

AGENDA
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, March 3, 2020, 6:00 p.m.

1. Call to Order / Roll Call

2. Pledge of Allegiance.

3. **CONSENT AGENDA**

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A Planning & Zoning Commissioner may remove any item for discussion and separate action. Planning & Zoning Commissioners may vote nay on any single item without comment and may submit written comments as part of the official record.)

3a. Consider and act upon minutes from the February 4, 2020, Planning & Zoning Commission Regular meeting.

3b. Consider and act upon a Replat of Cook Children's Medical Center Addition, Block A, Lot 1R, on 23.7± acres, located on the northeast corner of US 380 and Windsong Parkway. The property is zoned Planned Development-91 (PD-91). (D19-0128).

3c. Consider and act upon a Final Plat for C Saunders Addition, Block A, Lot 1, on 0.5± acres, located on the north side of First Street, west of Craig Road. The property is zoned Downtown Office (DTO). (D20-0006).

3d. Consider and act upon a Replat for the Gates of Prosper, Phase 2, Block A, Lots 2, 3, and 14, on 7.7± acres, located on the southwest corner of Lovers Lane and Preston Road. The property is zoned Planned Development-67 (PD-67). (D20-0013).

3e. Consider and act upon a Replat for the Gates of Prosper, Phase 2, Block A, Lot 5, on 1.4± acres, located on the south side of Lovers Lane and west of Preston Road. The property is zoned Planned Development-67 (PD-67). (D20-0014).

REGULAR AGENDA

If you wish to address the Planning & Zoning Commission, please fill out a "Public Meeting Appearance Card" and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may address the Commission when the item is considered by the Planning & Zoning Commission.

4. Conduct a Public Hearing, and consider and act upon a request to amend Chapter 3, Section 2, Definitions, of the Zoning Ordinance, regarding Automobile Storage. (Z20-0003).

5. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

6. Adjourn.

Note: The order in which items are heard on the agenda is subject to change.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, February 28, 2020, and remained so posted at least 72 hours before said meeting was convened.

Melissa Lee, Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Hall is wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, February 4, 2020, 6:00 p.m.

1. Call to Order / Roll Call – Recognition of new Commissioner

The meeting was called to order at 6:00 p.m.

Commissioners present: Chairman Charles Cotten, Vice-Chairman Brandon Daniel, Secretary Chris Long, Chris Kern, Sarah Peterson, and Michael Pettis.

Commissioner absent: Joe Grinstead.

Staff present: Alex Glushko, Planning Manager and Evelyn Mendez, Planning Technician.

Newly appointed Commissioner, Michael Pettis, was recognized.

2. Recitation of the Pledge of Allegiance.

3. Consider and act upon the appointment of the Planning & Zoning Commission Secretary.

Motion by Daniel, second by Kern, to appoint Commissioner Long as Secretary. Motion approved 6-0.

4. CONSENT AGENDA

4a. Consider and act upon minutes from the January 21, 2020, Planning & Zoning Commission Regular meeting.

4b. Consider and act upon a Site Plan for a downtown office (206 S. Coleman Street), on 0.4± acres, located on the northwest corner of Second Street and Coleman Street. The property is zoned Downtown Office (DTO). (D19-0118).

4c. Consider and act upon a Final Plat for the Bryant Coleman Addition, Block A, Lot 1, on 0.4± acres, located on the northwest corner of Second Street and Coleman Street. The property is zoned Downtown Office (DTO). (D19-0119).

4d. Consider and act upon a Final Plat for Star Trail, Phase 6, for 67 single family residential lots, three (3) HOA/open space lots, and one (1) Town Park, on 26.6± acres, located on the east side of Legacy Drive, south of Prosper Trail. The property is zoned Planned Development-66 (PD-66). (D19-0121).

4e. Consider and act upon a Final Plat for Star Trail, Phase 7, for 118 single family residential lots, and five (5) HOA/open space lots, on 40.0± acres, located on the east side of Legacy Drive, south of Prosper Trail. The property is zoned Planned Development-66 (PD-66). (D19-0122).

- 4f. **Consider and act upon a Final Plat for a segment of Legacy Drive, on 4.8± acres, located south of Prosper Trail, north of Fishtrap Road. (D19-0123).**
- 4g. **Consider and act upon a Revised Site Plan for a Hospital (Cook Children's North Campus), on 23.6± acres, located on the northeast corner of US 380 and Windsong Parkway. The property is zoned Planned Development-91 (PD-91). (D19-0127).**

Motion by Peterson, second by Long, to approve the Consent Agenda, subject to staff recommendations. Motion approved 6-0.

REGULAR AGENDA

- 5. **Conduct a Public Hearing, and consider and act upon a request to rezone 0.4± acres from Single Family-15 (SF-15) to Downtown Office (DTO), located on the north side of Broadway Street, east of Parvin Street. (Z20-0001).**

Mendez: Summarized the request and presented exhibits provided by the applicant.

Chairman Cotten opened the Public Hearing.

There being no speakers, the Public Hearing was closed.

Commissioners voiced support for the request.

Motion by Daniel, second by Peterson, to approve Item 5. Motion approved 6-0.

- 6. **Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-99 (PD-99), on 19.4± acres, located on the northwest corner of Mahard Parkway and US 380, generally to allow for the rental of cargo trucks as an incidental use at Longo Toyota. (Z20-0002).**

Glushko: Summarized the request and presented exhibits provided by the applicant.

Chairman Cotten opened the Public Hearing.

Tony Pan (Applicant): Provided information regarding the proposed request.

There being no additional speakers, the Public Hearing was closed.

Commissioners voiced support for the request.

Motion by Peterson, second by Daniel, to approve Item 6. Motion approved 6-0.

- 7. **Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.**

Glushko: Provided a summary of recent action taken by Town Council.

8. Adjourn.

Motion by Pettis, second by Peterson, to adjourn. Motion approved 6-0 at 6:13 p.m.

Evelyn Mendez, Planning Technician

Chris Long, Secretary



PLANNING

To: Planning & Zoning Commission

Item No. 3b

From: Scott Ingalls, AICP, Senior Planner

Through: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – March 3, 2020

Agenda Item:

Consider and act upon a Replat of Cook Children's Medical Center Addition, Block A, Lot 1R, on 23.7± acres, located on the northeast corner of US 380 and Windsong Parkway. The property is zoned Planned Development-91 (PD-91). (D19-0128).

Description of Agenda Item:

The purpose of the Replat is to dedicate all easements necessary for development of the property. The Replat conforms to the PD-91 development standards.

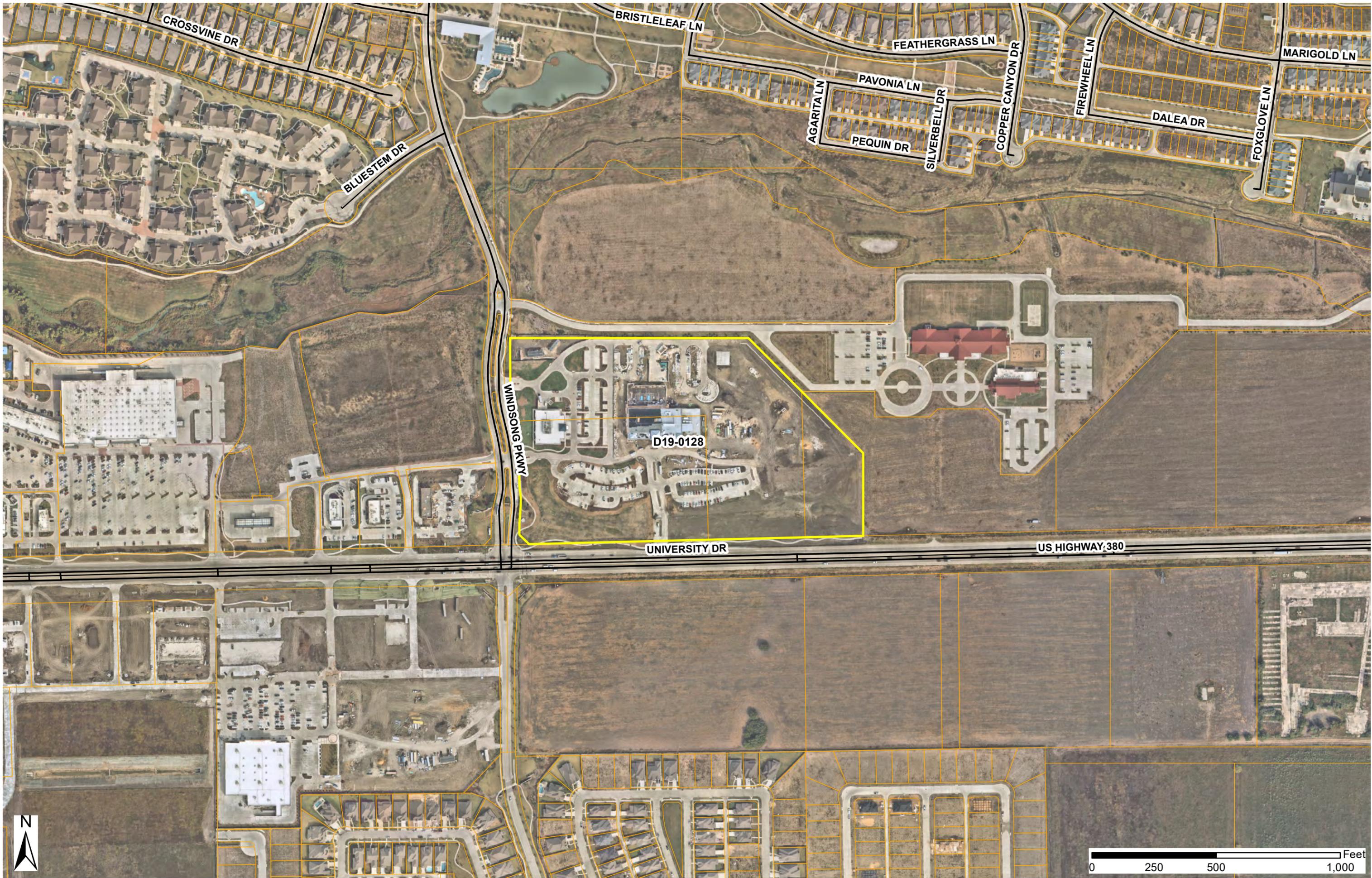
Attached Documents:

1. Location Map
2. Replat

Town Staff Recommendation:

Town staff recommends approval of the Replat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Replat.



CROSSVINE DR

BLUESTEM DR

BRISTLELEAF LN

FEATHERGRASS LN

MARIGOLD LN

PAVONIA LN

PEQUIN DR

AGARITA LN

SILVERBELL DR

COPPER CANYON DR

FIREWHEEL LN

DALEA DR

FOXGLOVE LN

WINDSONG PKWY

D19-0128

UNIVERSITY DR

US HIGHWAY 380



0 250 500 1,000 Feet



VICINITY MAP
NOT TO SCALE

Curve Number	Central Angle	Radius	Arc Length	Chord Bearing and Distance
FLC1	88°22'17"	124.00'	191.25'	N45°48'52"W 172.85'
FLC2	30°15'02"	174.00'	91.87'	N74°52'29"W 90.80'
FLC3	9°29'14"	15.00'	2.48'	N64°29'34"W 2.48'
FLC4	0°02'11"	12560.31'	8.00'	N69°42'31"W 8.00'
FLC5	8°06'35"	273.64'	38.73'	N75°15'48"W 38.70'
FLC6	5°51'23"	273.43'	27.95'	S72°09'45"E 27.94'
FLC7	9°29'14"	41.00'	6.79'	S64°29'34"E 6.78'
FLC8	30°15'02"	148.00'	78.14'	S74°52'29"E 77.24'
FLC9	34°18'51"	150.00'	89.83'	S72°50'35"E 88.50'
FLC10	124°18'51"	30.00'	65.09'	N62°09'25"E 53.05'
FLC11	65°58'48"	30.00'	34.55'	N32°59'24"W 32.67'
FLC12	65°58'48"	56.00'	64.49'	N32°59'24"W 60.98'
FLC13	27°29'52"	56.00'	26.88'	N13°44'57"E 26.62'
FLC14	72°05'20"	30.00'	37.75'	N08°32'47"W 35.30'
FLC15	45°24'31"	30.00'	23.78'	N67°17'45"W 23.16'
FLC16	84°52'58"	30.00'	44.44'	S47°33'31"W 40.49'
FLC17	60°23'30"	56.01'	59.03'	S35°18'47"W 56.34'
FLC18	64°37'22"	54.01'	60.91'	N33°11'51"E 57.73'
FLC19	89°59'50"	30.00'	47.12'	S45°00'37"E 42.43'
FLC20	134°35'29"	30.00'	70.47'	N22°42'15"E 55.35'
FLC21	45°24'31"	32.00'	25.36'	N67°17'45"W 24.70'
FLC22	45°24'31"	56.00'	44.38'	S67°17'45"E 43.23'
FLC23	72°10'13"	55.92'	70.44'	S08°31'51"E 65.88'
FLC24	27°24'34"	30.00'	14.35'	S13°42'17"W 14.22'
FLC25	65°58'48"	30.00'	34.55'	S32°59'24"E 32.67'
FLC26	65°58'48"	56.00'	64.49'	S32°59'24"E 60.98'
FLC27	1°56'49"	56.00'	1.90'	S00°58'24"W 1.90'
FLC28	36°39'54"	56.00'	35.84'	S20°16'46"W 35.23'
FLC29	79°30'52"	30.12'	41.80'	S01°13'13"E 38.52'
FLC30	10°57'32"	180.00'	34.43'	S07°06'30"E 34.38'

Line Number	Bearing	Distance
FL1	S88°36'03"W	58.00'
FL2	N01°37'43"W	138.07'
FL3	N01°37'43"W	27.49'
FL4	N90°00'00"W	161.42'
FL5	N59°44'58"W	4.39'
FL6	N18°46'22"E	23.99'
FL7	S82°55'09"E	19.99'
FL8	S59°44'58"E	4.39'
FL9	N90°00'00"E	161.42'
FL10	N00°00'00"E	3.17'
FL11	N65°58'48"W	32.75'
FL12	N00°00'00"E	75.44'
FL13	N00°00'00"E	99.28'
FL14	N44°35'29"W	3.94'
FL15	N90°00'00"W	73.62'
FL16	N90°00'00"W	145.28'
FL17	N24°29'28"W	2.00'
FL18	N00°00'42"W	79.16'
FL19	N90°00'00"E	138.60'
FL20	N44°35'29"W	45.03'
FL21	S90°00'00"W	23.43'
FL22	N00°00'00"W	24.00'
FL23	N90°00'00"E	23.43'
FL24	S44°35'29"E	163.82'
FL25	S44°35'29"E	3.94'
FL26	S00°00'00"E	99.35'
FL27	S00°00'00"E	75.44'
FL28	S65°58'48"E	32.75'
FL29	S00°00'00"W	3.17'
FL30	S01°37'43"E	131.72'

LOT 16A, BLOCK X
WINDSONG RANCH PHASE 1A
DOCUMENT NO. 2017-189
P.R.D.C.T.

LOT 16B, BLOCK X
WINDSONG RANCH PHASE 1A
DOCUMENT NO. 2017-189
P.R.D.C.T.

LOT 16C, BLOCK X
WINDSONG RANCH PHASE 1A
DOCUMENT NO. 2017-189
P.R.D.C.T.

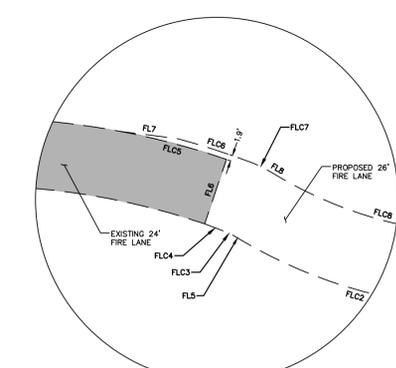
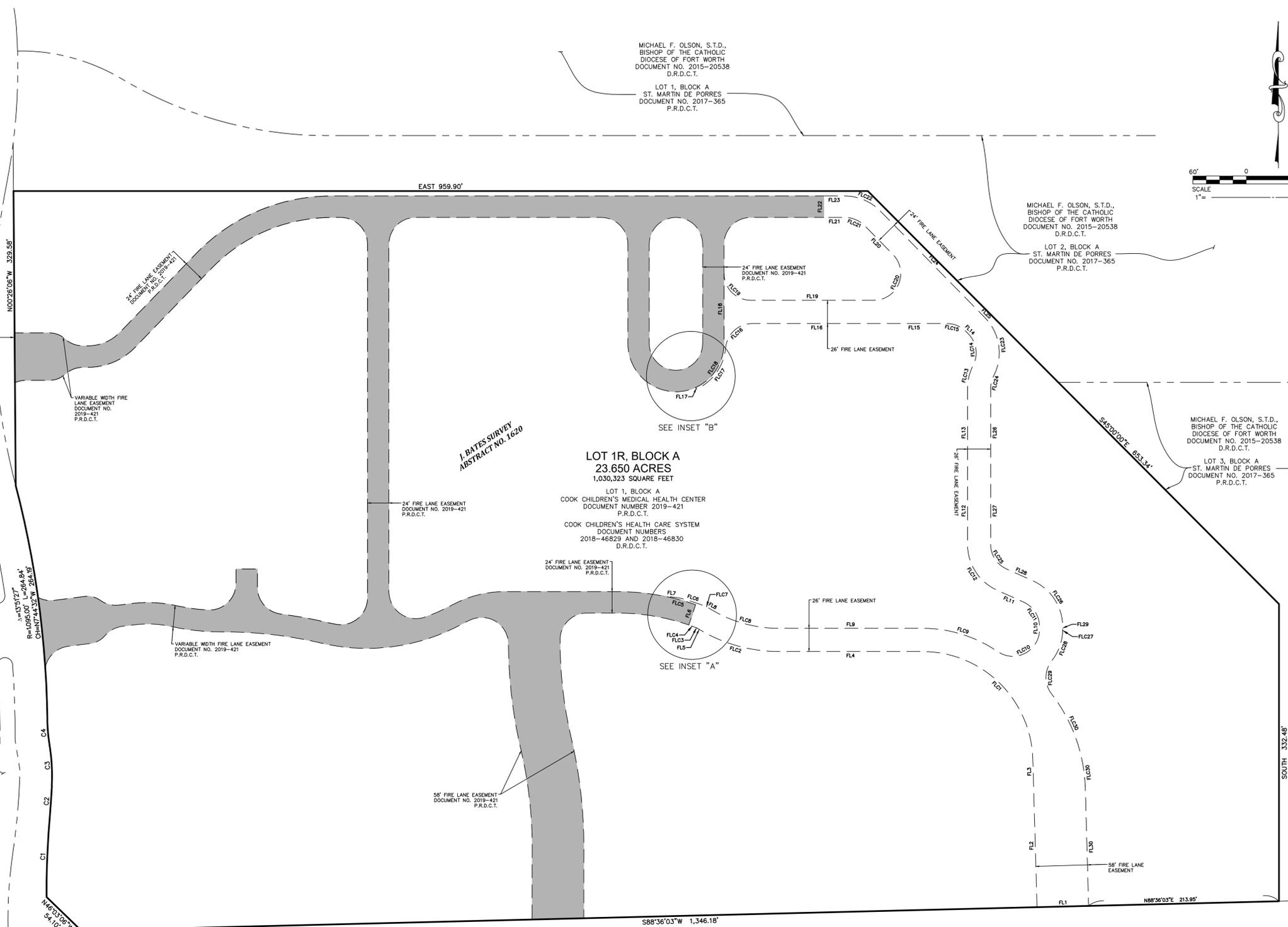
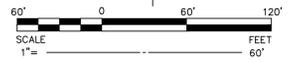
LOT 14A, BLOCK X
WINDSONG RANCH PHASE 1A
DOCUMENT NO. 2017-189
P.R.D.C.T.

MICHAEL F. OLSON, S.T.D.,
BISHOP OF THE CATHOLIC
DIOCESE OF FORT WORTH
DOCUMENT NO. 2015-20538
D.R.D.C.T.

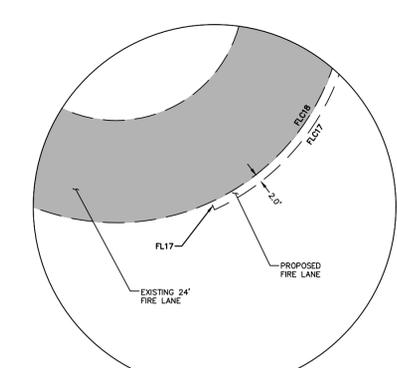
LOT 1, BLOCK A
ST. MARTIN DE PORRES
DOCUMENT NO. 2017-365
P.R.D.C.T.

MICHAEL F. OLSON, S.T.D.,
BISHOP OF THE CATHOLIC
DIOCESE OF FORT WORTH
DOCUMENT NO. 2015-20538
D.R.D.C.T.

LOT 2, BLOCK A
ST. MARTIN DE PORRES
DOCUMENT NO. 2017-365
P.R.D.C.T.



INSET "A"
SCALE 1" = 30'



INSET "B"
SCALE 1" = 20'

█ FIRE LANE EASEMENT
RECORDED IN COUNTY CLERK'S
DOCUMENT NUMBER 2019-421,
PLAT RECORDS, DENTON COUNTY, TEXAS

WEST UNIVERSITY DRIVE (US 380)
(VARIABLE WIDTH RIGHT-OF-WAY)

OPEN SPACE EASEMENTS DEDICATED BY COOK CHILDREN'S MEDICAL CENTER ADDITION LOT 1, BLOCK A FINAL PLAT, DOCUMENT NUMBER 2019-421, P.R.D.C.T. ARE ABANDONED PER THIS PLAT.

OWNER/DEVELOPER
COOK CHILDREN'S HEALTH CARE SYSTEM
801 7TH AVENUE
FORT WORTH, TEXAS 76104
CONTACT: SPENCER SEALS
682-885-7145 (PHONE)
EMAIL: spencer.seals@cookchildrens.org

ENGINEER/SURVEYOR
DUNAWAY ASSOCIATES, L.P.
550 BAILEY AVENUE, SUITE 400
FT. WORTH, TEXAS 76107
CONTACT: JUSTIN WELLS
(817)335-1121 (PHONE)
EMAIL: jwells@dunawayassociates.com

REPLAT OF COOK CHILDREN'S MEDICAL CENTER ADDITION LOT 1R, BLOCK A

An addition to the Town of Prosper, Denton County, Texas
Sited in the J. Bates Survey, Abstract No. 1620, being a Re-Plat of Lot 1, Block A, Cook Children's Medical Center Addition, an addition to the Town of Prosper, according to the plat recorded in Document Number 2019-421, Plat Records, Denton County, Texas
GROSS AREA = 23.650 ACRES / 1,030,323 SQUARE FEET
TOWN PROJECT NUMBER D19-0128
THIS PLAT WAS PREPARED IN DECEMBER 2019



550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
FIRM REGISTRATION 10098100

JOB NUMBER: 8004556.002

SHEET 2 OF 3



PLANNING

To: Planning & Zoning Commission

Item No. 3c

From: Evelyn Mendez, Planning Technician

Through: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – March 3, 2020

Agenda Item:

Consider and act upon a Final Plat for C Saunders Addition, Block A, Lot 1, on 0.5± acres, located on the north side of First Street, west of Craig Road. The property is zoned Downtown Office (DTO). (D20-0006).

Description of Agenda Item:

The Final Plat dedicates all easements necessary for development and conforms to the Downtown Office development standards.

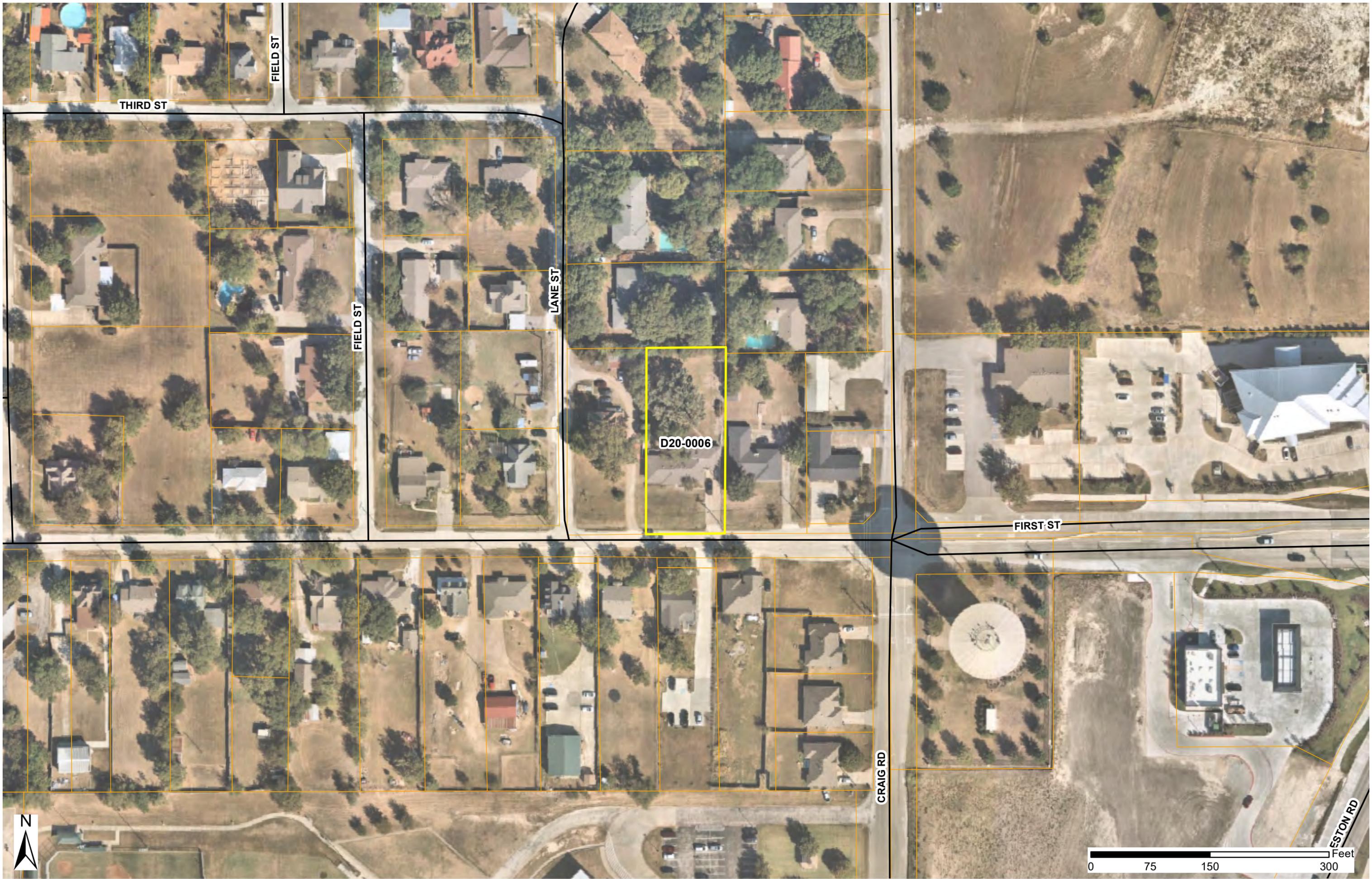
Attached Documents:

1. Location Map
2. Final Plat

Town Staff Recommendation:

Town staff recommends approval of the Final Plat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Final Plat.



THIRD ST

FIELD ST

FIELD ST

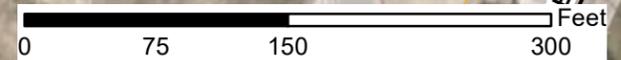
LANE ST

D20-0006

FIRST ST

CRAIG RD

ESTON RD





PLANNING

To: Planning & Zoning Commission

Item No. 3d

From: Pamela Clark, Planning/GIS Analyst

Through: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – March 3, 2020

Agenda Item:

Consider and act upon a Replat for the Gates of Prosper, Phase 2, Block A, Lots 2, 3, and 14, on 7.7± acres, located on the southwest corner of Lovers Lane and Preston Road. The property is zoned Planned Development-67 (PD-67). (D20-0013).

Description of Agenda Item:

A Final Plat (D19-0109) for the subject property was originally approved by the Planning & Zoning Commission on December 3, 2019. The purpose of this Replat is to dedicate all easements necessary for development. The Replat conforms to the Planned Development-67 development standards.

As companion items, the Site Plan (D19-0054) for a multi-tenant retail building on Lot 14 was approved by the Planning & Zoning Commission on August 6, 2019, and the Site Plan (D19-0108) for Starbucks on Lot 3 was approved by the Planning & Zoning Commission on December 3, 2019. At this time, a Site Plan for Lot 2 has not been approved.

Attached Documents:

1. Location Map
2. Replat

Staff Recommendation:

Staff recommends approval of the Replat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Replat.



LOVERS LN

D20-0013

PRESTON RD

SWISS LN

LOVERS LN

SCOLEMAN ST

MOSS GLEN DR

BLUE RIDGE DR

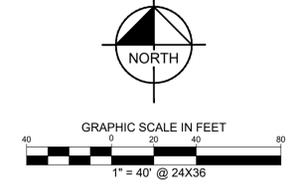
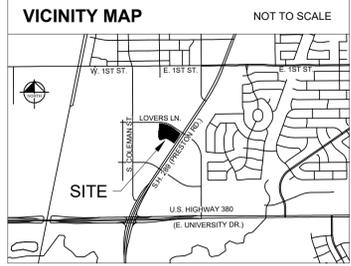
ABBAY LN

RICHLAND BLVD

LANCER LN

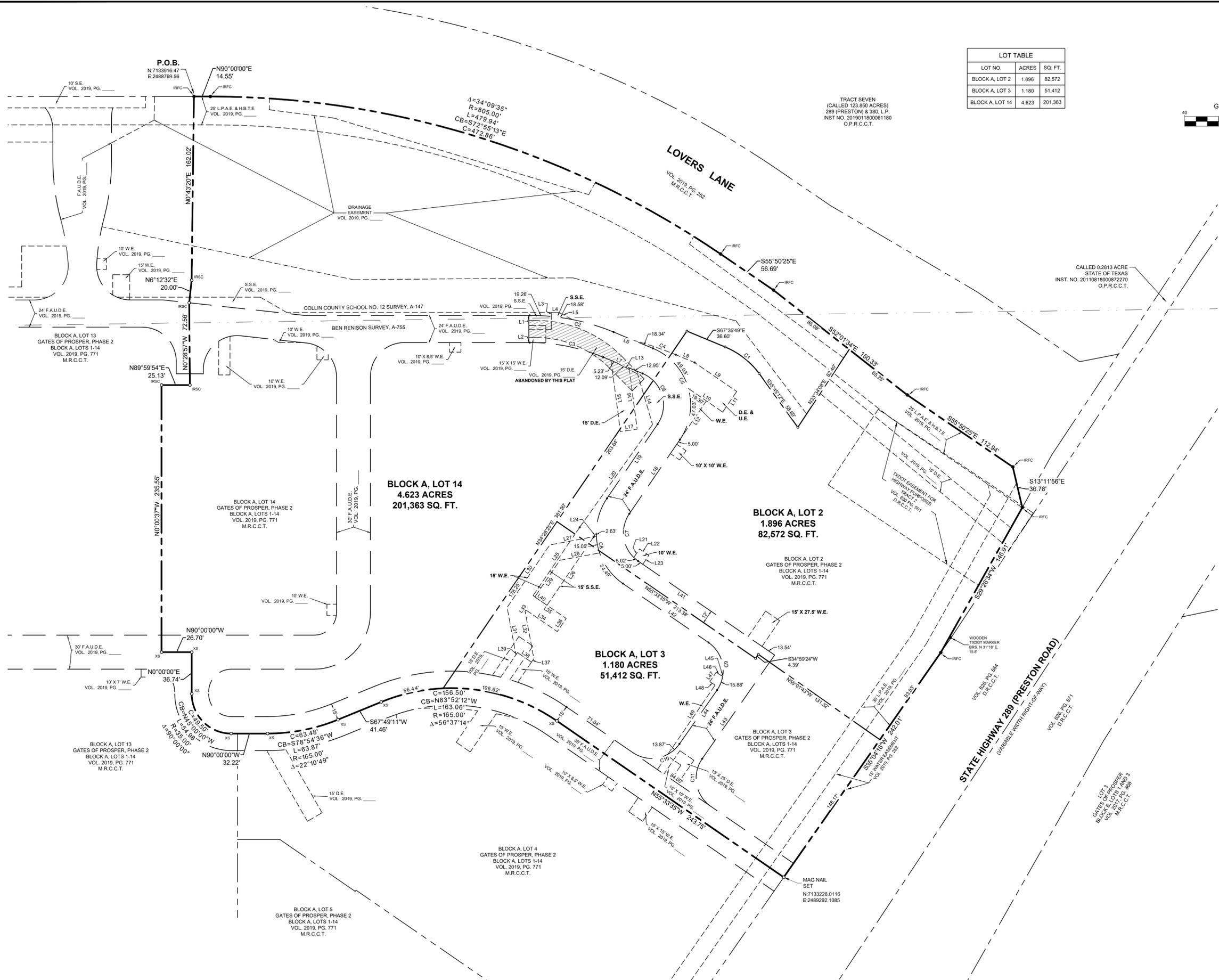


0 155 310 620 Feet



LOT TABLE		
LOT NO.	ACRES	SQ. FT.
BLOCK A, LOT 2	1.896	82,572
BLOCK A, LOT 3	1.180	51,412
BLOCK A, LOT 14	4.623	201,363

LEGEND	
---	BOUNDARY LINE
---	EASEMENT LINE
---	PROPERTY LINE
---	IRON ROD FOUND
---	IRON ROD FOUND WITH CAP
---	IRON ROD SET WITH CAP
---	NOT TO SCALE
---	CONTROLING MONUMENT
---	RECORDS OF COLLIN COUNTY, TEXAS
---	MAP RECORDS OF COLLIN COUNTY, TEXAS
---	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
---	FIND
---	RIGHT OF WAY
---	WATER EASEMENT
---	SANITARY SEWER EASEMENT
---	DRAINAGE AND UTILITY EASEMENT
---	FIRELANE ACCESS UTILITY AND DRAINAGE EASEMENT
---	ELECTRIC EASEMENT
---	LANDSCAPE AND PEDESTRIAN ACCESS EASEMENT
---	H&B EASEMENT
---	VOLUME
---	PAGE
---	INSTRUMENT NO.



- NOTES:
- All corners set are monumented with a 5/8 inch iron rod with red plastic cap stamped "KHA", unless otherwise noted.
 - Bearing system based on the southerly right of way line of Lovers Lane as created in the Conveyance Plat of Gates of Prosper, Phase 2, an addition to the Town of Prosper, according to the plat, recorded in Volume 2019, Page 252 of the Map Records of Collin County, Texas, said bearing being North 90°00'00" East.
 - The purpose of this Amending Plat is to create additional easements needed for development.
 - According to Map No. 48085C0235 J dated June 2, 2009, of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in Zone X (unshaded) and is not within a special flood hazard area. If this site is within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - Notice: Selling a portion of this addition by metes and bounds is a violation of Town ordinance and state law and is subject to fines and withholding of utilities and building permits.

**REPLAT
GATES OF PROSPER, PHASE 2
BLOCK A, LOTS 2, 3, & 14**

AN ADDITION TO THE TOWN OF PROSPER

7.699 ACRES

SITUATED IN THE
BEN RENISON SURVEY, A-755 & THE
COLLIN COUNTY SCHOOL NO. 12 SURVEY, A-147
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

FEBRUARY, 2020
CASE #D20-0013

Kimley»Horn

6160 Warren Pkwy., Suite 210
Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580
Fax No. (972) 335-3779

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Parkway, Suite 210
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Michael B. Marx, R.P.L.S.

ENGINEER:
Kimley-Horn and Associates, Inc.
601 NW Loop 410, Suite 350
San Antonio, TX 78216
P (214) 541-9166
Contact: Chelsy Houy, P.E.

OWNER:
289 (Preston) & 380, L.P.
1 Cowboys Way
Frisco, TX 75063
P (972) 497-4367
Contact: Nic Link

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JMH	KHA	02/25/2020	063887142	1 OF 2

DRAWN: KHP; SURVEYOR: MBM; CHECKED: KHA; DATE: 02/25/2020; 12:23 PM; LAST SAVED: 2/26/2020 12:20 PM

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF COLLIN §

WHEREAS, 289 (PRESTON) & 380, L.P., is the owner of a tract of land situated in the Ben Renison Survey, Abstract No. 755, and the Collin County School No. 12 Survey, Abstract No. 147, Town of Prosper, Collin County, Texas, and being all of Lots 2, 3, & 14, Block A, Gates of Prosper Phase 2, Block A, Lots 1-14, an addition to the Town of Prosper, according to the Revised Conveyance Plat thereof recorded in Volume 2019, Page 771, Map Records, Collin County, Texas, and being more particularly described by meted and bounds as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "KHA" found on the southerly right-of-way line of Lovers Lane (variable width right-of-way) for the northwest corner of said Lot 14, common to the northeast corner of Lot 13, Block A, said Gates of Prosper Phase 2;

THENCE along the common line of said Lot 14 and said Lovers Lane, the following courses and distances:

North 90°00'00" East, a distance of 14.55 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the right having a central angle of 34°09'35", a radius of 805.00 feet, a chord bearing and distance of South 72°55'13" East, 472.86 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 479.94 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the end of said curve to the right;

South 55°50'25" East, a distance of 56.69 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;

South 52°01'34" East, along the northerly line of said Lot 2, a distance of 150.33 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;

THENCE South 55°50'25" East, along the common line of said Lot 2 and said Lovers Lane, a distance of 112.94 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the north corner of a corner clip at the intersection of the southerly right-of-way line of said Lovers Lane and the northerly right-of-way line of State Highway No. 289 (also known as Preston Road)(variable width right-of-way);

THENCE South 13°11'56" East, along said corner clip, a distance of 36.78 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the south corner of said corner clip;

THENCE South 29°26'34" West, along the common line of said Lot 2 and said Preston Road, a distance of 146.91 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner, from which a Wooden TXDot Marker found for witness bears: North 31°18' East, 15.80 feet;

THENCE South 35°04'16" West, continuing along said common line and along the easterly line of said Lot 3, a distance of 242.01 feet to a Mag Nail set for the southeast corner of said Lot 3, common to the easternmost northeast corner of said Lot 4, Block A, said Gates of Prosper Phase 2;

THENCE North 55°33'35" West, departing the northerly right-of-way line of said Preston Road and along the common line of said Lots 3 & 4, a distance of 243.75 feet to an "X" cut set in concrete at the beginning of a tangent curve to the left having a central angle of 56°37'14", a radius of 165.00 feet, a chord bearing and distance of North 83°52'12" West, 156.50 feet;

THENCE in a northwesterly direction, continuing along the common line of said Lots 3 & 4 and along the southerly line of the aforementioned Lot 14 and with said curve to the left, an arc distance of 163.06 feet to an "X" cut set in concrete for the end of said curve to the left;

THENCE South 67°49'11" West, along the southerly line of said Lots 14, a distance of 41.46 feet to an "X" cut set in concrete at the beginning of a tangent curve to the right having a central angle of 22°10'49", a radius of 165.00 feet, a chord bearing and distance of South 78°54'36" West, 63.48 feet;

THENCE in a southwesterly direction, continuing along the southerly line of said Lot 14 and with said curve to the right, an arc distance of 63.87 feet to an "X" cut set in concrete for the end of said curve to the right;

THENCE North 90°00'00" West, continuing along the southerly line of said Lot 14 and along the easterly line of the aforementioned Lot 13, a distance of 32.22 feet to an "X" cut set in concrete at the beginning of a tangent curve to the right having a central angle of 90°00'00", a radius of 35.00 feet, a chord bearing and distance of North 45°00'00" West, 49.50 feet;

THENCE along the common line of said Lots 13 & 14, the following courses and distances:

In a northwesterly direction, with said curve to the right, an arc distance of 54.98 feet to an "X" cut set in concrete for corner;

North 0°00'00" East, a distance of 36.74 feet to an "X" cut set in concrete for corner;

North 90°00'00" West, a distance of 26.70 feet to an "X" cut set in concrete for corner;

North 0°00'37" West, a distance of 235.55 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°59'54" East, a distance of 25.13 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 0°28'57" West, a distance of 72.56 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 6°12'32" East, a distance of 20.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 0°43'20" East, a distance of 162.02 feet to the POINT OF BEGINNING and containing 7.699 acres (335,347 sq. ft.) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, 289 (PRESTON) & 380, L.P., acting herein by and through its duly authorized officer, does hereby certify and adopt this plat designating the herein above described property as GATES OF PROSPER, PHASE 2, BLOCK A, LOTS 2, 3, & 14, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. WHEREAS, 289 (PRESTON) & 380, L.P. does herein certify the following:

- 1. The streets and alleys are dedicated for street and alley purposes.
- 2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- 3. The easements and public use areas, as shown, are dedicated for the public use forever for the purposes indicated on this plat.
- 4. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved by the Town of Prosper.
- 5. The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- 6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Town of Prosper's use thereof.
- 7. The Town of Prosper and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
- 8. The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
- 9. All modifications to this document shall be by means of plat and approved by the Town of Prosper.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas. WITNESS, my hand, this the _____ day of _____, 20__.

BY: 289 (PRESTON) & 380, L.P.

BY:

Authorized Signature

Printed Name and Title

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

DRAINAGE AND DETENTION EASEMENT

This plat is hereby adopted by the Owners and approved by the Town of Prosper (Called "Town") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: The Portion of Block A, Lots 13, & 14, as shown on the plat is called "Drainage and Detention Easement". The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The Town will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Drainage and Detention Easement, as herein above defined, unless approved by the Town Engineer. Provided, however, it is understood that in the event it becomes necessary for the Town to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by drainage in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the Town shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The Town shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures, within the Easement.

ACCESS EASEMENT

The undersigned covenants and agrees that the access easement(s) may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for the Fire Department, Police, and emergency use in along, upon, and across said premises, with the right and privilege at all times of the Town of Prosper, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

LANDSCAPE EASEMENT

The undersigned covenants and agrees that the landscape easement and restrictions herein set forth shall run with the land and be binding on the owner(s) of the property in this subdivision, their successors and assigns, and all parties claiming by, through and under them. In the event a replat is requested on all or part of this property, the Town may require any similar or additional restrictions at its sole discretion. The sole responsibility for maintenance and replacement of landscape materials thereof shall be borne by any homeowners' association hereafter established for the owners of lots in this subdivision and/or the owners of the individual lots within this subdivision. Such maintenance and replacement shall be in conformance with the requirements, standards, and specifications of the Town of Prosper, as presently in effect or as may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law. This Landscape Easement shall be void of utilities and other elements unless otherwise approved on the plat.

STREET EASEMENT

The area or areas shown on the plat as "Street Easement" are hereby given and granted to the Town of Prosper (Called "Town") its successors and assigns, as an easement to construct, reconstruct, operate, repair, re-build, replace, relocate, alter, remove and perpetually maintain street and highway facilities, together with all appurtenances and incidental improvements, in, upon and across certain real property owned by Grantor. Appurtenances and incidental improvements include, but are not limited to, curbs, gutters, inlets, aprons, traffic signs with or without attached flashing lights, guard rails, sidewalks, buried conduits, buried City utilities, and underground franchise utilities. Street Easements shall remain accessible at all times and shall be maintained by the Owners of the lot or lots that are traversed by, or adjacent to the Street Easement. After doing any work in connection with the construction, operation or repair of the street and highway facilities, the Town shall restore the surface of the Street Easement as close to the condition in which it was found before such work was undertaken as is reasonably practicable, except for trees, shrubs and structures within the Street Easement that were removed as a result of such work.

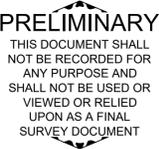
SURVEYOR'S CERTIFICATE

Know All Men By These Presents:

That I, Michael B. Marx, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the Town of Prosper, Texas.

Dated this the _____ day of _____, 20__.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone 972-335-3580
Fax 972-335-3779



STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael B. Marx, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 20__ by the Planning & Zoning Commission of the Town of Prosper, Texas.

- _____ Town Secretary
- _____ Engineering Department
- _____ Development Services Department

REPLAT
GATES OF PROSPER, PHASE 2
BLOCK A, LOTS 2, 3, & 14

AN ADDITION TO THE TOWN OF PROSPER

7.699 ACRES

SITUATED IN THE
BEN RENISON SURVEY, A-755 & THE
COLLIN COUNTY SCHOOL NO. 12 SURVEY, A-147
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

FEBRUARY, 2020
CASE #D20-0013

Kimley»Horn
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
-	JMH	KHA	02/25/2020	063887142	1 OF 2

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Parkway, Suite 210
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Michael B. Marx, R.P.L.S.

ENGINEER:
Kimley-Horn and Associates, Inc.
601 NW Loop 410, Suite 350
San Antonio, TX 78216
P (210) 541-9166
Contact: Chelsy Houy, P.E.

OWNER:
289 (Preston) & 380, L.P.
1 Cowboys Way
Frisco, TX 75063
P (972) 497-4367
Contact: Nic Link

DWG NAME: P:\P\SURVEY\208109035-GATES OF PROSPER PHASE 2\DRAWING\LANDSCAPE PLATS\SUBMITTALS\GOP_LOTS 2,3,14_BLK_A_DPD.DWG PLOTTED BY: AMCK, MICHAEL, 2/26/2020 12:24 PM, LAST SAVED: 2/26/2020 12:20 PM



PLANNING

To: Planning & Zoning Commission

Item No. 3e

From: Pamela Clark, Planning/GIS Analyst

Through: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – March 3, 2020

Agenda Item:

Consider and act upon a Replat for the Gates of Prosper, Phase 2, Block A, Lot 5, on 1.4± acres, located on the south side of Lovers Lane and west of Preston Road. The property is zoned Planned Development-67 (PD-67). (D20-0014).

Description of Agenda Item:

A Final Plat (D19-0109) for the subject property was originally approved by the Planning & Zoning Commission on December 3, 2019. The purpose of this Replat is to dedicate all easements necessary for development. The Replat conforms to the Planned Development-67 development standards.

As a companion item, the Site Plan (D19-0116), for a multi-tenant retail building, was approved by the Planning & Zoning Commission on January 21, 2020.

Attached Documents:

1. Location Map
2. Replat

Staff Recommendation:

Staff recommends approval of the Replat, subject to:

1. Town staff approval of all additions and/or alterations to the easements and dedications on the Replat.



LOVERS LN

S COLEMAN ST

RICHLAND BLVD

D20-0014

PRESTON RD

LOVERS LN

MOSS GLEN DR

ABBAY LN

LANCER LN

SWISS LN

BLUE RIDGE DR



0 155 310 620 Feet

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF COLLIN §

WHEREAS, 289 (PRESTON) & 380, L.P., is the owner of a tract of land situated in the Ben Renison Survey, Abstract No. 755, Town of Prosper, Collin County, Texas, and being all of Lot 5, Block A, Gates of Prosper Phase 2, Block A, Lots 1-14, an Addition to the Town of Prosper, according to the Revised Conveyance Plat thereof recorded in Volume 2019, Page 771, Map Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut set in concrete for the southeast corner of said Lot 5, common to the northeast corner of Lot 6, Block A, said Gates of Prosper Phase 2, same being on the northerly right-of-way line of State Highway No. 289 (also known as Preston Road)(variable width right-of-way);

THENCE North 55°33'35" West, departing the northerly right-of-way line of said Preston Road and along the southerly line of said Lot 5 and the northerly line of said Lot 6 and the easterly line of Lot 1, Block A, said Gates of Prosper Phase 2, a distance of 360.01 feet to an "X" cut set in concrete at the beginning of a tangent curve to the left having a central angle of 34°26'25", a radius of 115.00 feet, a chord bearing and distance of North 72°46'47" West, 68.09 feet;

THENCE in a northwesterly direction, along the common line of said Lots 5 & 1 and with said curve to the left, an arc distance of 69.13 feet to an "X" cut set in concrete for the end of said curve to the left;

THENCE North 90°00'00" West, continuing along said common line, a distance of 55.48 feet to an "X" cut set in concrete for the westernmost southwest corner of said Lot 5, common to the southernmost southeast corner of Lot 13, Block A, said Gates of Prosper Phase 2;

THENCE North 0°00'00" East, departing said common line and along the common line of said Lots 5 & 13, a distance of 25.50 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 90°00'00" East, continuing along said common line, a distance of 143.50 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 0°00'00" East, continuing along said common line, a distance of 93.38 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the northernmost northwest corner of said Lot 5, common to the westernmost southwest corner of Lot 4, Block A, said Gates of Prosper Phase 2;

THENCE North 90°00'00" East, departing said common line and along the common line of said Lots 5 & 4, a distance of 37.58 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;

THENCE South 55°33'35" East, continuing along said common line, a distance of 80.94 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;

THENCE North 34°26'25" East, continuing along said common line, a distance of 1.30 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;

THENCE South 55°33'35" East, continuing along said common line, a distance of 305.66 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the northeast corner of said Lot 4, same being on the southeasterly right-of-way line of the aforementioned Preston Road;

THENCE South 33°38'20" West, along the common line of said Lot 5 and said Preston Road, a distance of 150.23 feet to the POINT OF BEGINNING and containing 1.413 acres (61,547 sq. ft.) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, 289 (PRESTON) & 380, L.P., acting herein by and through its duly authorized officer, does hereby certify and adopt this plat designating the herein above described property as GATES OF PROSPER, PHASE 2, BLOCK A, LOT 5, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. WHEREAS, 289 (PRESTON) & 380, L.P. does herein certify the following:

- The streets and alleys are dedicated for street and alley purposes.
- All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- The easements and public use areas, as shown, are dedicated for the public use forever for the purposes indicated on this plat.
- No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved by the Town of Prosper.
- The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Town of Prosper's use thereof.
- The Town of Prosper and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
- The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
- All modifications to this document shall be by means of plat and approved by the Town of Prosper.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas. WITNESS, my hand, this the _____ day of _____, 20__.

BY: 289 (PRESTON) & 380, L.P.

BY:

Authorized Signature

Printed Name and Title

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

ACCESS EASEMENT

The undersigned covenants and agrees that the access easement(s) may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for the Fire Department, Police, and emergency use in along, upon, and across said premises, with the right and privilege at all times of the Town of Prosper, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

LANDSCAPE EASEMENT

The undersigned covenants and agrees that the landscape easement and restrictions herein set forth shall run with the land and be binding on the owner(s) of the property in this subdivision, their successors and assigns, and all parties claiming by, through and under them. In the event a replat is requested on all or part of this property, the Town may require any similar or additional restrictions at its sole discretion. The sole responsibility for maintenance and replacement of landscape materials thereof shall be borne by any homeowners' association hereafter established for the owners of lots in this subdivision and/or the owners of the individual lots within this subdivision. Such maintenance and replacement shall be in conformance with the requirements, standards, and specifications of the Town of Prosper, as presently in effect or as may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law. This Landscape Easement shall be void of utilities and other elements unless otherwise approved on the plat.

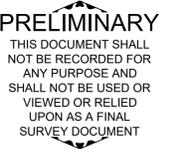
SURVEYOR'S CERTIFICATE

Know All Men By These Presents:

That I, Michael B. Marx, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the Town of Prosper, Texas.

Dated this the _____ day of _____, 20__.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone 972-335-3580
Fax 972-335-3779



STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael B. Marx, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 20__ by the Planning & Zoning Commission of the Town of Prosper, Texas.

_____ Town Secretary

_____ Engineering Department

_____ Development Services Department

REPLAT
GATES OF PROSPER, PHASE 2
BLOCK A, LOT 5

AN ADDITION TO THE TOWN OF PROSPER

1.413 ACRES

SITUATED IN THE
BEN RENISON SURVEY, ABSTRACT NO. 755
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

FEBRUARY, 2020
CASE #D20-0014

Kimley»Horn

6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Parkway, Suite 210
Frisco, TX 75034
P (972) 335-3580
F (972) 335-3779
Contact: Michael B. Marx, R.P.L.S.

ENGINEER:
Kimley-Horn and Associates, Inc.
601 NW Loop 410, Suite 350
San Antonio, TX 78216
P (210) 541-9166
Contact: Chelsy Houy, P.E.

OWNER:
289 (Preston) & 380, L.P.
1 Cowboys Way
Frisco, TX 75063
P (972) 497-4367
Contact: Nic Link

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
-	JMH	KHA	02/25/2020	063887142	1 OF 2



PLANNING

To: Planning & Zoning Commission **Item No. 4**
From: Alex Glushko, AICP, Planning Manager
Re: Planning & Zoning Commission Meeting – March 3, 2020

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request to amend Chapter 3, Section 2, Definitions, of the Zoning Ordinance, regarding Automobile Storage. (Z20-0003).

Background and Purpose of the Proposed Amendments:

Currently, the Zoning Ordinance defines *Automobile Storage* as, “the storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale, lease, distribution, or storage.” *Automobile Storage* is permitted by Specific Use Permit (SUP) in a Commercial District (C), and by right in an Industrial District (I).

Upon advice from the Town Attorney, the proposed amendment will clarify that the allowances for the storage of vehicles will apply to vehicles, whether operable or inoperable. As an FYI, the term, “automobile” includes passenger cars, trucks and buses. Below is a ‘redline’ of the proposed amendment to the Zoning Ordinance:

Recommended Amendment:

SECTION 2
DEFINITIONS

2.2 ...

Automobile Storage - The storage on a lot or tract of ~~operable~~ automobiles for the purpose of holding such vehicles for sale, lease, distribution, or storage.

Legal Obligations and Review:

Notice of the Planning & Zoning Commission Public Hearing was provided in the newspaper as required by the Zoning Ordinance and state law. To date, no correspondence has been received.

Town Staff Recommendation:

Town staff recommends the Planning & Zoning Commission approve the requested amendment to the Zoning Ordinance.

Town Council Public Hearing:

A Public Hearing for this item has been scheduled for the Town Council at their Regular meeting on March 24, 2020.



Prosper is a place where everyone matters.

RESULTS

Agenda

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, February 11, 2020
5:45 PM

Call to Order/ Roll Call.

Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Announcements of recent and upcoming events.

CONSENT AGENDA: All Consent Agenda Items Approved, 7-0

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.

1. Consider and act upon the minutes from the January 28, 2020, Town Council meeting. **(RB)**
2. Consider and act upon the minutes from the January 31, 2020, Town Council Strategic Planning Session. **(RB)**
3. Consider and act upon an ordinance ordering a General Election to be held on May 2, 2020, and authorizing the Town Manager to execute contracts with the Collin County Election Administration, the Denton County Election Administration, and the Prosper Independent School District for joint election services. **(RB)**
4. Receive the December Financial Report. **(BP)**
5. Receive the Quarterly Investment Report. **(BP)**
6. Consider and act upon approving the renewal of insurance policies with Mutual of Omaha for Group and Voluntary Life, Accidental Death and Dismemberment, Short-term Disability, and Long-term Disability coverages for employees and their eligible dependents. **(CS)**
7. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan. **(AG)**

CITIZEN COMMENTS

Items for Individual Consideration:

8. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Low Density Single Family to Tollway District, generally located on the north side of Prosper Trail, west of Shawnee Trail. (CA19-0005). [Companion Case Z19-0024] **(AG) Approved, 7-0**

RESULTS

9. Conduct a Public Hearing, and consider and act upon a request to rezone 3.4± acres from Agricultural (A) to Office (O) and 5.6± acres from Agricultural (A) to Single Family-15 (SF-15), located on the north side of Prosper Trail, west of Shawnee Trail. (Z19-0024). *[Companion Case CA19-0005]* **(AG) Approved, 7-0**
10. Consider and act upon a request to waive the Town's Drainage System Design Requirements for a wet or underground detention pond for the regional pond on the original Worldwide Rock tract for the All Storage development. **(DH) Approved, 7-0 with stipulations**

EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

Section 551.087 – To discuss and consider economic development incentives.

Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.074 – To discuss and review the Town Manager's performance evaluation.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.



Prosper is a place where everyone matters.

RESULTS

Agenda

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, February 25, 2020
5:45 PM

(Councilmember Dixon absent)

Call to Order/ Roll Call.

Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Announcements of recent and upcoming events.

Discussion Items.

1. Coronavirus (COVID-19) Update. **(BB)**

CONSENT AGENDA: All Consent Agenda Items Approved, 6-0

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff. Zoning-related Public Hearing items on the Consent Agenda have received a unanimous recommendation for approval by the Planning & Zoning Commission, and no written opposition was received prior to the posting of this agenda. Those wishing to speak on a Public Hearing item on the Consent Agenda should complete a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.

2. Consider and act upon the minutes from the February 11, 2020, Town Council meeting. **(RB)**
3. Consider and act upon an ordinance repealing Article 1.06, "Records Management," of Chapter 1, "General Provisions," of the Town's Code of Ordinances and replacing it with a new Article 1.06, "Records Management." **(RB)**
4. Consider and act upon repealing Resolution No. 13-51 and replacing with a resolution delegating authority to the Town's Purchasing Manager to determine the best method of procurement for the purchase of goods and services. **(JC)**
5. Consider and act upon a resolution supporting and authorizing a grant application to the Office of the Governor for a FY 2020-2021 Justice Assistance Grant (JAG). **(KB)**
6. Consider and act upon an ordinance repealing existing Subsection (c) of Section 1.04.032, "Number of Members," of Division 1, "Library Board," of Article 1.04, "Boards, Commissions and Committees," of Chapter 1, "General Provisions," of the Code of Ordinances of the Town of Prosper, Texas, by removing a Prosper Independent School District non-voting member from the Library Board. **(LS)**
7. Consider and act upon amendments to Section 1.05, "Meetings," of the Library Board's Bylaws to (1) change the Board's meetings to quarterly meetings, or as needed, and (2) to provide for the duties of a Board Secretary. **(LS)**

RESULTS

8. Consider and act upon awarding CSP No. 2020-42-A to Zayo Group, LLC. as proposed by Sandler Partners, an internet provider distributor, related to dedicated fiber internet services at Town Hall, and authorizing the Town Manager to execute a construction agreement for same. **(LJ)**
9. Consider and act upon approving an annual fixed-price agreement for the purchase of Neptune water meters and related items, at the unit prices guaranteed, from Core & Main, a sole source provider. **(FJ)**
10. Consider and act upon awarding CSP No. 2020-25-B to Pavecon Public Works, LP, related to construction services for the Cook Lane Phase 2 Improvement project; and authorizing the Town Manager to execute a construction agreement for same. **(PA)**
11. Consider and act upon authorizing the Town Manager to execute a Water Impact Fee Reimbursement Agreement between 1385 & 380 Investments LP, Prosper 1385 Investments LP, and the Town of Prosper, Texas, related to the extension of water lines to serve the Westside development. **(HW)**
12. Consider and act upon authorizing the Town Manager to execute a Development Agreement between 1385 & 380 Investments LP and Prosper 1385 Investments LP, and the Town of Prosper, Texas, related to the Westside development. **(AG)**
13. Consider and act upon an ordinance rezoning 1.6± acres from Single Family-15 (SF-15) to Planned Development-Downtown Office (PD-DTO), located on the north side of Broadway Street, west of Craig Road. (Z19-0023). **(AG)**
14. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Dugan P. Kelley and Matthew Clarke, and the Town of Prosper, Texas, related to the Downtown Office development, located at 603 E. Broadway Street. **(AG)**
15. Consider and act upon an ordinance amending the Future Land Use Plan from Low Density Residential to Tollway District, generally located on the north side of Prosper Trail, west of Shawnee Trail. (CA19-0005). *[Companion Case Z19-0024]* **(AG)**
16. Consider and act upon an ordinance to rezone 3.4± acres from Agricultural (A) to Office (O) and 5.6± acres from Agricultural (A) to Single Family-15 (SF-15), located on the north side of Prosper Trail, west of Shawnee Trail. (Z19-0024). *[Companion Case CA19-0005]* **(AG)**
17. Consider and act upon authorizing the Town Manager to execute a Development Agreement between The Carnegie Holding Company, LLC, and the Town of Prosper, Texas, related to the CHC Prosper Trail Office development. **(AG)**
18. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 0.4± acres from Single Family-15 (SF-15) to Downtown Office (DTO), located on the north side of Broadway Street, east of Parvin Street (511 E. Broadway Street). (Z20-0001). **(AG)**
19. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Lifelong Properties, LLC, and the Town of Prosper, Texas, related to a downtown office located on the north side of Broadway Street, east of Parvin Street (511 E. Broadway Street). **(AG)**

RESULTS

CITIZEN COMMENTS

Items for Individual Consideration:

20. Conduct a Public Hearing, and consider and act upon a request for a Sign Waiver for Gates of Prosper, Phase 2, located on the southwest corner of Preston Road and Lovers Lane, generally to allow for signage consistent with the signage located in Gates of Prosper, Phase 1. (MD20-0001). **(AG) Approved, 6-0**
21. Conduct a Public Hearing, and consider and act upon an ordinance amending Planned Development-99 (PD-99), on 19.4± acres, located on the northwest corner of Mahard Parkway and US 380, generally to allow for the rental of cargo trucks as an incidental use at Longo Toyota. (Z20-0002). **(AG) Approved, 6-0**
22. Consider and act upon a resolution creating a Special Citizens Bond Advisory Committee for the proposed 2020 bond election and establishing a charge for the Committee; and the appointment of Committee members. **(HJ) Approved, 6-0**

EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

Section 551.087 – To discuss and consider economic development incentives.

Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with the Town's sign ordinance, and all matters incident and related thereto.

Section 551-074 - To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.074 - To discuss and review the Town Manager's performance evaluation.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

26. Reynolds Middle School Parking. **(HJ)**