

**AGENDA**  
**Regular Meeting of the**  
**Prosper Planning & Zoning Commission**  
108 W. Broadway St., Prosper, Texas  
Town of Prosper Municipal Chambers  
Tuesday, July 19, 2016, 6:00 p.m.

1. Call to Order / Roll Call.

2. Pledge of Allegiance.

3. **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 July 5, 2016, Regular Planning & Zoning Commission meetings.

3b. Consider and act upon a Site Plan for an office building, on 0.6± acre, located on the northeast corner of Coleman Street and First Street. This property is zoned Downtown Office (DTO). (D16-0024).

3c. Consider and act upon an Amending Plat of Bryant's Addition, Block 15, Lot 1R, on 0.6± acre, located on the northeast corner of Coleman Street and First Street. This property is zoned Downtown Office (DTO). (D16-0025).

3d. Consider and act upon a Preliminary Plat for Parkside, for 161 single family residential lots and 9 HOA/open space lots, on 80.6± acres, located on the west side of Coit Road, 2,300± feet north of First Street. This property is zoned Planned Development-77 (PD-77). (D16-0058).

3e. Consider and act upon an extension of a preliminary plat for Twin Creek Estates, being 28 single family residential lots on 39.6± acres, located on the south side of Frontier Parkway, 4,300± feet west of Custer Road. The property is zoned Planned Development-59 (PD-59). (D14-0050).

**REGULAR AGENDA**

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

4. Discussion - Prosper Real Estate Market.

5. Discussion - Accessory Structures and Guest Houses

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

7. 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 July 15, 2016, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Robyn Battle, Town Secretary

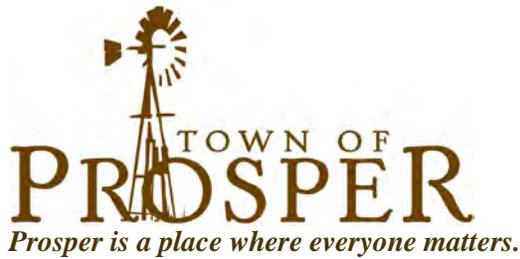
\_\_\_\_\_  
Date Notice Removed

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.



**MINUTES**  
**Regular Meeting of the**  
**Prosper Planning & Zoning Commission**  
108 W. Broadway St., Prosper, Texas  
Town of Prosper Municipal Chambers  
Tuesday, July 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, Chad Robertson, Brandon Daniel, Craig Andres, and Bobby Atteberry

Staff present: John Webb, Director of Development Services; Alex Glushko, Senior Planner; and Jonathan Hubbard, Planner.

**2. Recitation of the Pledge of Allegiance.**

**3. CONSENT AGENDA**

**3a. Consider and act upon minutes from the June 21, 2016, Special Work Session and Regular Planning & Zoning Commission meetings.**

**3b. Consider and act upon a Revised Preliminary Site Plan for a retail development (Windsong Ranch Marketplace), on 20.9± acres, located on the northwest corner of US 380 and Windsong Parkway. This property is zoned Planned Development-40 (PD-40). (D16-0021).**

**3c. Consider and act upon a Conveyance Plat for Windsong Ranch Marketplace, Block A, Lots 9-15, on 20.9± acres, located on the northwest corner of US 380 and Windsong Parkway. This property is zoned Planned Development-40 (PD-40). (D16-0022).**

**3d. Consider and act upon a Site Plan for a retail/restaurant shell building in Prosper Plaza, on 1.3± acres, located on the west side of Custer Road, 320± feet north of US 380. This property is zoned Planned Development-73 (PD-73). (D16-0045).**

**3e. Consider and act upon a Site Plan for a temporary municipal structure, on 0.3± acre, located on the east side of Main Street, 200± feet south of Broadway Street. The property is zoned Downtown Retail (DTR). (D16-0057).**

Motioned by Snyder, seconded by Robertson, to approve the Consent Agenda, subject to staff recommendations. Motion approved 7-0.

**REGULAR AGENDA**

**4. Consider and act upon a request for a Façade Exception for the Gates of Prosper, Phase 1, Block A, Lot 4, located on the northwest corner of future Lovers Lane and US 380, and Block B, Lot 3, located on the northwest corner of future Richland Boulevard and future Lovers Lane. (MD16-0008).**

*Hubbard:* Summarized the request for the proposed Façade Exception, specifically for the request to increase the permitted percentage of secondary materials. Noted the current Planned Development-67 regulations require the inclusion of awnings and canopies in the secondary material calculations.

*Commission:* Inquired about elements comprising secondary materials; the secondary material calculation percentage without awnings and canopies included; the orientation of buildings; known tenants; and the percentage of buildings with known tenants. Indicated concern for allowing increased secondary materials for unknown tenants.

*David Culbertson (Architect):* Stated the proposed request allows the architectural flexibility for tenants to establish their national branding. Indicated the inclusion of awnings and canopies is prohibitive to keeping secondary materials within 10% of an elevation, and noted the west facing elevations necessitate the inclusion of awnings and canopies.

*Commission:* Commissioners generally expressed support for the proposed Façade Exception primarily due to scale of the buildings; the limitation caused by canopies and awnings counting toward the secondary material percentage; the need for awnings and canopies for the west facing elevations; the need to allow tenants the ability to establish their national branding; and secondarily, to allow for architectural flexibility.

Motioned by Snyder, seconded by Daniel, to approve the Façade Exception. Motion approved 7-0.

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

*Webb:* Discussed action taken by Town Council at the June 28, 2016, meeting.

**6. Adjourn.**

Motioned by Andres, seconded by Daniel, to adjourn. Motioned approved 7-0. Meeting was adjourned at 6:32 p.m.

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**Alex Glushko, Senior Planner**

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**David Snyder, Secretary**



## PLANNING

**To: Planning & Zoning Commission**

**From: Jonathan Hubbard, Planner**

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

**Re: Planning & Zoning Commission Meeting – July 19, 2016**

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**Agenda Item:**

Consider and act upon a Site Plan for an office building, on 0.6± acre, located on the northeast corner of Coleman Street and First Street. This property is zoned Downtown Office (DTO). (D16-0024).

**Description of Agenda Item:**

The Site Plan shows a proposed 7,378 square foot, one story, office building. Access is provided from First Street and Second Street. Adequate parking has been provided. The Site Plan conforms to the DTO development standards.

As a companion item, the Amending Plat for Bryant's Addition, Block 15, Lot 1R (D16-0025) is on the July 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.

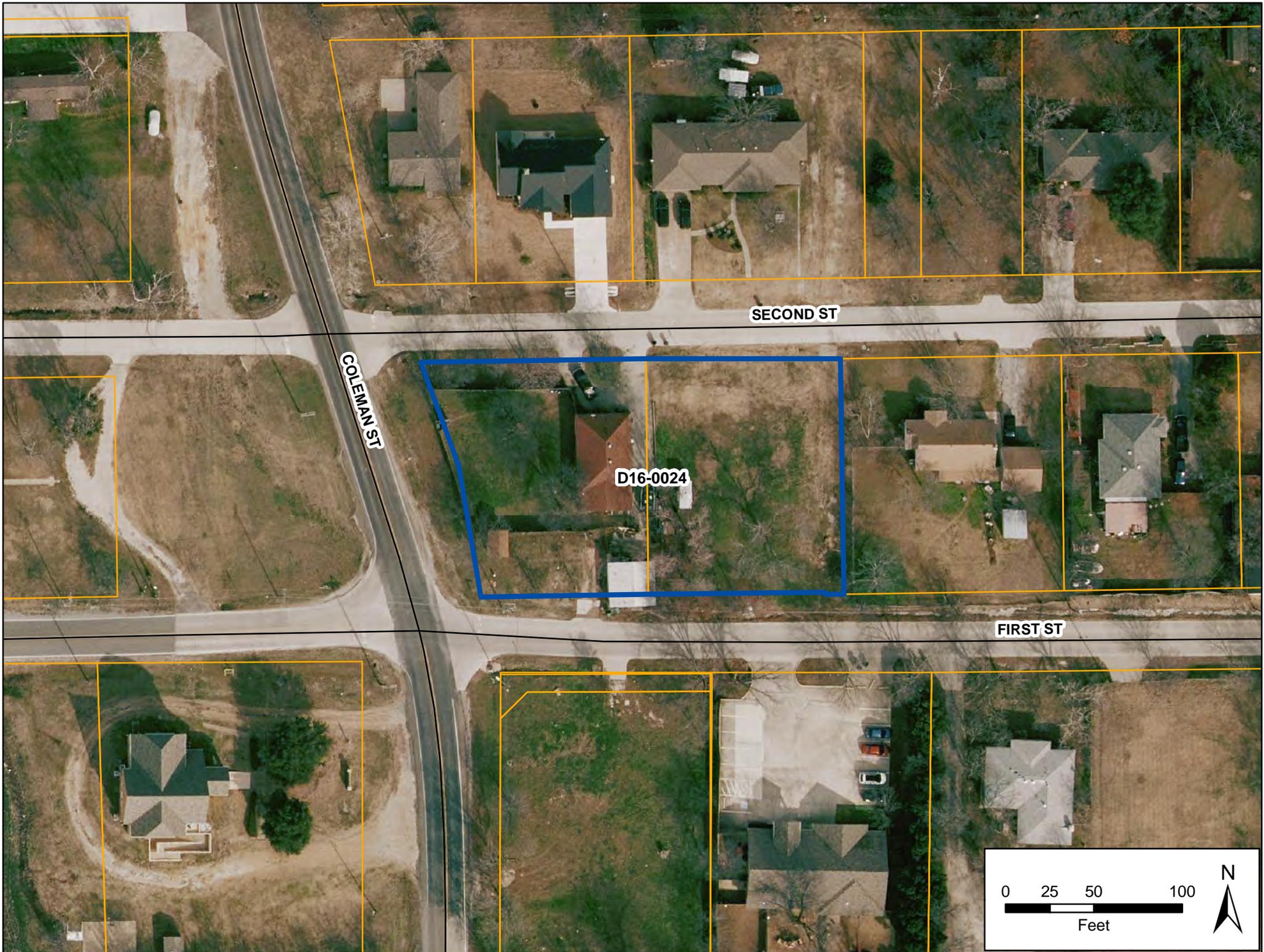
**Attached Documents:**

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, façade and address plans.
2. Town staff approval of all fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.

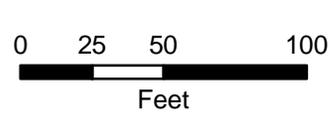


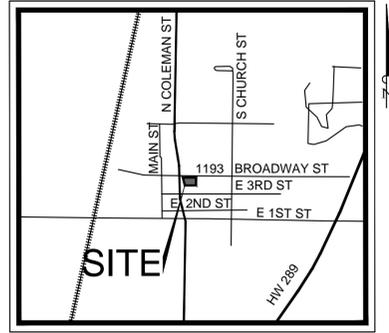
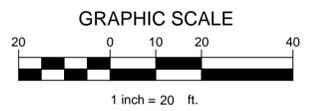
SECOND ST

COLEMAN ST

D16-0024

FIRST ST





VICINITY MAP  
N.T.S.

TOWN OF PROSPER SITE PLAN GENERAL NOTES:

- DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE.
- LANDSCAPING SHALL CONFORM TO LANDSCAPING PLANS APPROVED BY THE TOWN.
- ALL ELEVATIONS SHALL COMPLY WITH THE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE.
- BUILDINGS OF 5,000 SQUARE FEET OR GREATER SHALL BE 100% FIRE SPRINKLED. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE DEPARTMENT.
- FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER TOWN STANDARDS OR AS DIRECTED BY THE FIRE DEPARTMENT.
- TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
- SPEED BUMPS/HUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
- 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.
- ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
- ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO BUILDING OFFICIAL APPROVAL.
- ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM TO THE APPROVED FAÇADE PLAN.
- SIDEWALKS OF NOT LESS THAN SIX (6) FEET IN WIDTH ALONG THROUGHFARES AND COLLECTORS AND FIVE (5) FEET IN WIDTH ALONG RESIDENTIAL STREETS, AND BARRIER FREE RAMPS AT ALL CURB CROSSINGS SHALL BE PROVIDED PER TOWN STANDARDS.
- APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE ENGINEERING DEPARTMENT.
- SITE PLAN APPROVAL IS REQUIRED PRIOR TO GRADING RELEASE.
- ALL NEW ELECTRICAL LINES SHALL BE INSTALLED AND/OR RELOCATED UNDERGROUND.
- ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH THE ZONING ORDINANCE.
- 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 OF AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

FLOOD PLAIN NOTE

ACCORDING TO MAP NO. 48085C02351, 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 WITHIN ZONE "X", (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN). IF THIS SITE IS NOT 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.

\*NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE\*

CASE#: DI6-0024

SITE PLAN

LEGAL DESCRIPTION  
 BRYANT'S FIRST ADDITION  
 VOL. 116, PG 162  
 LOT 1R, BLOCK 15  
 0.64 ACRES

OWNER:  
 BROWN AND GRIFFIN REAL ESTATE ADVISORS LP  
 PO BOX 129  
 PROSPER, TX 75078  
 PH:972-347-9900

APPLICANT:  
 CLAYMOORE ENGINEERING, INC.  
 1903 CENTRAL DRIVE, SUITE #406  
 BEDFORD, TX 76021  
 PH: 817.281.0572

SURVEYOR:  
 EAGLE SURVEYING, LLC.  
 210 SOUTH ELM STREET, SUITE 104  
 DENTON, TX 76201  
 ERNEST WOODRSTER  
 PH.940.222.3009

CITY: PROSPER STATE: TEXAS  
 COUNTY: COLLIN SURVEY: EAGLE SURVEYING, LLC

**PRELIMINARY**  
 FOR REVIEW ONLY  
 Not for construction purposes.  
 CLAYMOORE ENGINEERING  
 ENGINEERING AND PLANNING CONSULTANTS  
 Engineer: **MATT MOORE**  
 P.E. No. 95813 Date: 07/12/2016

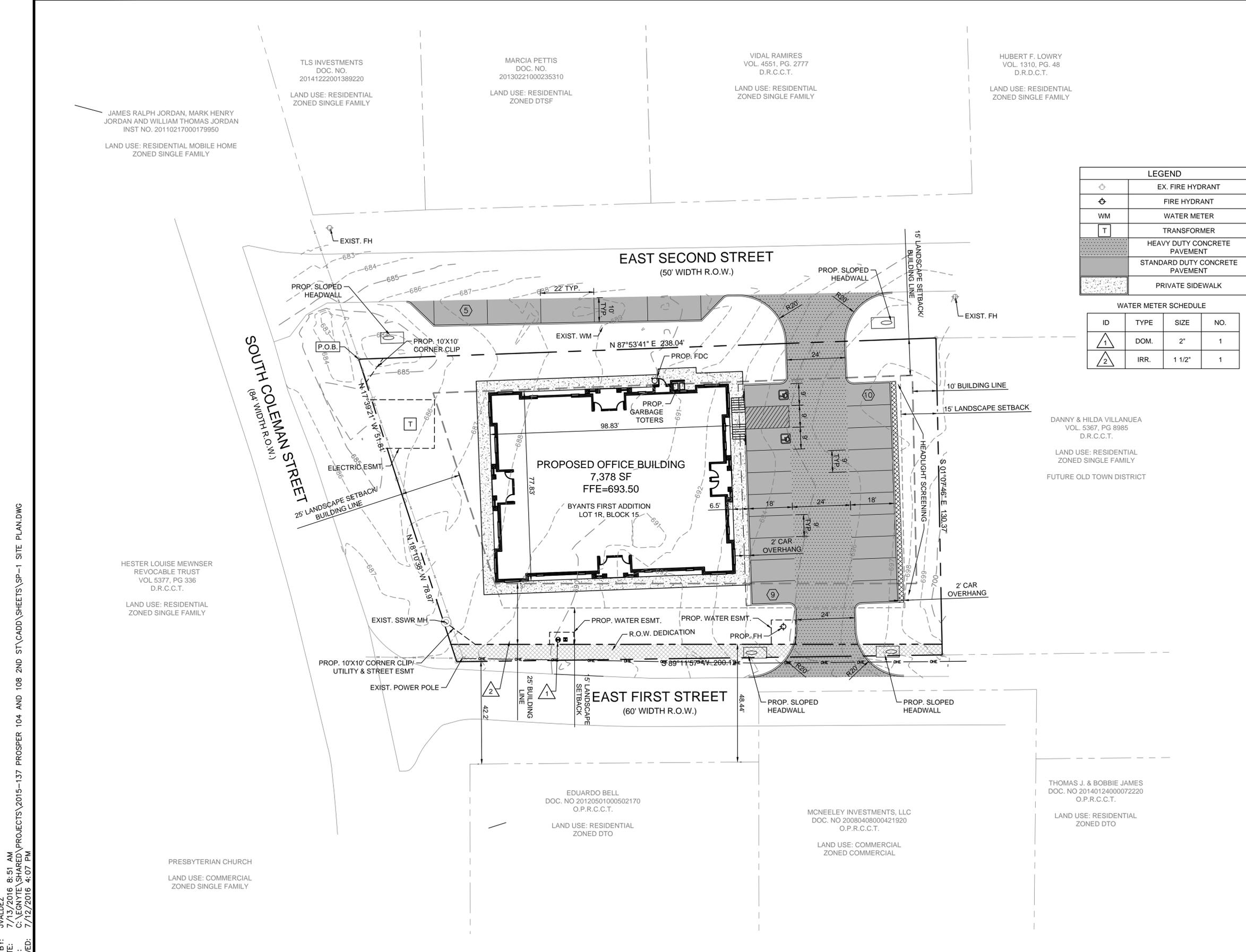
**PROPOSED BUILDING**  
**104/108 E 2ND ST**  
**PROSPER, TEXAS**

NO.	DATE	REVISION	BY

SITE PLAN

DESIGN: JEV  
 DRAWN: JEV  
 CHECKED: MAM  
 DATE: 7/12/2016

SHEET  
**SP-1**



LEGEND

	EX. FIRE HYDRANT
	FIRE HYDRANT
	WATER METER
	TRANSFORMER
	HEAVY DUTY CONCRETE PAVEMENT
	STANDARD DUTY CONCRETE PAVEMENT
	PRIVATE SIDEWALK

WATER METER SCHEDULE

ID	TYPE	SIZE	NO.
1	DOM.	2"	1
2	IRR.	1 1/2"	1

DANNY & HILDA VILLANUEVA  
 VOL. 5367, PG 8985  
 D.R.C.C.T.  
 LAND USE: RESIDENTIAL  
 ZONED SINGLE FAMILY  
 FUTURE OLD TOWN DISTRICT

SITE DATA SUMMARY

LOT	ZONING	PROPOSED USE	LOT SIZE (ACRES)	LOT SIZE (SQ. FT.)	BLDG. AREA (SQ. FT.)	BLDG HGT. (FT)	LOT COVERAGE		FLR AREA RATIO		PARKING				TOTAL IMPERVIOUS (SQ FT)	LANDSCAPING		OPEN SPACE			
							REQ.	PROV.	REQ.	PROV.	REQ. RATIO	REQ.	PROV.	REQ.		PROV.	REQ. (15 SF PER PARKING SPACE)	PROV.	REQ. (7% SITE AREA), SQ FT	PROV.	
1R	DTO	PROFESSIONAL OFFICE	0.62	26,811	7,378	34'-8"	55% MAX	27.5%	0.5:1 MAX	0.28	OFFICE (1 PER 350 SQ FT)	22	24	1	2	15,654	58%	360	11,157	1876.77	1,943

PLOTTED BY: JVALDEZ  
 7/13/2016 8:51 AM  
 PLOT DATE: C:\EGNITE\SHARED\PROJECTS\2015-137 PROSPER 104 AND 108 2ND ST\CADD\SHEETS\SP-1 SITE PLAN.DWG  
 LOCATION: 7/12/2016 4:07 PM  
 LAST SAVED:

JVALDEZ  
 7/13/2016 8:51 AM  
 C:\EGNITE\SHARED\PROJECTS\2015-137 PROSPER 104 AND 108 2ND ST\CADD\SHEETS\SP-1 SITE PLAN.DWG  
 7/12/2016 4:07 PM



## PLANNING

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

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**Agenda Item:**

Consider and act upon an Amending Plat of Bryant's Addition, Block 15, Lot 1R, on 0.6± acre, located on the northeast corner of Coleman Street and First Street. This property is zoned Downtown Office (DTO). (D16-0025).

**Description of Agenda Item:**

The purpose of the Amending Plat is to combine a portion of Lots 2 and 3 and Lots 4-6 and Outlot 1, Block 15, Bryant's Addition into a single Lot 1R, to facilitate the development of an office building. The Amending Plat conforms to the DTO development standards.

As a companion item, the Site Plan for the northeast corner of Coleman Street and First Street (D16-0024) is on the July 19, 2016, agenda.

**Budget Impact:**

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

**Legal Obligations and Review:**

The Amending Plat meets minimum development requirements.

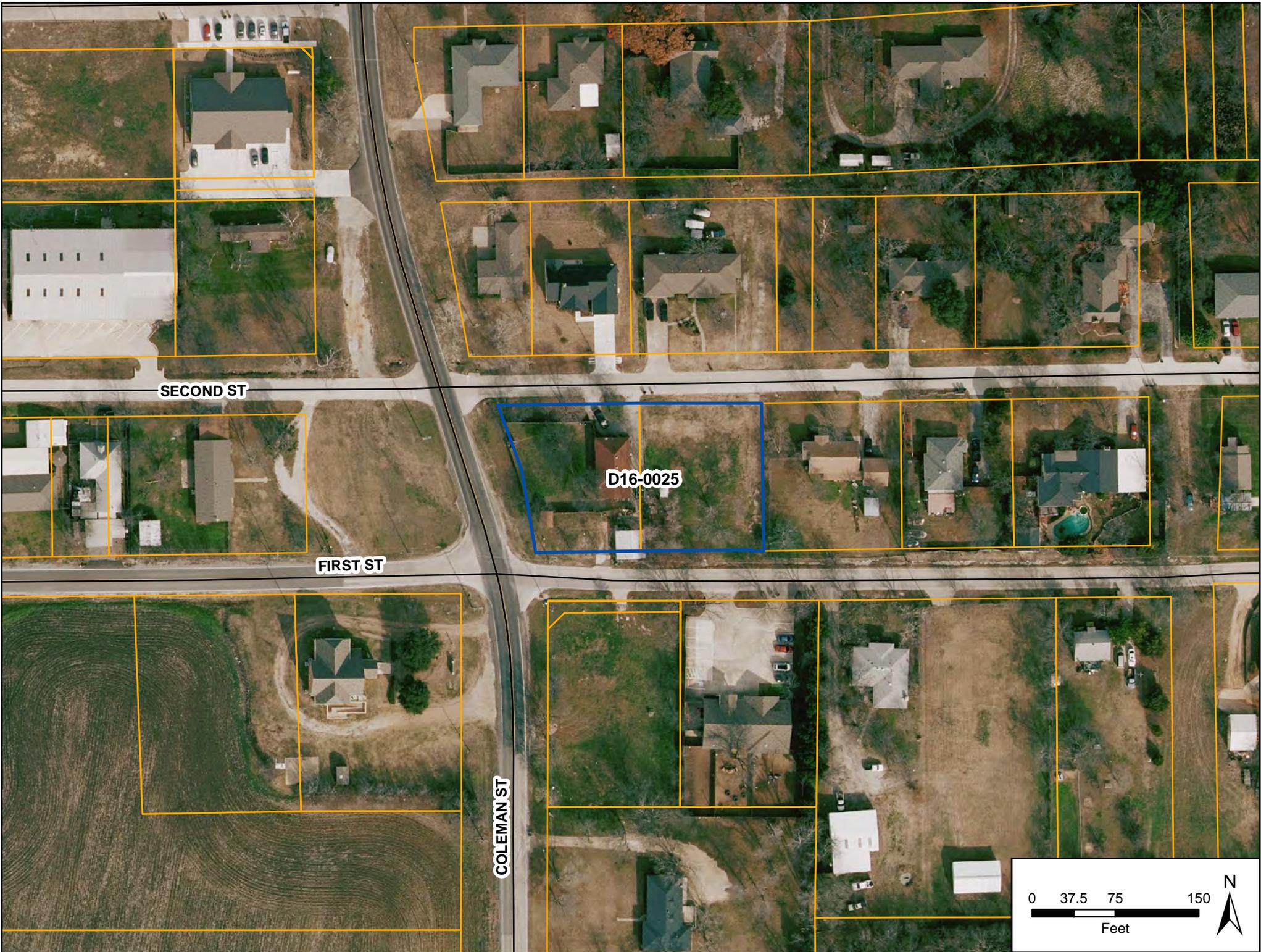
**Attached Documents:**

1. Location Map
2. Amending Plat

**Town Staff Recommendation:**

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

1. Town staff approval of all additions and/or alterations to the Amending Plat.

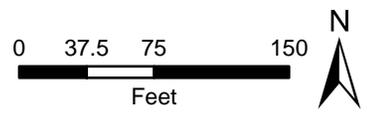


SECOND ST

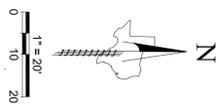
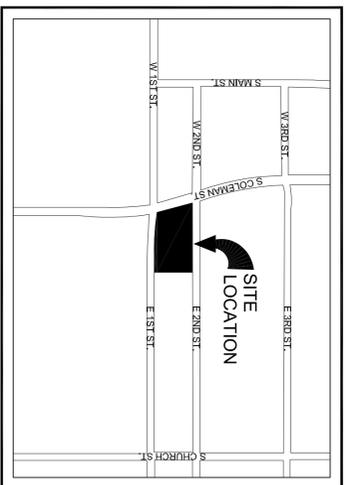
FIRST ST

COLEMAN ST

D16-0025

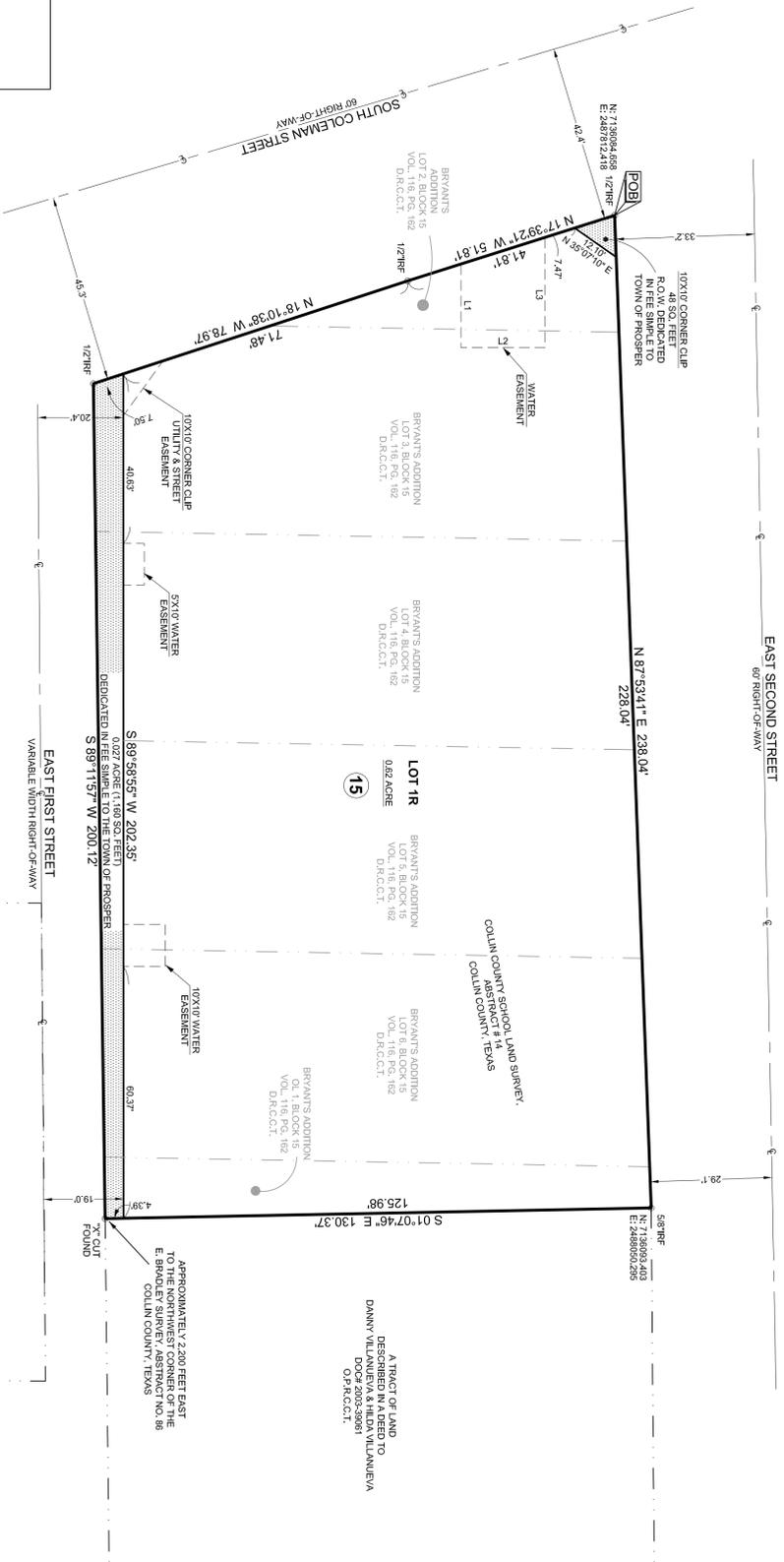


VICINITY MAP  
NOT TO SCALE



**GENERAL PLAT NOTES**

- All interior property corners are marked with a 1/2" iron rod with a green cap stamped "Eagle Surveying" unless otherwise noted.
- This property is located in "Non-shaded Zone X" as scaled from the F.E.M.A. Flood Insurance Rate Map dated June 2, 2009 and is located in Community Number 480141 as shown on Map Number 4808SCQ2351. The location of the Flood Zone is approximate, no vertical datum was collected at the time of the survey. For the exact Flood Zone designation, please contact 1-(977) FEMA MAP.
- No flood plain exists on the site.
- The purpose of this plat is to create one lot from a combination of five lots.
- The property is "DTO - Office/Service" according to the Town of Prosper zoning map.
- The bearings shown on this survey were derived from Western Data Systems RTK Network and are referenced to the Texas Coordinate System of 1983, North Central Zone (4202) and are based on the American Datum of 1983, ZONI Adjustment.
- Selling a portion of this addition by miles and bounds is a violation of town ordinances and state law and is subject to fines and withholding of utilities and building permits.
- This plat hereby dedicates 1,208 sq. feet (0.0277 acre) of Right-of-Way to The Town of Prosper in fee simple.



LINE	BEARING	DISTANCE
L1	N 90° 00'00\"/>	20.00'
L2	N 00° 10'39\"/>	20.00'
L3	N 90° 00'00\"/>	26.45'

**CERTIFICATE OF SURVEYOR**

That I, Ernest Wooster, Registered Professional Land Surveyor, do hereby certify that the plat was prepared from and actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2\"/>

Ernest Wooster, R.P.L.S. # 6590  
STATE OF TEXAS  
COUNTY OF DENTON

DATE: \_\_\_\_\_ 2016

Given under my hand and seal of the office this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public, Denton County, Texas.

My commission expires \_\_\_\_\_



**LEGEND**

⑤ = BLOCK  
IRF = IRON ROD FOUND  
POB = POINT OF BEGINNING  
—C— = CENTERLINE OF ROAD

**SURVEYOR**  
EAGLE SURVEYING, LLC  
210 SOUTH ELM STREET  
SUITE 104  
DENTON, TX 76201  
940.222.3009

**ENGINEER**  
CLAY MOORE ENGINEERING  
5000 CENTRAL DRIVE  
SUITE 100  
DENTON, TX 76201  
972.966.9965

**OWNER**  
BG-GBT INVESTMENTS, LLC  
123 PROSPER BLVD  
PROSPER, TX 75078  
972.247.9800

JOB #: 16-242 AP  
DATE: 7/12/2016  
DRAWN BY: JDC



**OWNERS CERTIFICATE**

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS, BG-GBT INVESTMENTS, LLC, acting by and through the undersigned, its duly authorized agent, is the sole owner of a tract of land located in the Collin County School Land Survey, Abstract Number 114, an addition to the Town of Prosper, Collin County, Texas, according to the deed recorded in Document Number 2005-708510, Official Public Records of Collin County, Texas, and being a part of Lots 2-3 and all of Lots 4-6, and Quilt 1, Block 15 of Bryant's Addition, as recorded in Volume 116, Page 162, Deed Records of Collin County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found for the Northwest corner of the herein described tract, being in the East Right-of-Way of South Coleman Street and the in the South Right-of-Way of East Second Street;

Thence North 87 degrees 53 minutes 41 seconds East with the South Right-of-Way of said Second Street for a distance of 238.04 feet to a 5/8\"/>

Thence South 01 degrees 07 minutes 46 seconds East with the West boundary line of said Villanueva tract, a distance of 130.37 feet to an "X" cut found in concrete for the Southeast corner of the herein described tract, and being in the North Right-of-Way line of said First Street; and in the North Right-of-Way line of East First Street;

Thence South 89 degrees 11 minutes 57 seconds West with the North Right-of-Way line of said First Street, a distance of 200.12 feet to a 1/2\"/>

Thence North 18 degrees 10 minutes 38 seconds West with the East Right-of-Way line of said Coleman Street, a distance of 78.97 feet to a capped iron rod found in the East Right-of-Way line of said street;

Thence North 17 degrees 39 minutes 21 seconds West continuing along said course of Coleman Street, a distance of 51.81 feet to the POINT OF BEGINNING and there terminating, enclosing 0.64 of an acre of land, more or less.

**NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

That **BG-GBT INVESTMENTS, LLC**, does hereby adopt this plat, designating herein described property as **Bryant's Addition, Lot 1R, Block 15**, an addition to the Town of Prosper, Collin County, Texas and does hereby dedicate to public use forever all the streets and alleys shown hereon. The **BG-GBT INVESTMENTS, LLC** does herein certify the following:

- The streets and alleys are dedicated for street and alley purposes.
- All public improvements and dedication 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.
- The Town of Prosper is not responsible for the maintenance, repair, or replacement of any improvements shown on this plat, nor shall it be liable for any damages, injuries, or losses that may be incurred by the Town of Prosper as a result of the use of the improvements shown on this plat, except that the Town of Prosper shall be liable for any damages, injuries, or losses that may be incurred by the Town of Prosper as a result of the use of the improvements shown on this plat, except that the Town of Prosper shall be liable for any damages, injuries, or losses that may be incurred by the Town of Prosper as a result of the use of the improvements shown on this plat.
- 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 easements 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, repairing, maintaining, reading meters, and adding to or removing all or parts of their respective systems in the easements.
- All modifications to this document shall be by means of plat and approved by the Town of Prosper.
- All modifications to this document shall be by means of plat and approved by the Town of Prosper.

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

WITNESS, my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**BG-GBT INVESTMENTS, LLC (OWNER)**

BY: \_\_\_\_\_ PRINTED NAME & TITLE \_\_\_\_\_  
AUTHORIZED AGENT

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public, \_\_\_\_\_ County, Texas.

My commission expires on \_\_\_\_\_

**CERTIFICATE OF APPROVAL**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by the Planning & Zoning Commission of the Town of Prosper, Texas.

\_\_\_\_\_  
Planning & Zoning Commission Chair

\_\_\_\_\_  
Town Secretary

\_\_\_\_\_  
Engineering Department

\_\_\_\_\_  
Development Services Department

**AMENDING PLAT**  
**OF**  
**BRYANT'S ADDITION**  
**LOT 1R, BLOCK 15**

**TOWN OF PROSPER**  
**CASE # D16-0025**

BEING A REPLAT OF PART OF LOTS 2-3 & ALL OF LOTS 4-6, OUTLOT 1, BLOCK 15 OF BRYANT'S ADDITION AS RECORDED IN VOLUME 116, PAGE 162, DEED RECORDS OF COLLIN COUNTY, TEXAS BEING 0.64 ACRES (GROSS) & 0.62 ACRES (NET) OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 114, AN ADDITION TO THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS



## PLANNING

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

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**Agenda Item:**

Consider and act upon a Preliminary Plat for Parkside, for 161 single family residential lots and 9 HOA/open space lots, on 80.6± acres, located on the west side of Coit Road, 2,300± feet north of First Street. This property is zoned Planned Development-77 (PD-77). (D16-0058).

**Description of Agenda Item:**

The Preliminary Plat shows 161 single family residential lots and 9 HOA/Open Space lots. Access will be provided from Coit Road. Emergency access will be provided from Hawk Wood Lane, via the Deer Run subdivision. The Preliminary Plat conforms to PD-77 development standards.

**Budget Impact:**

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

**Legal Obligations and Review:**

The Preliminary Plat meets minimum development requirements.

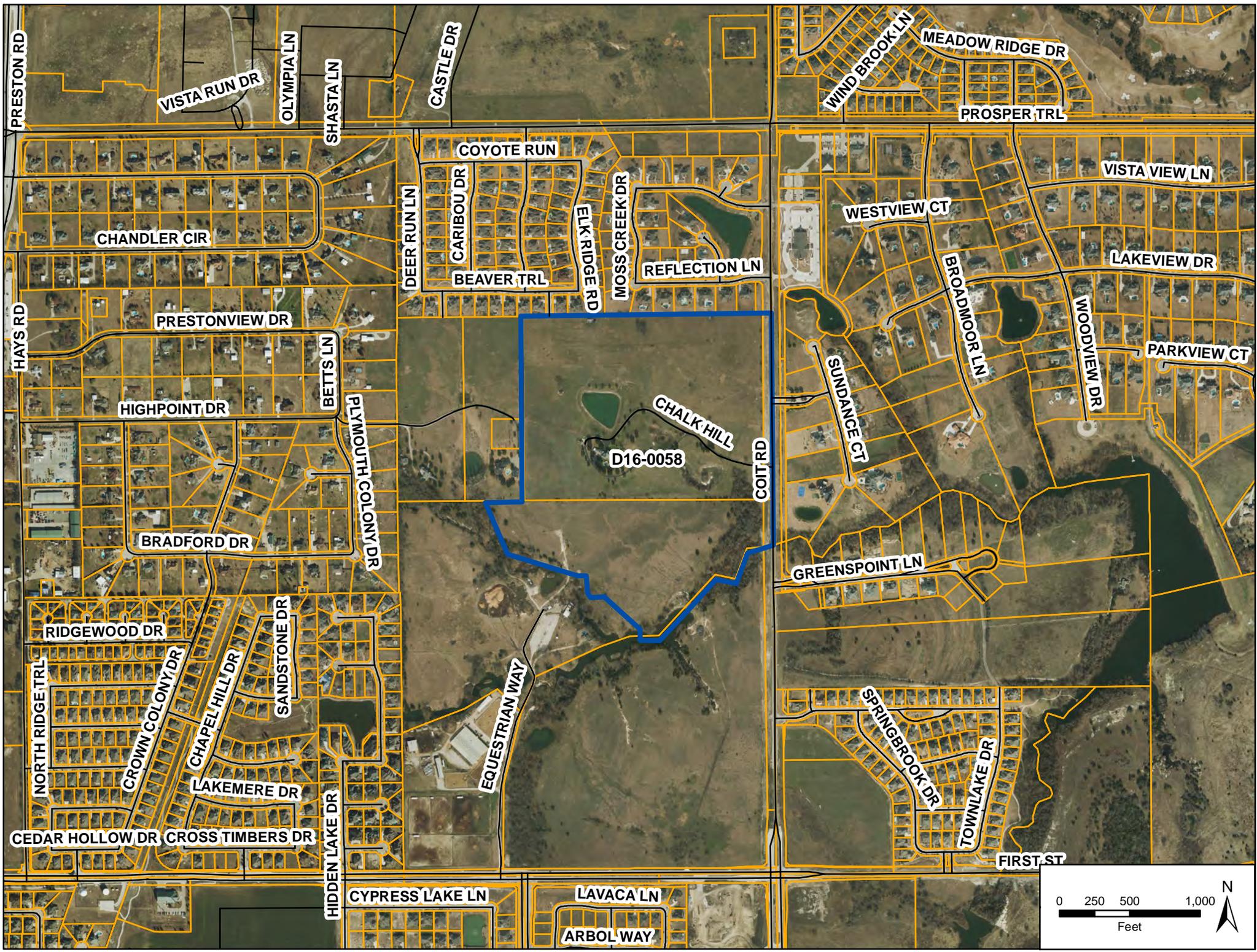
**Attached Documents:**

1. Location Map
2. Preliminary Plat

**Town Staff Recommendation:**

Town staff recommends approval of the Preliminary Plat subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Preliminary Plat.
2. Town staff approval of all preliminary water, sewer, and drainage plans.
3. Town staff approval of all studies required by the Subdivision Ordinance, including, but not limited to, a flood study, wetland delineation study, habitat study, and vegetative study.
4. Revising the Preliminary Plat to designate Block C, Lot 7X, Block D, Lot 59X, Block F, Lots 32X and 33X, and all other applicable open space lots as Drainage and Floodway Easements.
5. Revising the Preliminary Plat to rename the road name Westwyck to Hawk Wood Lane.
6. Town staff approval of a maintenance agreement for any floodplain located on Block F, Lot 19.



PRESTON RD

VISTA RUN DR

OLYMPIA LN

SHASTA LN

CASTLE DR

WIND BROOK LN

MEADOW RIDGE DR

PROSPER TRL

COYOTE RUN

CARIBOU DR

BEAVER TRL

ELK RIDGE RD

MOSS CREEK DR

REFLECTION LN

VISTA VIEW LN

CHANDLER CIR

WESTVIEW CT

LAKEVIEW DR

HAYS RD

PRESTONVIEW DR

DEER RUN LN

CARIBOU DR

BEAVER TRL

ELK RIDGE RD

MOSS CREEK DR

REFLECTION LN

WESTVIEW CT

LAKEVIEW DR

WOODVIEW DR

PARKVIEW CT

HIGHPOINT DR

BETTS LN

PLYMOUTH COLONY DR

CHALK HILL

D16-0058

COIT RD

SUNDANCE CT

BROADMOOR LN

BRADFORD DR

GREENSPPOINT LN

RIDGEWOOD DR

NORTH RIDGE TRL

CROWN COLONY DR

CHAPEL HILL DR

SANDSTONE DR

EQUESTRIAN WAY

SPRINGBROOK DR

TOWNLAKE DR

LAKEMERE DR

CEDAR HOLLOW DR

CROSS TIMBERS DR

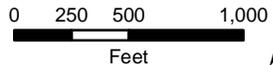
HIDDEN LAKE DR

FIRST ST

CYPRESS LAKE LN

LAVACA LN

ARBOL WAY







HERGENS, Prosper-Parkside, LLC and Sexton Farms, LTD are the owners of a parcel of land located in the Town of Prosper, Collin County, Texas, a portion of Block 5, Survey, Addition Number 112, on the north half of Section 12, Township 52N, Range 12E, East of Colt Road, and being all of that called 27,242 acre tract of land described in deed to Prosper-Parkside, LLC as recorded in Document Number 20160615000753320, Collin County Deed Records, and also being a part of that called 161,579 acre tract of land described in deed to Sexton Farms, LTD as recorded in Volume 4673, Page 778, Collin County Deed Records, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "Spire" found at the southeast corner of said 52,192 acre tract of land, said point being the northeast corner of said 27,242 acre tract of land, said point being in the west right-of-way line of Colt Road (a variable width right-of-way), said point being the southeast corner of that called 1,822 acre right-of-way line of dedication to the Town of Prosper as recorded in Document Number 2013071000969350, Collin County Deed Records, said point also being the northwest corner of that called 3,051 acre right-of-way dedication to the Town of Prosper as recorded in Document Number 2010111901270280, Collin County Deed Records;

THENCE South 00 degrees 31 minutes 57 seconds East, 343.43 feet along the west right-of-way line of Colt Road to a point for corner in the approximate centerline of creek, said point being the southeast corner of said 27,242 acre tract of land, said point also being the northeast corner of that called 69,503 acre tract of land described in deed to the Town of Prosper as recorded in Volume 2018, Page 28463, Collin County Deed Records;

THENCE along the approximate centerline of creek and along the south line of said 27,242 acre tract of land and along the north line of said 69,503 acre tract of land as follows:

South 22 degrees 43 minutes 16 seconds West, 128.85 feet to a point for corner;  
South 20 degrees 08 minutes 10 seconds West, 230.41 feet to a point for corner;  
North 78 degrees 56 minutes 33 seconds West, 148.41 feet to a point for corner;  
South 42 degrees 23 minutes 49 seconds West, 289.92 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the approximate centerline of dam;

THENCE South 42 degrees 53 minutes 57 seconds West, 289.87 feet along the south line of said 27,242 acre tract of land and along the north line of said 69,503 acre tract of land to a point for corner in the approximate centerline of a pond;

THENCE North 89 degrees 07 minutes 14 seconds West, at 69.43 feet passing the most southerly southwest corner of said 27,242 acre tract of land in a total distance of 139.97 feet to a point for corner in the approximate centerline of a pond, said point also being in the north line of said 69,503 acre tract;

THENCE North 00 degrees 52 minutes 46 seconds East, 78.43 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 48 degrees 03 minutes 31 second West, 35.72 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the south line of a 15 foot wide sanitary sewer easement as recorded in Document Number 2006012500104310, Collin County Deed Records;

THENCE along the south line of said 15 foot wide sanitary sewer easement as follows:

South 83 degrees 31 minutes 28 seconds West, 218.88 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;  
North 29 degrees 38 minutes 12 seconds West, 443.18 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the west line of said 27,242 acre tract of land;

THENCE along the west line of said 27,242 acre tract of land as follows:

North 72 degrees 49 minutes 35 seconds West, 502.82 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;  
North 23 degrees 09 minutes 08 seconds West, 399.41 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being the northeast corner of said 27,242 acre tract of land, said point being in north line of said 161,579 acre tract of land, said point also being in the south line of that called 13,415 acre tract of land described in deed to Raymond F. Herrmann and wife Mary B. Herrmann as recorded in Document Number 94-0083653, Collin County Deed Records;

THENCE North 89 degrees 01 minutes 54 seconds East, 261.16 feet along the north line of said 27,242 acre tract of land to a one-half inch iron rod found at the southwest corner of said 52,192 acre tract of land, said point also being the southeast corner of said 13,415 acre tract of land;

THENCE North 00 degrees 24 minutes 05 seconds West, 1318.77 feet to a five-eighth inch iron rod with cap stamped "JBI" set of the northeast corner of said 52,192 acre tract of land, said point being in the west right-of-way line of Colt Road, said point being the northwest corner of said 1,822 acre right-of-way dedication to the Town of Prosper, said point also being the southeast corner of Lot 25X, Block H, Quail Lake Addition, on addition to the Town of Prosper as recorded in Volume 2007, Page 216, Collin County Deed Records;

THENCE North 89 degrees 17 minutes 01 seconds East, 1720.77 feet to a one-half inch iron rod with yellow cap stamped "JBI" set of the northeast corner of said 52,192 acre tract of land, said point being in the west right-of-way line of Colt Road, said point being the northwest corner of said 1,822 acre right-of-way dedication to the Town of Prosper, said point also being the southeast corner of Lot 25X, Block H, Quail Lake Addition, on addition to the Town of Prosper as recorded in Volume 2007, Page 218, Collin County Deed Records;

THENCE South 00 degree 27 minutes 20 seconds East, 1322.69 feet along the east line of said 52,192 acre tract of land and along the west right-of-way line of Colt Road to the POINT OF BEGINNING and containing 3,511,300 square feet or 80,608 acres of land;

The basis of bearing is derived from GPS observations using the North Central Zone 4202 State Plane Coordinates, NAD83.

**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 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 egress in, along, upon, and across said premises.

**LANDSCAPE EASEMENT.**

The undersigned covenants and agrees that the landscape easement and restrictions herein set forth shall run with the land and shall bind all successors and assigns of the undersigned. The undersigned hereby grants, conveys, and assigns to the Town of Prosper, its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM Easement. The Town shall have the right, but not the obligation, to maintain all landscaping within the VAM Easement. Should the Town exercise this maintenance right it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, structure, and/or fixtures. The Town in its sole discretion may withdraw maintenance of the VAM Easement at any time. The ultimate responsibility for the maintenance of the VAM Easement shall remain with the undersigned. The undersigned shall be responsible for any improvements or growth which in any way endanger or interfere with the visibility, right of access, or maintenance of the VAM Easement. The Town shall also have the right, but not the obligation, to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement, to add any landscape improvements to the VAM Easement, to assign, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

**VISIBILITY AND MAINTENANCE EASEMENT (VAM).**

The area or areas shown on the plat as "VAM" (Visibility and Maintenance) Easement(s) are hereby given and granted to the Town of Prosper (Colled "Town"), its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM Easement. The Town shall have the right, but not the obligation, to maintain all landscaping within the VAM Easement. Should the Town exercise this maintenance right it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, structure, and/or fixtures. The Town in its sole discretion may withdraw maintenance of the VAM Easement at any time. The ultimate responsibility for the maintenance of the VAM Easement shall remain with the undersigned. The undersigned shall be responsible for any improvements or growth which in any way endanger or interfere with the visibility, right of access, or maintenance of the VAM Easement. The Town shall also have the right, but not the obligation, to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement, to add any landscape improvements to the VAM Easement, to assign, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PROSPER-PARKSIDE, LLC AND SEXTON FARMS, LTD, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as PARKSIDE, an addition to the subdivision of the property in this subdivision, their heirs, invitees, and licensees. By acceptance of a deed conveying title to any lot in this subdivision, the owner thereof shall be deemed to have agreed and acknowledged and does certify, the following:

1. The streets and alleys are private streets and alleys and are dedicated to the Town of Prosper as Access, Utility, and Drainage Easements. The Town has no responsibility or liability to make any repairs to such streets and alleys so long as they are private streets and alleys, except repairs made necessary by reason of installation, repair, or maintenance of such streets and alleys. The Town shall not be responsible for the maintenance and repair of such streets and alleys. So long as such streets and alleys are private, the sole responsibility for maintenance and replacement thereof shall be borne by the owners of the lots in this subdivision and/or any homeowners' association hereafter established for the owners of lots in this subdivision (the "Association"). 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 same may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law.
2. Neither the property owners within this subdivision, nor the Association, nor any other association or other organization or entity representing them shall have the right to request dedication (whether by voluntary or involuntary act or omission) of such private streets and alleys to the Town unless and until the Town has inspected such streets and alleys and determined that, at the time in question, they meet the Town's standards. If the Town desires to accept a dedication of said streets and alleys, the Association, its successors or assigns, or the owners of the lots within this subdivision and/or the Association to execute, all repairs required for the maintenance of the private streets and alleys to the Town. Before dedication, 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 benefit of the owners of the property in this subdivision, their heirs, invitees, and licensees use forever, for the purposes indicated on this plat.
4. The provisions hereof shall be binding upon and enforceable against all property owners in this subdivision, their successors and assigns and the Association and its successors and assigns. The provisions hereof may be enforced by the Town, any property owner in the subdivision, and/or the Association.
5. These covenants and restrictions shall run with the land and be binding on the owners of the property in this subdivision, their heirs, invitees, and licensees use forever, for the purposes indicated on this plat. The provisions hereof shall be binding upon and enforceable against all property owners in this subdivision, their successors and assigns and the Association and its successors and assigns. The provisions hereof may be enforced by the Town, any property owner in the subdivision, and/or the Association.
6. The owners of property in this subdivision and the Association shall allow access to the subdivision and the streets in the subdivision to all Town employees and contractors acting on behalf of the Town and all governmental service vehicles, including, without limitation, law enforcement, fire, ambulance, sanitation, inspection, and health vehicles. In addition, 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 Town's use thereof. The Town of Prosper and public utilities shall, at all times, have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, protecting, maintaining, repairing, and/or upgrading the same, including to or removing all or parts of their respective systems without the consent of any other party.
7. The owners of property within this subdivision hereby agree and recognize that the entire subdivision is benefited by the Town allowing the owners to maintain and control access to the private streets shown herein, and that the Town is benefited by having the value of the property enhanced for ad valorem tax purposes and not being under any maintenance obligations with respect to the private streets and alleys. For purposes of enforcement of these covenants, the benefits shall constitute sufficient and valid consideration.
8. The owner of each lot affected by a drainage easement which (a) do not impeded the natural flow of water across the property affected by such drainage easement (such as swimming pools and open tanks) and (b) does not build in or on the property affected by such drainage easement, shall be responsible for the maintenance and repair of such drainage easement. The Town, the Association or any of their successors or assigns have any liability for any improvements built in any drainage or utility easement. Each lot owner shall build in such area at his or her own risk and shall indemnify PROSPER-PARKSIDE, LLC AND SEXTON FARMS, LTD, the Town, the Association and their successors or assigns against any and all losses, damages and liability arising out of or associated with the construction of improvements on such owner's lot in any drainage or utility easement.
9. 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. Landscaping may be placed in or near other easements with Town approval. The Town can public utility facilities shall have the right to remove and keep removed all parts of buildings, fences, trees, shrubs, or other improvements or growths which impede or interfere with the maintenance and repair of such drainage easement, including any improvements in, under, or over any easements caused by maintenance or repair, replacing any improvements in, under, or over any easements caused by maintenance or repair. The Town is not responsible for maintaining any improvements in, under, or over any easements caused by maintenance or repair.
10. Invalidation of any word, phrase, sentence, paragraph, covenant, or restriction by court judgement or otherwise, shall not affect the validity of the other covenants or restrictions contained herein.

This plat approved subject to all dictating ordinances, rules, regulations, and resolutions of the Town of Prosper, Texas. WITNESS, my hand, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dale Clark  
Prosper-Parkside, LLC  
Owner

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 Dale Clark, 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

Rusty Sexton  
SEXTON FARMS, LTD  
Owner

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 Rusty Sexton, 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

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 Mark W. Harp, 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

MARK W. HARP R.P.L.S. NO. 6425

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 Mark W. Harp, 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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public, State of Texas

**SURVEYOR'S CERTIFICATE**

Know All Men By These Presents:

That I, Mark W. Harp, 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\_\_\_\_.

FOR REVIEW AND PRELIMINARY PURPOSES ONLY

MARK W. HARP R.P.L.S. NO. 6425

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 Mark W. Harp, 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



DRAINAGE AND DETENTION EASEMENT (Only for plots with above ground detention). This plat is hereby adopted by the Owners and approved by the Town of Prosper (Colled "Town"), subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: The Portion of Block F, 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 courses in 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 Easement, the Town shall have the right to enter upon, over or across the Easement, and to erect, construct, or install any drainage structure, and to maintain, repair, and/or upgrade the same, including to or removing all or parts of their respective systems without the consent of any other party.

DRAINAGE AND EROSION EASEMENT. This plat is subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns. The Portion of Block F, as shown on the plat is called "Drainage and Floodway Easement" and is the natural drainage channel crossing each lot. The existing creek or creeks traversing along the Drainage and Floodway Easement within the limits of this addition, will remain as an open channel at all times and will be maintained by the owners of the lot or lots that are traversed by or adjacent to the drainage courses in the Drainage and Floodway Easement. The Town will not be responsible for the maintenance and operation of said creek or creeks 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 Floodway Easement, or the natural drainage channels, as herein above defined. Provided 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 streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon, over or across the Easement, and to erect, construct, or install any drainage structure, and to maintain, repair, and/or upgrade the same, including to or removing all or parts of their respective systems without the consent of any other party.

Drainage and Floodway Easement, as in the case of all natural channels are subject to storm water overflow and natural bank erosion to an extent which cannot be controlled by any structure or structures, within the natural drainage channels. Building areas outside the Drainage and Floodway Easement line shall be filled to a minimum elevation as shown on the plat. The minimum floor elevation for each lot shall be as shown on the plat.

CERTIFICATE OF APPROVAL  
Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Planning & Zoning Commission of the Town of Prosper, Texas.  
Development Services Department

**PRELIMINARY PLAT**

**PARKSIDE**

CASE NO. D16-0058  
161 SINGLE FAMILY LOTS, 9 OPEN SPACE AND COMMON AREA LOTS DEVELOPED TO PLANNED DEVELOPMENT - NO PD-77 STANDARDS

WILLIAM BUTLER SURVEY, ABSTRACT NO. 112  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER/DEVELOPER  
(972)672-6776

OWNER/DEVELOPER  
(972)672-6776

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(972)672-6776

OWNER/DEVELOPER  
(972)672-6776



## PLANNING

**To:** Planning & Zoning Commission  
**From:** Pamela Clark, Planning Technician  
**Through:** Alex Glushko, Senior Planner  
**Re:** Planning & Zoning Commission Meeting – July 19, 2016

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**Agenda Item:**

Consider and act upon an extension of a preliminary plat for Twin Creek Estates, being 28 single family residential lots on 39.6± acres, located on the south side of Frontier Parkway, 4,300± feet west of Custer Road. This property is zoned Planned Development-59 (PD-59). (D14-0050).

**Description of Agenda Item:**

On September 2, 2014, the Planning & Zoning Commission approved a preliminary plat for Twin Creek Estates. Section 7.6.7 of the Subdivision Ordinance states, "if no development has occurred, any Preliminary Plat accepted by the Commission shall expire and become null and void two (2) years following the conditional acceptance, unless an extension of time is applied for prior to expiration and granted by the Commission. The Commission may, upon the application of the Subdivider, extend the conditional acceptance of the Preliminary Plat up to six (6) months." An application for the extension of this subdivision was received on June 20, 2016 with the attached letter detailing the purpose for the request for the extension.

**Budget Impact:**

There are no significant budget implications associated with the extension of this Preliminary Plat.

**Legal Obligations and Review:**

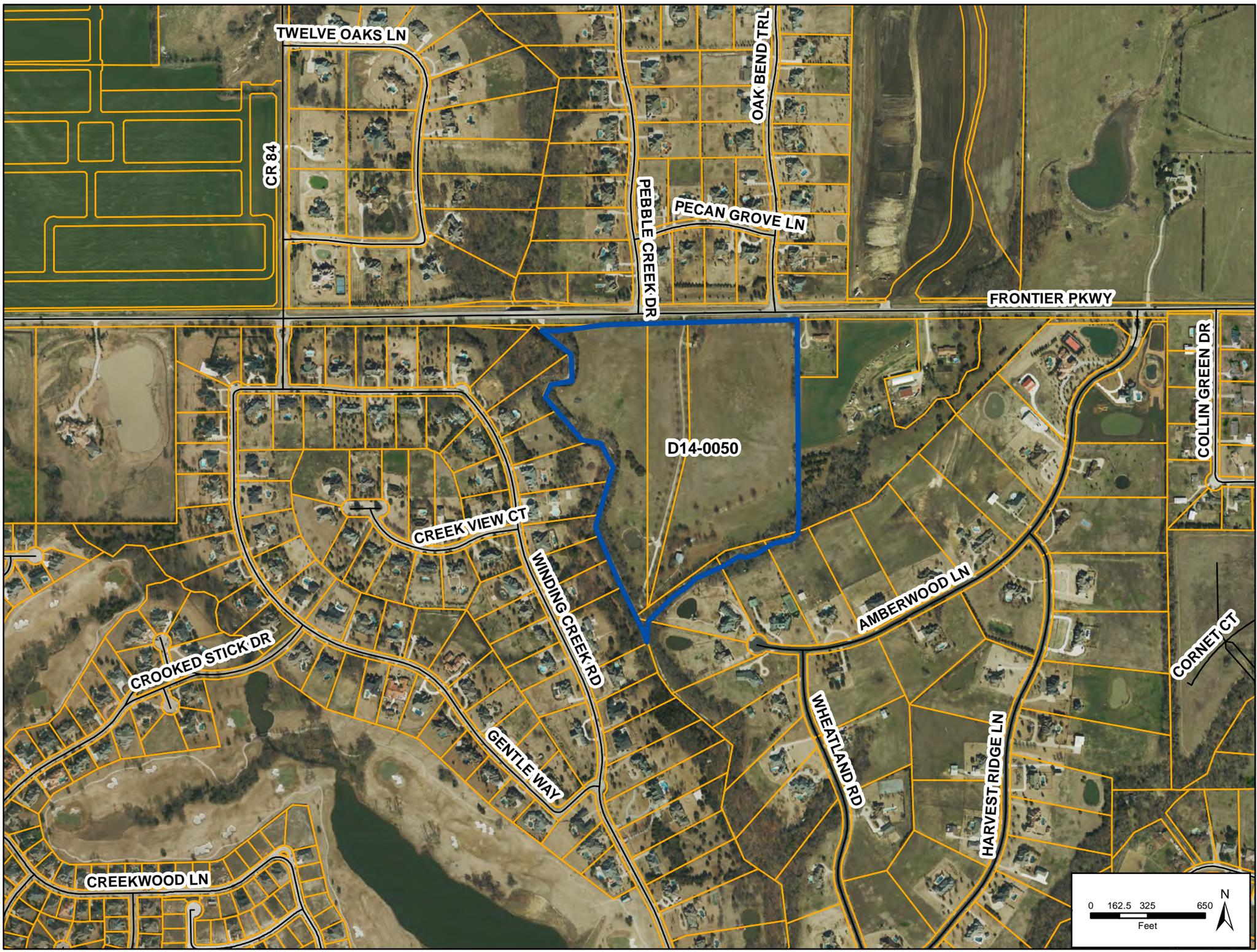
The Preliminary Plat meets minimum development requirements.

**Attached Documents:**

1. Location Map
2. Extension Request Letter
3. Approved Preliminary Plat

**Town Staff Recommendation:**

Town staff recommends approval of the extension of the Preliminary Plat.



TWELVE OAKS LN

CR 84

OAK BEND TRL

PECAN GROVE LN

PEBBLE CREEK DR

FRONTIER PKWY

D14-0050

CREEK VIEW CT

WINDING CREEK RD

AMBERWOOD LN

COLLIN GREEN DR

CROOKED STICK DR

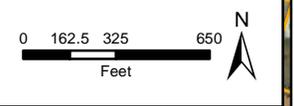
GENTLE WAY

WHEATLAND RD

CORNET CT

CREEKWOOD LN

HARVEST RIDGE LN



May 25, 2016

Town of Prosper  
Planning Department  
P.O. Box 307  
Prosper, Texas 75078

RE: Extension of Preliminary Plat Acceptance Period

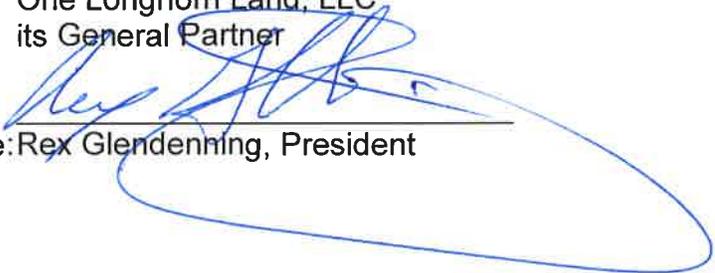
To Whom It May Concern:

As applicant of the preliminary plat for Twin Creek Estates, I hereby request a six (6) month extension to the approval period for the preliminary plat approved September 2, 2014; approval of this request will extend the expiration date of said preliminary plat from September 2, 2016 to March 2, 2017. This extension is requested as a result of market conditions that have delayed the start of the development as initially expected. The accompanying application and appropriate fees are submitted herewith for staff review.

Sincerely,

Prosper Twin Creek Partners, LP

By: One Longhorn Land, LLC  
its General Partner

By:   
Name: Rex Glendenning, President



STATE OF TEXAS §  
COUNTY OF COLLIN §

**METES AND BOUNDS DESCRIPTION**  
**Twin Creeks Estates**

BEING a tract of land situated in the W. Horn Survey, Abstract No. 376, City of Prosper, Collin County, Texas, the subject tract being a portion of a tract conveyed to Prosper Twin Creek Partners, LP according to the deed recorded in Document No. 20121003001259750 of the Official Public Records, Collin County, Texas (OPRCCT), the subject tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod found on the south line of Farm to Market Road 1461, a variable width right-of-way (also known as Frontier Parkway) for the northwest corner of a tract conveyed to Furr Properties, Ltd., recorded in Document No. 2006062000849490 OPRCCT;

THENCE S 00°13'55" E, 1226.99 feet along the common line thereof to a point in a creek, and being on the north line of Amberwood Farms, an addition recorded in Cabinet K, Page 515 of the Plat Records, Collin County, Texas (PRCCT);

THENCE along said creek and the north line of Amberwood Farms, the following:

- S 53°14'00" W, 44.60 feet;
- S 79°46'30" W, 50.68 feet;
- S 76°04'52" W, 48.43 feet;
- S 66°43'35" W, 65.94 feet;
- S 52°56'05" W, 56.06 feet;
- S 59°44'12" W, 16.26 feet;
- S 83°48'03" W, 48.69 feet;
- N 72°39'13" W, 15.86 feet;
- S 85°35'54" W, 25.86 feet;
- S 59°49'08" W, 132.04 feet;
- S 72°43'44" W, 26.54 feet;
- S 66°51'25" W, 123.30 feet;
- S 39°13'28" W, 51.61 feet;
- S 55°10'20" W, 126.64 feet;
- S 43°49'49" W, 179.05 feet;

And N 77°35'26" W, 43.95 feet to a point being the intersection of another creek, and being on the east line of Lot 15R-1, Block A, of the Replat of Lots 15R and 16R, Block A, Replat of Gentle Creek Estates, Phase One, an addition recorded in Volume O, Page 151 PRCCT;

THENCE N 26°37'34" W, along the east line of said Lot 15R-1, passing the northeast corner thereof and the southeast corner of Lot 14R, Block A, Replat of Gentle Creek Estates, Phase One, an addition recorded in Volume M, Page 24 PRCCT, and continuing along the east line thereof a total distance of 229.91 feet;

THENCE continuing along the east line of said Replat of Gentle Creek Estates, Phase One, and along said creek, the following:

- N 23°03'52" W, 342.00 feet;
- N 16°23'43" E, 353.50 feet;
- N 27°22'48" W, 153.30 feet;
- N 78°54'50" W, 114.55 feet;
- N 41°12'49" W, 328.20 feet;
- N 23°27'08" E, 79.80 feet;
- N 81°28'06" E, 126.25 feet;
- N 03°52'30" W, 151.63 feet;

And N 50°14'29" W, 216.43 feet to the southwest corner of a tract conveyed to the State of Texas, recorded in Volume 5225, Page 5017 of the Deed Records, Collin County, Texas;

THENCE N 88°12'49" E, 79.38 feet along the south line thereof to a TxDOT monument found;

THENCE N 82°14'09" E, 274.91 feet continuing along the south line thereof to a TxDOT monument found on the south line of said road;

THENCE N 89°16'05" E, 1097.47 feet along the south line of said road to the POINT OF BEGINNING with the subject tract containing 1,724,202 square feet or 39.582 acres of land.

**SURVEYOR'S CERTIFICATE**

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

Dated this the \_\_\_\_ day of \_\_\_\_\_, 2014.

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



STATE OF TEXAS §  
COUNTY OF COLLIN §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_ day of \_\_\_\_\_, 2014.

Notary Public, State of Texas

**NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That We, TWIN CREEKS PARTNERS, LP, do hereby adopt this plat designating the hereinabove described property as TWIN CREEKS ESTATES, an Addition to the Town of Prosper, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strip for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas.

Witness our hands at COLLIN County, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2014.

TWIN CREEKS PARTNERS, LP

By: \_\_\_\_\_  
Notary Public, State of Texas

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 \_\_\_\_\_ 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 \_\_\_\_\_, 2014.

Notary Public, State of Texas

**CERTIFICATE OF APPROVAL**

Approved this \_\_\_\_ day of \_\_\_\_\_, 2014 by the Planning & Zoning Commission of the Town of Prosper, Texas.

\_\_\_\_\_ Planning & Zoning Commission Chair  
 \_\_\_\_\_ Town Secretary  
 \_\_\_\_\_ Engineering Department  
 \_\_\_\_\_ Planning Department

**ACCESS EASEMENT**

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

**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 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 FLOODWAY EASEMENT**

This plat is hereby adopted by the Owners and approved by the Town of Prosper (Called "Town") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: The Portion of Block A, Lots 15-28, as shown on the plat is called "Drainage and Floodway Easement" and is the natural drainage channel crossing each lot. The existing creek or creeks traversing along the Drainage and Floodway Easement within the limits of this addition, will remain as an open channel at all times and will be maintained by the owners of the lot or lots that are traversed by or adjacent to the drainage courses in the Drainage and Floodway Easement. The Town will not be responsible for the maintenance and operation of said creek or creeks or for any damage to private property or person that results from the flow of water along said creek, 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 Floodway Easement or the natural drainage channels, as herein above defined. Provided 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 streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Drainage and Floodway 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 natural drainage channels traversing or adjacent to his property 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 Floodway Easement, as in the case of all natural channels, are 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 natural drainage channels. Building areas outside the Drainage and Floodway Easement line shall be filled to a minimum elevation as shown on the plat. The minimum floor elevation for each lot shall be as shown on the plat.

Lot Area Table			
Lot #	Block #	Square Feet	Acres
1	A	49,325	1.132
2	A	43,572	1.000
3	A	45,938	1.055
4	A	46,329	1.064
5	A	45,738	1.050
6	A	46,290	1.063
7	A	44,081	1.012
8	A	43,608	1.001
9	A	43,592	1.001
10	A	43,619	1.001
11	A	43,635	1.002
12	A	43,630	1.002
13	A	43,572	1.000
14	A	43,582	1.001
15	A	43,728	1.004
16	A	43,768	1.005
17	A	43,758	1.005
18	A	44,621	1.024
19	A	52,584	1.207
20	A	87,949	2.019
21	A	117,030	2.687
22	A	55,893	1.283
23	A	43,641	1.002
24	A	43,566	1.000
25	A	57,836	1.328
26	A	70,347	1.615
27	A	77,501	1.779
28	A	65,671	1.508

Open Space Area Table		
Lot #	Block #	Acres
1	X	0.262
2	X	0.474
3	X	0.052
4	X	0.057
5	X	0.060
6	X	0.044
7	X	0.079

Lot Line Table		
Line #	Length	Direction
L1	14.53'	S 68°23'02" E
L2	19.56'	N 89°46'05" E
L3	14.53'	N 24°47'08" E
L4	14.11'	N 30°17'10" W
L5	14.18'	S 59°42'50" W

Centerline Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C1	188.94'	300.00'	185.84'	S 18°46'29" E	36°05'08"
C2	131.06'	500.00'	130.69'	N 29°18'30" W	15°01'06"
C3	131.06'	500.00'	130.69'	N 29°18'30" W	15°01'06"
C4	319.86'	500.00'	314.44'	N 03°28'21" W	36°39'13"
C5	147.08'	400.00'	146.25'	S 78°44'04" W	21°04'02"
C6	190.40'	300.00'	187.22'	N 86°23'30" E	36°21'48"

Centerline Line Table		
Line #	Length	Direction
L6	7.50'	S 75°08'44" E
L7	24.50'	N 00°43'55" W
L8	20.83'	S 21°47'24" E

**PRELIMINARY PLAT**  
**TWIN CREEKS ESTATES**  
 BLOCK A, LOTS 1-28  
 39.582 ACRES OUT OF THE  
 W.T. Horn Survey ~ Abstract No. 376  
 W.T. Horn Survey ~ Abstract No. 419  
 TOWN OF PROSPER  
 COLLIN COUNTY, TEXAS

**OWNER / APPLICANT**  
 Twin Creeks Partners, LP  
 12400 Preston Road, Ste. 100  
 Frisco, TX 75033  
 Telephone (972) 250-1263  
 Contact: Rex Glendenning

**ENGINEER / SURVEYOR**  
 Splars Engineering, Inc.  
 765 Custer Road, Suite 100  
 Plano, TX 75075  
 Telephone: (972) 422-0077  
 Contact: Matt Dorsett



## PLANNING

**To:** Planning & Zoning Commission

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

**Re:** Amendments to the Zoning Ordinance re: Accessory Structures and Guest Houses

**Date:** July 15, 2016

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As I briefly noted at the conclusion of the July 5<sup>th</sup> meeting, staff would be briefing the Council regarding issues with accessory structures and guest houses. The attached document was reviewed by the Council at their July 12<sup>th</sup> meeting.

Staff received direction from the Council to initiate formal amendments regarding these uses. Similar to the recent modifications to the Zoning Ordinance regarding residential development standards and the permitted uses, staff will provide a draft of the proposed changes to the Commission for feedback, prior to scheduling the first formal Public Hearing.



## PLANNING

**To:** Mayor and Town Council  
**From:** John Webb, AICP, Director of Development Services  
**Through:** Harlan Jefferson, Town Manager  
**Re:** Town Council Meeting – July 12, 2016

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**Agenda Item:**

Discuss proposed amendments to the Zoning Ordinance regarding accessory structures and guest houses.

**Description of Agenda Item:**

Recent developments of accessory structures and guest houses have warranted the need to review the standards of these uses to ensure the structures do not have a negative impact on adjacent residential properties.

**Accessory Structures:**

The Zoning Ordinance currently has the following standards:

**“DETACHED GARAGE AND ACCESSORY BUILDING CONSTRUCTION**

- A. The exterior facades of a detached garage or other accessory building or structure greater than one hundred and sixty (160) square feet shall be subject to the same exterior construction material(s) requirements as the main building or structure.
- B. An accessory building that is larger than one hundred and sixty (160) square feet may be vinyl, cementitious fiber board, or factory coated decorative metal if the wall height of the building does not exceed fourteen (14) feet and if three (3) of the following six (6) conditions are met:
  1. A minimum three (3) foot high wainscoting is provided on all sides, excluding windows and doors,
  2. Divided light windows are provided on at least two sides of the building,
  3. A minimum roof pitch of four (4) in twelve (12) is provided,
  4. A cupola is provided,
  5. One (1) tree, a minimum size of one (1) caliper inch, is planted every twenty (20) feet, or portion thereof, along the longest sides of the building, or
  6. A minimum twenty (20) foot side yard setback is provided
- C. Metal or wood may be used as an exterior construction material for an accessory building or structure of one hundred and sixty (160) square feet or less in an SF or 2F District.
- D. Cementitious fiber board may be used to fulfill masonry requirements for structures accessory to an existing structure constructed entirely of wood or vinyl siding.”

The development standards for structures greater than 160 square feet were added to the Zoning Ordinance in an attempt to ensure the buildings were compatible with the residential character of the neighborhood, while allowing larger structures. As pictured below, staff desires to receive feedback from Council if these standards are sufficient.



*Southeast View*



*Northwest View*



*Northeast View*

Issues to consider:

- Relation of size of accessory structure to residence
- Relation of height of accessory structure to residence
- Exterior materials for larger structures

### Guest Houses

As defined by the Zoning Ordinance, a “guest house” is an “accessory dwelling unit, detached from the main building on the lot, used to house family and/or guests of the owner(s) of the main residential structure, and which is never rented or offered for rent.” Also commonly referred to as “mother-in-law suite” or “granny flat,” the intent is to accommodate a smaller residential structure on the same, larger lot as the main home.

The Zoning Ordinance permits Guest Houses by right in all residential districts and the Downtown Retail District but provides for the following standards:

”A Guest House shall be permitted in the Agricultural through the Downtown Retail Districts as an incidental residential use of a building on the same lot or tract as the main dwelling unit and used by the same person or persons of the immediate family and shall meet the following standards:

- A. The Guest House must be constructed to the rear of the main dwelling, separate from the main dwelling. A lot must have a minimum of one-half ( $\frac{1}{2}$ ) acre for a Guest House to be permitted.
- B. The Guest House may be constructed only upon issuance of a Building Permit.
- C. The Guest House may not be sold separately from sale of the entire property, including the main dwelling unit, and shall not be sub-let.
- D. Setback requirements shall be the same as for the main structure.”

Similar to accessory structures, the Zoning Ordinance does not regulate the size and height of a guest house in relation to the main dwelling. Nor does the ordinance regulate the number of guests houses permitted on a lot. While self-regulated on a smaller lot, a one-acre lot could potentially accommodate multiple guest houses. For instance, a one-acre lot with a 5,000 square-foot, two story main home could potentially accommodate an additional five “guest houses” being two stories at 6,000 square feet each.

### **Town Staff Recommendation:**

Town staff requests that the Town Council provide input on possible amendments to the Zoning Ordinance regarding accessory structures and guest houses and provide direction on whether to initiate a formal amendment to the Zoning Ordinance.



*Prosper is a place where everyone matters.*

## RESULTS

### AGENDA

Meeting of the Prosper Town Council  
Prosper Municipal Chambers  
108 W. Broadway, Prosper, Texas  
Tuesday, July 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. **CONSENT AGENDA: All Consent Agenda Items Approved, 6-0**

(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.)

- 4a. Consider and act upon minutes from the following Town Council meetings. **(RB)**
  - Regular Meeting – June 28, 2016
  - Special Meetings – June 29, 2016
- 4b. Receive the May 2016 Financial Report. **(BP)**
- 4c. Consider and act upon approving the purchase of self-contained breathing apparatus, from Municipal Emergency Services, through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program. **(JC)**
- 4d. Consider and act upon awarding Bid No. 2016-59-B to Durable Specialties, Inc., related to construction services for the First Street and DNT Traffic Signal Project; and authorizing the Town Manager to execute a construction agreement for same. **(MB)**
- 4e. Consider and act upon authorizing the Town Manager to execute Contract Amendment #1 to the Professional Engineering Services Agreement between Graham Associates, Inc., and the Town of Prosper, Texas, related to the Prosper Trail (Kroger – Coit) Project and the First Street (Dallas North Tollway – Coleman) project. **(HW)**
- 4f. Consider and act upon an amendment to the Capital Improvement Plan. **(HW)**
- 4g. 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)**

## RESULTS

### 5. 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:

6. Conduct a Public Hearing, and consider and act upon a request for a Special Purpose Sign District for Windsong Ranch Marketplace, on 46.6± acres, located on the northeast corner of US 380 and Gee Road. (MD16-0002). **(JW) Tabled to August 9, 2016 per Request of the Applicant, 6-0**
7. Conduct a Public Hearing, and consider and act upon an ordinance for a variance to 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. (MD16-0007). **(JW) Approved, 6-0**

### DEPARTMENT ITEMS:

8. Consider all matters incident and related to the issuance and sale of "Town of Prosper, Texas, General Obligation Refunding and Improvement Bonds, Series 2016," including the adoption of an ordinance authorizing the issuance of such bonds and approving all other matters incident thereto. **(HJ) Approved, 6-0**
9. Consider all matters incident and related to the issuance and sale of "Town of Prosper, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2016," including the adoption of an ordinance authorizing the issuance of such certificates of obligation and approving all other matters incident thereto. **(HJ) Approved, 6-0**
10. Consider and act upon a request for a Façade Exception for the Tribute Memory Care Facility in the Prosper Town Center development, located on the west side of Hays Road, 900± feet north of First Street. (MD16-0006). **(JW) Tabled to August 23, 2016, 6-0**
11. Consider and act upon a request for a Façade Exception for the Gates of Prosper, Phase 1, Block A, Lot 4, located on the northwest corner of future Lovers Lane and US 380, and Block B, Lot 3, located on the northwest corner of future Richland Boulevard and future Lovers Lane. (MD16-0008). **(JW) Approved, 6-0**
12. Discuss proposed amendments to the Zoning Ordinance regarding accessory structures and guest houses. **(JW) Received Direction to Initiate Amendments**

## RESULTS

### 13. 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:

**13a.** *Section 551.087 – To discuss and consider economic development incentives.*

**13b.** *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.*

**13c.** *Section 551-074 – To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks and Recreation Board, Library Board, Prosper Economic Development Corporation Board, and Planning & Zoning Commission.*

14. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

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

- Mosquito Abatement Program (**JW**)

16. 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 July 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.