

## TOWN OF PROSPER, TEXAS

## ORDINANCE NO. 17-60

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE; GRANTING A SPECIFIC USE PERMIT (SUP) FOR A CHILD DAY CARE CENTER, LOCATED ON A TRACT OF LAND CONSISTING OF 2.794 ACRES, MORE OR LESS, BEING A PORTION OF LOT 2, BLOCK A, NORTH PRESTON VILLAGE, IN THE J. TUNNEY SURVEY, ABSTRACT NO. 916, 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 the Zoning Ordinance should be amended; and

**WHEREAS**, the Town of Prosper, Texas ("Prosper") has received a request from Kiddie Academy ("Applicant") for a Specific Use Permit (SUP) for a child day care center, on a tract of land zoned Retail, consisting of 2.794 acres of land, more or less, being a portion of Lot 2, Block A, North Preston Village, in the J. Tunney Survey, Abstract No. 916, in the Town of Prosper, Collin County, Texas, and being more particularly described in Exhibit "A," attached hereto and incorporated herein for all purposes; and

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

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

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

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

**SECTION 1**

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

**SECTION 2**

Specific Use Permit Granted. The Town's Zoning Ordinance is amended as follows: Applicant is granted a Specific Use Permit (SUP) for a child day care center, on a tract of land zoned Retail, consisting of 2.794 acres of land, more or less, being a portion of Lot 2, Block A, North Preston Village, in the J. Tunney Survey, Abstract No. 916, in the Town of Prosper, Collin County, Texas, and being 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 Specific Use Permit shall conform to, and comply with 1) the concept plan, attached hereto as Exhibit "B"; 2) the concept landscape plan, attached hereto as Exhibit "C"; and 3) the concept elevations, attached hereto as Exhibit "D"; which are incorporated herein for all purposes as if set forth verbatim.

All development plans, standards, and uses for the Property 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.

Two (2) original, official, and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. One (1) copy shall be filed with the Town Secretary and retained as an original record and shall not be changed in any manner.
- 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**

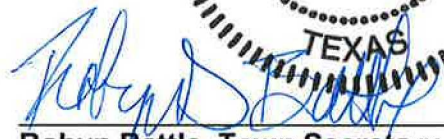
Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 8TH DAY OF AUGUST, 2017.**



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

ATTEST:

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

APPROVED AS TO FORM AND LEGALITY:

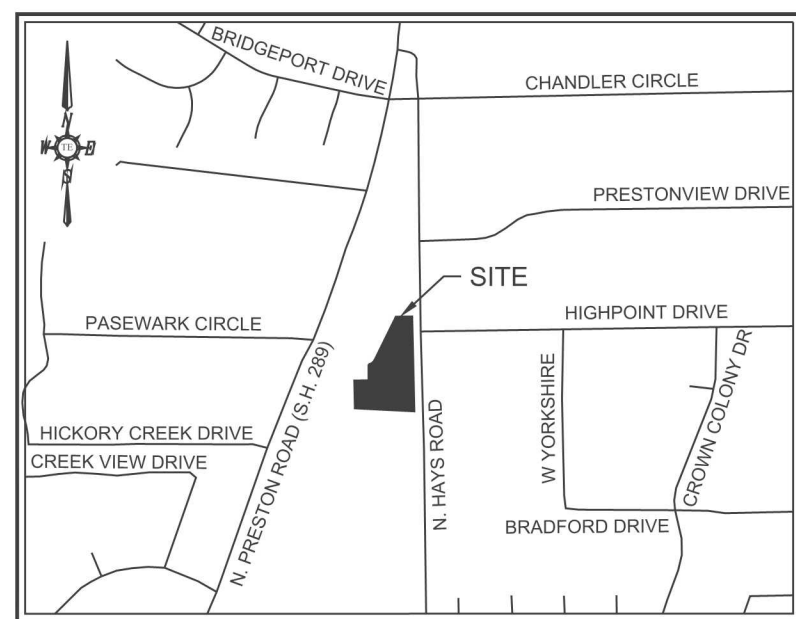
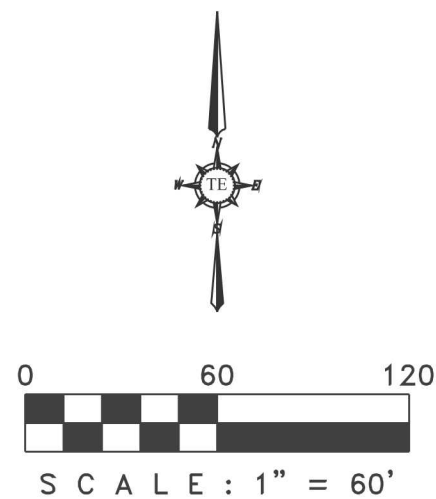
  
\_\_\_\_\_  
Terrence S. Welch, Town Attorney



## KIDDIE ACADEMY SITE DEVELOPMENT

2.794 ACRES IN THE J. TUNNEY SURVEY ABSTRACT NO. 916

TOWN OF PROSPER, COLLIN COUNTY, TEXAS

VICINITY MAP  
N.T.S.

## BOUNDARY LINE DATA

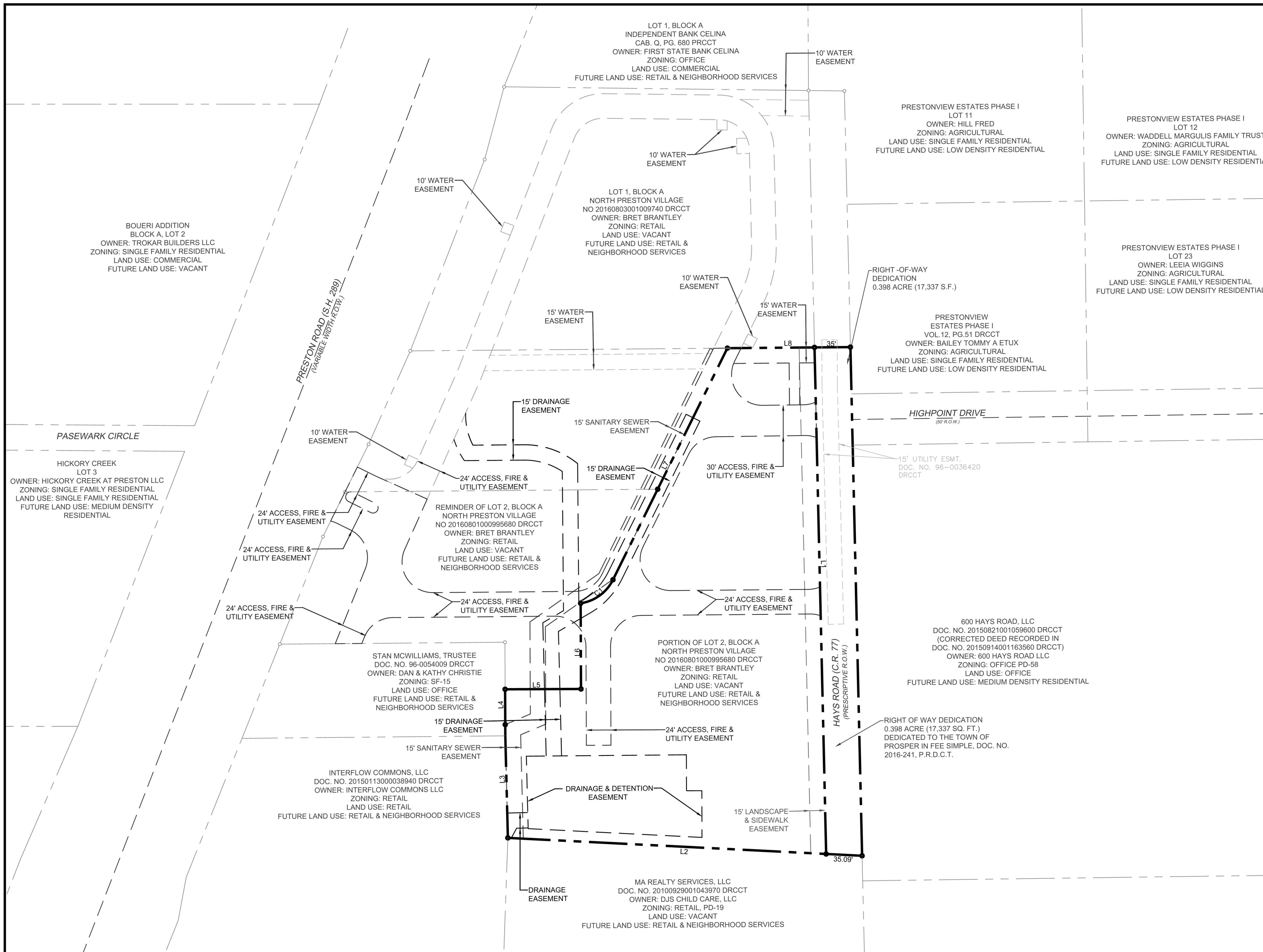
LINE	BEARING	LENGTH
L1	S 01°18'56" E	492.29'
L2	N 87°06'24" W	310.75'
L3	N 01°26'23" W	99.59'
L4	N 00°14'16" W	45.41'
L5	N 89°45'44" E	74.00'
L6	N 00°14'16" W	83.63'
L7	N 26°16'06" E	251.89'
L8	N 89°30'23" E	84.99'

## BOUNDARY CURVE DATA

CURVE	RADIUS	BEARING	LENGTH	CURVE DIS.
C1	42.00'	N 53°57'28" E	40.59'	39.03'

## LEGEND

EXISTING BOUNDARY	---
BOUNDARY LINE	---
EXISTING CURB & GUTTER	---
EXISTING CONTOURS	---620---



## FEMA NOTES

- NO PART OF THE SUBJECT LAND IS LOCATED IN A 100-YEAR FLOOD PLAIN OR IN AN IDENTIFIED "FLOOD PRONE AREA," AS DEFINED PURSUANT TO THE FLOOD DISASTER PROTECTION ACT OF 1973, AS AMENDED, AS REFLECTED BY FLOOD INSURANCE RATE MAP PANELS 48089C0235J, DATED JUNE 2, 2009. THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN).
- NO 100 YEAR FLOOD PLAN EXISTS ON THE PROPERTY.

## LEGAL DESCRIPTION

BEING A TRACT OF LAND SITUATED IN THE J. TUNNEY SURVEY, ABSTRACT NO. 916, CITY OF PROSPER, COLLIN COUNTY, TEXAS, THE SUBJECT TRACT BEING A PORTION OF A TRACT CONVEYED TO BG-GBT NORTH PRESTON VILLAGE LP ACCORDING TO THE DEED RECORDED IN DOCUMENT NO. 20160801000995680 OF THE DEED RECORDS, COLLIN COUNTY, TEXAS (DRCCT), WITH THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH PLASTIC CAP FOUND ON THE EAST LINE OF A TRACT CONVEYED TO INTERFLOW COMMONS LLC, RECORDED IN DOCUMENT NO. 20150113000038940 DRCCT, FOR THE NORTHWEST CORNER OF A TRACT CONVEYED TO HD-MA REALTY SERVICES, LLC, RECORDED IN DOCUMENT NO. 20100929001043970 DRCCT;

THENCE N 01°26'23" W, 99.59 FEET ALONG THE EAST LINE OF SAID INTERFLOW COMMONS TRACT TO THE NORTHEAST CORNER THEREOF, BEING THE SOUTHEAST CORNER OF A TRACT CONVEYED TO STAN WILLIAMS, TRUSTEE, RECORDED IN DOCUMENT NO. 96-0054009 DRCCT;

THENCE N 00°14'16" W, 45.41 FEET ALONG THE EAST LINE OF SAID MCWILLIAMS TRACT TO A POINT FOR CORNER;

THENCE INTO AND THROUGH SAID BG-GBT NORTH PRESTON VILLAGE TRACT, THE FOLLOWING:

N 89°45'44" E, 74.00 FEET;

N 00°14'16" W, 83.63 FEET;

A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 55°22'43", A RADIUS OF 42.00 FEET, A CHORD OF N 53°57'28" E - 39.03 FEET, AN ARC LENGTH OF 40.59 FEET;

N 26°16'06" E, 251.89 FEET;

AND N 89°30'23" E, 120.00 FEET TO A POINT IN THE CENTER OF COUNTY ROAD 77 (HAYS ROAD), A PRESCRIPTIVE RIGHT-OF-WAY, AND BEING ON THE WEST LINE OF PRESTONVIEW ESTATES PHASE I, AN ADDITION RECORDED IN VOLUME 12, PAGE 51 DRCCT, FROM WHICH A 1/2" IRON ROD FOUND BEARS N 09°27'26" W, 253.79 FEET;

THENCE S 01°18'56" E, ALONG THE WEST LINE OF PRESTONVIEW ESTATES, PASSING AT 45.64 FEET THE SOUTHWEST CORNER THEREOF AND BEING THE NORTHWEST CORNER OF HIGHPOINT DRIVE, A 50 FOOT RIGHT-OF-WAY, PASSING AT 95.62 FEET THE SOUTHWEST CORNER THEREOF AND THE NORTHWEST CORNER OF 600 HAYS ROAD, LLC, RECORDED IN DOCUMENT NO. 20150914001163560 DRCCT, AND CONTINUING ALONG THE WEST LINE THEREOF A TOTAL DISTANCE OF 503.25 FEET TO THE NORTHEAST CORNER OF SAID MA REALTY TRACT;

THENCE N 87°06'24" W, 345.84 FEET ALONG THE COMMON LINE THEREOF TO THE POINT OF BEGINNING WITH THE SUBJECT TRACT CONTAINING 121,689 SQUARE FEET OR 2.794 ACRES OF LAND.

CASE # S17-0003

EXHIBIT "A"  
NORTH PRESTON VILLAGE LP  
BLOCK A, LOT 4  
2.794 ACRES 121,689 S.F.  
J. TUNNEY SURVEY  
ABSTRACT NO. 916  
TOWN OF PROSPER  
COLLIN COUNTY, TEXAS  
JULY 5TH, 2017



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W: triangle-engr.com I O: 1333 McDermott Drive, Suite 200, Allen, TX 75013

Planning | Civil Engineering | Construction Management

DESIGN/DRAWN	DATE	SCALE	PROJECT NO.	SHEET NO.
KP	TT	05/08/17	1"=60'	011-17

TX PE FIRM #11525

1

NO.	DATE	DESCRIPTION	BY
1	06/19/17	CITY SUP SUBMITTAL	KP
2	07/05/17	PER CITY COMMENTS	KP

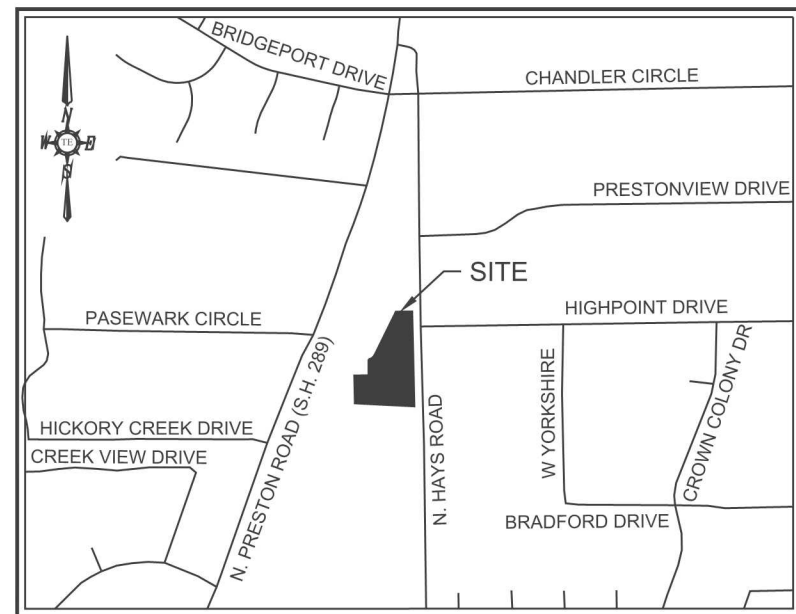
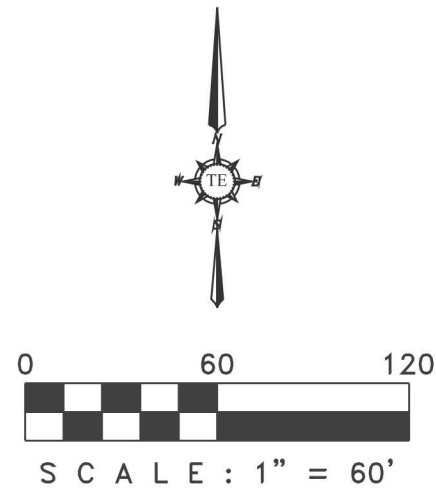




# KIDDIE ACADEMY SITE DEVELOPMENT

2.794 ACRES IN THE J. TUNNEY SURVEY ABSTRACT NO. 916

TOWN OF PROSPER, COLLIN COUNTY, TEXAS



VICINITY MAP  
N.T.S.

## LEGEND

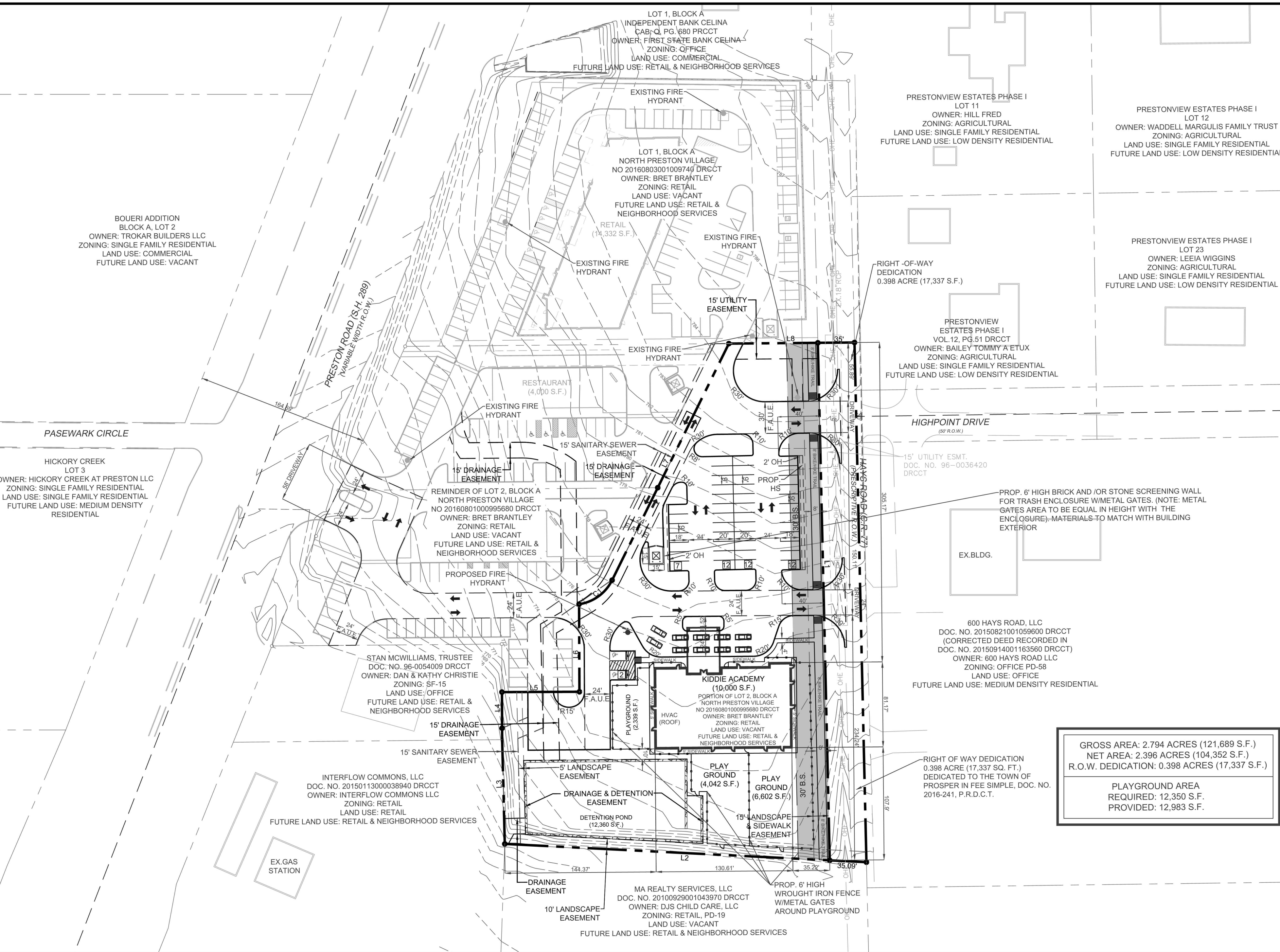
EXISTING BOUNDARY	---
EXISTING ASPHALT P.V.MT.EDGE	---
EXISTING WATER MAIN	WV --- 8" WTR
EXISTING SANITARY SEWER	S --- 6" SEWER
EXISTING CLEANOUT	C.C.O. ---
EXISTING POWER POLE	PK --- 24" ROP
EXISTING STORM SEWER	EX --- 24" ROP
EXISTING FIRE HYDRANT	--- FH
PROP. FIRE HYDRANT	--- FH
BOUNDARY LINE	---
PROPOSED CURB	---
EXISTING CURB	---
PROPOSED HANDICAP SIGN	---
PROPOSED HANDICAP LOGO	---
PROPOSED WATER METER	WM ---
PROP. BACK FLOW PREVENTOR	B.F.P. ---
PROP. CONCRETE WHEEL STOP	---
PROP. SANITARY SEWER MANHOLE	SSMH ---
PROP. MONUMENT/POLE SIGN	---
EXISTING CONTOURS	--- 807
PROPOSED CLEAN OUTS	OC.O. ---
PROP. SEWER LINE	--- 8"W
PROP. WATER LINE	--- 6"SS

## LEGEND

SANITARY SEWER EASEMENT	S.E.
DRAINAGE EASEMENT	D.E.
WATERLINE EASEMENT	W.E.
GAS RISER	GR
BUILDING SET BACK	B.S.
LANDSCAPE BUFFER	L.B.
PROPOSED 24' WIDE FIRE LANE	---
OVERHANG	O.H.
BARRIER FREE RAMPS	B.F.R.
PROPOSED HEADLIGHT SCREENING	H.S.
PROPOSED BUILDING SETBACK HATCH	---

## SITE DATA SUMMARY TABLE

ZONING	RETAIL
PROPOSED USE	DAYCARE
GROSS LOT AREA	2.794 ACRES (121,689 S.F.)
NET LOT AREA	2.396 ACRES (104,352 S.F.)
TOTAL BUILDING AREA	10,000 S.F.
MAX. BUILDING HEIGHT (FEET/STORY)	32'-7" / ONE STORY
LOT COVERAGE	09.58%
FLOOR AREA RATIO	0.59:1
PARKING REQUIREMENTS	
BUILDING	PARKING REQUIRED
KIDDIE ACADEMY (1 PER 10 STUDENTS & 1 PER STAFF)	39 (190 STUDENTS & 20 STAFF)
TOTAL PARKING REQUIRED	39
TOTAL PARKING PROVIDED	45
HANDICAP PARKING REQUIRED PER ADA	2
HANDICAP PARKING PROVIDED	2
PERCENTAGE OF LANDSCAPING REQUIRED	15 S.F.X 50 SPACE (750 S.F.)
PERCENTAGE OF LANDSCAPING PROVIDED	50,902 S.F. (48.77 %)
IMPERVIOUS COVERAGE	53,450.F. (51.23 %)



## FEMA NOTES

- NO PART OF THE SUBJECT LAND IS LOCATED IN A 100-YEAR FLOOD PLAIN OR IN AN IDENTIFIED "FLOOD PRONE AREA," AS DEFINED PURSUANT TO THE FLOOD DISASTER PROTECTION ACT OF 1973, AS AMENDED, AS REFLECTED BY FLOOD INSURANCE RATE MAP PANELS 4808602351, DATED JUNE 2, 2009. THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN).
- NO 100 YEAR FLOOD PLAN EXISTS ON THE PROPERTY.

## BOUNDARY CURVE DATA

CURVE	RADIUS	BEARING	LENGTH	CURVE DIS.
C1	42.00'	N 53°57'28" E	40.59'	39.03'

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NO.	DATE	DESCRIPTION	BY
1	06/19/17	CITY SUP SUBMITTAL	KP
2	07/05/17	PER CITY COMMENTS	KP



## TOWN OF PROSPER SITE PLAN GENERAL NOTES

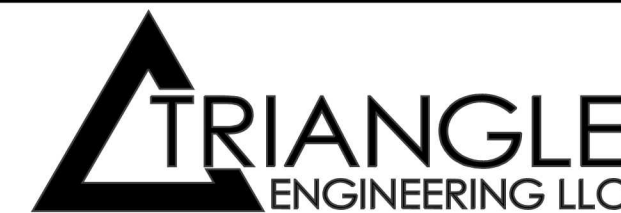
- DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE.
- LANDSCAPING SHALL CONFORM TO 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.
- IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED ON THE SITE DATA SUMMARY TABLE. HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS

## NOTES

- ALL DIMENSIONS ARE FROM FACE TO FACE OF CURB.

CASE # S17-0003

EXHIBIT "B"  
NORTH PRESTON VILLAGE LP  
BLOCK A, LOT 4  
2.794 ACRES 121,689 S.F.  
J. TUNNEY SURVEY  
ABSTRACT NO. 916  
TOWN OF PROSPER  
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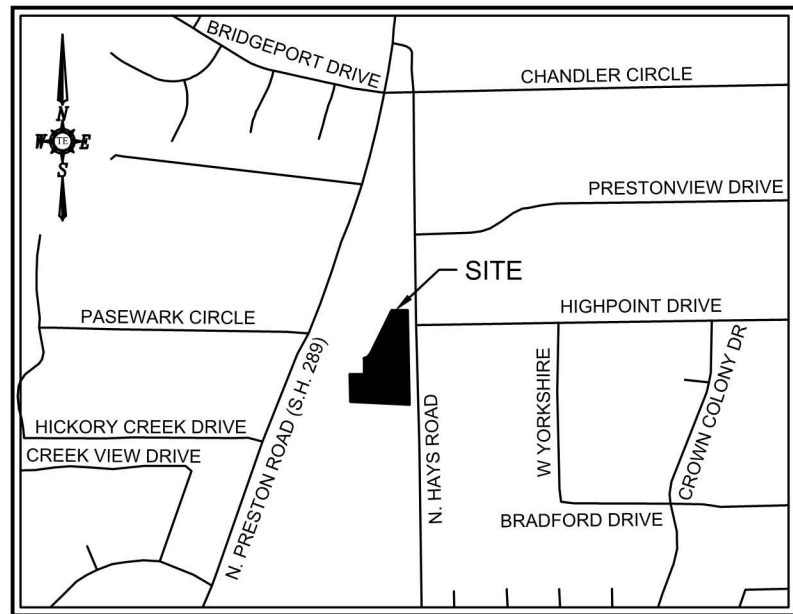
Planning | Civil Engineering | Construction Management

DESIGN/DRAWN	DATE	SCALE	PROJECT NO.	SHEET NO.
KP	TT	05/08/17	1"-60'	011-17

TX PE FIRM #11525

2





VICINITY MAP  
N.T.S.

LANDSCAPE TABULATIONS

PERIMETER LANDSCAPE REQUIREMENTS

Requirements: 15' landscape buffer along right-of-way (1) large tree, 3" cal. minimum and (15) s.r.u.s, 5 gallon minimum per 30' L.

Has Road (493 L.)

Required (16) large trees  
Provided (16) large trees  
(247) s.r.u.s

Perimeter (456 L.)

Requirements: 5' wide perimeter buffer. (1) small tree and (1) 5 gallon s.r.u.s per 15' L. Trees and s.r.u.s may be clustered.

Required (31) small trees  
Provided (31) large trees  
(32) s.r.u.s

INTERIOR PARKING REQUIREMENTS

Requirements: 15 s.r.u.s per parking space within the parking lot area. (1) large tree, 3" cal. per parking lot island and at terminus.

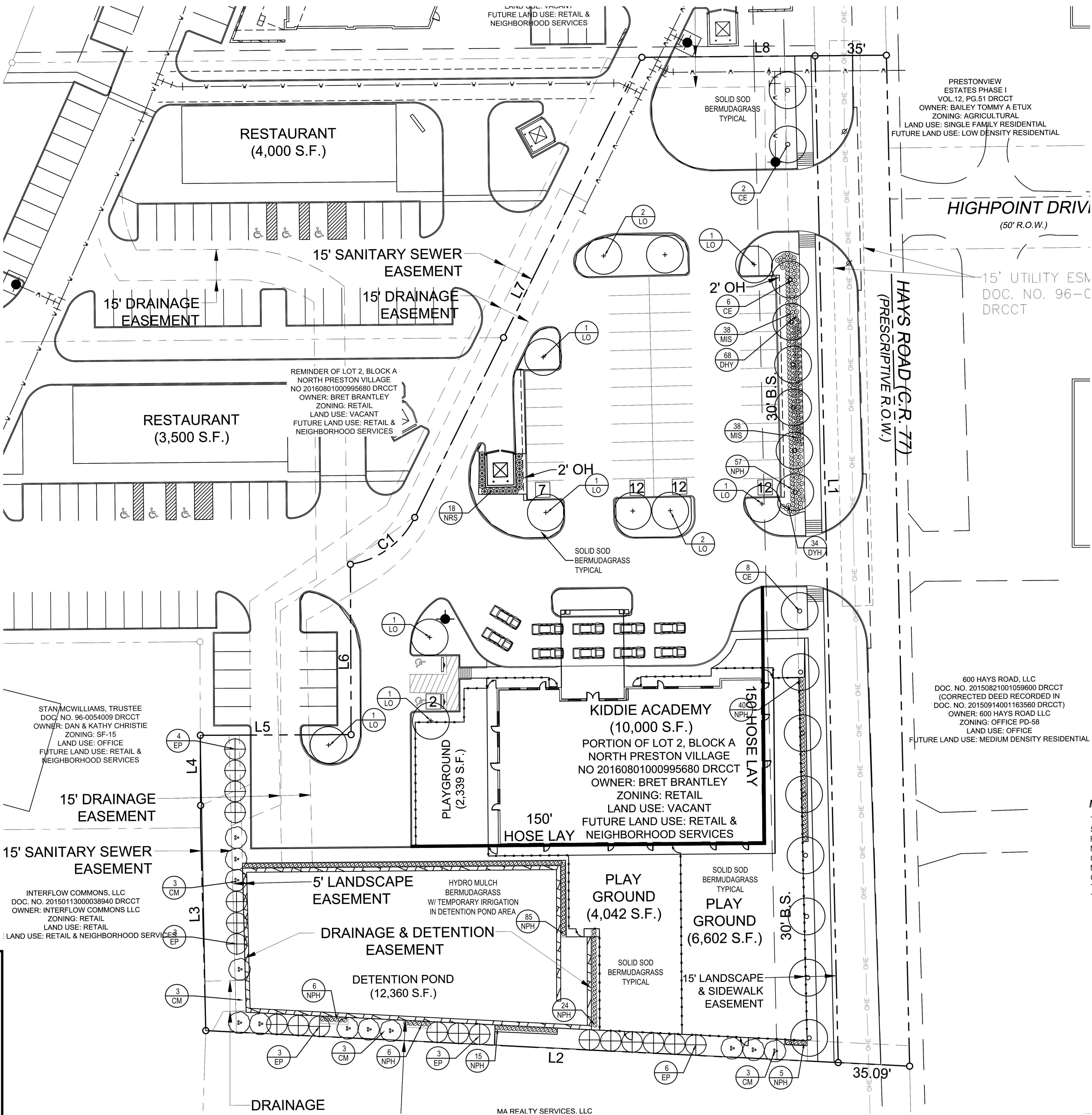
41 Parking spaces

Required (15) s.r.u.s per landscape area  
Provided (12) large trees  
(12) large trees

BOUNDARY CURVE DATA				
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PARKING REQUIREMENTS	
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HANDICAP PARKING PROVIDED	2
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IMPERVIOUS COVERAGE	53,450 S.F. (51.23 %)



TOWN OF PROSPER STANDARD NOTES

- 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.
- All turf areas to be established prior to the Certificate of Occupancy, unless otherwise approved by the Town.
- Ground cover 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.
- These plants 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 bedding, or devise alternative drainage.
- These 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.
- Burial, baring, and wire barking shall be loosened and pulled back from the trunk of tree as much as possible.
- Tree pits shall not be watered to excess that results in soil saturation. If soil becomes saturated, the watering schedule shall be adjusted to allow for drainage and absorption of the excess water.
- 1.4" 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 a tree.
- Topsoil shall be a minimum of 8 inches in depth in planting areas. 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 inches 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 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 hard 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 landscaped areas.
- All plant material 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 or route of travel for vehicular, pedestrian, or bicycle traffic is impeded.
- No planting areas shall exceed 3:1 slope. 7' 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 pathways 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 landscape 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, water, sewer, gas, electric, and other appropriate, 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.

PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
CE	16	Cedar Elm	<i>Ulmus crassifolia</i>	3" cal.	B&B, 13' L, 5' spread min, 5' clear trunk
CM	12	Crape Myrtle	<i>Lagerstroemia indica</i>	3" cal.	container, 3-5 trunks, tree arm, 8' L
EP	19	East Palatka Holl	<i>Ilex x attenuata 'East Palatka'</i>	3" cal.	container, 3' spread, tree arm, 8' L
LO	11	Live Oak	<i>Quercus virginiana</i>	3" cal.	container, 13' L, 6' spread, 5' clear trunk
SHRUBS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
DYH	68	Dwarf Yaupon Holl	<i>Ilex vomitoria 'nana'</i>	5 gal.	container 18" L, 18" spread
MIS	76	Adagio Miscanthus	<i>Miscanthus sinensis 'Adagio'</i>	5 gal.	container, 18" L, 18" spread
NPH	276	Needlepoint Holl	<i>Ilex cornuta 'Needlepoint'</i>	5 gal.	container, 24" L, 20" spread
NRS	18	Nellie R. Stevens Holl	<i>Ilex x 'Nellie R. Stevens'</i>	7 gal.	container, 30" L, 24" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
		'419' Bermudagrass	<i>Cynodon dactylon '419'</i>		Solid Sod refer to notes

NOTE: Plant list is an aid to installers only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be mature in varieties.

MAINTENANCE NOTES

THE OWNER, TENANT AND / OR THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING REQUIRED BY THE TOWN OF PROSPER LANDSCAPE ORDINANCE. ALL PLANT MATERIAL SHALL BE PERPETUALLY MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIAL THAT DIES SHALL BE REPLACED BY THE PROPERTY OWNER, TENANT OF AGENT WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE, WITHIN THIRTY (30) DAYS OF NOTIFICATION BY THE TOWN OR A DATE APPROVED BY THE TOWN.

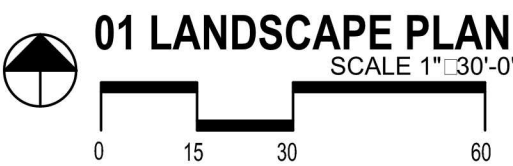
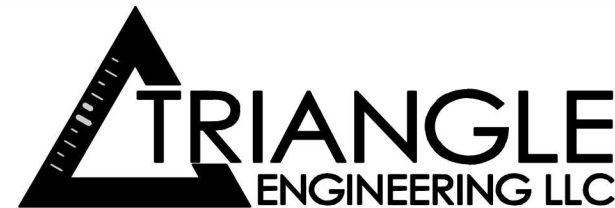


EXHIBIT "C"  
NORTH PRESTON VILLAGE LP  
BLOCK A, LOT 4  
2.794 ACRES 121,689 S.F.  
J. TUNNEY SURVEY  
ABSTRACT NO. 916  
TOWN OF PROSPER  
COLLIN COUNTY, TEXAS  
MAY 5TH, 2017



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Planning | Civil Engineering | Construction Management

DESIGN/DRAWN	DATE	SCALE	PROJECT NO.	SHEET NO.
KP	TT	05/08/17	1"-60'	011-17

TX PE FIRM #11525

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