



**AGENDA**  
**Regular Meeting of the**  
**Prosper Planning & Zoning Commission**  
Prosper Town Hall  
Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, June 2, 2020, 6:00 p.m.

**Notice Regarding Public Participation**

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency.

Individuals will be able to address the Commission either (1) via videoconference, or (2) via telephone conference call.

**To access the videoconference online, follow these instructions:**

Join the Zoom Meeting by clicking on the following link: <https://us02web.zoom.us/j/81847978852>

Enter Meeting ID: 818 4797 8852

To request to speak, click on "Participants" at the bottom of the screen, and click "Raise Hand." The meeting moderator will acknowledge your request and allow you to speak.

To join the meeting by phone, dial any one of the following numbers:

- +1 929 436 2866
- +1 301 715 8592
- +1 312 626 6799
- +1 669 900 6833
- +1 253 215 8782
- +1 346 248 7799

Enter Meeting ID: 818 4797 8852

To request to speak, enter \*9. The meeting moderator will acknowledge your request and allow you to speak.

**If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.**

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the 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 either address the Commission when the item is considered by the Planning & Zoning Commission.

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 May 19, 2020, Planning & Zoning Commission Regular meeting.
- 3b.** Consider and act upon a Site Plan for a Charter School (Founders Academy of Prosper), on 19.9± acres, located on the southwest corner of First Street and Custer Road. The property is zoned Planned Development-89 (PD-89). (D20-0045).
- 3c.** Consider and act upon a Final Plat for Founders Academy of Prosper, Block A, Lot 1, on 19.9± acres, located on the southwest corner of First Street and Custer Road. The property is zoned Planned Development-89 (PD-89). (D20-0046).
- 3d.** Consider and act upon a Conveyance Plat for Children's Prosper, Block A, Lots 1 and 2, on 72.2± acres, located on the northwest corner of US 380 and Dallas Parkway. The property is zoned Planned Development-41 (PD-41). (D20-0047).
- 3e.** Consider and act upon a Final Plat for Lifelong Addition, Block A, Lot 1, on 0.4± acres, located on the north side of Broadway Street, east of Parvin Street. The property is zoned Downtown Office (DTO). (D20-0049).
- 3f.** Consider and act upon a Final Plat for Windsong Ranch, Phase 6B, for 120 single family residential lots, and five (5) HOA/open space lots, on 38.2± acres, located on the east side of Good Hope Road, north of Fishtrap Road. The property is zoned Planned Development-40 (PD-40). (D20-0052).

### **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.** Consider and act upon a Preliminary Site Plan for a Charter School (Founders Academy of Prosper), on 19.9± acres, located on the southwest corner of First Street and Custer Road. The property is zoned Planned Development-89 (PD-89). (D20-0017).
- 5.** Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-84 (PD-84), on 1.1± acres, located on the southeast corner of Fifth Street and McKinney Street, generally to amend the property boundary, permitted uses, and development standards for Silo Park Food Truck Park. (Z20-0011).
- 6.** Conduct a Public Hearing, and consider and act upon a request to rezone 1.2± acres from Planned Development-84 (PD-84) to Downtown Retail (DTR), located on the northeast corner of Broadway Street and McKinley Street. (Z20-0012).
- 7.** Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

8. 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, May 29, 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**  
Tuesday, May 19, 2020  
6:00 p.m.

*Governor Greg Abbott granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in order to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency. This meeting was held via telephone conference call and videoconference.*

**1. Call to Order**

The meeting was called to order at 6:02 p.m.

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

Commissioners absent: Michael Pettis.

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

**2. Roll Call**

**3. CONSENT AGENDA**

- 3a. Consider and act upon minutes from the May 5, 2020, Planning & Zoning Commission Regular meeting.**
- 3b. Consider and act upon a Site Plan for a multifamily development in WestSide (The Clary Prosper Luxury Apartments), on 11.5± acres, located east of FM 1385, north of US 380. The property is zoned Planned Development-94 (PD-94). (D20-0024).**
- 3c. Consider and act upon a Final Plat for the WestSide Addition, Block A, Lot 17, on 11.5± acres, located east of FM 1385, north of US 380. The property is zoned Planned Development-94 (PD-94). (D20-0025).**
- 3d. Consider and act upon a Preliminary Plat for Star Trail, Phases 8 & 9, for 141 single family residential lots and five (5) HOA/open space lots, on 79.6± acres, located on the east side of Legacy Drive, north of First Street. The property is zoned Planned Development-66 (PD-66). (D20-0041).**
- 3e. Consider and act upon a Final Plat for Star Trail, Phase 8, for 68 single family residential lots, and one (1) HOA/open space lot, on 32.6± acres, located on the east side of Legacy Drive, north of First Street. The property is zoned Planned Development-66 (PD-66). (D20-0042).**
- 3f. Consider and act upon a Final Plat for Star Trail, Phase 9, for 73 single family residential lots, and four (4) HOA/open space lots, on 47.0± acres, located east of Legacy Drive, north of First Street. The property is zoned Planned Development-66 (PD-66). (D20-0043).**

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

**REGULAR AGENDA**

- 4. 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.

- 5. Adjourn.**

Motion by Long, second by Daniel, to adjourn. Motion approved 6-0 at 6:12 p.m.

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**Evelyn Mendez, Planning Technician**

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**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 – June 2, 2020**

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**Agenda Item:**

Consider and act upon a Site Plan for a Charter School (Founders Academy of Prosper), on 19.9± acres, located on the southwest corner of First Street and Custer Road. The property is zoned Planned Development-89 (PD-89). (D20-0045).

**Description of Agenda Item:**

The Site Plan shows a charter school with a 2-story, 30,541 square-foot elementary school, a 1-story, 26,424 square-foot gym and cafeteria, and an unlit sports field, which will be built in the first phase of construction. The depicted number of off-street parking spaces meets the minimum standards of the Zoning Ordinance. Parking is based on an anticipated 728 students in Grades K-8 and 324 students in Grades 9-12. Access is provided from First Street and Custer Road. The Site Plan conforms to the PD-89 development standards.

The applicant submitted a Traffic Impact Analysis (TIA) that assessed the impact of this project on First Street. As outlined in the TIA, and approved by the Town's Engineering Department, the applicant will be responsible for the temporary widening of First Street to add left turn lanes at the two driveways into the school site. The applicant will provide funds to be escrowed for the future permanent widening of First Street.

As companion items, the Preliminary Site Plan for Founders Academy of Prosper, D20-0017, and the Final Plat for Founders Academy of Prosper, Block A, Lot 1 (D20-0046) are on the June 2, 2020 agenda.

**Attached Documents:**

1. Location Map
2. Site Plan

**Staff Recommendation:**

Staff recommends approval of the Site Plan subject to:

1. Planning & Zoning Commission approval of the Preliminary Site Plan for Founders Academy of Prosper, including solid living screening in lieu of a masonry wall.
2. Town staff approval of civil engineering, irrigation plans, open space plans, landscape plans, façade plans, and address plans.

3. Town staff approval of all fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.



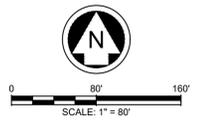
COLUMBIA DR  
WHITLEY PLACE DR  
LONGWOOD DR  
TRINIDAD CT  
WILSON CREEK TRL  
GLEN CANYON DR  
CHAMA ST  
Yosemite DR  
CUSTER RD  
VENTURE POINT DR  
ARCHES LN  
CHIMNEY ROCK DR  
GLACIER POINT CT  
FRASIER LN  
DOGWOOD DR  
COLUMBIA CT  
AURORA WAY  
TETON PL  
FIRST ST

D20-0045



0 250 500 1,000 Feet

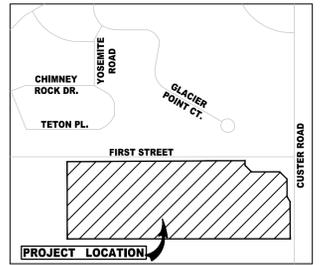
PARKING CALCULATION SUMMARY					
	PARKING RATIO	TOTAL STUDENTS	TOTAL CLASSROOMS	REQUIRED SPACES	PROPOSED SPACES
ELEMENTARY SCHOOL (K-8)	1.5 PER CLASSROOM	728	28	42	42
HIGH SCHOOL (9-12)	1.5 PER CLASSROOM + 1 PER 5 STUDENTS	324	12	83	155
<b>TOTAL</b>				<b>125</b>	<b>196</b>
ADA PARKING	PER TAS			6	



**LEGEND**

- PROPOSED FIRELANE
- ACCESSIBLE CROSSWALK
- PROP. ACCESSIBLE ROUTE
- PROP. RETAIN/SCREEN WALL
- PARKING COUNT
- TEMPORARY ASPHALT

- NOTES:
- ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF WALL, FACE OF BUILDING, CENTER OF STRIPING, AND PROPERTY LINE UNLESS OTHERWISE NOTED.
  - ALL SIGNAGE IS APPROVED VIA A SEPARATE PERMIT THROUGH THE BUILDING SAFETY DIVISION.
  - ALL MECHANICAL EQUIPMENT, DUMPSTERS, ROOFTOP UNITS, ETC SHALL BE SCREENED IN COMPLIANCE WITH THE ZONING ORDINANCE.
  - ALL LIGHTING SHALL COMPLY WITH THE ZONING ORDINANCE.
  - ANY ALTERATION TO THE SITE PLAN, INCLUDING BUILDING ELEVATION AND LANDSCAPE SUBSTITUTIONS, REQUIRE TOWN APPROVAL THROUGH A REVISED PLAN, STAMPED BY STAFF.
  - ALL PROPOSED RAMPS TO FOLLOW THE ARCHITECTURAL BARRIERS TEXAS ACCESSIBILITY STANDARDS (TAS).
  - ACQUISITION OF DOWNSTREAM EASEMENT IS PENDING. IF EASEMENT CANNOT BE OBTAINED, OUTFALL WILL MIMIC EXISTING CONDITIONS.



**BENCHMARKS**

BM #1 - PK NAIL SET IN ASPHALT ON THE NORTH SIDE OF E. FIRST STREET +/- 15' NORTH OF THE CENTERLINE AND +/- 107 FEET WEST OF THE INTERSECTION OF E. FIRST STREET AND N CUSTER ROAD.  
ELEVATION = 662.43'

BM #2 - PK NAIL SET IN ASPHALT ON THE SOUTH SIDE OF E. FIRST STREET +/- 15' SOUTH OF THE CENTERLINE AND +/- 1.840 FEET WEST OF THE INTERSECTION OF E. FIRST STREET AND N CUSTER ROAD.  
ELEVATION = 696.46'

**PRELIMINARY -FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND ARE NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

KYLE A. KATTNER 118741 05/28/2020  
TYPE OR PRINT NAME PE # DATE

NO.	DATE	REVISION

**CASE NUMBER  
D20-0045**

**SURVEYOR / ENGINEER**  
**PELTON**  
LAND SOLUTIONS  
KYLE KATTNER  
9800 HILLWOOD PARKWAY  
SUITE 250  
FORT WORTH, TX 76177  
PHONE: 817-562-3350

**DEVELOPER / OWNER**  
T. LYNN TOMPKINS, JR.  
RESPONSIVE EDUCATION SOLUTIONS  
1301 WATERS RIDGE DR,  
LEWISVILLE, TX 75057  
PHONE: 972-316-3663

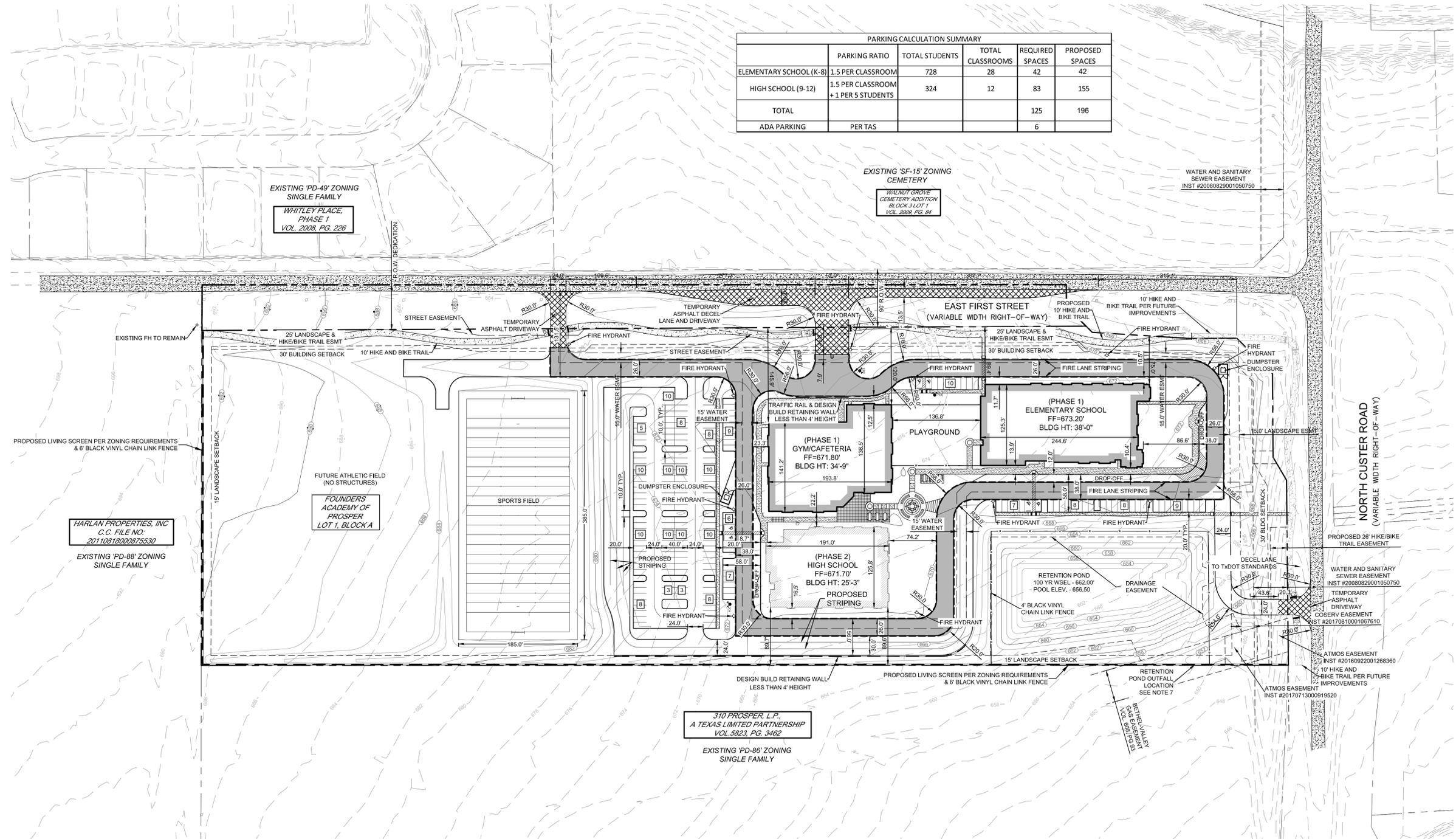
**FOUNDERS ACADEMY OF PROSPER  
LOT 1, BLOCK A**

**OVERALL SITE PLAN**

PROSPER, COLLIN COUNTY, TEXAS

**PELTON**  
LAND SOLUTIONS  
TEXAS REGISTRATION ENGINEERING FIRM NO. 12027  
9800 HILLWOOD PKWY, SUITE 250, FORT WORTH, TEXAS 76177  
FORT WORTH PHONE: (817) 562-3350

DRAWN:	DATE	PROJECT #	SHEET
JFS	APRIL 2020	PLS_RES19003 PROSPER, TX	<b>C201</b>



310 PROSPER, L.P.  
A TEXAS LIMITED PARTNERSHIP  
VOL. 5823, PG. 3462  
EXISTING 'PD-88' ZONING  
SINGLE FAMILY

WATER / SANITARY SEWER CONNECTIONS SUMMARY	
WATER	
3" DOMESTIC	3
2" IRRIGATION	1
SANITARY SEWER	
6" CONNECTION	1

**SITE PLAN NOTES:**

- DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE.
- LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN.
- ALL ELEVATIONS SHALL COMPLY WITH THE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE.
- BUILDINGS OF 5,000 SQUARE FEET OR GREATER SHALL BE 100% FIRE SPRINKLED. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE DEPARTMENT.
- FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER TOWN STANDARDS OR AS DIRECTED BY THE FIRE DEPARTMENT.
- TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
- SPEED BUMPS/HUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
- HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.
- ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
- ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE PRELIMINARY 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) FEET IN WIDTH ALONG RESIDENTIAL STREETS, AND BARRIER FREE RAMPS AT ALL CURB CROSSINGS SHALL BE PROVIDED PER TOWN STANDARDS.
- APPROVAL OF SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE ENGINEERING SERVICES 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.
- ALL LANDSCAPE EASEMENTS MUST BE EXCLUSIVE OF ANY OTHER TYPE OF EASEMENT.
- 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 OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
- THE APPROVAL OF A SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF EIGHTEEN (18) MONTHS FROM THE DATE OF APPROVAL BY THE PLANNING & ZONING COMMISSION, AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED APPROVAL OF ENGINEERING PLANS AND BUILDING PERMITS. IF THE ENGINEERING PLANS AND BUILDING PERMITS ARE NOT APPROVED, THE SITE PLAN APPROVAL, TOGETHER WITH ANY PRELIMINARY SITE PLAN FOR THE PROPERTY, IS NULL AND VOID.

SITE DATA SUMMARY TABLE	
ZONING	PD-89
PROPOSED USE	PUBLIC CHARTER SCHOOL
ELEMENTARY BUILDING	
BUILDING AREA	30,541 SF
BUILDING STORIES	2
BUILDING HEIGHT	32' 4"
GYM/CAFETERIA	
BUILDING AREA	26,424 SF
BUILDING STORIES	1
BUILDING HEIGHT	32' 6"
HIGH SCHOOL	
BUILDING AREA	22,307 SF
BUILDING STORIES	1
BUILDING HEIGHT	21' 6"
SITE	
LOT AREA	868,151 SF / 19.93 AC
R.O.W. DEDICATION	90,213 SF / 2.07 AC
SITE AREA	868,151 SF
LOT COVERAGE	8.77%
FLOOR AREA RATIO	8.77%
IMPERVIOUS AREA	302,914 SF
OPEN SPACE REQUIRED	7.0% - 63,230 SF
OPEN SPACE PROVIDED	63.3% - 549,733 SF
LANDSCAPE	
INTERIOR LANDSCAPE REQUIRED	2,940 SF
INTERIOR LANDSCAPE PROVIDED	7,919 SF



## PLANNING

**To:** Planning & Zoning Commission

**Item No. 3c**

**From:** Scott Ingalls, AICP, Senior Planner

**Through:** Alex Glushko, AICP, Planning Manager

**Re:** Planning & Zoning Commission Meeting – June 2, 2020

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**Agenda Item:**

Consider and act upon a Final Plat for Founders Academy of Prosper, Block A, Lot 1, on 19.9± acres, located on the southwest corner of First Street and Custer Road. The property is zoned Planned Development-89 (PD-89). (D20-0046).

**Description of Agenda Item:**

The Final Plat dedicates all easements necessary for development and conforms to the PD-89 development standards.

As companion items, the Preliminary Site Plan (D20-0017) and Site Plan (D20-0045) for Founders Academy of Prosper are on the June 2, 2020 agenda.

**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 annotations, additions and/or alterations to the easements and dedications on the Final Plat.



COLUMBIA DR  
WHITLEY PLACE DR  
LONGWOOD DR  
TRINIDAD CT  
WILSON CREEK TRL  
GLEN CANYON DR  
CHAMA ST  
YOSEMITE DR  
CUSTER RD  
VENTURE POINT DR  
ARCHES LN  
CHIMNEY ROCK DR  
GLACIER POINT CT  
FRASIER LN  
DOGWOOD DR  
COLUMBIA CT  
AURORA WAY  
TETON PL  
FIRST ST

D20-0046



0 250 500 1,000 Feet





## PLANNING

**To:** Planning & Zoning Commission

**Item No. 3d**

**From:** Alex Glushko, AICP, Planning Manager

**Re:** Planning & Zoning Commission Meeting – June 2, 2020

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**Agenda Item:**

Consider and act upon a Conveyance Plat for Children's Prosper, Block A, Lots 1 and 2, on 72.2± acres, located on the northwest corner of US 380 and Dallas Parkway. The property is zoned Planned Development-41 (PD-41). (D20-0047).

**Description of Agenda Item:**

The purpose of this Conveyance Plat is to subdivide the property in order to create a lot of record for Lot 2, which is intended to be the site of the future Children's Prosper medical office building. The plat also dedicates right-of-way for Children's Prosper Drive, providing access from US 380. The Conveyance Plat conforms to the PD-41 development standards.

**Attached Documents:**

1. Location Map
2. Conveyance Plat

**Town Staff Recommendation:**

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

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

MAGNOLIA LN  
DAYFLOWER DR

DALLAS PKWY

MAHARD PKWY

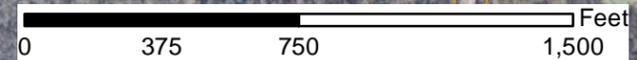
D20-0047

US HIGHWAY 380

UNIVERSITY DR

UNIVERSITY DR

CR 26









## PLANNING

**To:** Planning & Zoning Commission

**Item No. 3e**

**From:** Evelyn Mendez, Planning Technician

**Through:** Alex Glushko, AICP, Planning Manager

**Re:** Planning & Zoning Commission Meeting – June 2, 2020

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**Agenda Item:**

Consider and act upon a Final Plat for Lifelong Addition, Block A, Lot 1, on 0.4± acres, located on the north side of Broadway Street, east of Parvin Street. The property is zoned Downtown Office (DTO). (D20-0049).

**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 annotations, additions and/or alterations to the easements and dedications on the Final Plat.



CHURCH ST

FIFTH ST

PARVIN ST

FIFTH ST

D20-0049

BROADWAY ST

CRAIG RD

FIELD ST

THIRD ST

0 75 150 300 Feet



**E. Fifth Street**  
(called 50' public right-of-way)

**OWNER'S CERTIFICATION**

STATE OF TEXAS §  
COUNTY OF COLLIN §

WHEREAS, Lifelong Properties, LLC, is the owner of a tract of land, situated in the Collin County School Land No. 12 Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas and being all of that tract of land, described by deed to Lifelong Properties, LLC (herein after referred to as Lifelong tract), as recorded under Document No. 2020010600018100, of the Official Public Records, Collin County, Texas (O.P.R.C.C.T.), said tract being more particularly described as follows:

**BEGINNING** at a point for corner, being the southeasterly corner of said Lifelong tract, same being the southeasterly corner of Lot 2, Block A, of R. & R. ESTATES, an addition to the Town of Prosper, as recorded in Volume P, Page 840, of the Map Records, Collin County, Texas (M.R.C.C.T.), said corner also being in the northerly monumented line of E. Broadway Street (F.M. Highway No. 1193);

**THENCE** South 89°37'30" West, along the northerly monumented line of E. Broadway Street, a distance of 99.74' to a point for corner, being the southwest corner of said Lifelong tract, same being the southwest corner of a tract of land, described by deed to Christina Blythe, as recorded under Document No. 20121218001610110, O.P.R.C.C.T., from which a 1/2" iron rod found bears, North 00°40'55" West, a distance of 0.17';

**THENCE** North 00°40'55" West, along the common line between said Lifelong and Blythe tracts, a distance of 180.58' to a 1/2" iron rod with a plastic cap stamped "BURNS" found for the northwesterly corner of said Lifelong tract, same being the northwesterly corner of said Blythe tract, said corner also being the southeasterly corner of a tract of land, described by deed to Gary Paul Baczkowski, as recorded under Document No. 20080811000971930, O.P.R.C.C.T., and also being the southwest corner of a tract of land, described by deed to Timothy S. Hardy and spouse, Robin A. Hardy, as recorded in Volume 4572, Page 2427, of the Deed Records, Collin County, Texas (D.R.C.C.T.);

**THENCE** South 89°47'10" East, along the common line between said Lifelong and Hardy tracts, a distance of 100.00' to a 1/2" iron rod found for the northeasterly corner of said Lifelong tract, same being the southeasterly corner of said Hardy tract, said corner also being the southwest corner of a tract of land, described by deed to David C. Hamby, as recorded under Document No. 2007010200003930, O.P.R.C.C.T., said corner also being the northwesterly corner of the aforementioned Lot 2, Block A;

**THENCE** South 00°35'50" East, along the common line between said Lifelong tract and Lot 2, Block A, a distance of 180.86' to the **POINT OF BEGINNING** and containing 18,046 square feet or 0.414 acres of land, more or less.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

THAT, Lifelong Properties, LLC, acting herein by and through its duly authorized officers, do hereby certify and adopt this plat designating the herein above described property as **BLOCK A, LOT 1, LIFELONG ADDITION**, an addition to the Town of Prosper, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. Lifelong Properties, LLC do 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 on this plat.
- 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 \_\_\_\_\_, 2020.

Lifelong Properties, LLC

Printed Name and Title \_\_\_\_\_ Authorized Signature \_\_\_\_\_

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 David Izquierdo, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for the STATE OF TEXAS

**SURVEYOR'S CERTIFICATE**

THAT I, MICHAEL B. ARTHUR, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision. This Amended Plat was prepared in accordance with the subdivision rules and regulations of the Town of Prosper, Texas.

Michael B. Arthur  
Registered Professional Land Surveyor  
Texas Registration No. 5686

STATE OF TEXAS §  
COUNTY OF COLLIN §

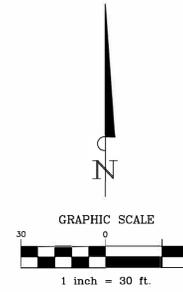
BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Michael B. Arthur, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed,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

Given under my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for the STATE OF TEXAS

**FINAL PLAT  
BLOCK A, LOT 1  
LIFELONG ADDITION**

**CASE NO. D20-0049  
0.414 ACRES  
OUT OF THE  
COLLIN COUNTY SCHOOL  
LAND NO. 12 SURVEY  
ABSTRACT NO. 147  
TOWN OF PROSPER,  
COLLIN COUNTY, TEXAS**



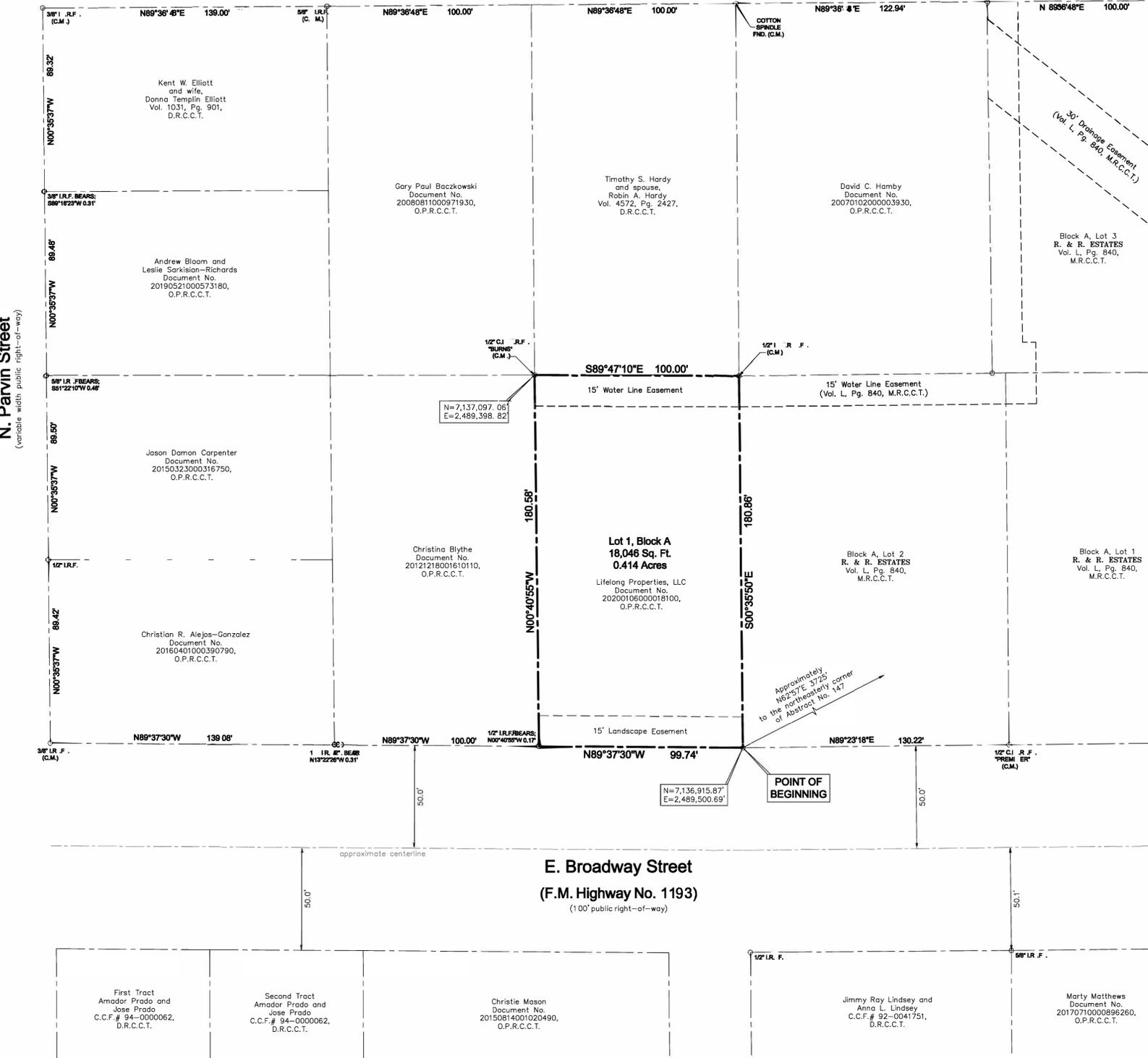
**CERTIFICATE OF APPROVAL**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the Planning & Zoning Commission of the Town of Prosper, Texas.

\_\_\_\_\_ Development Services Department  
\_\_\_\_\_ Engineering Services Department  
\_\_\_\_\_ Town Secretary

**ABBREVIATIONS**

I.R.F.	= Iron Rod Found
(C.M.)	= Controlling Monument
C.I.R.F.	= Capped Iron Rod Found
C.I.R.S.	= 1/2" iron rod with yellow plastic cap stamped "RPLS 5686" set
M.R.C.C.T.	= Map Records, Collin County, Texas
D.R.C.C.T.	= Deed Records, Collin County, Texas
O.P.R.C.C.T.	= Official Public Records, Collin County, Texas



- General Notes:**
- According to the Flood Insurance Rate Map of Collin County, Texas, Map No. 48085C0235J, Map Revised June 02, 2009, the herein described property is located in Zone "X", described by said map to be, "areas determined to be outside the 0.2% annual chance floodplain". This flood statement does not imply that the property and/or the structure 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 in any way. No floodplain exists on the site.
  - The surveyor has relied on the herein described subject and adjoining deeds with regard to any easements, restrictions, or rights-of-way affecting the herein described Property. No additional research regarding said easements, restrictions or rights-of-way has been performed by the surveyor.
  - Grid coordinates shown are based on the Texas State Plane Coordinate System, North Central Zone (4202), NAD 83. Grid to surface conversion factor is 1.000157679, at base point O,0.
  - 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.



## PLANNING

**To:** Planning & Zoning Commission

**Item No. 3f**

**From:** Pamela Clark, Planning/GIS Analyst

**Through:** Alex Glushko, AICP, Planning Manager

**Re:** Planning & Zoning Commission Meeting – June 2, 2020

---

**Agenda Item:**

Consider and act upon a Final Plat for Windsong Ranch, Phase 6B, for 120 single family residential lots, and five (5) HOA/open space lots, on 38.2± acres, located on the east side of Good Hope Road, north of Fishtrap Road. The property is zoned Planned Development-40 (PD-40). (D20-0052).

**Description of Agenda Item:**

The Final Plat shows 120 single family residential lots, and five (5) HOA/open space lots. Access is provided from Good Hope Road and Old Rosebud Lane. The Final Plat conforms to the PD-40 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.
2. Town Council approval of the abandonment of a portion of Good Hope Road.



PARVIN RD

GOOD HOPE RD

PROSPER RD

TEEL PKWY

D20-0052

MEDIO CREEK DR

LOCKHART DR

PORTER LN

IRONWOOD DR

WINDSONG PKWY

OLD ROSEBUD LN

WILEY HILL DR

SPLITROCK DR

GOLDENROD LN

FREEMAN WAY

NEWBURN ST

ROUNDTREE DR

VALLEY MILLS LN

GREENBELT PARK LN

HUBBARD PARK LN

SUTTON PARK AVE

RICHMOND PARK LN

PLUM CT

PIEDMONT PARK DR

BENBROOK BLVD

CROSSLAKE CT

WHITE ROCK BLVD

ALVARADO DR

HIGH LINE DR

CANYON RDG

ADAMS PL

MEDINA LN

TAHOE TRL

MILL BRANCH DR

COTTON BELT LN

ALBRIGHT LN

MUELLER LN

LIBERTY DR

MAPLECROFT DR

SUMMERVILLE LN

SILVER CLIFF DR

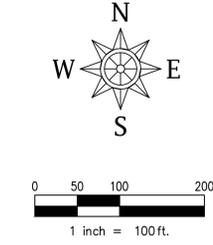
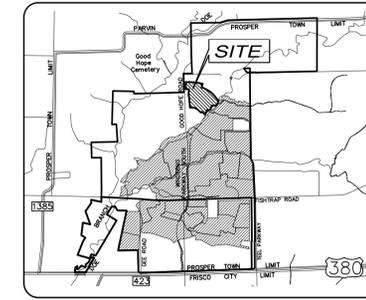
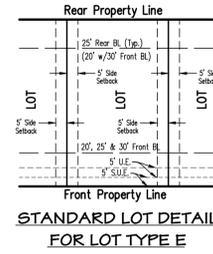
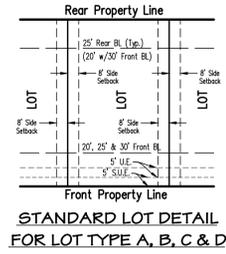
PEPPER GRASS LN

GLADEW0 500 1,000 2,000 Feet



Jo Lynn Carey Ninemire, et al  
Doc. No. 2014-18824 OPRDCT

VP Windsong Investments LLC  
Doc. No. 2018-142926 OPRDCT



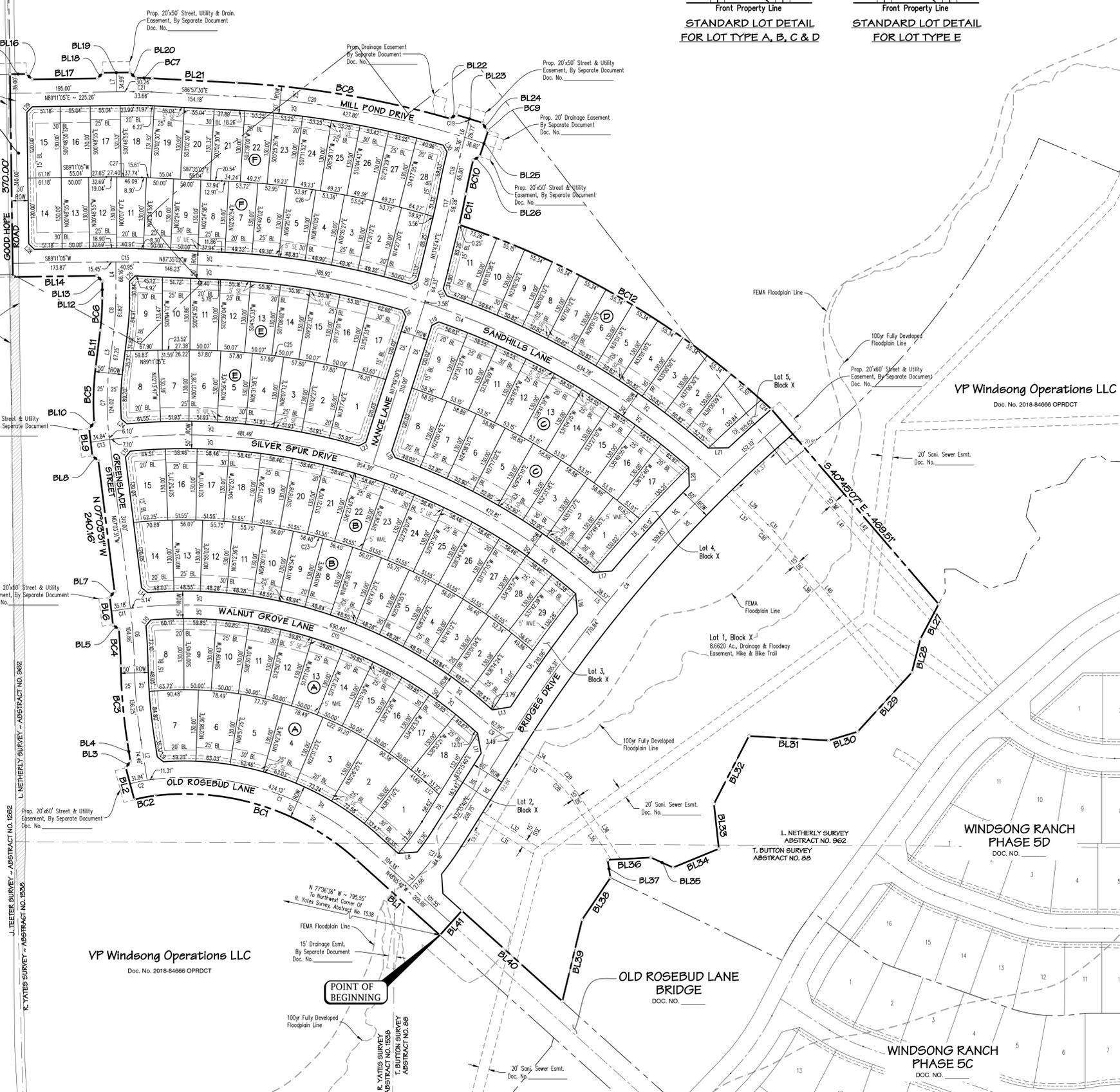
Basis of bearing: State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

A.P. Sommerhalter, LLC  
Doc. No. 2015-15-0888 COMPACT

Prop. 25'x50' Street & Utility Easement, By Separate Document Doc. No.

VP Windsong Operations LLC  
Doc. No. 2018-04686 OPRDCT

VP Windsong Operations LLC  
Doc. No. 2018-04686 OPRDCT



**PHASE 6B**  
120 LOTS DEVELOPED TO PD-40 STANDARDS  
38.151 ACRES (3.15 UNITS/ACRE)  
AVERAGE LOT SIZE = 7,339.58 SF  
5 OPEN SPACE LOTS

Lot Summary	Phase 6B
Type A (Min. 8,000 SF)	0
Type B (Min. 9,000 SF)	3
Type C (Min. 10,500 SF)	0
Type D (Min. 12,500 SF)	0
Type E (Min. 6,000 SF)	117
<b>Total</b>	<b>120</b>

LEGEND	
(Not all items may be applicable)	
○	1/2" IRON ROD WITH PLASTIC CAP STAMPED
○	"SPIARSONG" SET, UNLESS OTHERWISE NOTED
○	IRON ROD FOUND
○	CAPPED IRON ROD FOUND
○	IRON PIPE FOUND
○	ALUMINUM MONUMENT FOUND
○	CONTROL MONUMENT
○	EASEMENT
○	UTILITY
○	DRAINAGE EASEMENT
○	DRAINAGE AND UTILITY EASEMENT
○	UTILITY EASEMENT
○	WATER EASEMENT
○	SANITARY SEWER EASEMENT
○	STREET EASEMENT
○	WALL MAINTENANCE EASEMENT
○	HIKE & BIKE TRAIL EASEMENT
○	BY THIS PLAT
○	RIGHT-OF-WAY
○	MINIMUM FINISH FLOOR ELEVATION
○	BUILDING LINE
○	STREET NAME CHANGE
○	BLOCK DESIGNATION
○	STREET FRONTAGE
○	CABINET
○	VOLUME
○	PAGE
○	NUMBER
○	FEDERAL EMERGENCY MANAGEMENT AGENCY
○	FLOOD INSURANCE RATE MAP
○	INSTRUMENT OR DOCUMENT
○	DEED RECORDS, DENTON COUNTY, TEXAS
○	PLAT RECORDS, DENTON COUNTY, TEXAS
○	OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS

- NOTES:**
- 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.
  - All corners are 1/2 inch iron rods with red plastic cap stamped "SPIARSONG" unless otherwise noted.
  - All development will comply with Town of Prosper PD-40 Requirements.
  - All open space areas, Lots 1-5, Block X, to be owned and maintained by the H.O.A.
  - Front yard setbacks are staggered per requirements of PD-40 and Zoning Ordinance Section 9.3.F.
  - All fences adjacent to open space shall be ornamental metal.
  - Lots 2-5, Block X to be used for sidewalks, trails and landscaping. Easements for these uses are granted by this plat. Lot 1, Block X to be Drainage and Floodway Easement, also Hike & Bike Trail.
  - No transformers or utility pedestals shall be allowed in the sidewalk and utility easement.
  - This property is subject to the Windsong Ranch License Agreement (governing the installation and maintenance of street trees) between VP Windsong Operations, LLC and the Town of Prosper.
  - This plat is subject to the additional residential zoning standards outlined in ordinance 15.55.
  - All landscape easements must be exclusive of any other type of easement, with the exception of perpendicular crossings, unless otherwise approved by Town Council.
  - Floodplain reclamation subject to engineering approval of flood study, wetland delineation study, habitat study, and vegetative study at the time of final plat submittal.
  - Finished floor elevation shall be at least 2 feet above the 100-year floodplain.
  - 8.795 acres of right-of-way being dedicated by this plat in fee simple.

D20-0052  
FINAL PLAT  
**WINDSONG RANCH PHASE 6B**

38.151 GROSS ACRES, 29.356 ACRES NET  
OUT OF THE  
L. NETHERLY SURVEY ABST. 962  
R. YATES SURVEY ABST. 1538  
J. TEETER SURVEY ABST. 1262  
TOWN OF PROSPER  
DENTON COUNTY, TEXAS

OWNER / APPLICANT  
VP WINDSONG OPERATIONS, LLC  
2242 Good Hope Road  
Prosper, Texas 75075  
Telephone: (469) 532-0681  
Contact: David Blom

ENGINEER / SURVEYOR  
Spiars Engineering, Inc.  
765 Custer Road, Suite 100  
Plano, TX 75075  
Telephone: (972) 422-0077  
TBPE No. F-2121 / TBPLS No. F-10043100  
Contact: Matt Dorsett

Line #	Length	Direction
BL1	205.83'	N 48°05'42" W
BL2	60.00'	N 14°56'18" W
BL3	14.77'	N 33°52'10" E
BL4	35.41'	N 08°51'27" W
BL5	13.53'	N 52°41'39" W
BL6	50.11'	N 06°40'37" W
BL7	14.48'	N 36°32'30" E
BL8	13.89'	N 53°03'14" W
BL9	50.05'	N 06°41'04" W
BL10	14.68'	N 38°17'36" E
BL11	67.25'	N 07°09'12" E
BL12	30.89'	N 00°04'12" E
BL13	14.03'	N 45°22'22" W
BL14	153.93'	S 89°11'06" W
BL15	30.00'	N 89°11'06" E
BL16	14.14'	S 45°48'55" E
BL17	120.00'	N 89°11'06" E
BL18	14.14'	N 44°11'06" E
BL19	50.00'	N 89°12'54" E
BL20	14.14'	S 45°49'45" E
BL21	154.18'	S 86°57'30" E

Line #	Length	Direction
BL22	13.84'	N 59°54'06" E
BL23	50.11'	S 72°58'15" E
BL24	14.63'	S 28°58'43" E
BL25	50.04'	S 18°17'48" W
BL26	13.61'	S 61°19'54" W
BL27	71.88'	S 27°48'26" W
BL28	63.07'	S 14°18'36" W
BL29	146.80'	S 42°36'11" W
BL30	55.41'	S 73°09'09" W
BL31	146.40'	N 86°50'54" W
BL32	139.33'	S 27°21'30" W
BL33	82.29'	S 06°13'24" E
BL34	90.65'	S 67°43'51" W
BL35	44.48'	N 65°41'30" W
BL36	79.58'	S 86°53'38" W
BL37	32.89'	S 09°08'41" E
BL38	92.47'	S 34°03'53" W
BL39	153.26'	S 13°43'25" W
BL40	247.39'	N 48°05'42" W
BL41	60.00'	S 42°00'26" W

Curve #	Radius	Delta	Target	Length	Chord	Chord Bearing
C1	500.00'	48°36'07"	225.77'	424.13'	411.53'	N72°23'46"W
C2	300.00'	81°42'29"	21.61'	43.15'	43.12'	S79°10'56"W
C3	500.00'	9°38'38"	42.18'	84.16'	84.06'	N37°04'59"E
C4	2600.00'	16°59'13"	388.27'	770.84'	768.02'	N40°45'16"E
C5	1000.00'	7°48'25"	68.23'	136.25'	136.15'	N04°57'14"W
C6	1000.00'	6°00'29"	52.48'	104.86'	104.81'	N04°03'16"W
C7	500.00'	14°12'43"	62.33'	124.02'	123.70'	N00°02'51"E
C8	500.00'	7°05'01"	30.95'	61.82'	61.78'	N03°36'42"E
C9	300.00'	12°01'23"	31.59'	62.95'	62.84'	N54°10'22"W
C10	815.00'	48°32'09"	367.44'	690.40'	669.94'	N72°25'45"W
C11	615.00'	3°45'23"	20.17'	40.32'	40.31'	S81°25'30"W
C12	1125.00'	48°36'07"	507.98'	954.30'	925.94'	N72°23'46"W
C13	925.00'	2°35'52"	20.97'	41.94'	41.94'	S82°00'15"W
C14	1435.00'	40°45'14"	533.01'	1020.70'	999.32'	N67°12'25"W
C15	1000.00'	3°13'53"	28.21'	56.40'	56.39'	N89°11'58"W
C16	900.00'	4°05'43"	32.18'	64.33'	64.32'	N15°46'38"E
C17	1000.00'	3°13'29"	28.15'	56.28'	56.27'	N12°07'02"E
C18	1000.00'	3°43'27"	32.51'	65.00'	64.99'	N12°22'01"E
C19	475.00'	0°58'29"	4.04'	8.08'	8.08'	N13°44'30"E
C20	1745.00'	15°15'19"	233.69'	464.61'	463.24'	S79°19'51"E
C21	500.00'	3°51'24"	16.83'	33.66'	33.65'	S88°53'12"E

Line #	Length	Direction
L1	27.66'	N41°54'18"E
L2	74.46'	N08°51'27"W
L3	67.25'	N07°09'12"E
L4	66.16'	N00°04'12"E
L5	28.57'	N48°05'42"W
L6	63.13'	N14°13'44"E
L7	34.99'	N00°48'55"W

Line #	Length	Direction
L8	34.79'	S86°00'02"W
L9	14.63'	N51°49'38"W
L10	14.09'	N39°52'02"E
L11	37.01'	S101°3'30"E
L12	33.22'	N48°05'42"W
L13	33.77'	S80°56'31"W
L14	14.39'	N51°02'07"W
L15	13.95'	N38°43'22"E
L16	36.28'	S05°15'29"E
L17	34.98'	S85°32'42"W
L18	14.33'	N26°25'40"W
L19	13.99'	N63°26'04"E
L20	34.25'	S01°51'11"E
L21	36.97'	S89°12'18"W
L22	14.48'	N27°24'11"W
L23	14.33'	S62°04'39"W
L24	13.98'	N49°52'38"W
L25	13.92'	N45°57'05"E
L26	13.99'	S27°47'05"E
L27	14.08'	S61°22'23"W
L28	14.14'	N45°48'55"W
L29	14.14'	N44°11'05"E
L30	14.38'	S29°49'15"E
L31	118.80'	S57°44'20"E
L32	119.26'	S57°44'20"E
L33	50.45'	N57°44'20"W
L34	50.45'	N57°44'20"W
L35	129.75'	N33°12'07"W
L36	138.44'	N33°12'07"W
L37	91.22'	N45°38'24"W
L38	363.52'	N40°39'04"W
L39	90.86'	N45°38'24"W
L40	361.75'	N40°39'04"W
L41	421.57'	N41°23'11"W
L42	415.87'	N41°23'11"W

Curve #	Radius	Delta	Target	Length	Chord	Chord Bearing
C22	660.00'	47°36'58"	291.21'	548.50'	532.85'	N71°54'11"W
C23	970.00'	46°38'11"	418.11'	789.54'	767.92'	N72°15'49"W
C24	1590.00'	0°54'29"	12.60'	25.20'	25.20'	S47°56'17"E
C25	1280.00'	17°31'18"	197.26'	391.44'	389.91'	N82°03'18"W
C26	1590.00'	14°11'54"	198.02'	394.02'	393.01'	N80°29'04"W
C27	1155.00'	3°13'53"	32.58'	65.14'	65.13'	N89°11'58"W
C28	185.00'	24°32'14"	40.23'	79.23'	78.62'	N45°28'13"W
C29	200.00'	24°32'14"	43.49'	85.65'	85.00'	N45°28'13"W
C30	192.50'	4°58'31"	8.36'	16.72'	16.71'	N43°08'20"W
C31	207.50'	4°58'31"	9.01'	18.02'	18.01'	N43°08'20"W

Curve #	Radius	Delta	Target	Length	Chord	Chord Bearing
BC1	470.00'	48°36'07"	212.22'	398.68'	386.84'	N 72°23'46" W
BC2	270.00'	81°42'29"	19.45'	38.84'	38.80'	S 79°10'56" W
BC3	1025.00'	7°48'25"	69.94'	139.66'	139.55'	N 04°57'14" W
BC4	975.00'	3°54'57"	33.33'	66.64'	66.62'	N 05°00'31" W
BC5	525.00'	11°05'47"	51.00'	101.68'	101.52'	N 01°36'18" E
BC6	475.00'	7°05'01"	28.40'	56.72'	56.68'	N 05°36'42" E
BC7	525.00'	3°20'20"	15.30'	30.59'	30.59'	S 88°37'40" E
BC8	1770.00'	12°52'20"	199.67'	397.65'	396.82'	S 80°31'20" E
BC9	456.30'	0°26'52"	1.78'	3.57'	3.57'	S 71°39'23" E
BC10	975.00'	3°43'03"	31.64'	63.26'	63.25'	S 12°21'49" W
BC11	1025.00'	3°12'39"	28.73'	57.44'	57.43'	S 12°06'37" W
BC12	1590.00'	24°05'43"	339.36'	668.66'	663.74'	S 59°31'54" E

Lot #	Block #	Square Feet	Acres	Lot Type
1	A	10,495	0.241	B
2	A	10,592	0.243	B
3	A	10,688	0.245	B
4	A	9,198	0.211	E
5	A	9,116	0.209	E
6	A	9,198	0.211	E
7	A	10,465	0.240	E
8	A	8,587	0.197	E
9	A	7,141	0.164	E
10	A	7,141	0.164	E
11	A	7,141	0.164	E
12	A	7,141	0.164	E
13	A	7,141	0.164	E
14	A	7,141	0.164	E
15	A	7,141	0.164	E
16	A	7,141	0.164	E
17	A	7,141	0.164	E
18	A	7,845	0.180	E

Lot #	Block #	Square Feet	Acres	Lot Type
1	B	6,694	0.154	E
2	B	6,625	0.152	E
3	B	6,840	0.157	E
4	B	6,801	0.156	E
5	B	6,761	0.155	E
6	B	6,761	0.155	E
7	B	6,801	0.156	E
8	B	6,840	0.157	E
9	B	6,840	0.157	E
10	B	6,801	0.156	E
11	B	6,761	0.155	E
12	B	6,761	0.155	E
13	B	6,801	0.156	E
14	B	8,330	0.191	E
15	B	8,871	0.204	E
16	B	7,151	0.164	E
17	B	7,151	0.164	E
18	B	7,151	0.164	E
19	B	7,151	0.164	E
20	B	7,151	0.164	E
21	B	7,151	0.164	E
22	B	7,151	0.164	E
23	B	7,151	0.164	E
24	B	7,151	0.164	E
25	B	7,151	0.164	E
26	B	7,151	0.164	E
27	B	7,151	0.164	E
28	B	7,151	0.164	E
29	B	7,209	0.166	E

Lot #	Block #	Square Feet	Acres	Lot Type
1	C	7,465	0.171	E
2	C	7,266	0.167	E
3	C	7,266	0.167	E
4	C	7,266	0.167	E
5	C	7,266	0.167	E
6	C	7,266	0.167	E
7	C	7,266	0.167	E
8	C	8,244	0.189	E
9	C	8,088	0.186	E
10	C	7,261	0.167	E
11	C	7,261	0.167	E
12	C	7,261	0.167	E
13	C	7,261	0.167	E
14	C	7,261	0.167	E
15	C	7,261	0.167	E
16	C	7,261	0.167	E
17	C	7,659	0.176	E

Lot #	Block #	Square Feet	Acres	Lot Type
1	D	8,032	0.184	E
2	D	6,901	0.158	E
3	D	6,901	0.158	E
4	D	6,901	0.158	E
5	D	6,901	0.158	E
6	D	6,901	0.158	E
7	D	6,901	0.158	E
8	D	6,901	0.158	E
9	D	6,901	0.158	E
10	D	6,876	0.158	E
11	D	8,407	0.193	E

Lot #	Block #	Square Feet	Acres	Lot Type
1	E	9,188	0.211	E
2	E	7,133	0.164	E
3	E	7,133	0.164	E
4	E	7,133	0.164	E
5	E	7,133	0.164	E
6	E	7,133	0.164	E
7	E	7,137	0.164	E
8	E	8,959	0.206	E
9	E	8,331	0.191	E
10	E	6,774	0.155	E
11	E	6,854	0.157	E
12	E	6,840	0.157	E
13	E	6,840	0.157	E
14	E	6,840	0.157	E
15	E	6,840	0.157	E
16	E	6,843	0.157	E
17	E	8,802	0.202	E

Lot #	Block #	Square Feet	Acres	Lot Type
1	F	7,834	0.180	E
2	F	6,698	0.154	E
3	F	6,675	0.153	E
4	F	6,653	0.153	E
5	F	6,678	0.153	E
6	F	6,646	0.153	E
7	F	6,698	0.154	E
8	F	6,542	0.150	E
9	F	6,500	0.149	E
10	F	6,500	0.149	E
11	F	6,733	0.155	E
12	F	6,586	0.151	E
13	F	6,500	0.149	E
14	F	7,904	0.181	E
15	F	7,904	0.181	E
16	F	7,155	0.164	E
17	F	7,		

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS VP Windsong Operations LLC is the owner of a tract of land situated in the T. Button Survey, Abstract No. 88, the J. Teeter Survey, Abstract No. 1262, and the L. Netherly Survey, Abstract No. 962, Town of Prosper, Denton County, Texas, the subject tract being a portion of a tract conveyed by deed recorded in Document No. 2018-84666 of the Official Public Records, Denton County, Texas (OPRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" found at the southwest corner of Old Rosebud Lane Bridge an addition to the Town of Prosper recorded in Cabinet \_\_ Page \_\_\_\_ of the Plat Records Denton County Texas set;

THENCE through said VP Windsong Operations tract, the following:

N 48°05'42" W, 205.83 feet;

A compound curve to the left having a central angle of 48°36'07", a radius of 470.00 feet, a chord of N 72°23'46" W - 386.84 feet, an arc length of 398.68 feet;

A compound curve to the left having a central angle of 08°14'29", a radius of 270.00 feet, a chord of S 79°10'56" W - 38.80 feet, an arc length of 38.84 feet;

N 14°56'18" W, 60.00 feet;

N 33°32'10" W, 14.77 feet;

N 08°51'27" W, 35.41 feet;

A tangent curve to the right having a central angle of 07°48'25", a radius of 1025.00 feet, a chord of N 04°57'14" W - 139.55 feet, an arc length of 139.66 feet;

A reversed tangent curve to the left having a central angle of 03°54'57", a radius of 975.00 feet, a chord of N 03°00'31" W - 66.62 feet, an arc length of 66.64 feet;

N 52°41'39" W, 13.53 feet;

N 06°40'37" W, 50.11 feet;

N 36°32'30" W, 14.48 feet;

N 07°03'33" W, 240.16 feet;

N 53°03'14" W, 13.89 feet;

N 06°41'40" W, 50.05 feet;

N 38°17'36" W, 14.68 feet;

A non-tangent curve to the right having a central angle of 11°05'47", a radius of 525.00 feet, a chord of N 01°36'18" W - 101.52 feet, an arc length of 101.68 feet;

N 07°09'12" W, 67.25 feet;

A tangent curve to the left having a central angle of 07°05'01", a radius of 475.00 feet, a chord of N 03°36'42" W - 58.69 feet, an arc length of 58.72 feet;

N 00°04'12" E, 30.89 feet;

N 45°22'22" W, 14.03 feet;

S 89°11'05" W, 153.93 feet;

THENCE N 00°48'55" W, passing at 370.00 feet an inset corner of said VP Windsong Operations tract, being the southeast corner of a tract conveyed to A.P. Sommerhalder, LLC, recorded in Document NO. 2015-84869 OPRDCT, and continuing along the east line thereof, and of a tract conveyed to Jo Lynn Carey Ninemire, et al, recorded in Document No. 2014-16824 OPRDCT, and continuing along an easterly line thereof a total distance of 544.16 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set, and from which a 5/8" iron rod with plastic cap found for the most northerly northwest corner of said VP Windsong Operations tract, and being a southerly corner of a tract conveyed to Salvator Buentello, recorded in Volume 2633, Page 648, Deed Records, Denton County, Texas, bears N 40°03'31" E, 3646.21 feet;

THENCE through said VP Windsong Operations tract, the following:

N 89°11'05" E, 30.00 feet;

S 45°48'55" E, 14.14 feet;

N 89°11'05" W, 120.00 feet;

N 44°11'05" E, 14.14 feet;

N 89°12'54" E, 50.00 feet;

S 45°49'45" E, 14.14 feet;

A non-tangent curve to the right having a central angle of 03°20'20", a radius of 525.00 feet, a chord of S 88°37'40" E - 30.59 feet, an arc length of 30.59 feet;

S 86°57'30" E, 154.18 feet;

A tangent curve to the right having a central angle of 12°52'20", a radius of 1770.00 feet, a chord of S 80°31'20" E - 396.82 feet, an arc length of 397.65 feet;

N 59°54'06" E, 13.84 feet;

S 72°58'15" E, 50.11 feet;

S 28°58'43" E, 146.35 feet;

A non-tangent curve to the right having a central angle of 00°06'56", a radius of 1770.00 feet, a chord of S 71°39'23" E - 3.57 feet, an arc length of 3.57 feet;

S 18°17'48" W, 50.04 feet;

S 61°19'54" W, 13.61 feet;

A non-tangent curve to the left having a central angle of 03°43'03", a radius of 975.00 feet, a chord of S 12°12'49" W - 63.25 feet, an arc length of 63.26 feet;

A reverse curve to the right having a central angle of 03°12'39", a radius of 1025.00 feet, a chord of S 12°06'37" W - 57.43 feet, an arc length of 57.44 feet;

A non-tangent curve to the right having a central angle of 24°05'43", a radius of 1590.00 feet, a chord of S 59°31'54" E - 663.74 feet, an arc length of 668.66 feet;

S 40°45'07" E, 469.51 feet to a point on the westerly line of Windsong Ranch Phase 5D, an addition recorded in Cabinet \_\_ Page \_\_\_\_ Plat Records Denton County, Texas;

THENCE continuing along westerly lines of Windsong Ranch Phase 5D, the following:

S 27°48'26" W, 71.88 feet;

S 14°18'36" W, 63.07 feet;

S 42°36'11" W, 146.80 feet;

S 73°09'09" W, 55.41 feet;

N 86°50'54" W, 146.40 feet;

S 27°21'30" W, 139.33 feet;

S 06°13'24" E, 82.29 feet;

S 67°43'51" W, 90.65 feet;

N 65°41'30" W, 44.48 feet;

S 86°53'38" W, 79.58 feet to a common corner of said Windsong Ranch 5D and Windsong Ranch 5C an addition recorded in Cabinet \_\_ Page \_\_ Plat Records Denton County, Texas;

THENCE continuing along westerly lines of Windsong Ranch Phase 5C, the following:

S 09°08'41" E, 32.89 feet;

S 34°03'53" W, 92.47 feet;

And S 13°43'25" W, 153.26 feet to a point on a common line of said Windsong Ranch Phase 5C and said Old Rosebud Lane Bridge;

THENCE N 48°05'42" W, 247.39 feet;

THENCE S 42°00'26" W, 60.00 feet to the POINT OF BEGINNING with the subject tract containing 1,661,866 square feet or 38.151 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT we, VP Windsong Operations LLC, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as WINDSONG RANCH PHASE 6B an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. VP Windsong Operations LLC, 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 our hands at Denton County, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2020.

VP Windsong Operations LLC
A Delaware Limited Liability Company

By: \_\_\_\_\_
Name: David R. Blom
Title: Vice President

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared DAVID R. BLOM, 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 \_\_\_\_\_, 2020.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., 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 \_\_\_\_\_, 2020.

DARREN K. BROWN, R.P.L.S. NO. 5252



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 Darren K. Brown, 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 \_\_\_\_\_, 2020.

Notary Public, State of Texas

DRAINAGE AND FLOODWAY 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 Lot 3, Block X, as shown on the plat is called "Drainage and Floodway Easement" and is the natural drainage channel crossing each lot. The existing creek or creeks traversing along the Drainage and Floodway Easement within the limits of this addition, will remain as an open channel at all times and will be maintained by the owners of the lot or lots that are traversed by or adjacent to the drainage courses in the Drainage and Floodway Easement. The Town will not be responsible for the maintenance and operation of said creek or creeks or for any damage to private property or person that results from the flow of water along said creek, 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 Floodway Easement or the natural drainage channels, as herein above defined. Provided it is understood that in the event it becomes necessary for the Town of erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Drainage and Floodway 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 natural drainage channels traversing or adjacent to his property 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 Floodway Easement, as in the case of all natural channels, are 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 natural drainage channels. Building areas outside the Drainage and Floodway Easement line shall be filled to a minimum elevation as shown on the plat. The minimum floor elevation for each lot shall be as shown on the plat.

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.

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.

LIEN HOLDER:

TEXAS CAPITAL BANK, NATIONAL ASSOCIATION

By: \_\_\_\_\_
Debi England, Sr. Vice President

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Debi England, 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 \_\_\_\_\_, 2020

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020 by the Planning & Zoning Commission of the Town of Prosper, Texas.

\_\_\_\_ Town Secretary
\_\_\_\_ Engineering Department
\_\_\_\_ Planning Department

D20-0052
FINAL PLAT

WINDSONG RANCH PHASE 6B
38.151 GROSS ACRES, 29.356 ACRES NET
OUT OF THE
L. NETHERLY SURVEY ABST. 962
T. BUTTON SURVEY ABST. 88
R. YATES SURVEY ABST. 1538
J. TEETER SURVEY ABST. 1262
TOWN OF PROSPER
DENTON COUNTY, TEXAS

OWNER / APPLICANT
VP WINDSONG OPERATIONS, LLC
2242 Good Hope Road
Prosper, Texas 75078
Telephone (469) 532-0681
Contact: David Blom

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121 / TBPLS No. F-10043100
Contact: Matt Dorsett

Vertical text on the left margin containing drawing and file information.



## PLANNING

**To:** Planning & Zoning Commission **Item No. 4**  
**From:** Scott Ingalls, AICP, Senior Planner  
**Thru:** Alex Glushko, AICP, Planning Manager  
**Re:** Planning & Zoning Commission Meeting – June 2, 2020

---

**Agenda Item:**

Consider and act upon a Preliminary Site Plan for a Charter School (Founders Academy of Prosper), on 19.9± acres, located on the southwest corner of First Street and Custer Road. The property is zoned Planned Development-89 (PD-89). (D20-0017).

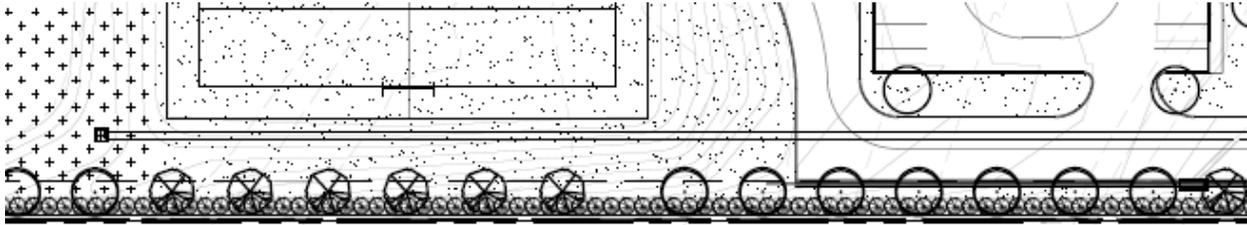
**Description of Agenda Item:**

The applicant is proposing a charter school including a 2-story, 30,541 square-foot elementary school, a 1-story, 26,424 square-foot gym and cafeteria, a future 1-story, 22,307 square-foot high school, an unlit sports field, and a future athletic field. The depicted number of off-street parking spaces meets the minimum standards of the Zoning Ordinance. Parking is based on an anticipated 728 students in Grades K-8 and 324 students in Grades 9-12. Access is provided from First Street and Custer Road. The Preliminary Site Plan conforms to PD-89 development standards.

The applicant submitted a Traffic Impact Analysis (TIA) that assessed the impact of this project on First Street. As outlined in the TIA, and approved by the Town's Engineering Department, the applicant will be responsible for the temporary widening of First Street to add left turn lanes at the two driveways into the school site. The applicant will provide funds to be escrowed for the future permanent widening of First Street.

This item is on the Regular Agenda as the applicant is requesting approval of a living screen along the western and southern boundaries of the site, in lieu of a masonry screening wall. As shown in the drawing below, the living screen will consist of alternating groups of 3-inch caliper Chinkapin Oaks and Chinese Pistache trees planted 30-foot on center, along with 45-gallon, eight (8) feet tall Nellie R. Stevens Holly shrubs planted 6-foot on center. A vinyl coated security fence will also be installed along the property line. Staff supports the request for a living screen along the western and southern property lines.

*Proposed Perimeter Landscaping*



As companion items, the Site Plan for Founders Academy of Prosper, D20-0045, and a Final Plat for Founders Academy of Prosper, D20-0046, are on the June 2, 2020 agenda.

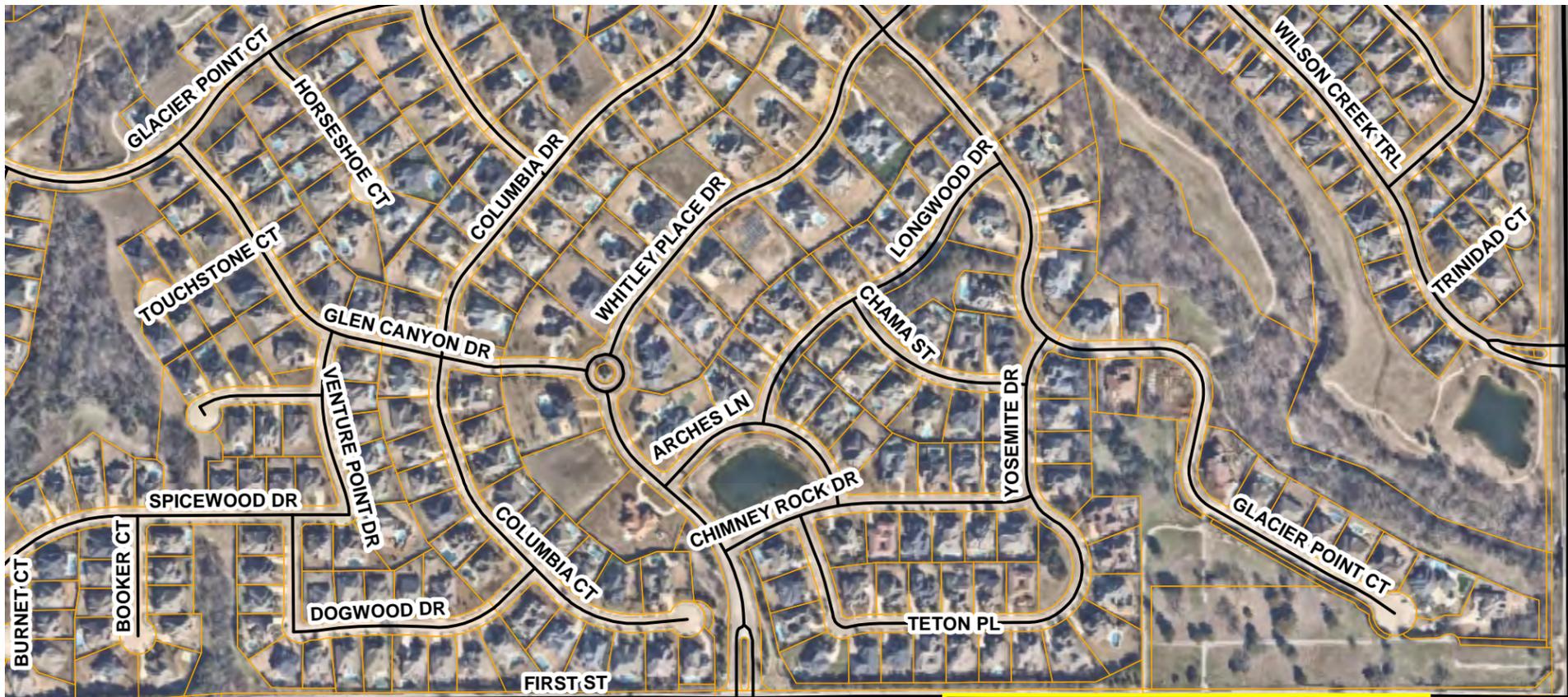
**Attached Documents:**

1. Location Map
2. Preliminary Site Plan

**Staff Recommendation:**

Staff recommends approval of the Preliminary Site Plan subject to:

1. Planning & Zoning Commission approval of solid living screening in lieu of a masonry wall.
2. Town staff approval of preliminary water, sewer, and drainage plans.
3. Town staff approval of all emergency access, fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.

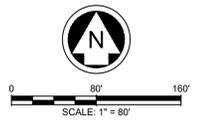


D20-0017

CUSTER RD



PARKING CALCULATION SUMMARY					
	PARKING RATIO	TOTAL STUDENTS	TOTAL CLASSROOMS	REQUIRED SPACES	PROPOSED SPACES
ELEMENTARY SCHOOL (K-8)	1.5 PER CLASSROOM	728	28	42	42
HIGH SCHOOL (9-12)	1.5 PER CLASSROOM + 1 PER 5 STUDENTS	324	12	83	155
<b>TOTAL</b>				125	196
ADA PARKING	PER TAS			6	

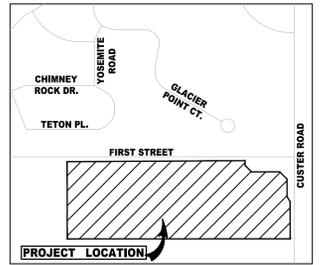


LEGEND

- PROPOSED FIRELANE
- ACCESSIBLE CROSSWALK
- PROP. ACCESSIBLE ROUTE
- PROP. RETAIN/SCREEN WALL
- PARKING COUNT

NOTES:

- ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF WALL, FACE OF BUILDING, CENTER OF STRIPING, AND PROPERTY LINE UNLESS OTHERWISE NOTED.
- ALL SIGNAGE IS APPROVED VIA A SEPARATE PERMIT THROUGH THE BUILDING SAFETY DIVISION.
- ALL MECHANICAL EQUIPMENT, DUMPSTERS, ROOFTOP UNITS, ETC SHALL BE SCREENED IN COMPLIANCE WITH THE ZONING ORDINANCE.
- ALL LIGHTING SHALL COMPLY WITH THE ZONING ORDINANCE.
- ANY ALTERATION TO THE SITE PLAN, INCLUDING BUILDING ELEVATION AND LANDSCAPE SUBSTITUTIONS, REQUIRE TOWN APPROVAL THROUGH A REVISED PLAN, STAMPED BY STAFF.
- ALL PROPOSED RAMPS TO FOLLOW THE ARCHITECTURAL BARRIERS TEXAS ACCESSIBILITY STANDARDS (TAS).
- ACQUISITION OF DOWNSTREAM EASEMENT IS PENDING. IF EASEMENT CANNOT BE OBTAINED, OUTFALL WILL MIMIC EXISTING CONDITIONS.



BENCHMARKS

BM #1 - PK NAIL SET IN ASPHALT ON THE NORTH SIDE OF E. FIRST STREET +/- 15' NORTH OF THE CENTERLINE AND +/- 107 FEET WEST OF THE INTERSECTION OF E. FIRST STREET AND N CUSTER ROAD.  
ELEVATION = 662.43'

BM #2 - PK NAIL SET IN ASPHALT ON THE SOUTH SIDE OF E. FIRST STREET +/- 15' SOUTH OF THE CENTERLINE AND +/- 1.840 FEET WEST OF THE INTERSECTION OF E. FIRST STREET AND N CUSTER ROAD.  
ELEVATION = 696.46'

PRELIMINARY -FOR REVIEW ONLY-

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND ARE NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

KYLE A. KATTNER 118741 05/19/2020  
TYPE OR PRINT NAME PE # DATE

NO.	DATE	REVISION

Case No. D20-0017

**SURVEYOR / ENGINEER**  
  
**PELTON**  
 LAND SOLUTIONS  
 KYLE KATTNER  
 9800 HILLWOOD PARKWAY  
 SUITE 250  
 FORT WORTH, TX 76177  
 PHONE: 817-562-3350

**DEVELOPER / OWNER**  
 T. LYNN TOMPKINS, JR.  
 RESPONSIVE EDUCATION SOLUTIONS  
 1301 WATERS RIDGE DR,  
 LEWISVILLE, TX 75057  
 PHONE: 972-316-3663

FOUNDERS ACADEMY OF PROSPER LOT 1, BLOCK A

OVERALL SITE PLAN

PROSPER, COLLIN COUNTY, TEXAS

**PELTON**  
 LAND SOLUTIONS

TEXAS REGISTRATION ENGINEERING FIRM NO. 12207  
 9800 HILLWOOD PKWY, SUITE 250, FORT WORTH, TEXAS 76177  
 FORT WORTH PHONE: (817) 562-3350

DRAWN:	DATE:	PROJECT #:	SHEET:
JFS	APRIL 2020	PLS_RES19003 PROSPER, TX	C201
DESIGNED: KAK			
REVIEWER: KAK			

SITE DATA SUMMARY TABLE	
ZONING	PD-89
PROPOSED USE	PUBLIC CHARTER SCHOOL
ELEMENTARY BUILDING	
BUILDING AREA	30,541 SF
BUILDING STORIES	2
BUILDING HEIGHT	32' 4"
GYM/CAFETERIA	
BUILDING AREA	26,424 SF
BUILDING STORIES	1
BUILDING HEIGHT	32' 6"
HIGH SCHOOL	
BUILDING AREA	22,307 SF
BUILDING STORIES	1
BUILDING HEIGHT	21' 6"
SITE	
LOT AREA	868,151 SF / 19.93 AC
R.O.W. DEDICATION	90,213 SF / 2.07 AC
SITE AREA	868,151 SF
LOT COVERAGE	8.77%
FLOOR AREA RATIO	8.77%
IMPERVIOUS AREA	302,914 SF
OPEN SPACE REQUIRED	7.0% - 63,230 SF
OPEN SPACE PROVIDED	63.3% - 549,733 SF
LANDSCAPE	
INTERIOR LANDSCAPE REQUIRED	2,940 SF
INTERIOR LANDSCAPE PROVIDED	7,919 SF

SITE PLAN NOTES:

- DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
- OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE.
- LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN.
- ALL ELEVATIONS SHALL COMPLY WITH THE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE.
- BUILDINGS OF 5,000 SQUARE FEET OR GREATER SHALL BE 100% FIRE SPRINKLED. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE DEPARTMENT.
- FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER TOWN STANDARDS OR AS DIRECTED BY THE FIRE DEPARTMENT.
- TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
- SPEED BUMPS/HUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
- HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.
- ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
- ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE PRELIMINARY 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) FEET IN WIDTH ALONG RESIDENTIAL STREETS, AND BARRIER FREE RAMPS AT ALL CURB CROSSINGS SHALL BE PROVIDED PER TOWN STANDARDS.
- APPROVAL OF SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE ENGINEERING SERVICES 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.
- ALL LANDSCAPE EASEMENTS MUST BE EXCLUSIVE OF ANY OTHER TYPE OF EASEMENT.
- 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 OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
- THE APPROVAL OF A PRELIMINARY SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS FROM THE DATE THAT THE PRELIMINARY SITE PLAN IS APPROVED BY THE PLANNING & ZONING COMMISSION, AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED APPROVAL OF A SITE PLAN BY THE PLANNING & ZONING COMMISSION. IF A SITE PLAN IS NOT APPROVED WITHIN SUCH TWO (2) YEAR PERIOD, THE PRELIMINARY SITE PLAN APPROVAL IS NULL AND VOID. IF SITE PLAN APPROVAL IS ONLY FOR A PORTION OF THE PROPERTY, THE APPROVAL OF THE PRELIMINARY SITE PLAN FOR THE REMAINING PROPERTY SHALL BE NULL AND VOID.

310 PROSPER, L.P.  
 A TEXAS LIMITED PARTNERSHIP  
 VOL. 5823, PG. 3462  
 EXISTING 'PD-86' ZONING  
 SINGLE FAMILY

EXISTING 'PD-49' ZONING  
 SINGLE FAMILY  
 WHITLEY PLACE,  
 PHASE 1  
 VOL. 2008, PG. 226

HARLAN PROPERTIES, INC.  
 C.C. FILE NO.  
 20110818000875530  
 EXISTING 'PD-88' ZONING  
 SINGLE FAMILY

FOUNDERS  
 ACADEMY OF  
 PROSPER  
 LOT 1, BLOCK A



**PLANNING**

**To:** Planning & Zoning Commission **Item No. 5**  
**From:** Scott Ingalls, AICP, Senior Planner  
**Thru:** Alex Glushko, AICP, Planning Manager  
**Re:** Planning & Zoning Commission Meeting – June 2, 2020

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-84 (PD-84), on 1.1± acres, located on the southeast corner of Fifth Street and McKinney Street, generally to amend the property boundary, permitted uses, and development standards for Silo Park Food Truck Park. (Z20-0011).

**Description of Agenda Item:**

The zoning and land use of the surrounding properties are as follows:

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Planned Development-84	Silo Park Food Truck Park	Old Town Main Street Retail
<b>North</b>	Downtown Commercial	Undeveloped	Old Town Commercial
<b>East</b>	Single Family-15	Single Family Residence	Old Town Main Street Retail
<b>South</b>	Planned Development-84	Undeveloped	Old Town Main Street Retail
<b>West</b>	Downtown Commercial	Contractor Yard	Old Town Mixed Use

The purpose of the proposed PD amendment is to allow for the continued operation of Silo Park, a food truck park and outdoor entertainment venue. In November 2017, PD-84 was approved as a temporary use to determine if it would be a viable business. Approval permitted the use for an initial period of three (3) years, and allowed for continued use with approval of a Specific Use Permit, provided all development standards (i.e. architecture, landscaping, and parking) were brought up to Town code. In-lieu of applying for a Specific Use Permit, the applicant is requesting

to amend PD-84 to allow for continued use, as well as to modify the property boundary, permitted uses, and development standards, as described below:

- *Property Boundary* – With the development of Silo Park, the property was zoned, platted, and developed as one (1) lot. In December 2019, the subject property was subdivided into two (2) lots, with Silo Park occupying the lot on the northern half of the property, being Lot 1R, and the lot on the southern half of the property, being Lot 2, serving as the parking for Silo Park. With this request, the southern half of the property, Lot 2, will be removed from the Planned Development and PD-84 for Silo Park is proposed only for Lot 1R.
- *Food Truck Park Use* – The applicant is proposing the Food Truck Park use by right, without being subject to a term of expiration. However, the PD indicates that following the discontinuation of use the property shall be restored to its original pre-developed condition.
- *Restaurant Incubator Use* – The applicant is requesting approval of a new use on the property, restaurant incubators. In the southwest corner of the property, two (2) approximately 10-foot by 20-foot shipping container type structures would be placed on the site to provide a location for one or more restaurants to occupy. These structures would be connected to the Town's water and sewer utilities to comply with health and code requirements. Similar to the beverage center, the two structures would not have a masonry exterior as required by the zoning requirements. These incubator restaurants would be in addition to any food trucks that are located on the site. The PD requires the incubator structures to be removed from the site within 90 days after the discontinuation of use. The following photographs illustrate the proposed incubator restaurants.



- *Parking* – The Zoning Ordinance requires that all commercial parking spaces and drive aisles are paved with concrete. The use of flex-base for parking lot paving was approved in conjunction with the PD for the initial three (3) year period. The applicant is requesting the continued use of flex base. The proposed PD would permit continued use of flex base; however, it would permit asphalt paving two (2) years from the date of Town Council approval of this request.

In conjunction with the subdivision of the property, a parking agreement was established which requires relocation of parking from the southern lot (Lot 2) to the northern lot (Lot 1R), within 90 days from the time requested by the property owner of Lot 2. So while the PD would allow for flex base for a period of two (2) years, it is possible asphalt paving may be required sooner, depending on the timing of development on Lot 2.

- *Architecture* – This request would allow for structures associated with the food truck park use to be exempt from the architectural and masonry standards of the Zoning Ordinance and to comply with

the representative elevations included in the PD. However, whenever the food truck park use ceases, redevelopment of the property would require compliance with the Town’s architectural standards. The proposed PD includes images of the existing beverage center, stage, and shade structure as shown below, as well as the proposed restaurant incubators shown above.



- *Landscaping* – This request allows for landscaping associated with the food truck park use to be exempt from the minimum landscape standards of the Zoning Ordinance. However, whenever the food truck park use ceases, redevelopment of the property would require compliance with the Town’s landscape standards. Below is an image of the existing landscaping located within the development, which depicts the presence of several large trees.



Old Town Assessment, Phase 1 – The Old Town Assessment, Phase 1 Study recommends under the Guiding Principles that:

“Old Town should offer Prosper residents and visitors many gathering places, including both outdoor spaces such as plazas and open spaces and indoor places such as restaurants and performance spaces.”

Future Land Use Plan – The Future Land Use Plan recommends Old Town Main Street Retail for the property; the proposed Planned Development conforms to the Future Land Use Plan.

Thoroughfare Plan – The property has direct access to McKinley Street, a 60-foot, 2-lane, undivided roadway. The zoning exhibit complies with the Thoroughfare Plan.

Parks Master Plan – The Parks Master Plan does not indicate a park is needed on the subject property; however, a hike and bike trail will be needed at the time of development.

As a companion item, the rezoning request from PD-84 to Downtown Retail (Z20-0012) is on the June 2, 2020 agenda.

**Legal Obligations and Review:**

Notification was provided to neighboring property owners, as required by state law. Town staff has not received a Public Hearing Notice Reply Form.

**Attached Documents:**

1. Location and Zoning Maps
2. Current Exhibits A, B, C, D, and E
3. Proposed Exhibits A, B, C, and D

**Staff Recommendation:**

Staff recommends the Planning & Zoning Commission approve the request to amend Planned Development-84 (PD-84), on 1.1± acres, located on the southeast corner of Fifth Street and McKinney Street, generally to amend the property boundary, permitted uses, and development standards for Silo Park Food Truck Park.

**Town Council Public Hearing:**

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council meeting on June 23, 2020.



SIXTH ST

MAIN ST

FIFTH ST

Z20-0011

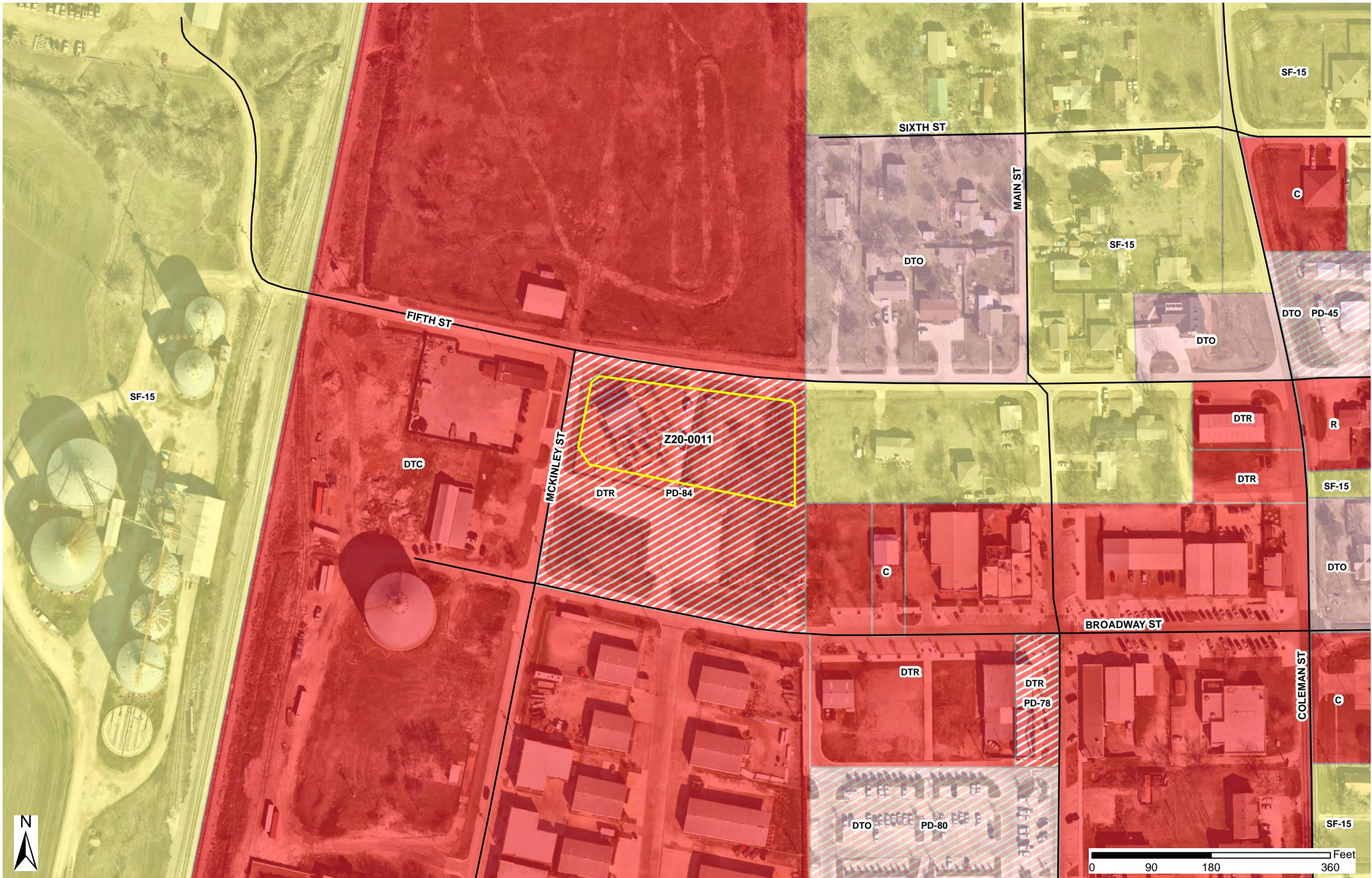
MCKINLEY ST

BROADWAY ST

COLEMAN ST



0 90 180 360 Feet



SF-15

SF-15

SIXTH ST

MAIN ST

DTO

SF-15

C

DTO PD-45

DTO

FIFTH ST

MCKINLEY ST

Z20-0011

DTR

PD-84

DTC

DTR

R

DTR

SF-15

C

DTO

BROADWAY ST

COLEMAN ST

C

DTR

DTR PD-78

SF-15

DTO

PD-80



CURRENT EXHIBIT

# SILO PARK

## PROSPER, TEXAS



# CURRENT EXHIBIT

## Exhibit A

A tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NUMBER 147, being that tract of land described in a deed to Prosper Co-op Gin Association, and recorded in Volume 853, Page 336, Deed Records, Collin County, Texas.

The exterior boundary of said tract of land is further described as follows:

Beginning at a ½" iron rod found being at the intersection of the South right of way of West 5th Street and the West right of way of Crockett Street and the POINT OF BEGINNING;

Thence S 00°05'18" W along the West right of way of Crockett Street 327.85 feet to the North right of way of W Broadway Street and marked by a capped ½" iron rod set stamped "EAGLE SURVEYING";

Thence N 78°36'53" W along said right of way 375.19 feet to the east right of way of Mckinley Street and marked by a ½" iron rod found;

Thence N 11°25'47" E along said right of way 299.85 feet to the South right of way of West 5th Street;

Thence S 82°35'57" E along said right of way 311.49 feet to the POINT OF BEGINNING and containing 2.45 acres more or less.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a licensed Land Surveyor under the laws of the State of Texas.

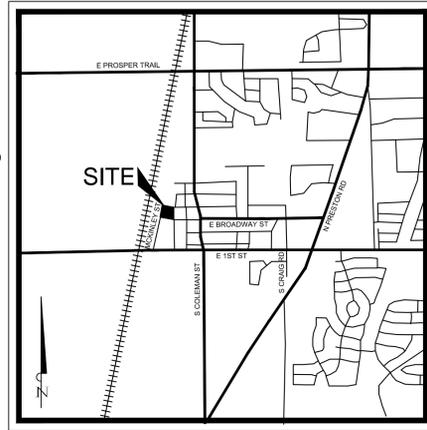
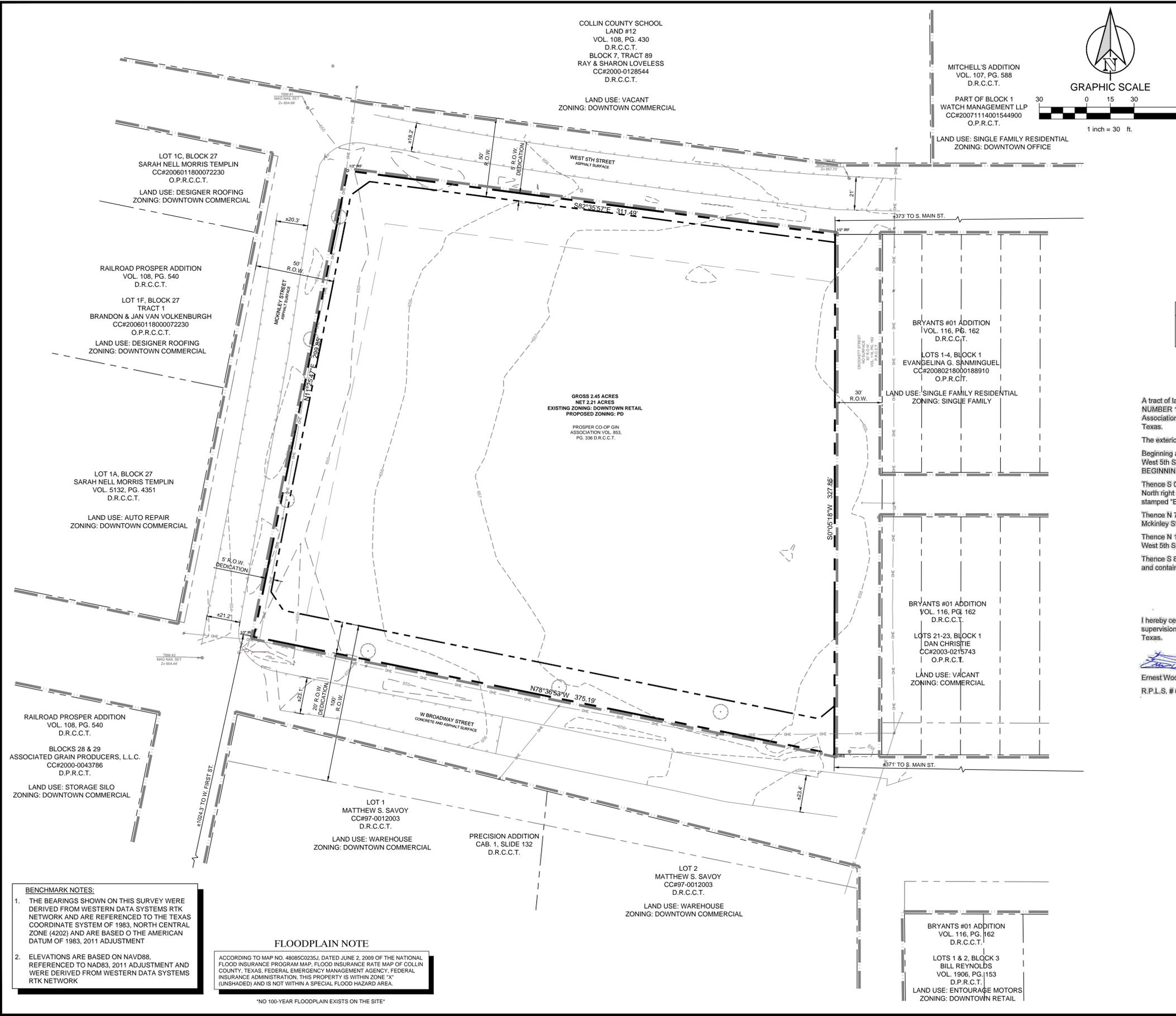
 2 Aug 2017

Ernest Woorster

Date

R.P.L.S. # 6509





LEGEND

	ZONING BOUNDARY
--	-----------------

EXHIBIT A

A tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NUMBER 147, being that tract of land described in a deed to Prosper Co-op Gln Association, and recorded in Volume 853, Page 336, Deed Records, Collin County, Texas.

The exterior boundary of said tract of land is further described as follows:

Beginning at a 1/2" iron rod found being at the intersection of the South right of way of West 5th Street and the West right of way of Crockett Street and the POINT OF BEGINNING;

Thence S 00°05'18" W along the West right of way of Crockett Street 327.85 feet to the North right of way of W Broadway Street and marked by a capped 1/2" iron rod set stamped "EAGLE SURVEYING";

Thence N 78°36'53" W along said right of way 375.19 feet to the east right of way of McKinley Street and marked by a 1/2" iron rod found;

Thence N 11°25'47" E along said right of way 299.85 feet to the South right of way of West 5th Street;

Thence S 82°35'57" E along said right of way 311.49 feet to the POINT OF BEGINNING and containing 2.45 acres more or less.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a licensed Land Surveyor under the laws of the State of Texas.

*Ernest Wooster* Ernest Wooster Date 2 Aug 2017  
R.P.L.S. # 6509

<b>SILO PARK</b>		
<b>EXHIBIT A</b>		
DEVELOPER:		
SILO PARK LLC 1061 N. COLEMAN, SUITE 90 PROSPER, TEXAS 750578 PH: 214.725.1104 CONTACT NAME: DOUG WALKER		
APPLICANT:		
CLAYMOORE ENGINEERING, INC. 1903 CENTRAL DRIVE, SUITE #406 BEDFORD, TX 76021 PH: 817.281.0572 CONTACT NAME: MATT MOORE		
SURVEYOR:		
EAGLE SURVEYING, LLC 210 SOUTH ELM STREET DENTON, TX 76201 PH: 940.222.3009 CONTACT NAME: LARRY SPRADLING		
LEGAL DESCRIPTION:		
PROSPER CO-OP GIN ASSOCIATION VOL. 853, PG. 336 D.R.C.C.T.		
CITY:	STATE:	
TOWN OF PROSPER	TEXAS	
COUNTY:	SURVEY:	ABSTRACT NO.
COLLIN	COLLIN COUNTY SCHOOL LAND SURVEY	147

TEXAS REGISTRATION #14199

**CLAYMOORE ENGINEERING**

PRELIMINARY

FOR REVIEW ONLY  
Not for construction purposes.  
CLAYMOORE ENGINEERING  
ENGINEERING AND PLANNING CONSULTANTS

Engineer: **MATT MOORE**  
P.E. No. 95813 Date: 8/2/2017

**SILO PARK**  
**PROSPER CO-OP GIN ASSOCIATION**  
**VOL. 853, PG. 336**  
**D.R.C.C.T.**  
**PROSPER, TEXAS**

No.	DATE	REVISION	BY

**EXHIBIT A**

DESIGN: JEV  
DRAWN: JEV  
CHECKED: MAM  
DATE: 8/2/2017

**EXH-A**

File No. 2017-102

PLOTTED BY: JVALDEZ  
 PLOT DATE: 8/4/2017 10:47 AM  
 LOCATION: C:\EGN\TE\SHARED\PROJECTS\2017-134 BROADWAY FOOD TRUCK PARK\CADD\EXHIBIT-A.DWG  
 LAST SAVED: 8/3/2017 9:52 PM

**BENCHMARK NOTES:**

- THE BEARINGS SHOWN ON THIS SURVEY WERE DERIVED FROM WESTERN DATA SYSTEMS RTK NETWORK AND ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202) AND ARE BASED ON THE AMERICAN DATUM OF 1983, 2011 ADJUSTMENT
- ELEVATIONS ARE BASED ON NAVD88, REFERENCED TO NAD83, 2011 ADJUSTMENT AND WERE DERIVED FROM WESTERN DATA SYSTEMS RTK NETWORK

**FLOODPLAIN NOTE**

ACCORDING TO MAP NO. 48085C0235J, 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 WITHIN ZONE "X" (UNSHADED) AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA.

\*NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE\*

# CURRENT EXHIBIT

**Z17-0009**

## **EXHIBIT B**

### STATEMENT OF INTENT AND PURPOSE

Silo Park is to be a new gathering place in the shadows of the railroad silos in the Old Town District of Prosper, Texas. It will provide a wide selection of food, beverages, and entertainment in a family friendly environment. The guests are invited to stay and socialize. With the feel of a backyard party with dozens of your closest friends, guests can sit back, relax and enjoy a memorable social experience.

Silo Park will be a food truck park and entertainment venue situated on the northeast corner of W. 5<sup>th</sup> Street and N. McKinley Street in the Old Town District of Prosper, Texas. The park will have room for six full size food trucks, outdoor seating, a stage for live music and performances, a designated kid's area, and a freestanding beverage center with restrooms.

# CURRENT EXHIBIT

**Z17-0009**

## **EXHIBIT C PLANNED DEVELOPMENT STANDARDS**

Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20, as it exists or may be amended, and the Subdivision Ordinance, as it exists or may be amended, shall apply.

**A. Use of Land and Buildings.** The Tract shall develop in accordance with the uses permitted in the Downtown Retail (DTR) District as indicated in the Schedule of Uses in the Town's Zoning Ordinance, as it exists or may be amended, except as follows:

**1. Temporary Food Truck Park and Outdoor Entertainment Venue**

- a. For an initial term of three (3) years from the date of approval of this Planned Development, the site may develop as a food truck park and outdoor entertainment venue as shown in Exhibit D.
- b. If the developer wishes to continue the use of the site as a food truck park and outdoor entertainment venue beyond the initial three-year term, the developer shall make an application for a Specific Use Permit for the venue prior to the expiration of the initial three year term.
- c. No later than six (6) months prior to the third anniversary of the Town's approval of this ordinance, the owner/operator of the food truck park and outdoor entertainment venue shall present to the Town a Specific Use Permit application in full compliance with all Town zoning and subdivision regulations, including but not limited to building construction materials, landscaping, parking, fencing and related site development requirements.
- d. Alcoholic beverage sales shall be subject to all applicable Town of Prosper regulations and TABC permitting requirement.
- e. Following discontinuation of use all improvements shall be removed from the property and the property returned to pre-developed conditions within a period of time no great than 90 days.

**B. Regulations**

Except as noted below, the Tract shall develop in accordance with the development standards for the Downtown Retail (DTR) District, as it exists or may be amended.

1. Architecture – The exterior masonry façade requirements of Chapter 4, Sections 8 and 9.8 of the Town's Zoning Ordinance, as it exists or may be amended, shall not apply to the proposed structures located in the food truck park and outdoor entertainment venue, as shown on Exhibit D. Future redevelopment of the venue site shall be in full compliance

# CURRENT EXHIBIT

with all Zoning Ordinance requirements. The two future retail buildings shown on Exhibit D shall fully comply with Zoning Ordinance requirements at the time of development.

2. Landscaping – Requirements of Chapter 4, Section 2 shall not apply to the proposed food truck park and outdoor entertainment venue in accordance with Exhibit D. Future redevelopment of the venue site shall be in full compliance with all Zoning Ordinance requirements. The two future retail buildings shown on Exhibit D shall fully comply with Zoning Ordinance requirements at the time of development.
3. Parking and Paving – The number of required off-street parking spaces shall be provided in accordance with the parking shown on Exhibit D. The use of flex base material for the parking and drive aisles associated with the food truck park and outdoor entertainment venue shall be permitted. Future redevelopment of the venue site shall be in full compliance with all Zoning Ordinance requirements. Parking and drive aisles associated with the two future retail buildings shown on Exhibit D shall fully comply with the Town’s Zoning Ordinance, as it exists or may be amended, and the Town’s Design Standards and Specifications, as it exists or may be amended, at the time of development.

## C. Proposed Site Improvements

The following site improvements shall be permitted as follows.

### 1. Beverage Center

The main structure on the site will be a 30 foot by 50 foot, 1,500 square foot, metal frame building with metal siding and a metal roof on a concrete slab. The building will have two ten-foot wide roll up doors along one side and one entry door on the end of the building. The structure will contain a business office, restrooms, a bar, and seating.



# CURRENT EXHIBIT

## 2. Patio Extension

A covered patio will be constructed along the length of the 50-foot Beverage Center building and extend outward approximately 20 feet, as shown below. The materials and means of construction of the patio cover shall comply with Town's Building Codes. The ground surface below patio cover will consist of decomposed granite.



## 3. Live Music Stage

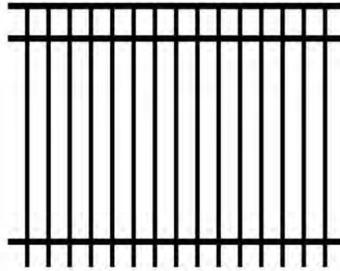
A stage associated with the food truck park and outdoor entertainment venue may be constructed on the site and will be approximately 20 feet by 20 feet in area and constructed with a wooden frame and corrugated metal sides and roof as shown below.



# CURRENT EXHIBIT

## 4. Site Fencing

Site fencing associated with the food truck park and outdoor entertainment venue shall consist of tubular steel fencing along the south side of Silo Park, and horizontal board fencing and/or tubular steel fencing along the east, west, and north sides of Silo Park, as shown below.



## 5. Shade Structures

Shade structures associated with the food truck park and outdoor entertainment venue may be constructed on an as-needed basis. These structures, as shown below, will be approximately 12 feet by 12 feet in area as shown below.



# CURRENT EXHIBIT

## 6. Venue Lighting

Venue site lighting will consist mostly of string lighting extending across the site. Examples of the method of lighting are shown below. Lighting will be subject to Chapter 4, Section 6 of the Town's Zoning Ordinance, as it exists or may be amended.





# CURRENT EXHIBIT

**Z17-0009**

**EXHIBIT E**

DEVELOPMENT SCHEDULE

Upon approval of the planned development zoning and site plan, it is anticipated that construction will begin in January 2018 with the park to be open for business in April 2018.

# PROPOSED EXHIBIT

**Z20-0011**

**EXHIBIT A**

## **LEGAL DESCRIPTION**

Being a 1.05 acre tract or parcel of land situated in the Collin County School Land Survey, Abstract Number 147 in the Town of Prosper, Collin County, Texas and being all of Lot 1R, Block A of Silo Park Addition an addition to the Town of Prosper, Collin County, Texas, recorded in Document Number 2020-67 of the Plat Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a capped 1/2" iron rod stamped "EAGLE SURVEYING" found at the Northeast corner of said Lot 1R and in the South right-of-way line of W. Fifth Street a variable width right-of-way and being at the beginning of a corner clip;

THENCE South 41°15'20" East, with the East line of said Lot 1R, a distance of 7.79 feet to capped 1/2" iron rod stamped "EAGLE SURVEYING" found at the end of said corner clip and being in the West right-of-way line of Crockett Street (unimproved) a 30' right-of-way recorded in Volume 116, Page 162 of the Deed Records of Collin County, Texas;

THENCE South 00°05'18" West, with the East line of said Lot 1R and the common West right-of-way line of said Crockett Street, a distance of 151.59 feet to a capped 1/2" iron rod stamped "EAGLE SURVEYING" found at the Southeast corner of said Lot 1R and the common Northeast corner of Lot 2, Block A of said Silo Park Addition;

THENCE with the South line of said Lot 1R and the common North line of said lot 2 the following courses and distances:

North 78°36'53" West, a distance of 316.17 feet to a capped 1/2" iron rod stamped "EAGLE SURVEYING" found;

North 33°35'31" West, a distance of 30.94 feet to a capped 1/2" iron rod stamped "EAGLE SURVEYING" found at the Southwest corner of said Lot 1R and the common Northwest corner of said Lot 2 and being in the East right-of-way line of McKinley Street a 50' right-of-way;

THENCE North 11°25'47" East, with the West line of said Lot 1R and the common East right-of-way line of said McKinley Street, a distance of 99.71 feet to a capped 1/2" iron rod stamped "EAGLE SURVEYING" found at the beginning of a corner clip;

THENCE North 54°24'55" East, a distance of 15.72 feet to a capped 1/2" iron rod stamped "EAGLE SURVEYING" found at the end of said corner clip and the Northwest corner of said Lot 1R and being in the South right-of-line of said W. Fifth Street;

THENCE South 82°35'57" East, with the North line of said Lot 1R and the South right-of-way line of said W. Fifth Street, a distance of 292.05 feet to the POINT OF BEGINNING and containing 1.05 acres of land more or less.

# PROPOSED EXHIBIT

## EXHIBIT B

### STATEMENT OF INTENT AND PURPOSE

Silo Park is a gathering place in the shadows of the railroad silos in the Old Town District. It provides a wide selection of food, beverages, and entertainment in a family friendly environment. The guests are invited to stay and socialize. With the feel of a backyard party with dozens of your closest friends, guests can sit back, relax and enjoy a memorable social experience.

Silo Park is a food truck park and entertainment venue situated on the southeast corner of Fifth Street and McKinley Street in the Old Town District. The park has room for food trucks, outdoor seating, a stage for live music and performances, a designated kid's area, and a freestanding beverage center with restrooms.

# PROPOSED EXHIBIT

## Z20-0011 EXHIBIT C PLANNED DEVELOPMENT STANDARDS

Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20, as it exists or may be amended, and the Subdivision Ordinance, as it exists or may be amended, shall apply.

**A. Use of Land and Buildings.** The Tract shall develop in accordance with the uses permitted in the Downtown Retail (DTR) District as indicated in the Schedule of Uses in the Town's Zoning Ordinance, as it exists or may be amended, except as follows:

### 1. Food Truck Park and Outdoor Entertainment Venue

- a. Food Truck Park and Outdoor Entertainment Venue shall be a permitted use on the subject property.
- b. Following discontinuation of use, all improvements shall be removed from the property and the property returned to pre-developed conditions within a period of time no greater than 90 days.
- c. As provided herein, two (2) 10-foot by 20-foot shipping container type structures may be permitted on the property for use as restaurant incubators only. They may not be used for any other purpose and must be removed within 90 days of the discontinuation of use.
- d. Alcoholic beverage sales shall be subject to all applicable Town of Prosper regulations and TABC permitting requirement.

### B. Regulations

Except as noted below, the Tract shall develop in accordance with the development standards for the Downtown Retail (DTR) District, as it exists or may be amended.

**1. Architecture** – The exterior masonry façade requirements of Chapter 4, Sections 8 and 9.8 of the Town's Zoning Ordinance, as it exists or may be amended, shall not apply to the proposed structures located in the food truck park and outdoor entertainment venue, as shown on Exhibit D. Future redevelopment of the venue site shall be in full compliance with all Zoning Ordinance requirements.

**2. Landscaping** – Requirements of Chapter 4, Section 2 shall not apply to the proposed food truck park and outdoor entertainment venue in accordance with Exhibit D. Future redevelopment of the venue site shall be in full compliance with all Zoning Ordinance requirements.

**3. Parking and Paving** – The number of required off-street parking spaces shall be provided in accordance with the parking as shown on Exhibit D. The use of the existing off-site flex base material for parking and drive aisles associated with the food truck park and outdoor entertainment venue shall be permitted in accordance with the existing off-site parking agreement; however, within (2) two years from the date of approval of the

# PROPOSED EXHIBIT

Planned Development amendment by the Town Council, an asphalt parking lot and drive aisles associated with the food truck park and outdoor entertainment venue shall be provided, in accordance with Exhibit D. Future redevelopment of the venue site shall be in full compliance with all Zoning Ordinance requirements.

## C. Site Improvements

The following site improvements shall be permitted as follows.

### 1. Beverage Center

The main structure on the site is a 30 foot by 50 foot, 1,500 square foot, metal frame building with metal siding and a metal roof on a concrete slab. The building has two ten-foot wide roll up doors along one side and one entry door on the end of the building. The structure contains a business office, restrooms, a bar, and seating. A covered patio has been constructed along the length of the Beverage Center building and extends outward approximately 20 feet as shown below. The structure complies with the Town's Building Codes and the ground surface below consists of decomposed granite.



### 2. Restaurant Incubators

Two (2) future restaurant incubators are proposed in addition to the permitted food trucks. The incubators would be located in two (2) 10-foot by 20-foot shipping container type structures, as shown on Exhibit D. These incubators will be connected to the Town's water and sanitary sewer facilities in order to comply with the appropriate health and safety codes. Examples of the proposed restaurant incubators are shown below.



# PROPOSED EXHIBIT

## 3. Live Music Stage

A stage associated with the food truck park and outdoor entertainment venue may be constructed on the site and will be approximately 20 feet by 20 feet in area and constructed with a wooden frame and corrugated metal sides and roof as shown below.



## 4. Site Fencing

Site fencing consists of horizontal board fencing with metal posts along all sides of the venue. Pedestrian and vehicular gates have been installed at various locations to provide controlled access.



## 5. Shade Structures

Shade structures associated with the food truck park and outdoor entertainment venue may be constructed on an as-needed basis. These structures, as shown below, will be approximately 12 feet by 12 feet in area, as shown below.

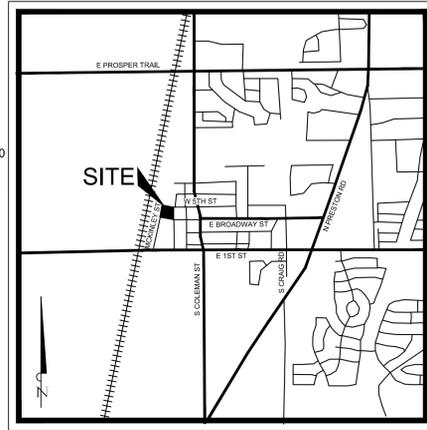
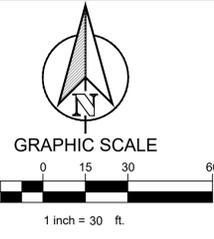
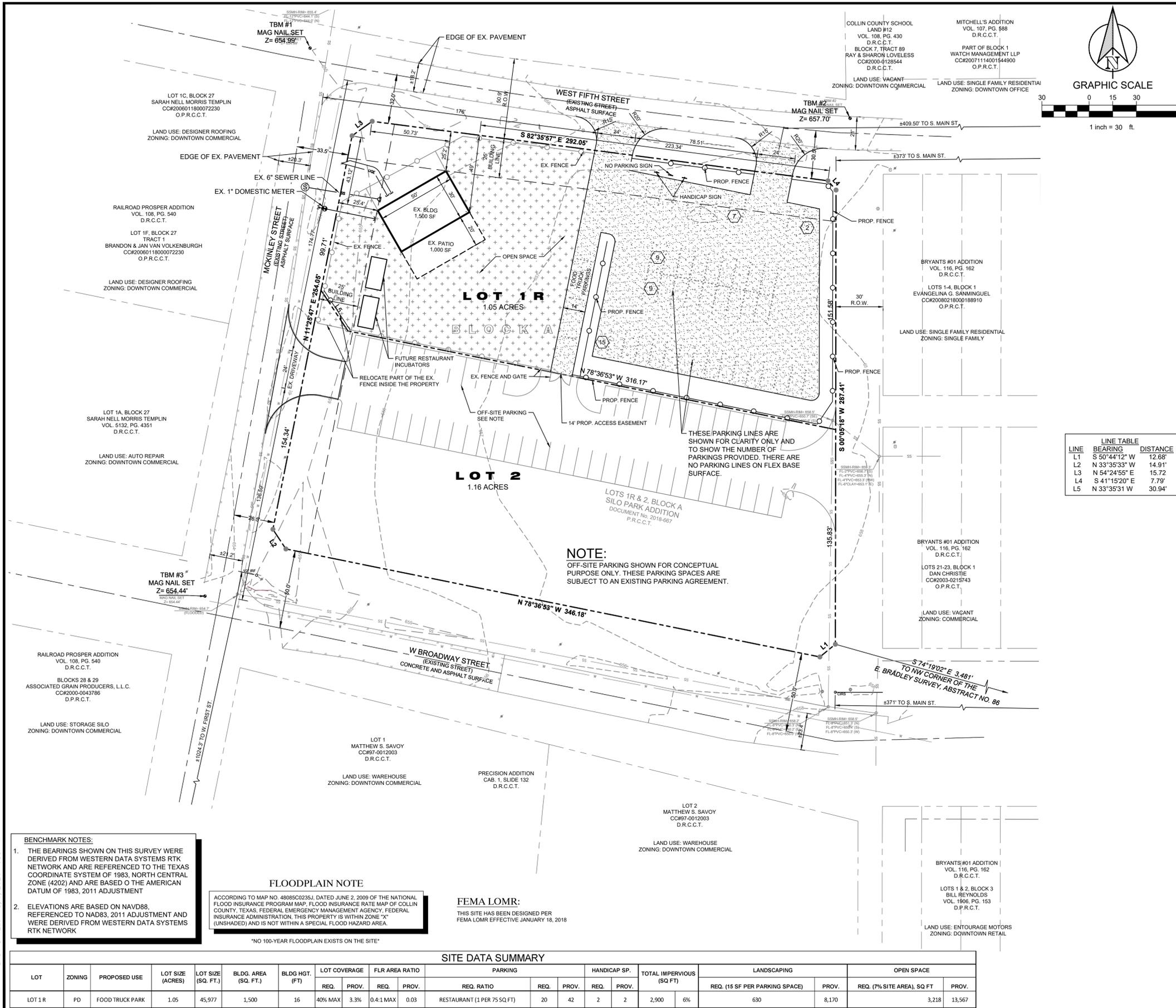


# PROPOSED EXHIBIT

## 6. Venue Lighting

Venue site lighting consists mostly of string lighting extending across the site. Examples of the method of lighting are shown below. Lighting is subject to Chapter 4, Section 6 of the Town's Zoning Ordinance, as it exists or may be amended.





VICINITY MAP  
N.T.S.

LEGEND

	PROPOSED FLEXBASE
	PROPOSED DECOMPOSED GRANITE

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 50°44'12\" W	12.68'
L2	N 33°35'33\" E	14.91'
L3	N 54°24'55\" E	15.72'
L4	S 41°15'20\" E	7.79'
L5	N 33°35'31\" W	30.94'

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 OF AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

CASE No. 220-0011

SILO PARK

EXHIBIT D

DEVELOPER:

SILO PARK LLC  
1061 N. COLEMAN, SUITE 90  
PROSPER, TEXAS 75078  
PH: 214.725.1104  
CONTACT NAME: DOUG WALKER

APPLICANT:

CLAYMOORE ENGINEERING, INC.  
301 S. COLEMAN, SUITE 40  
PROSPER, TX 75078  
PH: 817.281.0572  
CONTACT NAME: MATT MOORE

SURVEYOR:

EAGLE SURVEYING, LLC  
210 SOUTH ELM STREET  
DENTON, TX 76201  
PH: 940.222.3009  
CONTACT NAME: JOHN COX

LEGAL DESCRIPTION:

LOTS 1R & 2, BLOCK A  
SILO PARK ADDITION  
DOCUMENT No. 2018-667  
P.R.C.C.T.

CITY:	TOWN OF PROSPER	STATE:	TEXAS
COUNTY:	COLLIN	SURVEY:	COLLIN COUNTY SCHOOL LAND SURVEY
ABSTRACT NO.:	147		

DESIGN:	MBT
DRAWN:	MBT
CHECKED:	DD
DATE:	5/6/2020
SHEET	SP-1

File No. 2017-134

TEXAS REGISTRATION #14199

CLAYMOORE ENGINEERING

1900 CENTRAL EXPLORER SUITE 400  
PROSPER, TEXAS 75078  
WWW.CLAYMOOREENGINEERING.COM

SILO PARK  
PROSPER CO-OP GIN ASSOCIATION  
VOL. 853, PG. 336  
D.R.C.C.T.  
PROSPER, TEXAS

No.	DATE	REVISION	BY

SITE PLAN  
380 W. BROADWAY ST.

**BENCHMARK NOTES:**

- THE BEARINGS SHOWN ON THIS SURVEY WERE DERIVED FROM WESTERN DATA SYSTEMS RTK NETWORK AND ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202) AND ARE BASED ON THE AMERICAN DATUM OF 1983, 2011 ADJUSTMENT
- ELEVATIONS ARE BASED ON NAVD83, REFERENCED TO NAD83, 2011 ADJUSTMENT AND WERE DERIVED FROM WESTERN DATA SYSTEMS RTK NETWORK

**FLOODPLAIN NOTE**

ACCORDING TO MAP NO. 48085C02351, 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 WITHIN ZONE "X" (UNSHADED) AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA.

\*NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE\*

**FEMA LOMR:**  
THIS SITE HAS BEEN DESIGNATED PER FEMA LOMR EFFECTIVE JANUARY 18, 2018

SITE DATA SUMMARY

LOT	ZONING	PROPOSED USE	LOT SIZE (ACRES)	LOT SIZE (SQ. FT.)	BLDG. AREA (SQ. FT.)	BLDG. HGT. (FT)	LOT COVERAGE		FLR AREA RATIO		PARKING				HANDICAP SP.		TOTAL IMPERVIOUS (SQ FT)	LANDSCAPING		OPEN SPACE	
							REQ.	PROV.	REQ.	PROV.	REQ. RATIO	REQ.	PROV.	REQ.	PROV.	REQ.		PROV.	REQ.	PROV.	REQ.
LOT 1R	PD	FOOD TRUCK PARK	1.05	45,977	1,500	16	40% MAX	3.3%	0.4:1 MAX	0.03	RESTAURANT (1 PER 75 SQ FT)	20	42	2	2	2,900	6%	690	8,170	3,218	13,567

PLOTTED BY: DENG, TORRES  
 PLOT DATE: 5/6/2020 4:41 PM  
 LOCATION: Z:\PROJECTS\2017-134-BROADWAY FOOD TRUCK PARK\CADD\SHEETS\SP-1 SITE PLAN-NEW.DWG  
 LAST SAVED: 5/6/2020 4:39 PM



**PLANNING**

**To: Planning & Zoning Commission**

**Item No. 6**

**From: Scott Ingalls, AICP, Senior Planner**

**Through: Alex Glushko, AICP, Planning Manager**

**Re: Planning & Zoning Commission Meeting – June 2, 2020**

**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to rezone 1.2± acres from Planned Development-84 (PD-84) to Downtown Retail (DTR), located on the northeast corner of Broadway Street and McKinley Street. (Z20-0012).

**Description of Agenda Item:**

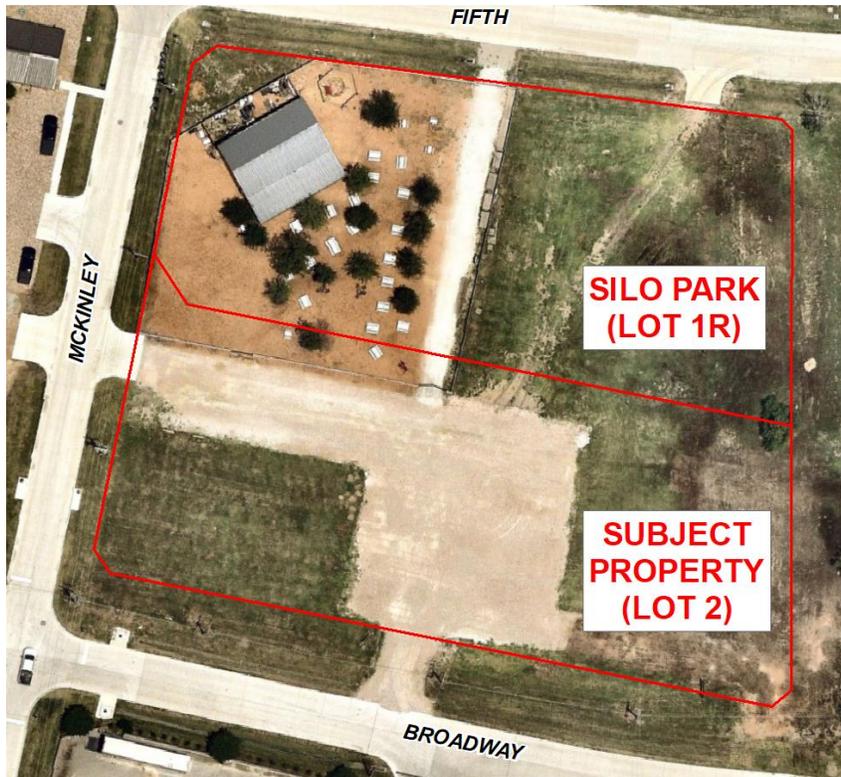
The zoning and land use of the surrounding properties are as follows:

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Planned Development-84	Parking/Undeveloped	Old Town Main Street Retail
<b>North</b>	Planned Development-84	Silo Park Food Truck Park	Old Town Main Street Retail
<b>East</b>	Downtown Retail	Undeveloped	Old Town Main Street Retail
<b>South</b>	Downtown Commercial	Office/Warehouses	Old Town Mixed Use
<b>West</b>	Downtown Commercial	Prosper Tire	Old Town Mixed Use

**Requested Zoning** – The subject property was rezoned to PD-84 in November 2017, to allow for the development of Silo Park, a food truck park and outdoor entertainment venue. With the development of Silo Park, the property was zoned and platted as one (1) lot. In December 2019, the lot was subdivided into two (2) lots, with Silo Park occupying the lot on the northern half of the property, being Lot 1R, and the lot on the southern half of the property, being Lot 2, serving as the parking for Silo Park, as shown below. The property owner of Lot 2 desires to be removed from the Silo Park PD and have is property zoned DTR.

The subdivision allowed the operator of Silo Park to acquire Lot 1R. In conjunction with the subdivision of property, a parking agreement was established which requires relocation of parking from Lot 2 to Lot 1R, within 90 days from the time requested by the property owner of

Lot 2. The purpose of this request is to rezone Lot 2 back to its previous designation, prior to the establishment of PD-84, to Downtown Retail.



At the time of an application for “straight” zoning, the applicant is not required to submit an exhibit depicting how the property will be specifically developed or elevations of the proposed building. Prior to development, the developer will be required to submit a Site Plan for review and approval by the Planning & Zoning Commission. The applicant has been advised of the standards necessary for development.

As a companion item, the Planned Development-84 amendment request for Silo Park (Z20-0011) is on the June 2, 2020 agenda.

Future Land Use Plan – The Future Land Use Plan recommends Old Town Main Street Retail. The proposed zoning request conforms to the Future Land Use Plan.

Thoroughfare Plan – The property has direct access to Broadway Street, a two lane roadway. The proposed request conforms to the Thoroughfare Plan.

Parks Master Plan – The Parks Master Plan does not indicate a park is needed on the subject property; however, a hike and bike trail (wide sidewalk) will be needed along Broadway Street and McKinley Street at the time of development.

**Legal Obligations and Review:**

Notification was provided to neighboring property owners as required by State Law. To date, Town staff has not received any Public Hearing Notice Reply Forms.

**Attached Documents:**

1. Aerial and Zoning Maps
2. Exhibit A

**Staff Recommendation:**

Staff recommends approval of the request to rezone 1.2± acres from Planned Development-84 (PD-84) to Downtown Retail (DTR), located on the northeast corner of Broadway Street and McKinley Street.

**Town Council Public Hearing:**

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on June 23, 2020.



FIFTH ST

SIXTH ST

MAIN ST

COLEMAN ST

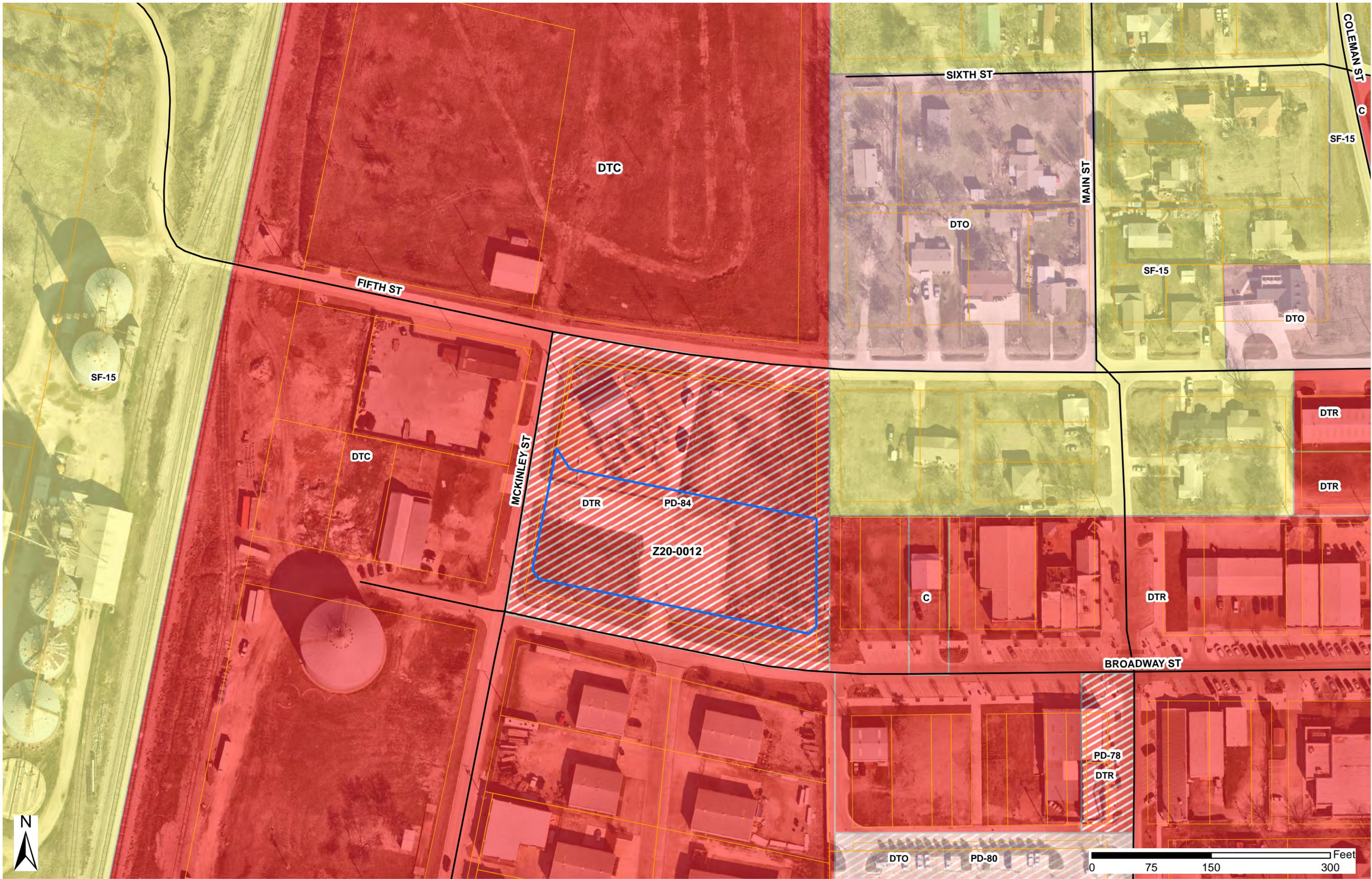
MCKINLEY ST

Z20-0012

BROADWAY ST



0 75 150 300 Feet



DTC

SIXTH ST

COLEMAN ST  
C

SF-15

MAIN ST

DTO

SF-15

DTO

FIFTH ST

SF-15

DTC

MCKINLEY ST

DTR

PD-84

Z20-0012

DTR

DTR

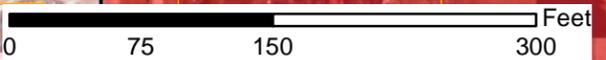
C

DTR

BROADWAY ST

PD-78

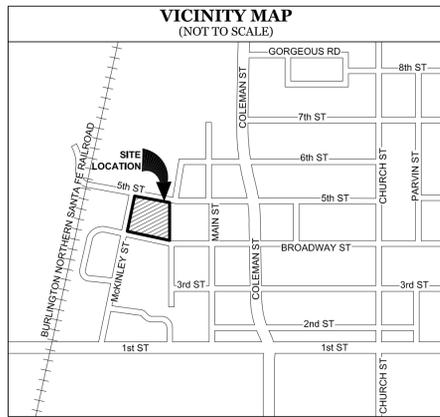
DTR



DTO

PD-80

Feet



- GENERAL NOTES**
- 1.) The purpose of this plat is to create two (2) lots of record from an existing lot.
  - 2.) According to Flood Insurance Rate Map (FIRM) Map No. 48085C0235J dated June 2, 2009 prepared by the Federal Emergency Management Agency (FEMA) for the Town of Prosper, Texas, this property is within "Non-Shaded Zone X".
  - 3.) The grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network, NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).
  - 4.) 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/or withholding of utilities and building permits.
  - 5.) All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.
  - 6.) The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network, NAD 83(2011) Datum.

LINE	BEARING	DISTANCE
L1	S 50°44'12" W	12.68'
L2	N 33°35'33" W	14.91'
L3	N 54°24'55" E	15.72'
L4	S 41°15'20" E	7.79'
L5	N 33°35'31" W	30.94'

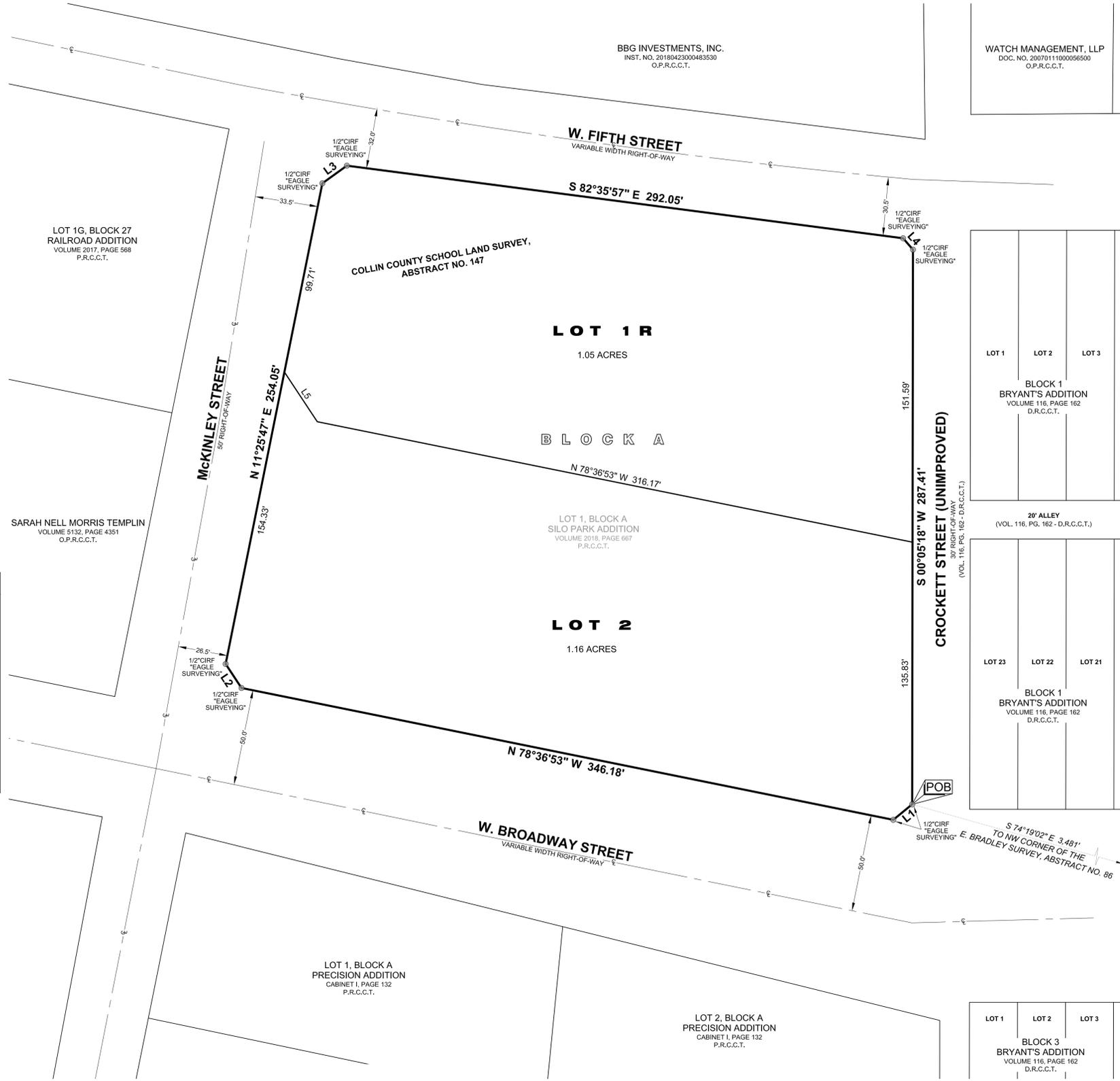
LEGEND	
PG	= PAGE
VOL	= VOLUME
POB	= POINT OF BEGINNING
IRF	= IRON ROD FOUND
CIRF	= CAPPED IRON ROD FOUND
DOC. NO.	= DOCUMENT NUMBER
PLAT RECORDS	= PLAT RECORDS
P.R.C.C.T.	= COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	= OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

Project 1707.019-07	<p><b>EAGLE SURVEYING, LLC</b> 210 S. Elm Street, Suite: 104 Denton, TX 76201 (940) 222-3009 TX Firm #10194177</p>
Date 11/01/2019	
Drafter JDC	

**SURVEYOR**  
Eagle Surveying, LLC  
Contact: John Cox  
210 S. Elm Street, Suite: 104  
Denton, TX 76201  
(940) 222-3009

**ENGINEER**  
Claymore Engineering, Inc.  
Contact: Matt Moore  
1903 Central Drive, Suite: 406  
Bedford, TX 76021  
(817) 281-0572

**OWNER**  
Don G. Brown  
P.O. Box 545  
Prosper, TX 75078-0545



**OWNER'S CERTIFICATE & DEDICATION**

STATE OF TEXAS §  
COUNTY OF COLLIN §

WHEREAS, **DON G. BROWN**, is the owner of a 2.21 acres situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NUMBER 147, Town of Prosper, Collin County, Texas, being all of Lot 1, Block A of Silo Park Addition, an addition to the Town of Prosper, Texas, recorded in Document Number 2018-667, Plat Records of Collin County, Texas, and being conveyed by General Warranty Deed to Don G. Brown, recorded in Volume 4492, Page 887, Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the most Northerly Southeast corner of said Lot 1, Block A, being in the West right-of-way line of Crockett Street (a 30-foot unimproved right-of-way) and being at the beginning of a corner clip;

THENCE South 50°44'12" West, departing the West right-of-way line of said Crockett Street, along said corner clip, a distance of 12.68 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the end of said corner clip, being the most Southerly Southeast corner of said Lot 1, Block A, and being in the Northerly right-of-way line of W. Broadway Street (a variable width right-of-way);

THENCE North 78°36'53" West, with the South line of said Lot 1, Block A and the North right-of-way line of said W. Broadway Street, a distance of 346.18 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the beginning of a corner clip, being the most Southerly Southwest corner of said Lot 1, Block A;

THENCE North 33°35'33" West, departing the Northerly right-of-way line of said W. Broadway Street, along said corner clip, a distance of 14.91 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the end of said corner clip, being the most Northerly Southwest corner of said Lot 1, Block A, and being in the Easterly right-of-way line of McKinley Street (a 50-foot right-of-way);

THENCE North 11°25'47" East, with the West line of said Lot 1, Block A and the Easterly right-of-way line of said McKinley Street, a distance of 254.05 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the beginning of a corner clip and being the most Southerly Northwest corner of said Lot 1, Block A;

THENCE North 54°24'55" East, departing the Easterly right-of-way line of said McKinley Street, along said corner clip, a distance of 15.72 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the end of said corner clip, being the most Northerly Northwest corner of said Lot 1, Block A, and being in the Southerly right-of-way line of W. Fifth Street (a variable width right-of-way);

THENCE South 82°35'57" East, with the North line of said Lot 1, Block A and the Southerly right-of-way line of said W. Fifth Street, a distance of 292.05 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the beginning of a corner clip, being the most Northerly Northeast corner of said Lot 1, Block A;

THENCE South 41°15'20" East, departing the Southerly right-of-way line of said W. Fifth Street, along said corner clip, a distance of 7.79 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" found at the end of said corner clip, being the most Southerly Northeast corner of said Lot 1, Block A, and being in the West right-of-way line of said Crockett Street;

THENCE South 00°05'18" West, with the East line of said Lot 1, Block A and the West right-of-way line of said Crockett Street, a distance of 287.41 feet to the **POINT OF BEGINNING** and containing 2.21 acres of land, more or less.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

THAT **DON G. BROWN**, does hereby certify and adopt this plat designating the herein described property as **LOTS 1R & 2, BLOCK A, SILO PARK ADDITION**, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown hereon, **DON G. BROWN** 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 area, 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 as 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 user 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 part 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 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 and approved by the Town of Prosper.

Plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas.

WITNESS AT MY HAND, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

OWNER: **DON G. BROWN**

BY: \_\_\_\_\_  
Don G. Brown (owner)

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared **DON G. BROWN**, known to me to be the person 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 THE OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

**CERTIFICATE OF SURVEYOR**

STATE OF TEXAS §  
COUNTY OF COLLIN §

I, **TED A. GOSSETT**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from and actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods capped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the Town of Prosper, Collin County, Texas.

Ted A. Gossett, R.P.L.S. # 5991 \_\_\_\_\_ Date \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared **TED A. GOSSETT**, known to me to be the person 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 THE OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

John Cox, Notary Public in and for the State of Texas

**CERTIFICATE OF APPROVAL**

APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019,  
by the Planning & Zoning Commission of the Town of Prosper, Texas.

\_\_\_\_\_  
Town Secretary

\_\_\_\_\_  
Engineering Department

\_\_\_\_\_  
Development Services Department

LOT 1	LOT 2	LOT 3
BLOCK 3 BRYANT'S ADDITION VOLUME 116, PAGE 162 D.R.C.C.T.		

LOT 1	LOT 2	LOT 3
BLOCK 1 BRYANT'S ADDITION VOLUME 116, PAGE 162 D.R.C.C.T.		

20' ALLEY (VOL. 116, PG. 162 - D.R.C.C.T.)		
LOT 23	LOT 22	LOT 21
BLOCK 1 BRYANT'S ADDITION VOLUME 116, PAGE 162 D.R.C.C.T.		

**EXHIBIT A**  
**SILO PARK ADDITION**  
**LOT 2, BLOCK A**

A REPLAT OF LOT 1, BLOCK A OF SILO PARK ADDITION,  
RECORDED IN DOCUMENT NO. 2018-667, P.R.C.C.T.,  
COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT No. 147,  
AN ADDITION TO THE TOWN OF PROSPER,  
COLLIN COUNTY, TEXAS



*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, May 26, 2020  
**5:45 PM**

#### **(Councilmember Hodges Absent)**

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, 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.

1. Consider and act upon the minutes from the May 12, 2020, Town Council meeting. **(ML)**
2. Receive the Quarterly Investment Report. **(BP)**
3. Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between Hayden Consultants, Inc., and the Town of Prosper, Texas, related to the design of the Teel (US 380 Intersection Improvements) project. **(PA)**
4. 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:**

5. Conduct a Public Hearing, and consider and act upon an ordinance modifying the development standards of Planned Development-40 (PD-40), for Windsong Ranch, generally to amend the courtyard lot regulations. (Z20-0009). **(AG) Approved, 6-0**
6. Conduct a Public Hearing, and consider and act upon an ordinance amending the Thoroughfare Plan to designate roadway overpasses on US 380, on First Street at the BNSF railroad, and to reclassify US 380 as a Limited Access Roadway/Freeway. (CA20-0001). **(AG) Approved, 6-0**
7. Conduct a Public Hearing, and consider and act upon a request to amend the Zoning Ordinance regarding Permitted Uses and Definitions, and Development Requirements, including but not limited to Landscaping, Parking, Screening, and Non-Residential Design and Development Standards. (Z20-0010). **(AG) Approved, 6-0**

## RESULTS

8. Receive the March financial report. **(BP)**
9. Consider and act upon an ordinance amending Ordinance No. 19-65 (FY 2019-2020 Budget). **Approved, 6-0**
10. Consider and act upon approving an emergency purchase for the removal and installation of four folding door systems for Central Fire Station, from Texas Overhead Door. **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 551-074 - To discuss and consider personnel matters and all matters incident and related thereto.*

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