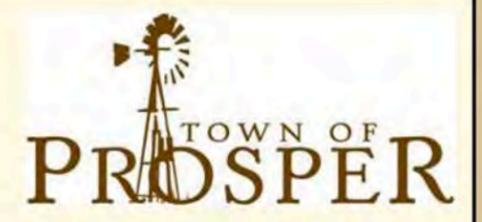
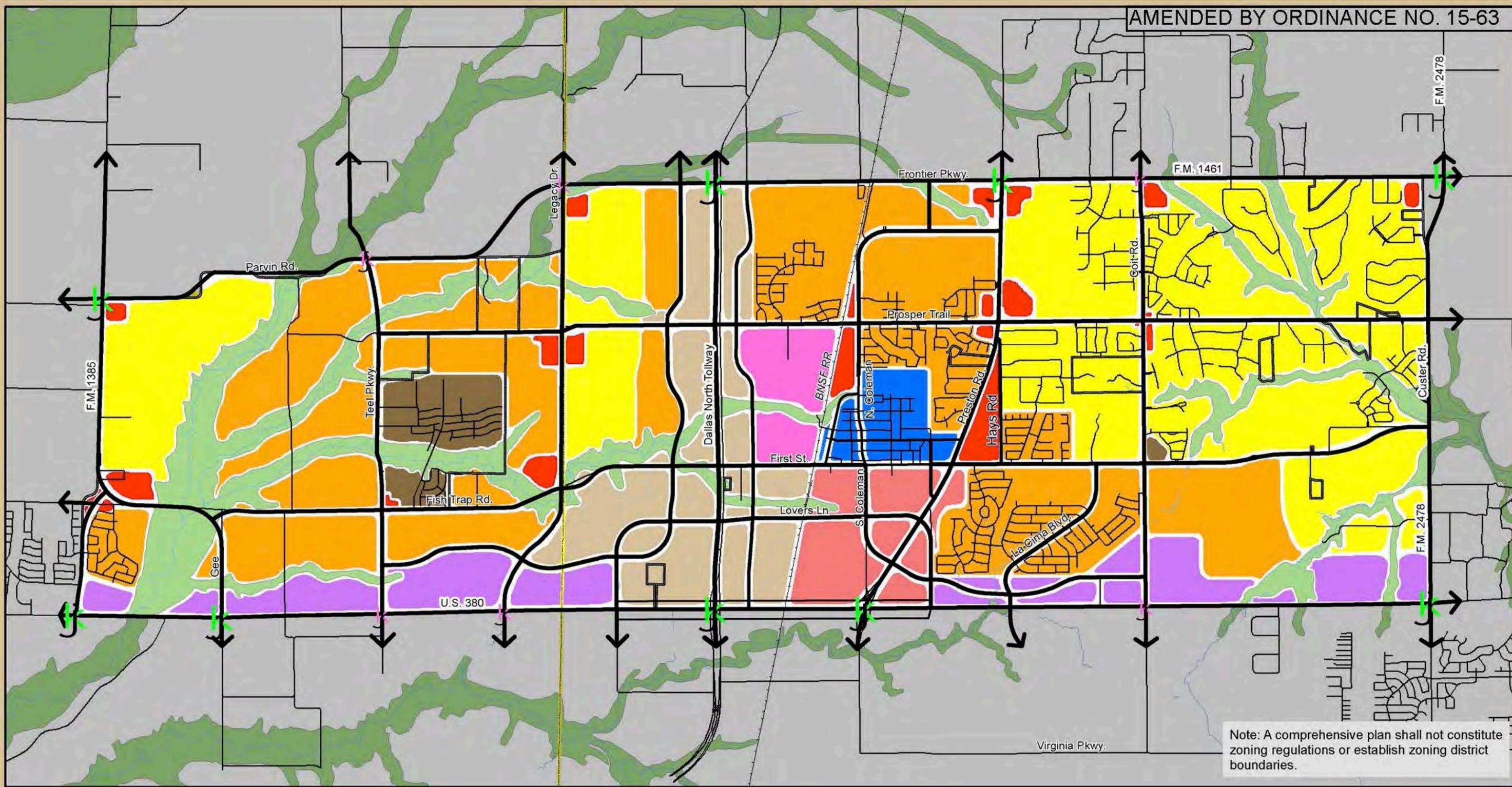
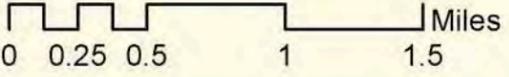


Plate 2



Note: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

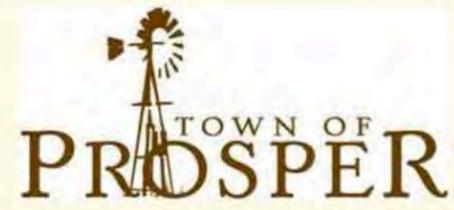
OCTOBER 2015

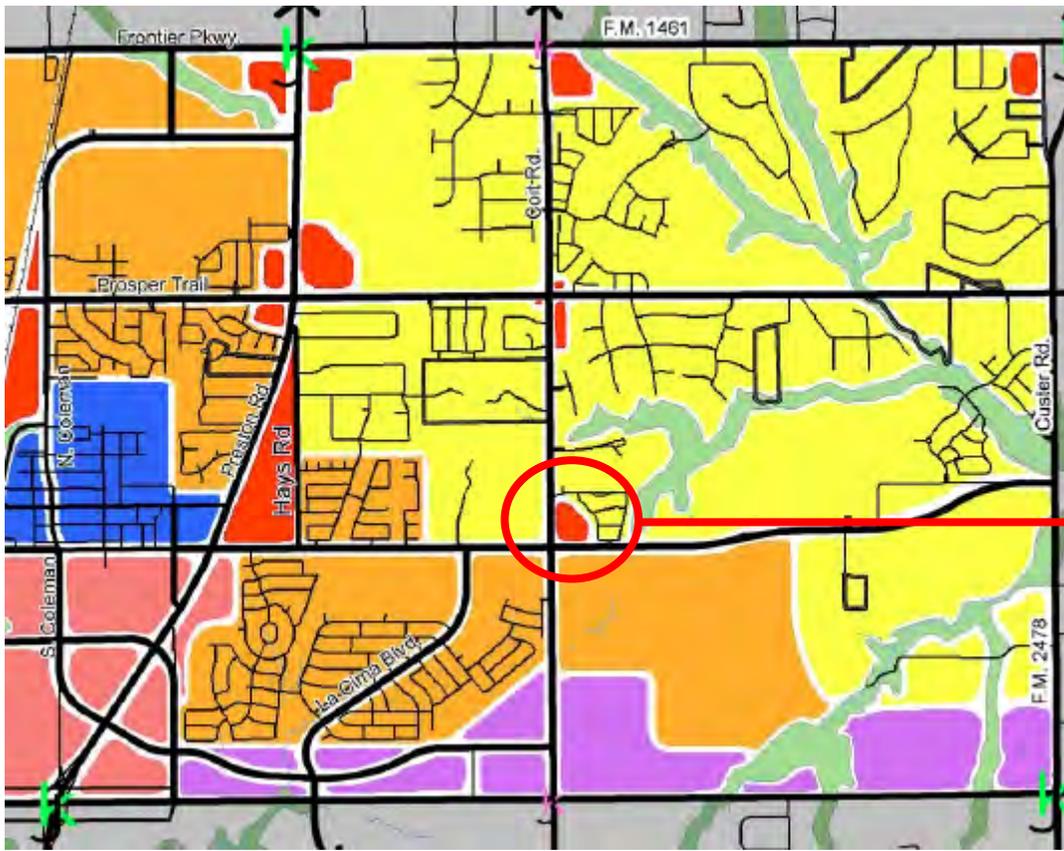


Legend

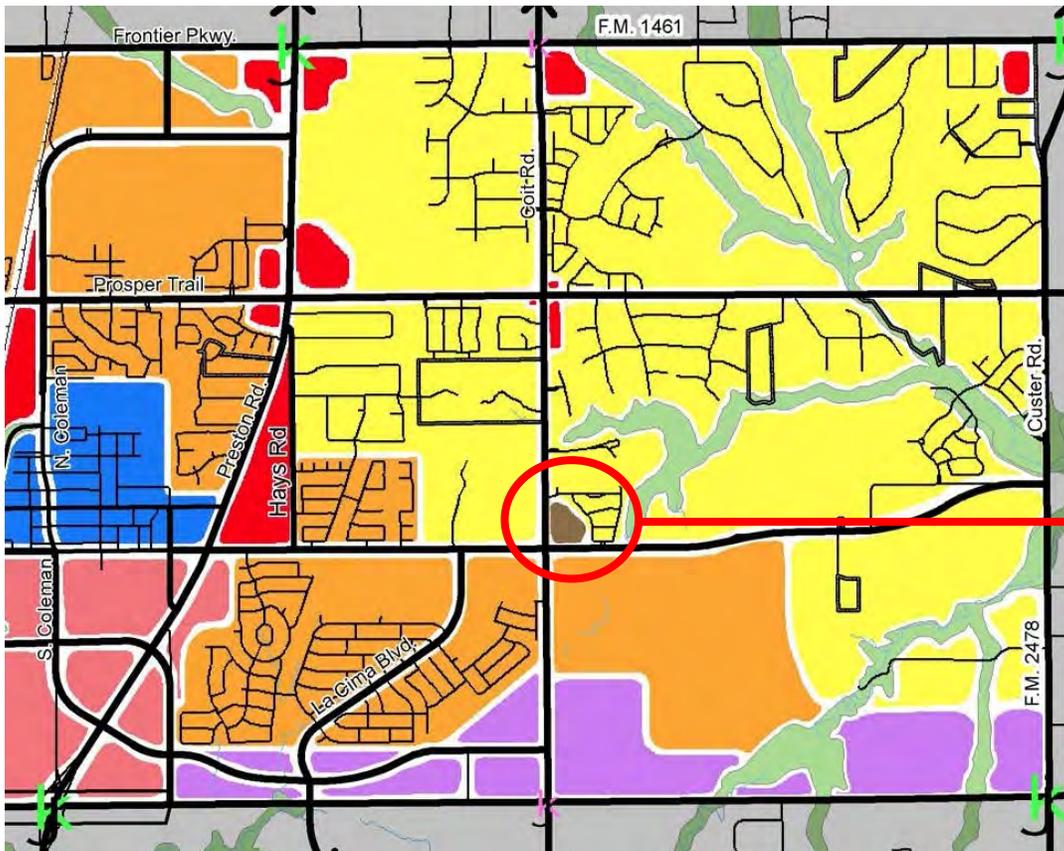
- Low Density Residential
- Old Town District
- Medium Density Residential
- Town Center
- High Density Residential
- Tollway District
- Retail & Neighborhood Services
- US 380 District
- Business Park
- 100 Year Floodplain
- Major Gateway
- Minor Gateway
- Town of Prosper
- ETJ

PROPOSED
Future Land Use Plan





**CURRENT FUTURE
LAND USE
CLASSIFICATION -
RETAIL &
NEIGHBORHOOD
SERVICES**



**PROPOSED FUTURE
LAND USE
CLASSIFICATION -
HIGH DENSITY
RESIDENTIAL**

Legend

Low Density Residential	Old Town District	Major Gateway
Medium Density Residential	Town Center	Minor Gateway
High Density Residential	Tollway District	Town of Prosper
Retail & Neighborhood Services	US 380 District	ETJ
Business Park	100 Year Floodplain	

**Future
Land Use
Plan**

Plate 2

Amendment to the Comprehensive Plan – Future Land Use Plan

The request to change the zoning on property located at the northeast corner of First Street and Coit Road from Retail to a Planned Development District – Multi-Family necessitates an amendment to the Town of Prosper’s Comprehensive Plan. The current Future Land Use Map indicates that the site is to be developed as Retail & Neighborhood Services and appears to have been based on the existing entitlement on the site.

While the High Density Residential category allows a maximum density of 15 units/acre, the proposed Planned Development Standards limit the density of the proposed use to 8.53 units/acre. The traffic impacts, noise and light impacts on the neighborhoods and the future community park will all be significantly reduced with the proposed use.

- **Will the proposed change enhance the site and the surrounding area?**

Yes. The site is currently vacant with significant drainage issues that will be addressed with the proposed development. Development of a single-story, independent, senior facility provides an opportunity to add an important demographic component to the Prosper community. Seniors that choose an independent living community want to be active and provide a new volunteer base that could interact well with the adjacent Kids ‘R Us, the proposed community park and neighborhood churches.

- **Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?**

Yes.

- From a planning standpoint, the existing, intense retail designation seems to be out of context with the surrounding properties:

- North – Retail & Neighborhood Service and on the lot immediately north, the Kids R Kids proposed development
- East – Low Density Residential - Greenspoint neighborhood
- South – Medium Density Residential - undeveloped
- West – Low Density Residential for the future community park

Given the small parcel size, 12.6 acres, there is little opportunity to buffer the negative secondary effects of the current retail zoning, with an approved Concept Plan that includes over 65,000 square feet of retail and over 32,000 square feet of office, from the single family neighborhoods.

- In addition, from a redundancy of use standpoint, there is a large retail tract to the west of the site at First Street and Preston Road and there is a very large tract south on Coit Road at SH 380 that is planned for the US 380 District and will include retail and commercial uses. Both of these commercial centers are more than adequate to serve the resident’s needs, are more appropriately located and are much less intrusive into the single family neighborhoods.

- **Will the proposed use impact adjacent residential areas in a negative manner?**
No. The proposed use is significantly less intensive than the existing use shown on the Land Use Plan.
- **Will the proposed use be compatible with and/or enhance adjacent residential uses?**
 - Yes. The proposed single-story, residential development is more compatible with the existing uses in numerous ways:
 - Commercial delivery traffic adjacent to both the Kids ‘R Us and the Greenspoint neighborhood will be eliminated
 - There will be a significant reduction in the noise generated from the site
 - The height of the buildings adjacent to the Greenspoint neighborhood will be reduced
 - General traffic to and from the site will be greatly reduced
 - In a meeting with 7 of the residents whose properties abut the proposed Oak Timbers site, all preferred the proposed use – a single-story, senior living community.
- **Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?**
Yes. Unlike the existing, intense retail/commercial use, the appearance, hours of operation and other general aspects of the proposed single-story residential community are virtually identical to the surrounding uses.
- **Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?**
Yes. The proposed use brings a new age demographic to Prosper, one that contributes through volunteerism but does not add students to the school district. It also fulfills an unmet market demand that allows families to stay together – one generation benefitting another.
- **Would it contribute to the Town’s long-term economic stability?**
Yes. The proposed use meets an unmet market demand in Prosper. Other senior facilities have been proposed but none is a single-story cottage concept. As the population ages, this use will be economically viable for many, many years. It increases ad valorem property value without placing additional demands on the school district and without significantly increasing traffic.

COMMUNITY CHARACTER

Residential High Density

High density residential represents the most intense residential land uses permitted in Prosper. High density single family uses will consist of developments greater than 2.5 dwelling units per acre and lot sizes smaller than 10,000 square feet. Within Prosper, the high-density residential district is reflective of the Artesia development, where single family residential lot sizes and dwelling units per acre will be substantially higher than the rest of the community. High density residential may be located within the Dallas North Tollway, Highway 380, town Center and Old Town Districts. In such areas, high density residential may take the form of multifamily or single family attached dwelling units and may include mixed-use lofts/apartments, patio homes, snout houses, brownstones and townhomes.



Retail and Neighborhood Services

Neighborhood services typically include retail establishments that provide merchandise for retail sale, banks, neighborhood office and small medical offices. Retail uses are particularly important because they contribute to Prosper’s tax base through both property and sales taxes, making their inclusion attractive and often times competitive. Within Prosper, neighborhood service uses will likely occur at major intersections along the Dallas North Tollway, Highway 380 and Preston Road corridors. Neighborhood service uses should also be strategically placed along the Town’s perimeter in order to attract patrons from neighboring communities, enhancing sales tax revenue opportunities. The majority of neighborhood service activity within Prosper will likely be included within the Dallas North Tollway, Highway 380, Town Center and Old Town districts.



Economic Analysis

An important factor to consider in the planning process is how land use decisions ultimately impact the future financial state of the community. Therefore, Prosper’s Future Land Use Plan not only guides development within the community but it provides the financial framework enabling Prosper to provide high-quality services for its residents. The following section pertains to this very topic and provides estimates on the potential sales tax and ad valorem tax revenue that could be collected by the Town at build-out. In order to provide a detailed analysis, experts at Catalyst Commercial were consulted and provided information on future retail trade potential in Prosper based upon the Future Land Use Plan.

Analysis from Catalyst

An analysis using the projected build-out population of Prosper at 69,303 served as a basis to project a retail purchasing power of \$856,013,933, assuming 23,024 households with a \$37,183 retail trade per household. This would equate to roughly 2,853,379 square feet of retail space.

Figure 8: Retail Demand Forecast

Retail Demand Forecast	2011 City Estimate	Total Build Out Capacity
Population	10,560	69,303
Households	3,504	23,024
2010 Median Disposable Income	\$67,422	\$67,422
2010 Per Capita Income	\$35,716	\$35,716
Total Retail Trade per HH	\$37,183	\$37,183
Household Income	\$107,641	\$107,641
Retail percentage of HH Income	34.54%	34.54%
Forecasted Total Retail Trade Potential	\$130,284,948	\$856,013,933
Est. Retail Sales per Square Foot		\$300
Retail Square Footage Demand*		2,853,379

Sales Tax Analysis

Annual Total	\$17,120,278
<i>Allocation</i>	
General Fund	\$8,560,139
Economic Development	\$4,280,069
Property Tax Reduction	\$4,280,069

*Est. \$300 sales per square foot based upon International Council of Shopping Centers

Acreage

For assumption purposes, we assumed a Floor to Area Ratio (FAR) of 0.18 for retail. Dividing the total square footage of retail by the FAR and further dividing by 43,560 achieves the estimated retail acres that would be needed to accommodate the 2,853,379 square feet of retail space. This number is 364 acres.



ECONOMIC ANALYSIS

In order to determine whether or not the Future Land Use Plan could accommodate the 364 retail acres projected by the economic analysis, a number of additional assumptions were made. These assumptions were derived from staff discussions, existing zoning regulations and future characteristics believed to define each district and include:

1. Approximately 70% of the Neighborhood Services will be retail in nature.
2. Approximately 45% of the Town Center would be retail in nature. The Town Center will likely have a mixture of retail, office, residential and public space. The primary use, however, will likely be oriented around retail.
3. 10% of the Tollway District will be retail. Office uses will constitute the largest majority of land within the Tollway District. Retail areas within the Town Center will likely be at major intersections and on the first floor of vertical mixed-use apartments/lofts.
4. 10% of the Highway 380 district will be retail. Commercial uses and residential uses will constitute a significant portion of the corridor. Retail areas at major intersections, including big-box retailers, will constitute the majority of retail establishments within the corridor.

Given these assumptions, a total of 757 retail acres is expected, based upon the Future Land Use Plan scenario and the above assumptions. Additionally, the presence of visible and attractive corridors in Prosper suggests the Town will be able to attract patrons from outside of the Town itself. Our preliminary analysis indicates that, based on current spending trends experienced today, the Future Land Use Plan contains more than sufficient retail space to meet the future needs of Prosper.

Retail Assumptions	Comp. Plan Total Acres	Retail Acres per Category
Neighborhood Services*	331	231.7
Town Center**	575	258.8
Tollway District***	1,426	142.6
US 380****	1,248	124.8
Total	3,580	757.9
* Assumed 70% retail component		
**Assumed 45% retail component		
***Assumed 10% retail component		
****Assumed 10 % retail component		



Analysis

Based upon an extremely conservative allocation of retail acres, the Future Land Use Plan may accommodate approximately 750 retail acres. This is significantly higher than the 364 retail acres recommended by the economic analysis.

Retail Sales Tax

While 364 acres of retail is recommended by the economic analysis, a number of different factors may affect long-term retail needs in Prosper and include the following:

- A potential build-out population higher than the current estimate of 69,303. The 2004 Comprehensive Plan and recent impact fee reports all estimate a buildout population of over 89,000 residents. Assuming a population of 82,000 residents, Prosper could accommodate approximately 430 acres of retail.
- Prosper will have a regional retail center in the Town Center. This area of the community will have a regional draw and will attract retail patrons from outside of Prosper. Additional retail acreage, therefore, can be accommodated due to the regional nature of such retail.
- Within retail areas, other uses such as churches, public facilities, schools and other non-retail uses may occur.

Due to the above factors, it is believed that the Town could potentially accommodate the 757 retail acres depicted in the chart on page 98. As the Town grows, and as further comprehensive plan studies are completed, this number should be carefully examined and adjusted, if necessary. Based upon the assumptions from page 97, 750 acres of retail would essentially double the initial 364 acre estimates from a 17.1 million total sales tax contribution to approximately **\$34 million** in sales tax revenue (**\$17.1 million to the general fund, \$8.6 million to Economic Development and \$8.6 million to property tax reduction**). This sales tax revenue, when combined with estimated Ad Valorem Tax

revenue, would enable Prosper to be financially secure and provide high level services and/or property tax reductions to its citizens. It is also recommended that additional neighborhood service retail zoning beyond what is recommended on the Future Land Use Plan should be avoided.

The 750 acres recommended by this economic analysis should be sufficient to meet Prosper's retail needs. Additional neighborhood services retail zoning should be avoided. Nodal retail activity should be concentrated at primary intersections, and the "four corner" principle should be avoided to reduce the possibility of an oversupply of retail acreage. Strip center development along major roadways should also be avoided, as the plan recommends.

The consequences of an oversupply of retail may include:

- Vacant, underutilized land;
- Lower rental rates leading to undesirable uses;
- Pressures for additional multifamily to fill vacant parcels; and
- Blighted corridors.



ECONOMIC ANALYSIS

Ad Valorem Tax

An Ad Valorem analysis was conducted. Comparative properties were selected in each of the following Future Land Use Plan categories. Based upon the data collected from the Collin and Denton County Appraisal Districts, an average value per acre was assessed on the comparative properties to derive an estimated value per acre per land use category. The derived value per acre was then multiplied by the total number of acres within each district to calculate the total gross value of the district. Using the current tax rate of .52 cents per \$100 of assessed value, an approximate gross Ad Valorem tax contribution per district was calculated. In order to account for right-of-way, such as public streets, and tax exemptions, such as schools and churches, 30% of the total value was subtracted to derive the estimated value and Ad Valorem amount that could be contributed to the General Fund annually.

It is important to note that this analysis is for estimation purposes only and is based upon assessed values in 2011 dollars. The purpose of this analysis is to determine the approximate Ad Valorem contributions that could be generated based upon the Future Land Use Plan.

Figure 9 : Ad Valorem Estimates

District	Taxable Value	Value per Acre	Tax Revenue (.52)
Dallas North Tollway	\$2,790,756,612	\$1,957,052	\$14,511,934
Highway 380	\$1,321,585,597	\$1,058,963	\$6,872,245
Town Center	\$2,465,780,302	\$4,288,314	\$12,822,057
Business Park	\$247,358,925	\$666,736	\$1,286,266
Neighborhood Services	\$478,977,403	\$1,447,062	\$2,490,682
Old Town	\$140,457,586	\$407,123	\$730,379
High Density	\$564,358,076	\$928,221	\$2,934,661
Medium Density	\$7,015,502,244	\$1,223,919	\$36,480,611
Low Density	\$3,136,282,464	\$567,550	\$16,308,668
Gross Ad Valorem Total Value	\$18,161,059,208	-	\$94,437,507
Total Ad Valorem Value (30% ROW & Exemption)	\$12,712,741,445	-	\$66,106,255



Tax Gap

In order to determine whether or not the sales and Ad Valorem taxes generated by the Future Land Use Plan will be sufficient to cover the overall expenses incurred by the community at build-out, an approximate General Fund budget was calculated based upon the average per capita expenditures at today's spending levels.

The Fiscal Year 2010-11 budget indicates that the Town of Prosper had a General Fund budget of \$7,115,112. When this number is divided by the 2010 population of 9,423, an average per capita expenditure of \$755 per person is derived. This per capita expenditure by Prosper is comparable with other regional communities. Southlake has the highest per capital expenditure among the comparative group primarily due to its high residential property values, high-quality non-residential uses and its regional Town Center drawing patrons from outside the community. This situation enables Southlake to provide higher level services and enhanced aesthetics to its residents. The similarities between the economics and vision between Prosper and Southlake are similar in nature.

Multiplying the per capita expenditure of \$755 per person by the ultimate capacity of 69,303, an ultimate capacity General Fund budget for Prosper of \$52,323,765 is derived.

Discussed in the previous sections, the approximate Ad Valorem contribution to the General Fund at build-out would be approximately \$66.1 million. The approximate sales tax contribution to the general fund based upon the 750 retail acres would be approximately \$17.1 million. Based upon this scenario, total General Fund income from taxes at build-out would be approximately \$83.5 million. This scenario would position Prosper to be in a similar situation to Southlake and Richardson, enabling the Town to provide high quality services for its residents.

	2010 Population	FY 2010-2011 General Fund Budget	Per Capita Expenditure
Southlake	26,575	\$30,410,480	\$1,144
Richardson	99,223	\$94,180,002	\$949
Allen	84,246	\$72,270,464	\$858
Prosper	9,423	\$7,115,112	\$755
Argyle	3,282	\$2,320,366	\$707
Plano	258,841	\$182,758,485	\$706
McKinney	131,117	\$90,788,018	\$692
Frisco	116,989	\$77,945,250	\$666
Celina	6,028	\$3,945,684	\$655
Desoto	49,047	\$29,760,521	\$607
Rowlett	56,199	\$33,793,677	\$601
Little Elm	25,898	\$13,157,771	\$508

It should be noted that additional forms of sales tax, such as Industry Tax and Inventory Tax, are not included and will create additional avenues for income. These numbers are approximate and are derived for estimation purposes only.

Figure 10: Tax Gap Analysis

Total Town Ad Valorem Income at Build-out	\$66,106,255
Total Sales Tax Income at Build-out	\$17,120,278
Total Income from Tax at Build-out	\$83,590,594
Total Expenditures	\$52,323,765
Tax Gap Surplus*	31,266,829

*This is an *estimate* based upon the projected sales tax revenue and possible Ad Valorem revenue. This estimate does not include additional forms of sales tax such as Industry Tax and Inventory Tax.



ECONOMIC ANALYSIS

Economic Analysis Conclusion

Forecasted potential sales tax data indicates that Prosper has the potential to derive a significant monetary amount from sales tax receipts at build-out. This is ultimately dependent upon the community attracting high-quality retail establishments that serve residents of the community and provide regional retail destinations that attract patrons from outside of Prosper. The primary regional destinations will be located within the Town Center and at the intersection of the Dallas North Tollway and Highway 380. Additional retail may be located within the Dallas North Tollway and Highway 380 districts, but will likely be less intense in nature.

Retail/Neighborhood Service areas away from the major districts will likely serve the internal needs of Prosper, providing less intensive services to adjacent residential neighborhoods. Additional retail/neighborhood services zoning outside of the Dallas North Tollway, Town Center and Highway 380 districts should be carefully considered in order to avoid an oversupply of retail zoning. Flexibility within the Dallas North Tollway, Highway 380 and Town Center districts will enable Town staff to make appropriate, market-based land use decisions as development occurs.

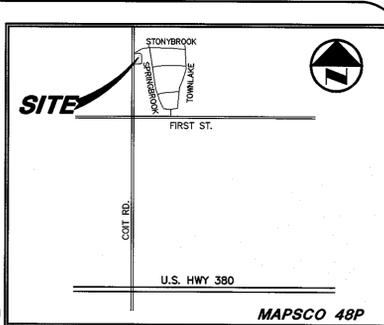
An estimate of Ad Valorem taxes at build-out suggests that Prosper will have the potential for a significant Ad Valorem contribution to its General Fund. Prosper's high-quality neighborhoods and its dedication to providing high-quality retail destinations will be a primary factor in determining the ultimate Ad Valorem value of the community. As development

occurs, the community has expressed a desire to attract the highest quality development possible to protect the Town's visual character and maximize the taxable value for both the General Fund and Prosper ISD. Future non-residential land use decisions should consider the long-term potential contributions of that particular development to the community, favoring clustered nodal retail activity centers, Class A office space (office space defined by high-quality furnishings, state-of-the-art facilities and excellent accessibility) and corporate campuses over strip retail and stand-alone retail establishments.

The retail data provided indicates that the Future Land Use Plan created for Prosper provides a significant amount of retail space to meet the future needs of Prosper residents. The Future Land Use Plan also gives Town Staff, Planning & Zoning Commission and Town Council ultimate flexibility to determine where retail areas should be located within the established districts.

While the numbers provided are estimates on the potential sales tax and Ad Valorem income of the community at build-out, it is important to note that these are only estimates. To ensure that Prosper has a financially secure future, the land use and character principles outlined in this Plan should be used as a guide to attract the highest quality development possible. High-quality and long-lasting development is ultimately the key in ensuring that Prosper has a sound financial future. Focusing on attracting and maintaining such development will enable Prosper to meet the essential needs of its future residents.





VICINITY MAP NOT TO SCALE

Table with 2 columns: ITEM, LOT 1. Rows include ZONING, PROPOSED USE, LOT AREA (SF/ACRES) (GROSS), LOT AREA (SF/ACRES) (NET), OPEN SPACE AREA REQUIRED (LOT SF + 7%), etc.

Table with 2 columns: ITEM, LOT 2. Rows include ZONING, PROPOSED USE, LOT AREA (SF/ACRES) (GROSS), LOT AREA (SF/ACRES) (NET), OPEN SPACE AREA REQUIRED (LOT SF + 7%), etc.

PROSPER SITE PLAN NOTES

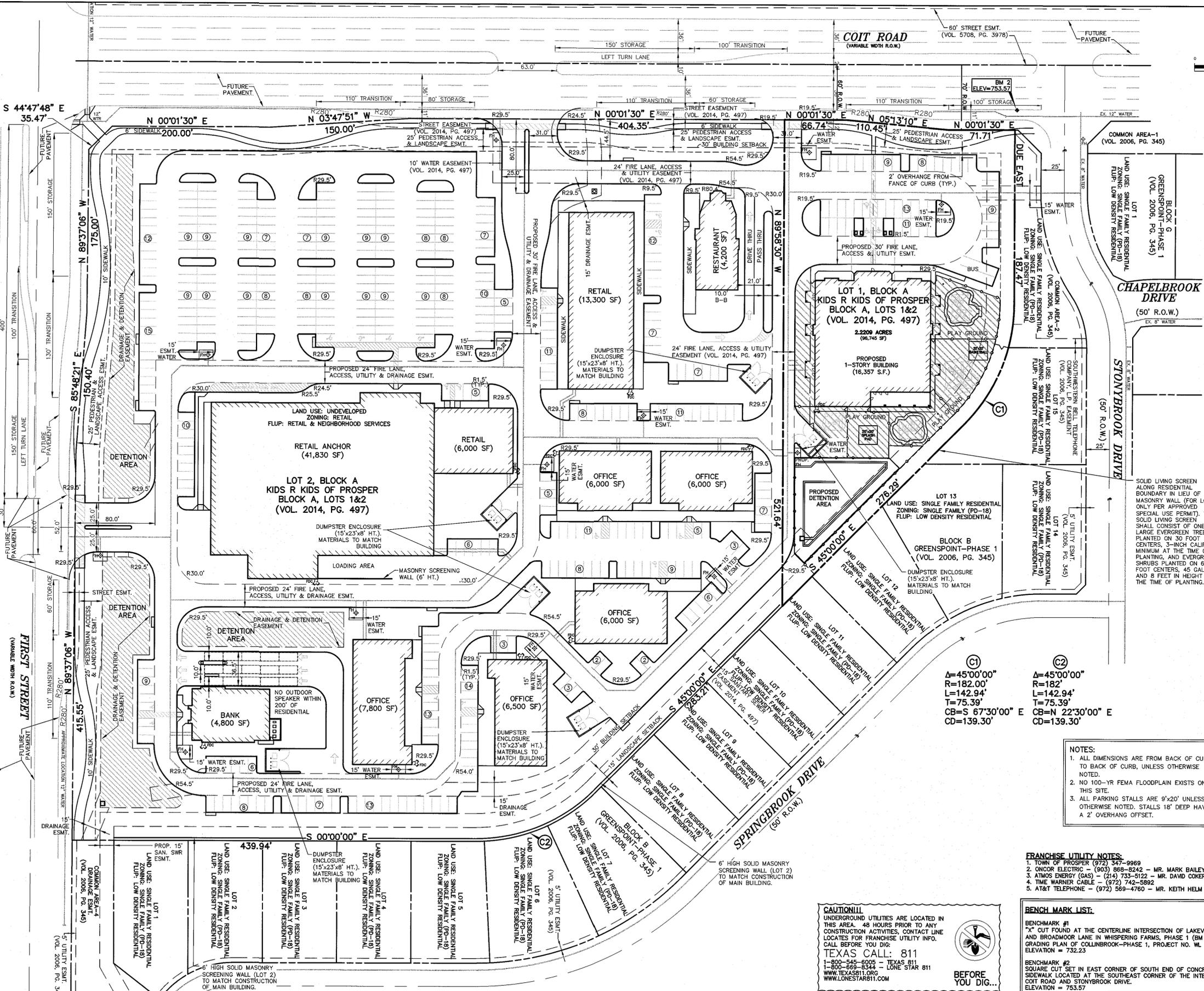
- 1) Dumpsters and trash compactors shall be screened in accordance with the Comprehensive Zoning Ordinance.
2) Open storage, where permitted, shall be screened in accordance with the Comprehensive Zoning Ordinance.
3) Outdoor lighting shall comply with the lighting and glare standards contained within the Comprehensive Zoning Ordinance and Subdivision Regulation Ordinance.

NOTES:
1. ALL DIMENSIONS ARE FROM BACK OF CURB TO BACK OF CURB, UNLESS OTHERWISE NOTED.
2. NO 100-YR FEMA FLOODPLAIN EXISTS ON THIS SITE.
3. ALL PARKING STALLS ARE 9'x20' UNLESS OTHERWISE NOTED. STALLS 18' DEEP HAVE A 2' OVERHANG OFFSETS.

FRANCHISE UTILITY NOTES:
1. TOWN OF PROSPER (972) 347-9969
2. ONCOR ELECTRIC - (905) 868-8242 - MR. MARK BAILEY
3. ATMOS ENERGY (945) 733-5122 - MR. DAVID COCKER
4. TIME WARNER CABLE - (972) 742-5892
5. AT&T TELEPHONE - (972) 569-4760 - MR. KEITH HELM

BENCH MARK LIST:
BENCHMARK #1
"x" CUT FOUND AT THE CENTERLINE INTERSECTION OF LAKEVIEW COURT AND BROADMOOR LANE IN WHISPERING FARMS, PHASE 1 (BM 2 PER GRADING PLAN OF COLLINBROOK-PHASE 1, PROJECT NO. WL 002), ELEVATION = 732.23
BENCHMARK #2
SQUARE CUT SET IN EAST CORNER OF SOUTH END OF CONCRETE SIDEWALK LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF COIT ROAD AND STONYBROOK DRIVE. ELEVATION = 753.57

CAUTION!!!
UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO. CALL BEFORE YOU DIG.
TEXAS CALL: 811
1-800-545-6005 - TEXAS 811
1-800-868-8344 - LONE STAR 811
WWW.TEXAS11.ORG
WWW.LONESTAR811.COM



LEGEND
BOLLARD
ELECTRIC METER
POWER POLE
LIGHT STANDARD
WATER METER
WATER VALVE
IRRIGATION CONTROL VALVE
FIRE HYDRANT
FIRE DEPARTMENT CONNECTION
CLEAN OUT
MANHOLE
GAS METER
TRAFFIC SIGNAL CONTROL
TRAFFIC SIGNAL POLE
TRAFFIC SIGN
TELEPHONE BOX
TV BOX
FLAG POLE
LANDSCAPE AREA
PROPERTY LINE
O.H. POWER LINES
U/G TELEPHONE LINES
U/G WATER LINE
U/G GAS LINE
FENCE
FACE TO FACE OF CURB
CONTROLLING MONUMENT
5/8-INCH IRON ROD WITH "POGUE ENG & DEV" CAP SET
FIRE LANE
PLAYGROUND

W9AHAM 03/20/2015 5:10PM
N:\JOBS\1500-1569\1575-14-073-MRK-CIVILS-PROSPER\DWG\1575-14-073-PRM-PRELIMINARY SITE PLAN.DWG
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Table with 4 columns: NO., DATE, REVISION / DESCRIPTION, PI NUMBER. Rows include DESIGN, DRAWN, DATE, PI NUMBER.

OWNER/APPLICANT
NASHAR GROUP, LLC
6644 JAMESTOWN RD.
FRISCO, TX 75035

PROJECT INFORMATION
KIDS R KIDS
BLOCK A, LOT 1, KIDS R KIDS OF PROSPER ADDITION
TOWN OF PROSPER, TEXAS
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
PROPOSED USE: DAY CARE
ZONING: RETAIL/COMMERCIAL

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF ARLYN W. SAMUELSON, P.E. 98871 ON 02-02-2015. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

PRELIMINARY FOR INTERIM REVIEW ONLY
NOT TO BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.
Engineer: ARLYN W. SAMUELSON, P.E.
P.E. No.: 98871
Date: 02-02-2015

POGUE ENGINEERING & DEVELOPMENT COMPANY, INC.
1512 GRAY CENTRAL DRIVE SUITE 100
MCKINNEY, TEXAS 75069
(214) 544-8880 PHONE
(214) 544-8882 FAX
www.PogueEngineering.com
TX BOARD PROF. ENGINEERS, CERT. # 000481; TX BOARD PROF. LAND SURVEYING, CERT. 100421-00

PRELIMINARY SITE PLAN
KIDS R KIDS
BLOCK A, LOT 1, KIDS R KIDS OF PROSPER ADDITION
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
TOWN OF PROSPER, TEXAS
SHEET NO. P5P
DWG NO: 1575-14-073-PRM-PRELIMINARY SITE PLAN.DWG



RECEIVED

MAR 31 2016

TOWN OF PROSPER
DEVELOPMENT SERVICES

DEVELOPMENT SERVICES
DEPARTMENT
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502

REPLY FORM

SUBJECT:

Comprehensive Plan Amendment CA16-0002: The Town of Prosper has received a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential.

LOCATION OF SUBJECT PROPERTY:

The property is located on the northeast corner of First Street and Coit Road.

DESCRIPTION OF THE REQUEST:

The Future Land Use Plan is used as a guide to assist with the zoning and development of the Town. The purpose of the request is to amend a section of Future Land Use Plan from Retail & Neighborhood Services to High Density Residential. There is a companion zoning change request (Z16-0004) to rezone 12.7± acres from Retail (R) to Planned Development-Multifamily, to allow for an age-restricted, private gated, senior living development.

- I OPPOSE the request as described in the notice of public hearing. Please provide a reason for opposition.
- I DO NOT OPPOSE the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY): _____

Fadi El-Nachar

Name (please print)

130 N. Coit Rd.

Address

Prosper, TX

City, State, and Zip Code

214-535-4243

Phone Number (Optional)

Fadi El-Nachar

Signature

3-27-16

Date

fadinator@sbcglobal.net

E-mail Address



**DEVELOPMENT SERVICES
DEPARTMENT**
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502
Fax: 972-347-2842

REPLY FORM

SUBJECT:

Zoning Case Z16-0004: The Town of Prosper has received a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), to allow for an age-restricted, private gated, senior living development.

LOCATION OF SUBJECT PROPERTY:

The property is located on the northeast corner of First Street and Coit Road.

DESCRIPTION OF THE REQUEST:

The purpose of the application is to allow the development of an age-restricted, private gated, senior living development. There is a companion Comprehensive Plan Amendment request (CA16-0002) to amend a section of Future Land Use Plan from Retail & Neighborhood Services to High Density Residential.

- I **OPPOSE** the request as described in the notice of public hearing. Please provide a reason for opposition.
 I **DO NOT OPPOSE** the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):

I SUPPORT THE SENIOR LIVING DEVELOPMENT.

JAMES GOWER
Name (please print)

2560 CEDAR BROOK LN
Address

PROSPER, TX 75078
City, State, and Zip Code

Phone Number (Optional)

James Gower
Signature

3-31-16
Date

mymoney@att.net
E-mail Address



**DEVELOPMENT SERVICES
DEPARTMENT**
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502

REPLY FORM

SUBJECT:

Comprehensive Plan Amendment CA16-0002: The Town of Prosper has received a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential.

LOCATION OF SUBJECT PROPERTY:

The property is located on the northeast corner of First Street and Coit Road.

DESCRIPTION OF THE REQUEST:

The Future Land Use Plan is used as a guide to assist with the zoning and development of the Town. The purpose of the request is to amend a section of Future Land Use Plan from Retail & Neighborhood Services to High Density Residential. There is a companion zoning change request (Z16-0004) to rezone 12.7± acres from Retail (R) to Planned Development-Multifamily, to allow for an age-restricted, private gated, senior living development.

I **OPPOSE** the request as described in the notice of public hearing. Please provide a reason for opposition.
 I **DO NOT OPPOSE** the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY): _____

SHELLY GOWER
Name (please print)

2560 CEDARBROOK
Address

PROSPER, TX 75078
City, State, and Zip Code

Phone Number (Optional)

Shelly Gower
Signature

4-1-16
Date

shelly.gower@tenethealth.com
E-mail Address



PLANNING

To: Planning & Zoning Commission

From: Alex Glushko, AICP, Senior Planner

Through: John Webb, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – April 19, 2016

Agenda Item:

Consider and act upon a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (Z16-0004). [Companion Case CA16-0002]

History:

At the April 5, 2016, Planning & Zoning Commission meeting, the Public Hearing was continued and this item was tabled to allow the applicant additional time to revise the exhibits associated with this rezoning request.

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	Retail and Specific Use Permit-7 (Child Day Care Center)	Undeveloped Land	Retail & Neighborhood Services
North	Retail	Undeveloped Land (Future Child Day Care Center)	Retail & Neighborhood Services
East	Planned Development-18-Single Family	Single Family Residential (Greenspoint)	Low Density Residential
South	Single Family-15	Undeveloped Land	Medium Density Residential

West	Single Family-15	Future Community Park	Low Density Residential
-------------	------------------	-----------------------	-------------------------

The proposed development consists of 102 cottage/townhome-style units, on 12.7 acres, within either duplex, four-plex, five-plex, or six-plex single story buildings. The development will be private, gated and the homes will be alley served. The residents of the development will be age-restricted to 55 years and older.

Development of the property is proposed in accordance with Exhibit C (development standards), Exhibit D (conceptual development plan), Exhibit F (conceptual architectural elevations), and Exhibit G (conceptual landscape plans), and in accordance with the Multifamily (MF) District. The request is in accordance with the MF district due to the fact that there are multiple buildings on one lot; however, the development will resemble a townhome development. The notable proposed development standards are as follows:

1. Development Regulations – The proposed PD limits residents to 55 years and older; limits the density to 8.05 dwelling units per acre; allows for minimum 1,100 square foot dwelling units; and provides for building and landscape setbacks, as indicated in Exhibit C.
2. Parking – The proposed PD requires one enclosed space per unit, and 0.6 field parking spaces per unit. The Town’s Zoning Ordinance does not provide for a parking ratio for senior living developments. As such, the applicant has provided a comparable analysis demonstrating the proposed parking is sufficient. Town staff also conducted a survey of surrounding municipalities to further determine if the proposed parking was in line with their requirements, and it was determined the proposed parking is consistent with other municipal requirements and adequate for a senior living development.
3. Elevations – The proposed PD requires the proposed buildings to be constructed in accordance with Exhibit F, which includes the requirement for a minimum 8:12 roof pitch.
4. Landscaping – The proposed PD requires a solid living screen adjacent to Greenspoint, and requires the central detention pond to be amenitized, as show on Exhibit G-2. Staff has indicated to the applicant that a constant water level detention pond should be considered.

The applicant has indicted that they have met with the adjoining residents of the Greenspoint Subdivision to inform them of this request, and that there is general support for the proposed rezoning request. In addition, there is Preliminary Site Plan (Case #D15-0010), which has been approved and is attached for reference. During the Preliminary Site Plan approval process, residents of the Greenspoint Subdivision attended the Planning & Zoning Commission meeting to voice concern regarding the proposed retail development, and specifically to request a masonry wall, as opposed to solid living screening, along their property lines.

Future Land Use Plan – The Future Land Use Plan recommends Retail & Neighborhood Services for the property, which typically includes retail establishments that provide merchandise for retail sale, banks, neighborhood office and small medical offices. High Density Residential is for developments consisting of greater than 2.5 dwelling units per acre and lot sizes less than 10,000 square feet, and may take the form of multifamily or single family attached dwelling units and may include mixed-use lofts/apartments, patio homes, snout houses, brownstones and townhomes. The companion item is a request to amend the Future

Land Use Plan for High Density Residential uses on the property to accommodate an age-restricted, private gated, senior living development.

Thoroughfare Plan – The property is adjacent to First Street, a future 4-lane divided minor thoroughfare, and Coit Road, a future 6-lane divided major thoroughfare. The zoning exhibit complies with the Thoroughfare Plan.

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

Access – Primary access to the property will be provided from First Street and Coit Road via a gated entry.

Schools – This property is served by the Prosper Independent School District. 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 – No 100-year floodplain exists on the property.

Legal Obligations and Review:

Notification was provided to neighboring property owners, as required by state law. Town staff has received two Public Hearing Notice Reply Forms; not in opposition to the request.

Attached Documents:

1. Surrounding Zoning Map
2. Proposed Exhibits A, B, C, D, E, F, and G
3. Applicant Provided Parking Analysis
4. Approved Preliminary Site Plan (D15-0010)
5. Public Hearing Notice Reply Forms

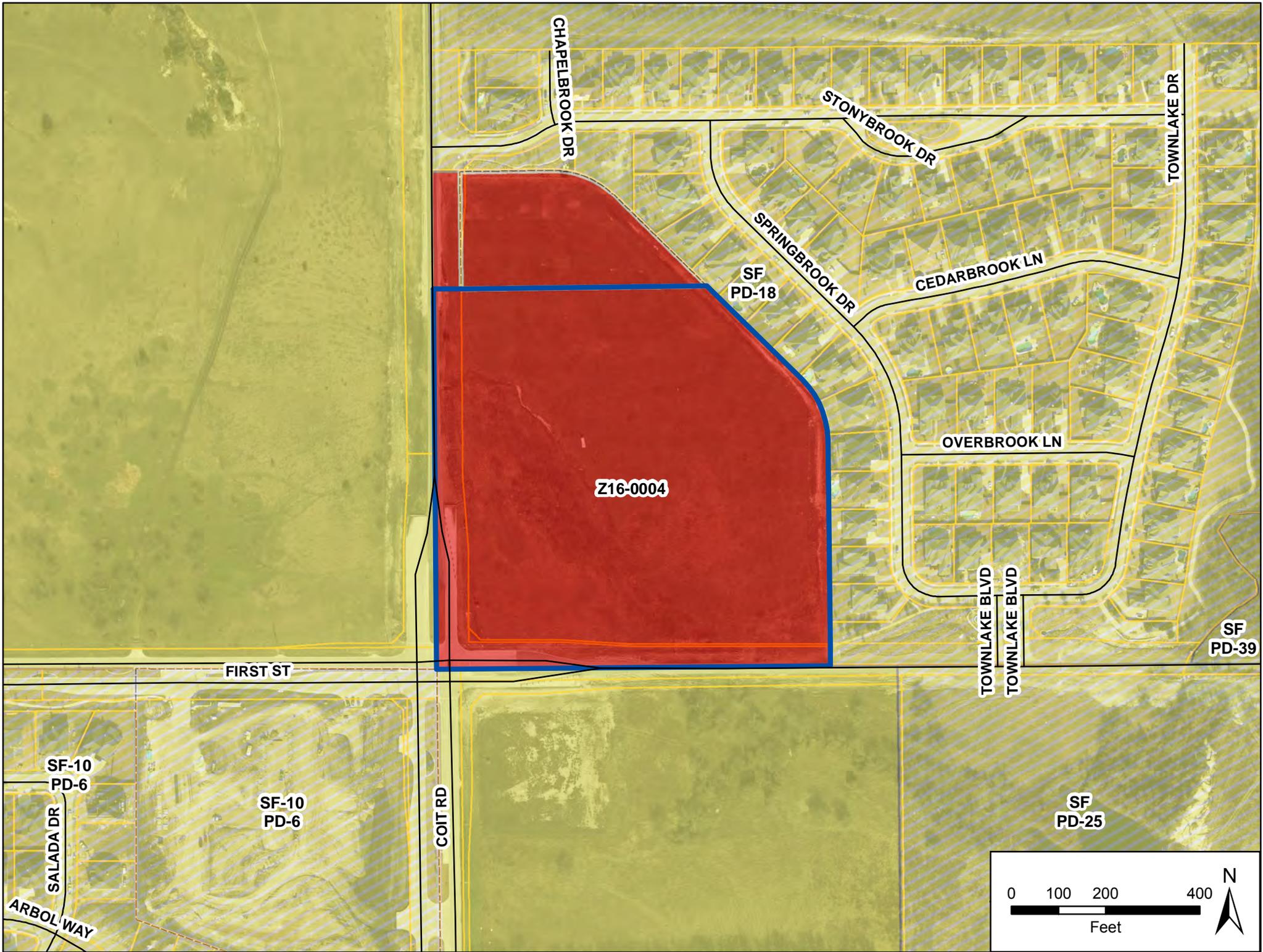
Town Staff Recommendation:

There are two options for a recommendation, subject to the action taken on the companion case for the amendment to the Future Land Use Plan (CA16-0002).

1. If the Planning & Zoning Commission recommends approval of the amendment to the Future Land Use Plan, the Commission should recommend approval of the zoning request.
2. If the Planning & Zoning Commission recommends denial of the amendment to the Future Land Use Plan, the Commission should deny the zoning request.

Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council meeting on May 24, 2016.



CHAPEL BROOK DR

STONY BROOK DR

TOWN LAKE DR

SPRING BROOK DR

CEDAR BROOK LN

OVER BROOK LN

Z16-0004

SF PD-18

SF PD-39

TOWN LAKE BLVD

TOWN LAKE BLVD

FIRST ST

SF-10 PD-6

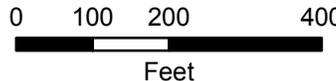
SF-10 PD-6

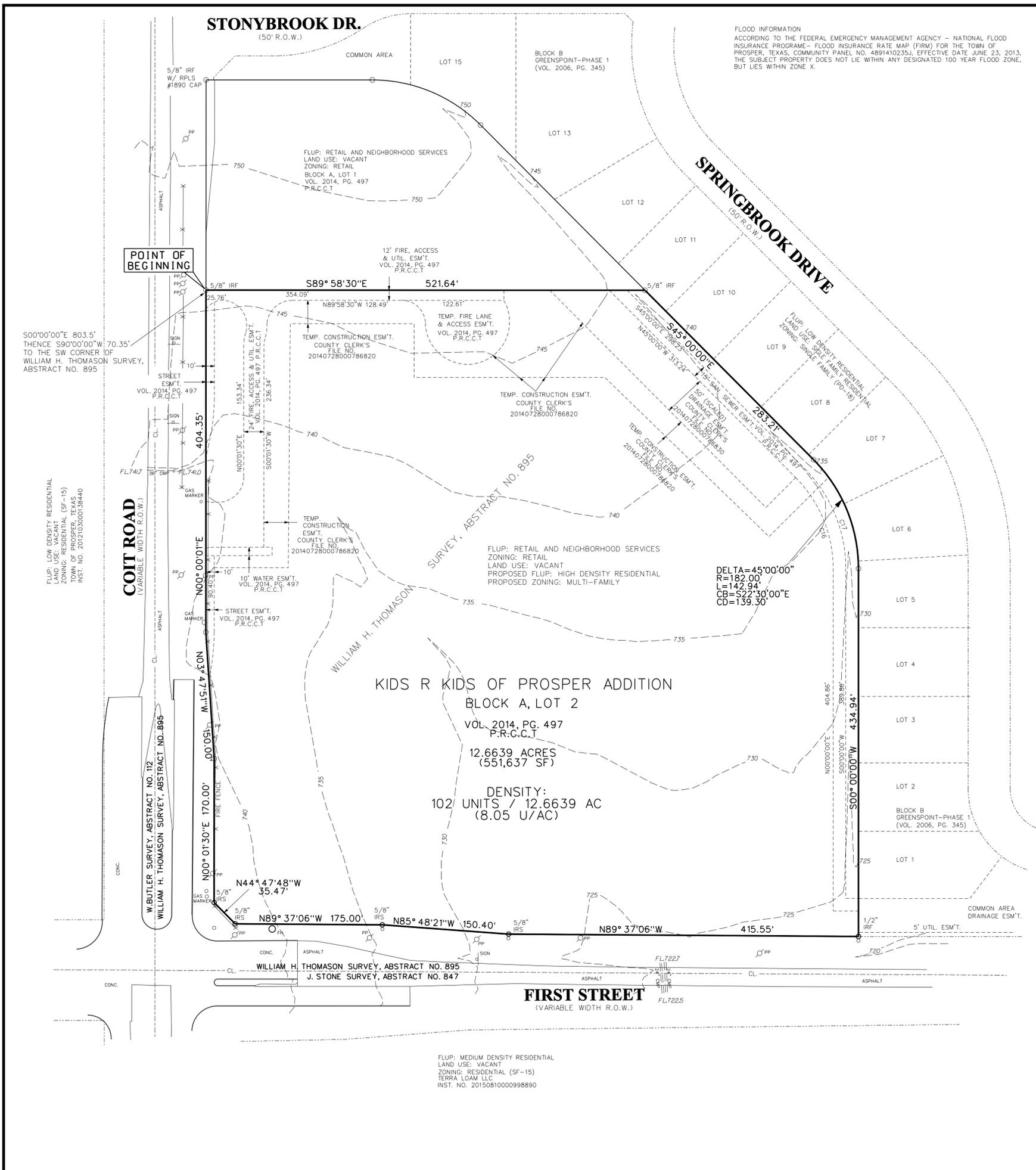
COIT RD

SF PD-25

ARBOL WAY

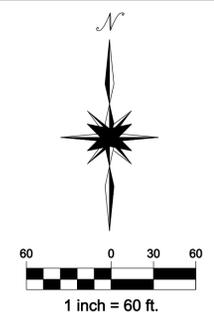
SALADA DR





FLOOD INFORMATION
 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY - NATIONAL FLOOD INSURANCE PROGRAM - FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF PROSPER, TEXAS, COMMUNITY PANEL NO. 4891410235J, EFFECTIVE DATE JUNE 23, 2013, THE SUBJECT PROPERTY DOES NOT LIE WITHIN ANY DESIGNATED 100 YEAR FLOOD ZONE, BUT LIES WITHIN ZONE X.

- LEGEND**
- SIR ○ SET IRON ROD
 - FIR ○ FOUND IRON ROD
 - MH ○ SAN. SEW. MANHOLE
 - CO ○ CLEAN OUT
 - WV ○ WATER VALVE
 - WM ○ WATER METER
 - FH ○ FIRE HYDRANT
 - PP ○ POWER POLE
 - W ○ WATER LINE
 - SS ○ SAN. SEWER LINE
 - T ○ TELEPHONE LINE
 - G ○ GAS LINE
 - LP ○ LIGHT POLE
 - 6" ○ OAK TREE
 - BM ○ BENCH MARK
 - 531.84 ○ TELEPHONE PEDESTAL
 - TEL-PED ○ ASPHALT PAVEMENT
 - GM ○ GAS METER



DESCRIPTION

BEING 12.6639 ACRE TRACT OF LAND IN THE WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895, IN CITY OF PROSPER, COLLIN COUNTY, TEXAS, AND BEING LOT 2, BLOCK A OF KIDS R KIDS, BLOCK A, LOTS 1&2 ADDITION, AN ADDITION TO THE CITY OF PROSPER, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2014, PAGE 497, PLAT RECORDS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF COIT ROAD (VARIABLE RIGHT-OF-WAY), SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 2, AND THE SOUTHWEST CORNER OF LOT 1, BLOCK A OF SAID KIDS R KIDS ADDITION;

THENCE S 89° 58' 30" E, WITH THE COMMON LINE OF SAID LOTS 1 AND 2, A DISTANCE OF 521.64 FEET TO A 5/8" INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 2 AND THE SOUTHEAST CORNER OF SAID LOT 1, SAID CORNER ALSO BEING IN THE WEST LINE OF GREENSPPOINT-PHASE I ADDITION, AN ADDITION TO THE CITY OF PROSPER, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2006, PAGE 345, PLAT RECORDS, COLLIN COUNTY, TEXAS;

THENCE ALONG THE COMMON LINES OF SAID LOTS 2 AND SAID WEST LINE GREENSPPOINT-PHASE I ADDITION THE FOLLOWING CALLS:

S 45° 00' 00" E, A DISTANCE OF 283.21 FEET TO A 5/8 INCH IRON ROD FOUND W/ CAP MARKED "RPLS #1890" FOR THE BEGINING OF CURVE TO THE RIGHT WITH A DELTA ANGLE OF 45° 00' 00", RADIUS OF 182.00 FEET, AND A CHORD OF S 22° 30' 00" E, 139.30 FEET;

ALONG THE SAID CURVE TO THE RIGHT A DISTANCE OF 142.94 FEET TO A 5/8 INCH IRON ROD FOUND W/ CAP MARKED "RPLS #1890";

S 00° 00' 00" W, A DISTANCE OF 434.94 FEET TO A 1/2 INCH IRON ROD FOUND IN THE NORTH RIGHT-OF-WAY LINE OF FIRST STREET (VARIABLE RIGHT-OF-WAY), SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 2 AND THE MOST SOUTHWESTERLY CORNER OF SAID GREENSPPOINT-PHASE I ADDITION;

THENCE ALONG THE SAID NORTH LINE OF FIRST STREET THE FOLLOWING CALLS:

N 89° 37' 06" W, A DISTANCE OF 415.55 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

N 85° 48' 21" W, A DISTANCE OF 150.40 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

N 89° 37' 06" W, A DISTANCE OF 175.00 FEET TO A 5/8 INCH IRON ROD SET FOR THE BEGINNING OF A CORNER CLIP AT THE NORTHEAST CORNER OF SAID FIRST STREET AND COIT ROAD CORNER;

THENCE N 44° 47' 48" W, ALONG THE SAID CORNER CLIP A DISTANCE OF 35.47 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER IN THE SAID EAST LINE OF COIT ROAD;

THENCE ALONG THE SAID EAST LINE OF COIT ROAD THE FOLLOWING CALLS:

N 00° 01' 30" E A DISTANCE OF 170.00 FEET TO A 5/8 INCH IRON ROD FOUND W/ CAP MARKED "RPLS #1890";

N 03° 47' 51" W A DISTANCE OF 150.00 FEET TO A 5/8 INCH IRON ROD FOUND W/ CAP MARKED "RPLS #1890";

N 00° 00' 01" E A DISTANCE OF 404.35 FEET TO THE PLACE OF BEGINNING AND CONTAINING 12.6639 ACRES (551,637 SQUARE FEET) OF LAND MORE OR LESS.

ERNEST HEDGCOTH
 REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 2804



NOTE:
 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.

Z16-0004

EXHIBIT "A"

OAK TIMBERS PROSPER SENIOR COMMUNITY

KIDS R KIDS OF PROSPER ADDITION
 BLOCK A, LOT 2

WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
 TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
Oak Timbers- Prosper, LLC
 Prosper, Texas
 CONTACT: VAUGHAN MITCHELL
 (817) 996-9083
 E-mail: ovm@oaktimbers.net
 DATE: MARCH 2016

PREPARED BY:
MORI'S ENGINEERING, INC. F-7701
 2616 Pickwick Lane Plano, Texas 75093
 CONTACT:
 MORI AKHAVAN 972-816-2626
 moriakhavan@yahoo.com

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 ENGINEERING AND LAND SURVEYING
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 2616 Pickwick Lane
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 TEL: 972-816-2626
 moriakhavan@yahoo.com
 CONTACT: MORI AKHAVAN, P.E.

CONSULTANTS:

OAK TIMBERS PROSPER SENIOR COMMUNITY
PROSPER, TEXAS

DEVELOPER
Oak Timbers- Prosper, LLC
 Prosper, Texas

VAUGHAN MITCHELL
 (817) 996-9083

SEALS / CONSULTANTS: F-7701

THE SEAL APPEARING ON THIS DRAWING IS AUTHORIZED BY MORI AKHAVAN, P.E. NO. 79174 ON MAR. 22, 2016

PROJECT NUMBER: 1522
 ISSUE DATE: March 22, 2016
 REVISIONS:

SHEET NAME:
EXHIBIT "A"

SHEET NUMBER:

EXHIBIT B

STATEMENT OF INTENT AND PURPOSE

Demand for a single-story, independent senior living is high as this is an unmet market demand in Prosper. Other senior living communities are recently constructed or are under development in north Frisco but none is a single-story, non-fee simple community.

Oak Timbers – Prosper is proposed as a rental community for several reasons:

1. The development team has experience with a condo-type ownership senior community that has failed to be successful because units have been difficult to sell initially and then have become tied up in probate issues when the owner passes away.
2. Seniors are hesitant to commit to buying the unit and face the future need to move into a different level of care facility. The rental community allows seniors flexibility to plan for their future needs without the worry of selling a property.

This PD application is a request to change the zoning on the 12.66 acres of land at the northeast corner of First Street and Coit Road from Retail to multifamily to allow development of an age-restricted, gated, independent senior living community. The development includes 108 one-story, cottage units, each with an attached one-car garage, an exterior front porch and an average floor area of approximately 1,200 square feet. The community is designed to emphasize common open space for the residents and includes a dog park and a 6,000 square foot cultural center with a pool, a great room, media room, lounge and fitness center.

The community will have senior-focused amenities such as:

- Valet Trash Pickup
- Complimentary Scheduled Transportation
- Personalized Fitness Programs
- Group Exercise & Dance Classes
- Cultural, Social and Activity Programs
- Resort Style Pool
- Water Aerobic Classes
- Movie Theatre
- Arts and Crafts Creative Studio
- Business Center with Internet
- Coffee and Conversation
- Weekly Blood Pressure Checks
- Birthday and Newcomer Celebrations
- Beauty and Barber Salon
- Library and Lounge
- Fitness Center
- Bible Study and Readings

EXHIBIT C
PLANNED DEVELOPMENT STANDARDS

Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20, as it exists or may be amended, and the Subdivision Ordinance, as it exists or may be amended, shall apply.

1. Except as noted below, the Tract shall develop in accordance with the Multi-Family (MF) District, as it exists or may be amended.
2. Development Plans
 - a. Concept Plan: The tract shall be developed in general accordance with the attached concept plan, set forth in Exhibit D.
 - b. Elevations: The tract shall be developed in general accordance with the attached elevations, set forth in Exhibit F.
 - c. Landscape Plan: The tract shall be developed in general accordance with the attached landscape plan, set forth in Exhibit G.
3. Uses. Uses shall be permitted in accordance with the MF District with the exception of the following:
 - a. Occupancy shall be limited to residents 55 years of age and older.
4. Regulations
 - a. Density: Maximum density shall not exceed 8.05 dwelling units per acre, and the maximum number of units shall not exceed 102 units.
 - b. Dwelling Size: Minimum residential dwelling size shall be 1,100 square feet.
 - c. Building Height: One story, and the maximum building height shall not exceed thirty (30) feet at the tallest building element.
 - d. Lot Coverage: Maximum lot coverage shall be 30%.
5. Setbacks
 - a. Building
 - i. Front yard shall be 50 feet
 - ii. Side yard (interior) shall be 25 feet
 - iii. Rear yard shall be 35 feet
 - b. Landscape
 - i. Front yard shall be 25 feet
 - ii. Side yard (interior) shall be 0 feet
 - iii. Rear yard shall be 15 feet
6. Parking. Required parking shall be as follows:

- a. A minimum of one (1) off-street, enclosed space per unit shall be provided.
- b. A minimum of six-tenths (0.6) space, unenclosed space per unit shall be provided.

7. Architecture

- a. Primary and secondary materials shall be permitted as shown on Exhibit F.
- b. Minimum roof pitch shall be 8:12.

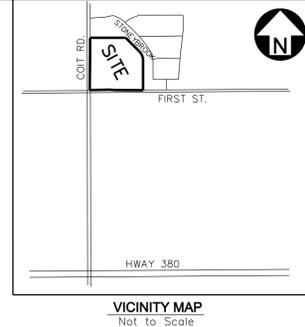
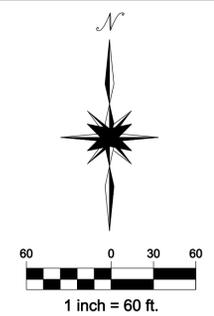
8. Landscaping

- a. A solid living screen in lieu of a masonry wall shall be permitted as provided on Exhibit G. Plant species may be substituted in kind, subject to approval of Town staff.
- b. The central detention pond shall be amenitized as shown on Exhibit G.

STONYBROOK DR.
(50' R.O.W.)

FLOOD INFORMATION
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY - NATIONAL FLOOD INSURANCE PROGRAM - FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF PROSPER, TEXAS, COMMUNITY PANEL NO. 4891410235J, EFFECTIVE DATE JUNE 23, 2013, THE SUBJECT PROPERTY DOES NOT LIE WITHIN ANY DESIGNATED 100 YEAR FLOOD ZONE, BUT LIES WITHIN ZONE X.

- LEGEND**
- SIR ○ SET IRON ROD
 - FIR ○ FOUND IRON ROD
 - MH ○ SAN. SEW. MANHOLE
 - CO ○ CLEAN OUT
 - WV t WATER VALVE
 - WM t WATER METER
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 - W - - - WATER LINE
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 - 6" ○ OAK TREE
 - BM 531.84 ○ BENCH MARK
 - TEL-PED ○ TELEPHONE PEDESTAL
 - GM □ ASPHALT PAVEMENT
 - GAS METER



SITE PLAN GENERAL NOTES

- 1) Dumpsters and trash compactors shall be screened in accordance with the Zoning Ordinance.
- 2) Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
- 3) Outdoor lighting shall comply with the lighting and glare standards contained within the Zoning Ordinance and Subdivision Ordinance.
- 4) Landscaping shall conform to landscape plans approved by the Town.
- 5) All elevations shall conform to the standards contained within the 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 Engineering Department.
- 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 Zoning Ordinance.

UNITS CHART:

102 COTTAGE UNITS		
A	52	1,100 SF
B	24	1,300 SF
C	26	1,300 SF
		122,200 SF

BUILDING CHART:

②	DUPEX	6	15,600 SF
④	4 PLEX	6	28,800 SF
⑤	5 PLEX	12	70,800 SF
⑥	6 PLEX	1	7,000 SF

SITE DATA

EXISTING ZONING	Proposed
PROPOSED ZONING	Multi-Family
EXISTING FLUP	RETAIL AND NEIGHBORHOOD SERVICES
PROPOSED FLUP	HIGH DENSITY RESIDENTIAL
Land Use	Vacant
Lot Area (square feet & acres)	551,637 SF (12.6639 ACRES)
BUILDING AREA	
1-CLUBHOUSE AREA	5000 SF
6-DUPEX AREA	17,250 SF
6-4 PLEX AREA	30,450 SF
12-5 PLEX AREA	74,100 SF
1-6 PLEX AREA	7,275 SF
TOTAL BUILDING AREA	134,075 SF
Building Height (# stories)	1 Story
Building Height (feet - distance to tallest building element)	30 feet
Lot Coverage	24.3%
OPEN SPACE CALCULATION	
OPEN SPACE REQUIRED	30.0%
OPEN SPACE PROVIDED (178731SF/551639SF)	32.4%
PARKING	
Parking Garages	102
Parking Spaces	62
Accessible Parking	1 SP
Enclosed Parking Spaces Ratio	1 SP / unit
Field Parking Spaces Ratio	62 SP / 102 unit
Total Parking Spaces Ratio	1.61 / Unit

DENSITY:
102 UNITS / 12.6639 AC
(8.05 U/AC)

Z16-0004
EXHIBIT "D"
OAK TIMBERS PROSPER SENIOR COMMUNITY

KIDS R KIDS OF PROSPER ADDITION
BLOCK A, LOT 2
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
Oak Timbers- Prosper, LLC
Prosper, Texas
CONTACT: VAUGHAN MITCHELL
(817) 996-9083
E-mail: ovm@oaktimbers.net
DATE: MARCH 2016

PREPARED BY:
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2616 Pickwick Lane Plano, Texas 75093
CONTACT:
MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

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Plano, Texas 75093
TEL: 972-816-2626
moriakhavan@yahoo.com
CONTACT: MORI AKHAVAN, P.E.

CONSULTANTS:

OAK TIMBERS PROSPER SENIOR COMMUNITY
PROSPER, TEXAS

DEVELOPER
Oak Timbers- Prosper, LLC
Prosper, Texas
VAUGHAN MITCHELL
(817) 996-9083

SEALS / CONSULTANTS: F-7701

THE SEAL APPEARING ON THIS DRAWING IS AUTHORIZED BY MORI AKHAVAN, P.E. NO. 79174 ON MAR. 22, 2016

PROJECT NUMBER: 1522
ISSUE DATE: March 22, 2016
REVISIONS:

SHEET NAME:
EXHIBIT "D"

SHEET NUMBER:

LAND USE: VACANT
ZONING: RESIDENTIAL (SF-15)
TOWN OF PROSPER, TEXAS
INST. NO. 2012103000138440

COIT ROAD
(VARIABLE WIDTH R.O.W.)

WILLIAM H. THOMASON SURVEY
ABSTRACT NO. 895
J. STONE SURVEY
ABSTRACT NO. 847

LAND USE: VACANT
ZONING: RESIDENTIAL (SF-15)
TERRA LOAM LLC
INST. NO. 20150810000998890

NOTE:
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.

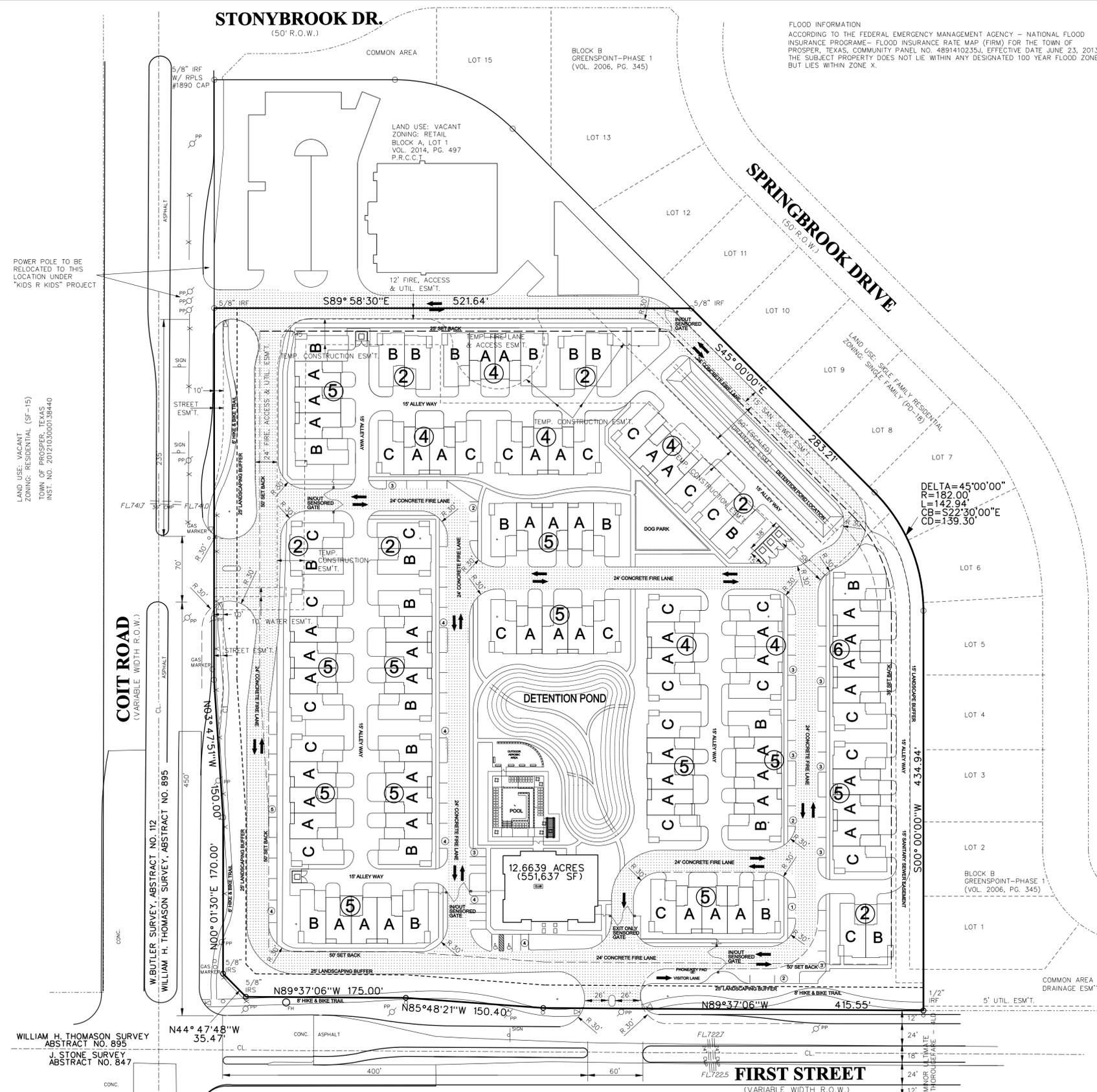
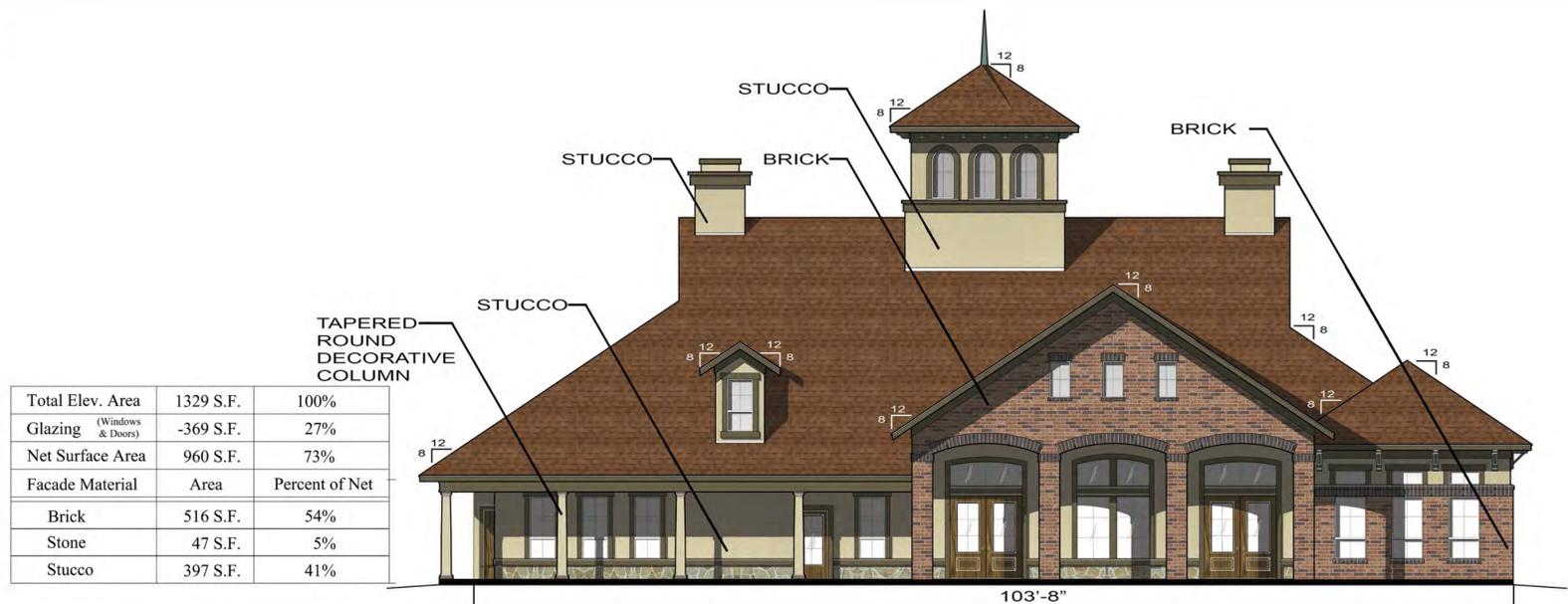


EXHIBIT E

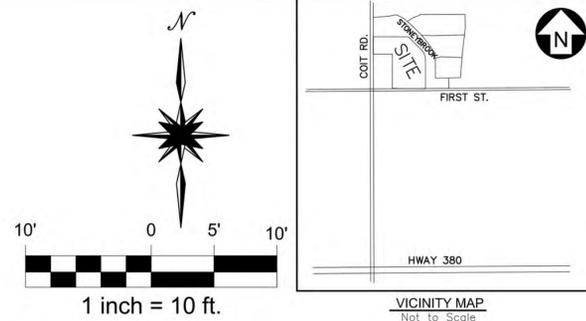
Development Schedule

The proposed development will be constructed in one continuous phase with construction to commence following site plan approval and the issuance of appropriate construction-related permits. The current estimated construction start date is September 2016 with construction to take approximately 12 months. The developer may request that model units be given a temporary certificate of occupancy prior to completion to facilitate marketing of the project with final certificate of occupancies to be issued for each building as it completed subject to meeting all public safety access requirements.

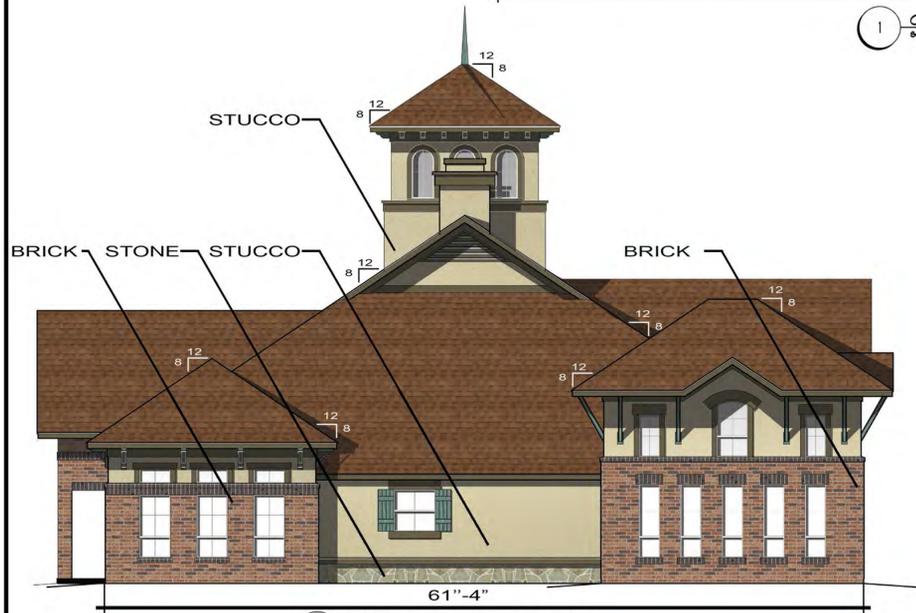
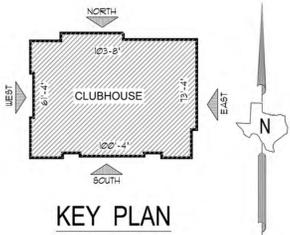


Total Elev. Area	1329 S.F.	100%
Glazing (Windows & Doors)	-369 S.F.	27%
Net Surface Area	960 S.F.	73%
Facade Material	Area	Percent of Net
Brick	516 S.F.	54%
Stone	47 S.F.	5%
Stucco	397 S.F.	41%

1 CLUBHOUSE-NORTH ELEVATION
SCALE 1/8" = 1'-0"

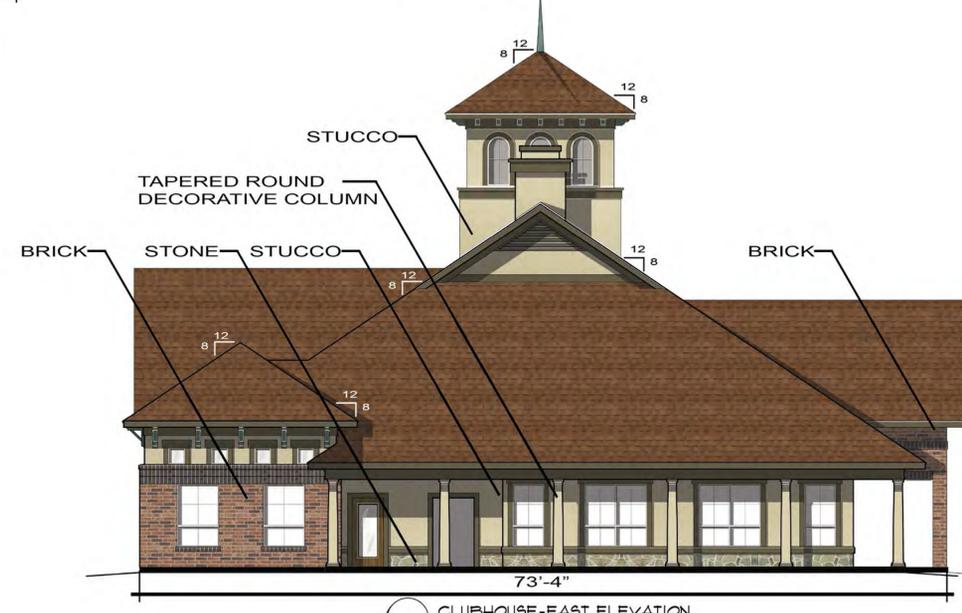


- GENERAL NOTES:
1. THIS CONCEPTUAL ELEVATION IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL FROM THE BUILDING INSPECTION DIVISION.
 2. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH ZONING ORDINANCE.
 3. WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH BUILDING.
 4. ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY THE BUILDING INSPECTION DIVISION.
 5. WINDOWS SHALL HAVE A MAXIMUM EXTERIOR VISIBLE REFLECTIVITY OF 10%.



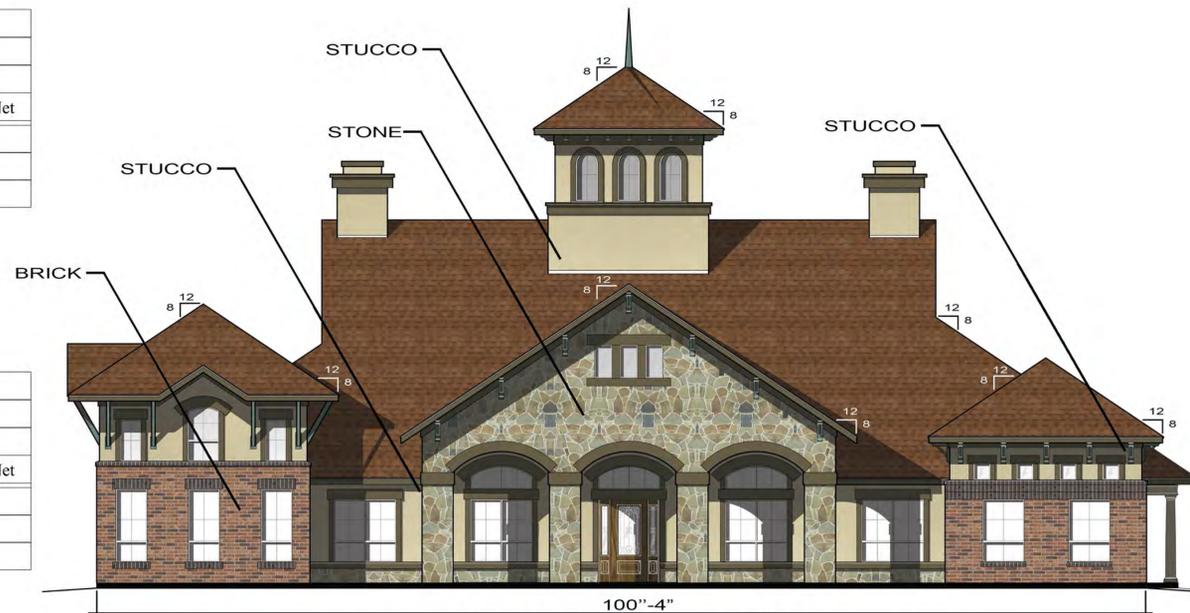
Total Elev. Area	1202 S.F.	100%
Glazing (Windows & Doors)	-183 S.F.	17%
Net Surface Area	1019 S.F.	83%
Facade Material	Area	Percent of Net
Brick	390 S.F.	38%
Stone	37 S.F.	4%
Stucco	592 S.F.	58%

2 CLUBHOUSE-WEST ELEVATION
SCALE 1/8" = 1'-0"



Total Elev. Area	650 S.F.	100%
Glazing (Windows & Doors)	-194 S.F.	30%
Net Surface Area	456 S.F.	60%
Facade Material	Area	Percent of Net
Brick	162 S.F.	36%
Stone	53 S.F.	12%
Stucco	241 S.F.	52%

3 CLUBHOUSE-EAST ELEVATION
SCALE 1/8" = 1'-0"



Total Elev. Area	1,733 S.F.	100%
Glazing (Windows & Doors)	-376 S.F.	22%
Net Surface Area	1,357 S.F.	78%
Facade Material	Area	Percent of Net
Brick	432 S.F.	32%
Stone	500 S.F.	37%
Stucco	425 S.F.	31%

4 CLUBHOUSE-SOUTH ELEVATION
SCALE 1/8" = 1'-0"

Z16-0004

EXHIBIT "F"
OAK TIMBERS PROSPER SENIOR COMMUNITY

KIDS R KIDS OF PROSPER ADDITION
BLOCK A, LOT 2
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
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OWNER: Oak Timbers- Prosper, LLC
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CONTACT: MORI AKHAVAN, P.E.

CONSULTANTS:
Arrive Architecture Group
2344 Highway 121
Suite 100
Bedford, TX
817-514-0584
william@arriveag.com

OAK TIMBERS PROSPER SENIOR COMMUNITY
PROSPER, TEXAS

DEVELOPER
Oak Timbers- Prosper, LLC
Prosper, Texas
VAUGHAN MITCHELL
(817) 996-9083

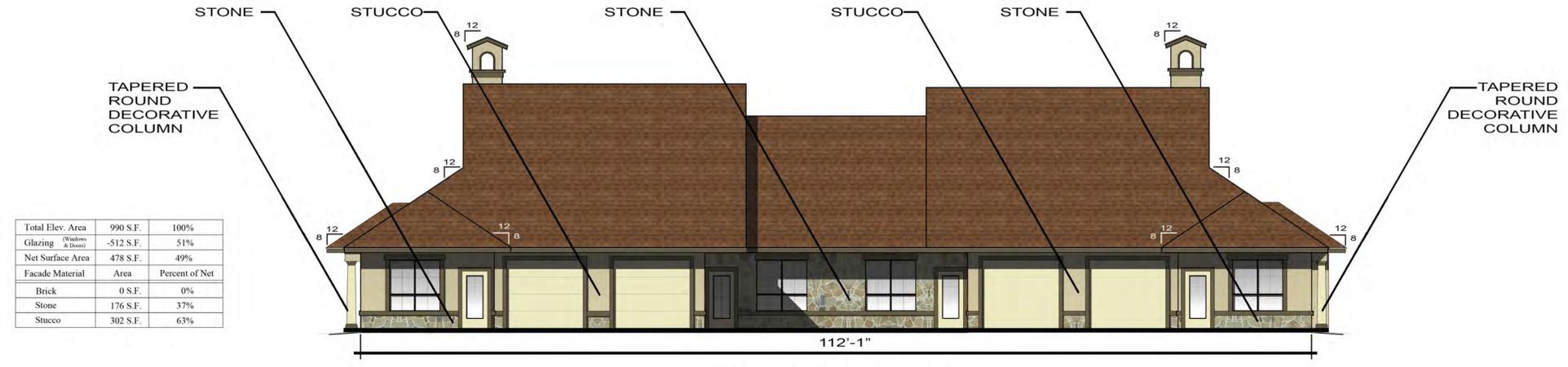
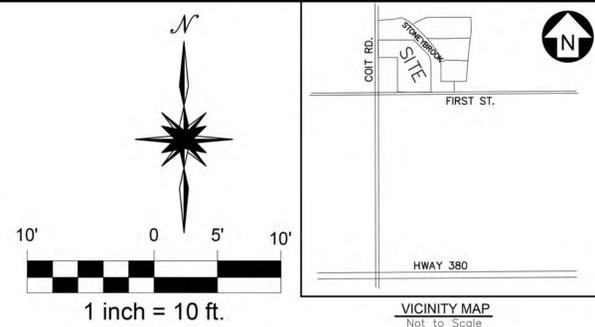
SEALS / CONSULTANTS: F-7701

THE SEAL APPEARING ON THIS DRAWING IS AUTHORIZED BY MORI AKHAVAN, P.E. NO. 79174 ON MAR. 4, 2016

PROJECT NUMBER: 1522
ISSUE DATE: March 4, 2016
REVISIONS:

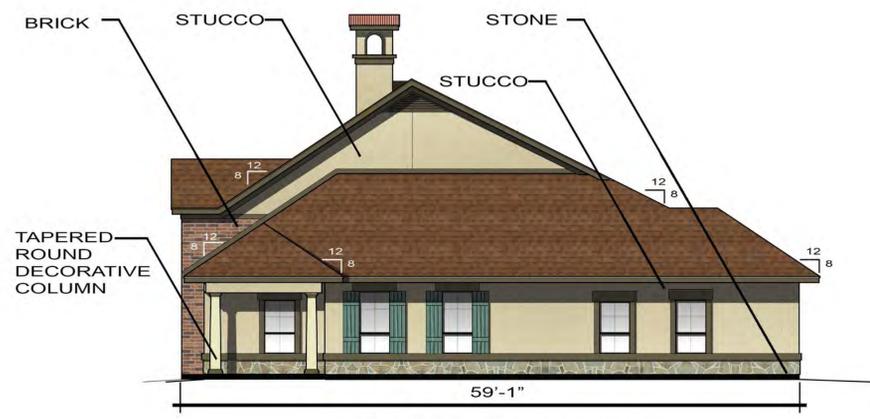
SHEET NAME:
EXHIBIT "F"

SHEET NUMBER:
F-1



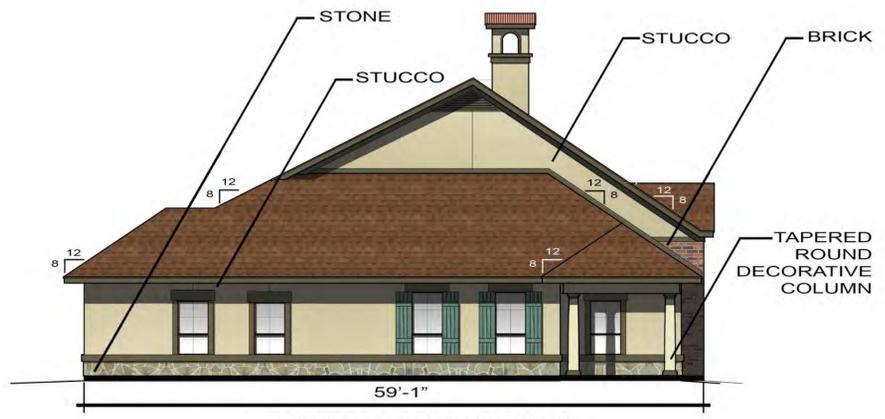
Total Elev. Area	990 S.F.	100%
Glazing (Windows & Doors)	-512 S.F.	51%
Net Surface Area	478 S.F.	49%
Facade Material	Area	Percent of Net
Brick	0 S.F.	0%
Stone	176 S.F.	37%
Stucco	302 S.F.	63%

1 NORTH ELEVATION - FOURPLEX
SCALE 1/8" = 1'-0"



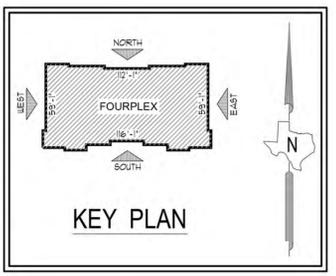
2 FOURPLEX - WEST ELEVATION
SCALE 1/8" = 1'-0"

Total Elev. Area	697 S.F.	100%
Glazing (Windows & Doors)	-88 S.F.	13%
Net Surface Area	609 S.F.	87%
Facade Material	Area	Percent of Net
Brick	44 S.F.	7%
Stone	81 S.F.	13%
Stucco	484 S.F.	80%

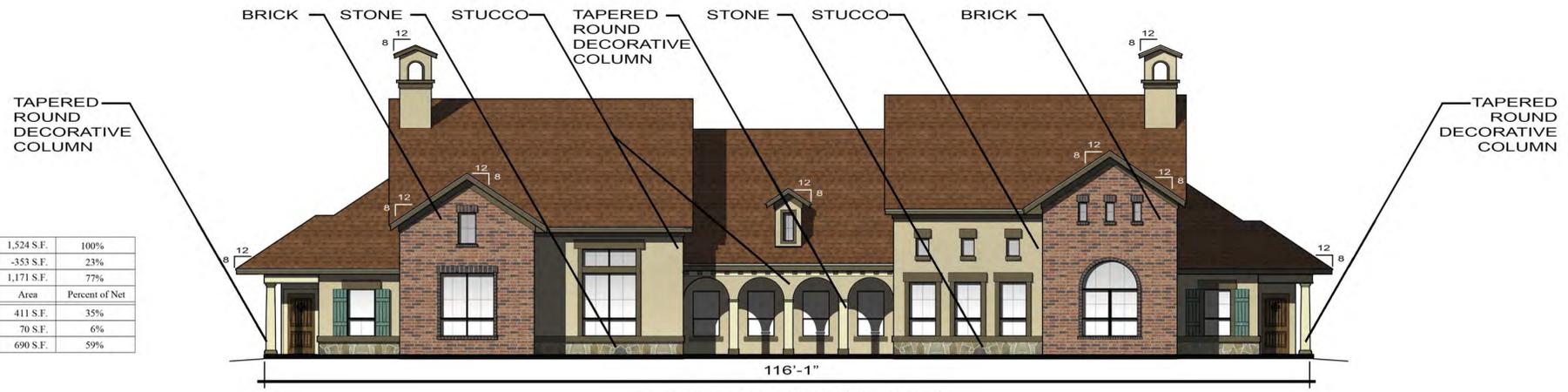


3 FOURPLEX - EAST ELEVATION
SCALE 1/8" = 1'-0"

Total Elev. Area	697 S.F.	100%
Glazing (Windows & Doors)	-88 S.F.	13%
Net Surface Area	609 S.F.	87%
Facade Material	Area	Percent of Net
Brick	44 S.F.	7%
Stone	81 S.F.	13%
Stucco	484 S.F.	80%



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Total Elev. Area	1,524 S.F.	100%
Glazing (Windows & Doors)	-353 S.F.	23%
Net Surface Area	1,171 S.F.	77%
Facade Material	Area	Percent of Net
Brick	411 S.F.	35%
Stone	70 S.F.	6%
Stucco	690 S.F.	59%

4 FOURPLEX - SOUTH ELEVATION
SCALE 1/8" = 1'-0"

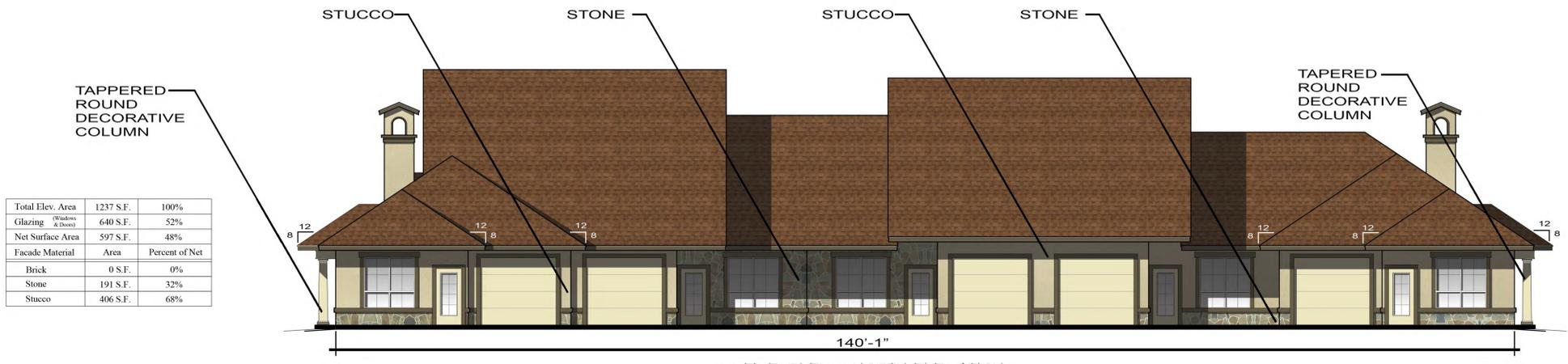
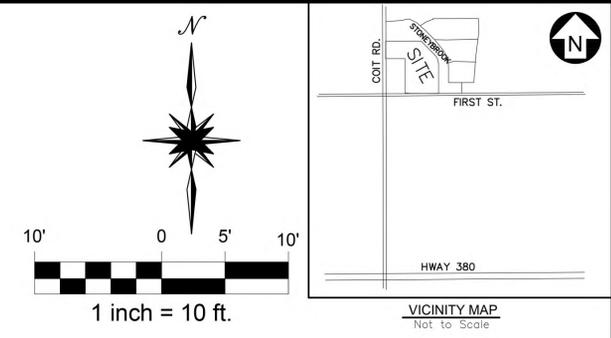
Z16-0004

EXHIBIT "F"
**OAK TIMBERS PROSPER
SENIOR COMMUNITY**

KIDS R KIDS OF PROSPER ADDITION
BLOCK A, LOT 2
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

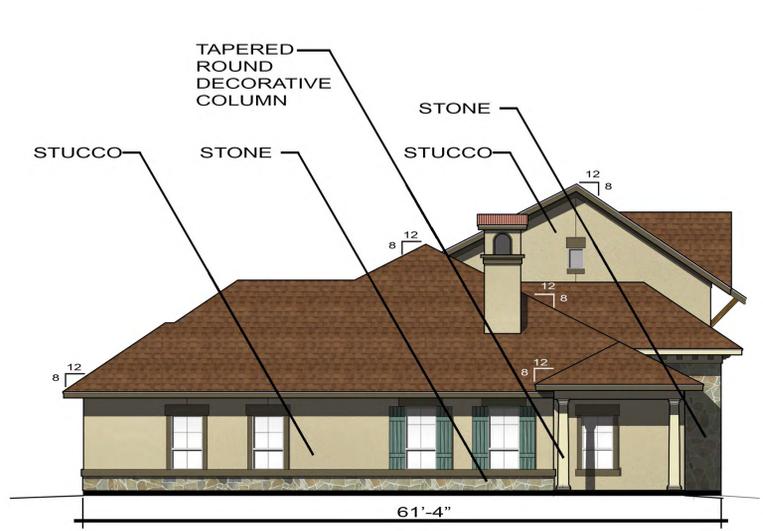
OWNER:
Oak Timbers- Prosper, LLC
Prosper, Texas
CONTACT: VAUGHAN MITCHELL
(817) 996-9083
E-mail: ovm@oaktimbers.net
DATE: MARCH 2016

PREPARED BY:
MORI'S
ENGINEERING, INC. F-7701
2616 Pickwick Lane Plano, Texas 75093
CONTACT:
MORI AKHAVAN 972-816-2626
morikhavan@yahoo.com
SCALE: 1"=60'



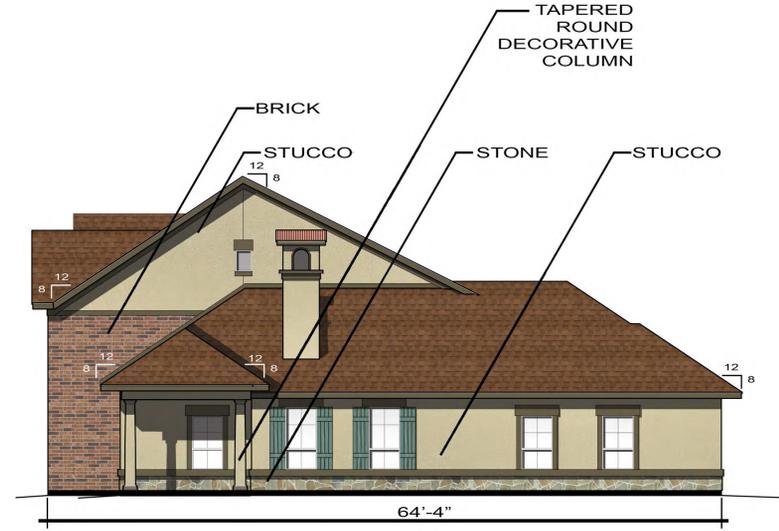
Facade Material	Area	Percent of Net
Brick	0 S.F.	0%
Stone	191 S.F.	32%
Stucco	406 S.F.	68%

1 FIVE-PLEX - NORTH ELEVATION
SCALE 1/8" = 1'-0"



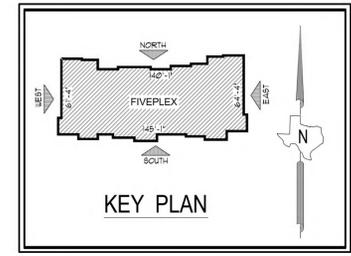
2 FIVE-PLEX - WEST ELEVATION
SCALE 1/8" = 1'-0"

Facade Material	Area	Percent of Net
Brick	0 S.F.	0%
Stone	128 S.F.	20%
Stucco	513 S.F.	80%



3 FIVE-PLEX - EAST ELEVATION
SCALE 1/8" = 1'-0"

Facade Material	Area	Percent of Net
Brick	135 S.F.	16%
Stone	90 S.F.	11%
Stucco	606 S.F.	73%

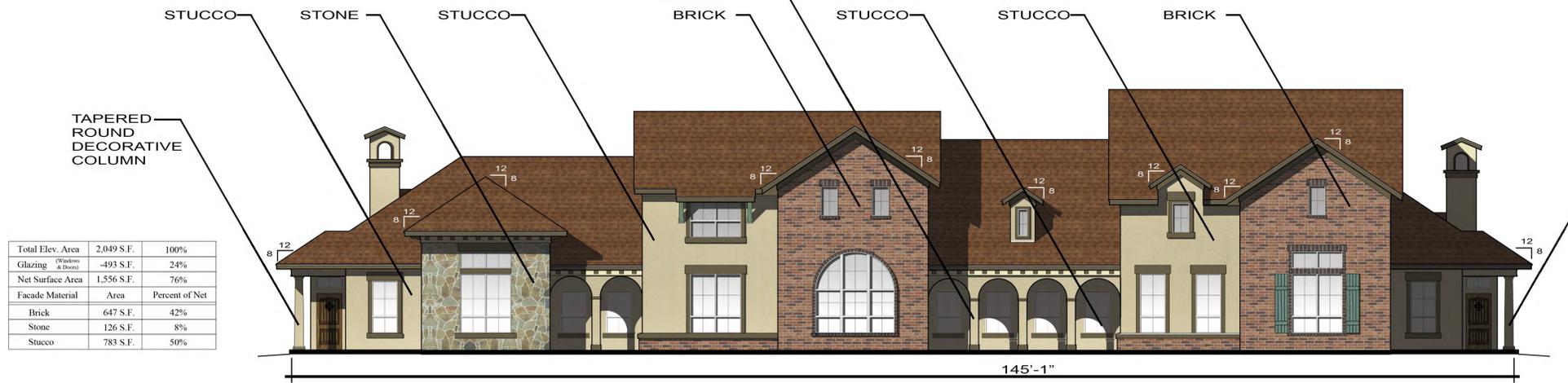


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Facade Material	Area	Percent of Net
Brick	647 S.F.	42%
Stone	126 S.F.	8%
Stucco	783 S.F.	50%

4 FIVE-PLEX - SOUTH ELEVATION
SCALE 1/8" = 1'-0"

Z16-0004

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OAK TIMBERS PROSPER
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E-mail: ovm@oaktimbers.net
DATE: MARCH 2016

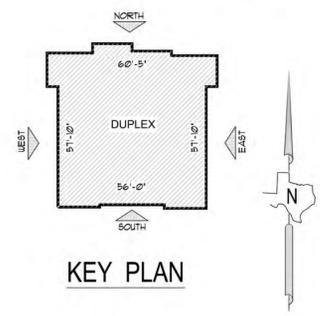
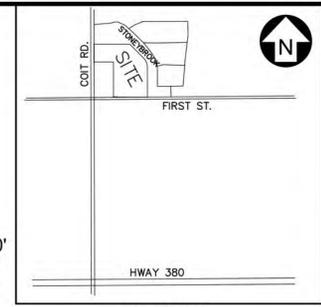
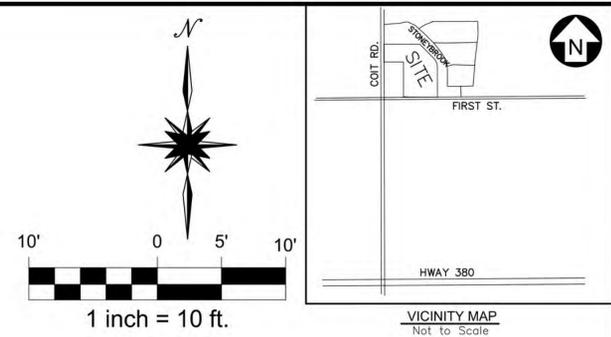
PREPARED BY:
MORI'S
ENGINEERING, INC. F-7701
2616 Pickwick Lane Plano, Texas 75093
CONTACT: MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

SCALE: 1"=60'

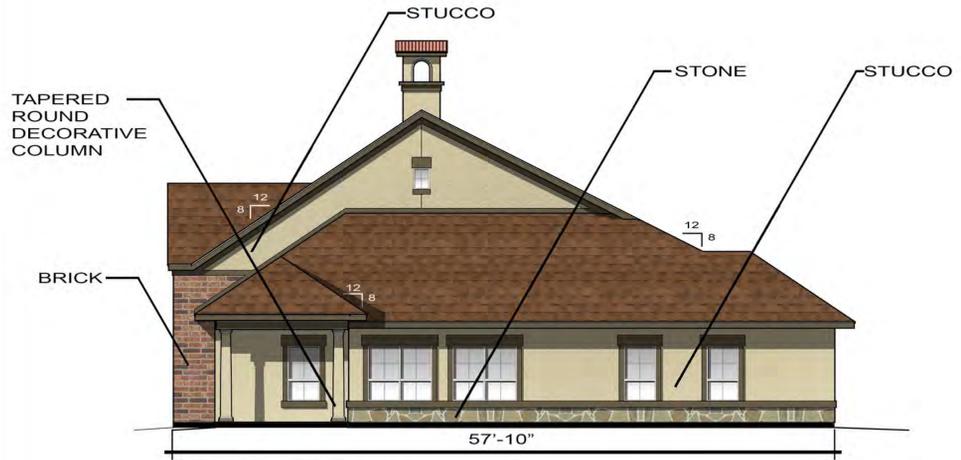
Total Elev. Area	757 S.F.	100%
Glazing (Windows & Doors)	-187 S.F.	25%
Net Surface Area	570 S.F.	75%
Facade Material	Area	Percent of Net
Brick	275 S.F.	48%
Stone	20 S.F.	4%
Stucco	275 S.F.	48%



1 DUPLEX - NORTH ELEVATION
SCALE 1/8" = 1'-0"

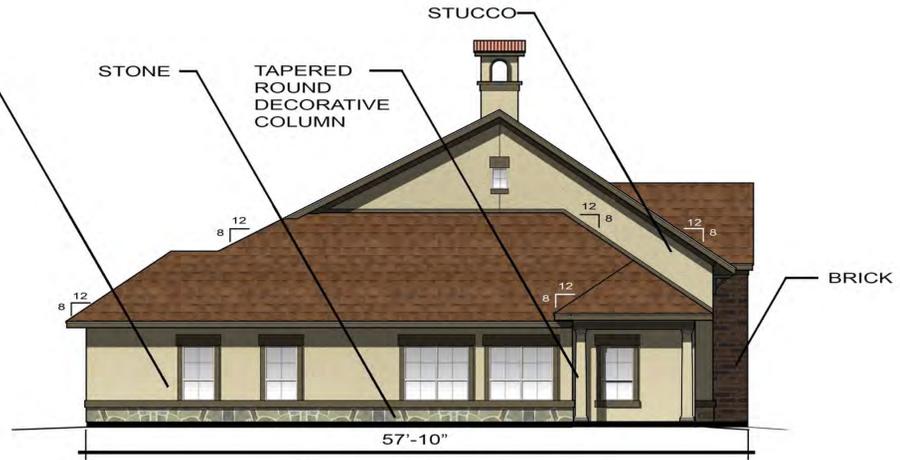


KEY PLAN



2 DUPLEX - WEST ELEVATION
SCALE 1/8" = 1'-0"

Total Elev. Area	742 S.F.	100%
Glazing (Windows & Doors)	-109 S.F.	15%
Net Surface Area	633 S.F.	85%
Facade Material	Area	Percent of Net
Brick	54 S.F.	9%
Stone	66 S.F.	10%
Stucco	513 S.F.	81%



3 DUPLEX - EAST ELEVATION
SCALE 1/8" = 1'-0"

Total Elev. Area	742 S.F.	100%
Glazing (Windows & Doors)	-109 S.F.	15%
Net Surface Area	633 S.F.	85%
Facade Material	Area	Percent of Net
Brick	54 S.F.	9%
Stone	66 S.F.	10%
Stucco	513 S.F.	81%

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4 DUPLEX - SOUTH ELEVATION
SCALE 1/8" = 1'-0"

Total Elev. Area	485 S.F.	100%
Glazing (Windows & Doors)	-112 S.F.	23%
Net Surface Area	373 S.F.	77%
Facade Material	Area	Percent of Net
Brick	0 S.F.	0%
Stone	40 S.F.	11%
Stucco	333 S.F.	89%

Z16-0004

EXHIBIT "F"
OAK TIMBERS PROSPER SENIOR COMMUNITY

KIDS R KIDS OF PROSPER ADDITION
BLOCK A, LOT 2
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
Oak Timbers- Prosper, LLC
Prosper, Texas
CONTACT: VAUGHAN MITCHELL
(817) 996-9083
E-mail: ovm@oaktimbers.net
DATE: MARCH 2016

PREPARED BY:
MORI'S
ENGINEERING, INC. F-7701
2616 Pickwick Lane Plano, Texas 75093
CONTACT:
MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com
SCALE: 1"=60'

MORI'S
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2616 Pickwick Lane
Plano, Texas 75093
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moriakhavan@yahoo.com
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DEVELOPER
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SEALS / CONSULTANTS: F-7701

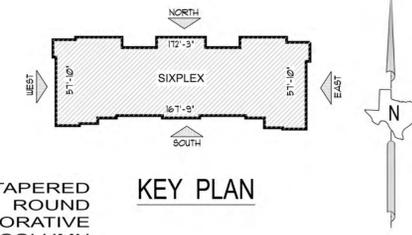
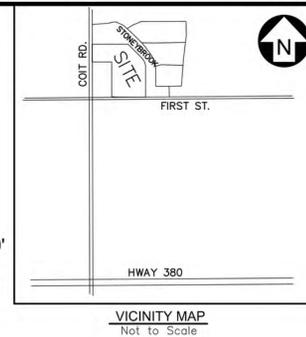
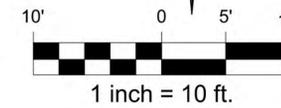
THE SEAL APPEARING ON THIS
DRAWING IS AUTHORIZED BY
MORI AKHAVAN, P.E., NO.
79174 ON MAR. 4, 2016

PROJECT NUMBER:
1522
ISSUE DATE:
March 4, 2016
REVISIONS:

SHEET NAME:
EXHIBIT "F"

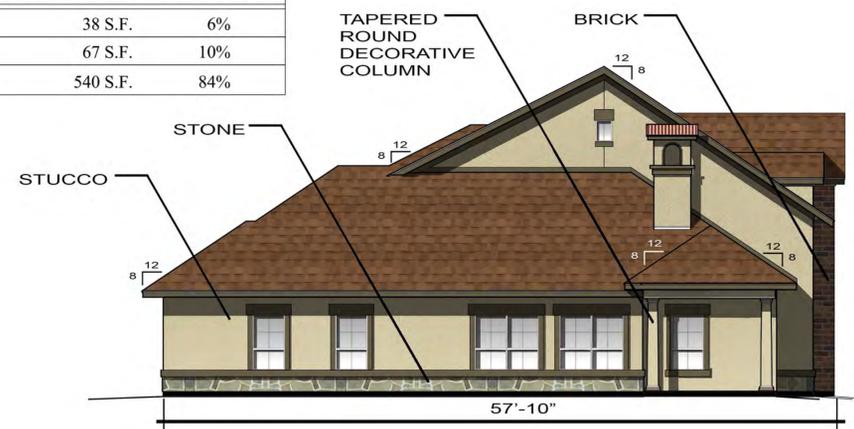
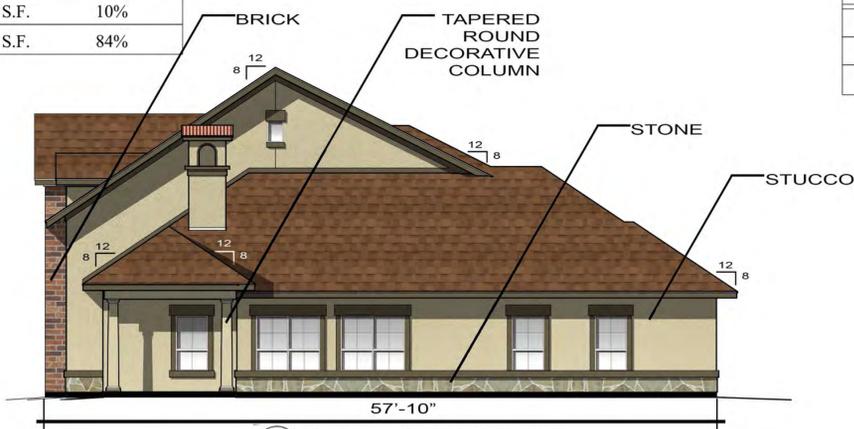
SHEET NUMBER:
F-4

Total Elev. Area	2678 S.F.	100%
Glazing (Windows & Doors)	-596 S.F.	22%
Net Surface Area	2082 S.F.	78%
Facade Material	Area	Percent of Net
Brick	638 S.F.	30%
Stone	643 S.F.	32%
Stucco	801 S.F.	38%



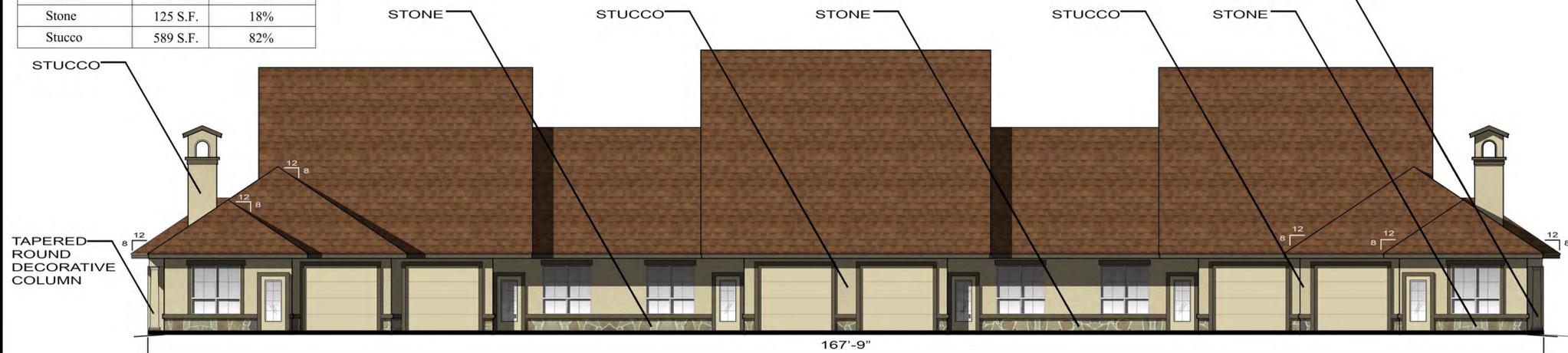
Total Elev. Area	757 S.F.	100%
Glazing (Windows & Doors)	-112 S.F.	15%
Net Surface Area	645 S.F.	85%
Facade Material	Area	Percent of Net
Brick	38 S.F.	6%
Stone	67 S.F.	10%
Stucco	540 S.F.	84%

Total Elev. Area	757 S.F.	100%
Glazing (Windows & Doors)	-112 S.F.	15%
Net Surface Area	645 S.F.	85%
Facade Material	Area	Percent of Net
Brick	38 S.F.	6%
Stone	67 S.F.	10%
Stucco	540 S.F.	84%



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Total Elev. Area	1,482 S.F.	100%
Glazing (Windows & Doors)	-768 S.F.	52%
Net Surface Area	714 S.F.	48%
Facade Material	Area	Percent of Net
Brick	0 S.F.	0%
Stone	125 S.F.	18%
Stucco	589 S.F.	82%



4 6-FLEX - SOUTH ELEVATION
SCALE 1/8" = 1'-0"

Z16-0004

EXHIBIT "F"
OAK TIMBERS PROSPER SENIOR COMMUNITY

KIDS R KIDS OF PROSPER ADDITION
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TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
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CONTACT: VAUGHAN MITCHELL
(817) 996-9083
E-mail: ovm@oaktimbers.net

PREPARED BY:
MORI'S
ENGINEERING, INC. F-7701
2616 Pickwick Lane Plano, Texas 75093
CONTACT:
MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

DATE: MARCH 2016 SCALE: 1"=60'

MORI'S
ENGINEERING, INC.
ENGINEERING AND LAND SURVEYING
F-7701
2616 Pickwick Lane
Plano, Texas 75093
TEL: 972-816-2626
moriakhavan@yahoo.com
CONTACT: MORI AKHAVAN, P.E.

CONSULTANTS:
Arrive
Architecture
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SENIOR COMMUNITY
PROSPER, TEXAS

DEVELOPER
Oak Timbers- Prosper, LLC
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VAUGHAN MITCHELL
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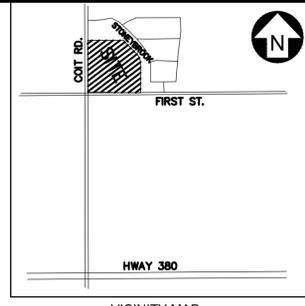
SEALS / CONSULTANTS: F-7701

THE SEAL APPEARING ON THIS
DRAWING IS AUTHORIZED BY
MORI AKHAVAN, P.E., NO.
79174 ON MAR. 4, 2016

PROJECT NUMBER:
1522
ISSUE DATE:
March 4, 2016
REVISIONS:

SHEET NAME:
EXHIBIT "F"

SHEET NUMBER:
F-5



LEGEND	
	STREET FRONTAGE TREE 4" CAL. MIN.
	INTERIOR PARKING TREE 3" CAL. MIN.
	OPEN SPACE TREE 3" CAL. MIN.
	BUFFER TREE (LIVE OAK) 3" CAL. SHADE TREE
	DETENTION POND TREE 3" CAL. SHADE TREE
	EVERGREEN SHRUB (NELLIE R. STEVENS HOLLY) 45 GALLON, 8' HT. MIN

LANDSCAPE REQUIREMENTS	
PERIMETER REQUIREMENTS:	
STREET FRONTS:	
REQUIRED: A 25' WIDE LANDSCAPE AREA WITH (1) 3" CAL. TREE PLANTED ON 30' CENTERS.	
-FIRST STREET: 698.67 L.F. / 30 = 23.3 TREES	
-COIT ROAD: 660 L.F. / 30 = 22 TREES	
PROVIDED: A 25' WIDE LANDSCAPED AREA WITH -FIRST STREET: (23) 3" CAL. TREES	
-COIT ROAD: (23) 3" CAL. TREES	
SINGLE FAMILY BUFFERS:	
REQUIRED: A 15' WIDE LANDSCAPE AREA WITH (1) 3" CAL. TREE PLANTED ON 30' CENTERS, AND A CONTINUOUS ROW OF 6' HT. EVERGREEN SHRUBS	
-EAST PL: 861 L.F. / 30 = 28.7 TREES	
PROVIDED: A 15' WIDE LANDSCAPED AREA WITH -EAST PL: (29) 3" CAL. TREES AND A CONTINUOUS ROW OF 6' HT. EVERGREEN SHRUBS	
INTERIOR PARKING REQUIREMENTS:	
REQUIRED: (1) 3" CAL. TREE PER EVERY 10 PARKING SPACES	
71 PARKING SPACES / 10 = 7.1 TREES	
PROVIDED: (7) TREES	
REQUIRED: AT LEAST (1) 3" CAL. TREE WITHIN 50' OF EVERY PARKING SPACE	
PROVIDED: (1) 3" CAL. TREE WITHIN 50' OF EVERY PARKING SPACE	
RESIDENTIAL OPEN SPACE:	
REQUIRED: 30% OF THE AREA BEING DEVELOPED	
551,637 S.F. X 30% = 165,491 S.F.	
PROVIDED: 100,158 S.F. (18%)	
REQUIRED: (1) 3" CAL. TREE FOR EVERY 1,000 S.F. OF REQUIRED OPEN SPACE	
100,158 S.F. / 1,000 = 100 TREES	
PROVIDED: (126) 3" CAL. TREES	

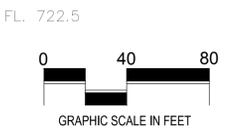
2016-0004
EXHIBIT "G"

OAK TIMBERS PROSPER SENIOR COMMUNITY

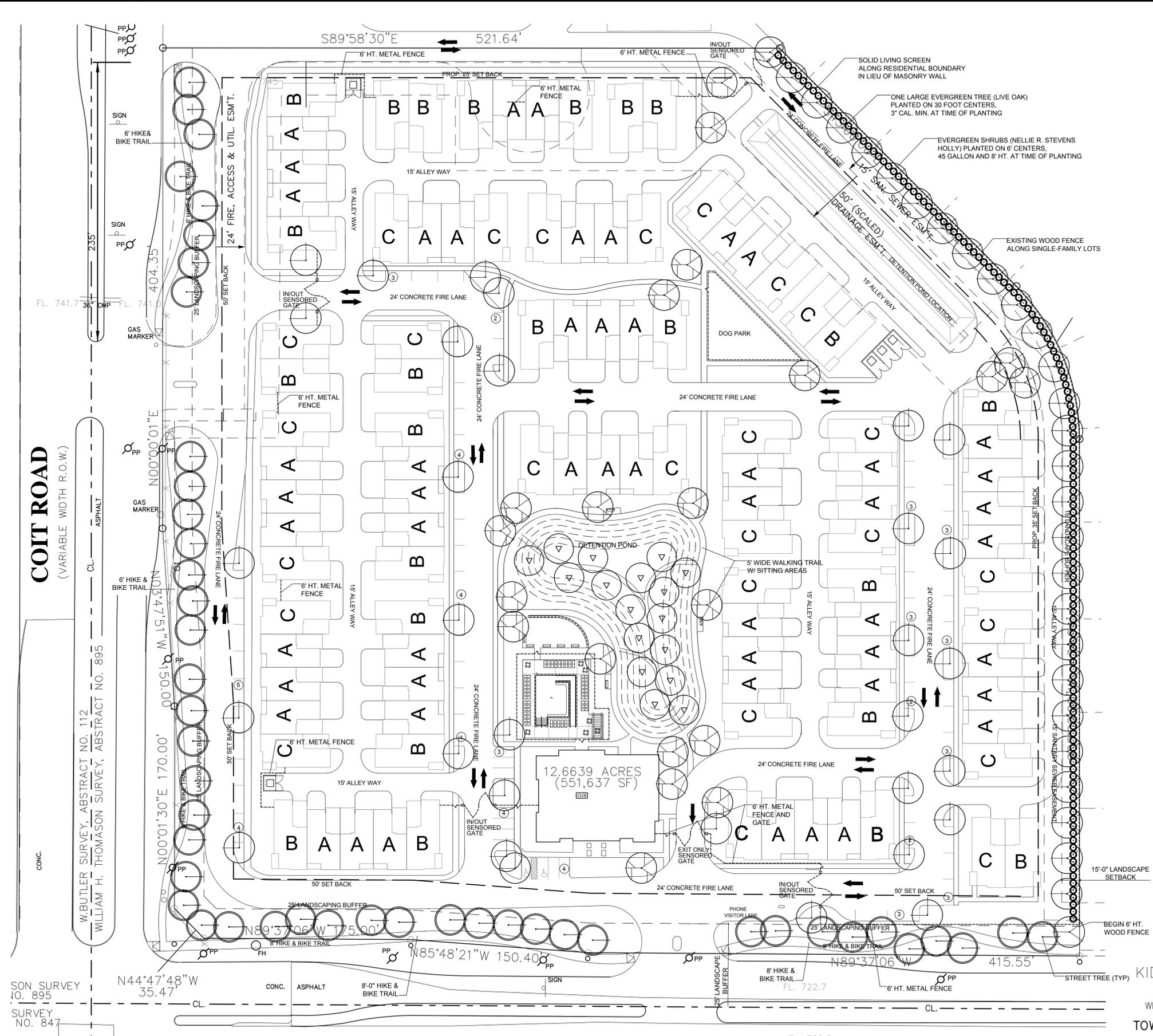
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CONTACT: MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com



LANDSCAPE SITE PLAN
SCALE: 1"=40'-0"



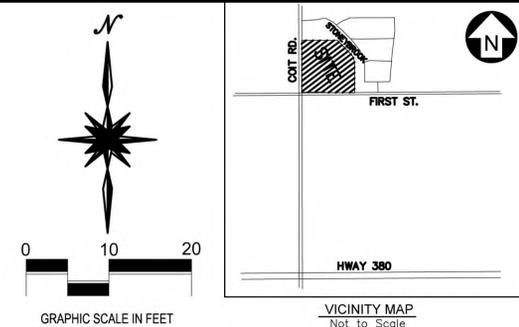
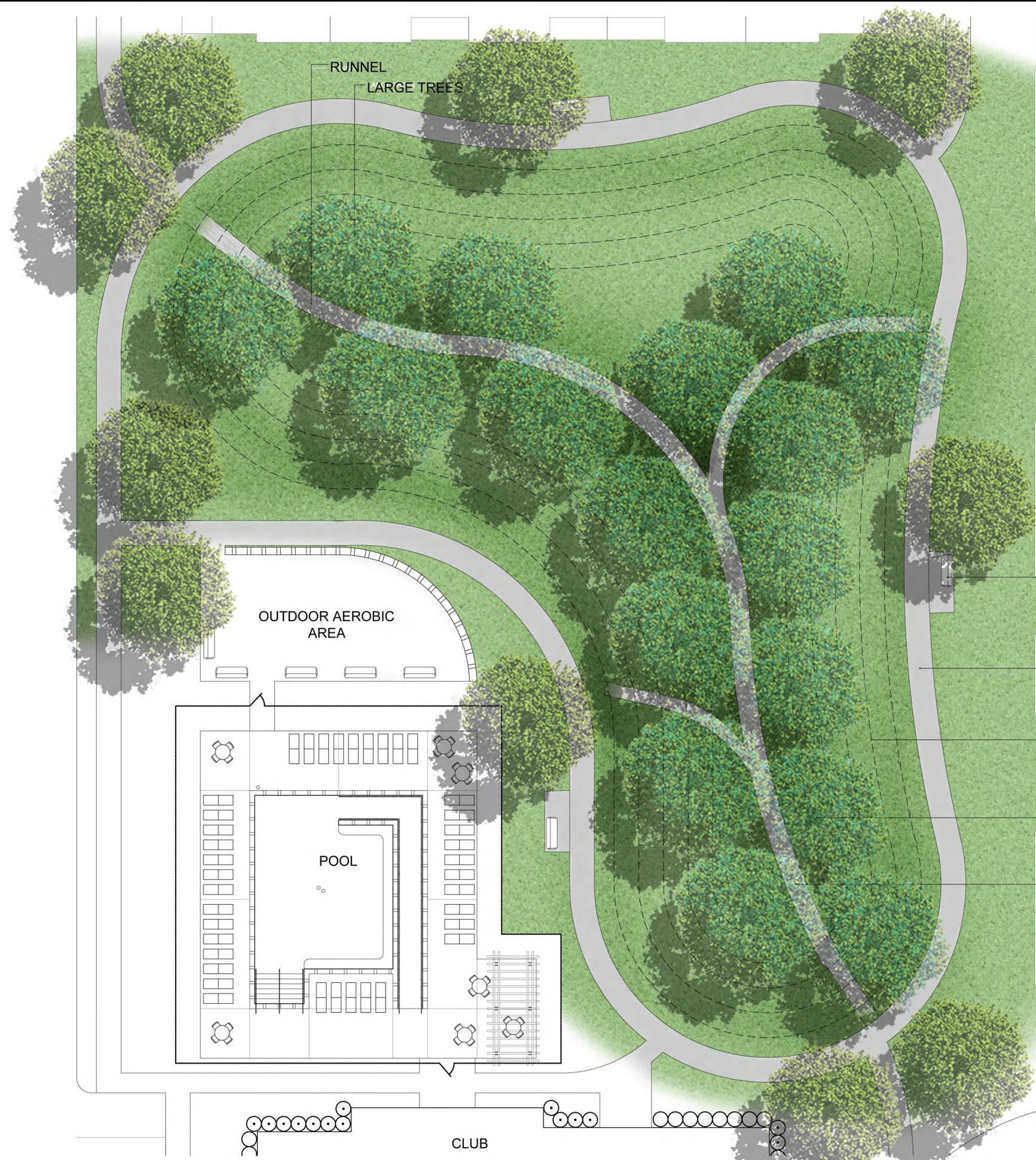
COIT ROAD
(VARIABLE WIDTH R.O.W.)

W. BUTLER SURVEY, ABSTRACT NO. 112
WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895

SON SURVEY
NO. 895
SURVEY
NO. 847

LANDSCAPE ARCHITECT
MECKS DESIGN GROUP
1755 N. COLLINS BLVD.,
SUITE 300
RICHARDSON, TEXAS 75080
(972) 690-7474
BRANDON BOOHER

SCALE: 1"=40'



① AMENITIZED DETENTION POND SCALE: 1"= 10' - 0"

6' BENCH

5' WALKING PATH

5:1 SLOPE

LARGE TREES

RUNNEL

RUNNEL
LARGE TREES

OUTDOOR AEROBIC
AREA

POOL

CLUB

Z016-0004
EXHIBIT "G"

**OAK TIMBERS PROSPER
SENIOR COMMUNITY**

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WILLIAM H. THOMASON SURVEY, ABSTRACT NO. 895
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER:
Oak Timbers- Prosper, LLC
Prosper, Texas
CONTACT: VAUGHAN MITCHELL
(817) 996-9083
E-mail: avm@oaktimbers.net

PREPARED BY:
**MORI'S
ENGINEERING, INC.** F-7701
2616 Pickwick Lane Plano, Texas 75093
CONTACT:
MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

DATE: MARCH 2016 SCALE: 1"=40'

**MORI'S
ENGINEERING, INC.**
ENGINEERING AND LAND SURVEYING
F-7701
2616 Pickwick Lane
Plano, Texas 75093
TEL: 972-816-2626
moriakhavan@yahoo.com
CONTACT: MORI AKHAVAN, P.E.

CONSULTANTS:
mgg
landscape
architects
Meeks Design Group, Inc.
1755 N. Collins Blvd., #300
Richardson, TX 75080
P: (972) 690-7474
F: (972) 690-7878

**OAK TIMBERS PROSPER
SENIOR COMMUNITY**
PROSPER, TEXAS

DEVELOPER
Oak Timbers- Prosper, LLC
Prosper, Texas
VAUGHAN MITCHELL
(817) 996-9083

SEALS / CONSULTANTS:

PROJECT NUMBER:
1622
ISSUE DATE:
March 4, 2016
REVISIONS:
March 23, 2016
April 08, 2016

SHEET NAME:
EXHIBIT "G"

SHEET NUMBER:
G-2

March 28, 2016

Mr. Alex Glushko, AICP
Senior Planner
Town of Prosper
409 E. First Street
Prosper, Texas 75078

RE:
Oak Timbers-Prosper
Northeast corner of Coit Rd. and First Street
Parking Analysis

Dear Mr. Glushko:

We are providing an analysis of the vehicle parking for the proposed site per your request. This analysis is based on the data from three other similar sites that are operated by Oak Timbers LLC. The following data are from site current condition and interviewing the current operational managers at the sites:

Oak Timbers-Grand Prairie:

- Total Units	80
- Total Parking Provided	160
- Units with no vehicle	18
- Units with married couples	2
- Units with 2 vehicles	2
- Average spaces available at peak use and events	35
- Company Van for residents transportation	Yes

Oak Timbers-White Settlement I:

- Total Units	104
- Total Parking Provided	170
- Units with no vehicle	10
- Units with married couples	7
- Units with 2 vehicles	3
- Average spaces available at peak use and events	30
- Company Van for residents transportation	Yes

Oak Timbers-White Settlement II:

- Total Units	100
- Total Parking Provided	213
- Units with no vehicle	15
- Units with married couples	6
- Units with 2 vehicles	2
- Average spaces available at peak use and events	50
- Company Van for residents transportation	Yes

It should be pointed out that about 95% of the residents are single people and about 15% do not have vehicles and do not drive any more.

The above statistics show that there are significant number of empty parking spaces, even at the peak use and during events.

We are providing 103 parking garages and 60 site parking spaces for the 103 units at the proposed Oak Timbers-Prosper site, and strongly believe that the total 163 parking are more than adequate for the site.

We hope that this information has provided a justification for the number of parking provided for the subject site and satisfies the Town.

Please contact with any question and concerns.

Sincerely,

Mori Akhavan, P.E., SIT



RECEIVED

MAR 31 2016

TOWN OF PROSPER
DEVELOPMENT SERVICES

DEVELOPMENT SERVICES

DEPARTMENT

P.O. Box 307

Prosper, TX 75078

Phone: 972-346-3502

Fax: 972-347-2842

REPLY FORM

SUBJECT:

Zoning Case Z16-0004: The Town of Prosper has received a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), to allow for an age-restricted, private gated, senior living development.

LOCATION OF SUBJECT PROPERTY:

The property is located on the northeast corner of First Street and Coit Road.

DESCRIPTION OF THE REQUEST:

The purpose of the application is to allow the development of an age-restricted, private gated, senior living development. There is a companion Comprehensive Plan Amendment request (CA16-0002) to amend a section of Future Land Use Plan from Retail & Neighborhood Services to High Density Residential.

- I OPPOSE the request as described in the notice of public hearing. Please provide a reason for opposition.
 I DO NOT OPPOSE the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY): _____

Malak Agha
Name (please print)

130 N. Coit Rd.
Address

Prosper, TX
City, State, and Zip Code

214-532-1072
Phone Number (Optional)

Malak Agha
Signature

3-27-16
Date

malakagha@ymail.com
E-mail Address



**DEVELOPMENT SERVICES
DEPARTMENT**
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502
Fax: 972-347-2842

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- I **OPPOSE** the request as described in the notice of public hearing. Please provide a reason for opposition.
 I **DO NOT OPPOSE** the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):

I SUPPORT THE SENIOR LIVING DEVELOPMENT.

JAMES GOWER
Name (please print)

2560 CEDAR BROOK LN
Address

PROSPER, TX 75078
City, State, and Zip Code

Phone Number (Optional)

James Gower
Signature

3-31-16
Date

mgmoney@att.net
E-mail Address



**DEVELOPMENT SERVICES
DEPARTMENT**
P.O. Box 307
Prosper, TX 75078
Phone: 972-346-3502

REPLY FORM

SUBJECT:

Comprehensive Plan Amendment CA16-0002: The Town of Prosper has received a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential.

LOCATION OF SUBJECT PROPERTY:

The property is located on the northeast corner of First Street and Coit Road.

DESCRIPTION OF THE REQUEST:

The Future Land Use Plan is used as a guide to assist with the zoning and development of the Town. The purpose of the request is to amend a section of Future Land Use Plan from Retail & Neighborhood Services to High Density Residential. There is a companion zoning change request (Z16-0004) to rezone 12.7± acres from Retail (R) to Planned Development-Multifamily, to allow for an age-restricted, private gated, senior living development.

I **OPPOSE** the request as described in the notice of public hearing. Please provide a reason for opposition.
 I **DO NOT OPPOSE** the request as described in the notice of public hearing.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY): _____

SHELLY GOWER
Name (please print)
2560 CEDARBROOK
Address
PROSPER, TX 75078
City, State, and Zip Code

Phone Number (Optional)

Shelly Gower
Signature
4-1-16
Date
shelly.gower@tenethealth.com
E-mail Address



Prosper is a place where everyone matters.

RESULTS

AGENDA

Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, April 12, 2016
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of recent and upcoming events.
4. Presentations
 - Presentation of a Proclamation declaring April 18-22 as *Juvenile Diabetes Walk For A Cure Week*. **(RB)**
 - Presentation of a Proclamation to members of the Town of Prosper Police Department declaring April 10-16 as *Public Safety Telecommunicators Week*. **(RB)**

5. **CONSENT AGENDA: All items approved, 6-0, except for Item 5d**

(Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.)

- 5a. Consider and act upon minutes from the following Town Council meetings. **(RB)**
- Regular Meeting – March 22, 2016

- 5b. Receive the February 2016 Financial Report. **(BP)**

- 5c. Consider and act upon an ordinance for a Special Purpose Sign District for the Gates of Prosper, on 93.0± acres, located on the northeast corner of US 380 and Preston Road. (MD16-0001). **(JW)**

- 5d. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan. **(AG) Site Plan for Advantage Storage tabled to April 26, 2016 to allow applicant opportunity to revise façade plans for Phase 2 building**

6. **CITIZEN COMMENTS:**

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete

a “Public Meeting Appearance Card” and present it to the Town Secretary prior to the meeting.

REGULAR AGENDA:

If you wish to address the Council during the regular agenda portion of the meeting, please fill out a “Public Meeting Appearance Card” and present it to the Town Secretary prior to the meeting. Citizens wishing to address the Council for items listed as public hearings will be recognized by the Mayor. 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 Mayor and Town Council.

PUBLIC HEARINGS:

7. Presentation of service plan and second Public Hearing to consider the voluntary annexation of 52.2± acres generally located on the west side of Coit Road, 2,700± feet north of First Street. (A16-0001). **(JW) No action required**
8. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Child Day Care Center and Private Athletic Stadium or Field (with no lights) for St. Martin de Porres Catholic Church, on 51.7± acres, located on the north side of US 380, 1,400± feet west of Teel Parkway. This property is zoned Planned Development-40 (PD-40). (S16-0004). **(JW) Approved, 6-0**

DEPARTMENT ITEMS:

9. Consider and act upon an ordinance for a Specific Use Permit (SUP) for a Child Day Care Center (Primrose), on 2.9± acres, located on the east side of Gee Road, 2,000± feet north of US 380. This property is zoned Planned Development-40 (PD-40). (S16-0002). **(JW) Approved, 6-0**
10. Consider and act upon amending Ordinance No. 15-58 (FY 2015-2016 Budget) with a net budget impact of \$380,890. **(BP) Approved, 6-0**
11. Consider and act upon awarding Bid No. 2016-36-B to McMahon Contracting, L.P., related to construction services for the Harper Road Repair project; and authorizing the Town Manager to execute a construction agreement for same. **(FJ) Approved, 6-0**

12. **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

- 12a. *Section 551.087 – To discuss and consider economic development incentives.*
- 12b. *Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*
- 12c. *Section 551.071 – Consultation with the Town Attorney regarding legal issues associated with annexation agreements in Town ETJ areas, development issues*

RESULTS

associated with areas subject to annexation agreements, and all matters incident and related thereto.

13. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
14. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
 - Preston Lakes Playground Design (HW)
15. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 121 W. Broadway Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted on April 8, 2016, by 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 Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council 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.