

## TOWN OF PROSPER, TEXAS

## ORDINANCE NO. 14-40

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20; REZONING A TRACT OF LAND CONSISTING OF 33.22 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY NO. 13, ABSTRACT NO. 172, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, HERETOFORE ZONED SINGLE FAMILY-15 (SF-15) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-RETAIL (PD-R); 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 should be amended; and

**WHEREAS**, the Town of Prosper, Texas ("Prosper") has received a request from MQ Development Partners, L.L.C. ("Applicant") to rezone 33.22 acres of land, more or less, situated in the Collin County School Land Survey No. 13, Abstract No. 172, in the Town of Prosper, Collin County, Texas; and

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

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

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

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

#### SECTION 1

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

#### SECTION 2

Amendments to Zoning Ordinance No. 05-20. Zoning Ordinance No. 05-20 is amended as follows: The zoning designation of the below-described property containing 33.22 acres of land, more or less, situated in the Collin County School Land Survey No. 13, Abstract No. 172, in the Town of Prosper, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned Development-Retail (PD-R). The property as a whole and the boundaries for each zoning classification are more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with 1) the statement of intent and purpose, attached hereto as Exhibit "B"; 2) the planned development standards, attached hereto as Exhibit "C"; 3) the concept plan, attached hereto as Exhibit "D"; 4) the development schedule, attached hereto as Exhibit "E", and 5) the conceptual elevations, attached hereto as Exhibits "F1, F2, F3, and F4", which are incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules, and regulations of Prosper, as they currently exist or may be amended.

Three (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**

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

### **SECTION 4**

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

### **SECTION 5**

Penalty. Any person, firm, corporation or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance No. 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 6**

Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

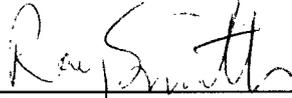
**SECTION 7**

Savings/Repealing Clause. Prosper's Zoning Ordinance No. 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.

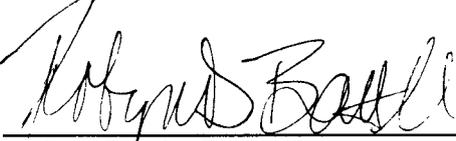
**SECTION 8**

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

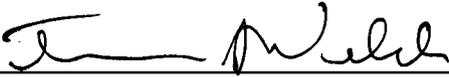
**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 22<sup>nd</sup> DAY OF JULY, 2014.**

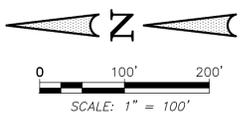
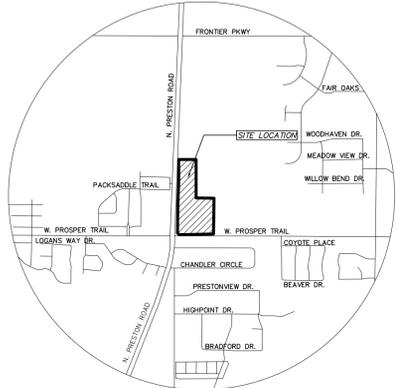
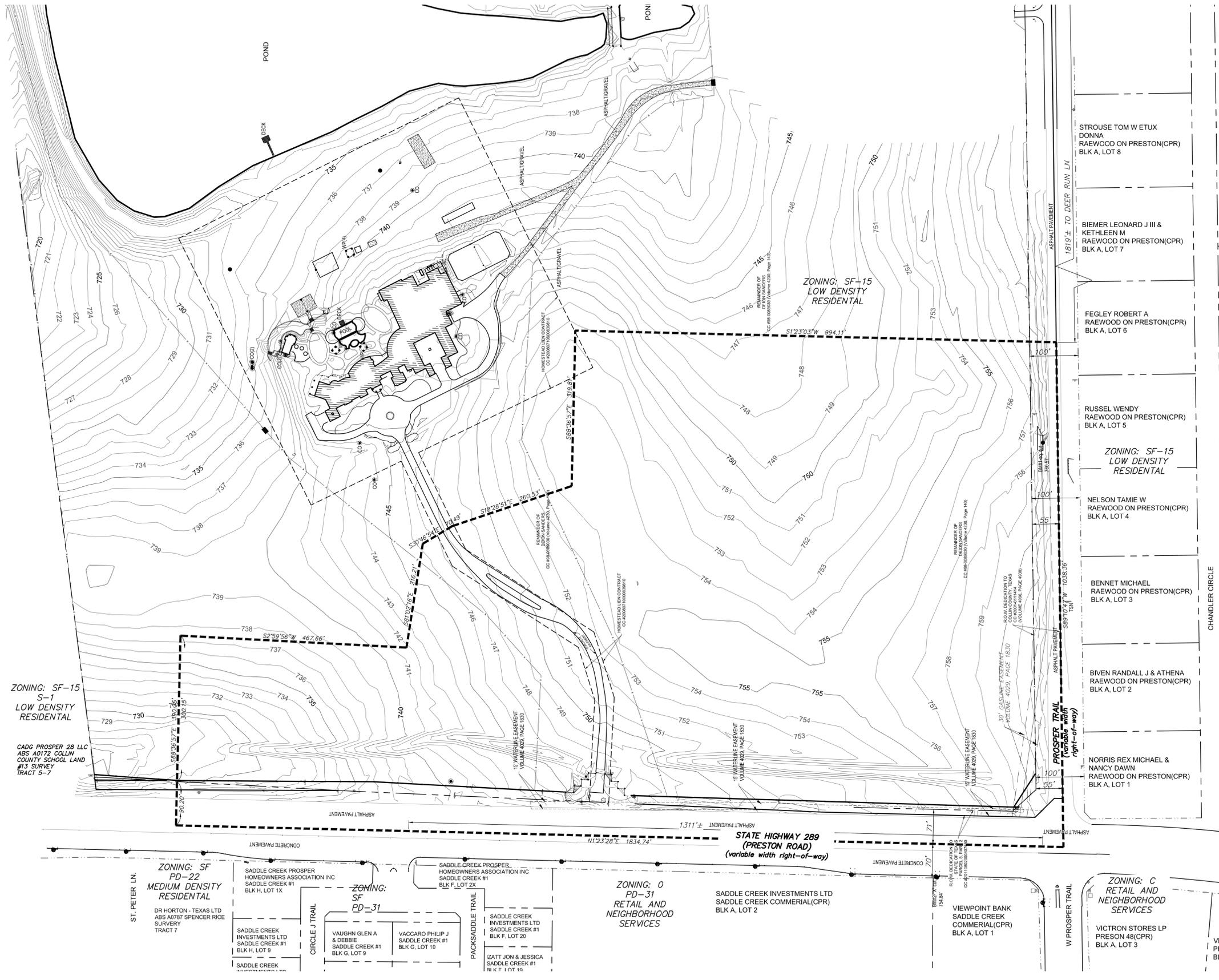
  
\_\_\_\_\_  
Ray Smith, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Terrence S. Welch, Town Attorney



**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.

**LEGEND:**  
 - - - - - ZONING BOUNDARY

EXISTING ZONING	SF-15
PROPOSED ZONING	PLANNED DEVELOPMENT RETAIL
TOTAL GROSS	33.219 Ac
TOTAL NET	28.841 Ac.
FUTURE LAND USE	LOW DENSITY
PLAN DESIGNATION	RESIDENTIAL

CASE NO. Z14-0007

EXHIBIT A - ZONING EXHIBIT  
 KROGER TEXAS, L.P.  
 1331 E. AIRPORT FREEWAY  
 IRVING, TEXAS 75062  
 COLLIN COUNTY SCHOOL LAND NO. 13 SURVEY, ABSTRACT NO. 172  
 TOWN OF PROSPER  
 COUNTY OF COLLIN

No.	DATE	REVISION	APPROVED
4.	6/13/14	4th CITY SUBMITTAL	M.B.
3.	5/9/14	3RD CITY SUBMITTAL	M.B.
2.	5/1/14	2ND CITY SUBMITTAL	M.B.
1.	4/14/14	1ST CITY SUBMITTAL	M.B.

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
 6720 HILLCREST PLAZA DRIVE, SUITE 325  
 PROSPER, TEXAS 75081  
 Phone: (972) 490-7090  
 Fax: (972) 490-7099  
 Texas Surveyors Registration No. 89  
 Texas Engineers Registration No. 100866-00  
 Geometric Design, Measurements & Assessments, Inc.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MARIA C. SORRELLA-NICHOLS, F.E. # 100106

**PRELIMINARY - NOT FOR CONSTRUCTION**

**EXHIBIT A - ZONING EXHIBIT  
 SHOPS AT PROSPER TRAIL  
 PROSPER, TEXAS**

**EXHIBIT "B"**

The Applicant intends to develop a shopping center anchored by a full service grocery store and will include 9 fuel pumps and kiosk. The store is currently planned to be approximately 123,000 square feet. In addition to the grocery store, the plan is to develop approximately 20,000 square feet of complimentary retail containing restaurants and typical service tenants such as a hair salon, coffee shop, dry clean "pick-up" station and other retail uses. Also, there are eight (8) planned outparcels which will contain a combination of national and regional retailers including banks, casual dining restaurants as well as established quick-service restaurants.

EXHIBIT C

**PLANNED DEVELOPMENT RETAIL**

Northeast Corner of Preston Road and Prosper Trail,  
“The Shops at Prosper Trail”  
Prosper, Texas  
July 1, 2014

PLANNED DEVELOPMENT CONDITIONS

- I. Statement of Effect: This property shall develop under the regulations of the Retail ( R ) District of the Town’s Zoning Ordinance as it exists or may be amended except as otherwise set forth herein.
  
- II. Development Plans (Retail District):
  - 1.0 Permitted Uses: Conditional development standards **(C)** must be met per the Zoning Ordinance, No. 05-20, as it exists, or may be amended. Uses that are permitted as a Specific Use shall be permitted with the approval of a specific use permit **(SUP)**.

List of permitted Uses:

- 1. Accessory Building
- 2. Administrative, Medical or Professional Office
- 3. Alcohol Beverage Sales **(C)**
- 4. Antique Shop
- 5. Artisan's Workshop
- 6. Auto Parts Sales, Inside
- 7. Bank, Savings and Loan, or Credit Union (with drive thru facilities), which shall be limited to (1) bank, savings and loan or credit union (with drive thru facilities) by right, and any subsequent bank, savings and loan or credit union (with drive thru facilities) shall be subject to the approval of a specific use permit (SUP).
- 8. Beauty Salon/Barber Shop
- 9. Bed and Breakfast Inn
- 10. Building Material and Hardware Sales, Major **(SUP)**
- 11. Building Material and Hardware Sales, Minor
- 12. Business Service
- 13. Caretaker's/Guard Residence
- 14. Civic /Convention Center
- 15. College, University, Trade or Private Boarding School
- 16. Commercial Amusement, Indoor
- 17. Community Center

18. Convenience Store with Gas Pumps as part of the shopping center (inclusive of a kiosk or convenience store) limited to one per zoning district. (see Section 2.4 for conditional development standards)
19. Day Care Center, Child **(C)**
20. Dry Cleaning, Minor
21. Farmer's Market
22. Feed Store
23. Furniture, Home Furnishings and Appliance Store
24. Governmental Office
25. Gunsmith
26. Gymnastics/Dance Studio
27. Health/Fitness Center
28. Homebuilder Marketing Center
29. House of Worship
30. Household Appliance Service and Repair
31. Insurance Office
32. Locksmith/Security System Company
33. Massage Therapy, Licensed
34. Municipal Uses Operated by the Town of Prosper
35. Museum/ Art Gallery
36. Nursery, Minor
37. Outdoor sales and display. subject to:
  - a. Designated Area as shown on Exhibit D
    - i. Within 25' of the main building of the big box user
    - ii. Within 10' of the fuel canopy and kiosk
  - b. Sidewalks cannot be blocked
  - c. Merchandise cannot impair ADA access, block doorways, driveways or fire lanes
  - d. Permitted merchandise shall be seasonal merchandise and may include but is not limited to Christmas trees, flowers, landscaping materials and outdoor furniture
  - e. Outdoor display areas shall be organized and goods shall be neatly presented in an orderly fashion. Items shall not be stored on wooden crates, in cardboard boxes, in plastic cling wrap, or in a fashion that resembles the open storage of materials.
  - f. Screening is not required.
38. Park or Playground
39. Pet Day Care as an accessory use **(C)**
40. Print Shop, Minor
41. Private Recreation Center
42. Private Utility, Other Than Listed
43. Restaurant or Cafeteria
44. Restaurant with a drive thru **(SUP)**
45. Restaurant , Drive-in **(SUP)**

- 46. Retail Stores and Shops
- 47. Retail/Service Incidental Use
- 48. School, Private or Parochial
- 49. School, Public
- 50. Stealth Antenna, Commercial **(C)**
- 51. Temporary Building **(C)**
- 52. Theatre, Neighborhood
- 53. Utility Distribution/Transmission Facility **(SUP)**

2.0 Building: Unless otherwise specified below, the building standards in the Zoning Ordinance, as it exists or may be amended shall apply.

2.1 Elevations: Building Elevations shall substantially conform to the Concept Elevations provided in Exhibits F1, F2, F3 and F4. If Elevations for future retail or outparcel buildings are not provided in Exhibits F1 through F4, such additional site plans, façade elevations, roof profiles and landscape plans shall be required to be approved by the Town Council.

2.2 Building Materials in addition to the building materials permitted in Chapter 4, Section 8 of the Zoning Ordinance, as exists or may be amended, such materials shall also include Architectural Structural Block, under the trade name “Quik Brick” (a 4” manufactured concrete masonry unit) and cultured stone (manufactured) individually stacked, as provided in the building elevations Exhibits F1 through F4 which is a part herein. The clay-fired brick colors used on the retail building on Lot 5 shall be consistent with the Quik Brik colors used on the big box building. Split faced block, architectural concrete block, and painted/textured concrete tilt wall shall be limited to a maximum of ten percent (10%) of any single elevation on any pad site.

2.3 Building Height: Buildings shall be a maximum of two (2) stories, not to exceed forty feet (40’) in height, excluding unoccupied architectural elements such as towers, parapets, cornices that may be up to 45 feet in height.

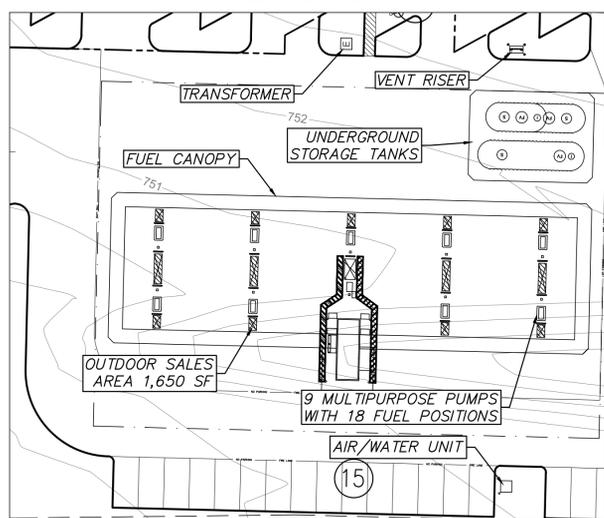
2.4 Convenience Store with Gas Pumps is subject to the following regulations:

- a. Convenience Store with Gas Pumps is permitted only within two-hundred and fifty (250) feet of the right-of-way line of Preston Road;
- b. Convenience Store with Gas Pumps is permitted at a maximum of one (1) location on the property;
- c. Canopies shall have pitched roofs and the color and style of the metal roof on the gas station canopy shall be consistent with the metal roof on the big box building;
- d. Canopy support columns shall be entirely masonry encased; and
- e. The canopy band face shall be a color consistent with the main structure or an accent color and may not be backlit.
- f. Gas pumps shall be removed if permanently closed for more than six (6) months, including reclassification of fuel tanks per TCEQ Regulations.

- 2.5 Lighting: No site light poles shall be within 150' of the residential property line across from residential property on the south side of Prosper Trail. Such light poles may be up to 29' high. All site lighting shall be LED and have dimmers. All the lights poles on the portion of the property closest to Prosper Trail shall be shielded.
- 3.0 Landscaping: Unless otherwise specified below, the landscape regulations in the Town's Zoning Ordinance, as it exists or may be amended, shall apply.
- 3.1 Preston Road - Tree plantings shall be provided at minimum rate of one tree of a minimum four (4) inch Caliper (at the time of planting) per thirty (30) lineal feet on Lots 1, 2, 3 and 4. On all other parcels tree plantings shall be provided at minimum rate of one tree of a minimum four (4) inch Caliper (at the time of planting) per twenty five (25) lineal feet. Shrub plantings shall be provided at a minimum rate of 22.5 shrub plantings per thirty (30) lineal feet which shall be a minimum of five (5) gallon shrubs (at the time of planting). A berm of a minimum height of four (4) feet shall be provided within the landscape buffer along Preston Road. Along the top of the berm, native grasses shall be planted pursuant to a plan that provides additional screening from the Preston Road right of way. Trees may be grouped or clustered together to provide additional screening as an alternative to planting all at a specific distance between trees.
- 3.2 Prosper Trail. - Tree plantings shall be provided at a minimum rate of one tree of a minimum four (4) inch Caliper per twenty (20) linear feet. Shrub plantings shall be provided at a minimum rate of 20 ten (10) gallon shrubs per thirty (30) linear feet. A berm of a minimum height of four (4) feet shall be provided within the landscape buffer along Prosper Trail. Along the top of the berm, native grasses shall be planted pursuant to a plan that provides additional screening from the Prosper Trail right of way. Trees may be grouped or clustered together to provide additional screening as an alternative to planting all at a specific distance between trees.
- 3.3 Additional Landscaping The sidewalk in front of the big box on Lot 1 and the retail on Lot 5 shall have 1 tree planted for each 100 lineal feet. The trees shall be a minimum of 4" caliper and may be placed in planters. A minimum one (1) acre open space area shall be located in an area between Lots 6-9 on Exhibit D to provide a landscaped gathering area that may include benches, patio, public art, outdoor dining and similar features. The open space shall be maintained by the property owners' association.
- 3.4 Landscape Requirements for Certificate of Occupancy All perimeter berms and landscaping along Preston Road and Prosper Trail shall be installed prior to the issuance of a certificate of occupancy (CO) for the big box on Lot 1.
- 4.0 Lot Frontage: Lots shall have a frontage onto a public street or a common public access drive. The common public access drive shall be dedicated as a public access, fire lane and utility easement.

- 5.0 Pad sites and other lots: The Development shall have a limit on single use parcels exclusive of Lots 1 and 2 pursuant to Exhibit D. Only Lots 3, 4, 6, 7 and 8 may be used for single-tenant buildings. All other Lots shall have retail buildings designed and built as multi-tenant buildings for office and retail use which will have materials and architectural designs consistent with the Preliminary Concept Designs as provided in Exhibit F. All pad sites shall have a pitched roof with a minimum 6 in 12 inch slope. A flat roof with a parapet wall and cornice may be permitted subject to Town Council approval of a specific use permit (SUP) for same. No certificate of occupancy (CO) shall be issued for a pad site for Lots, 3, 4, 6, 7, 8, 9 or 10 prior to the issuance of a certificate of occupancy for the big box on Lot 1.
- 6.0 Basket Cart Corrals: Galvanized pipe basket cart corrals shall not be permitted in parking field without approval of the Town Council. Cart collection areas shall be curbed and shall be fenced using a minimum three foot (3') ornamental metal fence.

FUEL CENTER

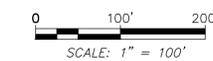
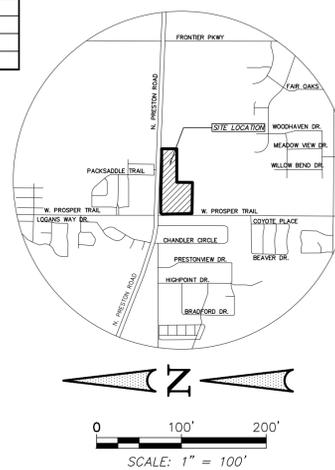
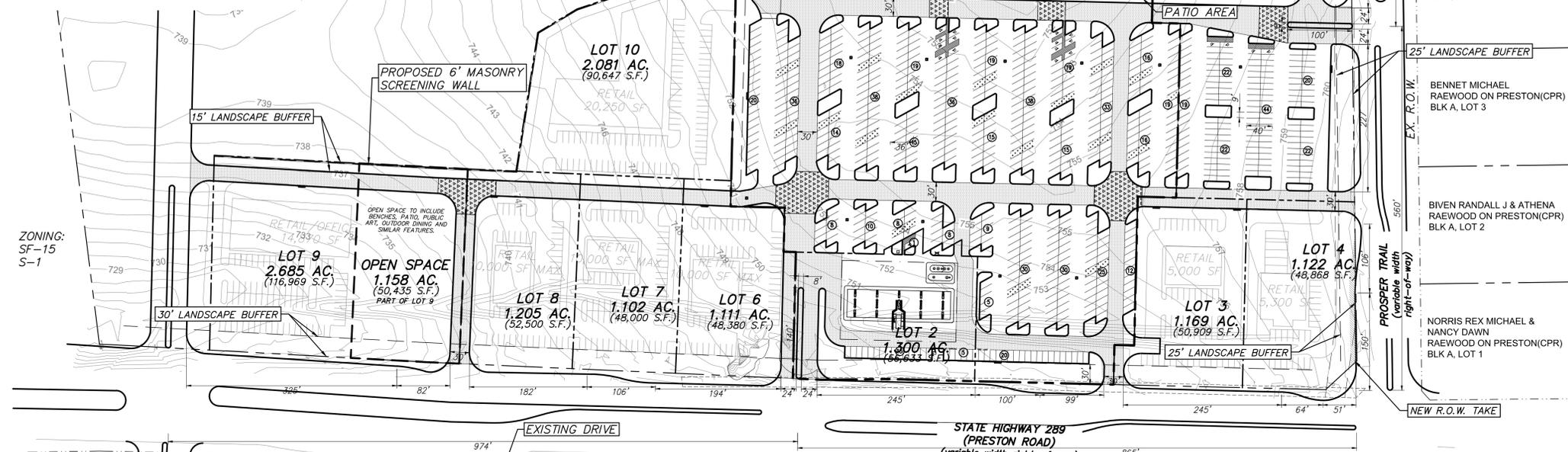


LOT NUMBER	ZONING	PROPOSED USE	LOT AREA (AC)	BUILDING AREA (SF)	BUILDING HEIGHT (FT)	LOT COVERAGE	FLOOR AREA RATIO	TOTAL PARKING REQUIRED (1:250)	TOTAL PARKING PROVIDED	HC PARKING REQUIRED	HC PARKING PROVIDED	INTERIOR LANDSCAPING REQUIRED (SF)	INTERIOR LANDSCAPING PROVIDED (SF)	SQUARE FOOTAGE OF IMPERVIOUS SURFACE (SF)
1	PD-RETAIL	GROCERY STORE	12.756	114,788	41'-8"	20.65%	0.21	460	551	12	14	83,346	89,124	482,152
1W/ EXPANSION	PD-RETAIL	GROCERY STORE	12.756	134,788	41'-8"	24.26%	0.24	540	551	12	14	83,346	89,124	482,152
2	PD-RETAIL	FUEL CENTER	1.300	180	-	1.41%	0.01	1	21	1	1	8,494	12,826	44,439
5	PD-RETAIL	RETAIL/OFFICE	4.299	45,000	-	11.60%	0.24	180	206	7	7	28,089	65,267	125,832

- PROPOSED FIRE LANE
- BASCART LOCATION
- TRAFFIC CALMING DEVICE TO MATCH FRONT OF FOOD STORE

EXISTING ZONING	SF-15
PROPOSED ZONING	PLANNED DEVELOPMENT RETAIL
TOTAL GROSS	33,219 Ac
TOTAL NET	28,841 Ac
FUTURE LAND USE PLAN DESIGNATION	LOW DENSITY RESIDENTIAL

- 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.
  - NO 100-YEAR FLOODPLAIN EXISTS ON THE PROPERTY.
  - ALL DRIVEWAYS, TURN LANES, AND MEDIAN OPENINGS SHALL MEET THE TOWN OF PROSPER'S THOROUGHFARE DESIGN STANDARDS AND TxDOT STANDARDS.
  - ALL FIRE LANES TO MEET TOWN OF PROSPER FIRE LANE STANDARDS IN TERMS OF WIDTH AND PAVEMENT SECTION.



- CITY SITE PLAN 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 LANDSCAPE 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 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.
  - 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.

No.	DATE	REVISION
1.	4/14/14	1ST CITY SUBMITTAL
2.	5/1/14	2ND CITY SUBMITTAL
3.	5/9/14	3RD CITY SUBMITTAL
4.	6/13/14	4TH CITY SUBMITTAL
5.	6/25/14	SITE PLAN REVISIONS
6.	6/25/14	SITE PLAN REVISIONS
7.	07/01/14	SITE PLAN REVISIONS
8.	07/10/14	SITE PLAN REVISIONS

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS & SURVEYORS  
 6720 HILGERT PLAZA DRIVE, SUITE 325  
 FORT WORTH, TEXAS 76116-0000  
 Phone: (817) 490-7099 Fax: (817) 490-7098  
 Consulting License No. 100866-00  
 State Surveyors Registration No. 89  
 Geotechnical License No. 100866-00  
 Geotechnical License No. 100866-00

PRELIMINARY - NOT FOR CONSTRUCTION

EXHIBIT D - SITE PLAN  
SHOPS AT PROSPER TRAIL  
PROSPER, TEXAS

CASE NO. Z14-0007  
 EXHIBIT D - SITE PLAN  
 KROGER TEXAS, L.P.  
 1331 E. AIRPORT FREEWAY  
 IRVING, TEXAS 75062  
 COLLIN COUNTY SCHOOL LAND NO. 13 SURVEY, ABSTRACT NO. 172  
 TOWN OF PROSPER  
 COUNTY OF COLLIN



CONSULTING CIVIL ENGINEERS \* SURVEYORS  
 6750 HILLCREST PLAZA DR., STE. 325  
 DALLAS, TX 75230 (972) 490-7090 FAX (972) 490-7099

## EXHIBIT E

### PROJECTED DEVELOPMENT SCHEDULE

Shops at Prosper Trail

07/01/14

#### **Kroger will give notice to proceed (NTP) to go out to bid. Weeks from NTP**

a. Send bid documents out to bid	1 week
b. Receive Bids	4 week
c. Award Site Work Contract	8 week
d. Complete Pad	20 weeks
e. Provide temporary power and all weather access roads to the Kroger pad. and staging area	20 weeks
f. Provide fire lanes for Kroger building and Fuel Station	23 weeks

#### **Items to be completed from Pad delivery**

#### **weeks**

g. Paving complete	10 weeks
h. Provide permanent power	8 weeks
i. Monument/ Pylon signs	12 weeks

#### **Items to be completed prior to the fuel center opening**

#### **weeks**

j. Striping Critical to open Fuel center	-3 week
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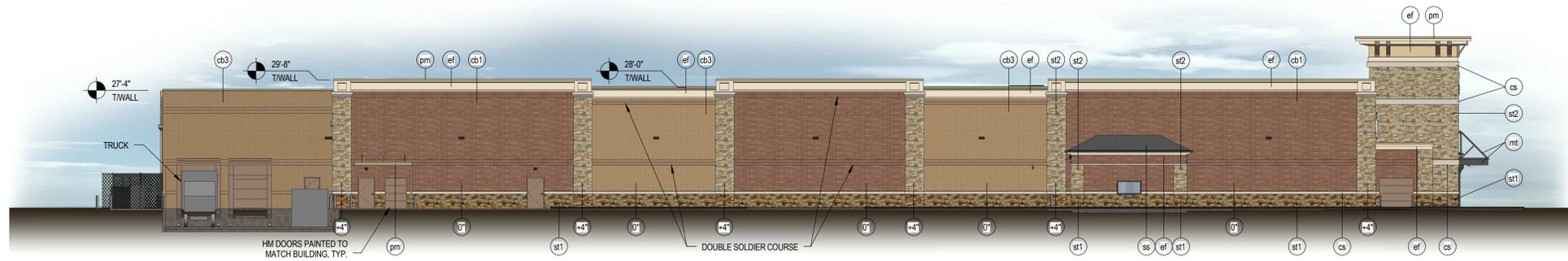
#### **Items to be completed prior to Kroger Grand Opening**

#### **weeks**

k. Kroger Opening	0
l. Landscaping	- 8 weeks
m. Striping	- 6 weeks
n. NOT	-4 weeks
o. Site work 100% punched out	- 4 weeks



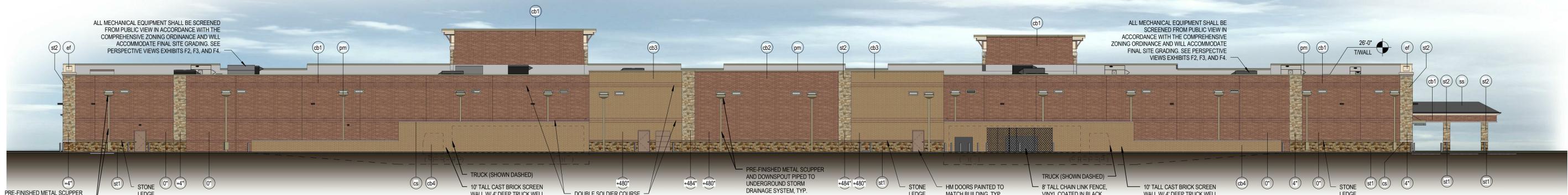
WEST ELEVATION



NORTH ELEVATION

**Facade Plan Checklist**

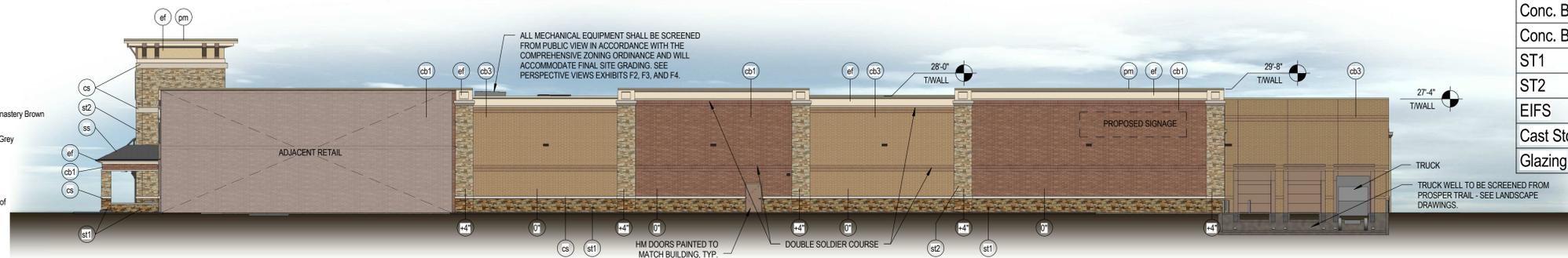
- "This Facade Plan is for conceptual purposes only. All building plans require review and approval from the Building Inspection Division"
- "All mechanical equipment shall be screened from public view in accordance with the Comprehensive Zoning Ordinance"
- "When permitted, exposed utility boxes and conduits shall be painted to match the building"
- "All signage areas and locations are subject to approval by the Building Inspection Department"
- "Windows shall have a maximum exterior visible reflectivity of ten (10) percent."



EAST ELEVATION

**FINISH SCHEDULE**

st1 - Concrete Stone Veneer Texas Stone Design Inc - Palo Pinto Cobble	cs - Cast Stone Sitelworks - Natural
st2 - Concrete Stone Veneer Texas Stone Design Inc - Granbury Cobble	ef - Reinforced E.I.F.S. Dryvit - Oyster Shell / Monastery Brown
cb1 - Architectural Concrete Block Oldcastle - Quik Brik - Timberland w/ Red Flash - 4"	me - Exposed Metal Paint to match Charcoal Grey
cb2 - Architectural Concrete Block Oldcastle - Quik Brik - Timberland w/ Red Flash - 4" split	pm - Metal Coping Bertridge - Sierra Tan
cb3 - Architectural Concrete Block Oldcastle - Quik Brik - Autumn Blend w/ Flash - 4"	sf - Clear Anodized Aluminum
cb4 - Architectural Concrete Block Oldcastle - Quik Brik - Autumn Blend w/ Flash - 4" split	ss - Standing Seam Metal Roof Bertridge - Charcoal Grey
	g - Glazing Grey Tint
	mr - Mortar Amerimix - Light Tan



SOUTH ELEVATION

**Material Percentages**

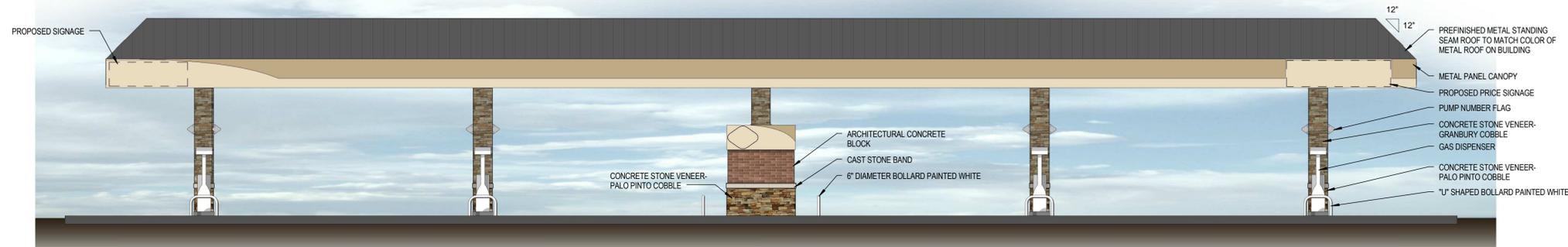
	North	West	South	East
Conc. Block	59.6%	43.6%	71.2%	63.1%
Conc. Block - Split Face	0.0%	0.0%	0.0%	22.4%
ST1	8.8%	8.6%	6.9%	5.9%
ST2	11.0%	13.3%	7.5%	4.9%
EIFS	7.8%	10.0%	7.2%	0.5%
Cast Stone	2.8%	3.8%	1.8%	1.0%
Glazing	0.2%	12.3%	0.0%	0.0%

EXHIBIT F1 - CONCEPT ELEVATIONS

July 1, 2014

Prosper, TX  
513501.10





WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION

ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH THE COMPREHENSIVE ZONING ORDINANCE AND WILL ACCOMMODATE FINAL SITE GRADING.

**Facade Plan Checklist**

- "This Facade Plan is for conceptual purposes only. All building plans require review and approval from the Building Inspection Division"
- "All mechanical equipment shall be screened from public view in accordance with the Comprehensive Zoning Ordinance"
- "When permitted, exposed utility boxes and conduits shall be painted to match the building"
- "All signage areas and locations are subject to approval by the Building Inspection Department"
- "Windows shall have a maximum exterior visible reflectivity of ten (10) percent."

Material Percentages				
	North	South	East	West
Architectural Concrete Block	4.62%	6.58%	0.00%	2.06%
Metal Roof	34.42%	34.42%	48.88%	48.88%
Metal Canopy	34.93%	34.93%	37.28%	37.28%
Stone-1	9.47%	11.47%	3.50%	3.50%
Stone-2	9.46%	9.46%	8.50%	7.50%
Cast Stone	2.65%	2.65%	0.84%	0.84%
Glass	3.44%	3.44%	2.10%	0.00%

EXHIBIT F2 - CONCEPT FUEL CENTER ELEVATIONS

July 11, 2014

Prosper, TX  
513501.10





④ LOT 5 - NORTH ELEVATION  
3/32" = 1'-0"



③ LOT 5 - EAST ELEVATION  
3/32" = 1'-0"



① LOT 5 - SOUTH ELEVATION  
3/32" = 1'-0"



② LOT 5 - WEST ELEVATION  
3/32" = 1'-0"



### EXHIBIT F3 - CONCEPT ELEVATIONS

July 1, 2014

Prosper, TX  
900514.B1





EXHIBIT F4 - CONCEPT PERSPECTIVES

July 1, 2014

Prosper, TX  
900514.B1

