

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2024-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A TRACT OF LAND CONSISTING OF 26.1 ACRES, MORE OR LESS, SITUATED IN THE PROSPER SCHOOL CHURCH ADDITION, BLOCK A, LOT 2, IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS, FROM AGRICULTURAL (AG) TO PLANNED DEVELOPMENT-126 (PD-126), 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 (Case ZONE-23-0030) from Rock Creek Church ("Applicant"), to rezone 26.1 acres of land, more or less, Prosper School Church Addition, Block A, Lot 2, in the Town of Prosper, Denton 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 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, THAT:

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

Amendment to the Town's Zoning Ordinance. The Town's Zoning Ordinance is amended as follows: The zoning designation of the below described property containing 26.1 acres of land, more or less, in the Prosper School Church Addition, Block A, Lot 2, Town of Prosper, Denton County, Texas, and all streets, roads, and alleyways contiguous and/or adjacent thereto are hereby zoned as Planned Development-126 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 Planned Development District shall conform to, and comply with (1) the Statement Intent and Purpose, attached hereto as Exhibit B; (2) the Development Standards, attached hereto as Exhibit C; (3) the Conceptual Plan, attached hereto as Exhibit D; (4) the Development Schedule, attached hereto as Exhibit E; and (5) the Exterior Elevations, attached hereto as Exhibit F, all of which are incorporated herein for all purposes as if set forth verbatim, subject to the following condition of approval by the Town Council:

1. Approval of a Development Agreement, including, but not limited to, architectural building materials.

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, 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 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, as amended, 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 23RD DAY OF JANUARY 2024.



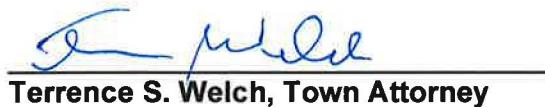
David F. Bristol, Mayor

ATTEST:



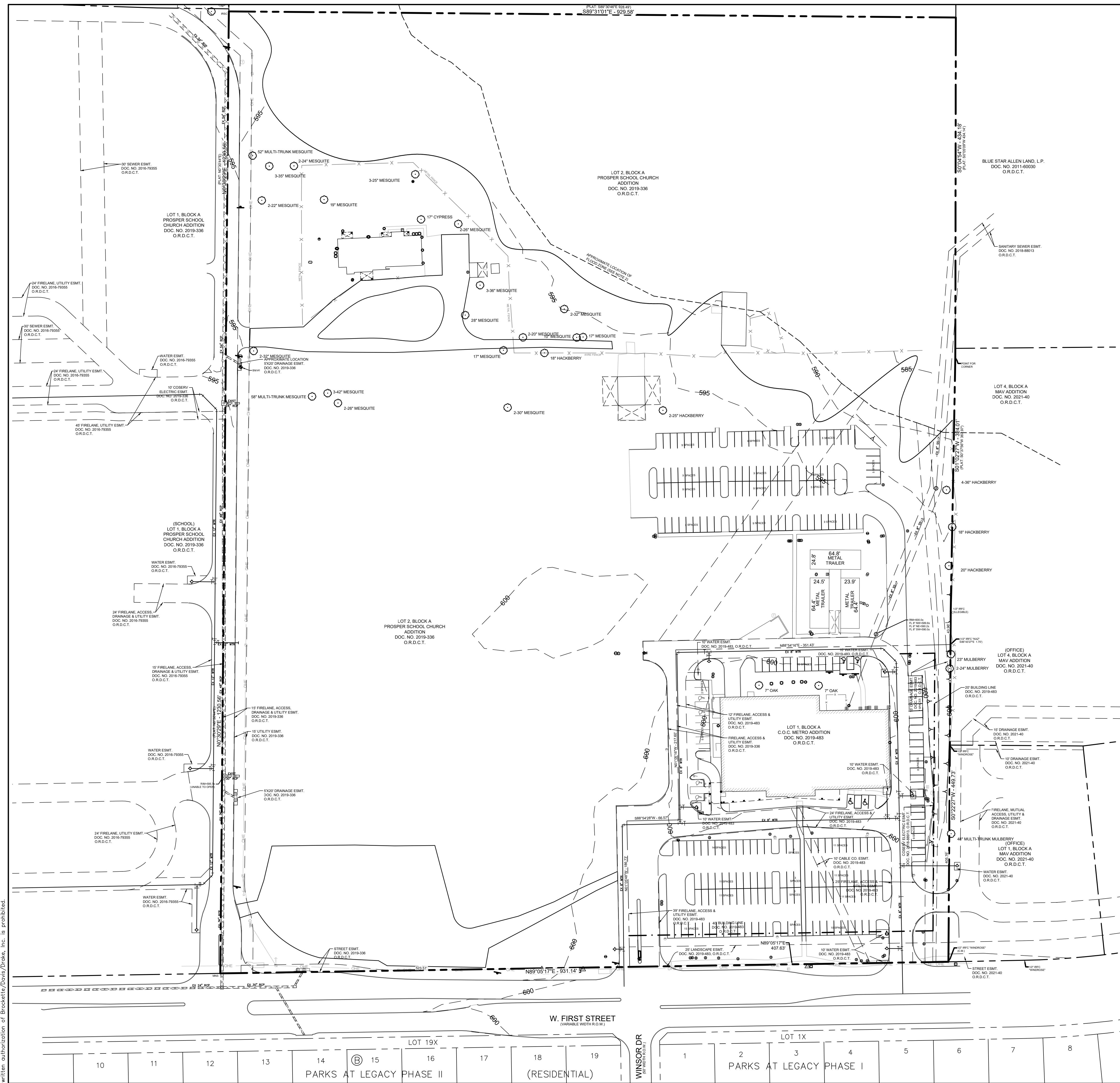
Michelle Lewis Sirianni
Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch
Terrence S. Welch, Town Attorney





ROCK CREEK CHURCH

2860 W First Street
Prosper, Texas. 75078

November 21, 2023

Re: Letter of Intent

Town of Prosper
250 W First Street
Prosper, Texas. 75078

To Whom It May Concern,

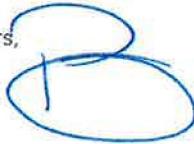
The Church of Celebration Metro, a.k.a. Rock Creek Church, owns 26 acres fronting W. First Street. Rock Creek Church uses its facility for religious worship with on-site parking and the wood framed structure towards the rear of the property solely as administrative offices.

The church conducts four worship services on the weekends. One on Saturday evening and three on Sunday mornings. During the week it serves as a place to meet for small group Bible study. The administration offices are open Monday through Friday during normal business hours.

Plans are underway to add a 1000-seat worship venue with additional parking. The current land parcels are zoned Agriculture and we are requesting a zoning change to a Planned Development using a base zoning of Office with the appropriate modifications.

If you have any questions regarding the Letter of Intent or the project you can contact Jim Riley with Brockette Davis Drake Inc. at (214) 535-4027.

Sincerely yours,



Jerry Brawner
Executive Director of Operations

jerry@rockcreektx.church
(469) 815-5253

Exhibit "C"
Development Standards

This tract shall develop under the regulation of the Office (O) District as outlined in the Town's Zoning Ordinance as it exists or may be amended with the following conditions:

1.0 Permitted Uses

1.1 The permitted land uses within this Planned Development District are as follows:

- Childcare Center - S
- House of Worship
- Rectory
- School, Private or Parochial

2.0 Lot Coverage

2.1 The lot coverage requirements within this Planned Development District are as follows:

- Maximum of 50% lot coverage.

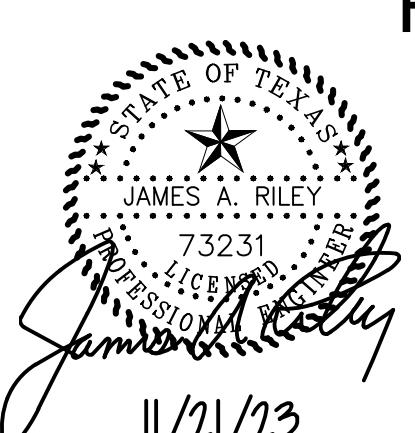
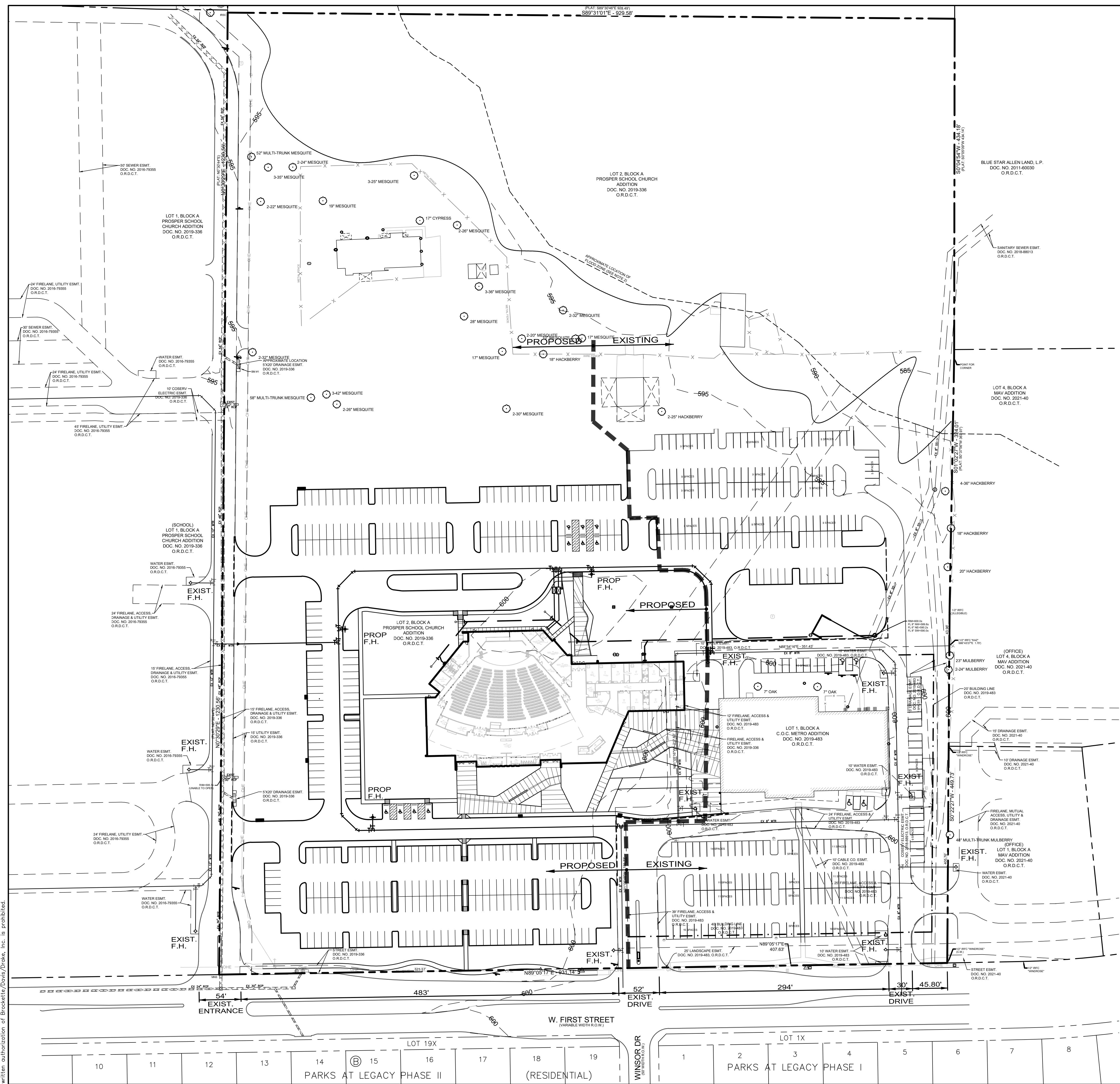


EXHIBIT "D"
CONCEPTUAL PLAN
PROSPER SCHOOL CHURCH ADDITION
LOT 2, BLOCK A

situated in
TOWN OF PROSPER, DENTON COUNTY, TEXAS
L. HETHERLY SURVEY, ABSTRACT NO. 962

SITE DATA TABLE	
EXISTING ZONING	AG
PROPOSED ZONING	PD
LOT AREA	26.056 Acres / 1,134,999 S.F.
TOTAL LOT COVERAGE	32% (PROPOSED)
LAND USE	CHURCH

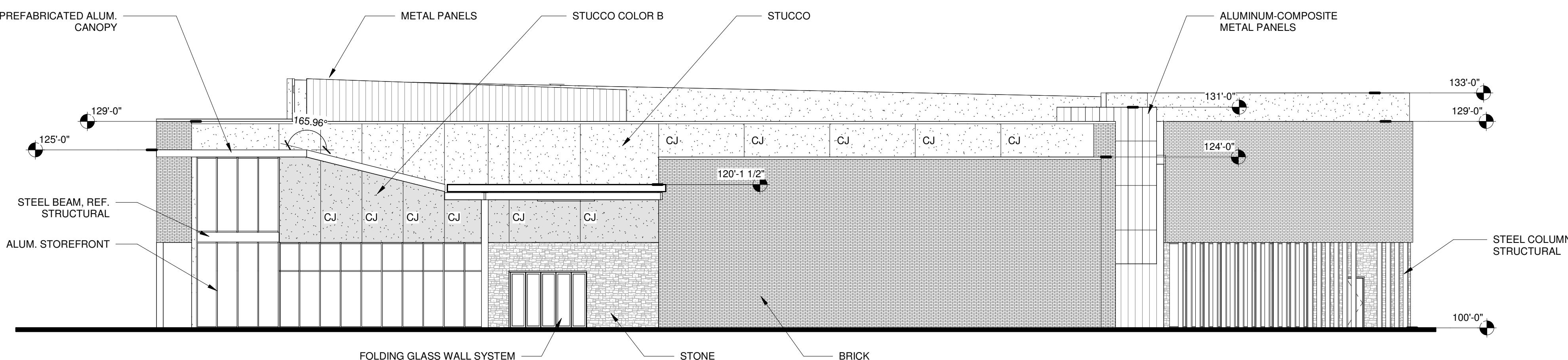
LEGEND

— 590 —

- EXISTING CONTOUR
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING CURB

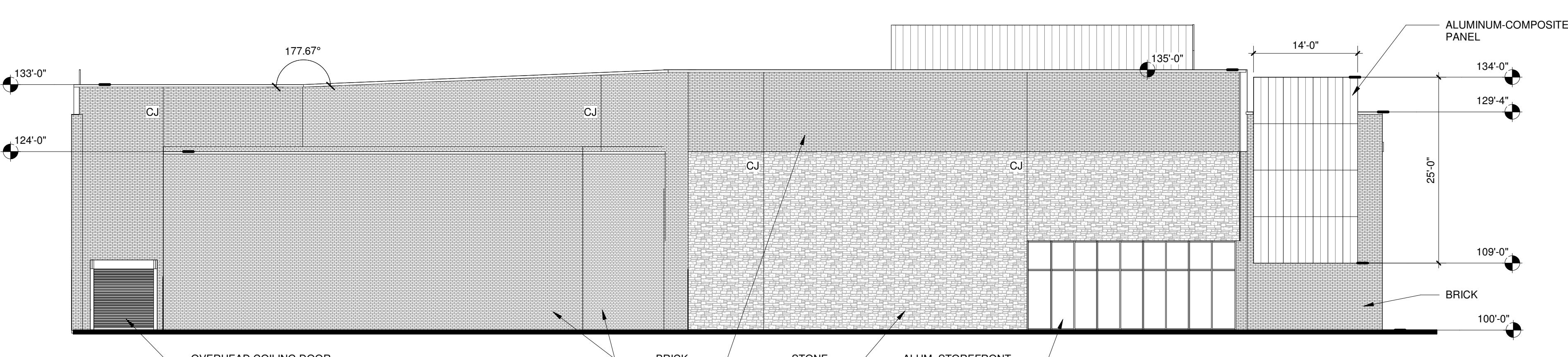
**Z23-0030
EXHIBIT E
DEVELOPMENT STANDARDS
ROCK CREEK CHURCH
LOT 2, BLOCK A, PROSPER SCHOOL ADDITION**

<u>Task</u>	<u>Date</u>
Start Construction	4/17/24
Site Work	4/17/24 – 8/12/24
Building	8/12/24 – 12/16/24
Finish Out	12/16/24 – 6/16/25
Certificate of Occupancy	6/16/25



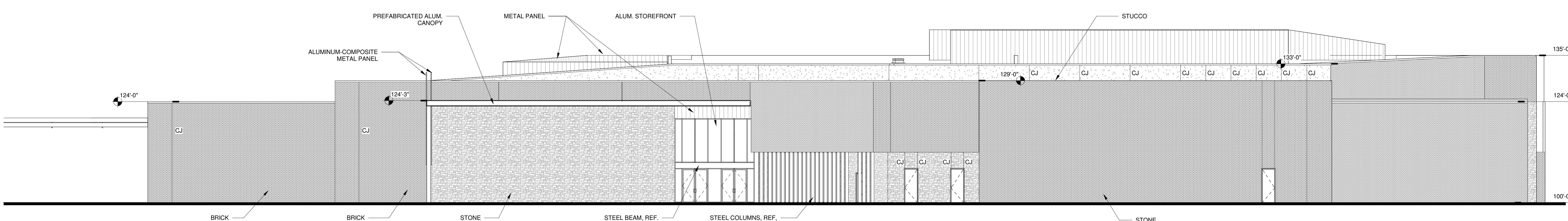
4 EXTERIOR ELEVATION - EAST

A310 3/32" = 1'-0"



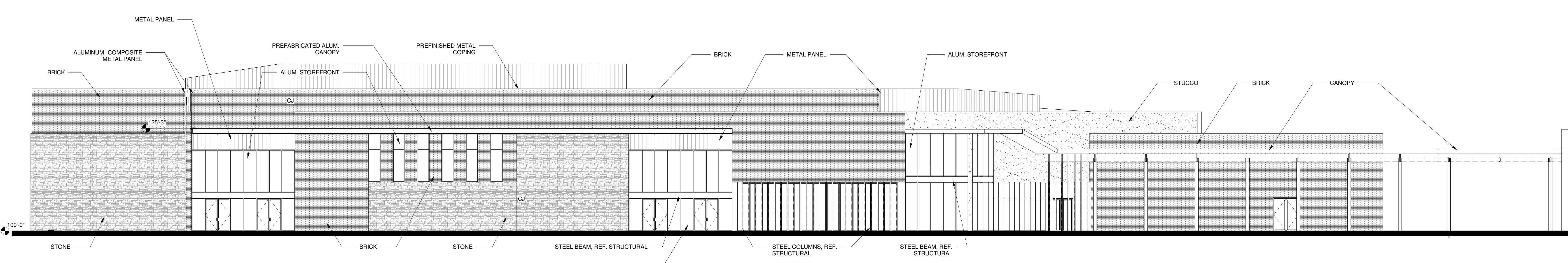
3 EXTERIOR ELEVATION - WEST

A310 3/32" = 1'-0"



2 EXTERIOR ELEVATION - NORTH

A310 3/32" = 1'-0"



1 EXTERIOR ELEVATION - SOUTH

A310 3/32" = 1'-0"

EXTERIOR MATERIAL CALCULATIONS			
SOUTH ELEVATION:	NORTH ELEVATION:	WEST ELEVATION:	EAST ELEVATION:
STUCCO 65 SF (1%) STONE 2,050 SF (28%) BRICK 4,616 SF (63%) METAL PANEL 571 SF (8%)	STUCCO 640 SF (7%) STONE 3,462 SF (37%) BRICK 5,085 SF (55%) METAL PANEL 55 SF (1%)	STUCCO 1,440 SF (25%) STONE 3,997 SF (69%) BRICK 2,230 SF (57%) METAL PANEL 140 SF (3%)	STUCCO 1,253 SF (31%) STONE 390 SF (9%) BRICK 2,230 SF (57%) METAL PANEL 140 SF (3%)
TOTAL = 7,302 SF	TOTAL = 9,242 SF	TOTAL = 5,787 SF	TOTAL = 4,013 SF

Revision Schedule		
Rev. #	Revision Description	Revision Date

ZONE-23-0030

NOT TO BE USED FOR PERMITTING,
OR CONSTRUCTION

ANDREW OXLEY

THE ARCHITECT AND THE ARCHITECT'S CONSOLIDATED PARTNERSHIP SHALL BE ENTITLED TO AUTHORIZE AND USE THE DRAWINGS AND SPECIFICATIONS, AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHTS, IN THE DRAWINGS AND SPECIFICATIONS, AND IN THE INSTRUMENTS OF SERVICE, INCLUDING DRAWINGS, SPECIFICATIONS AND DOCUMENTS IN ELECTRONIC FORM, PREPARED BY OXLEY ARCHITECTS, PLLC, FOR USE SOLELY WITH RESPECT TO THIS PROJECT. THE DRAWINGS AND SPECIFICATIONS, AND IN THE INSTRUMENTS OF SERVICE, INCLUDING DRAWINGS, SPECIFICATIONS AND DOCUMENTS IN ELECTRONIC FORM, PREPARED BY OXLEY ARCHITECTS, PLLC, FOR USE SOLELY WITH RESPECT TO THIS PROJECT, SHALL NOT BE USED FOR ANY OTHER PURPOSE, OR FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN APPROVAL OF OXLEY ARCHITECTS, PLLC. USE OF THE INSTRUMENTS OF SERVICE WITHOUT WRITTEN PERMISSION SHALL BE WITHOUT LIABILITY TO OXLEY ARCHITECTS, PLLC AND CONSOLIDATED PARTNERSHIP.

ROCK CREEK CHURCH

2860 W. FIRST STREET
PROSPER, TEXAS 75078

NOVEMBER 20, 2023

EXTERIOR ELEVATIONS

A310