



AGENDA
Planning & Zoning Commission
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, October 1, 2024
6:00 PM

Welcome to the Prosper Planning & Zoning Commission Meeting.

Citizens may watch the meeting live by using the following link: www.prospertx.gov/livemeetings

Addressing the Planning & Zoning Commission:

Those wishing to address the Planning & Zoning Commission must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

If you are attending in person, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

If you are watching online, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/ Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town Staff for further assistance.

Citizens and other visitors attending Planning & Zoning Commission meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Commission. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Commission or while attending the meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Commission during that session of the meeting. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

1. Call to Order / Roll Call.
2. Pledge of Allegiance

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. Items may be removed from the Consent Agenda by the request of a Commission Member or Staff.

- 3a. Consider and act upon the minutes from the September 03, 2024, Planning & Zoning Commission meeting.
- 3b. Consider and act upon a request for a Conveyance Plat of Prosper Middle School No. 7 Addition, Block A, Lot 1, on 38.6± acres, located on the east side of Legacy Drive and 1,500± feet north of Prosper Trail. (DEVAPP-24-0093)

CITIZEN COMMENTS

The public is invited to address the Commission on any topic. However, the Commission is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Comment Request Form" and present it to a staff member prior to the meeting.

REGULAR AGENDA:

If you wish to address the Commission, please fill out a "Public Comment Request Form" 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 either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning & Zoning Commission.

4. Conduct a Public Hearing and consider and act upon a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway. (ZONE-24-0011)
5. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
6. Adjourn.

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, September 27, 2024, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, 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 Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1073 at least 48 hours prior to the meeting time.



MINUTES
Prosper Planning & Zoning Commission
Regular Meeting
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, September 3, 2024, 6:00 p.m.

1. Call to Order / Roll Call

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

Commissioners Present: Chair Brandon Daniel, Vice Chair Damon Jackson, Secretary Josh Carson, Sekou Harris, John Hamilton, and Glen Blanscet.

Staff Members Present: David Hoover, AICP (Director of Development Services), Suzanne Porter, AICP (Planning Manager), Dakari Hill (Senior Planner), Jerron Hicks (Planner) and Trey Ramon (Planning Technician)

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

- 3a. Consider and act upon the minutes from the August 20, 2024, Planning & Zoning Commission work session meeting.**
- 3b. Consider and act upon the minutes from the August 20, 2024, Planning & Zoning Commission regular meeting.**
- 3c. Consider and act upon a request for a Site Plan for Restaurant/Retail Buildings on Windsong Ranch Office Addition, Block A, Lots 2-3, on 3.6± acres, located on the east side of Teel Parkway and 890± feet north of Prosper Trail. (DEVAPP-24-0040)**
- 3d. Consider and act upon a request for a Final Plat of Windsong Ranch Office Addition, Block A, Lots 2-3, on 3.6± acres, located on the east side of Teel Parkway and 890± feet north of Prosper Trail. (DEVAPP-24-0041)**
- 3e. Consider and act upon a request for a Preliminary Plat of Legacy Gardens, Phases 3-4, on 136.1± acres, located on the south side of Frontier Parkway and 1,100± feet west of Dallas Parkway. (DEVAPP-24-0060)**
- 3f. Consider and act upon a request for a Preliminary Site Plan for a Bank and Restaurant/Retail Buildings on Gates of Prosper, Block E, Lots 3-4, on 3.0± acres, located on the west side of Preston Road and 470± feet south of First Street. (DEVAPP-24-0082)**
- 3g. Consider and act upon a request for a Final Plat of Park Place, Phase 2, on 68.8± acres, located on the southeast corner of Teel Parkway and Prosper Trail. (DEVAPP-24-0092)**

3h. Consider and act upon a request for a Site Plan for a Parking Lot Expansion on Victory at Frontier, Block A, Lot 3, on 1.2± acres, located on the west side of Preston Road and 250± feet south of Frontier Parkway. (DEVAPP-24-0095)

Commissioner Blanscet made a request to pull Items 3e, 3f, and 3h from the Consent Agenda for further review.

Commissioner Hamilton made a motion to approve Items 3a, 3b, 3c, 3d, and 3g. The motion was seconded by Commissioner Harris. The motion was carried unanimously by a vote of 6-0.

For Item 3e, Commissioner Blanscet asked a question regarding the number of lots allowed in the Planned Development for Phases 3 and 4 versus the total number of lots for all four phases.

Mr. Hill clarified that there is not a total lot requirement for all four phases of the subdivision. Phases 3 and 4 are in a separate Planned Development.

Commissioner Blanscet expressed concerns regarding the number of entrances to Phases 3 and 4, with there being only one access point to Frontier Parkway and access to Shawnee Trail through Phases 1 and 2.

Mr. Hill responded that Fire has approved the number of access points to the development. This was followed by further discussion amongst the Commissioners. Commissioner Jackson mentioned that a concern regarding the number of entrances and exits had been discussed with the consideration of Phases 1 and 2.

Commissioner Harris made a motion to approve Item 3e. The motion was seconded by Commissioner Carson. The motion was carried by a vote of 4-2 with Commissioners Blanscet and Jackson in opposition.

For Item 3f, Commissioner Blanscet asked about the parking to the north of the property, adjacent to the car wash facility, and if there would be a separation or divider to distinguish between parking for the proposed facility and the car wash.

Mr. Hicks informed the Commission that there is drive aisle separating the two businesses with no other separation being proposed. Commissioner Blanscet indicated that the car wash could use signs to distinguish its parking from the neighboring business.

Commissioner Hamilton made a motion to approve Item 3f. The motion was seconded by Commissioner Jackson. The motion was carried unanimously by a vote of 6-0.

Mr. Hill presented Item 3h. Commissioner Blanscet requested more information regarding the aesthetics of the parking area as it is located at an entry point to the Town and whether there are restrictions that would prevent overnight parking for tractor trailers. Chair Daniel expressed concerns about the current congestion at the 7-11 site and that additional parking is needed.

Mr. Hill described the proposed landscaping and shaded picnic area. Mr. Hoover further explained the background of this case and reasons for the parking expansion, the need to accommodate larger vehicles, and how 7-11 has worked with Staff to provide the seating area and associated landscaping. Mr. Hoover explained that overnight parking is not an allowed, and if it were to become an issue the Town of Prosper would work with 7-11 to resolve it. This parking expansion is an attempt to alleviate the current traffic and congestion issues on the site.

Commissioner Hamilton made a motion to approve Item 3h. The motion was seconded by Commissioner Carson. The motion was carried unanimously by a vote of 6-0.

CITIZEN COMMENTS

Mr. Robert Goldman, 125 Springbrook Drive, relayed his past and current experiences and concerns regarding the construction and activity occurring at the northeast corner of Coit Road and First Street.

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.**

Mr. Hill informed the Commissioners of the past Town Council actions and upcoming cases for Planning & Zoning Commission action.

The Commissioners confirmed they would attend a joint work session on September 17, 2024.

Adjourn.

The meeting was adjourned at 6:47 p.m.

Manuel Ramon, Planning Technician

Josh Carson, Secretary



PLANNING

To: Planning & Zoning Commission
From: Dakari Hill, Senior Planner
Through: David Hoover, AICP, Director of Development Services
Cc: Suzanne Porter, AICP, Planning Manager
Re: Conveyance Plat for Prosper Middle School No. 7 Addition
Meeting: October 1, 2024

Item No. 3b

Agenda Item:

Consider and act upon a request for a Conveyance Plat of Prosper Middle School No. 7 Addition, Block A, Lot 1, on 38.6± acres, located on the east side of Legacy Drive and 1,500± feet north of Prosper Trail. (DEVAPP-24-0093)

Future Land Use Plan:

The Future Land Use Plan designates this area as Medium Density Residential.

Zoning:

The property is zoned Planned Development-63 (Single Family-15).

Conformance:

The Conveyance Plat conforms to the development standards of Planned Development-63.

Description of Agenda Item:

The purpose of this Conveyance Plat is to create one platted lot for future development and dedicate right-of-way for Legacy Drive.

Companion Item:

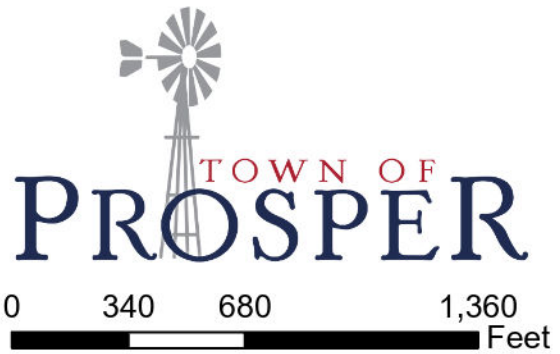
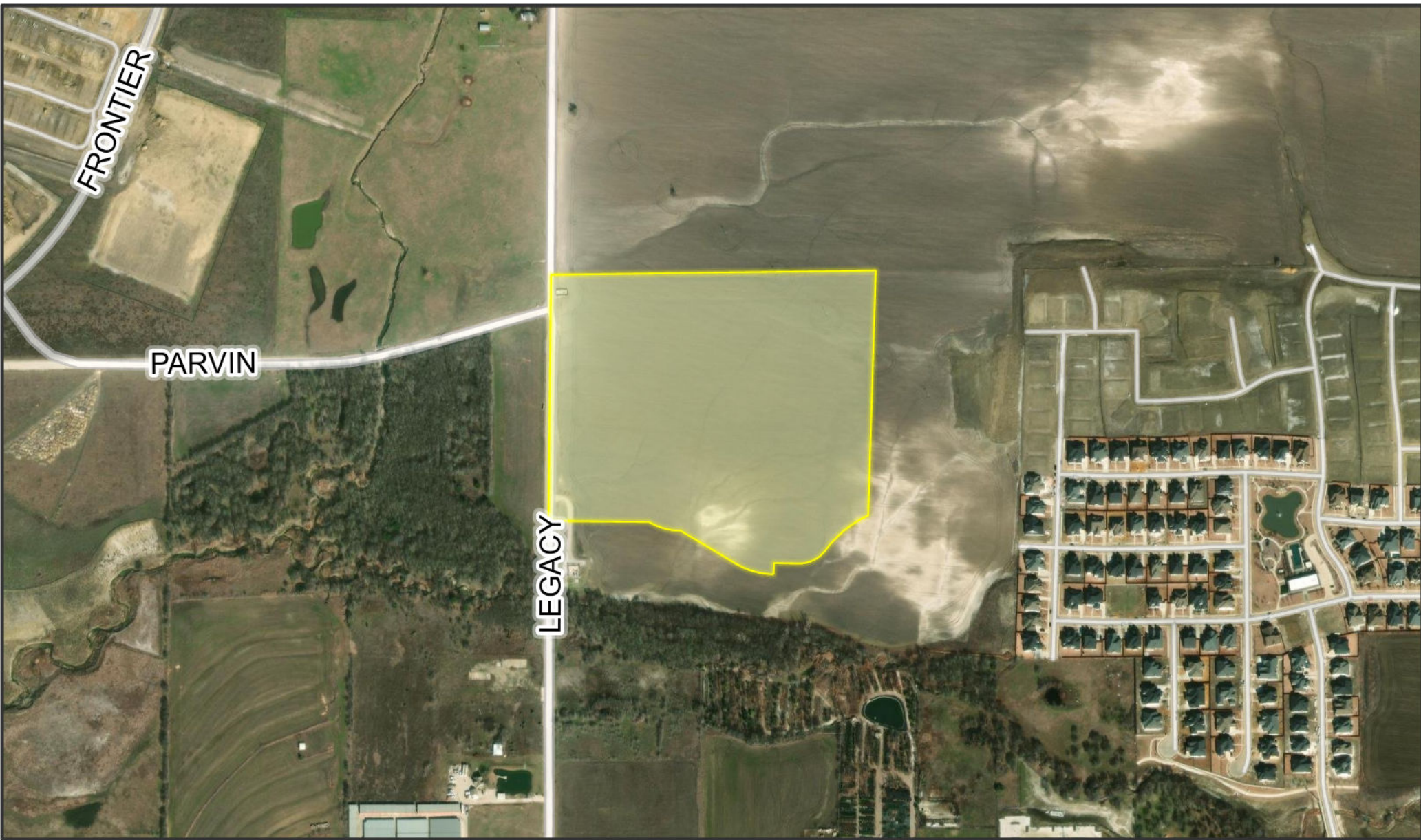
There is no companion item for this case.

Attached Documents:

1. Location Map
2. Conveyance Plat

Town Staff Recommendation:

Town Staff recommends approval of the Conveyance Plat.

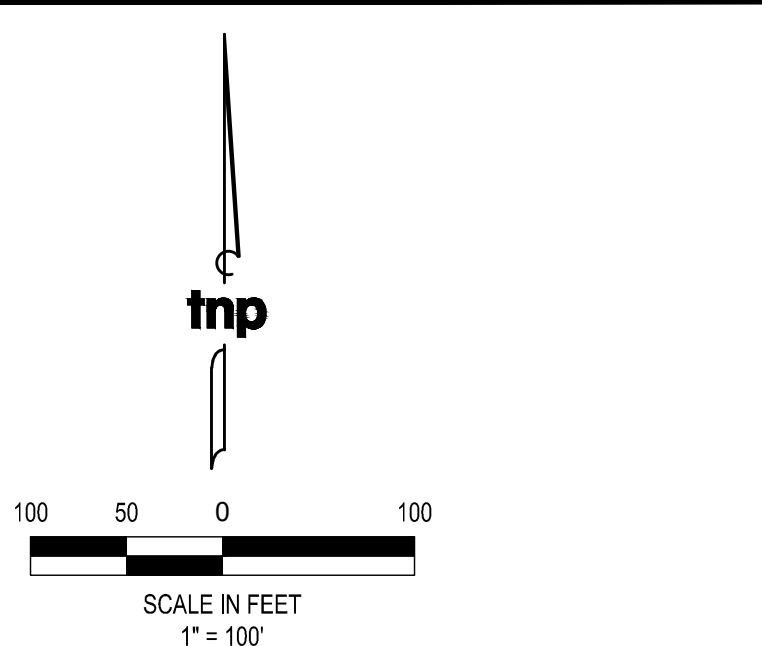


This map for illustration purposes only

DEVAPP-24-0093

Prosper Middle School
No. 7, Block A, Lot 1

Conveyance Plat



LEGEND

(C.M.) - CONTROLLING MONUMENT
 IRF - IRON ROD FOUND
 CIRF - CAPPED IRON ROD FOUND
 DOC--DOCUMENT
 INST.- INSTRUMENT
 NO. - NUMBER
 VOL. - VOLUME
 PG. - PAGE
 R.O.W. - RIGHT-OF-WAY
 D.R.D.C.T. - DEED RECORDS DENTON COUNTY, TEXAS
 D.R.C.C.T. - DEED RECORDS COLLIN COUNTY, TEXAS
 P.R.D.C.T. - PLAT RECORDS DENTON COUNTY TEXAS
 P.R.C.C.T. - PLAT RECORDS COLLIN COUNTY TEXAS
 O.P.R.D.C.T. - OFFICIAL PUBLIC RECORDS DENTON COUNTY TEXAS
 O.P.R.C.C.T. - OFFICIAL PUBLIC RECORDS COLLIN COUNTY TEXAS

NOTICE:
 SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

NOTICE:
 A CONVEYANCE PLAT IS A RECORD OF PROPERTY APPROVED BY THE TOWN OF PROSPER, TEXAS, FOR THE PURPOSE OF SALE OR CONVEYANCE IN ITS ENTIRETY OR INTEREST THEREON DEFINED. NO BUILDING PERMIT SHALL BE ISSUED NOR PERMANENT PUBLIC UTILITY SERVICE PROVIDED UNTIL A FINAL PLAT IS APPROVED AND PUBLIC IMPROVEMENTS APPROVED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF THE TOWN OF PROSPER.

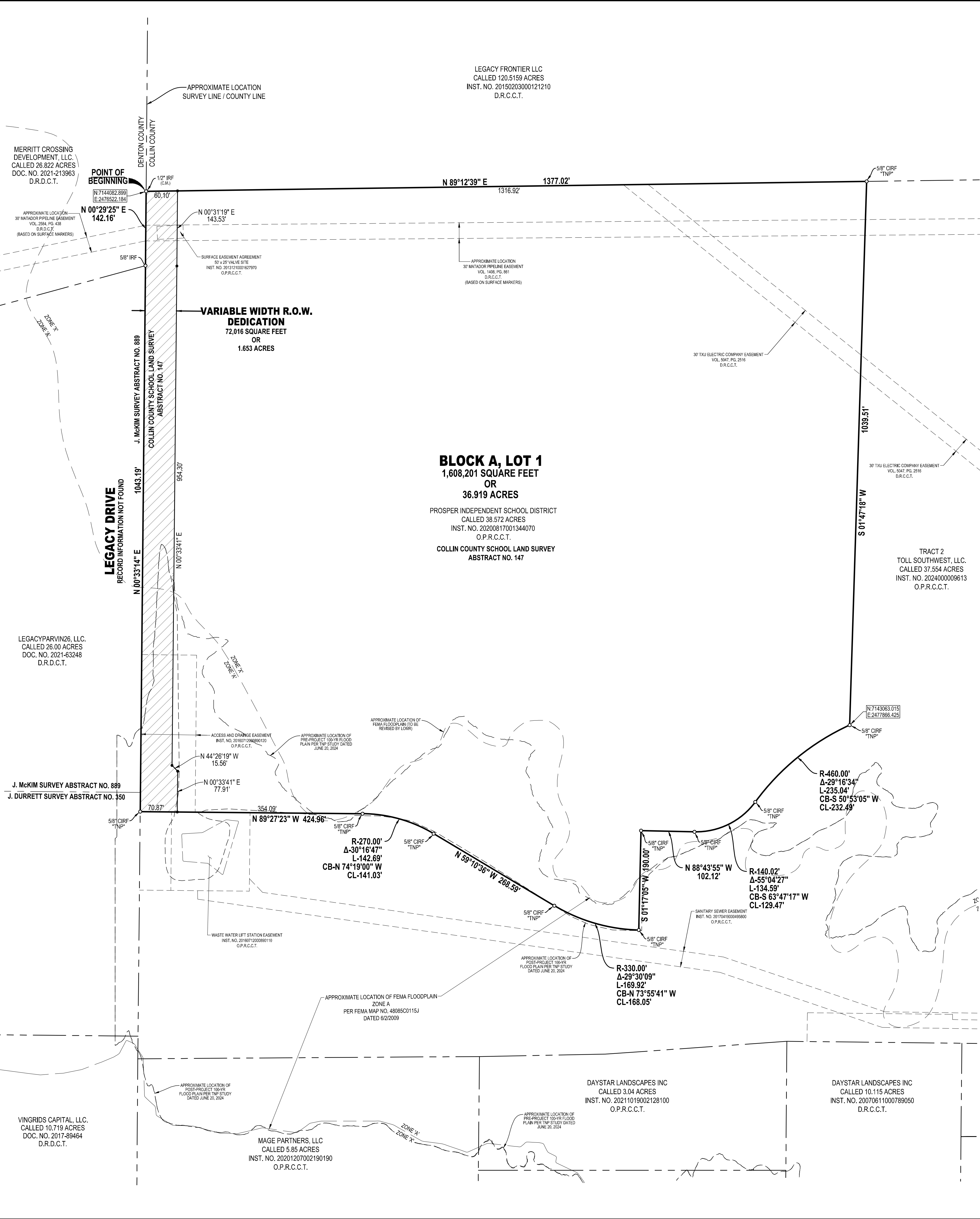
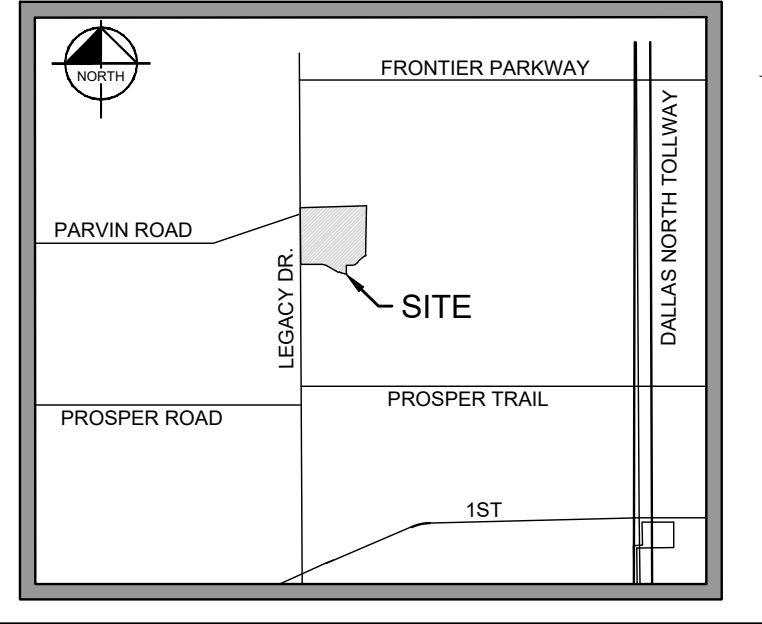
GENERAL NOTES:

- BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 402; NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALL TERRA CENTRALS CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000152710.
- BY GRAPHIC SCALE ONLY AND PER THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR COLLIN COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48085C0115J, EFFECTIVE DATE: JUNE 2, 2009, THE SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN ZONE "A" AND ZONE "X". THE LOCATION OF THE SAID FLOOD ZONES IS BASED ON SAID MAP AND IS APPROXIMATE AND IS NOT LOCATED ON THE GROUND. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR. RELEVANT ZONES ARE DEFINED AS FOLLOWS:

 ZONE "A" - AREAS SUBJECT TO INUNDATION BY THE 1-PERCENT-ANNUAL-CHANCE FLOOD EVENT GENERALLY DETERMINED USING APPROXIMATE METHODOLOGIES. BECAUSE DETAILED HYDRAULIC ANALYSES HAVE NOT BEEN PERFORMED, NO BASE FLOOD ELEVATIONS (BFES) OR FLOOD DEPTHS ARE SHOWN.

 ZONE "X" - OTHER AREAS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
- THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON, MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- THE SURVEY ABSTRACT LINES, BEARINGS, AND DISTANCES SHOWN HEREON ARE APPROXIMATE AND ARE NOT LOCATED ON THE GROUND.
- THE PURPOSE OF THIS CONVEYANCE PLAT IS TO DEDICATE RIGHT-OF-WAY ALONG WITH CREATE ONE PLATTED LOT FOR A FUTURE PLANNED DEVELOPMENT.

VICINITY MAP
 NOT TO SCALE



BLOCK A, LOT 1
 1,608,201 SQUARE FEET
 OR
 36.919 ACRES
 PROSPER INDEPENDENT SCHOOL DISTRICT
 CALLED 38.572 ACRES
 INST. NO. 20200817001344070
 O.P.R.C.C.T.
 COLLIN COUNTY SCHOOL LAND SURVEY
 ABSTRACT NO. 147

OWNER'S CERTIFICATE

STATE OF TEXAS §
 COUNTY OF COLLIN §

Whereas Prosper Independent School District is the owner of a 38.572 acre tract of land situated in the Collin County School Land Survey, Abstract Number 147, Collin County, Texas, and being all of a called 38.572 acre tract of land to Prosper Independent School District as recorded in Instrument Number 20200817001344070 of the 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 found in Legacy Drive for the northwest corner of said 38.572 acre tract;

THENCE North 89 degrees 12 minutes 39 seconds East departing said Legacy Drive and along the north line of said 38.572 acre tract, a distance of 1377.02 feet to a 5/8 inch iron rod with cap stamped "TNP" found for the most northerly northwest corner of a called 37.554 acre tract of land called Tract 2 to Toll Southwest, LLC as recorded in Instrument Number 202400009613 of the Official Public Records of Collin County, Texas same being the northeast corner of said 38.572 acre tract;

THENCE along the common line of said 38.572 acre tract and said 37.554 acre tract the following courses and distances:
 South 01 degrees 47 minutes 18 seconds West, a distance of 1039.51 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner at the beginning of a curve to the left;

With said curve to the left having a radius of 460.00 feet, a central angle of 29 degrees 16 minutes 34 seconds, an arc length of 235.04 feet, a chord bearing of South 50 degrees 53 minutes 05 seconds West, a distance of 232.49 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner at the beginning of a reverse curve to the right;

With said reverse curve to the right having a radius of 140.02 feet, a central angle of 55 degrees 04 minutes 27 seconds, an arc length of 134.59 feet, a chord bearing of North 73 degrees 55 minutes 41 seconds West, a distance of 129.47 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner;

North 88 degrees 43 minutes 55 seconds West, a distance of 102.12 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner;

South 01 degrees 17 minutes 05 seconds West, a distance of 190.00 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner at the beginning of a curve to the right;

With said curve to the right having a radius of 330.00 feet, a central angle of 29 degrees 30 minutes 09 seconds, an arc length of 169.92 feet, a chord bearing of North 73 degrees 55 minutes 41 seconds West, a distance of 168.05 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner;

North 59 degrees 10 minutes 36 seconds West, a distance of 268.59 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the beginning of a curve to the left;

With said curve to the left having a radius of 270.00 feet, a central angle of 30 degrees 16 minutes 47 seconds, an arc length of 142.69 feet, a chord bearing of North 74 degrees 19 minutes 00 seconds West, a distance of 141.03 feet to a 5/8 inch iron rod with cap stamped "TNP" found for corner;

THENCE North 00 degrees 33 minutes 14 seconds East along said Legacy Drive same being the west line of said 38.572 acre, a distance of 1043.19 feet to a 5/8 inch iron rod found for corner;

THENCE North 00 degrees 29 minutes 25 seconds East, continuing along said Legacy Drive and the west line of said 38.572 acre tract, a distance of 142.10 feet to the POINT OF BEGINNING containing 1,680,217 square feet, or 38.572 acres of land.

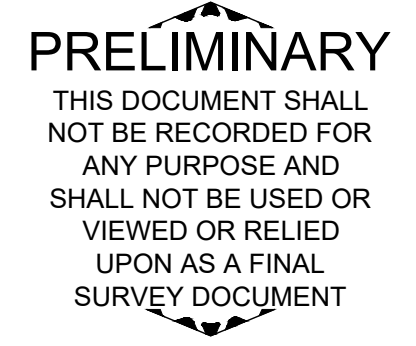
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Brian J. Maddox, II, 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 _____ day of _____, 2024.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.



REGISTERED PROFESSIONAL
 LAND SURVEYOR No. 6659
 825 Waters Creek Boulevard, Suite M300
 Allen, Texas 75013
 214.461.9867 ph
 jbmaddox@tppinc.com

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 Brian J. Maddox, II, 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 express and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2024.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 2024 by the Planning & Zoning Commission of the Town of Prosper, Texas.

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

CASE NO. DEVAPP-24-0093
CONVEYANCE PLAT
PROSPER MIDDLE SCHOOL
NO. 7 ADDITION
BLOCK A, LOT 1
 1,680,217 SQUARE FEET
 38.572 ACRES

SITUATED IN THE
 COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NUMBER 147,
 TOWN OF PROSPER, COLLIN COUNTY, TEXAS

OWNER	ENGINEER / APPLICANT	PROJECT INFORMATION
PROSPER INDEPENDENT SCHOOL DISTRICT 605 East 7th Street Prosper, Texas 75078 Contact: Dr. Greg Bradley (469) 219-2000	TEAGUE NALL & PERKINS, INC. 5237 N. Riverside Drive, Suite 100 Fort Worth, TX 76137 Contact: Amanda Mullen 817.420.7414 ph	Project No.: HUC 24057 Date: July 14, 2024 Drawn By: JM Scale: 1"=100'

tnp SURVEYOR
 TEAGUE NALL & PERKINS, INC.
 825 Waters Creek Boulevard, Suite M300
 Allen, Texas 75013
 Contact: Jay Maddox
 214.461.9867 ph 214.461.9864 fx
 T.B.P.L.S. Registration No. 1019438



PLANNING

To: Planning & Zoning Commission **Item No. 4**
From: Dakari Hill, Senior Planner
Through: David Hoover, AICP, Director of Development Services
Cc: Suzanne Porter, AICP, Planning Manager
Re: Amendment to Planned Development-59 for Screening Wall Location
Meeting: October 1, 2024

Agenda Item:

Conduct a Public Hearing and consider and act upon a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway. (ZONE-24-0011)

Future Land Use Plan:

The Future Land Use Plan recommends the Low Density Residential. The proposed zoning request conforms to the Future Land Use Plan.

Zoning:

The property is zoned Planned Development-59.

Thoroughfare Plan:

This property has direct access to Frontier Parkway.

Parks Master Plan:

The Parks Master Plan does not indicate a park is needed on the subject property.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and state law. Staff has not received any response to the proposed zoning request to date.

Attached Documents:

1. Aerial & Zoning Maps
2. Exhibit A-1 – Written Metes and Bounds
3. Exhibit A-2 – Boundary Exhibit
4. Exhibit B – Letter of Intent
5. Exhibit C – Development Standards
6. Exhibit D – Conceptual Plan
7. Exhibit E – Development Schedule
8. Exhibit F – Elevations
9. Exhibit G – Landscape Plan

Description of Agenda Item:

The purpose of this request is to amend Planned Development-59 to allow for an existing screening wall to remain in place due to the taking of land for additional right-of-way. Residential developments are required to have both landscape buffers and screening walls adjacent to major and minor thoroughfares. Per the Town’s Zoning Ordinance, landscape buffers are required to be in front of screening walls to enhance the aesthetic appeal of the development from the public right-of-way and to reduce noise. The developer for Twin Creeks constructed the screening wall anticipating that the required landscaping would be between the wall and Frontier Parkway. If the taking of land for additional right-of-way hadn’t occurred, the screening wall would be in the correct location. However, the taking resulted in the elimination of the required landscape area between the screening wall and Frontier Parkway. Due to the screening wall being 85 percent complete, the developer is requesting to amend the Planned Development to allow for it to remain in its current location.

Mitigation:

The developer has proposed several options to mitigate the screening wall being in front of the required landscaping.

- Landscaping to soften the masonry portion of the screening wall.
- A berm with additional landscaping behind the screening wall.
- Both the required wall and landscaping are being provided.

Maintenance:

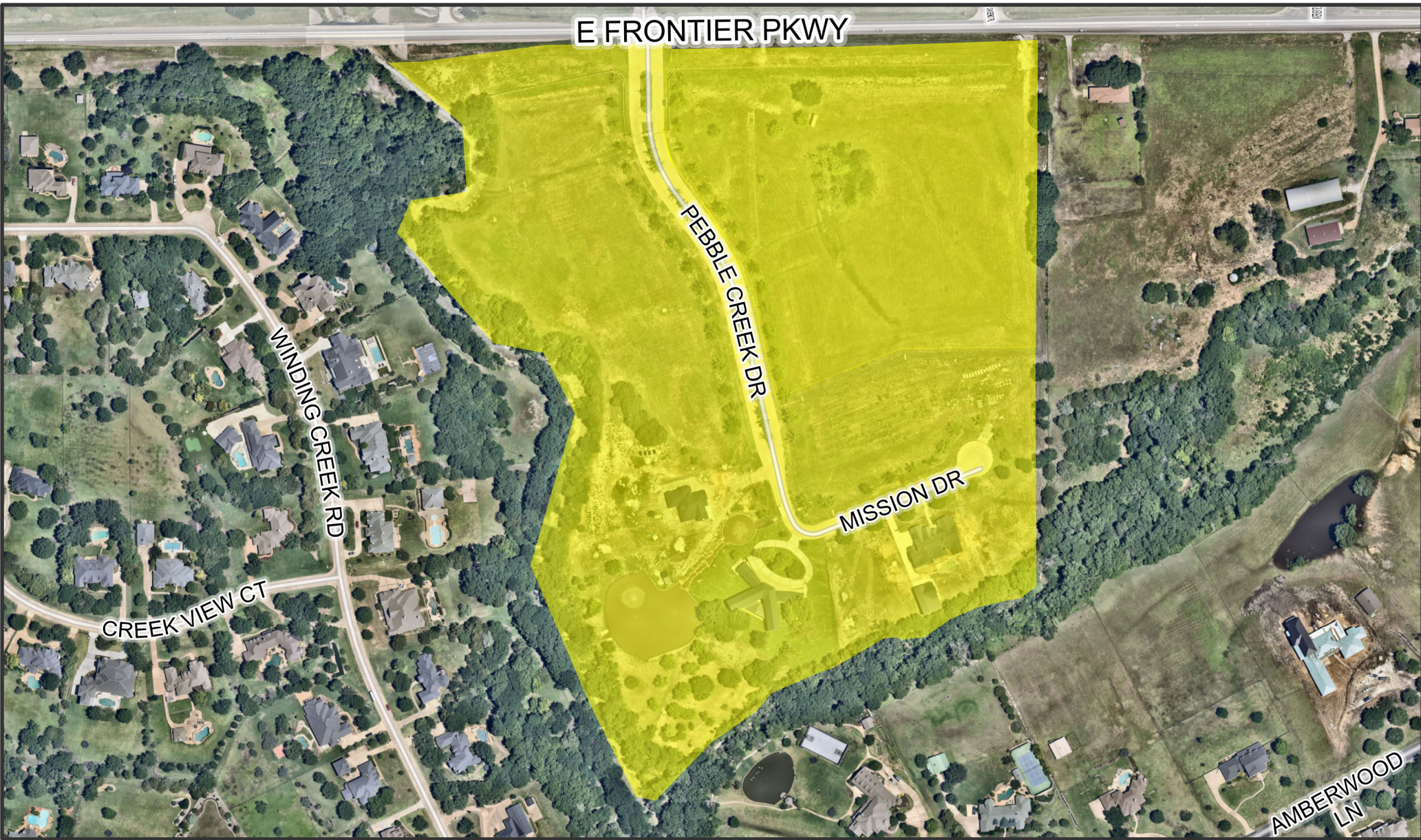
The Twin Creek Homeowner’s Association will be responsible for the maintenance of the screening wall and landscaping.

Town Staff Recommendation:

Town Staff recommends approval of the request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway.

Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled on the October 22, 2024, Town Council meeting.



E FRONTIER PKWY

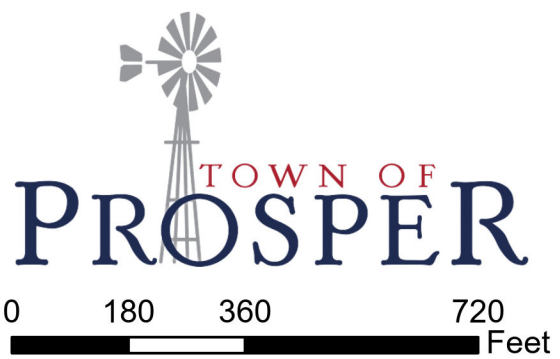
PEBBLE CREEK DR

MISSION DR

WINDING CREEK RD

CREEK VIEW CT

AMBERWOOD LN

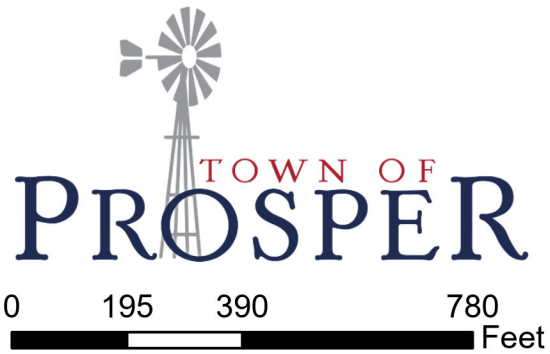


This map for illustration purposes only

ZONE-24-0011

Twin Creeks Ranch

Planned Development



ZONE-24-0011

Twin Creeks Ranch

Planned Development

This map for illustration purposes only

Exhibit A-1 – Metes and Bounds

LEGAL DESCRIPTION

WHEREAS, TWIN CREEKS PROSPER, LLC., CHRISTOPHER & SARAH HEASLIP & DILLON LIVING TRUST are the owners of a tract of land situated in the W.T. Horn Survey, Abstract No. 376 and the W.T Horn Survey, Abstract No. 419, being all of a 37.069 acre tract, as described in Doc. No. 20200427000603670, in the Deed Records of Collin County, Texas, being more particularly described as follows:

COMMENCING, at a 5/8 inch iron rod found at the northeast corner of said 37.069 acre tract and being in the south line of F.M. 1461 (Variable R.O.W.);

THENCE, South 00°13'55" East, along the east line of said 37.069 acre tract, for a distance of 690.26 feet, to a 1#2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the POINT OF BEGINNING;

THENCE, South 00°13'55" East, continuing along said east line, for a distance of 536.96 feet, to a point in a creek;

THENCE, along said creek for the following fifteen (15) calls:

South 53°14'00" West, for a distance of 44.60 feet;
South 79°46'30" West, for a distance of 50.68 feet;
South 76°03'52" West, for a distance of 48.43 feet;
South 66°43'35" West, for a distance of 65.94 feet;
South 52°56'05" West, for a distance of 56.06 feet;
South 59°44'12" West, for a distance of 16.26 feet;
South 83°48'03" West, for a distance of 48.69 feet;
North 72°39'13" West, for a distance of 15.86 feet;
South 85°35'54" West, for a distance of 25.86 feet;
South 59°49'09" West, for a distance of 132.04 feet;
South 72°43'45" West, for a distance of 26.54 feet;
South 66°51'25" West, for a distance of 123.30 feet;
South 39°13'28" West, for a distance of 51.61 feet;
South 55°10'20" West, for a distance of 126.64 feet;

South 43°49'50" West, for a distance of 179.49 feet, being the most westerly corner of Lot 25R, Block A out of Amberwood Farms Phase Two, an addition to the Town of Prosper, as described in Doc. No. 2012-267 in said Plat Records and being in the north line of Lot 24R, Block A out of Amberwood Farms Phase Two, an addition to the Town of Prosper, as described in Vol. M, Pg. 3 in said Plat Records, and being in the south line of said 37.069 acre tract;

North 77°38'52" West, along the north line of said Lot 24R, Block A and the south line of said 37.069

acre tract, for a distance of 44.37 feet at the southwest corner of said 37.069 acre tract and the most westerly northwest corner of said Lot 24R, Block A same being in the east line of Gentle Creek Estates Phase I, an addition to the Town of Prosper, as described in Vol. M, Pg. 24 in the Plat Records of Collin County, Texas also being the intersection of another creek;

THENCE, North 26°37'34" West, along the east line of said Gentle Creek Estates Phase I and with said creek same being the west line of said 37.069 acre tract, for a distance of 230.46 feet;

THENCE, continuing along said east and west lines and with said creek for the following five (5) calls:
North 23°03'52" West, for a distance of 342.00 feet;
North 16°23'43" East, for a distance of 353.50 feet;
North 27°22'48" West, for a distance of 153.30 feet;
North 78°54'50" West, for a distance of 114.55 feet;
North 41°12'49" West, for a distance of 94.08 feet;

THENCE, North 64°23'48" East, departing said creek and said lines, for a distance of 496.02 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 36°49'03" West, for a distance of 65.32 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 350.00 feet, a central angle of 36°05'08";

THENCE, along said curve to the right for an arc distance of 220.43 feet (Chord Bearing North 18°46'29" West - 216.81 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, North 00°43'55" West, for a distance of 54.47 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 47°58'44" West, for a distance of 34.05 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 00°43'55" West, for a distance of 49.91 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the north line of said 37.069 acre tract and the south line of said F.M. 1461;

THENCE, North 89°16'05" East, along the north line of said 37.069 acre tract and the south line of said F.M. 1461, for a distance of 150.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 00°43'55" East, departing said north and south lines, for a distance of 40.23 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 44°16'05" West, for a distance of 35.36 feet, to a 1/2 inch iron rod set with a yellow

cap stamped "Corwin Eng. Inc.";

THENCE, South $00^{\circ}43'55''$ East, for a distance of 87.74 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left, having a radius of 250.00 feet, a central angle of $35^{\circ}05'08''$;

THENCE, along said curve to the left for an arc distance of 157.45 feet (Chord Bearing South $18^{\circ}46'29''$ East - 154.86 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the point of tangency;

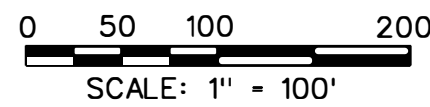
THENCE, South $36^{\circ}49'03''$ East, for a distance of 91.35 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 535.00 feet, a central angle of $23^{\circ}50'44''$;

THENCE, along said curve to the right for an arc distance of 222.66 feet (Chord Bearing South $24^{\circ}53'41''$ East - 221.05 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, South $12^{\circ}58'19''$ East, for a distance of 231.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

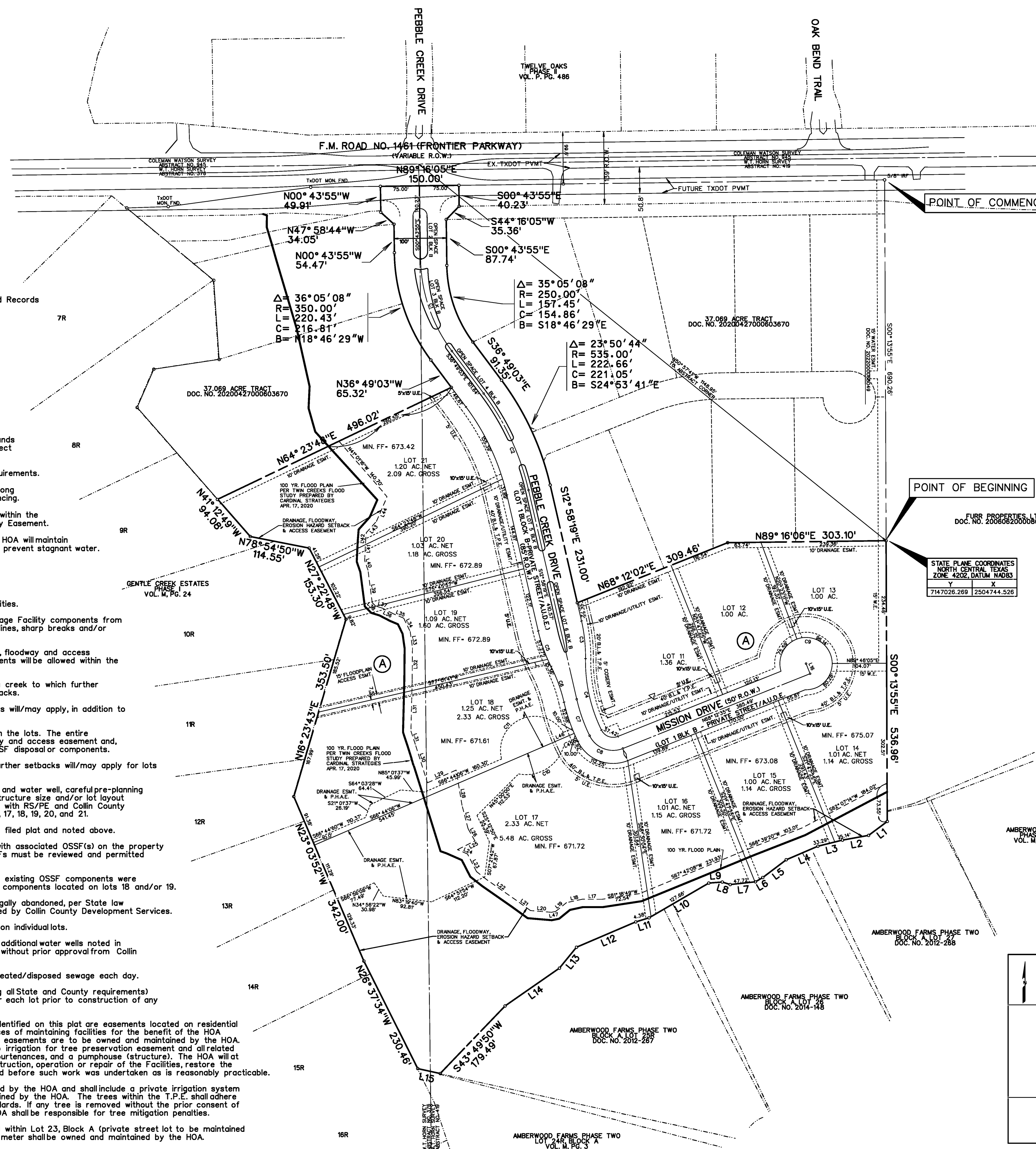
THENCE, North $68^{\circ}12'02''$ East, for a distance of 309.46 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North $89^{\circ}16'06''$ East, for a distance of 303.10 feet, to the POINT OF BEGINNING and containing 22.345 acres of land.



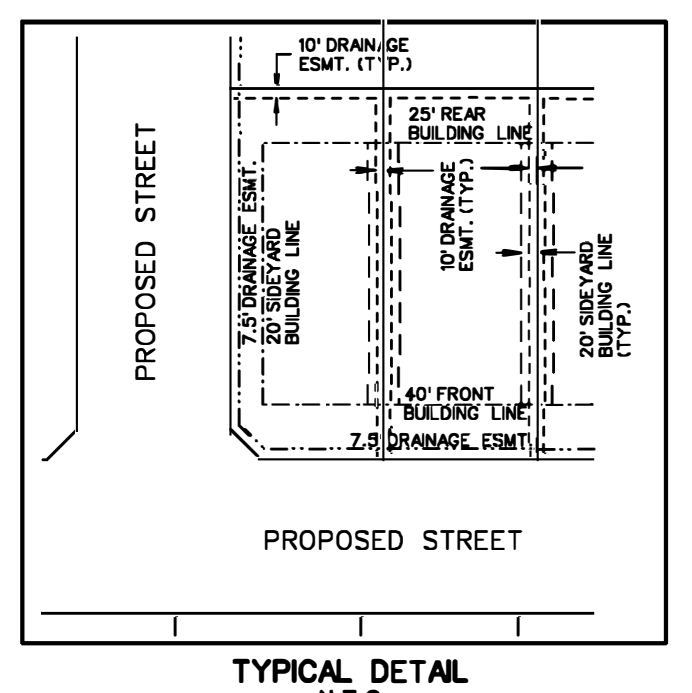
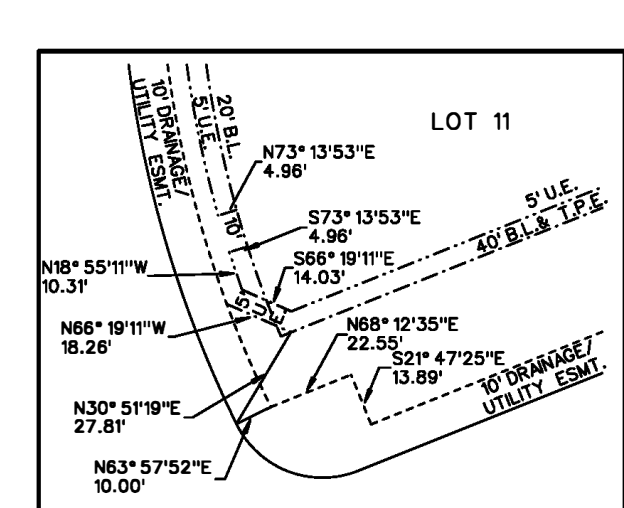
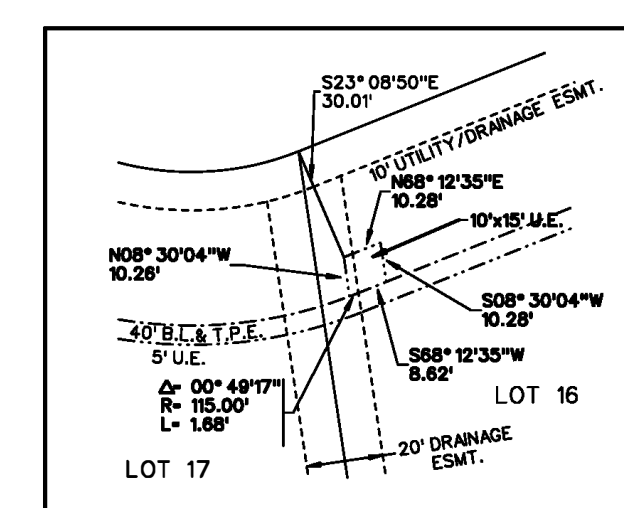
NOTES:

- Bearings are referenced to a 37.069 acre tract, as described in Doc No. 20200427000603670, in the Deed Records of Collin County, Texas.
- LEGEND**
 B.L. - Building Line
 T.P.E. - Tree Preservation Easement
 W.E. - Water Easement
 U.E. - Utility Easement
 A.U.D.E. - Access, Utility, Drainage Easement
 D.E. - Drainage Easement
 H.O.A. - Homeowners Association
 A.U.D.E. - Access, Utility, Drainage Easement
 P.H.A.E. - Private Homeowner's Association Easement
 † - Street Name Change
 Δ - Indicates front yard
- "Notice: Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utility and building permits".
- All development will comply with Town of Prosper PD-59 requirements.
- All lots with fencing backing or siding to open space lots along Frontier Parkway are required to have ornamental metal fencing.
- No structure including fencing, pools or similar are allowed within the erosion hazard setback easement or Drainage and Floodway Easement.
- Ponds, walls, spillways, etc. shall be maintained by the HOA. HOA will maintain a constant water level in the ponds with proper aeration to prevent stagnant water.
- OSSF notes:**
 All lots must utilize alternative type On-Site Sewage Facilities.
 Must maintain state-mandated setback of all On-Site Sewage Facility components from any/all easements and drainage areas, water distribution lines, sharp breaks and/or creeks/ponds, etc. (Per State regulations).
 Lots 14, 15, 16, 17, 18, 19, 20, and 21 all contain a drainage, floodway and access easement to which setbacks will apply. No OSSF components will be allowed within the easement.
 Lots 14, 15, 16, 17, 18, 19, 20, and 21 are all bordered by a creek to which further setback will/may apply, in addition to the easement setbacks.
 Lots 17 and 18 contain a pond to which further setbacks will/may apply, in addition to the easement setbacks.
 Lots 14, 15, 16, 17, 18, 19, 20, and 21 all have flood plain on the lots. The entire flood plain area on each lot is under a drainage, floodway and access easement and, therefore, the flood plain area is not to be used for OSSF disposal or components.
 Lot 17 and 18 contains an existing water well to which further setbacks will/may apply for lots 17 and 18.
 Due to setbacks required for the easement, creek pond and water well, careful pre-planning will be required on lots 14, 15, 16, 17, 18, 19, 20, and 21. Structure size and/or lot layout may be limited due to setbacks. A pre-planning meeting with RS/P&E and Collin County Development Services is recommended for lots 14, 15, 16, 17, 18, 19, 20, and 21.
 There are no easements other than those shown on the filed plat and noted above.
 There were no permitted/approved existing structures with associated OSSF(s) on the property at the time of approval. Any existing structures or OSSFs must be reviewed and permitted by Collin County Development Services prior to any use.
 There was a structure/dwelling removed from lot 19. No existing OSSF components were located. It is possible that there could be existing OSSF components located on lots 18 and/or 19.
 If existing tanks are located on any lot, they must be legally abandoned, per State law (TAC 30, Chapter 285.36), and the abandonment inspected by Collin County Development Services.
 Tree removal and/or grading for OSSF may be required on individual lots.
 Other than an existing water well on lot 17, there are no additional water wells noted in this subdivision and no additional water wells are allowed without prior approval from Collin County Development Services.
 Each lot is limited to a maximum of 5,000 gallons of treated/discharged sewage each day.
 Individual site evaluations and OSSF design plans (meeting all State and County requirements) must be submitted to and approved by Collin County for each lot prior to construction of any OSSF system.
- The Private Homeowner's Association Easement (P.H.A.E.) identified on this plat are easements located on residential lots dedicated to the Homeowner's Association for purposes of maintaining facilities for the benefit of the HOA and not individual residential lots. The facilities within these easements are to be owned and maintained by the HOA. Facilities allowed within these easements are restricted to irrigation for tree preservation easement and all related appurtenances, a water well, a pond pump and related appurtenances, and a pump house (structure). The HOA will at all times after doing any work in connection with the construction, operation or repair of the Facilities, restore the surface to as close as the condition in which it was found before such work was undertaken as is reasonably practicable.
- The Tree Preservation Easement (T.P.E.) shall be maintained by the HOA and shall include a private irrigation system across residential lots that shall also be owned and maintained by the HOA. The trees within the T.P.E. shall adhere to all tree mitigation conditions per Town of Prosper standards. If any tree is removed without the prior consent of the Town's Parks and Recreation Dept, the Twin Creek HOA shall be responsible for tree mitigation penalties.
- Electrical meter to serve HOA improvements shall be placed within Lot 23, Block A (private street lot to be maintained by HOA) for purpose of entry gate facilities. The electrical meter shall be owned and maintained by the HOA.
- The retaining walls, fencing and all other permitted pond structures & appurtenances associated with the drainage ponds located on lots 17 and 18, Block A and located within a P.H.A.E. are to be owned and maintained by the HOA.



CURVE TABLE				
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD
1.	36°05'08"	300.00'	188.94'	185.84'
2.	23°50'44"	492.50'	204.97'	203.49'
3.	13°52'20"	300.00'	72.63'	72.46'
4.	26°56'09"	300.00'	141.04'	139.74'
5.	13°52'20"	300.00'	72.63'	72.46'
6.	13°52'20"	300.00'	72.63'	72.46'
7.	13°03'49"	325.00'	74.10'	73.94'
8.	85°45'16"	50.00'	50.00'	74.83'
9.	71°13'05"	50.00'	252.01'	58.23'
10.	89°18'50"	75.00'	116.91'	105.43'
11.	162°57'29"	65.00'	184.87'	128.57'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
1.	S 53°14'00" W	44.60'
2.	S 79°46'30" W	50.68'
3.	S 76°03'52" W	48.43'
4.	S 66°43'35" W	65.94'
5.	S 52°56'05" W	56.06'
6.	S 59°44'12" W	16.26'
7.	S 83°48'03" W	48.69'
8.	N 72°39'13" W	15.86'
9.	S 85°35'54" W	25.86'
10.	S 59°49'09" W	132.04'
11.	S 73°47'45" W	26.54'
12.	S 66°51'25" W	123.30'
13.	S 39°13'28" W	51.61'
14.	S 55°10'20" W	126.64'
15.	N 77°38'52" W	44.37'
16.	S 21°47'25" E	20.83'
17.	N 89°46'25" W	37.91'
18.	S 71°58'29" W	30.82'
19.	S 50°47'57" W	26.80'
20.	N 85°11'04" W	40.11'
21.	N 54°08'30" W	32.87'
22.	S 55°05'17" W	65.03'
23.	N 27°11'18" W	37.84'
24.	N 66°18'34" W	20.98'
25.	N 63°51'05" E	36.22'
26.	N 29°25'39" W	27.06'
27.	N 14°27'34" W	46.02'
28.	N 09°32'00" W	68.29'
29.	S 68°07'28" W	24.06'
30.	N 17°27'50" W	74.34'
31.	N 18°16'38" W	29.49'
32.	N 01°30'24" E	37.32'
33.	N 07°58'11" W	31.62'
34.	N 25°50'23" W	28.50'
35.	N 67°13'03" W	21.15'
36.	N 62°47'02" W	24.06'
37.	N 72°53'50" W	13.71'
38.	N 45°00'00" W	8.75'
39.	N 07°21'53" W	49.75'
40.	N 19°12'46" W	19.36'
41.	N 02°41'02" E	34.84'
42.	N 04°17'21" W	18.43'
43.	N 41°59'14" E	29.19'
44.	N 23°35'13" E	51.52'
45.	S 66°44'06" W	24.75'
46.	S 66°44'06" W	18.40'
47.	S 78°59'57" W	8.34'



POINT OF BEGINNING

STATE PLANE COORDINATES
 NORTH CENTRAL TEXAS
 ZONE 4202 DATUM NAD83
 Y X
 7147026.269 2504744.528

NOTE: THE PURPOSE OF THIS AMENDING PLAT IS TO ADD THE MISSING BOUNDARY DIMENSION ON LOT 17.

EXHIBIT A-2
 CASE NO. D22-0073
 AMENDING PLAT
**TWIN CREEKS RANCH
 PHASE I**
 11 TOTAL SINGLE FAMILY LOTS
 1 PRIVATE STREET LOT
 22.345 TOTAL ACRES
 2.874 TOTAL R.O.W. DEDICATION

OUT OF THE
 W.T. HORN SURVEY, ABSTRACT NO. 376
 W.T. HORN SURVEY, ABSTRACT NO. 419
 IN THE
 TOWN OF PROSPER
 COLLIN COUNTY, TEXAS
OWNERS
 CHRISTOPHER & SARAH HEASLIP
 1740 PARKWOOD DRIVE
 PROSPER, TEXAS 75078
DILLON LIVING TRUST
 3412 TWIN LAKES DRIVE
 PROSPER, TEXAS 75078

TWIN CREEKS PROSPER, LLC.
 12400 PRESTON RD., STE. 100
 FRISCO, TEXAS 75033
PREPARED BY
CORWIN ENGINEERING, INC.
 200 W. BELMONT, SUITE E
 ALLEN, TEXAS 75013
 972-396-1200
 WARREN CORWIN

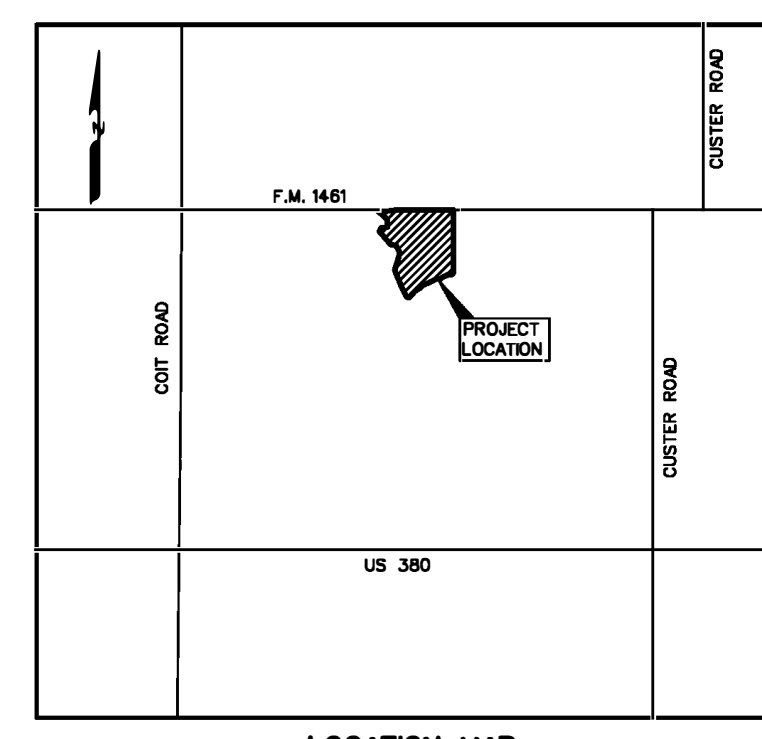


Exhibit B – Statement of Intent and Purpose

Purpose

Twin Creeks Prosper, LLC is submitting an application for a PD Amendment regarding the location of the screen wall at its location at 1120 E. Frontier Parkway, Prosper, TX 75078.

Justification

The screen wall was located on the TXDOT ROW instead of on private property on the southern edge of the Landscape Buffer. The screen wall is ~1,500’ long and is ~85% complete. In meetings with the Town of Prosper it was indicated that it may be possible to get a PD Amendment that would allow the screen wall to remain in place.

The Town of Prosper, in its ordinance, desires to create landscape buffers in front of screen walls to enhance visual appeal and reduce road noise for residents. Twin Creeks Prosper, LLC, believes that despite the incorrect location of the screen wall, that the goals for both visual appeal and noise reduction can be achieved by placing landscaping to cover the masonry portion of the wall and provide a berm with additional landscaping behind the wall within the landscape buffer.

The table below lists distances from currently existing screen walls or private fences to the existing road edge along FM 1461 between Preston Rd and N. Custer Rd (column a). In front of Twin Creeks, the expanded road edge will extend 50’ beyond the current road edge (column b) according to existing TXDOT plans (see Exhibit D). The distance from the expanded road edge to the screen wall in front of Twin Creeks will be 20’-30’ (column c). The distances shown for other developments are indicative and assume the same 50’ expansion from the existing road edge to the new road edge.

Subdivisions Between Preston and Custer on FM 1461	Distance from Existing Roadway Edge To				Distance from New Road Edge to Wall/Fence c
	Existing Wall/Fence a	New Road Edge*			
		b	=	c	
Frontier Estates	91'	-	50'	=	41'
Highland Meadows	60'	-	50'	=	10'
Gentle Creek Estates	93'	-	50'	=	43'
Amberwood Farms	58'	-	50'	=	08'
Twin Creeks Ranch East	70'	-	50'	=	20'
Twin Creeks Ranch West	80'	-	50'	=	30'

*From Corwin Engineering using TXDOT information (see Exhibit D)

Twin Creeks Prosper, LLC believes concerns regarding visual uniformity between Preston Road and N. Custer Road on FM 1461 post expansion are mitigated by the following:

- After the TXDOT expansion it seems there will be significant variability in setbacks to screen walls and private fences along FM 1461 between Preston Road and N. Custer Road.

- Twin Creeks Ranch is not contiguous on the road frontage of FM 1461 with any existing developments.
- Leaving Twin Creeks Prosper's screen wall in its existing location, with the proposed landscaping plan, will not create unpleasing visual or functional differences.

Site Plan Request

- The acreage of the subject property is 39.593 acres.
- The location of the property is: tract of land situated in the W.T. Horn Survey, Abstract No. 379, and the W.T. Horn Survey, Abstract No. 419, being all of a 39.593-acre tract, as described in Doc. No. 20200427000603670, in the Deed Records of Collin County, Texas. The plat in Exhibit A-1 and Metes and Bounds in Exhibit A-2.

ZONE-24-0011

Exhibit "C"

Development Standards

This tract shall develop under the regulations of Ordinance No. 12-35 (Planned Development-59) as it exists or may be amended with the following amendments:

1.0 Landscaping

1.1 The landscaping requirements within this Planned Development District are represented in Exhibit D and as follows:

- The required landscape buffer is permitted to be behind the screening wall adjacent to Frontier Parkway.
- Landscaping will be provided along the masonry portion of the screening wall facing Frontier Parkway.
- A berm with additional landscaping will be provided behind the screening wall.

2.0 Maintenance

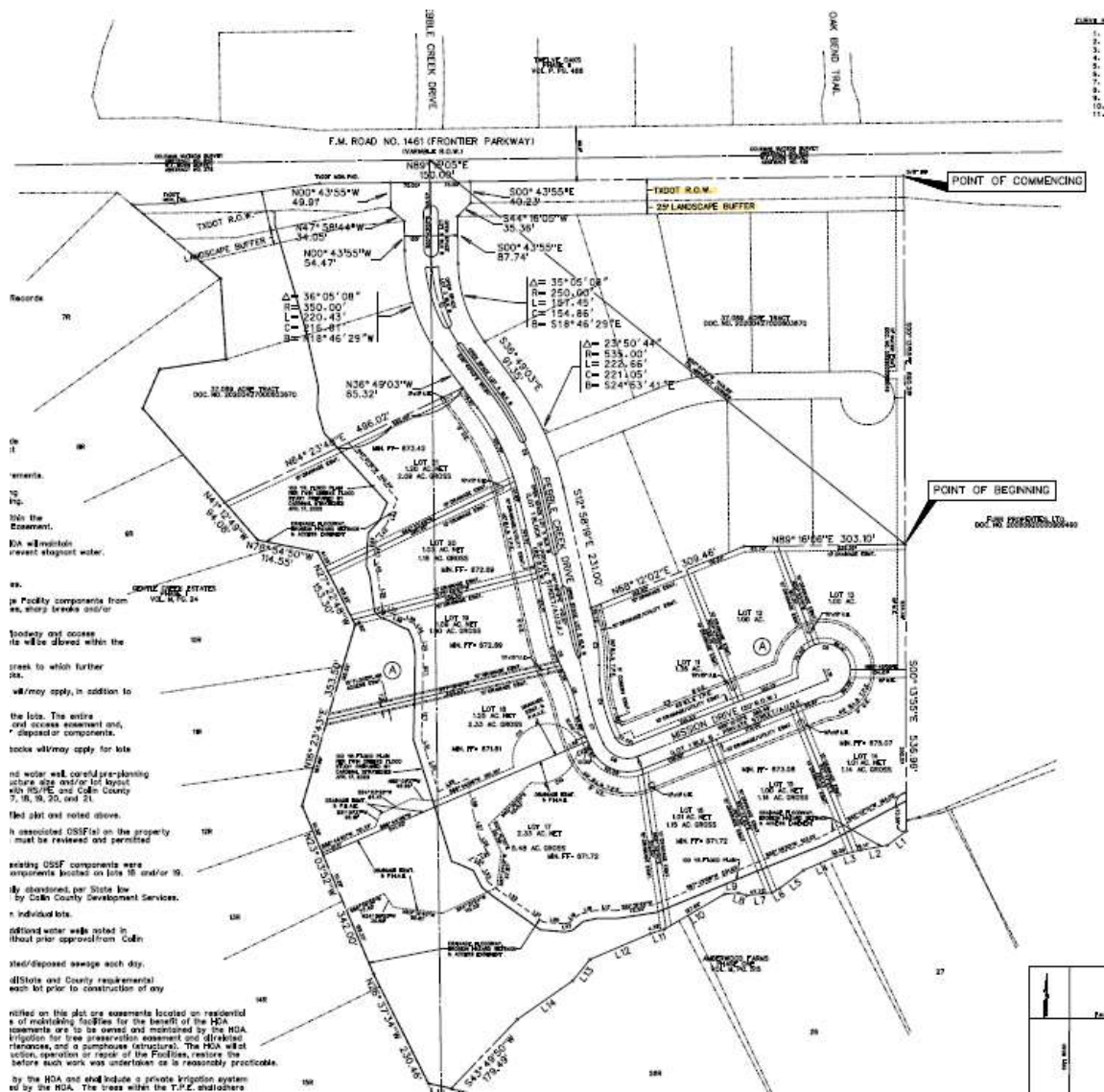
2.1 The maintenance standards within this Planned Development District are as follows:

- The Homeowner's Association for the subdivision will be responsible for the maintenance of the landscaping and screening wall.

Exhibit D – Conceptual Plan

Twin Creeks Prosper, LLC submits the following conceptual plan in support of its PD Amendment Application.

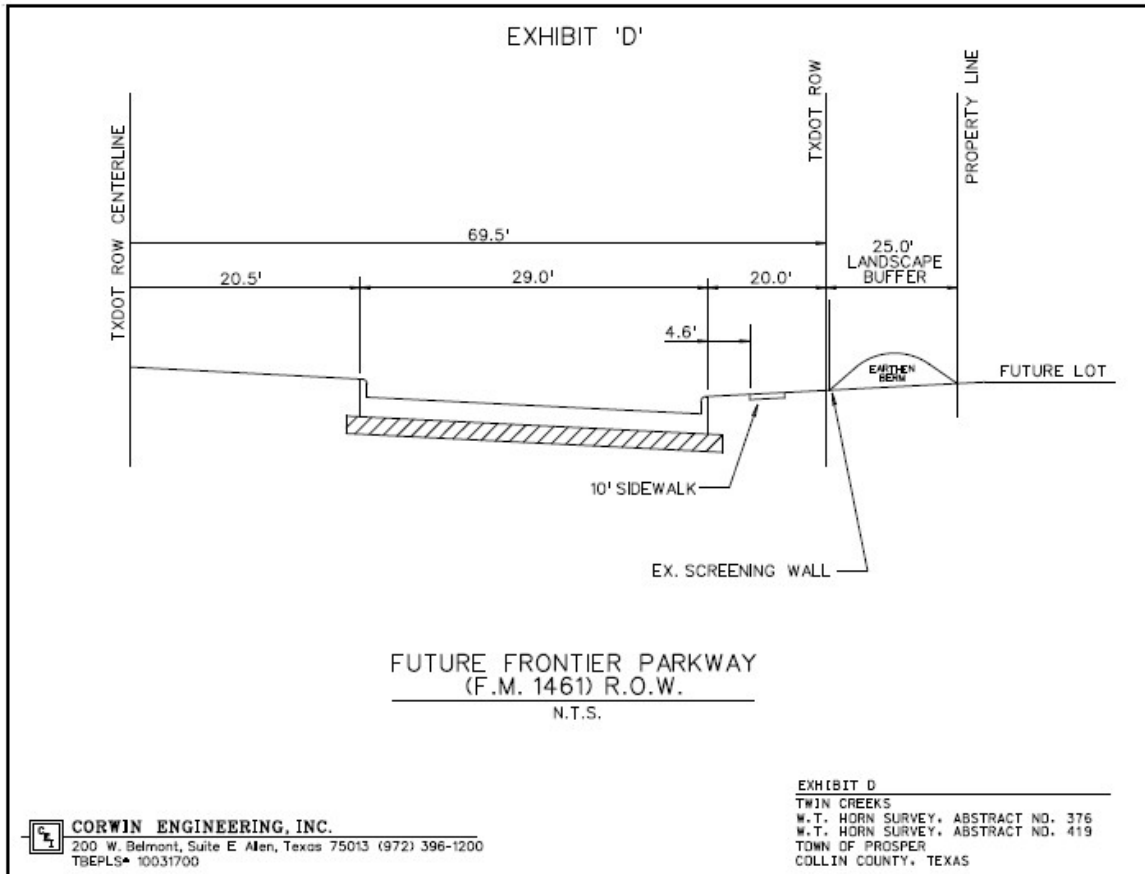
The screen wall is currently placed just outside the TXDOT ROW. Twin Creeks Prosper, LLC proposes leaving the screen wall in its current location with a landscaped hedge within the TXDOT ROW which will be installed and maintained by Twin Creeks Ranch Residential Community, Inc (HOA). A section of the plat with the TXDOT ROW and the Landscape Buffer highlighted as well as a proposed cross section of the current road, TXDOT ROW, location of the screen wall, and landscape buffer is shown below.



TXDOT has indicated a willingness to work with the Town of Prosper to allow for landscaping immediately in front of the screen wall withing the ROW. Twin Creeks Prosper will provide funds in escrow to underwrite the cost of placing the landscaping and will be responsible for upkeep.

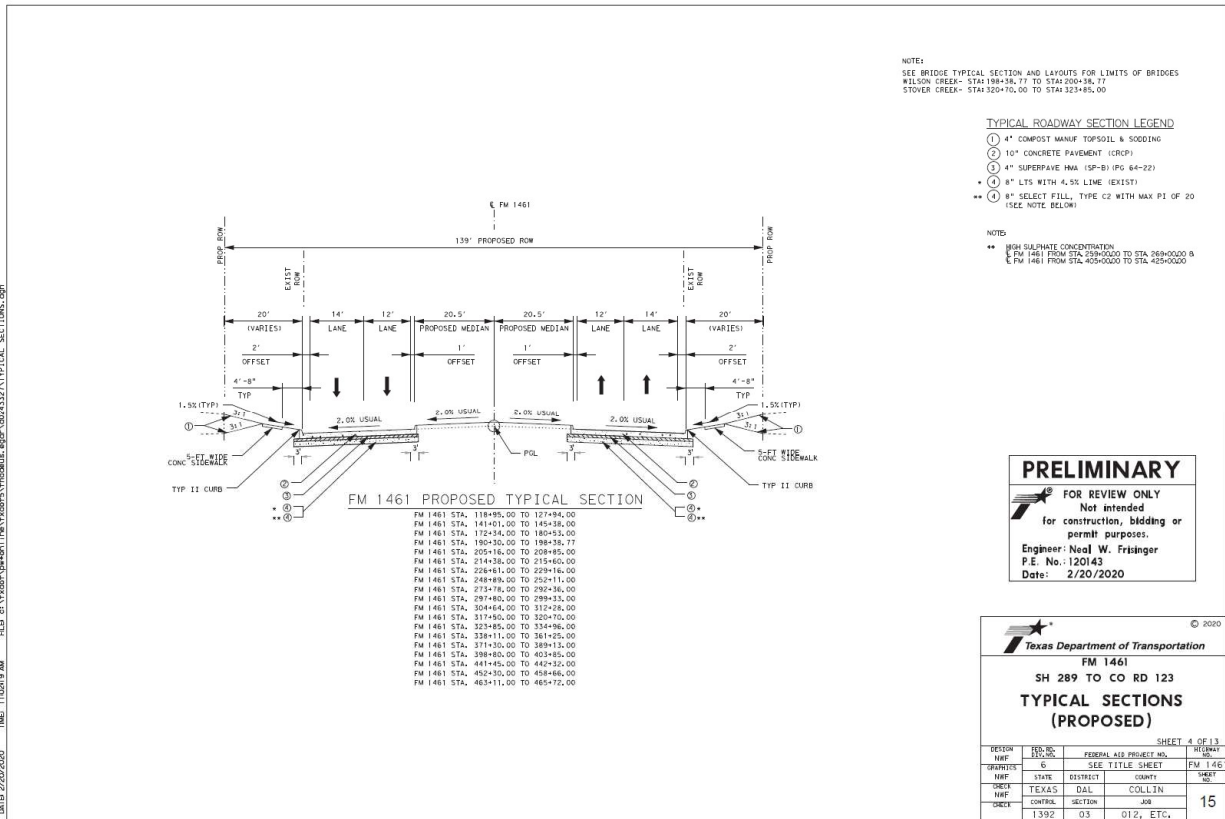
The area between the screen wall and the berm in the Landscape Buffer will drain via weep holes already existing in the screen wall.

The berm will be maintained by the HOA and the HOA will have access.

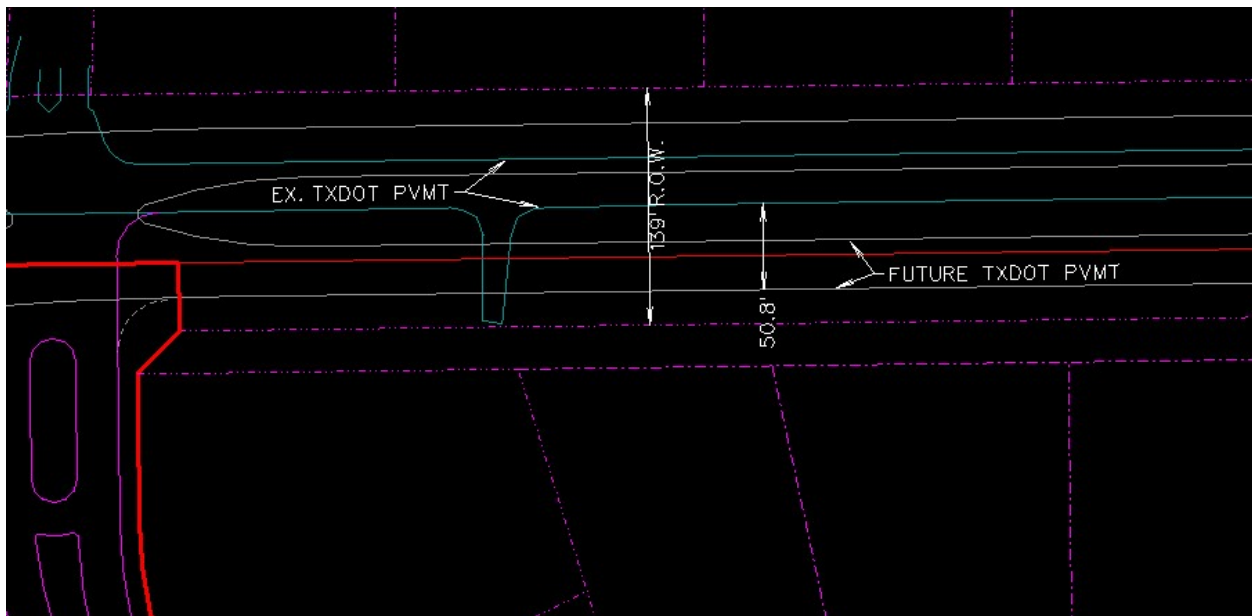


Above is the cross section from the TXDOT plans for the section of the expanded roadway in front of Twin Creeks.

Full TXDOT crosssection.



Below is a screenshot from the TXDOT plans for the future roadway in front of Twin Creeks showing the distance from the existing roadway edge to the future roadway edge.



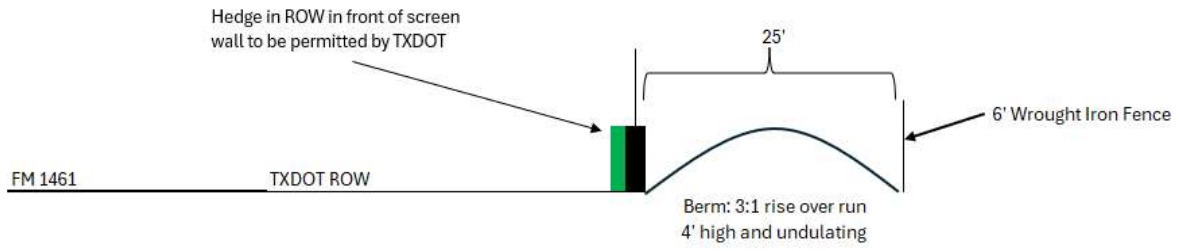


Exhibit E – Development Schedule

Assuming the PD Amendment is approved, and the screen wall remains in its current location, the following Development Schedule is contemplated.

3 Months Post Approval

Twin Creeks Prosper, LLC will complete the screen wall (construction of the screen wall was halted due to concern over the location).

Widening of FM 1461 Complete – Apply for and Secure TXDOT Landscaping Permit

When the widening of FM 1461 is complete, Twin Creeks Ranch Residential Community, Inc (HOA), will work with the Town of Prosper to apply for and secure a permit from TXDOT to enable the placement of the landscape hedge in front of the screen wall within the TXDOT ROW. The timing of the permit application will be dependent on the completion of FM 1461.

Widening of FM 1461 Complete – Installation of Permitted Landscaping

Permits issued by TXDOT require that work begin within 6 months of the permit issue date, with no requirement date for completion. Once the widening of FM 1461 is complete, and a permit secured, Twin Creeks Ranch Residential Community, Inc. (HOA), will install the landscaping within two months of the permit issue date.

Exhibit F – Elevations

Below are two renderings of what the finished result will be. One is an elevation, and the other is a bird's eye view showing the landscape buffer behind the wall with berm and landscaping to help with noise reduction.





Exhibit G – Landscape Plan

Below are two renderings of what the finished result will be. One is an elevation, and the other is a bird's eye view showing the landscape buffer behind the wall with berm and landscaping to help with noise reduction.





