



AGENDA
Planning and Zoning Commission
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, February 21, 2023
6:00 PM

Welcome to the Prosper Planning & Zoning Commission Meeting.

Citizens may watch the meeting live by using the following link:
<https://prospertx.new.swagit.com/views/378/>

Addressing the Planning & Zoning Commission:

Those wishing to address the Planning and 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 and Zoning Commission meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the Town Council 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 Town Council during that session of the Town Council. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

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 address the Commission when the item is considered by the Planning & Zoning Commission.

1. **Call to Order / Roll Call.**
2. **Pledge of Allegiance and Pledge to the Texas Flag.**

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. 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 February 7, 2023, Planning & Zoning Commission meeting.
- 3b.** Consider and act upon a Preliminary Plat for Rutherford Creek, on 286 Residential Lots and 23 HOA/open space lots, on 169.8± acres, located north of University Drive and west of Custer Road. The property is zoned Planned Development-114 (PD-114). (D22-0036).
- 3c.** Consider and act upon a Replat for Prosper Business Park, Block B, Lot 10X, on 1.0± acres, located on the north side of Scarlet Drive and east of Legacy Drive. The property is zoned Planned Development-65 (PD-65). (DEVAPP-23-0018).

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 and 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 and Zoning Commission.

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

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, February 17, 2023, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, Town Secretary

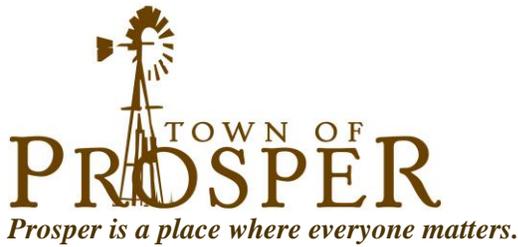
Date Notice Removed

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) 569-1011 at least 48 hours prior to the meeting time.



1. Call to Order / Roll Call

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

Commissioners Present: Chair Brandon Daniel, Vice-Chair Sarah Peterson, Secretary Michael Pettis, Doug Charles, Sekou Harris, Tommy VanWolfe

Staff Present: David Soto, Planning Manager; Paul Rodriguez, Senior Planner; Doug Braches, Planning Technician; Dan Heischman, Asst. Director of Engineering Services-Development

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

3a. Consider and act upon the minutes from the January 17, 2023, Planning & Zoning Commission Regular meeting.

Motioned by VanWolfe, seconded by Charles, to approve the Consent Agenda, Motion approved 6-0.

CITIZEN COMMENTS

REGULAR AGENDA

4. Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-94 (PD-94), for the Westside Development, on 63.7± acres, located northside of University Drive and east of FM1385. (Z22-0020)

David Soto (Staff): Presented exhibit information.

David Bond, Steve Cross, Risa Yuki (Applicants): Presented information on the case.

Commissioners asked general questions regarding Façade plan of building, loading bay hours of operations, general business practices of Costco and general development timeline.

Dan Heischman (Staff): Presented information regarding infrastructure and timeline of US 380 and FM 1385 construction and expansion.

Chair Daniel opened the Public Hearing.

Katherine Ashley (Citizen): Expressed concerns regarding screening between the multi-family section and single family subdivision to the north.

James Dunbar (Citizen): Expressed concerns regarding screening between multi-family section and single family subdivision to the north. Asked for the possibility of extended masonry wall through the northern boundary of the Planned Development.

Donald Grockly (Citizen): Expressed general support regarding the planned development. Expressed concern regarding masonry wall screen not being extended along the multi-family aspect of the planned development.

There being no additional speakers, Chair Daniel closed the Public Hearing.

Commissioners expressed general regarding the proposed screening between the multi-family district and the single family subdivision to the north.

Commissioner VanWolfe expressed concerns regarding noise and light pollution between the multi-family district and the single family subdivision to the north.

Motion by Charles, seconded by Pettis to approve Item 4, subject to the extension of the masonry screening wall through the multi-family district of the Planned Development. Motion was approved 6-0.

5. Conduct a Public Hearing, and consider and act upon a request to rezone 34.7± acres from Commercial Corridor District (CC) to a new Planned Development for Mixed Use, located northside of Prosper Trail and west of Dallas Parkway. (Z22-0019)

David Soto (Staff): Presented exhibit information.

Commissioners asked questions to clarify staff concerns regarding Item 5.

Commissioners asked questions regarding Fire and building height. Additionally asked to clarify density of the proposed multifamily portion.

Nolan Bradshaw (Applicant): Presented information on the case.

Commissioners asked questions regarding development timeline, project phasing, number of proposed multi-family units, financial feasibility of rent, permitted uses and type of proposed hotel portion.

Chair Daniel opened the Public Hearing.

Barbara Nugent (Citizen): Expressed concerns regarding height of multi-family buildings and office buildings as well as the intensity of the proposed uses.

There being no additional speakers, Chair Daniel closed the Public Hearing.

Commissioners expressed general support for Item 5 in regards of the quality, its uses the economic benefits provided to the Town of Prosper. Commissioners stated Item 5 will set the tone for future development of DNT District.

Commissioners discussed potential additions of development triggers for Item 5.

Nolan Bradshaw (Applicant): Described economic benefit of Item 5 and the benefit of development without having development triggers implemented.

Motion by Pettis, seconded by Charles to approve Item 5 as presented. Motion approved 6-0.

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

David Soto (Staff): Presented Town Council results on previous items.

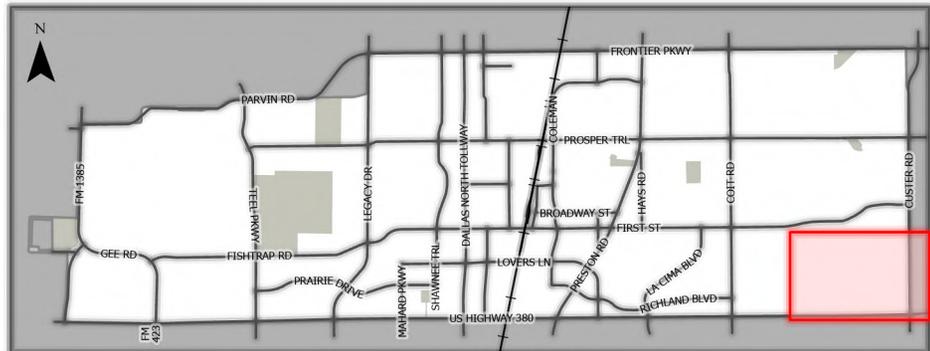
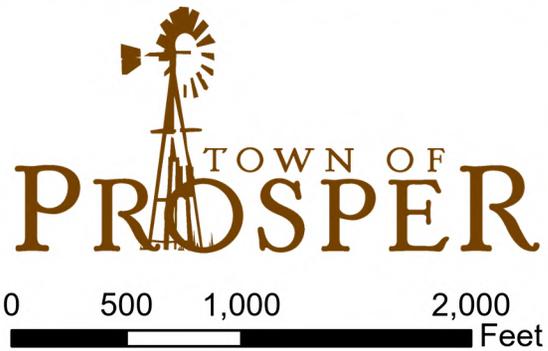
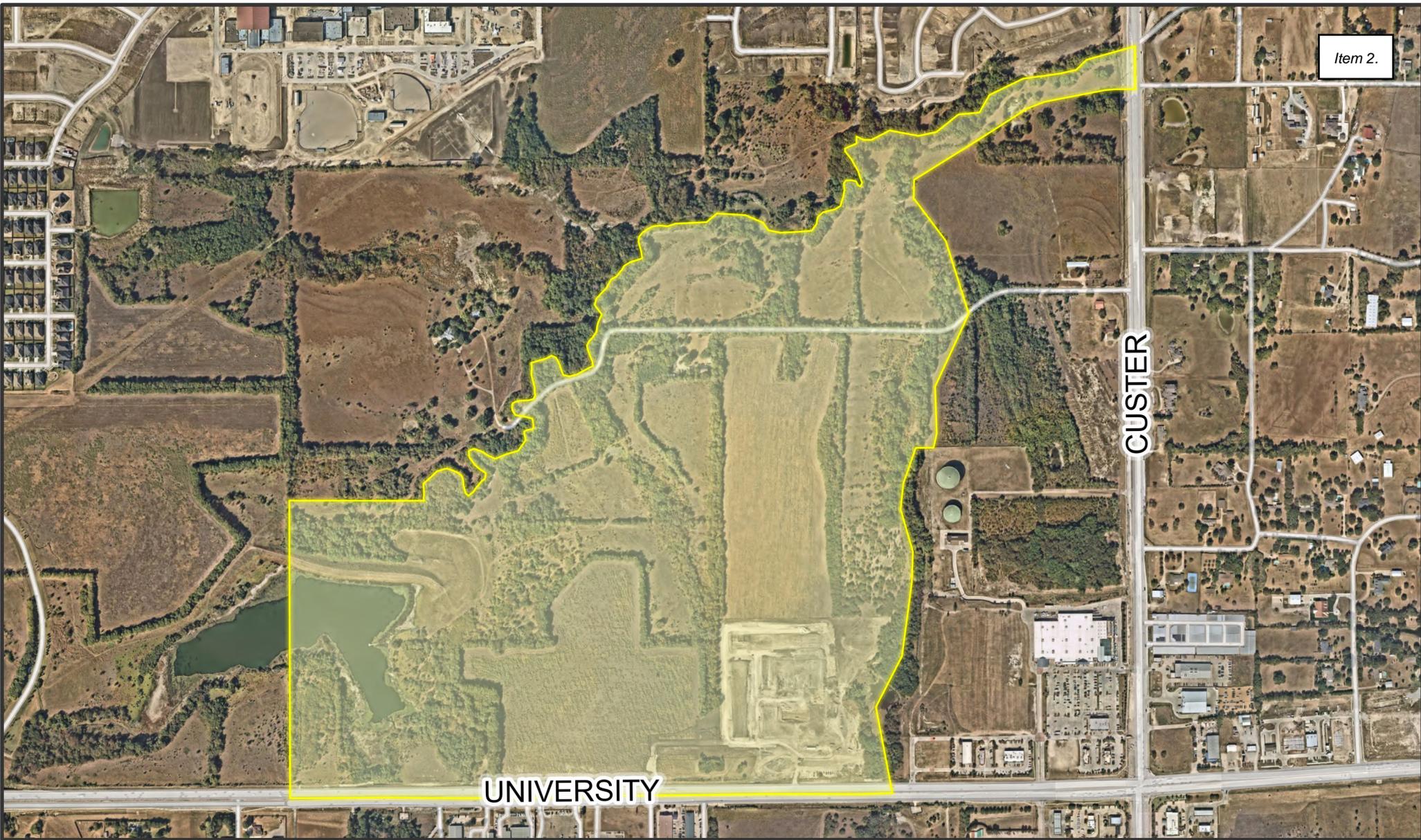
7. Adjourn.

Motioned by VanWolfe, seconded by Charles to adjourn. Motion approved 6-0 at 8:34 p.m.

Doug Braches, Planning Technician

Michael Pettis, Secretary

Item 2.



D22-0036

Rutherford Creek

Preliminary Plat

This map for illustration purposes only



PLANNING

To: Planning & Zoning Commission

Item No. 3b

From: Paul Rodriguez, Senior Planner

Through: David Soto, Planning Manager

Re: Planning & Zoning Commission Meeting – February 21, 2023

Agenda Item:

Consider and act upon a Preliminary Plat for Rutherford Creek, on 286 Residential Lots and 23 HOA/open space lots, on 169.8± acres, located north of University Drive and west of Custer Road. The property is zoned Planned Development-114 (PD-114). (D22-0036).

Description of Agenda Item:

The Preliminary Plat shows 286 single family residential lots and 23 HOA/open space lots. Access is provided from Rutherford Creek Drive & County Rd 933. The Preliminary Plat conforms to Planned Development-114 (PD-114) development standards.

Attached Documents:

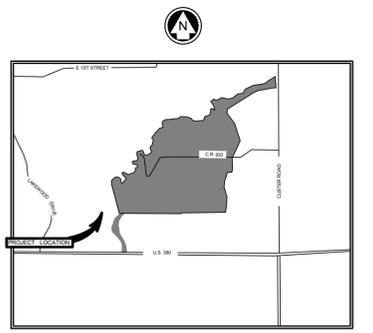
1. Location Map
2. Preliminary Plat

Staff Recommendation:

Staff recommends approval of the Preliminary Plat subject to:

1. Staff approval of all additions and/or alterations to the easements and dedications on the Preliminary Plat, including hike and bike trail easements on open space lots.
2. Staff approval of all preliminary water, sewer, and drainage plans.

VICINITY MAP
N.T.S.



SCALE: 1" = 100'

LEGEND

- PROPERTY LINE
- PHASE BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- 100YR FP
- 100' YR FLOODPLAIN BOUNDARY

NOTES:

1. NO LOTS WILL BE SERVED BY SEPTIC SYSTEM.
2. THIS PROPERTY FALLS IN ZONE A, ACCORDING TO THE FLOOD INSURANCE RATE MAPS, PANEL NO. 48085C0255J MAP REVISION 16-06-4255P, EFFECTIVE MAY 25, 2017.
3. ALL R-O-W CLIPS TO BE 10'X10', EXCEPT ALONG US HWY 380 AND CUSTER ROAD WHERE THEY SHALL BE 25'X25'.
4. 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.
5. SUBDIVISION DISTRICT STANDARDS WILL BE PER PD-114 WITH A BASE ZONING OF SF-10
6. TRACTS 1X THROUGH 31X ARE TO BE OWNED AND MAINTAINED BY THE HOA
7. ULTIMATE FLOODPLAIN PROVIDED IS PRELIMINARY AND IS SUBJECT TO CHANGE. A DAM BREACH ANALYSIS AND FLOOD STUDY WILL BE PROVIDED AT TIME OF FINAL PLAT.
8. FENCES ADJACENT TO PUBLIC OR PRIVATE OPEN SPACE, PUBLIC OR PRIVATE PARKS, OR HIKE AND BIKE TRAILS SHALL BE ORNAMENTAL METAL, TUBULAR STEEL OR SPLIT RAIL WITH A MINIMUM 50 PERCENT THROUGH VISION SEC. 3.19.001(10)'

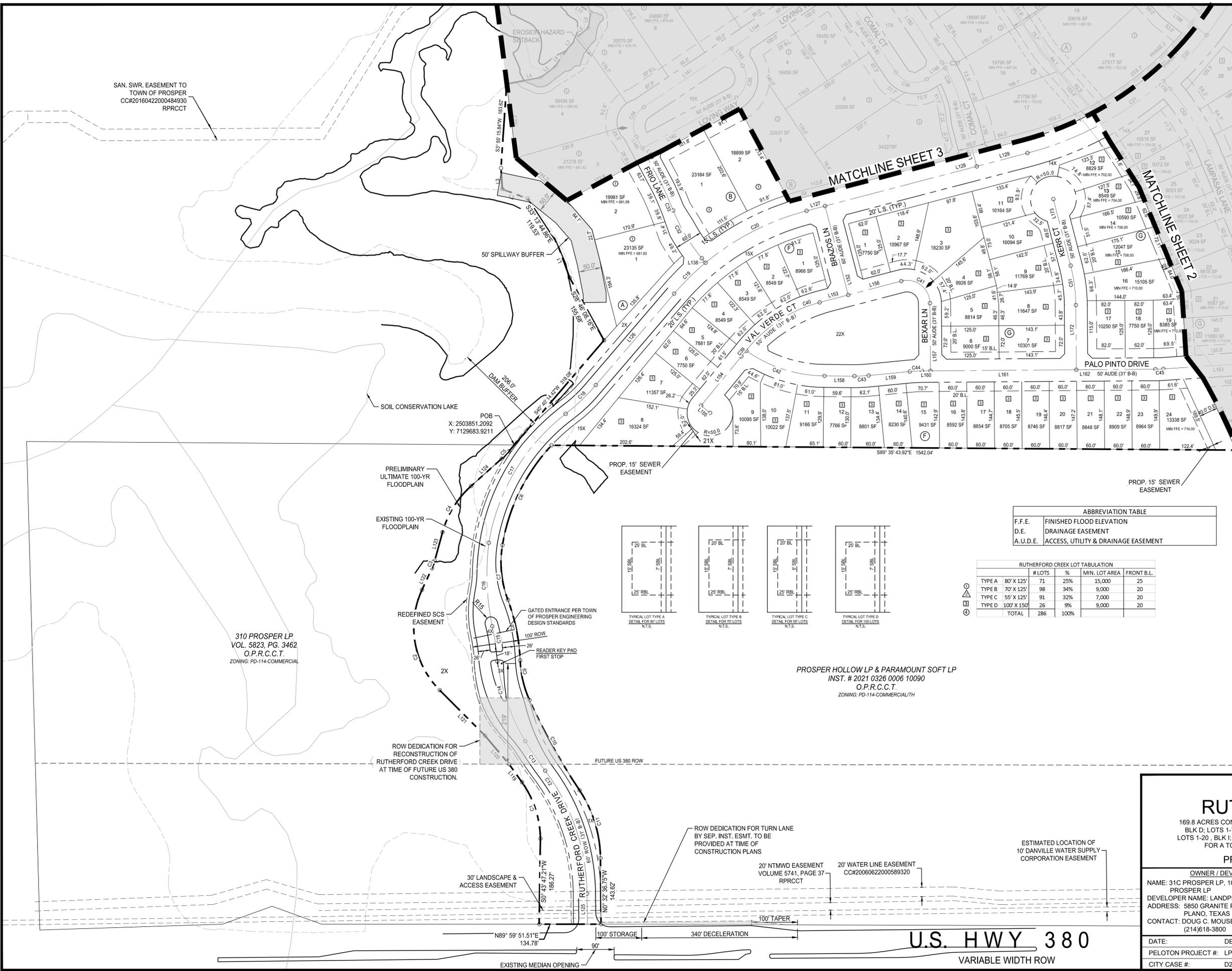


KEY MAP
N.T.S.

SAN. SWR. EASEMENT TO TOWN OF PROSPER
CC#20160422000484930
RPRCCT

MATCHLINE SHEET 3

MATCHLINE SHEET 2



310 PROSPER LP
VOL. 5823, PG. 3462
O.P.R.C.C.T.
ZONING: PD-114-COMMERCIAL

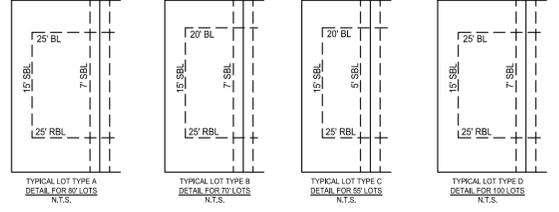
PROSPER HOLLOW LP & PARAMOUNT SOFT LP
INST. # 2021 0326 0006 10090
O.P.R.C.C.T.
ZONING: PD-114-COMMERCIAL/TH

ABBREVIATION TABLE

F.F.E.	FINISHED FLOOD ELEVATION
D.E.	DRAINAGE EASEMENT
A.U.D.E.	ACCESS, UTILITY & DRAINAGE EASEMENT

RUTHERFORD CREEK LOT TABULATION

TYPE	# LOTS	%	MIN. LOT AREA	FRONT B.L.	
TYPE A	80' X 125'	71	25%	15,000	25
TYPE B	70' X 125'	98	34%	9,000	20
TYPE C	55' X 125'	91	32%	7,000	20
TYPE D	100' X 150'	26	9%	9,000	20
TOTAL	286	100%			



A PRELIMINARY PLAT FOR
RUTHERFORD CREEK
169.8 ACRES CONTAINING, BLK A; LOTS 1-40, BLK B; LOTS 1-7, BLK C; LOTS 1-10, BLK D; LOTS 1-7, BLK E; LOTS 1-7, BLK F; LOTS 1-90, BLK G; LOTS 1-47, BLK H; LOTS 1-20, BLK I; LOTS 1-10, BLK J; LOTS 1-17, BLK K; LOTS 1-17, BLK L. LOTS 1-14 FOR A TOTAL OF 286 RESIDENTIAL LOTS AND 23 COMMON LOTS.

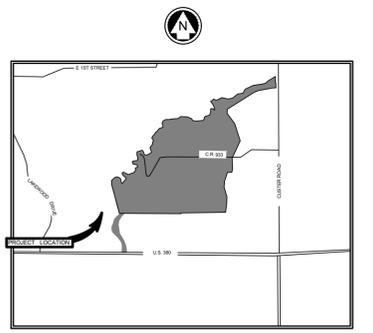
PROSPER, COLLIN COUNTY, TEXAS

OWNER / DEVELOPER		PLANNER / ENGINEER / SURVEYOR	
NAME: 31C PROSPER LP, 104 PROSPER LP & 55 PROSPER LP		 PELTON LAND SOLUTIONS TEXAS REGISTRATION ENGINEERING FIRM NO. 12207 11000 FRISCO STREET, SUITE 400, FRISCO, TEXAS 75033 FRISCO OFFICE PHONE: (469) 213-1800	
DEVELOPER NAME: LANDPLAN DEVELOPMENT			
ADDRESS: 5850 GRANITE PKWY, STE. 100 PLANO, TEXAS 75024			
CONTACT: DOUG C. MOUSEL (214)618-3800		DATE: DECEMBER 2022	DESIGNED: DAK SHEET
CITY CASE #: D22-0036		PELTON PROJECT #: LPD22001	DRAWN: SHG
		CITY CASE #: D22-0036	REVIEWER: GSB

1 OF 6

Drawing: J:\Jobs\2022\1_rutherford_creek\03_entirements\02_preliminary\plat\PD22001_C-PLAT.dwg
Last Saved: 2/20/2023 4:43 PM
Plot Date/Time: 2/20/2023 10:17 AM

VICINITY MAP
N.T.S.



SCALE: 1" = 100'

LEGEND

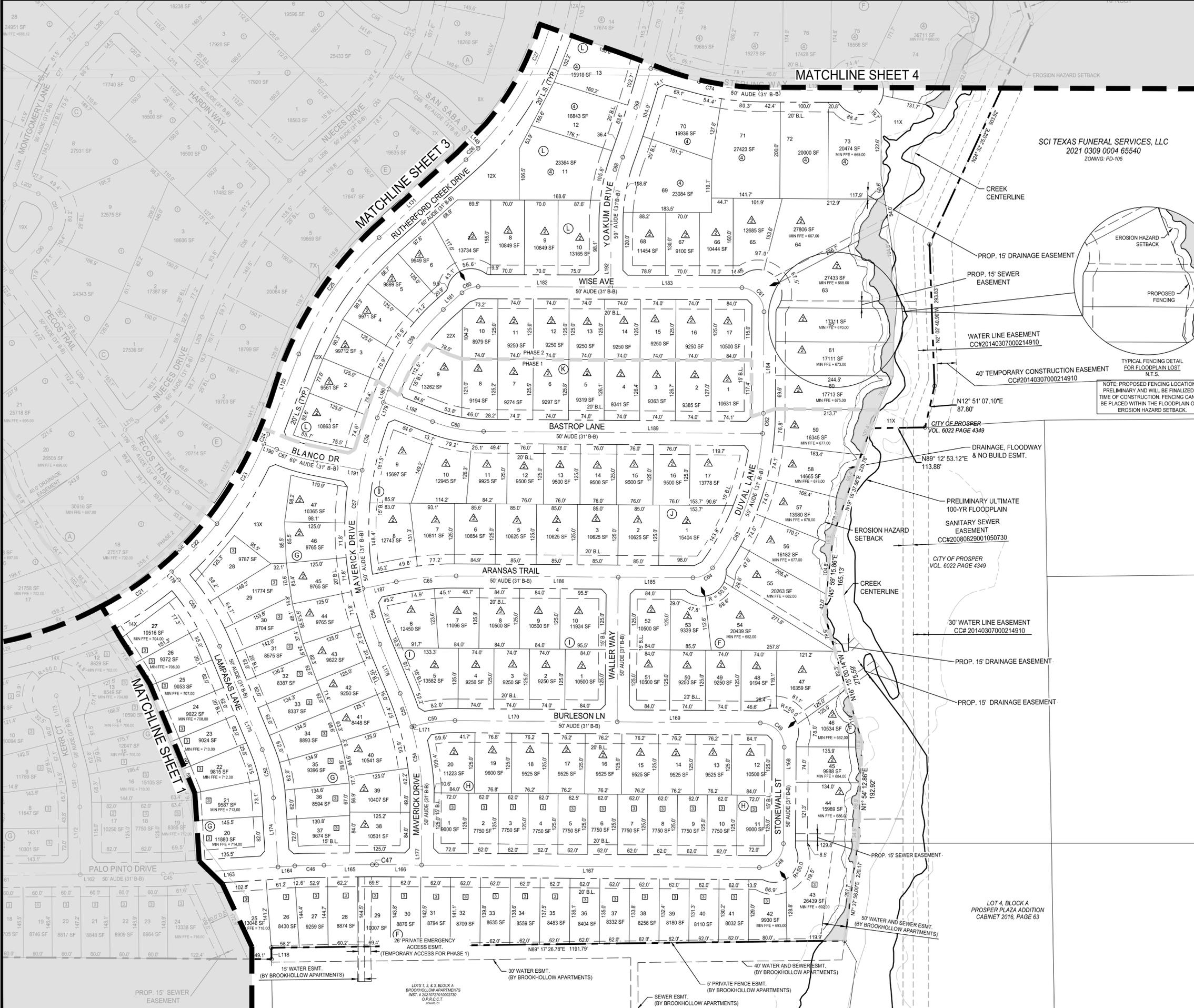
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NOTES:

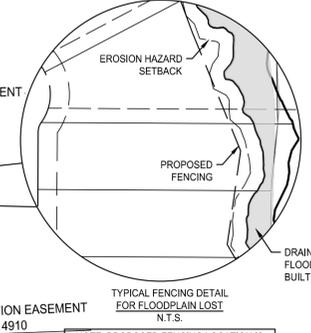
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MATCHLINE SHEET 4



SCI TEXAS FUNERAL SERVICES, LLC
2021 0309 0004 65540
ZONING: PD-105



NOTE: PROPOSED FENCING LOCATION IS PRELIMINARY AND WILL BE FINALIZED AT TIME OF CONSTRUCTION. FENCING CANNOT BE PLACED WITHIN THE FLOODPLAIN OR IN EROSION HAZARD SETBACK.

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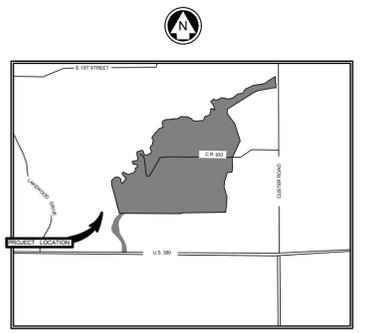
PROSPER, COLLIN COUNTY, TEXAS

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<p>DATE: DECEMBER 2022</p> <p>PELTON PROJECT #: LPD22001</p> <p>CITY CASE #: D22-0036</p>	<p>DESIGNED: DAK</p> <p>DRAWN: SHG</p> <p>REVIEWER: GSB</p>

SHEET 2 OF 6

Drawing: J:\Jobs\20201_Furthermore_creek02_entirement022_preliminary\platt\PD22001_C-PLAT.dwg
Last Saved: 2/20/2022 4:43 PM
Plot Date: Time: 2/20/2022 10:17 AM

VICINITY MAP
N.T.S.



0 100' 200'
SCALE: 1" = 100'

LEGEND

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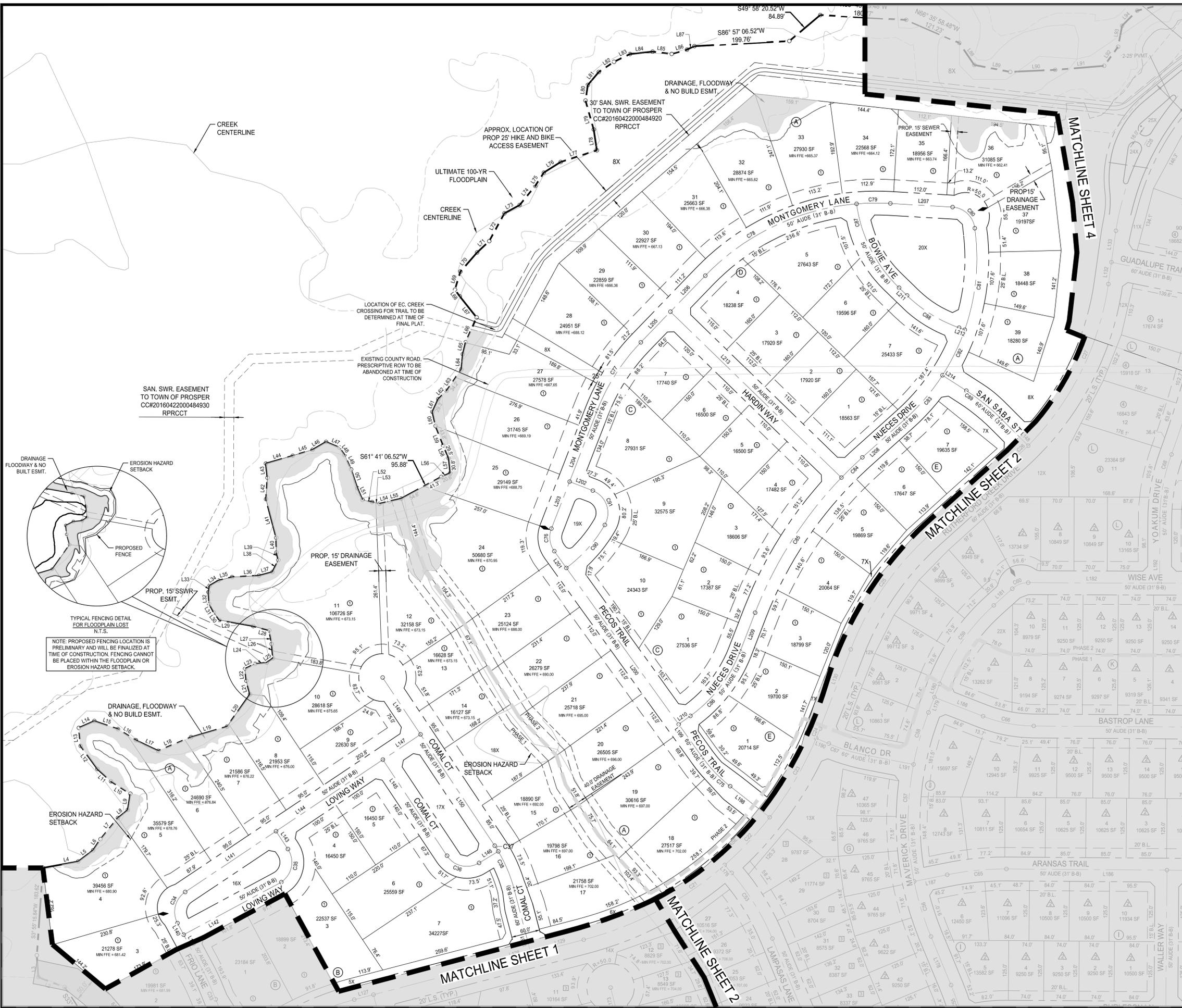


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PELTON PROJECT #: LPD22001	DRAWN: SHG	3 OF 6	
CITY CASE #: D22-0036	REVIEWER: GSB		



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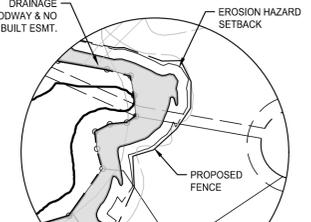
TYPICAL FENCING DETAIL FOR FLOODPLAIN LOST N.T.S.

SAN. SWR. EASEMENT TO TOWN OF PROSPER CCH#20160422000484930 RPRCCT

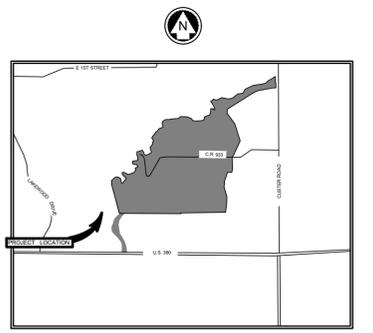
APPROX. LOCATION OF PROP 25' HIKE AND BIKE ACCESS EASEMENT

ULTIMATE 100-YR FLOODPLAIN

CREEK CENTERLINE



VICINITY MAP
N.T.S.



0 100' 200'
SCALE: 1" = 100'

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KEY MAP
N.T.S.

PR LADERA LLC
CC# 2021 0902 0017 88550
ZONING: PD-107

66.7290 ACRES
55 PROSPER LP
CC# 2008 0605 0006 80470
ZONING: PD-90

0.495 ACRE
RESERVED AS JEREMIAH
HORN BURIALGROUNDS
VOLUME 37, PAGE 547.

SCI TEXAS FUNERAL SERVICES, LLC
2021 0309 0004 65540
ZONING: PD-105

3.8760 ACRES
MONTEAPOLO LLC
CC#20150821001062480
ZONING: E

CUSTER ROAD/FM 2478
VARIABLE WIDTH ROW

A PRELIMINARY PLAT FOR
RUTHERFORD CREEK
169.8 ACRES CONTAINING, BLK A; LOTS 1-40, BLK B; LOTS 1-7, BLK C; LOTS 1-10, BLK D; LOTS 1-7, BLK E; LOTS 1-7, BLK F; LOTS 1-90, BLK G; LOTS 1-47, BLK H; LOTS 1-20, BLK I; LOTS 1-10, BLK J; LOTS 1-17, BLK K; LOTS 1-17, BLK L. LOTS 1-14 FOR A TOTAL OF 286 RESIDENTIAL LOTS AND 23 COMMON LOTS.

PROSPER, COLLIN COUNTY, TEXAS

OWNER / DEVELOPER NAME: 31C PROSPER LP, 104 PROSPER LP &55 PROSPER LP DEVELOPER NAME: LANDPLAN DEVELOPMENT ADDRESS: 5850 GRANITE PKWY, STE. 100 PLANO, TEXAS 75024 CONTACT: DOUG C. MOUSEL (214)618-3800		PLANNER / ENGINEER / SURVEYOR PELTON LAND SOLUTIONS TEXAS REGISTRATION ENGINEERING FIRM NO. 12207 11000 FRISCO STREET, SUITE 400, FRISCO, TEXAS 75033 FRISCO OFFICE PHONE: (469) 213-1800	
DATE: DECEMBER 2022	DESIGNED: DAK	SHEET	
PELTON PROJECT #: LPD22001	DRAWN: SHG	4 OF 6	
CITY CASE #: D22-0036	REVIEWER: GSB		

Drawing: J:\Jobs\2022\01_rutherford_creek\02_entirement\02_prelim\plan\plat\PRD22001_C-PP-PLAT
Last Saved: 2/20/2023 4:43 PM
Plot Date/Time: 2/20/2023 10:17 AM

BOUNDARY LINE AND CURVE TABLES

LINE TABLE		
LINE #	DISTANCE	BEARING
L1	76.303	S19° 58' 49.31"E
L2	58.922	S69° 23' 47.74"E
L3	45.702	S3° 53' 05.15"E
L4	75.445	S79° 48' 51.91"W
L5	39.070	S53° 08' 14.86"W
L6	28.170	S33° 41' 48.86"W
L7	57.350	S39° 28' 47.86"W
L8	26.850	S50° 54' 48.86"W
L9	34.250	S8° 44' 48.86"W
L10	48.040	S57° 11' 00.14"E
L11	38.720	S47° 44' 20.14"E
L12	59.640	S36° 07' 54.14"E
L13	37.960	S5° 54' 39.14"E
L14	35.570	S66° 15' 19.86"W
L15	52.300	N71° 07' 22.14"W
L16	44.450	N58° 11' 03.14"W
L17	51.850	N64° 43' 58.14"W
L18	74.730	S67° 27' 41.86"W
L19	78.710	S73° 40' 00.86"W
L20	83.100	S35° 26' 25.86"W
L21	29.690	S15° 15' 47.14"E
L22	24.870	S6° 00' 48.14"E
L23	23.300	S63° 26' 25.86"W
L24	24.880	S83° 59' 25.86"W
L25	15.900	S55° 00' 54.86"W
L26	30.060	S4° 58' 27.14"E
L27	29.110	S10° 18' 39.14"E
L28	35.070	S74° 56' 21.14"E
L29	71.890	S79° 53' 46.14"E
L30	19.680	S36° 35' 08.14"E
L31	20.300	S28° 30' 24.14"E

LINE TABLE		
LINE #	DISTANCE	BEARING
L32	24.520	S3° 34' 48.14"E
L33	14.000	S10° 29' 32.86"W
L34	21.250	S59° 44' 59.86"W
L35	29.430	S75° 57' 57.86"W
L36	56.690	S86° 54' 15.86"W
L37	29.070	S74° 44' 50.86"W
L38	28.040	S27° 02' 11.86"W
L39	16.320	S14° 28' 39.14"E
L40	31.100	S0° 56' 32.14"E
L41	83.590	S14° 47' 08.14"E
L42	44.960	S3° 53' 57.86"W
L43	29.780	S6° 53' 12.14"E
L44	58.910	S73° 55' 16.86"W
L45	43.710	S73° 02' 52.86"W
L46	32.450	S59° 48' 52.86"W
L47	30.400	N67° 18' 58.14"W
L48	18.670	N35° 00' 15.14"W
L49	33.540	N24° 14' 17.14"W
L50	41.430	N18° 40' 00.14"W
L51	26.710	N23° 38' 22.14"W
L52	20.790	N77° 07' 55.14"W
L53	15.816	N76° 56' 14.35"W
L54	21.520	S76° 14' 48.52"W
L55	25.110	S77° 02' 45.52"W
L56	20.600	S66° 34' 16.52"W
L57	30.810	S5° 45' 48.48"E
L58	29.520	S23° 31' 03.48"E
L59	43.840	S21° 14' 21.48"E
L60	30.370	S12° 41' 19.48"E
L61	29.260	S24° 43' 54.52"W
L62	24.570	S44° 57' 33.52"W

LINE TABLE		
LINE #	DISTANCE	BEARING
L63	54.720	S34° 41' 15.52"W
L64	31.830	S5° 28' 42.52"W
L65	25.780	S13° 42' 52.52"W
L66	56.830	S23° 42' 17.52"W
L67	56.570	S38° 35' 28.48"E
L68	17.342	S36° 05' 32.81"E
L69	39.400	S16° 52' 56.52"W
L70	53.430	S41° 13' 40.52"W
L71	34.790	S46° 52' 06.52"W
L72	66.380	S28° 44' 14.52"W
L73	36.310	S61° 39' 24.52"W
L74	51.840	S39° 11' 05.52"W
L75	33.190	S32° 51' 49.52"W
L76	41.620	S57° 50' 00.52"W
L77	80.100	S72° 04' 34.52"W
L78	43.920	S8° 38' 15.48"E
L79	63.030	S15° 53' 57.48"E
L80	33.140	S8° 28' 58.52"W
L81	35.470	S40° 16' 23.52"W
L82	38.420	S56° 16' 06.52"W
L83	37.390	S63° 57' 13.52"W
L84	47.800	S84° 02' 41.52"W
L85	40.470	N83° 04' 20.48"W
L86	33.220	S74° 12' 11.52"W
L87	17.230	S64° 36' 38.52"W
L88	55.860	N34° 20' 50.48"W
L89	76.960	N79° 03' 04.48"W
L90	94.520	S87° 24' 18.52"W
L91	103.170	S85° 17' 01.52"W
L92	49.510	S36° 20' 35.52"W
L93	44.840	S10° 44' 13.52"W

LINE TABLE		
LINE #	DISTANCE	BEARING
L94	44.510	S44° 57' 33.52"W
L95	77.870	S75° 55' 03.52"W
L96	41.380	S59° 29' 32.52"W
L97	67.720	S16° 08' 37.52"W
L98	38.280	S9° 24' 53.52"W
L99	40.080	S6° 03' 43.48"E
L100	23.920	S37° 50' 02.52"W
L101	37.770	S89° 56' 56.52"W
L102	25.960	N76° 01' 10.48"W
L103	28.150	N26° 37' 27.48"W
L104	15.980	N66° 51' 35.48"W
L105	25.350	S24° 24' 02.52"W
L106	27.270	S22° 40' 41.48"E
L107	48.430	S17° 42' 25.48"E
L108	89.250	S29° 38' 15.48"E
L109	59.640	S39° 21' 01.48"E
L110	19.000	S6° 23' 36.48"E
L111	41.330	S65° 59' 38.52"W
L112	52.557	S42° 10' 33.03"W
L113	56.615	N64° 48' 29.72"W
L114	50.050	S88° 56' 19.62"W
L115	29.995	N30° 29' 18.72"W
L116	36.301	S89° 50' 52.94"E
L117	61.307	N84° 39' 18.26"E
L118	23.821	N0° 43' 43.74"W
L119	48.318	S35° 33' 22.08"E
L120	81.662	S40° 16' 04.58"E
L121	139.596	S44° 58' 47.09"E
L122	51.563	S24° 55' 27.64"W
L123	64.359	S15° 20' 23.28"W
L124	89.651	S48° 15' 51.99"W

CURVE TABLE					
CURVE #	CHORD DIRECTION	CHORD	LENGTH	RADIUS	DELTA
C1	S18° 07' 32.60"E	128.81	130.814	215.00	130.81
C2	S10° 01' 39.72"E	221.52	235.876	193.33	235.88
C3	S20° 07' 55.46"W	17.57	17.586	105.13	17.59
C4	S31° 47' 09.97"W	117.93	119.567	208.27	119.57
C5	S44° 27' 15.97"E	22.60	22.615	170.04	22.61
C6	N26° 16' 26.25"E	242.02	245.563	416.49	245.56
C7	N5° 41' 02.75"W	119.58	120.966	230.00	120.97
C8	N11° 29' 27.75"W	134.70	135.291	418.54	135.29
C9	N13° 18' 17.75"W	88.35	88.907	230.00	88.91
C10	N29° 05' 26.75"W	224.58	224.838	1366.94	224.84
C11	N17° 10' 23.75"W	154.54	156.731	270.00	156.73

LINE TABLE		
LINE #	DISTANCE	BEARING
L125	66.139	N0° 32' 36.75"W
L126	262.102	N40° 40' 40.77"E
L127	41.712	N75° 23' 31.56"E
L128	341.668	N75° 23' 31.56"E
L129	114.524	N75° 23' 31.56"E
L130	178.416	N21° 13' 46.85"E
L131	242.066	N48° 08' 52.26"E
L132	46.079	N8° 04' 08.09"E
L133	66.496	N8° 04' 08.09"E
L134	378.387	N49° 33' 07.96"E
L135	916.713	N57° 48' 48.00"E
L136	312.250	N79° 09' 29.47"E
L137	53.797	N90° 00' 00.00"E
L138	12.661	N39° 41' 26.75"W
L139	85.910	N28° 13' 23.60"W
L140	27.539	N28° 13' 23.60"W
L141	229.245	N56° 15' 12.86"E
L142	232.740	S61° 46' 36.40"W
L143	45.000	S33° 44' 47.14"E
L144	270.000	N56° 15' 12.86"E
L145	242.291	N33° 44' 47.14"W
L146	47.066	S58° 56' 24.30"W
L147	95.000	N56° 15' 12.86"E
L149	143.275	N33° 44' 47.14"W
L150	280.381	N33° 44' 47.14"W
L151	139.424	N14° 36' 28.44"W
L152	200.000	S14° 36' 28.44"E
L153	64.417	N75° 23' 31.56"E
L154	138.140	N39° 23' 47.85"E
L155	25.000	N50° 36' 12.15"W

LINE TABLE		
LINE #	DISTANCE	BEARING
L156	119.702	N75° 23' 31.56"E
L157	147.128	S0° 24' 21.27"E
L158	65.439	N69° 35' 29.75"W
L159	90.458	S84° 31' 32.39"W
L160	18.451	S89° 35' 38.73"W
L161	318.070	S89° 35' 38.73"W
L162	172.566	S89° 35' 38.73"W
L163	221.640	S86° 16' 32.52"W
L164	34.868	S86° 16' 32.52"W
L165	100.408	S89° 26' 18.97"W
L166	93.673	N89° 34' 10.96"W
L167	702.000	N89° 34' 10.96"W
L168	200.000	S0° 25' 49.04"W
L169	297.577	S89° 34' 10.96"E
L170	337.172	S89° 34' 10.96"E
L171	6.953	N74° 21' 24.58"E
L172	140.798	N0° 24' 21.27"W
L173	149.439	N14° 36' 28.44"W
L174	143.485	N3° 43' 27.48"W
L175	231.850	N22° 30' 37.30"W
L176	22.148	N41° 08' 54.90"W
L177	159.714	N0° 25' 49.04"E
L178	110.244	N22° 30' 37.30"W
L179	34.126	N21° 13' 46.85"E
L180	30.017	N21° 13' 46.85"E
L181	52.143	N48° 08' 52.26"E
L182	544.334	S89° 47' 43.73"E
L183	544.334	S89° 47' 43.73"E
L184	210.530	S0° 18' 46.34"W
L185	155.181	N89° 34' 10.96"W

LINE TABLE		
LINE #	DISTANCE	BEARING
L186	337.172	N89° 34' 10.96"W
L187	70.681	S78° 28' 19.09"W
L188	109.638	S68° 46' 13.15"E
L189	580.042	S89° 34' 10.96"E
L190	28.890	N66° 59' 27.12"W
L191	99.244	N79° 04' 46.78"W
L192	133.052	N0° 11' 53.33"E
L193	29.352	N9° 55' 27.64"E
L194	184.349	S38° 17' 01.25"E
L195	103.980	S74° 56' 56.48"E
L196	206.488	S89° 39' 11.46"E
L197	227.956	S78° 45' 42.26"E
L198	105.756	N51° 55' 15.46"W
L199	84.736	N35° 46' 12.26"W
L200	403.770	N35° 46' 12.26"W
L201	43.205	N35° 46' 12.26"W
L202	52.272	S68° 47' 12.98"E
L203	105.564	N21° 12' 47.02"E
L204	158.987	N21° 12' 47.02"E
L205	89.489	N44° 04' 57.43"E
L206	105.067	N44° 04' 57.43"E
L207	130.968	S86° 37' 14.70"E
L208	121.817	S48° 08' 52.26"W
L209	87.224	S21° 13' 46.85"W
L210	30.347	S54° 13' 47.74"W
L211	24.111	N45° 55' 02.57"W
L212	12.779	N70° 38' 52.12"W
L213	499.681	S45° 55' 02.57"E
L214	59.328	S57° 12' 44.57"E

STREET CENTERLINE CURVE TABLES

CURVE TABLE					
CURVE #	CHORD DIRECTION	CHORD	LENGTH	RADIUS	DELTA
C12	N18° 50' 54.27"W	282.67	287.532	450.00	287.53
C13	N34° 01' 59.22"W	77.76	77.798	714.31	77.80
C14	N17° 58' 44.48"W	201.39	203.094	451.58	203.09
C15	N9° 38' 33.48"W	59.03	59.067	503.61	59.07
C16	N2° 17' 42.19"W	181.69	182.483	563.64	182.48
C17	N30° 50' 02.30"E	326.57	334.321	446.49	334.32
C18	N46° 28' 53.07"E	91.00	91.160	450.00	91.16
C19	N45° 29' 13.41"E	95.83	95.946	570.00	95.95
C20	N62° 51' 02.40"E	247.55	249.534	570.00	249.53
C21	N62° 07' 18.33"E	335.14	338.152	730.00	338.15
C22	N43° 26' 52.68"E	137.49	137.690	730.00	137.69
C23	N30° 29' 06.64"E	192.07	192.626	730.00	192.63
C24	N22° 04' 39.93"E	21.61	21.611	730.00	21.61
C25	N34° 41' 19.55"E	293.27	295.981	630.00	295.98
C26	N46° 28' 58.21"E	34.87	34.872	600.00	34.87
C27	N26° 26' 36.12"E	378.27	384.834	600.00	384.83
C28	N29° 02' 34.85"E	388.95	397.378	555.14	397.38
C29	N53° 40' 57.98"E	64.83	64.883	450.00	64.88
C30	N68° 29' 28.46"E	180.18	181.087	522.31	181.09
C31					

OWNER'S CERTIFICATE (only for Private Streets)

STATE OF TEXAS § COUNTY OF § (Collin or Denton County as appropriate) WHEREAS, [owner names] are the owners of a tract of land situated in the [name] Survey, Abstract No. [#,] [Collin or Denton] County, Texas and being out of a [#] acre tract conveyed to them by [name], and being more particularly described as follows: (metes and bounds description of the property to be provided here)

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS: THAT [Owner Name] acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designated the herein above described property as (Subdivision Name), an addition to the Town of Prosper. The streets and alleys shown on this plat as access easements are for the use and benefit of the owner of the property of this subdivision, their leases, invitees, and licensees. By acceptance of a deed conveying title to any lot in this subdivision, the owner thereof shall be deemed to have agreed and acknowledged and does certify the following:

- 1. The street and alleys are private streets and alleys and are dedicated to the Town of Prosper as Access, Utility, and Drainage Easements. The Town has no responsibility or liability to make any repairs to such streets and alleys as long as they are private streets and alleys, except repairs made necessary by reason of installation, repair, or replacement of municipal utilities located therein or in the utility easements adjacent thereto.
2. So long as such streets and alleys are private, the sole responsibility for maintenance and replacement thereof shall be borne by the owners of the lots in this subdivision and/or any homeowner's association hereafter established for the owners of lots in this subdivision (the "Association"). 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 same may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law.
3. Neither the property owners within this subdivision, nor the Association, nor any other association or other organization or entity representing them shall have the right to request dedication (whether by voluntary or involuntary act or omission) of such private streets and alleys to the Town unless and until the Town has inspected such streets and alleys and determined that, at the time in question, they meet the Town's standards. If the Town desires to accept a dedication of said streets and alleys, the Association, its successors or assigns, or the owners of the lots in the subdivision will pay, at the owners' or the Association's expense, all repairs required by the Town to the private streets and alleys to the Town. Before dedication, all public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
4. These easements and public use areas, as shown, are dedicated for the benefit of the owners of the property in this subdivision, their leases, invitees, and licensees use forever, for the purpose indicated on this plat.
5. The provisions hereof shall be binding upon and enforceable against all property owners in this subdivision, their successors and assigns and the Association and its successors and assigns. The provisions hereof may be enforced by the Town, any property owner in the subdivision, and/or the Association.
6. These covenants and restrictions shall run with the land and be binding on the owners of the property in this subdivision, their successor and assigns, the Association, its successors and assigns and all parties claiming by, through and under them. In the event a replat is requested on all of part of this property, the Town may require any similar or additional restrictions and covenants in its sole discretion. These covenants and restrictions shall terminate when all the access easements shown on this plat are included within a replat of all or part of this property and are dedicated to the Town as public streets and alleys. In addition, all modifications to this document shall be by means of plat and approved by the Town of Prosper.
7. If the owner of the property in this subdivision should open the private streets to the public, such use shall be considered a temporary license only. The owners of property in this subdivision through the Association reserve the right to close the street to the public at any time prior to formal dedication of the street to the public, and acceptance of the same by The Town.
8. The owners of property in this subdivision and the Association shall allow access to the subdivision and the streets in the subdivision to all Town employees and contractors acting on behalf of the Town and all governmental service vehicles, including, without limitation, law enforcement, fire, ambulance, sanitation, inspection, and health vehicles. In addition, 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 Town's use thereof. The Town of Prosper and public utilities shall, at all time, 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 of procuring permission from anyone.
9. The owners of property within this subdivision hereby agree and recognize that the entire subdivision is benefited by the Town allowing the owners to maintain and control access to the private streets shown hereon, and that the Town is benefited by having the value of the property enhanced for ad valorem tax purposes and not being under any covenants, the benefits shall constitute sufficient and valid consideration.
10. The owners of each lot affected by a drainage easement across the rear portion of such lot may not construct any improvements within such lot except those improvements which (a) do not impede the natural flow of water across the property affected by such drainage easement (such as swimming pools and open fences) and (b) are built in accordance with and pursuant to a building permit issued by the Town. In no event shall [Owner Name], the Town, the Association or any of their successors or assigns have any liability for any improvements built in any drainage or utility easement. Each lot owner shall build in such area at his or her own risk and shall indemnify [Owner Name], the Town, the Association and their successors and assigns against any and all losses, damages and liability arising out of or associated with the construction of improvements on such owner's lot in any drainage or utility easement.
11. 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 landscaping improvements may be placed in Landscape Easements, if approved by the Town. Landscaping may be placed in/or near other easements with Town approval. The Town and public utility entities 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 said easements. The Town of Prosper is not responsible for replacing any improvements in, under, or over any easement caused by maintenance or repair.
12. Invalidation or any word, phrase, sentence, paragraph, covenant, or restriction by court judgement or otherwise, shall not affect the validity of the other covenants or restrictions contained herein.
13. For lots adjacent to a Floodplain Only: a. 100 Year Floodplain Easement Restriction: Construction within the floodplain may not occur until approved by the Town. (A request for construction within the floodplain easement must be accompanied with detailed engineering plans and studies indicating that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners or the property affected by such construction becoming a party to the request.) Where construction is approved, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation as determined by analyzing the ultimate build-out conditions of the entire drainage basin. Existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by the drainage courses along or across said lots. The Town will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing his/her property clean and free of debris, silt, or any substance that would result in unsanitary conditions. 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 Town is not obligated to maintain or assistance with maintenance of the area. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion. The Town shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is shown by the Floodway easement line as shown on the plat. If a Subdivision alters the horizontal or vertical floodplain, a FEMA Floodway map revision may be required.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the Town of Prosper, Texas. WITNESS, my hand, this the _____ day of _____, 20____. BY: _____ Authorized Signature Printed Name and Title

STATE OF TEXAS § COUNTY OF § (Collin or Denton County as appropriate) BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20____. Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

Known All Men By These Presents:

That I, (Surveyor Name), 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 Regulation of the Town of Prosper, Texas.

Dated this the _____ day of _____, 20_____.

(Professional Seal)

Name, Title & Registration No.

STATE OF TEXAS § COUNTY OF § (Collin or Denton County as appropriate)

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20_____.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL Approved this _____ day of _____, 20____ by the Planning & Zoning Commission of the Town of Prosper, Texas. _____ Town Secretary _____ Engineering Department _____ Development Services Department

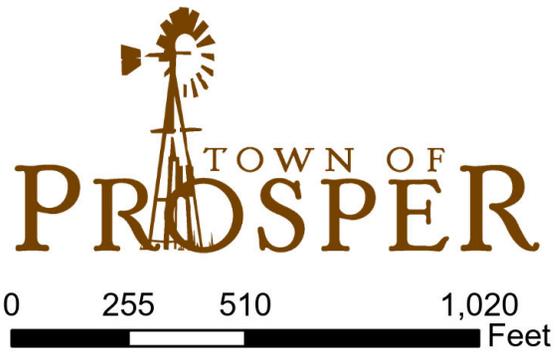
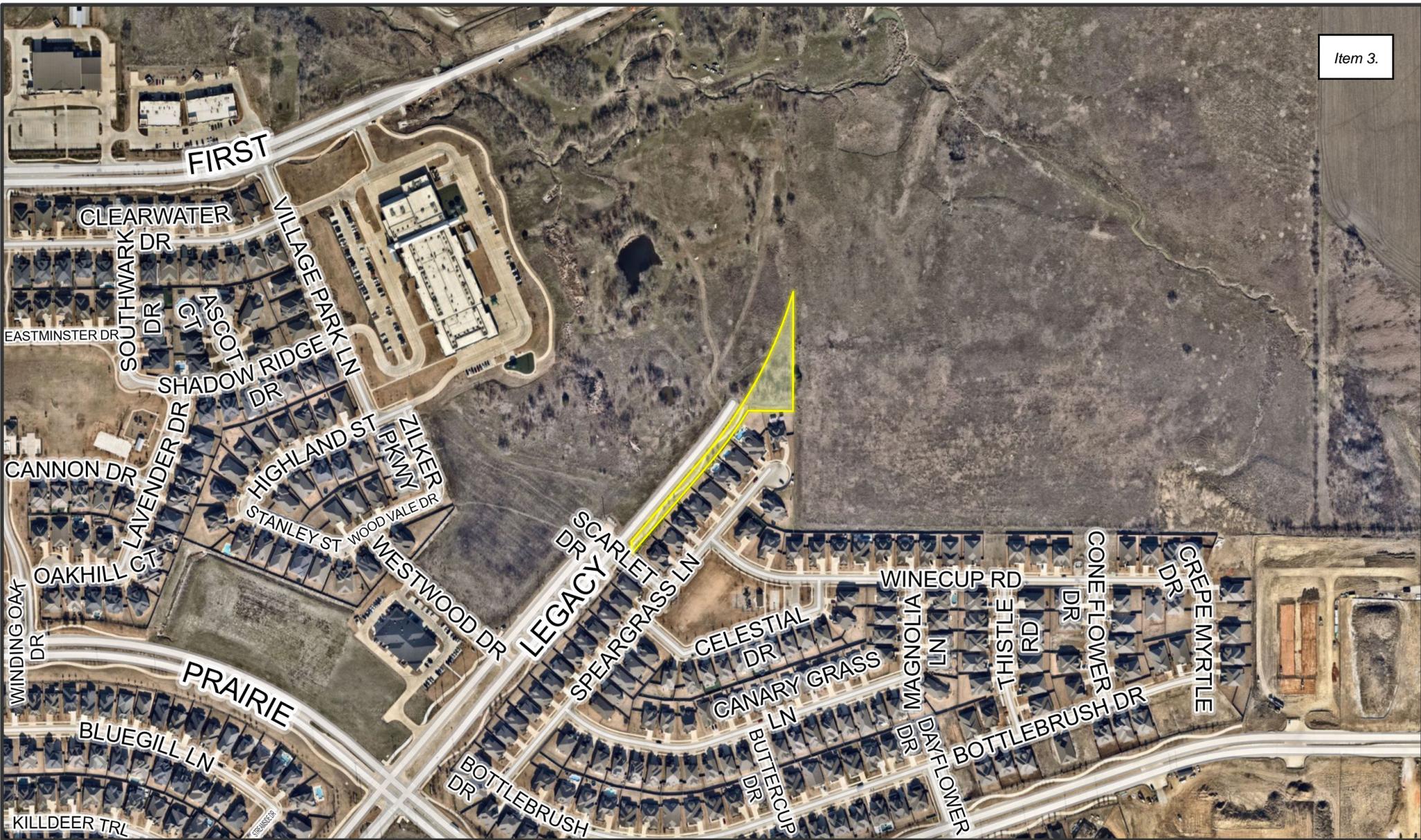
STREET EASEMENT

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

DRAINAGE, FLOODWAY, AND NO BUILD EASEMENT

General maintenance of vegetation and removal of ordinary trash and debris located within the area or areas shown on the plat as the Drainage, Floodway, and No Build Easement (the "Easement") shall be the responsibility of the owners of the lot or lots that are traversed by said Easement. The area within the Easement is subject to storm water overflow and bank erosion to an extent that cannot be defined. No grading or improvements are allowed within the Easement without the approval of the Director of Development Services. The Town shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena. The Town will not be responsible for the maintenance and operation of the Easement or for any damage to private property or person that results from the flow of water within the Easement. No obstruction to the natural flow of storm water shall be permitted by construction of any type within the Easement unless approved by the Director of Engineering Services. The Rutherford Creek HOA shall keep the Easement clean and free of debris, silt, and any materials that would result in unsanitary conditions or obstruct the flow of water. The Town shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner. Provided, however, it is understood that in the event it becomes necessary for the Town to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. The natural drainage through the Easement, as in the case of all natural channels, is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. Building areas outside the 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 this plat.

RUTHERFORD CREEK 169.8 ACRES CONTAINING, BLK A; LOTS 1-40, BLK B; LOTS 1-7, BLK C; LOTS 1-10, BLK D; LOTS 1-7, BLK E; LOTS 1-7, BLK F; LOTS 1-90, BLK G; LOTS 1-47, BLK H; LOTS 1-20, BLK I; LOTS 1-10, BLK J; LOTS 1-17, BLK K; LOTS 1-17, BLK L, LOTS 1-14 FOR A TOTAL OF 286 RESIDENTIAL LOTS AND 23 COMMON LOTS. PROSPER, COLLIN COUNTY, TEXAS OWNER / DEVELOPER: NAME: 31C PROSPER LP, 104 PROSPER LP &55 PROSPER LP DEVELOPER NAME: LANDPLAN DEVELOPMENT ADDRESS: 5850 GRANITE PKWY, STE. 100 PLANO, TEXAS 75024 CONTACT: DOUG C. MOUSEL (214)618-3800 PLANNER / ENGINEER / SURVEYOR: PELOTON LAND SOLUTIONS DATE: DECEMBER 2022 DESIGNED: DAK SHEET PELOTON PROJECT #: LPD22001 DRAWN: SHG 6 OF 6 CITY CASE #: D22-0036 REVIEWER: GSB



DEVAPP-23-0018

HILLS AT LEGACY
PHASE 1,

Replat

This map for illustration purposes only



PLANNING

To: Planning & Zoning Commission

Item No. 3c

From: Paul Rodriguez, Senior Planner

Through: David Soto, Planning Manager

Re: Planning & Zoning Commission Meeting – February 21, 2023

Agenda Item:

Consider and act upon a Replat for Prosper Business Park, Block B, Lot 10X, on 1.0± acres, located on the north side of Scarlet Drive and east of Legacy Drive. The property is zoned Planned Development-65 (PD-65). (DEVAPP-23-0018).

Description of Agenda Item:

The purpose of this Replat is to subdivide the lot into two (2) HOA lots. The Replat conforms to the PD-65 development standards.

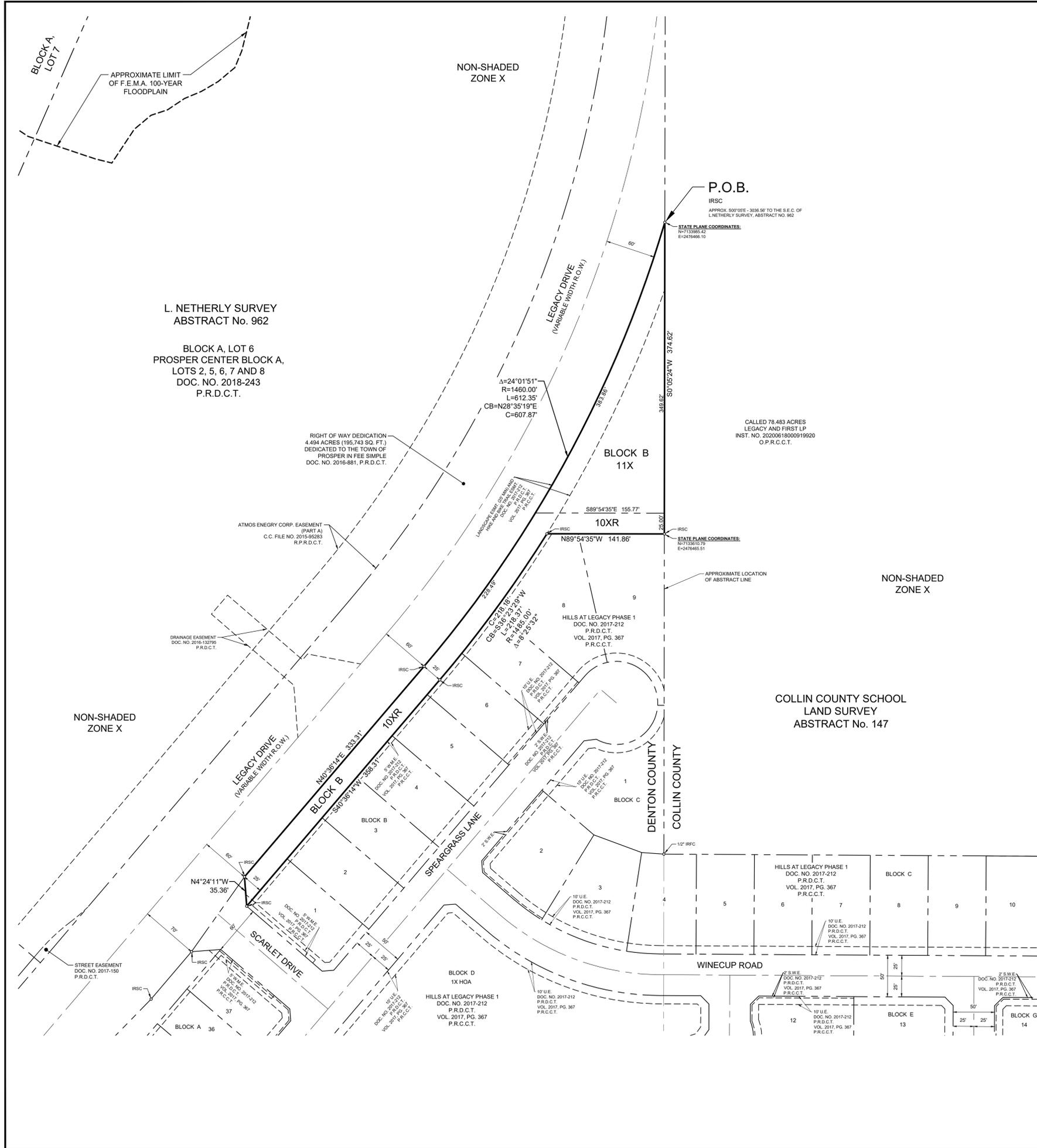
Attached Documents:

1. Location Map
2. Replat

Staff Recommendation:

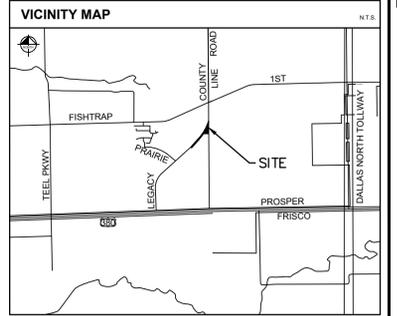
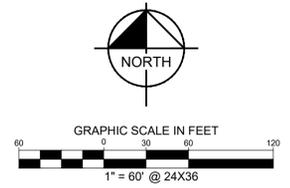
Staff recommends approval of the Replat, subject to:

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



LEGEND

IRSC	6" IRON ROD WITH "KHA" CAP SET
IRFC	IRON ROD WITH CAP FOUND
IRP	IRON ROD FOUND
P.O.B.	POINT OF BEGINNING
S.W.E.	SIDEWALK EASEMENT
W.M.E.	WALL MAINTENANCE EASEMENT
U.E.	UTILITY EASEMENT
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS OF COLLIN COUNTY, TEXAS



LINE TYPE LEGEND

—————	BOUNDARY LINE
- - - - -	EASEMENT LINE
—————	BUILDING LINE
—————	100-YEAR FLOODPLAIN LINE

LOT TABLE

LOT NO.	ACRES	SQ. FT.
BLOCK B LOT 10XR	0.412	17,953
BLOCK B LOT 11X	0.551	24,014
OVERALL	0.963	41,967

- NOTES:**
- According to Community Panel No. 4812C0430G, dated April 18, 2011, Denton County, Texas, and Community Panel No. 48085C0230J, dated June 2, 2009, Collin County, Texas, of the National Flood Insurance Program Map, Flood Insurance Rate Map, Federal Emergency Management Agency, Federal Insurance Administration, this property is within non-shaded Zone X, defined as areas determined to be outside the 0.2% annual chance floodplain and NO 100-YEAR FLOODPLAIN EXISTS ON THIS SITE. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.
 - Block B, Lot 10XR and Lot 11X shall be owned and maintained by the Home Owners Association (HOA) and used as landscape and access easements.
 - 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.
 - Single-family district PD-65 standards apply to this subdivision.
 - This plat is subject to additional zoning standards outlined in Ordinance 15-55.
 - The purpose of this replat is to divide Lot 10X, Block B into two HOA lots (Lot 10XR & 11X).
 - Landscape easements are exclusive.
 - Open space lots are to be owned and maintained by the HOA.

REPLAT
HILLS AT LEGACY
PHASE 1,
BLOCK B, LOT 10XR & 11X
 0.963 ACRE
 L. NETHERLY SURVEY, ABSTRACT NO. 962
 TOWN OF PROSPER,
 DENTON COUNTY, TEXAS
 TOWN OF PROSPER CASE #DEVAPP-23-0018

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	FEB. 2023	061179110	1 OF 2

<p>OWNER: The Parks at Legacy Homeowners' Association, Inc. c/o Neighborhood Management, Inc. 1024 S. Greenville Avenue, Suite 230, Allen, TX 75002 Ph: 214.387.3993 Contact: Clint Richardson</p>	<p>ENGINEER: Kimley-Horn and Associates, Inc. 6160 Warren Parkway, Suite 210 Frisco, Texas 75034 Ph: 972.335.3580 Contact: Marissa Volk, P.E.</p>
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OWNER'S DEDICATION

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, THE PARKS AT LEGACY HOMEOWNERS' ASSOCIATION, INC., is the owner of a tract of land situated in the L. Netherly Survey, Abstract No. 962, Town of Prosper, Denton County, Texas, and being all of Lot 10X, Block B of Hills at Legacy Phase 1, an addition to the Town of Prosper, Denton County and Collin County, Texas, according to the Final Plat thereof recorded in Document No. 2017-212 of the Plat Records of Denton County, Texas and recorded in Volume 2017, Page 367 of the Plat Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the north corner of said Lot 10X, being on the easterly right-of-way line of Legacy Drive, a variable width right-of-way, same being on the westerly line of a called 78.483 acre tract of land describe in a deed to Legacy and First LP, recorded in Instrument No. 20200618000919920 of the Official Public Records of Collin County, Texas;

THENCE South 00°05'24" West, departing the easterly right-of-way line of said Legacy Drive, along the easterly line said Lot 10X and along the westerly line of said 78.483 acre tract, a distance of 374.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of Lot 9, Block B of said Hills at Legacy, Phase 1, same being the southeast corner of said Lot 10X;

THENCE North 89°54'35" West, departing the westerly line of said 78.483 acre tract, along the southerly line of said Lot 10X, the northerly line of said Lot 9 and the northerly line of Lot 8, Block B of said Hills at Legacy, Phase 1, a distance of 141.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northerly northwest corner of said Lot 8, same being at the beginning of a non-tangent curve to the right with a radius of 1,485.00 feet, a central angle of 08°25'32", and a chord bearing and distance of South 36°23'29" West, 218.18 feet;

THENCE along the common line of said Lot 10X, said Lot 8 and Lots 1 thru 7, Block B of said Hills at Legacy, Phase 1, the following courses and distances:

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 218.37 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the end of said curve;

South 40°36'14" West, a distance of 358.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the south end of a corner clip at the intersection of the northerly right-of-way line of Scarlet Drive, a 60-foot wide right-of-way, with the easterly right-of-way line of said Legacy Drive, same being the westernmost southwest corner of said Lot 1;

THENCE North 04°24'11" West, departing the northerly right-of-way line of said Scarlet Drive, along the southerly line of said Lot 10X and along said corner clip, a distance of 35.36 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 10X and the north end of said corner clip, same being on the easterly right-of-way line of said Legacy Drive;

THENCE North 40°36'14" East, along the easterly right-of-way line of said Legacy Drive and along the westerly line of said Lot 10X, a distance of 333.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 1,460.00 feet, a central angle of 24°01'51", and a chord bearing and distance of North 28°35'19" East, 607.87 feet;

THENCE in a northeasterly direction, continuing along the easterly right-of-way line of said Legacy Drive and the westerly line of said Lot 10X, with said tangent curve to the left, an arc distance of 612.35 feet to the POINT OF BEGINNING and containing 0.963 of an acre (41,967 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE PARKS AT LEGACY HOMEOWNERS' ASSOCIATION, INC. acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as HILLS AT LEGACY, PHASE 1, BLOCK B, LOTS 10XR & 11X, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. THE PARKS AT LEGACY HOMEOWNERS' ASSOCIATION, INC. does herein certify the following:

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

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

WITNESS, my hand, this the _____ day of _____, 20_____.

BY: THE PARKS AT LEGACY HOMEOWNERS' ASSOCIATION, INC. a Texas non-profit corporation

By: _____ Authorized Signature

_____ Printed Name and Title

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the _____ day of _____, 20_____.

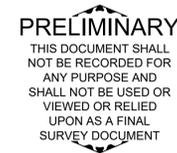
_____ Notary Public In And For The State Of Texas

_____ Printed Name

KNOW ALL MEN BY THESE PRESENTS:

That I, Sylviana Gunawan, 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.

SYLVIANA GUNAWAN REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6461 6160 WARREN PARKWAY, SUITE 210 FRISCO, TEXAS 75034 PH. 972-335-3580 sylviana.gunawan@kimley-horn.com



STATE OF TEXAS §

COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared Sylviana Gunawan, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

GIVEN under my hand and seal of office on this the _____ day of _____, 2023.

_____ Notary Public in and for The State of Texas

_____ Printed Name

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 2023 by the Planning & Zoning Commission of the Town of Prosper, Texas.

_____ Engineering Department

_____ Town Secretary

_____ Development Services Department

REPLAT HILLS AT LEGACY PHASE 1, BLOCK B, LOT 10XR & 11X

0.963 ACRE

L. NETHERLY SURVEY, ABSTRACT NO. 962

TOWN OF PROSPER, DENTON COUNTY, TEXAS TOWN OF PROSPER CASE #DEVAPP-23-0018



Table with 6 columns: Scale, Drawn by, Checked by, Date, Project No., Sheet No. Values: N/A, JCC, KHA, FEB. 2023, 061179110, 2 OF 2

OWNER: The Parks at Legacy Homeowners' Association, Inc. c/o Neighborhood Management, Inc. 1024 S. Greenville Avenue, Suite 230, Allen, TX 75002 Ph: 214.387.3993 Contact: Clint Richardson
ENGINEER: Kimley-Horn and Associates, Inc. 6160 Warren Parkway, Suite 210 Frisco, Texas 75034 Ph: 972.335.3580 Contact: Marissa Volk, P.E.

DWG NAME: K:\P\W_SURVEY\08179110-PROSPER CENTER LOT 1 BLOCK B SURVEY\TOWN\HILLS AT LEGACY PHASE 1\MKR\REPLAT.DWG PLOTTED BY: GUNAWAN, SYLVIANA 2/23/2023 5:23 PM LAST SAVED: 2/23/2023 5:23 PM