

## TOWN OF PROSPER, TEXAS

## ORDINANCE NO. 17-46

**AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20; GRANTING A SPECIFIC USE PERMIT (SUP) FOR A UTILITY DISTRIBUTION/TRANSMISSION FACILITY, LOCATED ON A TRACT OF LAND CONSISTING OF 0.142 ACRE, MORE OR LESS, SITUATED IN THE W. LUMPKIN SURVEY, ABSTRACT NO. 730, IN THE TOWN OF PROSPER, DENTON 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 should be amended; and

**WHEREAS**, the Town of Prosper, Texas ("Prosper") has received a request from Graham Associates, Inc. ("Applicant") for a Specific Use Permit (SUP) to allow for a Utility Distribution/Transmission Facility on a tract of land zoned Retail (R), consisting of 0.142 acre of land, more or less, situated in the W. Lumpkin Survey, Abstract No. 730, in the Town of Prosper, Denton 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 Utility Distribution/Transmission Facility, on a tract of land zoned Retail (R), consisting of 0.142 acre of land, more or less, situated in the W. Lumpkin Survey, Abstract No. 730, in the Town of Prosper, Denton 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 concept site plan, attached hereto as Exhibit "B," the concept landscape plans, attached hereto as Exhibit "C"; and the conceptual elevations, attached hereto as Exhibit "D," 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 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.

### **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**

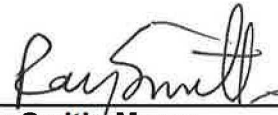
Savings/Repealing Clause. Prosper's Zoning Ordinance No. 05-20 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall 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 JUNE, 2017.**



  
Ray Smith, Mayor

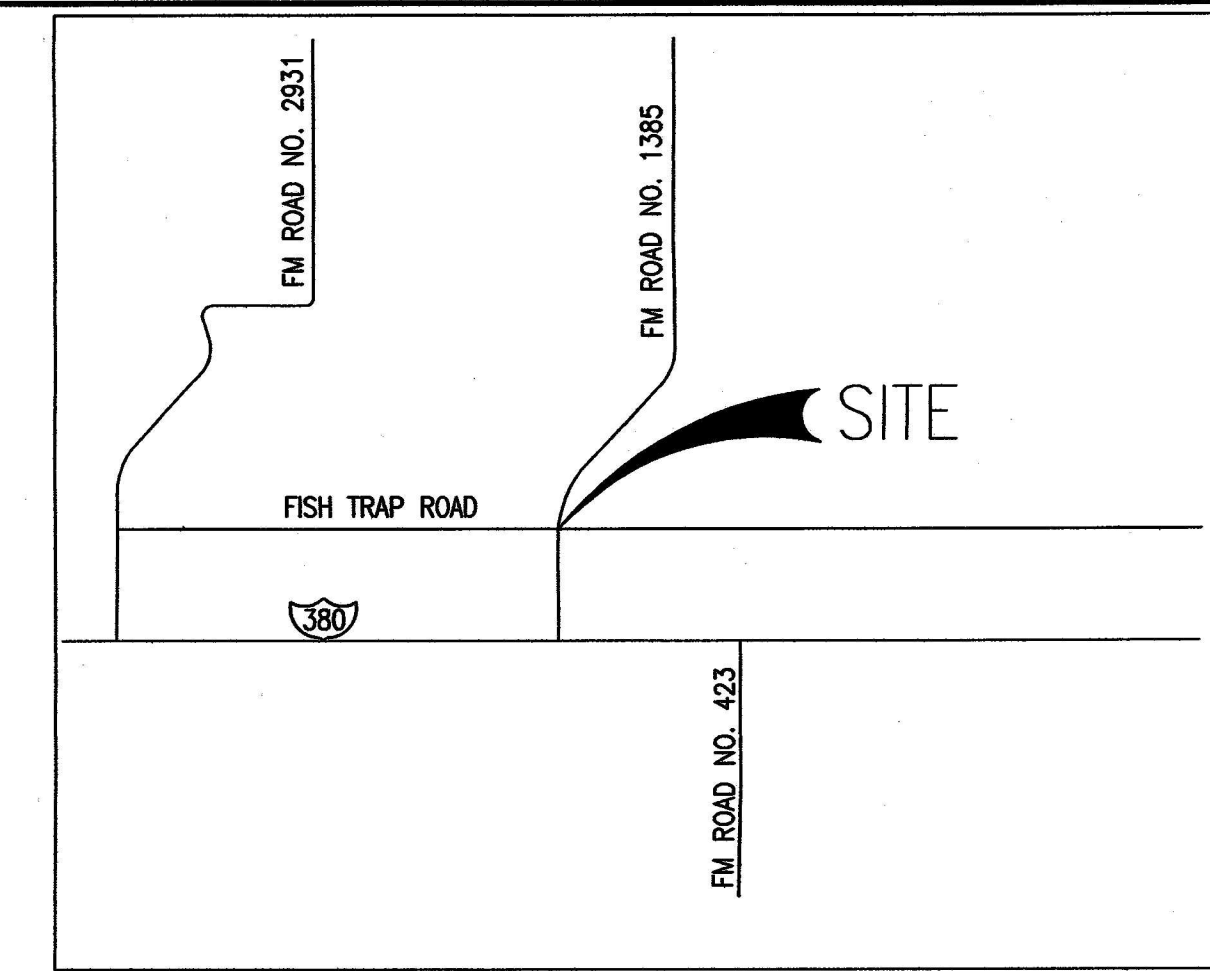
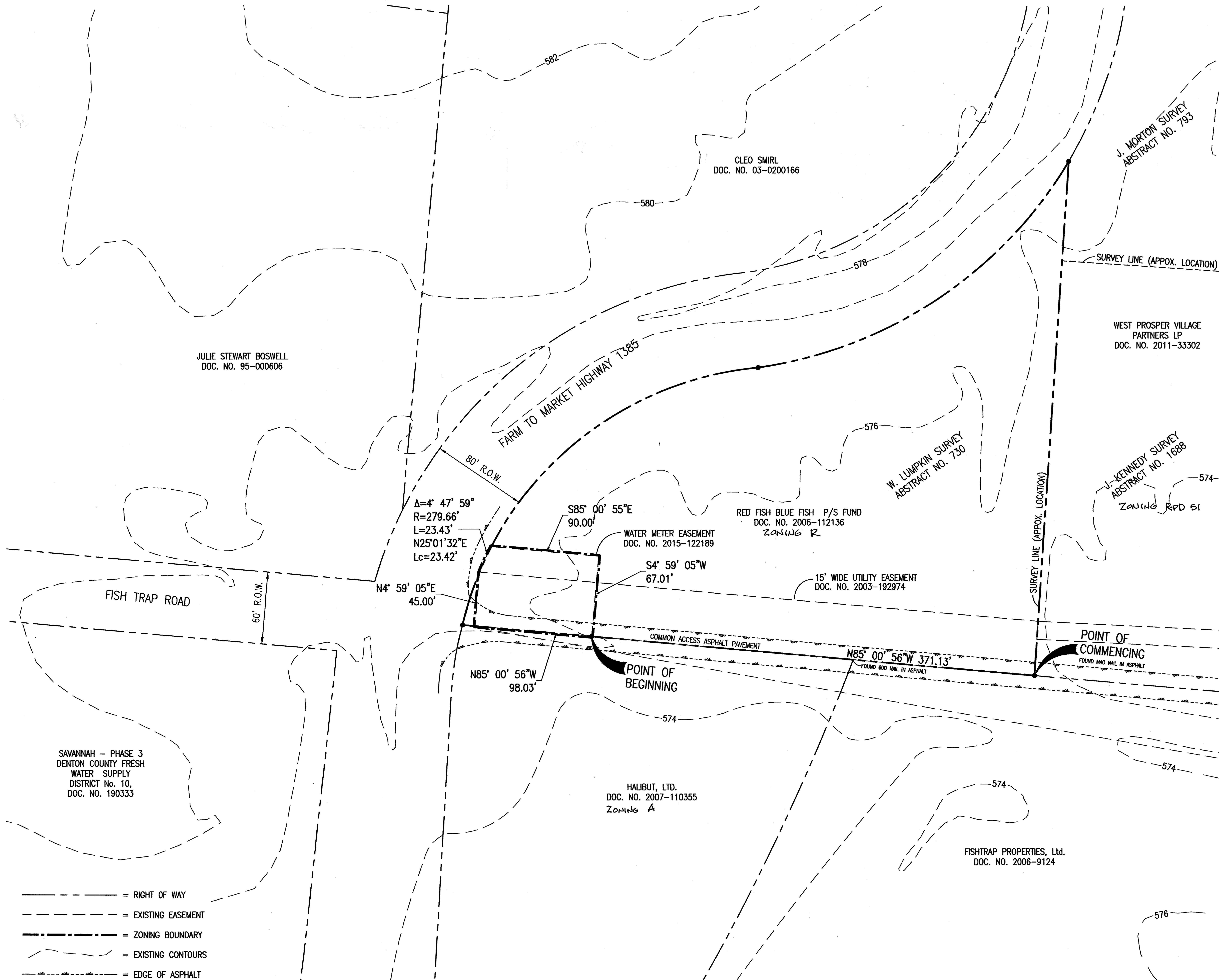
ATTEST:

  
Robyn Battle, Town Secretary

**APPROVED AS TO FORM AND LEGALITY:**

  
Terrence S. Welch, Town Attorney





#### SUP LIMITS

Being a portion a tract or parcel of land situated in the W. Lumpkin Survey, Abstract No. 370 in Denton County, Texas, being a portion of that certain tract of land conveyed to Red Fish Blue Fish P/S Fund as recorded in Document Number 2006-112136, Real Property Records, Denton County, Texas, being more particularly described by metes and bounds as follows:

**COMMENCING** at a point at the southeast corner of said Red Fish Blue Fish P/S Fund tract, and being the southwest corner of a tract of land conveyed to West Prosper Village Partners LP as recorded in Document Number 2011-33302, Real Property Records, Denton County, Texas, and also being in the north line of a tract of land conveyed to Fishtrap Properties, Ltd. as recorded in Document Number 2006-9124, Real Property Records, Denton County, Texas;

**THENCE** North 85° 00' 56" West, departing the southeast corner of said Red Fish Blue Fish tract, along the north line of said Fishtrap Properties, Ltd. tract, and along the north line of a tract of land conveyed to Halibut, LTD. as recorded in Document Number 2007-110355, Real Property Records, Denton County, Texas, a distance of 371.13 feet to the **POINT OF BEGINNING**;

**THENCE** North 85° 00' 56" West, along the south line of said Red Fish Blue Fish tract, and along the north line of said Halibut tract, being a common line, a distance of 98.03 feet to a point;

**THENCE** North 04° 59' 05" East, departing said common line, a distance of 45.00 feet to a point, said point being in the east right-of-way line of Farm to Market Highway 1385 (80' Right-Of-Way) for the beginning of a non-tangent curve to the right having a radius of 279.66 feet, central angle of 04° 47' 59", a long chord which bears North 25° 01' 32" East, 23.42 feet;

**THENCE**, along said non-tangent curve to the right, a distance of 23.43 feet to a point;

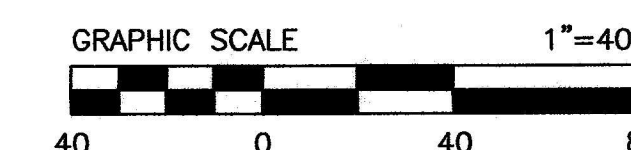
**THENCE** South 85° 00' 55" East, departing the east right-of-way line of said Highway 1385, a distance of 90.00 feet to a point;

**THENCE** South 04° 59' 05" West, a distance of 67.01 feet to the **POINT OF BEGINNING** and CONTAINING 6484 square feet, 0.142 acres of land, more or less.

#### SURVEYOR'S CERTIFICATE:

This is to certify that I, Michael Peterson, a Registered Public Land Surveyor of the State of Texas, have prepared this survey from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision.

*Michael Peterson* 01/11/2017  
Michael Peterson, Surveyor  
Texas Registration No. 5999



- = RIGHT OF WAY
- - - = EXISTING EASEMENT
- - - - - = ZONING BOUNDARY
- - - - - = EXISTING CONTOURS
- - - - - = EDGE OF ASPHALT

#### NOTES

1. NO FLOOD PLAIN EXISTS ON THIS SITE.
2. NO WATER METER EXISTS ON THIS SITE.
3. THIS EXHIBIT IS INTENDED TO REPRESENT THE LIMITS OF THE RESPECTIVE WATER METER STATION AND DOES NOT REPRESENT THE SUBDIVISION OF LAND.

**APPLICANT**  
DENTON COUNTY FRESH WATER SUPPLY DISTRICT No. 10  
C/O CRAWFORD & JORDON, LLP  
3100 MCKINNON S TREET SUITE 1100  
DALLAS, TEXAS 76201

**OWNER**  
RED FISH BLUE FISH PARTNERS FUND, Ltd.  
c/o CW KENDALL 701 NORTH CENTRAL  
EXPRESSWAY BUILDING 3, SUITE 300  
RICHARDSON, TEXAS

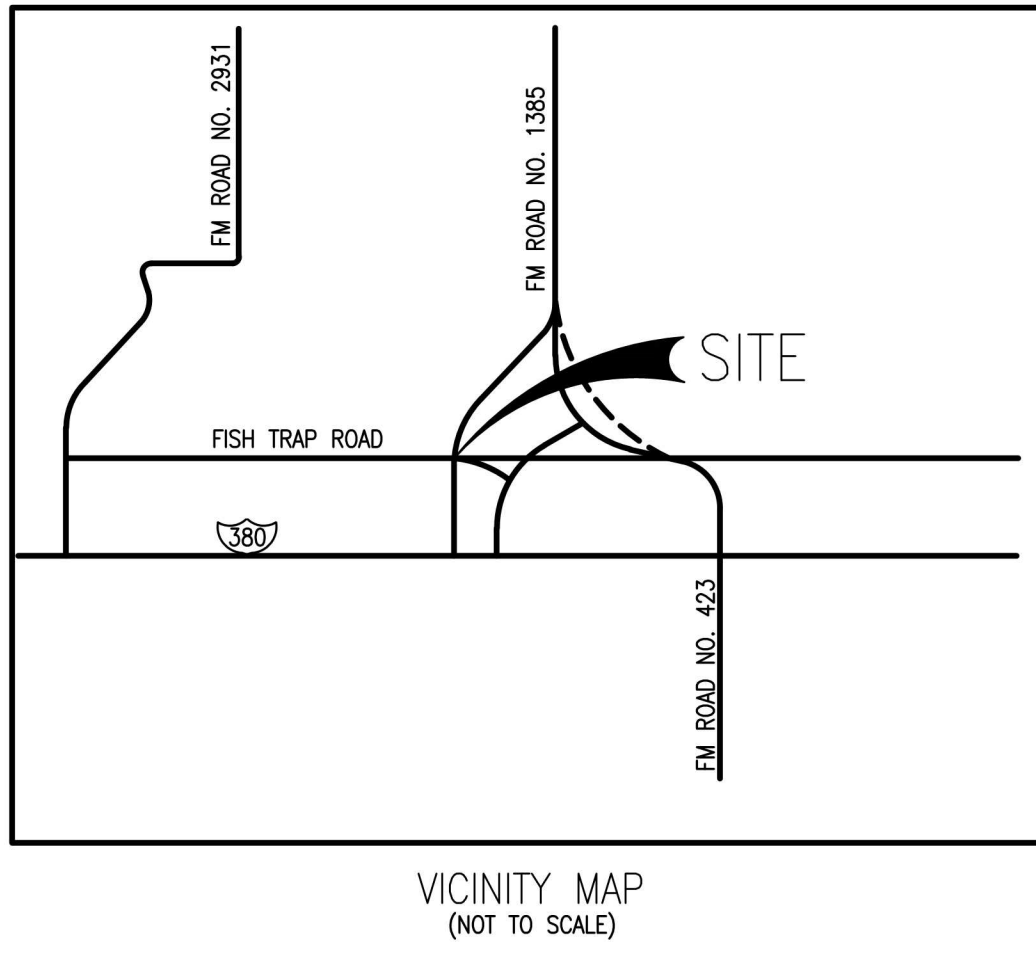
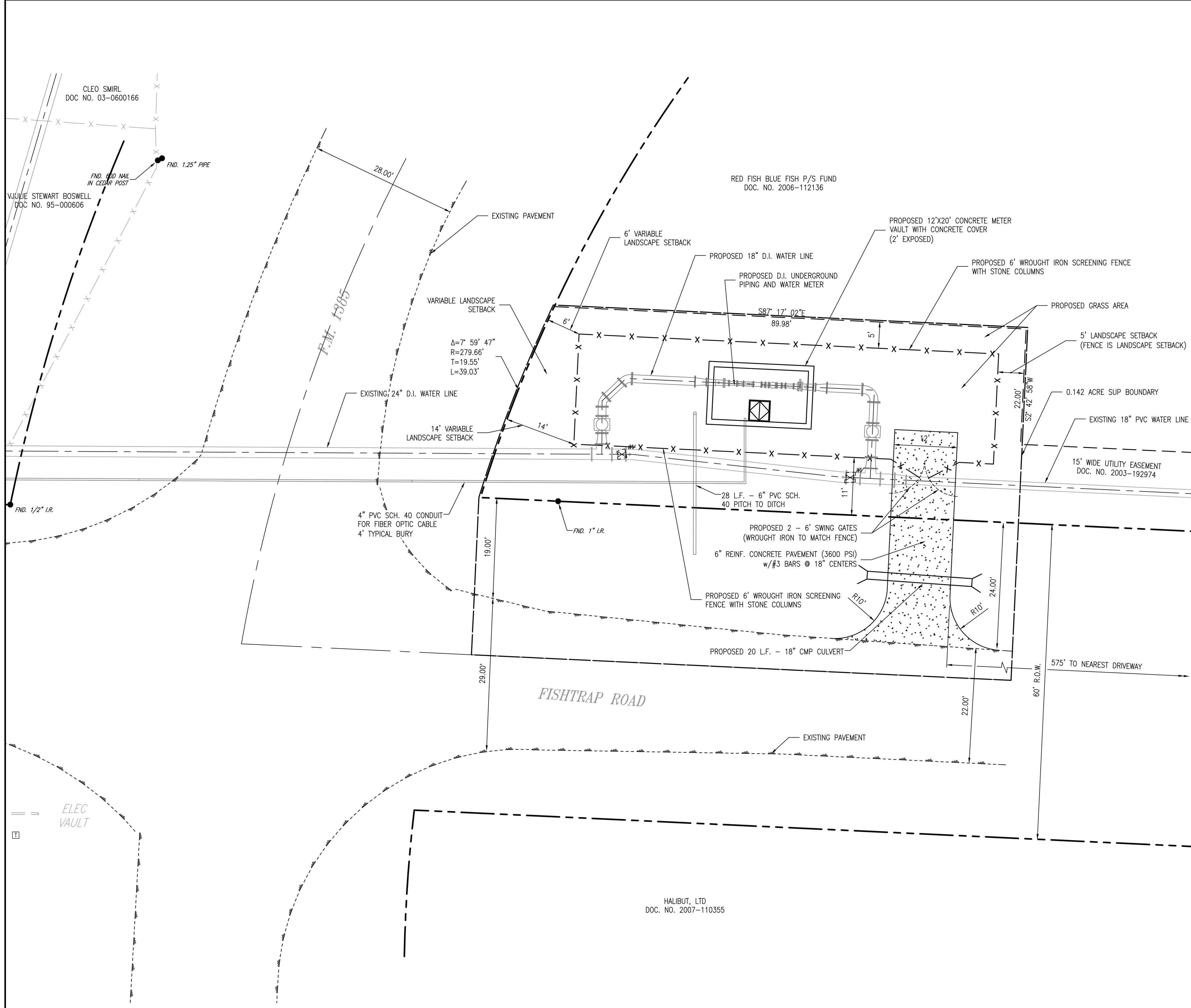
**ENGINEERS/SURVEYORS**  
GRAHAM ASSOCIATES, INC.  
ENGINEERS & PLANNERS 600  
SIX FLAGS DR. STE. 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TYPE FIRM F-119/TPPLS FIRM 101538-00



**Graham Associates, Inc.**  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAGS DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TYPE FIRM F-119/TPPLS FIRM 101538-00

SHEET 1 OF 1





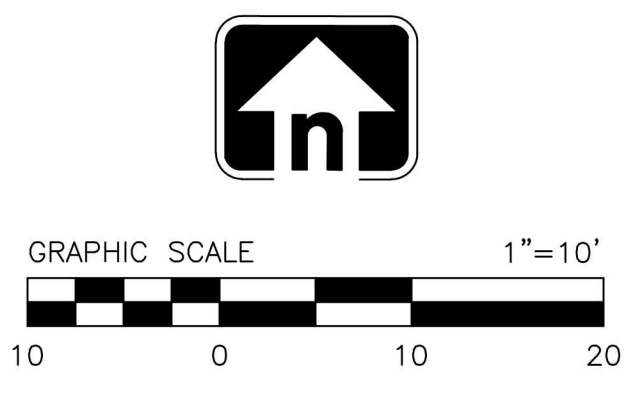
CAUTION:

EXISTING UTILITIES AND UNDERGROUND FACILITIES OF THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION AND AS-BUILT PLANS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND WILL BE RESPONSIBLE FOR ANY DAMAGE TO SAID UTILITIES. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES PRIOR TO CONSTRUCTION.

- LEGEND
- EXISTING RIGHT OF WAY
  - EXISTING EASEMENT LINE
  - DEED LINE
  - X-X-X- PROPOSED WROUGHT IRON FENCE
  - [Symbol] PROPOSED CONCRETE DRIVEWAY
  - - - - - EDGE OR EXISTING PAVEMENT

- 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 FACADE 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 TREES EXIST ON SITE.
  - NO FLOODPLAIN EXISTS ON THIS SITE.
  - NO WATER METER EXISTS ON THIS SITE.

SITE DATA SUMMARY TABLE	
PROPOSED ZONING	SUP - WATER METER FACILITY
LOT AREA	0.142 AC - 6484 SF
BUILDING AREA	N/A
BUILDING HEIGHT	N/A
LOT COVERAGE	N/A
LOT COVERAGE	N/A
TOTAL PARKING REQUIRED	0 SPACES, UNMANNED
TOTAL PARKING REQUIRED	0 SPACES, UNMANNED
SQ FT IMPERVIOUS SURFACE	1137 SF
OPEN SPACE REQUIRED (7%)	454 SF
OPEN SPACE PROVIDED	5347 SF
LIGHTING REQUIRED	N/A
LIGHTING PROVIDED	N/A



SUP EXHIBIT B: S17-002  
ARTESIA METER STATION  
BEING 0.142 ACRES OUT OF THE W. LUMPKIN  
SURVEY ABSTRACT NO. 730 CALLED 2.616 ACRES

APPLICANT  
DENTON COUNTY FRESH WATER SUPPLY DISTRICT No. 10  
C/O CRAWFORD & JORDON, LLP  
3100 MCKINNON STREET, SUITE 1100  
DALLAS, TEXAS 76201

OWNER  
RED FISH BLUE FISH PARTNERS FUND, LTD.  
C/O CW KENDALL, 701 NORTH CENTRAL  
EXPRESSWAY BUILDING 3, SUITE 300  
RICHARDSON, TEXAS

ENGINEERS/SURVEYORS  
GRAHAM ASSOCIATES, INC.  
ENGINEERS & PLANNERS 600  
SIX FLAGS DR., STE. 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TPEE FIRM: F-1191/TBPLS FIRM: 101638-00

SITE PLAN

ARTESIA METER STATION

ARTESIA WATER CONNECTION TO  
24" WATER LINE & METER STATION

DENTON COUNTY FRESH WATER SUPPLY DISTRICT No 10  
DENTON COUNTY, TEXAS

Graham Associates, Inc.  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAGS DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TPEE FIRM: F-1191/TBPLS FIRM: 101638-00

DRAWN BY: GAI

DATE: 5/9/2017

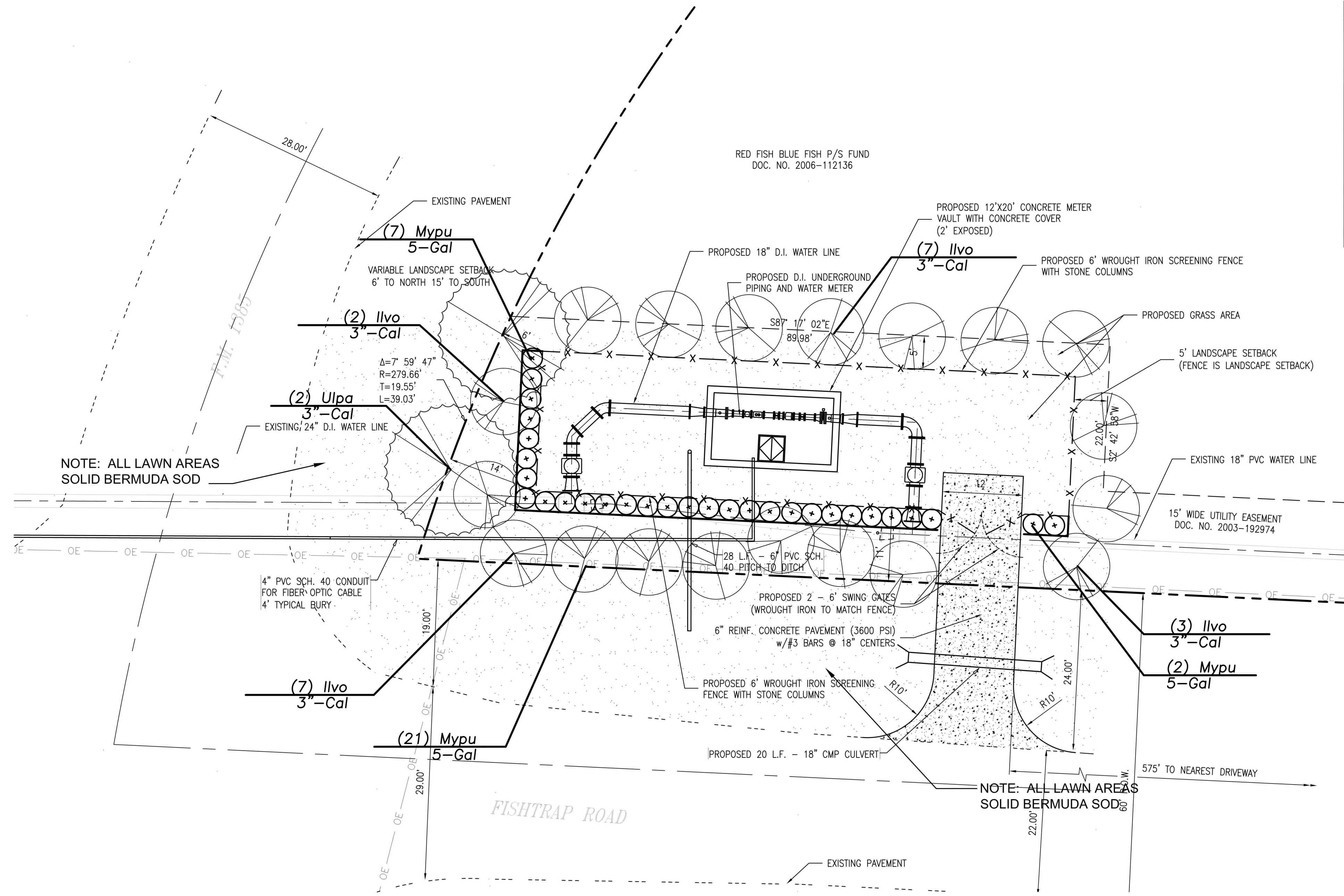
PROJECT NO. 950-1010

SHEET 1 OF 1

SHEET 1

PLOTTED BY: JAMES RYAN  
PLOT DATE: 5/10/2017 10:24 AM  
FILE NAME: J:\DENTON COUNTY\ARTESIA\WATER CONNECTION AND METER STATION\CAD SHEETS\SITE PLAN 10.DWG  
SHEET SIZE: ARCH FULL (36.00 X 24.00 INCHES) 1" = 1'





PERIMETER BUFFER	5' PERIMETER BUFFER ON ALL OTHER PERIMETERS	
	REQUIRED	PROVIDED
	5'	5'
PERIMETER BUFFER	REQUIRED (ADJ NON-RESIDENTIAL)	
	REQUIRED	PROVIDED
	268 / 15 = 18 ORNAMENTALS 268 / 15 = 18 SHRUBS	19 ORNAMENTALS 30 SHRUBS
REQUIRED PARKING LOT LANDSCAPING	15 SF LANDSCAPE AREA REQUIRED PER EVERY SPACE	
	REQUIRED	PROVIDED
	N/A	N/A
REQUIRED PARKING LOT TREES	1 TREE PER TERMINUS OF EACH ROW-NA	
	REQUIRED	PROVIDED
	1 TREE LOCATED WITHIN 150 LF OF EVERY PARKING SPACE-NA	
FOUNDATION LANDSCAPING	1 TREE PER AT 10,000 SF	
	REQUIRED	PROVIDED
	N/A	N/A

1656

1657

LEGEND

DENOTES TREE TO BE PRESERVED

DENOTES TREE TO BE REMOVED

LOCATION OF PROTECTIVE FENCE

TREE SURVEY			
NO.	DBH	SPECIES	COMMENT

THERE ARE NO EXISTING TREES ON THIS SITE

- PLANTING NOTES:
- PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
  - ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
  - CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
  - ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
  - ALL PLANTS WELL ROUNDED AND FULLY BRANCHED. ALL TREES WITH SPREAD 2/3 OF HEIGHT.
  - CONTRACTOR TO PROVIDE OWNER WITH PREFERRED MAINTENANCE SCHEDULE OF ALL PLANTS AND LAWNS.
  - MAINTAIN/PROTECT VISIBILITY TRIANGLE WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
  - PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN SPECS. WHERE SHRUBS ARE LOCATED ALONG CURB, SET SHRUBS BACK FROM CURB 3 FT.
  - SEE DETAIL SHEET FOLLOWING FOR PLANTING DETAILS.
  - CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELECABLE, ELECTRIC, GAS, WATER AND SEWER. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
  - IF EXISTING TREES ARE SHOWN TO REMAIN, CONTRACTOR SHALL PRUNE AS DIRECTED BY OWNER'S REPRESENTATIVE. WORK TO INCLUDE REMOVAL OF ALL SUCKER GROWTH; DEAD AND DISEASED BRANCHES AND LIMBS; VINES, BRIARS AND OTHER INVASIVE GROWTH; AND ALL INTERFERING BRANCHES. MAKE ALL CUTS FLUSH TO REMAINING LIMB. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
  - QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES. CONTRACTOR TO VERIFY PRIOR TO PRICING.
  - INSTALL EDGING BETWEEN LAWN AND PLANTING BEDS. REFER TO SPECIFICATIONS. FILE ALL CORNERS SMOOTH.
  - INSTALL CURLEX BLANKET (OR EQUAL) PER MANUFACTURES INSTRUCTIONS ON ALL GROUNDCOVER/SHRUB BEDS WITH A SLOPE OF 4:1 OR GREATER.
  - AT TIME OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RESERVE ALL B&B PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE OFF-SEASON. PURCHASE AND HOLD B&B PLANTS FOR LATE SEASON INSTALLATION.
  - CONTRACTOR SHALL STAKE TREES FOR OWNER'S APPROVAL PRIOR TO INSTALLATION.

CAUTION!!!

UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO. CALL BEFORE YOU DIG. TEXAS EXCAVATION SAFETY SYSTEM (TESS) 1-800-344-8377 TEXAS ONE CALL SYSTEMS 1-800-245-4545 LONE STAR NOTIFICATION CENTER 1-800-669-8344 EXT. 5

BEFORE YOU DIG...

- Landscape Notes
- (In the event of conflict between these notes and any other plan comments or specifications, Town of Prosper notes shall apply.)
- Plant material shall be measured and sized according to the latest edition of The Texas Nursery & Landscape Association (TNLA) Specifications, Grades and Standards.
  - All plant substitutions are subject to Town approval and must be specified on the approved landscape plan.
  - Groundcovers used in lieu of turf grass must provide complete coverage within one (1) year of planting and maintain adequate coverage as approved by the Town.
  - Trees must be planted four feet (4') or greater from curbs, sidewalks, utility lines, screening walls, and/or other structures. The Town has final approval for all tree placements.
  - Tree pits shall have roughened sides and be two to three times wider than the root ball of the tree in order to facilitate healthy root growth.
  - Tree pits shall be tested for water percolation. If water does not drain out of tree pit within a 24-hour period, the contractor shall provide berming or provide alternative drainage.
  - Trees shall not be planted deeper than the base of the "trunk flare".
  - The tree pit shall be backfilled with native topsoil free of rock and other debris.
  - Burlap, twine, and wire baskets shall be loosened and pulled back from the trunk of tree as much as possible.
  - Trees shall not be watered to excess that result in soil saturation. If soil becomes saturated, the watering schedule shall be adjusted to allow for drainage and absorption of the excess water.
  - A 3-4" layer of mulch shall be provided around the base of the planted tree. The mulch shall be pulled back 1-2" from the trunk of the tree.
  - No person(s) or entity may use improper or malicious maintenance or pruning techniques which would likely lead to the death of the tree. Improper or malicious techniques include, but are not limited to, topping or other unsymmetrical trimming of trees, trimming trees with a backhoe, or use of fire or poison to cause the death of the tree.
  - Topsail shall be a minimum of 8" in depth in planting area. Soil shall be free of stones, roots, and clods and any other foreign material that is not beneficial for plant growth.
  - All plant beds shall be top-dressed with a minimum of 3" of mulch.
  - Trees overhanging walks and parking shall have a minimum clear trunk height of 7 feet. Trees overhanging public street pavement drive aisles and fire lanes shall have a minimum clear trunk height of 14 feet.
  - A visibility triangle must be provided at all intersections, where shrubs are not to exceed 30 inches in height, and trees shall have a minimum clear trunk height of 9 feet.
  - Trees planted on a slope shall have the tree well at the average grade of the slope.
  - No shrubs shall be permitted within areas less than 3 feet in width. All beds less than 3 feet in width shall be grass, groundcover, or some type of fixed paving.
  - The owner, tenant, and/or their agents, if any, shall be jointly and severally responsible for the maintenance, establishment, and permanence of plant material. All landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not be limited to, mowing, edging, pruning, fertilizing, watering, and other activities necessary for the maintenance of landscape areas.
  - All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant material that is damaged, destroyed, or removed, shall be replaced with plant material of similar size and variety within 30 days, unless otherwise approved in writing by the Town of Prosper.
  - Landscape and open areas shall be kept free of trash, litter, and weeds.
  - An automatic irrigation system shall be provided to irrigate all landscape areas. Overspray on streets and walks is prohibited. A permit from the Building Inspection Department is required for each irrigation system.
  - No plant material shall be allowed to encroach on right-of-way, sidewalks, or easements to the extent that the vision of route of travel for vehicular, pedestrian, or bicycle traffic is impeded.
  - No planting areas shall exceed 3:1 slopes: 3' horizontal to 1' vertical.
  - Earthen berms shall not include construction debris. Contractor must correct slippage or damage to the smooth finish grade of the berm prior to acceptance.
  - All walkways shall meet A.D.A. and T. A. S. requirements.
  - Contact Town of Prosper Parks and Recreation Division at (972) 346-3502 for landscape inspection. Note that the installation must comply with approved landscape plans prior to final acceptance by the Town and/or obtaining a Certificate of Occupancy.
  - Final inspection and approval of screening walls, irrigation and landscape is subject to all public utilities, including but not limited to manholes, valves, water meters, cleanouts, and other appurtenances, to be accessible, adjusted to grade, and to the Town of Prosper's Public Works Department standards.
  - Prior to calling for a landscape inspection, contractor is responsible for marking all manholes, valves, water meters, cleanouts, and other utility appurtenances with flagging for field verification by the Town.

Sym	Qty	Code	Scientific Name	Common Name	Planting Size	Comments
	19	Ilvo	Ilex vomitoria	Yaupon holly	3"-Cal/8' Min Ht.	Tree form, three cane min.
	30	Mypu	Myrica pusilla	Dwarf Wax Myrtle	5-Gal	36" O.C.
	2	Ulpa	Ulmus parvifolia	Lacebark elm	3"-Cal/12' Min Ht	B & B, Single straight trunk
			Cynodon dactylon	Bermuda grass	Solid sod	

NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM TREE CALIPER CALIPER MEASUREMENT HEIGHT ABOVE GRADE AS REQUIRED BY CITY.

SUP EXHIBIT C: S17-002  
ARTESIA METER STATION  
BEING 0.142 ACRES OUT OF THE W. LUMPKIN  
SURVEY ABSTRACT NO. 730 CALLED 2.616 ACRES  
TOWN PROJECT NO. S17-0002

APPLICANT

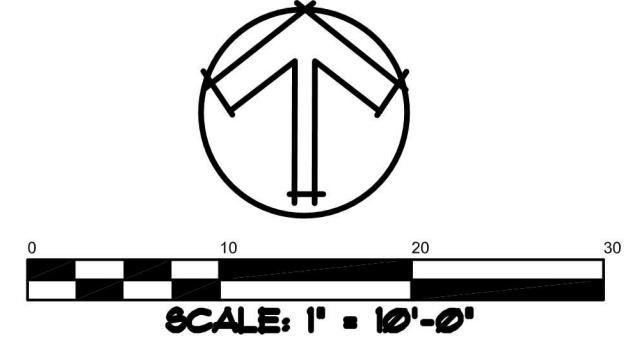
DENTON COUNTY FRESH WATER SUPPLY DISTRICT No. 10  
C/O CRAWFORD & JORDON, LLP  
3100 MCKINNON STREET, SUITE 1100  
DALLAS, TEXAS 76201

OWNER

RED FISH BLUE FISH PARTNERS FUND, Ltd.  
c/o CW KENDALL 701 NORTH CENTRAL  
EXPRESSWAY BUILDING 3, SUITE 300  
RICHARDSON, TEXAS

ENGINEERS/SURVEYORS

GRAHAM ASSOCIATES, INC.  
ENGINEERS & PLANNERS 600  
SIX FLAGS DR. STE. 500  
ARLINGTON, TEXAS 76011  
817-640-8535



TREE PRESERVATION/  
LANDSCAPE PLAN

Date APR 18, 2017

Drawn By GAC

Checked By JRF

Revisions

FAN • CUPPETT

LANDSCAPE ARCHITECTS, LLC

10000 W. LUMPKIN AVENUE, SUITE 1000  
ARLINGTON, TEXAS 76011  
(817) 640-8535

PROSPER LANDSCAPE ARCHITECTS, LLC

10000 W. LUMPKIN AVENUE, SUITE 1000  
ARLINGTON, TEXAS 76011  
(817) 640-8535

ARTESIA WATER METER STATION

TOWN OF PROSPER

COLLIN COUNTY TEXAS

Sheet No.  
L-1

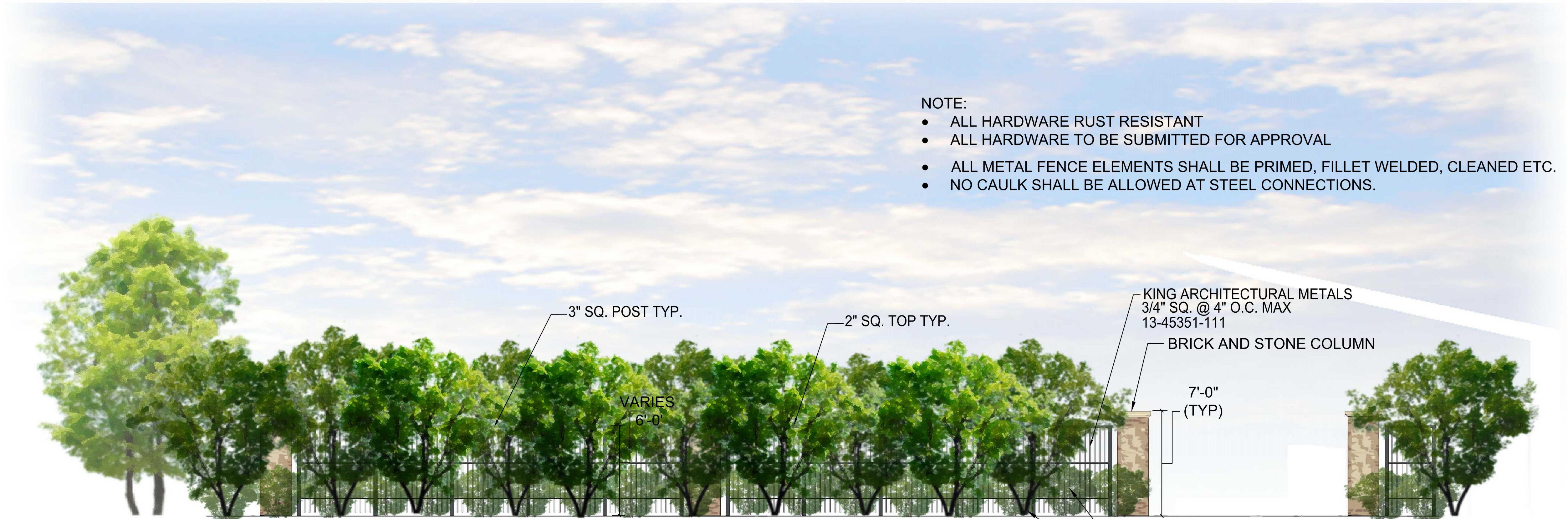
Ordinance No. 17-46, Page 6





THIS ELECTRONIC DRAWING FILE IS RELEASED UNDER THE AUTHORITY OF GREGORY A. CUPPET, LANDSCAPE ARCHITECT, REGISTRATION NUMBER 2672 ON 05/09/17, WHO WANTS THE ORIGINAL DRAWING FILE TO BE RELEASED UNDER THE AUTHORITY OF THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS. THE USER OF THIS ELECTRONIC DRAWING FILE AGREES TO ASSUME ALL RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN AND TO BE RESPONSIBLE FOR THE RESULTS OF ANY ACTION TAKEN BASED ON THE INFORMATION CONTAINED HEREIN. THE USER OF THIS ELECTRONIC DRAWING FILE AGREES TO BE RESPONSIBLE FOR THE RESULTS OF ANY ACTION TAKEN BASED ON THE INFORMATION CONTAINED HEREIN. THE USER OF THIS ELECTRONIC DRAWING FILE AGREES TO BE RESPONSIBLE FOR THE RESULTS OF ANY ACTION TAKEN BASED ON THE INFORMATION CONTAINED HEREIN.

ARTESIA WATER METER STATION  
TOWN OF PROSPER  
COLLIN COUNTY TEXAS



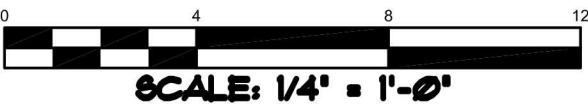
- NOTE:
- ALL HARDWARE RUST RESISTANT
  - ALL HARDWARE TO BE SUBMITTED FOR APPROVAL
  - ALL METAL FENCE ELEMENTS SHALL BE PRIMED, FILLET WELDED, CLEANED ETC.
  - NO CAULK SHALL BE ALLOWED AT STEEL CONNECTIONS.

SUP EXHIBIT D: S17-002  
ARTESIA METER STATION  
BEING 0.142 ACRES OUT OF THE W. LUMPKIN  
SURVEY ABSTRACT NO. 730 CALLED 2.616 ACRES  
TOWN PROJECT NO. S17-0002

APPLICANT  
DENTON COUNTY FRESH WATER SUPPLY DISTRICT No. 10  
C/O CRAWFORD & JORDON, LLP  
3100 MCKINNON STREET, SUITE 1100  
DALLAS, TEXAS 76201

OWNER  
RED FISH BLUE FISH PARTNERS FUND, Ltd.  
c/o CW KENDALL 701 NORTH CENTRAL  
EXPRESSWAY BUILDING 3, SUITE 300  
RICHARDSON, TEXAS

ENGINEERS/SURVEYORS  
GRAHAM ASSOCIATES, INC.  
ENGINEERS & PLANNERS 600  
SIX FLAGS DR. STE. 500  
ARLINGTON, TEXAS 76011  
817-640-8535



SCALE: 1/4" = 1'-0" FENCE RENDERING