

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20; GRANTING A SPECIFIC USE PERMIT (SUP) FOR A PRIVATE OR PAROCHIAL SCHOOL, LOCATED ON A TRACT OF LAND CONSISTING OF 7.11 ACRES, MORE OR LESS, SITUATED IN THE HARRISON JAMISON SURVEY, ABSTRACT NO. 480, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS; DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Prosper, Texas (the "Town Council") has investigated and determined that Zoning Ordinance No. 05-20 and Ordinance No. 01-18 should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request from the Corporation of the Episcopal Diocese of Dallas ("Applicant") for a Specific Use Permit (SUP) to allow for a Private or Parochial School on a tract of land zoned Planned Development-6 (PD-6), consisting of 7.11 acres of land, more or less, situated in the Harrison Jamison Survey, Abstract No. 480, in the Town of Prosper, Collin County, Texas, and being particularly being described in Exhibit "A," attached hereto and incorporated herein for all purposes; and

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

WHEREAS, all legal notices required to grant a Specific Use Permit (SUP) have been given in the manner and form set forth by law, public hearings have been held, and all other requirements of notice and completion of such procedures have been fulfilled; and

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

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

SECTION 1

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

SECTION 2

Specific Use Permit Granted. Zoning Ordinance No. 05-20 is amended as follows: Applicant is granted a Specific Use Permit (SUP) to allow the operation of a Private or Parochial School, on a tract of land zoned Planned Development-6 (PD-6), consisting of 7.11 acres of land, more or less, situated in the Harrison Jamison Survey, Abstract No. 480, in the Town of Prosper, Collin County, Texas, and being particularly being described in Exhibit "A," attached hereto and incorporated herein for all purposes as if set forth verbatim.

The property shall continue to be used in a manner consistent with the conditions expressly stated in the site plan, attached hereto as Exhibit "B," which is incorporated herein for all purposes as if set forth verbatim.

Except as amended by this Ordinance, the development of the Property within this Specific Use Permit (SUP) shall comply fully with the requirements of all ordinances, rules, and regulations of the Town of Prosper, as they currently exist or may be amended.

Three (3) original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. Two (2) copies shall be filed with the Town Secretary and retained as original records and shall not be changed in any matter.
- b. One (1) copy shall be filed with the Building Official and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

Written notice of any amendment to this District shall be sent to all owners of properties within the District as well as all properties within two hundred feet (200') of the District to be amended.

SECTION 3

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.

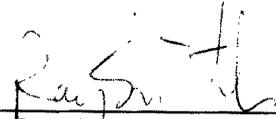
SECTION 7

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 13TH DAY OF JANUARY, 2015.



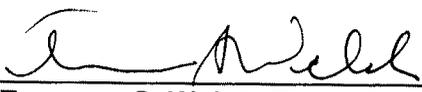
Ray Smith, Mayor

ATTEST:

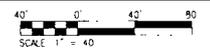


Robyn Battle, Town Secretary

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch, Town Attorney



LOCATION MAP
NOT TO SCALE

LEGEND

- CONCRETE SIDEWALK
- LANDSCAPING
- DIRECTION OF TRAFFIC FLOW FOR DROP-OFF/PICK-UP
- FUTURE DIRECTION OF TRAFFIC FLOW FOR DROP-OFF/PICK-UP

| Site Data Summary Table | |
|-----------------------------------|--------------------------|
| Description | |
| Zoning | PD - 6 |
| Proposed Use | Daycare/House of Worship |
| Lot Area | 7.105 acres |
| Building Area | 34,000 sf |
| Building Height | 42' (1 story) |
| Lot Coverage | 41% |
| Floor Area Ratio | 11% |
| Total Parking Required | 147 |
| Total Parking Provided | 147 |
| Handicap Parking Required | 6 |
| Handicap Parking Provided | 6 |
| Interior Landscaping Required | 2,265 sf |
| Interior Landscaping Provided | 3,697 sf |
| Square foot of Concrete Paving | 90,350 sf |
| Square foot of Impervious Surface | 124,350 sf |
| Open Space Required | 7% |
| Open Space Provided | 30% |

| Parking Requirements | | | |
|------------------------------|------------|----------|----------------------|
| Total Including Phases 2 & 3 | | | |
| Use | # of Units | Unit | # of Spaces Required |
| Office | 350 | seats | 13 |
| Daycare/Pres | 250 | 45 SEATS | 10 |
| Daycare/Pres | 3 | TRUCKS | 8 |
| Emergency Vehicle | 6 | SPACES | 3 |
| Total | | | 147 |

NOTES

STANDARD LANGUAGE

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC).

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE DALLAS CITY CODE (DCC).

3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE CODE (TSC).

4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ELECTRICAL CODE (TSEC).

5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE MECHANICAL CODE (TSMC).

6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PLUMBING AND MECHANICAL CODE (TSPMC).

7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE FIRE AND ALARM CODE (TSAAC).

8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE HEALTH AND SAFETY CODE (TSHSC).

9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ENVIRONMENTAL CODE (TSEC).

10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE LANDSCAPE ARCHITECTURE CODE (TSLAC).

11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PAVING CODE (TSPC).

12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE CONCRETE CODE (TSCC).

13. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE STEEL CODE (TSSC).

14. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE WOOD CODE (TSWC).

15. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE MASONRY CODE (TSMC).

16. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE GLASS CODE (TSGC).

17. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PAINT CODE (TSPC).

18. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE FINISHES CODE (TFC).

19. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE LIGHTING CODE (TSLC).

20. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SOUND AND VIBRATION CODE (TSVC).

21. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ENERGY CODE (TSEC).

22. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SUSTAINABLE DESIGN CODE (TSDC).

23. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ACCESSIBILITY CODE (TAC).

24. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SECURITY CODE (TSC).

25. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE RECORDS MANAGEMENT CODE (TRMC).

26. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ARCHIVES CODE (TAC).

27. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE LIBRARY CODE (TLC).

28. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE MUSEUM CODE (TMC).

29. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE HISTORIC PRESERVATION CODE (THPC).

30. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ANTIQUARIAN CODE (TAC).

31. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE HERITAGE CODE (THC).

32. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE CULTURAL CODE (TCC).

33. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ARTS CODE (TAC).

34. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE RECREATION CODE (TRC).

35. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE LEISURE CODE (TLC).

36. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ENTERTAINMENT CODE (TEC).

37. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE MEDIA CODE (TMC).

38. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE TELEVISION CODE (TTC).

39. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE RADIO CODE (TRC).

40. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE FILM CODE (TFC).

41. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE MUSIC CODE (TMC).

42. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE THEATRE CODE (TTC).

43. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PERFORMING ARTS CODE (TPAC).

44. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE VISUAL ARTS CODE (TVAC).

45. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE LITERATURE CODE (TLC).

46. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE JOURNALISM CODE (TJC).

47. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PUBLISHING CODE (TPC).

48. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PRINTING CODE (TPC).

49. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE BOOKS AND PUBLICATIONS CODE (TBPC).

50. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE INFORMATION CODE (TIC).

51. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE COMMUNICATIONS CODE (TCC).

52. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE TELECOMMUNICATIONS CODE (TTCC).

53. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE NETWORKING CODE (TNC).

54. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE INTERNET CODE (TIC).

55. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE DIGITAL CODE (TDC).

56. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE ELECTRONIC CODE (TEC).

57. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE CYBERNETICS CODE (TCNC).

58. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE COMPUTING CODE (TCC).

59. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SOFTWARE CODE (TSC).

60. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE HARDWARE CODE (THC).

61. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SYSTEMS CODE (TSC).

62. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE APPLICATIONS CODE (TAC).

63. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SERVICES CODE (TSC).

64. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE SUPPORT CODE (TSC).

65. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE TRAINING CODE (TTC).

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67. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE PROFESSIONAL CODE (TPC).

68. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE REGULATORY CODE (TRC).

69. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE COMPLIANCE CODE (TCC).

70. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STATE LEGAL CODE (TLC).

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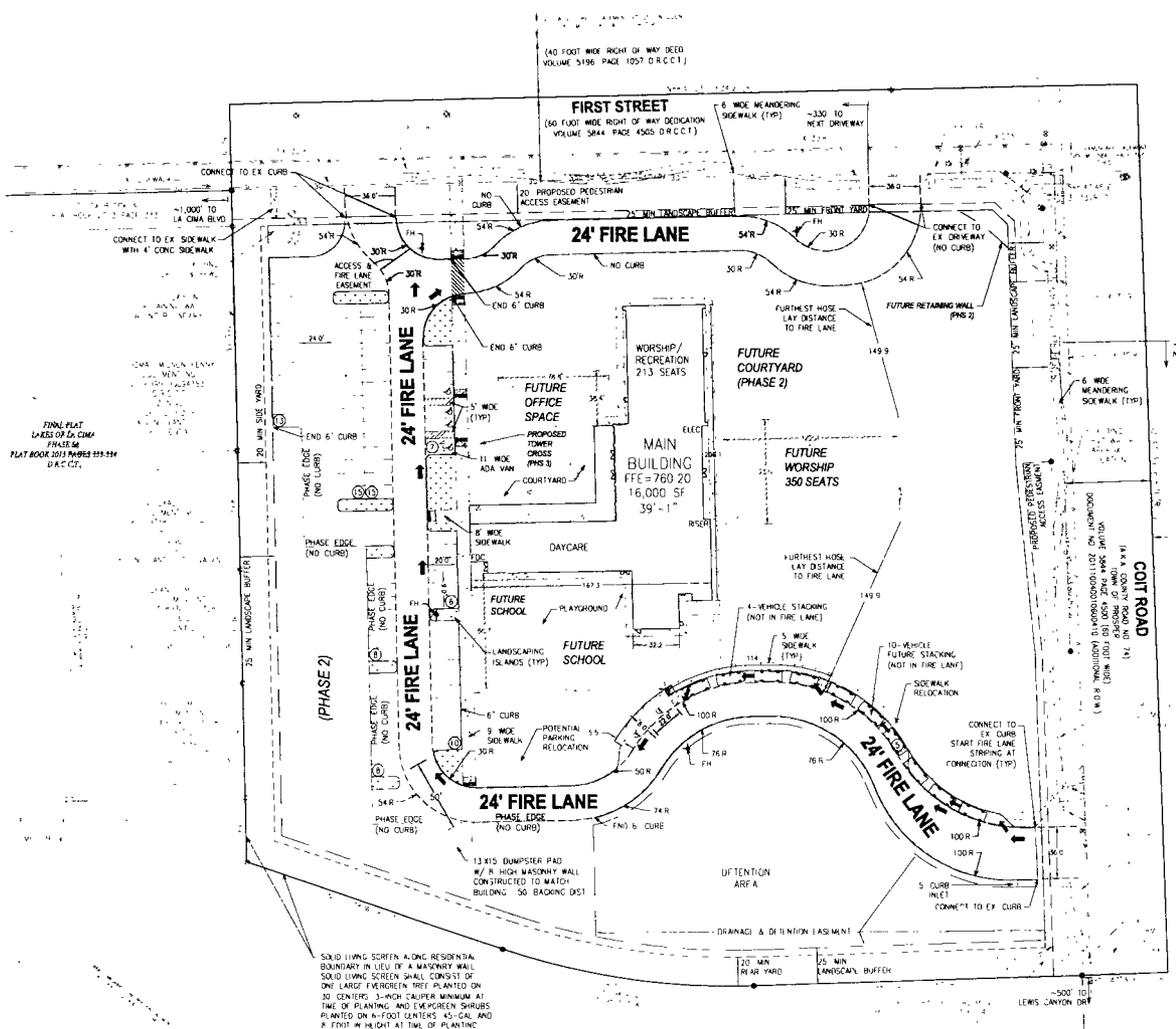


EXHIBIT "B"
OF
SPECIFIC USE PERMIT
FOR
ST. PAUL'S EPISCOPAL CHURCH
7.105 NET ACRES
ABSTRACT 480
HARRISON JAMISON SURVEY,
TRAC 128
TOWN OF PROSPER, TEXAS

Job Number
14-0030

Sheet Number
1 of 1

cole
CONSULTING ENGINEERS, PLANNERS, LANDSCAPE ARCHITECTS
1100 WEST 19TH STREET, SUITE 1000, DALLAS, TEXAS 75201
PHONE: (214) 343-1000 FAX: (214) 343-1001

CLIENT
ST. PAUL'S EPISCOPAL CHURCH
800 BUFFALO SPRINGS DR
PROSPER, TX 75078
(404) 250-4088

OWNER
EPISCOPAL DIOCESE OF DALLAS
1000 N GARRETT AVE
DALLAS, TX 75206

Sheet Name
Exhibit B

DATE
10/28/14