



AGENDA
Planning & Zoning Commission
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, May 21, 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 and Pledge to the Texas Flag.

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 May 7, 2023, Planning & Zoning Commission regular meeting.
- [3b.](#) Consider and act upon a request for a Final Plat of Star Trail, Phase 18 on 30.1± acres, located on the north side of First Street and 900± feet west of Legacy Drive. (DEVAPP-23-0223)

- [3c.](#) Consider and act upon a request for a Site Plan for a Retail Building on Hunter Gateway Centre, Block A, Lot 3, on 0.8± acre, located on the north side of University Drive and 185± feet east of La Cima Boulevard. (DEVAPP-23-0225)
- [3d.](#) Consider and act upon a request for a Final Plat of Hunter Gateway Centre, Block A, Lot 3, on 0.8± acres, located on the north side of University Drive and 185± feet east of La Cima Boulevard. (DEVAPP-23-0224)
- [3e.](#) Consider and act upon a request for a Site Plan for Restaurant/Retail Buildings on Teel 380 Addition, Block A, Lot 7, on 2.8± acres, located 325± feet north of University Drive and 440± feet west of Teel Parkway. (DEVAPP-24-0006)
- [3f.](#) Consider and act upon a request for a Final Plat of Teel 380 Addition, Block A, Lot 7, on 2.8± acres, located 325± feet north of University Drive and 440± feet west of Teel Parkway. (DEVAPP-24-0005)
- [3g.](#) Consider and act upon a request for a Preliminary Site Plan for a Medical Office, Office, and Retail Buildings on Prosper Center, Block A, Lots 10-12, on 6.2± acres, located on the northwest corner of Legacy Drive and Prairie Drive. (DEVAPP-24-0033)
- [3h.](#) Consider and act upon a request for a Final Plat of Prosper Center, Block A, Lots 10-11, on 6.2± acres, located on the northwest corner of Legacy Drive and Prairie Drive. (DEVAPP-24-0032)

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.](#) Consider and act upon a request to rezone 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail. (ZONE-24-0001)
- 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, May 17, 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.

<p>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.</p>



MINUTES
Prosper Planning & Zoning Commission
Regular Meeting
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, May 7, 2024, 6:00 p.m.

1. Call to Order / Roll Call

The meeting was called to order at 6:11 p.m.

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

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

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

- 3a. Consider and act upon the minutes from the April 23, 2024, Planning & Zoning Commission Work Session.
- 3b. Consider and act upon the minutes from the April 23, 2024, Planning & Zoning Commission Regular Meeting.
- 3c. Consider and act upon a request for a Site Plan for an Indoor Commercial Amusement facility on Mav Addition, Block A, Lot 4, on 4.3± acres, located on the north side of First Street and 1,800± feet west of Legacy Drive. (DEVAPP-23-0030)
- 3d. Consider and act upon a request for a Final Plat for an Indoor Commercial Amusement facility on Mav Addition, Block A, Lot 4, on 4.3± acres, located on the north side of First Street and 1,800± feet west of Legacy Drive. (DEVAPP-23-0080)
- 3e. Consider and act upon a request for a Preliminary Site Plan for a Full-Service Hotel, Medical Offices, and Professional Offices, and Professional Offices on Parmar Addition, Block A, Lots 1 & 3, on 23.4± acres, located on the southeast corner of Mahard Parkway and Prairie Drive. (DEVAPP-23-0102)
- 3f. Consider and act upon a request for a Revised Site Plan for a Drive-Through Restaurant on gates of Prosper, Phase 1, Block B, Lot 2, on 1.5± acres, located on the east side of Preston Road and 470± feet north of Richland Boulevard. (DEVAPP-23-0198)

- 3g. Consider and act upon a request for a Site Plan for a Funeral Home on SCI Prosper Trails Addition, Block A, Lots 1-2, on 53.3± acres, located on the west side of Custer Road and 1,900± feet north of University Drive. (DEVAPP-23-0016)**
- 3h. Consider and act upon a request to table a rezoning of 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail. (Zone-24-0001)**

Commissioner Blanscet made a request that item 3f be pulled from the Consent Agenda for further review.

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

Mr. Hicks addressed the item pulled from consent. Commissioners Blanscet and Carson asked questions regarding the encroachment of the drive-through into the five-foot landscape setback on the south side of the property.

Town Staff informed the Commissioners that the adjacent five-foot landscape setback on the property to the south will have enhanced landscaping. A representative of the applicant, Mr. Zelenski, informed the Commissioners that both properties are the same owner and that there is a written, signed agreement to allow the reconstruction of the wall on the property line and the planting of additional landscaping. Mr. Zelenski stated that the agreement would be provided to Town Staff. There was further discussion regarding the background of and need for the modification. Mr. Zelenski indicated that the change will provide a few additional feet of striped pavement for the on-site staff.

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

CITIZEN COMMENTS

No citizen comments were received.

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 Town Council action and upcoming cases for Planning & Zoning Commission action.

5. Adjourn.

The meeting was adjourned at 6:40 p.m.

Manuel Ramon, Planning Technician

Josh Carson, Secretary



PLANNING

To: Planning & Zoning Commission

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3b

Agenda Item:

Consider and act upon a request for a Final Plat of Star Trail, Phase 18 on 30.1± acres, located on the north side of First Street and 900± feet west of Legacy Drive. (DEVAPP-23-0223)

Future Land Use Plan:

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

Zoning:

The property is zoned Planned Development-66 (Single Family).

Conformance:

The Final Plat conforms to the development standards of Planned Development-66. Per Planned Development-66, a maximum of 709 Type A Lots are permitted, a maximum of 784 Type B Lots are permitted, a minimum of 231 Type C Lots are required, and a minimum of 143 Type D Lots are required. If Phase 18, were to be approved it would bring to the totals to:

Type A Lots (6,875 SF – 55' x 125'): **456** (Max. of 709)

Type B Lots (8,125 SF – 65' x 125'): **558** (Max. of 784)

Type C Lots (10,260 SF – 76' x 135'): **374** (Min. of 231)

Type D Lots (11,610 SF – 86' x 135'): **340** (Min. of 143)

Per Planned Development-66, a maximum of 1,139 single-family lots are permitted east of Legacy Drive and a maximum of 750 single-family lots are permitted west of Legacy Drive. If Phase 18, were to be approved it would bring to the totals to:

East of Legacy Drive: **1,106** (Max. of 1,139)

West of Legacy Drive: **622** (Max. of 750)

Per Planned Development-66, a maximum of 1,889 single-family lots are permitted within the Star Trail development. If Phase 18, were to be approved it would bring to the total to:

Star Trail: **1,728** (Max. of 1,889)

Description of Agenda Item:

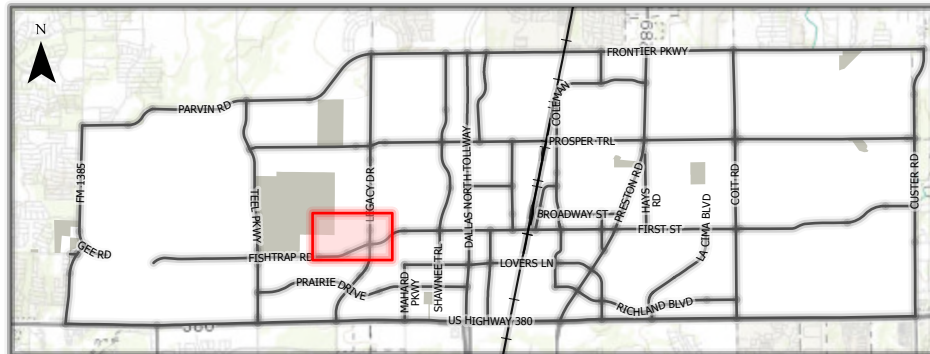
The purpose of this Final Plat is to create a subdivision consisting of 54 residential lots and five common area lots. The plat complies with the approved Preliminary Plat (D20-0094).

Attached Documents:

1. Location Map
2. Final Plat
3. Approved Preliminary Plat (D20-0094)
4. Star Trail Lot Count

Town Staff Recommendation:

Town Staff recommends approval of the Final Plat.



DEVAPP-23-0223
STAR TRAIL PHASE 18

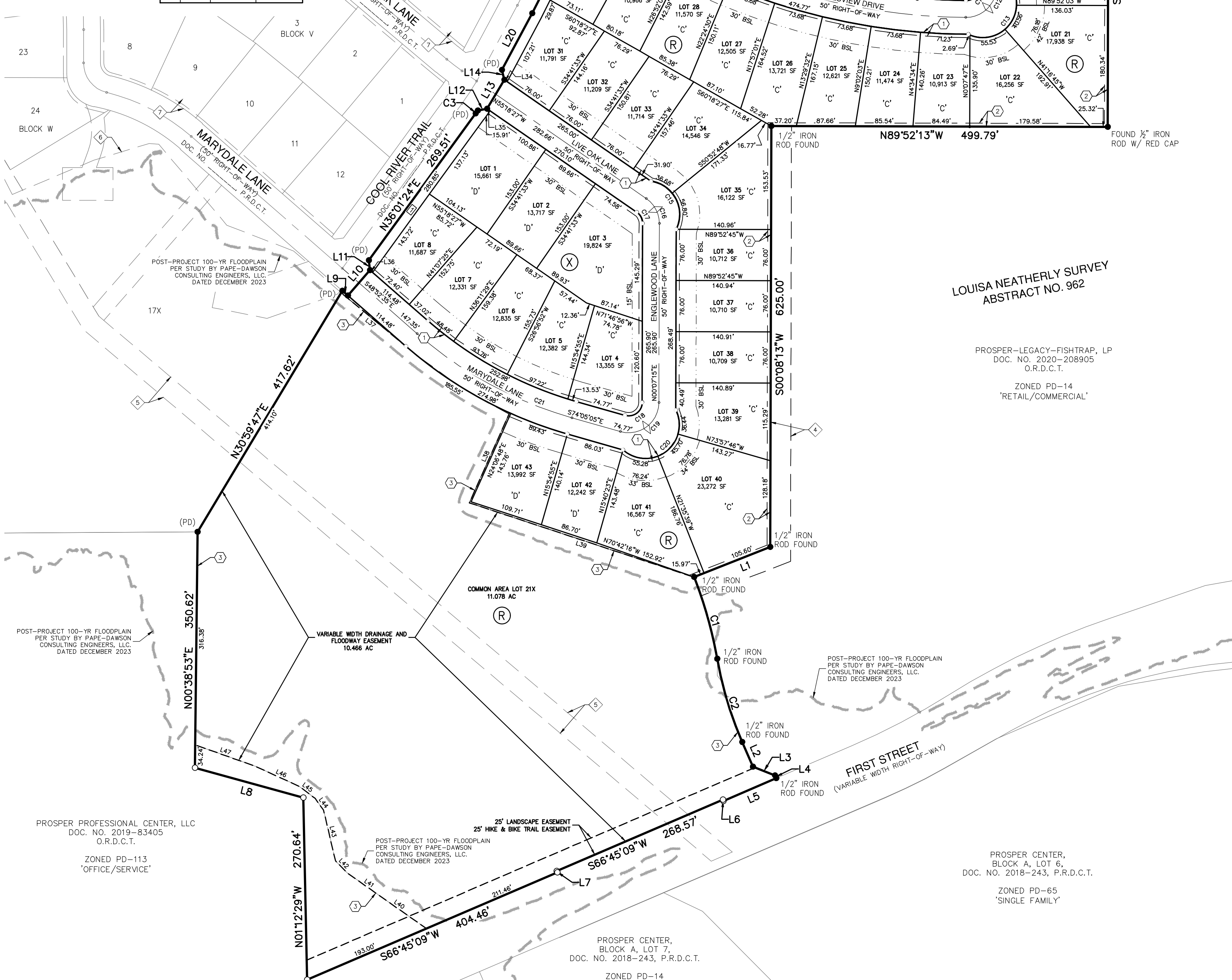
Final Plat

LOT	BLOCK	AREA (SF)	AREA (AC)
11	R	12914	0.296
12	R	12648	0.290
13	R	12694	0.291
14	R	12808	0.294
15	R	12107	0.278
16	R	16109	0.370
17	R	12638	0.290
18	R	10716	0.246
19	R	10716	0.246
20	R	10633	0.244
21	R	17939	0.412
22	R	16256	0.373
23	R	10913	0.251
24	R	11474	0.263
25	R	12921	0.290
26	R	13721	0.315
27	R	12505	0.287
28	R	11570	0.266
29	R	10966	0.252
30	R	11666	0.268
31	R	11791	0.271
32	R	11209	0.257
33	R	11714	0.269
34	R	14546	0.334
35	R	16122	0.370
37	R	10710	0.246
38	R	10709	0.246
40	R	23272	0.534
41	R	16567	0.380
42	R	12242	0.281
43	R	13992	0.321

LOT	BLOCK	AREA (SF)	AREA (AC)
17X	X	4339	0.100
18X	R	4069	0.093
19X	S	4005	0.092
20X	R	2324	0.053
COMMON AREA LOT 21X	R	482556	11.078

LOT	BLOCK	AREA (SF)	AREA (AC)
1	S	10454	0.241
2	S	10663	0.245
3	S	10932	0.251
4	S	10935	0.251
5	S	10924	0.251
6	S	12467	0.286
7	S	11750	0.270
8	S	10966	0.252
9	S	10992	0.252
10	S	10992	0.252
11	S	10973	0.252
12	S	10573	0.243
13	S	10629	0.244

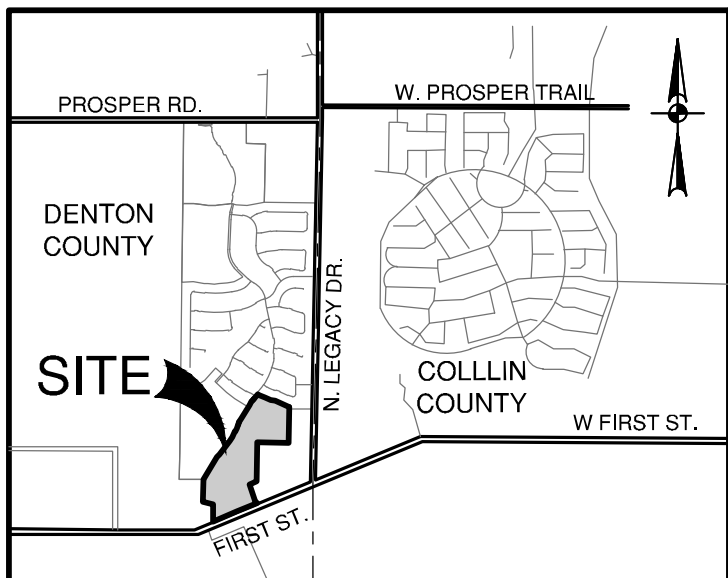
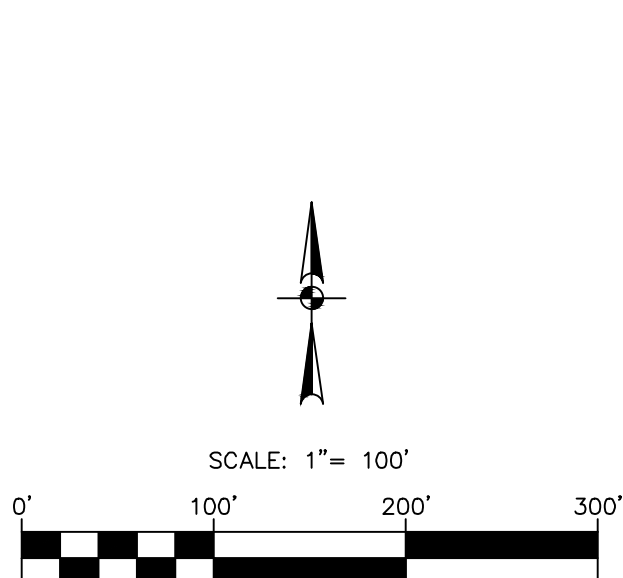
LOT	BLOCK	AREA (SF)	AREA (AC)
1	X	15661	0.360
2	X	13717	0.315
3	X	19824	0.455
4	X	13355	0.307
6	X	12835	0.295
7	X	12331	0.283
8	X	11687	0.268



LINE #	BEARING	LENGTH
L1	S68°34'35"W	121.57'
L2	S23°29'36"E	40.02'
L3	S68°38'56"E	35.38'
L4	S22°58'04"E	4.51'
L5	S66°45'09"W	85.44'
L6	N23°14'50"W	2.00'
L7	S23°14'50"E	2.00'
L8	N74°40'20"W	166.83'
L9	N48°52'35"W	10.89'
L10	N41°07'25"E	50.00'
L11	S62°5'36"E	14.76'
L12	S79°38'46"W	14.13'
L13	N30°36'43"E	50.13'
L14	S13°35'43"E	14.93'
L15	S72°23'23"W	13.74'
L16	N29°54'02"E	50.01'
L17	S15°02'23"E	13.90'
L18	N31°44'05"E	70.02'
L19	N42°14'35"E	111.23'
L20	N28°07'02"E	95.48'
L21	S47°45'25"E	15.00'
L22	S63°28'31"E	105.92'
L23	S70°15'22"E	98.60'
L24	S79°41'04"E	76.86'
L25	S11°54'29"W	27.57'
L26	S47°45'25"E	15.00'
L27	N11°35'56"W	13.81'
L28	N60°42'26"W	5.05'
L29	N75°06'42"E	14.34'
L30	S60°42'26"E	5.01'
L31	N60°42'26"W	122.34'
L32	N61°00'31"W	5.01'
L33	S61°00'31"E	5.01'
L34	N55°18'27"W	5.10'
L35	S55°18'27"E	5.00'
L36	N48°52'35"W	5.06'
L37	N50°27'54"W	124.80'
L38	N24°03'31"E	146.42'
L39	N71°42'16"W	351.69'
L40	S54°57'07"E	75.90'
L41	S54°53'50"E	67.87'
L42	S44°18'59"E	24.88'
L43	S13°11'24"E	77.58'
L44	S36°05'10"E	21.30'
L45	S52°40'15"E	29.48'
L46	S65°20'57"E	71.05'
L47	S70°25'52"E	95.77'

CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	637.50'	11°22'09"	N15°46'02"W	126.29'	126.50'
C2	555.00'	13°21'24"	S16°41'05"E	129.09'	129.38'
C3	425.00'	0°44'58"	N30°38'55"E	5.56'	5.56'
C4	525.00'	12°07'32"	N22°03'16"E	110.90'	111.11'
C5	325.00'	8°54'54"	N20°28'57"E	50.52'	50.57'
C6	325.00'	6°51'11"	N38°48'59"E	38.85'	38.87'
C7	650.00'	27°26'24"	N74°25'32"W	308.33'	311.30'
C8	50.00'	51°53'20"	N43°46'16"W	43.75'	45.28'
C9	45.00'	88°16'42"	N44°00'24"W	62.68'	69.33'
C10	20.00'	88°16'42"	S44°00'24"E	27.86'	30.81'
C11	20.00'	90°22'54"	S45°19'24"W	28.38'	31.55'
C12	45.00'	90°22'54"	N45°19'24"E	63.85'	70.99'
C13	50.00'	46°28'38"	N25°28'56"E	39.46'	40.56'
C14	922.00'	28°28'38"	S75°14'50"E	453.55'	458.25'
C15	50.00'	65°04'58"	N6°34'43"W	53.79'	56.80'
C16	45.00'	55°25'42"	N27°35'36"W	41.86'	43.53'
C17	20.00'	55°25'42"	S27°35'36"E	18.60'	19.35'
C18	20.00'	105°47'39"	S53°01'05"W	31.90'	36.93'
C19	45.00'	105°47'39"	N53°01'05"E	71.78'	83.09'
C20	50.00'	52°22'07"	N42°13'18"E	44.13'	45.70'
C21	600.00'	25°12'31"	S61°28'50"E	261.88'	263.98'

LAND USE SUMMARY	
TYPE 'C' LOTS	
MINIMUM SQUARE FOOT	10,260 SF
MINIMUM SETBACKS	30' FRONT, 8' SIDE, 25' REAR
MINIMUM SIDE SETBACK ADJ TO STREET	15' SIDE ON CORNER LOT
MINIMUM WIDTH & DEPTH	76' X 136'
TYPICAL TYPE 'C' LOTS =	49
TYPE 'D' LOTS	
MINIMUM SQUARE FOOT	11,610 SF
MINIMUM SETBACKS	30' FRONT, 8' SIDE, 25' REAR
MINIMUM SIDE SETBACK ADJ TO STREET	15' SIDE ON CORNER LOT
MINIMUM WIDTH & DEPTH	86' X 135'
TYPICAL TYPE 'D' LOTS =	5
GROSS SITE AREA	30.137 AC
RIGHT-OF-WAY DEDICATION	2.983 AC
NET ACREAGE	27.154 AC
RESIDENTIAL LOTS	54
NATURAL OPEN SPACE	5
LOT DENSITY	1.791 LOTS/ACRE



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS	●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS	○	SET 1/2" IRON ROD WITH CAP STAMPED 'AG PROP COR' (UNLESS NOTED OTHERWISE)
M.R.D.C.T.	MAP RECORDS, DENTON COUNTY, TEXAS	—	CENTERLINE
VOL., PG.	VOLUME, PAGE	—	STREET NAME CHANGE
INST. NO.	INSTRUMENT NUMBER		
AC	ACRE(S)		
CM	CONTROL MONUMENT		
SF	SQUARE FEET		
Ⓐ	BLOCK LETTER		
'C'	TYPE 'C' LOT		
'D'	TYPE 'D' LOT		

KEYNOTES

- 5' UTILITY EASEMENT (BY THIS PLAT)
- 5' WALL MAINTENANCE EASEMENT (BY THIS PLAT)
- VARIABLE WIDTH DRAINAGE AND FLOODPLAIN EASEMENT (10.466 AC) (BY THIS PLAT)
- LOT 17X, BLOCK X
0.100 AC. 4339 SF
- LOT 18X, BLOCK R
0.093 AC. 4069 SF
- LOT 19X, BLOCK S
0.092 AC. 4005 SF
- LOT 20X, BLOCK X
0.053 AC. 2328 SF
- 10'X10' UTILITY EASEMENT (BY STAR TRAIL PHASE TWELVE) (DOC. NO. 2023-403 P.R.D.C.T.)
- 5' UTILITY EASEMENT (BY STAR TRAIL PHASE TWELVE) (DOC. NO. 2023-403 P.R.D.C.T.)
- 5' WALL MAINTENANCE EASEMENT (BY STAR TRAIL PHASE TWELVE) (DOC. NO. 2023-403 P.R.D.C.T.)
- 30' TEMPORARY GRADING AND DRAINAGE EASEMENT (INST. NO. _____ O.P.R.D.C.T.)
- EXISTING 30' SANITARY SEWER EASEMENT (DOC. NO. 201411300124210, O.R.D.C.T.)

PLAT PURPOSE:

TO CREATE A SUBDIVISION CONSISTING OF 54 RESIDENTIAL LOTS AND 5 COMMON AREAS FROM AN EXISTING TRACT OF LAND.

NOTES

- DEVELOPER TO INSTALL ALL SIDEWALKS ALONG RIGHT-OF-WAY FRONTAGE OF HOA LOTS.
- ALL DEVELOPMENT WILL COMPLY WITH ALL ZONING AND SUBDIVISION ORDINANCE REQUIREMENTS.
- COMMON AREA LOT 18X, LOT 20X AND LOT 21X, BLOCK R, LOT 19X, BLOCK S AND LOT 17X, BLOCK X SHALL BE DEDICATED AS LANDSCAPING, TRAILS, AND PEDESTRIAN ACCESS EASEMENTS TO BE OWNED AND MAINTAINED BY THE HOA.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW AND IS SUBJECT TO A FINE AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- BASIS OF BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 1983 (NA2011) EPOCH 2010.00.
- ALL LOT CORNERS SHALL BE MONUMENTED WITH A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP.
- "X" CUTS SET IN CONCRETE STREET PAVING AT ALL INTERSECTIONS AND POINTS OF CURVATURE.
- ALL LOTS SIDING OR BACKING A PUBLIC PARK, PUBLIC HIKE & BIKE TRAIL OR TOWN THOROUGHFARE SHALL HAVE A DECORATIVE METAL FENCE.
- 2.983 ACRES (129,953 SF) OF STREET RIGHT-OF-WAY IS BEING DEDICATED BY FEE SIMPLE TO THE TOWN OF PROSPER.
- LANDSCAPE EASEMENTS SHALL REMAIN EXCLUSIVE OF ALL OTHER TYPES OF EASEMENTS UNLESS APPROVED BY TOWN COUNCIL.
- THIS PLAT IS SUBJECT TO PLANNED DEVELOPMENT-66 (ORDINANCE NO. 19-30) AND TO THE ADDITIONAL RESIDENTIAL ZONING STANDARDS OUTLINED IN ORDINANCE 15-55.
- LOTS IN THIS PHASE ARE SUBJECT TO IMPACT FEES ORDINANCE 17-14.
- THE POST-PROJECT 100-YR FLOODPLAIN SHOWN ON THIS PLAT WAS DELINEATED IN A FLOOD STUDY PREPARED BY PAPE-DAWSON CONSULTING ENGINEERS, LLC, DATED DECEMBER 2023.

FINAL PLAT OF STAR TRAIL, PHASE 18 BLOCK R, BLOCK S & BLOCK X

CASE NO. DEVAPP-23-0223
ZONED PD-66

OWNER/DEVELOPER:

BLUE STAR ALLEN LAND, L.P.
8000 WARREN PARKWAY
BUILDING 1, SUITE 100
FRISCO, TEXAS 75034
TEL: (972) 543-2412
FAX: (214) 387-7781
CONTACT: SCOTT SHIPP

ENGINEER:

PAPE-DAWSON CONSULTING ENGINEERS, LLC.
6105 TENNYSON PARKWAY, STE 210
PLANO, TEXAS 75024
CONTACT: DUSTIN WENTZ, PE

SURVEYOR:

PAPE-DAWSON CONSULTING ENGINEERS, LLC.
6105 TENNYSON PARKWAY, STE 210
PLANO, TEXAS 75024
TEL: (214) 420-8494
CONTACT: MARCOS A. MADRID, RPLS

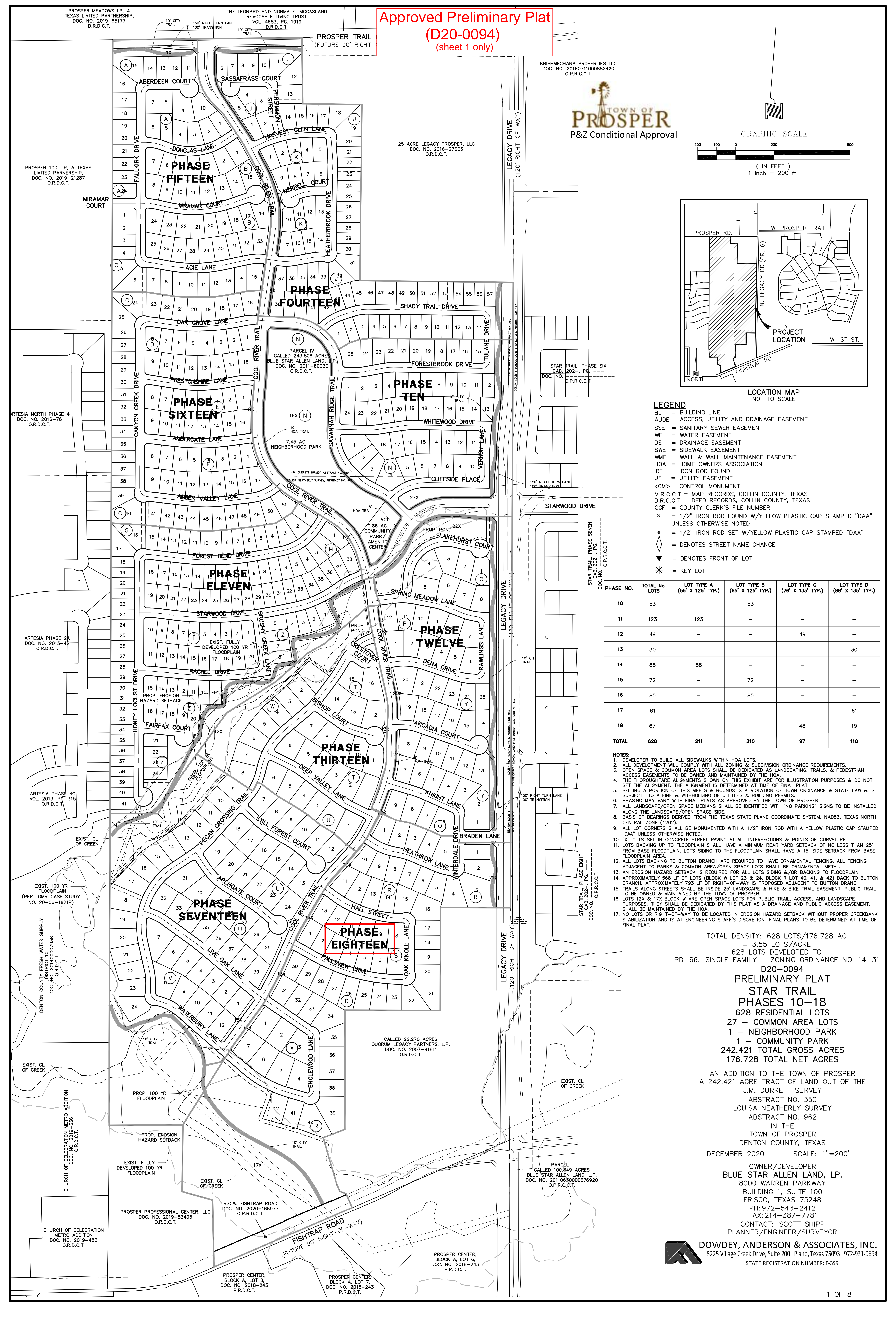
BLOCK R, LOTS 11-43;
BLOCK S, COMMON AREA LOT 18X, LOT 20X &
LOT 21X, BLOCK S, LOTS 1-13;
BLOCK X, COMMON AREA LOT 19X;
BLOCK X, LOTS 1-8;
BLOCK X, COMMON AREA LOT 17X

BEING 30.137 ACRES SITUATED IN THE
LOUISA NEATHERLY SURVEY, ABSTRACT NO.
962 IN THE TOWN OF PROSPER, DENTON
COUNTY, TEXAS

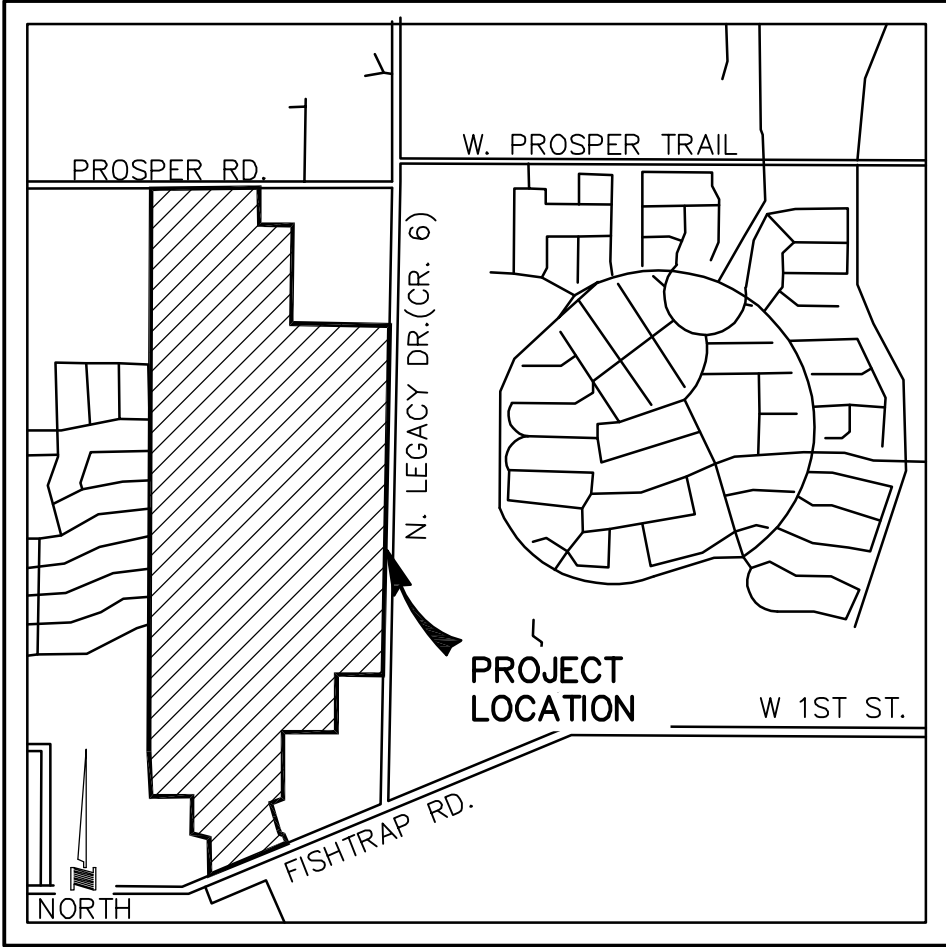
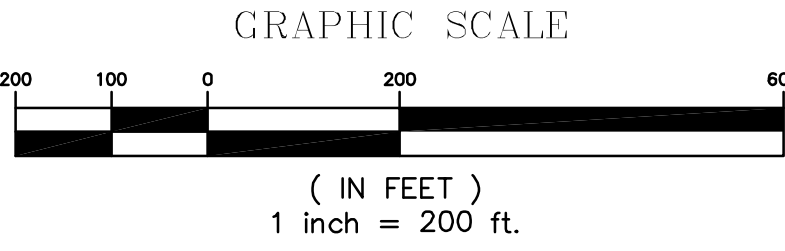
54 RESIDENTIAL LOTS
5 COMMON AREA LOTS
**PAPE-DAWSON
ENGINEERS**

6105 TENNYSON PKWY, STE 210 | PLANO, TX 75024 | 214.420.8494
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1019490

DATE OF PREPARATION: MARCH 20, 2024



Approved Preliminary Plat
(D20-0094)
(sheet 1 only)



- LEGEND**
- BL = BUILDING LINE
 - AUDE = ACCESS, UTILITY AND DRAINAGE EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - WE = WATER EASEMENT
 - DE = DRAINAGE EASEMENT
 - SWE = SIDEWALK EASEMENT
 - WME = WALL & WALL MAINTENANCE EASEMENT
 - HOA = HOME OWNERS ASSOCIATION
 - IRF = IRON ROD FOUND
 - UE = UTILITY EASEMENT
 - <CM> = CONTROL MONUMENT
 - M.R.C.C.T. = MAP RECORDS, COLLIN COUNTY, TEXAS
 - D.R.C.C.T. = DEED RECORDS, COLLIN COUNTY, TEXAS
 - CCF = COUNTY CLERK'S FILE NUMBER
 - ⊙ = 1/2" IRON ROD FOUND W/YELLOW PLASTIC CAP STAMPED "DAA" UNLESS OTHERWISE NOTED
 - ⦿ = 1/2" IRON ROD SET W/YELLOW PLASTIC CAP STAMPED "DAA"
 - ◇ = DENOTES STREET NAME CHANGE
 - ▼ = DENOTES FRONT OF LOT
 - ✳ = KEY LOT

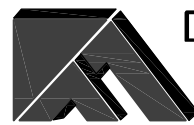
PHASE NO.	TOTAL No. LOTS	LOT TYPE A (55' X 125' TYP.)	LOT TYPE B (65' X 125' TYP.)	LOT TYPE C (76' X 135' TYP.)	LOT TYPE D (86' X 135' TYP.)
10	53	—	53	—	—
11	123	123	—	—	—
12	49	—	—	49	—
13	30	—	—	—	30
14	88	—	—	—	—
15	72	—	72	—	—
16	85	—	85	—	—
17	61	—	—	—	61
18	67	—	—	48	19
TOTAL	628	211	210	97	110

- NOTES:**
- DEVELOPER TO BUILD ALL SIDEWALKS WITHIN HOA LOTS.
 - ALL DEVELOPMENT WILL COMPLY WITH ALL ZONING & SUBDIVISION ORDINANCE REQUIREMENTS.
 - OPEN SPACE & COMMON AREA LOTS SHALL BE DEDICATED AS LANDSCAPING, TRAILS, & PEDESTRIAN ACCESS EASEMENTS TO BE OWNED AND MAINTAINED BY THE HOA.
 - THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES & DO NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.
 - SELLING A PORTION OF THIS MEETS & BOUNDS IS A VIOLATION OF TOWN ORDINANCE & STATE LAW & IS SUBJECT TO A FINE & WITHHOLDING OF UTILITIES & BUILDING PERMITS.
 - PHASING MAY VARY WITH FINAL PLATS AS APPROVED BY THE TOWN OF PROSPER.
 - ALL LANDSCAPE/OPEN SPACE MEDIANS SHALL BE IDENTIFIED WITH "NO PARKING" SIGNS TO BE INSTALLED ALONG THE LANDSCAPE/OPEN SPACE SIDE.
 - BASES OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS NORTH CENTRAL ZONE (4202).
 - ALL LOT CORNERS SHALL BE MONUMENTED WITH A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "DAA" UNLESS OTHERWISE NOTED.
 - "X" CUTS SET IN CONCRETE STREET PAVING AT ALL INTERSECTIONS & POINTS OF CURVATURE.
 - LOTS BACKING UP TO FLOODPLAIN SHALL HAVE A MINIMUM REAR YARD SETBACK OF NO LESS THAN 25' FROM BASE FLOODPLAIN. LOTS SIDING TO THE FLOODPLAIN SHALL HAVE A 15' SIDE SETBACK FROM BASE FLOODPLAIN AREA.
 - ALL LOTS BACKING TO BUTTON BRANCH ARE REQUIRED TO HAVE ORNAMENTAL FENCING. ALL FENCING ADJACENT TO PARKS & COMMON AREA/OPEN SPACE LOTS SHALL BE ORNAMENTAL METAL.
 - AN EROSION HAZARD SETBACK IS REQUIRED FOR ALL LOTS SIDING &/OR BACKING TO FLOODPLAIN.
 - APPROXIMATELY 568 LF OF LOTS (BLOCK W LOT 23 & 24, BLOCK R LOT 40, 41, & 42) BACK TO BUTTON BRANCH. APPROXIMATELY 793 LF OF RIGHT-OF-WAY IS PROPOSED ADJACENT TO BUTTON BRANCH.
 - TRAILS ALONG STREETS SHALL BE INSIDE 25' LANDSCAPE & HIKE & BIKE TRAIL EASEMENT. PUBLIC TRAIL TO BE OWNED & MAINTAINED BY THE TOWN OF PROSPER.
 - LOTS 12X & 17X BLOCK W ARE OPEN SPACE LOTS FOR PUBLIC TRAIL, ACCESS, AND LANDSCAPE PURPOSES. THEY SHALL BE DEDICATED BY THIS PLAT AS A DRAINAGE AND PUBLIC ACCESS EASEMENT, SHALL BE MAINTAINED BY THE HOA.
 - NO LOTS OR RIGHT-OF-WAY TO BE LOCATED IN EROSION HAZARD SETBACK WITHOUT PROPER CREEKBANK STABILIZATION AND IS AT ENGINEERING STAFF'S DISCRETION. FINAL PLATS TO BE DETERMINED AT TIME OF FINAL PLAT.

TOTAL DENSITY: 628 LOTS/176.728 AC
= 3.55 LOTS/ACRE
628 LOTS DEVELOPED TO
PD-66: SINGLE FAMILY — ZONING ORDINANCE NO. 14-31
D20-0094
PRELIMINARY PLAT
STAR TRAIL
PHASES 10-18
628 RESIDENTIAL LOTS
27 — COMMON AREA LOTS
1 — NEIGHBORHOOD PARK
1 — COMMUNITY PARK
242.421 TOTAL GROSS ACRES
176.728 TOTAL NET ACRES

AN ADDITION TO THE TOWN OF PROSPER
A 242.421 ACRE TRACT OF LAND OUT OF THE
J.M. DURRETT SURVEY
ABSTRACT NO. 350
LOUISA NEATHERLY SURVEY
ABSTRACT NO. 962
IN THE
TOWN OF PROSPER
DENTON COUNTY, TEXAS
DECEMBER 2020 SCALE: 1"=200'

OWNER/DEVELOPER
BLUE STAR ALLEN LAND, LP.
8000 WARREN PARKWAY
BUILDING 1, SUITE 100
FRISCO, TEXAS 75248
PH: 972-543-2412
FAX: 214-387-7781
CONTACT: SCOTT SHIPP
PLANNER/ENGINEER/SURVEYOR



DOWDY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399

Star Trail	Type A	Type B	Type C	Type D	Total
Phase 1A	92	78	0	0	170
Phase 1B	0	61	83	80	224
Phase 2	0	0	0	26	26
Phase 3	121	0	0	0	121
Phase 4	0	64	33	0	97
Phase 5	0	0	77	65	142
Phase 6	67	0	0	0	67
Phase 7	0	118	0	0	118
Phase 8	0	0	68	0	68
Phase 9	0	0	0	73	73
<i>East of Legacy</i>	280	321	261	244	1106
Phase 10	0	80	0	0	80
Phase 11	122	0	0	0	122
Phase 12	0	0	64	0	64
Phase 13	0	0	0	43	43
Phase 14	54	0	0	0	54
Phase 15	0	73	0	0	73
Phase 16	0	84	0	0	84
Phase 17	0	0	0	48	48
Phase 18	0	0	49	5	54
<i>West of Legacy</i>	176	237	113	96	622
All Phases	456	558	374	340	1728



PLANNING

To: Planning & Zoning Commission

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3c

Agenda Item:

Consider and act upon a request for a Site Plan for a Retail Building on Hunter Gateway Centre, Block A, Lot 3, on 0.8± acre, located on the north side of University Drive and 185± feet east of La Cima Boulevard. (DEVAPP-23-0225)

Future Land Use Plan:

The Future Land Use Plan designates this area as the US Highway 380 District.

Zoning:

The property is zoned Planned Development-2 (Commercial Corridor).

Conformance:

The Site Plan conforms to the development standards of Planned Development-2.

Description of Agenda Item:

The Site Plan consists of one 6,579 square foot retail building. The original Site Plan (D21-0076) was approved by the Planning & Zoning Commission on August 17, 2021. The Site Plan expired, so the applicant was required to submit a new Site Plan for consideration.

Access:

Access is provided from University Drive and Richland Boulevard through cross access within the commercial development.

Landscaping, Open Space, and Screening:

The proposed development complies with all landscaping, open space, and screening requirements.

Companion Item:

As a companion item, the Final Plat (DEVAPP-23-0224) is on this Planning & Zoning Commission agenda.

Attached Documents:

1. Location Map
2. Site Plan
3. Previously Approved Site Plan (D21-0076)

Town Staff Recommendation:

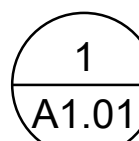
Town Staff recommends approval of the Site Plan.



DEVAPP-23-0225

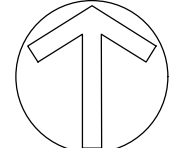
Shell Retail Building

Site Plan



RETAIL SHELL BUILDING SITE PLAN

U.S. HIGHWAY NO. 380
(VARIABLE WIDTH ROW)



Zoning	PD-2
Proposed Use:	Retail Building
Lot Area (S.F. & Acres)	36,554 Sq. Ft. (0.84 acres)
Building Area	6,579 Sq. Ft.
Building Height & # of Stories	20'-10"
Lot Coverage	19.7%
Floor Area Ratio:	0.47:1
Total Parking Required (with Ratio)	26 Spaces (@ 1:250 sq. ft.)
Total Parking Provided	32
Handicap Parking Required, including van-accessible	2 Spaces
Handicap Parking Provided, including van-accessible	2 Spaces
Interior Landscaping Required	2,561
Interior Landscaping Provided	9,781
Square footage of Impervious Surface	27,410 Sq. Ft.
Open space Required	2,561 Sq. Ft. (7% of Lot)
Open Space Provided	8,566 Sq. Ft. (23% of Lot)

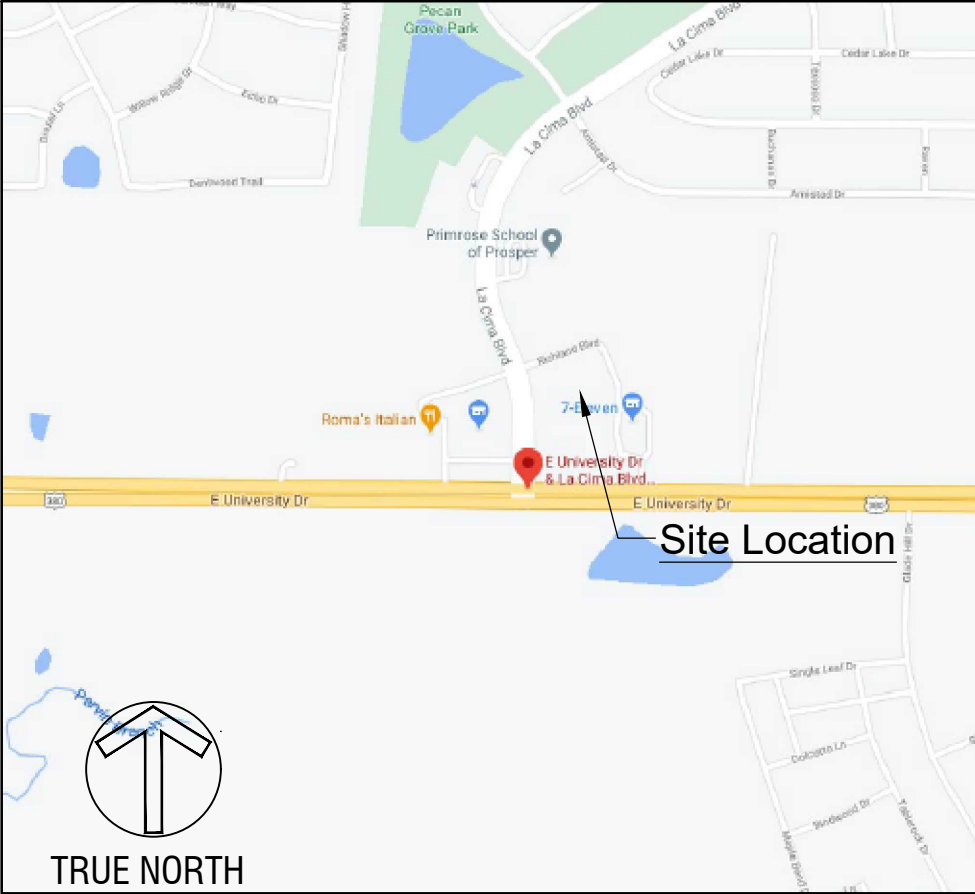
METER SCHEDULE:	
WATER	(1)-1 1/2" DEADHEAD DOMESTIC WATER METER W/ TYPE B METER BOX
IRRIGATION	(1)-1" DEADHEAD IRRIGATION METER W/ BACKFLOW PREVENTER

SITE PLAN CHECKLIST GENERAL NOTES

	(APPLICABLE WHEREVER THE SUBJECT MATTER OCCURS, THROUGHOUT THE PROJECT)
1)	ALL DEVELOPMENT STANDARDS SHALL FOLLOW TOWN STANDARDS
2)	LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN OF PROSPER.
3)	ALL DEVELOPMENT STANDARDS SHALL FOLLOW FIRE REQUIREMENTS PER THE TOWN OF PROSPER.
4)	HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.
5)	ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
6)	IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED ON THE SITE DATA SUMMARY TABLE. HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
7)	THE APPROVAL OF A PRELIMINARY SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS FROM THE DATE THAT THE PRELIMINARY SITE PLAN IS APPROVED BY THE PLANNING & ZONING COMMISSION. AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED THE APPROVAL OF A SITE PLAN BY THE PLANNING & ZONING COMMISSION. IF A SITE PLAN IS NOT APPROVED WITHIN SUCH TWO (2) YEAR PERIOD, THE PRELIMINARY SITE PLAN APPROVAL IS NULL AND VOID. IF SITE PLAN APPROVAL IS NOT FOR A PORTION OF THE PROPERTY, THE APPROVAL OF THE PRELIMINARY SITE PLAN FOR THE REMAINING PROPERTY SHALL BE NULL AND VOID.
8)	OPEN SPACE REQUIREMENTS SHALL FOLLOW THE ZONING ORDINANCE, PER TRACT. OPEN SPACE SHALL NOT INCLUDE VEHICULAR PARKING, REQUIRED PARKING LOT LANDSCAPE ISLANDS, BUILDING FOOTPRINT, UTILITY YARDS, REQUIRED LANDSCAPE SETBACKS, SIDEWALKS, AND DETENTION POND.

OWNER:
La Cima Investments, LLC
422 Desert Willow Lane,
Murphy, TX 75094
Phone: (972) 890-8738
Contact: Vishnu Patel

APPLICANT:
RK Patel Design & Planning, LLC
4908 Carmel Place,
Colleyville, TX 76034
Phone: (682) 365-0300
Email: rkipateldesign@gmail.com
Contact: Chet Patel



LOCATION MAP

SITE LOCATION:
Intersection of U.S. Highway 380 &
La Cima Blvd, Prosper, TX
Block A, LOT 3
Hunter Gateway Centre
Vol. 2019, PG. 12
P.R.C.C.T.
0.84 Acres, 36,554 Sq. Ft.

TOWN PROJECT #: DEVAPP-23-0225

DATE: 04/09/2024

PROJECT MANAGER
RK PATEL DESIGN &
PLANNING, LLC

PROJECT ARCHITECT
Benjamin Cortez, AIA

OWNER:
Cima Investments, Inc.,
422 Desert Willow Lane,
Murphy, Texas 75094

SHELL RETAIL BUILDING
1501 E. University Drive,
Prosper, Texas 75078



Revisions:

Drawn By: CP

Checked By: BC

Issue Date:

Project No:

Sheet Information:
SITE PLAN

Sheet No:

A1.01



PLANNING

To: Planning & Zoning Commission

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3d

Agenda Item:

Consider and act upon a request for a Final Plat of Hunter Gateway Centre, Block A, Lot 3, on 0.8± acres, located on the north side of University Drive and 185± feet east of La Cima Boulevard. (DEVAPP-23-0224)

Future Land Use Plan:

The Future Land Use Plan designates this area as the US Highway 380 District.

Zoning:

The property is zoned Planned Development-2 (Commercial Corridor).

Conformance:

The Final Plat conforms to the development standards of Planned Development-2.

Description of Agenda Item:

The purpose of this Final Plat is to dedicate easements necessary for the development of Lot 3.

Companion Item:

As a companion item, the Site Plan (DEVAPP-23-0225) is on this Planning & Zoning Commission agenda.

Attached Documents:

1. Location Map
2. Final Plat

Town Staff Recommendation:

Town Staff recommends approval of the Final Plat.



DEVAPP-23-0224

HUNTER GATEWAY
CENTER ADDITION

Final Plat

OWNER'S DEDICATION:

WHEREAS La Cima Investments, Inc. is the owner of a tract of land situated in the H. Jamison Survey, Abstract Number 480, Town of Prosper, Collin County, Texas, and being all of Lot 3, Block A of Hunter Gateway Centre Addition, an addition to the Town of Prosper as recorded in Instrument Number 20110620010001070 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being all of that tract of land described in deed to La Cima Investment Inc., as recorded in Instrument Number 20210319000552920, O.P.R.C.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at an "X"-Cut found for the north4asxt corner of said Lot 3;

THENCE South 00 degrees 28 minutes 32 seconds East, along the east line of said Lot 3, a distance of 276.00 feet to a 1/2-inch iron rod with cap stamped "POGUE"found for the southeast corner of said Lot 3, said corner being on the north right-of-way line of U.S. Highway No. 80 (a variable width public right-of-way);

THENCE South 89 degrees 31 minutes 28 seconds West, along the common said north right-of-way line and the south line of said Lot 3, a distance of 132.46 feet to a 1/2-inch iron rod with cap stamped "PEISER"found for the southwest corner of said Lot 3;

THENCE North 00 degrees 28 minutes 32 seconds West, along the west line of said Lot 3, a distance of 276.00 feet to a 1/2-inch iron rod with cap stamped "PEISER"found for the northwest corner of said Lot 3;

THENCE North 89 degrees 31 minutes 28 seconds East, along the north line of said Lot 3, a distance of 132.46 feet to the POINT OF BEGINNING AND CONTAINING 36,557 square feet or 0.8392 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That LA CIMA INVESTMENT, INC., the owner acting by and through its duly authorized agent of the property described in this plat does hereby adopt this plat, designating the property as Lot 3, Block A, HUNTER GATEWAY CENTRE ADDITION, an addition to the Town of Prosper, Collin County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets, roads, avenues, alleys, public areas shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated. LA CIMA INVESTMENT, INC does herein certify the following:

- The streets, roads, avenues and alleys are dedicated for street, road and avenue purposes.
- All public improvements and dedications shall be free and clear of all debt, liens and/or encumbrances.
- The easements and public use areas, as shown, are dedicated for the public use forever for the purposes indicated on this plat.4. 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 City of Melissa's use thereof.
- The Town of Prosper and any public or private utility shall have the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of their respective systems in the easements.
- The Town of Prosper and any public or private utility shall all all times have the full right of Ingress and egress to or from and upon the such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone.
- All modifications to this document shall be by means of plat and approved by the Town of Prosper.

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

WITNESS, my hand at Prosper, Texas this the _____ day of _____, 20__.

LA CIMA INVESTMENTS, INC

BY: _____
VISHNU PATEL, OWNER

STATE OF TEXAS
COUNTY OF _____

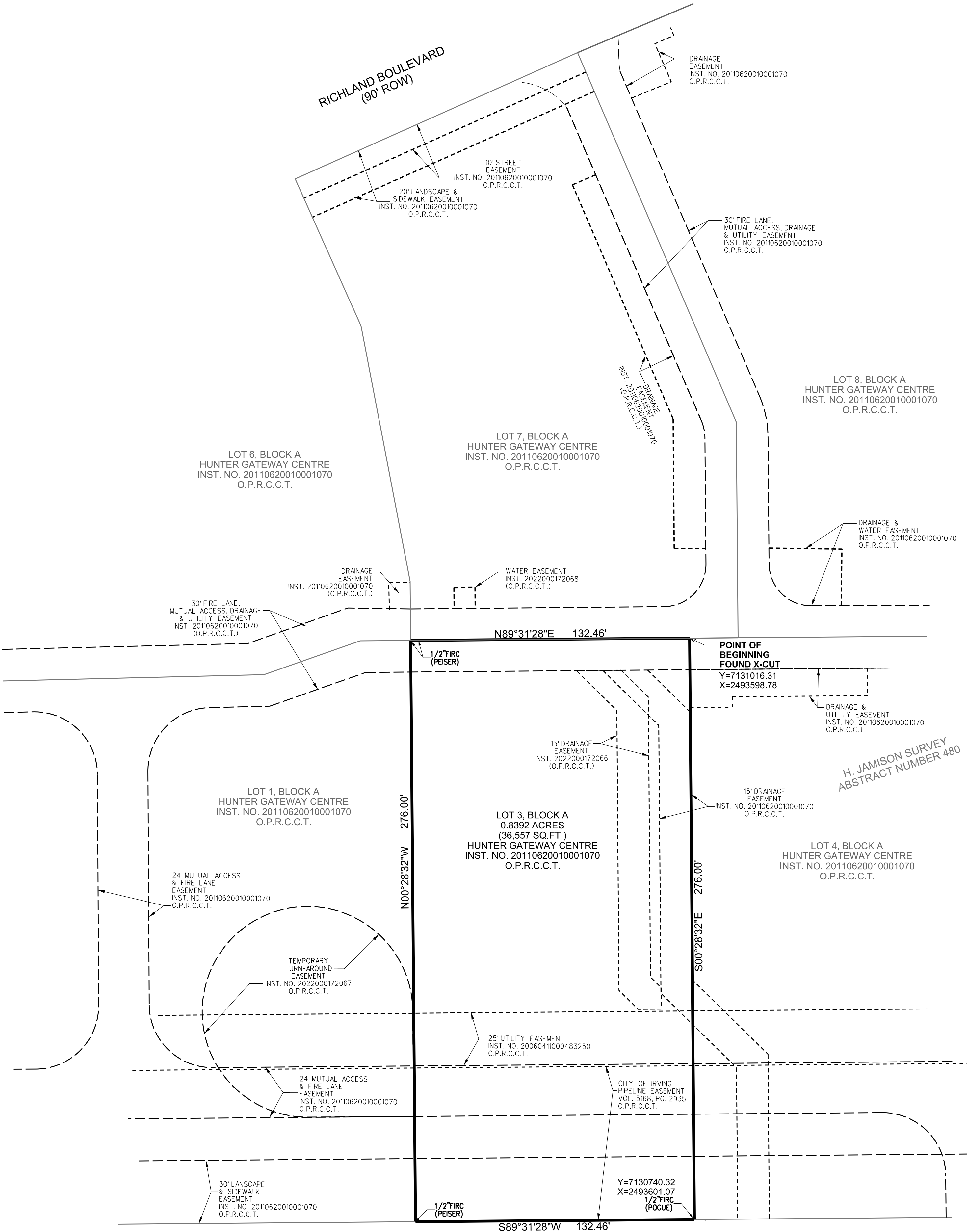
BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Vishnu Patel, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

WITNESS MY HAND at _____, Texas, this _____ day of _____, 20__.

Notary Public in and for the State of Texas

LEGEND

O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
SQ.FT.	SQUARE FEET
VOL.	VOLUME
R.O.W.	RIGHT OF WAY
PG.	PAGE
INST.	INSTRUMENT
NO.	NUMBER
IRFC	IRON ROD FOUND WITH CAP



U.S. HIGHWAY NO. 380
(VARIABLE WIDTH ROW)

OWNER:

LA CIMA INVESTMENT, INC.
422 DESERT WILLOW LANE
MURPHY, TX 75094
PH: 972-890-8738
EMAIL: vmp022000@gmail.com

ACCESS EASEMENT

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

FIRE LANE EASEMENT

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

LANDSCAPE EASEMENT

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

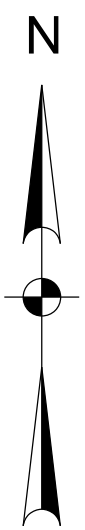
VISIBILITY AND MAINTENANCE EASEMENT (VAM)

The area or areas shown on the plat as "VAM"(Visibility and Maintenance) Easement(s) are hereby given and granted to the Town of Prosper (Called "Town"), its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM Easement. The Town shall have the right, but not the obligation, to maintain all landscaping within the VAM Easement. Should the Town exercise this maintenance right it shall be permitted to remove and dispose of any and all landscaping improve elements, including without limitation, any trees, shrubs, flowers, ground cover, structure, and/or fixtures. The Town in its sole discretion may withdraw maintenance of the VAM at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the property owner(s). No building, fence, shrub, tree, or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over, or across the VAM Easement. The Town shall also have the right, but not the obligation, to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The Town, its successor, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

DRAINAGE AND DETENTION EASEMENT

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

0' 15' 30' 60'
1" = 30'



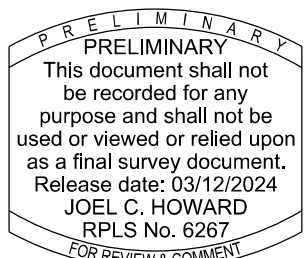
VICINITY MAP
NOT TO SCALE

SURVEYOR'S NOTES:

- Bearing system for this survey based on the Texas Coordinate System of 1983, North Central Zone (4202).
- This survey was prepared without the benefit of a Title Commitment
- Based upon graphical plotting the subject property is located within Zone "X" (unshaded), being defined as those areas determined to be outside the 0.2% annual chance floodplain, as delineated on Flood Insurance Rate Map, Number 48085C0235J, dated June 02, 2009.
- The purpose of this plat is to Final Plat the lot following construction.
- A 30' Radius is required for the turn-around. If the adjacent site is not under construction at the time of the issuance of the Certificate of Occupancy, a 30' Radius turnaround will be required.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Joel C. Howard, do hereby certify that I prepared this plat 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 City of Melissa, Texas.



Signature: _____ Date: _____

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Joel C. Howard, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

WITNESS MY HAND at _____, Texas, this _____ day of _____, 20__.

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

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

Town Secretary

Engineering Department

Department of Development Services

GEONAV
SURVEYING • MAPPING • SCANNING

3410 MIDCOURT RD, SUITE 110 CARROLLTON, TEXAS 75006
SCALE 1"=30' (972) 243-2409 PROJECT NUMBER: 2185
TBPLS FIRM NO. 10194205

DATED: JANUARY 21, 2024 DRAWN BY: LEO

FINAL PLAT
DEVAPP-23-0224
HUNTER GATEWAY
CENTRE ADDITION
BLOCK A, LOT 3
OF

0.8392 ACRES

IN
H. JAMISON SURVEY, ABSTRACT NO. 480
TOWN OF PROSPER, COLLIN COUNTY, TEXAS



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: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3e

Agenda Item:

Consider and act upon a request for a Site Plan for Restaurant/Retail Buildings on Teel 380 Addition, Block A, Lot 7, on 2.8± acres, located 325± feet north of University Drive and 440± feet west of Teel Parkway. (DEVAPP-24-0006)

Future Land Use Plan:

The Future Land Use Plan designates this area the US Highway 380 District.

Zoning:

The property is zoned Planned Development-40 (Single Family). The majority of Planned Development-40 is residential; however, commercial uses such as restaurant and retail are permitted at the hard corner of Teel Parkway and University Drive.

Conformance:

The Site Plan conforms to the development standards of Planned Development-40.

Description of Agenda Item:

The Site Plan consists of two restaurant/retail buildings totaling 25,500 square feet. The Preliminary Site Plan (D22-0021) was approved by the Planning & Zoning Commission on May 17, 2022. Town Staff approved a revision to the Preliminary Site Plan on May 17, 2023, on Lot 1 which resulted in a restaurant and retail building instead of a gas station. The proposed site plan for Lot 7 shows two buildings instead of one and a modification to the arrangement of the parking stalls.

Access:

Access is provided from Teel Parkway and University Drive through cross access within the commercial development.

Landscaping, Open Space, and Screening:

The proposed development complies with all landscaping, open space, and screening requirements.

Companion Item:

As a companion item, the Final Plat (DEVAPP-24-0005) is on this Planning & Zoning Commission agenda.

Attachments:

1. Location Map
2. Site Plan
3. Approved Preliminary Site Plan (D22-0021)
4. Approved Revised Preliminary Site Plan (D22-0021)

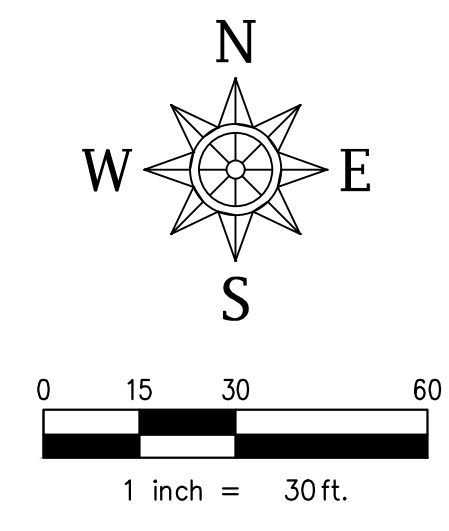
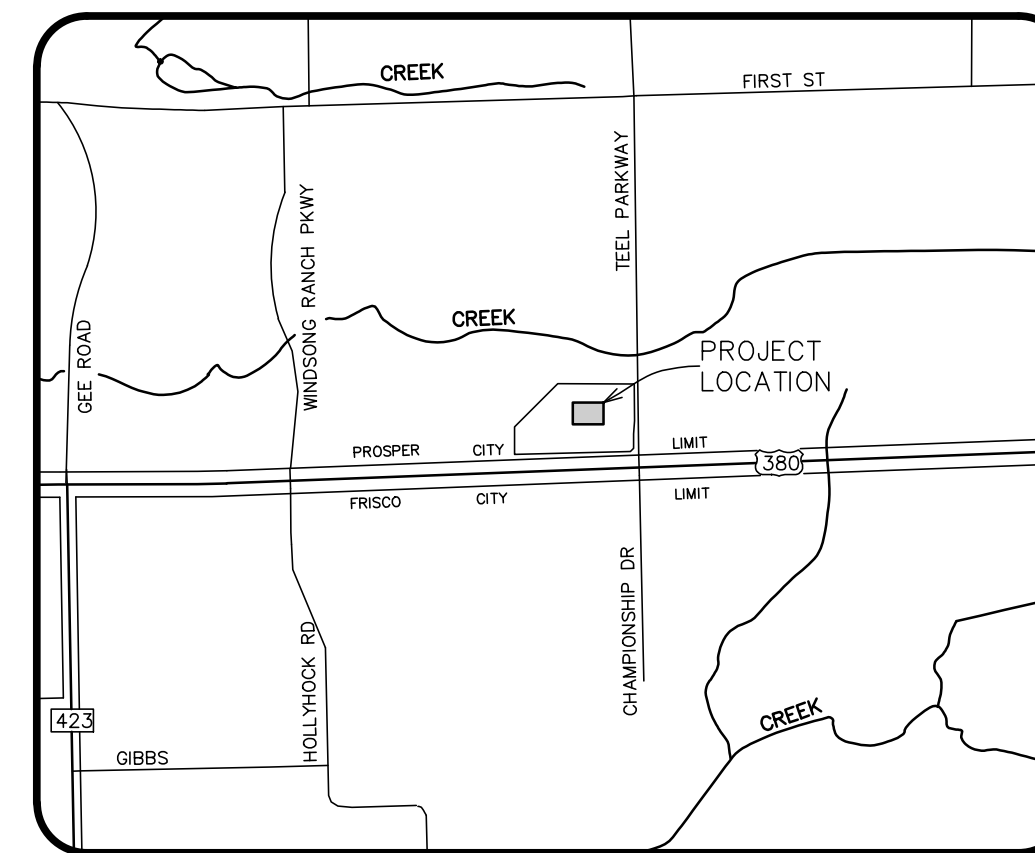
Town Staff Recommendation:

Town Staff recommends approval of the Site Plan.



DEVAPP-24-0006
TEEL 380 ADDITION

Site Plan



Vicinity Map
NTS

- Town of Prosper Site Plan Notes:**
- 1) All development standards shall follow Town Standards.
 - 2) Landscaping shall conform to landscape plans approved by the Town of Prosper.
 - 3) All development standards shall follow Fire Requirements per the Town of Prosper.
 - 4) Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
 - 5) All signage is subject to Building Official approval.
 - 6) Impact fees will be assessed in accordance with the land use classification(s) identified on the Site Data Summary Table; however, changes to the proposed land use at the time of CO and/or finish-out permit may result in additional impact fees and/or parking requirements.
 - 7) The approval of a Preliminary Site Plan shall be effective or a period of two (2) years from the date that the Preliminary Site Plan is approved by the Planning & Zoning Commission, at the end of which time the applicant must have submitted and received the approval of a Site Plan approval is null and void.
 - 8) Open Space requirements shall follow the Zoning Ordinance, per tract. Open Space shall not include vehicular paving, required parking lot landscape islands, building footprint, utility yards, required landscape setbacks, sidewalks, and detention pond.

LEGEND

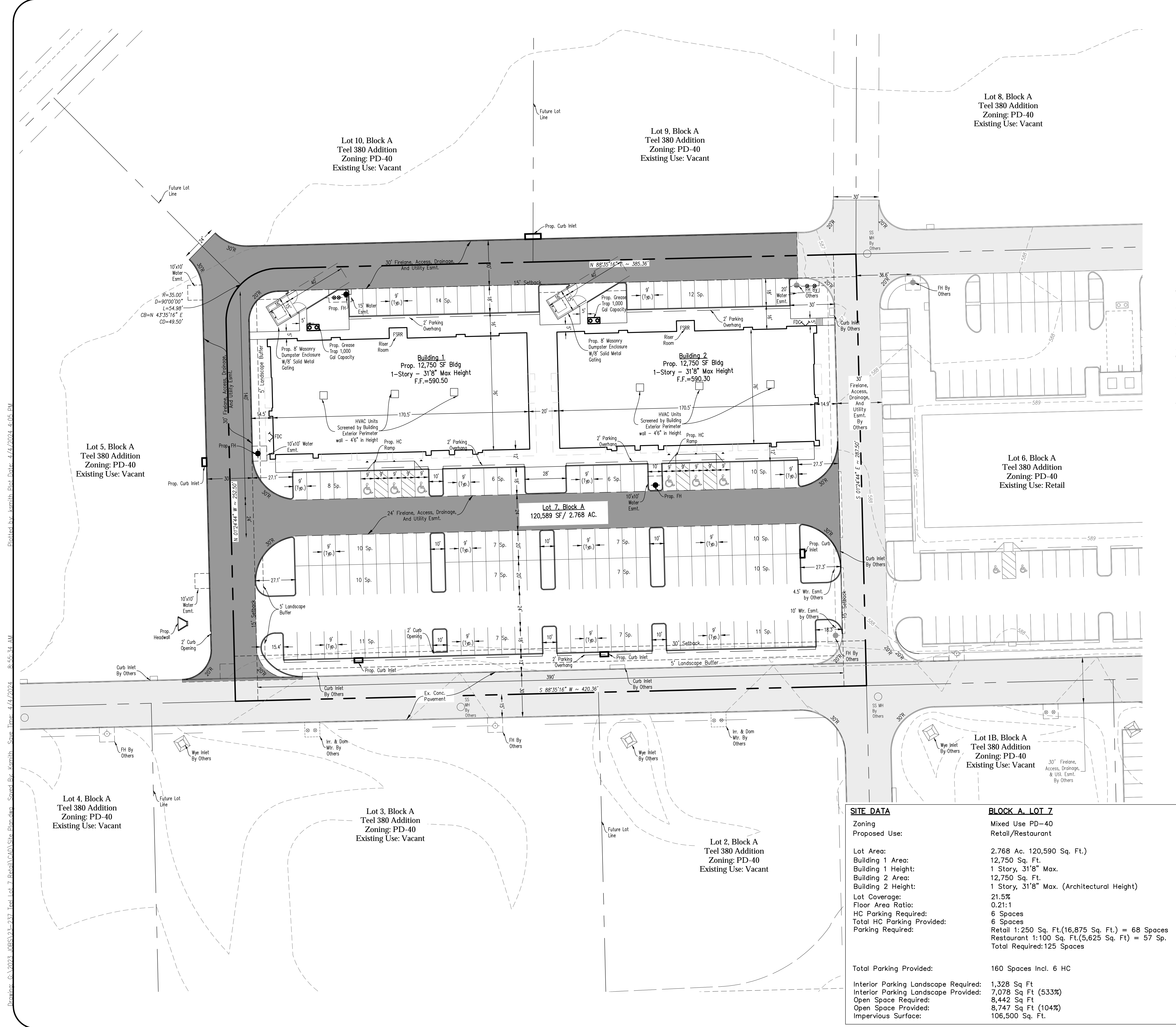
[Pattern]	FIRELANE, ACCESS, DRAINAGE, & UTILITY EASEMENT BY OTHERS
[Pattern]	PROPOSED FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT
[Pattern]	PROPOSED SIDEWALK
[Symbol]	1/2" IRON ROD W/ PLASTIC CAP STAMPED "SPIARSENG" SET, UNLESS OTHERWISE NOTED.
[Symbol]	POWER POLE
[Symbol]	GUY WIRE ANCHOR
[Symbol]	OVERHEAD POWER LINE
[Symbol]	CONTROL MONUMENT
[Symbol]	PROPOSED FIRE HYDRANT
[Symbol]	EXISTING FIRE HYDRANT

**SITE PLAN
DEVAPP-24-0006**

TEEL LOT 7 RETAIL
TEEL 380 ADDITION - BLOCK A, LOT 7
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS
C. SMITH SURVEY ABSTRACT NO. 1681
120,590 Sq. Ft./2.768 Acres

ENGINEER / SURVEYOR / APPLICANT Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: Karis L. Smith	OWNER/DEVELOPER Teel 380, LP 8668 John Hickman Parkway Frisco, TX 75034 Telephone: (248) 345-3818 Contact: Shiva Kondru
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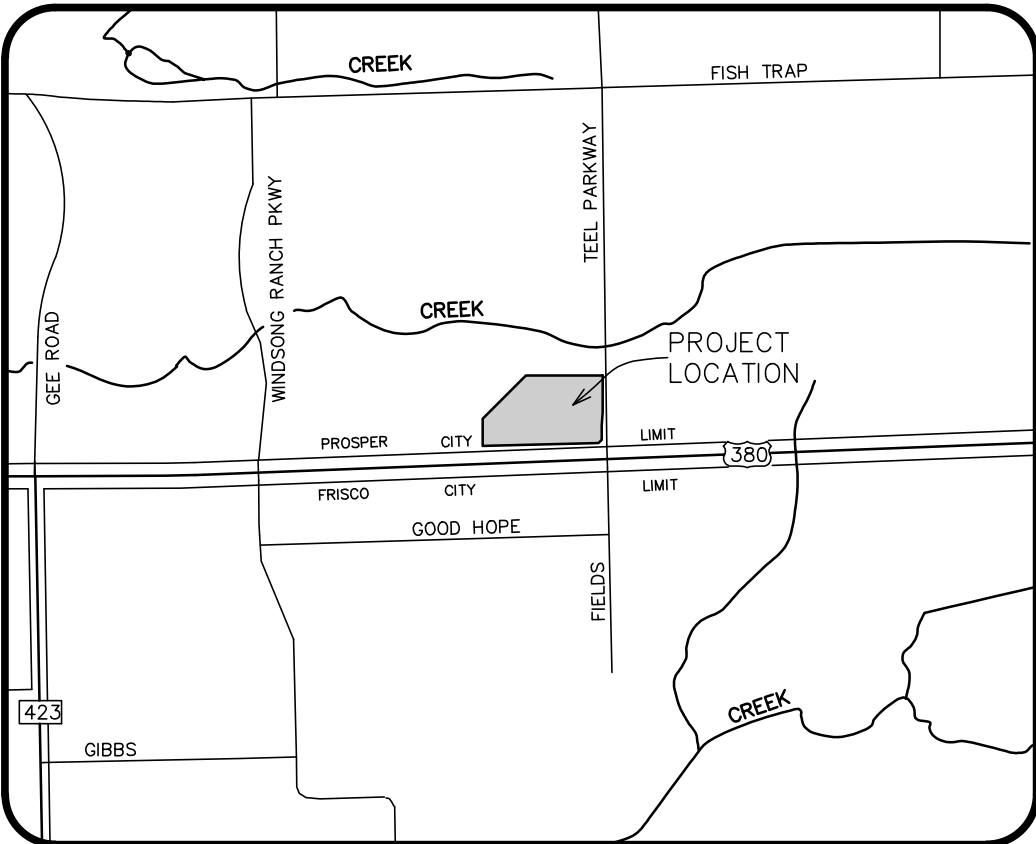
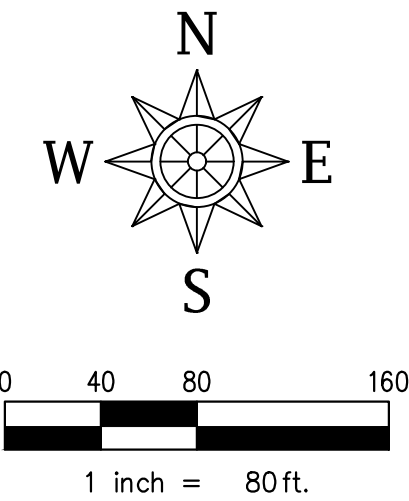
SITE DATA	
Zoning	Mixed Use PD-40
Proposed Use:	Retail/Restaurant
Lot Area:	2.768 Ac. 120,590 Sq. Ft.)
Building 1 Area:	12,750 Sq. Ft.
Building 1 Height:	1 Story, 31'8" Max.
Building 2 Area:	12,750 Sq. Ft.
Building 2 Height:	1 Story, 31'8" Max. (Architectural Height)
Lot Coverage:	21.5%
Floor Area Ratio:	0.21:1
HC Parking Required:	6 Spaces
Total HC Parking Provided:	6 Spaces
Parking Required:	Retail 1:250 Sq. Ft.(16,875 Sq. Ft.) = 68 Spaces Restaurant 1:100 Sq. Ft.(5,625 Sq. Ft.) = 57 Sp. Total Required:125 Spaces
Total Parking Provided:	160 Spaces Incl. 6 HC
Interior Parking Landscape Required:	1,328 Sq Ft
Interior Parking Landscape Provided:	7,078 Sq Ft (533%)
Open Space Required:	8,442 Sq Ft
Open Space Provided:	8,747 Sq Ft (104%)
Impervious Surface:	106,500 Sq. Ft.



Drawn: C:\2023_0085\21-237 Teel Lot 7 Retail\CAD\Site Plan.dwg Saved By: Kerith Save Date: 4/4/2024 8:55:34 AM
Plotted By: Kerith Plot Date: 4/4/2024 4:05 PM

Approved Preliminary Site Plan
(D22-0021)

TOWN OF
PROSPER
P&Z Conditional Approval
May 17, 2022



Vicinity Map
NTS

Note:
All proposed driveways, deceleration lanes and median openings along 380 are subject to TxDOT approval.

LEGEND

Firelane
Match Line

Town of Prosper Site Plan Notes:

- Dumpsters and trash compactors shall be screened per the Zoning Ordinance.
- Open storage, where permitted, shall be screened per the Zoning Ordinance.
- Outdoor lighting shall comply with the lighting and glare standards contained within the Zoning Ordinance and Subdivision Ordinance.
- Landscape shall conform to landscape plans approved by the Town.
- All elevations shall comply with the standards contained within the Zoning Ordinance.
- Buildings of 5,000 square feet or greater shall be 100% fire sprinkled. Alternative fire protection measures may be approved by the Fire Department.
- Occupant notification per this section and 907.5 shall be required for all new construction, or existing construction complying with the International Building Code, for renovations to existing buildings, tenant spaces, changes in occupancy, replacement or modification of the existing fire alarm system, or as required by the Fire Code Official, for all buildings or spaces provided with an approved automatic sprinkler system.
- Fire lanes shall be designed and constructed per Town Standards or as directed by the Fire Department.
- Two points of access shall be maintained for the property at all times.
- Speed bumps/humps are not permitted within a fire lane.
- Fire lanes shall be provided within 150 feet of all exterior walls of any building for hose lay requirements. Amendment 503.1.1
- The fire lane shall be a minimum of 24 feet wide. Amendment 503.2.1
- Buildings more than 30 feet in height are required to have a minimum of a 26-foot wide fire lane in the immediate vicinity for firefighting operations of the building. One of the 26-foot wide fire lanes shall be located a minimum of 15 feet from the building and no more than 30 feet. Appendix D105
- The inside turning radius of the 24-foot fire lane shall be a minimum of 30 feet. Amendment 503.2.4
- The inside turning radius of the 26-foot fire lane shall be a minimum of 30 feet. Amendment 503.2.4
- Dead-end fire lanes are only permitted with approved hammerheads.
- Fire hydrants shall be provided at the entrances and intersections. Amendment 507.5.1
- As properties develop, fire hydrants shall be located at all intersecting streets and the maximum spacing shall be every 300 feet (300') for all developments, and facilities other than R3, R-3 developments shall be every 500 feet (500'). Distances between hydrants shall be measured along the route that fire hose is laid by a fire apparatus from hydrant-to-hydrant, not as the "crow flies". Amendment 507.5.1
- Fire department connection (FDC) for the fire sprinkler system shall be located within 50 feet of a fire hydrant and 50 feet of a fire lane. 5" Storz, 30-degree downward turn with locking cap. Amendment 507.5.1
- Fire hydrants shall be located 2 foot (2') to 6 foot (6') back from the curb or fire lane and shall not be located in the bulb of a cul-de-sac. Amendment 507.5.1
- There shall be a minimum of two (2) fire hydrants serving each property within the prescribed distances listed above. A minimum of one fire hydrant shall be located on each lot. Amendment 507.5.1
- A minimum 10-foot unobstructed width shall be provided around a building for adequate Fire Department access. A continuous row of parking and landscaping shall be considered a barrier. Amendment 503.1.1
- The maximum dead-end cul-de-sac length shall not exceed six hundred feet (600') as measured from the centerline of the intersection street to the center point of the radius. Amendment 503.1.5
- One- and two-family dwellings shall be equipped with automatic fire systems. Automatic fire protection systems per NFPA 130 or NFPA 13R shall be provided in all one- and two-family dwellings with a conditioned floor area of 5,500 square feet (511 m²) or greater, dwellings three (3) stories or greater, or dwellings with roof heights exceeding thirty-five feet (35') from grade. IRC-2015 Amendment R313.2
- Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
- All signage is subject to Building Official approval.
- All fences and retaining walls shall be shown on the Site Plan and are subject to Building Official approval.
- All exterior building materials are subject to Building Official approval and shall conform to the approved facade plan.
- Sidewalks of not less than six (6) feet in width along thoroughfares and collectors and five (5) feet in width along residential streets and barrier-free ramps at all curb crossings shall be provided per Town Standards.
- All new electrical lines shall be installed and/or relocated underground.
- All mechanical equipment shall be screened from public view per the Zoning Ordinance.
- All landscape easements must be exclusive of any other type of easement.
- Impact fees will be assessed per the land use classification(s) identified on the Site Data Summary Table; however, changes to the proposed land use at the time of CO and/or finish-out permit may result in additional impact fees and/or parking requirements.
- The approval of a Preliminary Site Plan shall be effective for two (2) years from the date that the Preliminary Site Plan is approved by the Planning & Zoning Commission, at the end of which time the applicant must have submitted and received the approval of a Site Plan by the Planning & Zoning Commission. If a site plan is not approved within such two (2) year period, the Preliminary Site Plan approval is null and void. If Site Plan approval is only for a portion of the property, the approval of the Preliminary Site Plan for the remaining property shall be null and void.

SITE DATA SUMMARY TABLE

LOT	ZONING	PROPOSED USE	LOT AREA		FIRST FLOOR BUILDING AREA (SF)	TOTAL BUILDING AREA (SF)	UNIT COUNT	BUILDING HEIGHT (story)	COVERAGE (%)	FLOOR AREA RATIO	REQ. PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED	REQUIRED HANDICAP PARKING	PROVIDED HANDICAP PARKING	INTERIOR LANDSCAPE REQUIRED (SF)	INTERIOR LANDSCAPE PROVIDED (SF)	IMPERVIOUS AREA (SF)	OPEN SPACE REQUIRED (SF)	OPEN SPACE PROVIDED (SF)
			SF	AC																
1	PD	CONVENIENCE STORE	122,582	2.81	5,674	5,674	N/A	1	4.6%	0.0463:1	1:250	23	56	3	4	840	2,106	32,956	8,581	9,953
2	PD	RETAIL & RESTAURANT	78,436	1.80	9,100	9,100	N/A	1	11.6%	0.116:1	1:100; 1:250	65	85	4	4	1,275	5,490	27,702	5,490	4,616
3	PD	RETAIL & RESTAURANT	75,554	1.73	8,671	10,660	N/A	1	11.5%	0.1411:1	1:100; 1:250	76	77	4	6	1,155	972	24,769	5,289	2,103
4	PD	RETAIL & RESTAURANT	57,130	1.31	5,200	5,200	N/A	1	9.1%	0.091:1	1:100; 1:250	37	49	2	2	735	1,296	53,972	3,999	4,144
5	PD	RETAIL & RESTAURANT	60,413	1.39	5,200	5,200	N/A	1	8.6%	0.0861:1	1:100; 1:250	37	49	2	2	735	1,296	31,555	4,229	3,867
6	PD	RETAIL & RESTAURANT	126,635	2.91	19,000	19,000	N/A	1	15.0%	0.15:1	1:100; 1:250	133	138	5	8	2,070	2,106	48,228	8,864	4,000
7	PD	RETAIL & RESTAURANT	120,589	2.77	20,000	20,000	N/A	1	16.6%	0.1659:1	1:100; 1:250	140	142	5	4	2,130	1,944	45,213	8,441	8,484
8	PD	MEDICAL OFFICE	124,273	2.85	19,800	19,800	N/A	1	15.9%	0.1593:1	1:250	80	135	5	6	2,025	2,916	47,054	8,699	18,681
9	PD	MEDICAL OFFICE	48,212	1.11	7,500	15,000	N/A	2	15.6%	0.3111:1	1:250	60	69	3	2	1,035	1,620	30,091	3,375	3,024
10	PD	MEDICAL OFFICE	40,230	0.92	7,500	14,250	N/A	2	18.6%	0.3542:1	1:250	57	57	3	2	855	1,944	16,285	2,816	4,050
11	PD	MEDICAL OFFICE	44,786	1.03	8,400	15,750	N/A	2	18.8%	0.3517:1	1:250	63	63	3	2	945	1,944	26,002	3,135	4,100
12	PD	MEDICAL OFFICE	57,028	1.31	8,400	16,800	N/A	2	14.7%	0.2946:1	1:250	68	80	4	2	1,200	10,692	229,398	3,992	7,760
Total			955,868	21.944	124,445	156,434						839	1,000	43	44	15,000	29,646	613,225	66,911	74,782

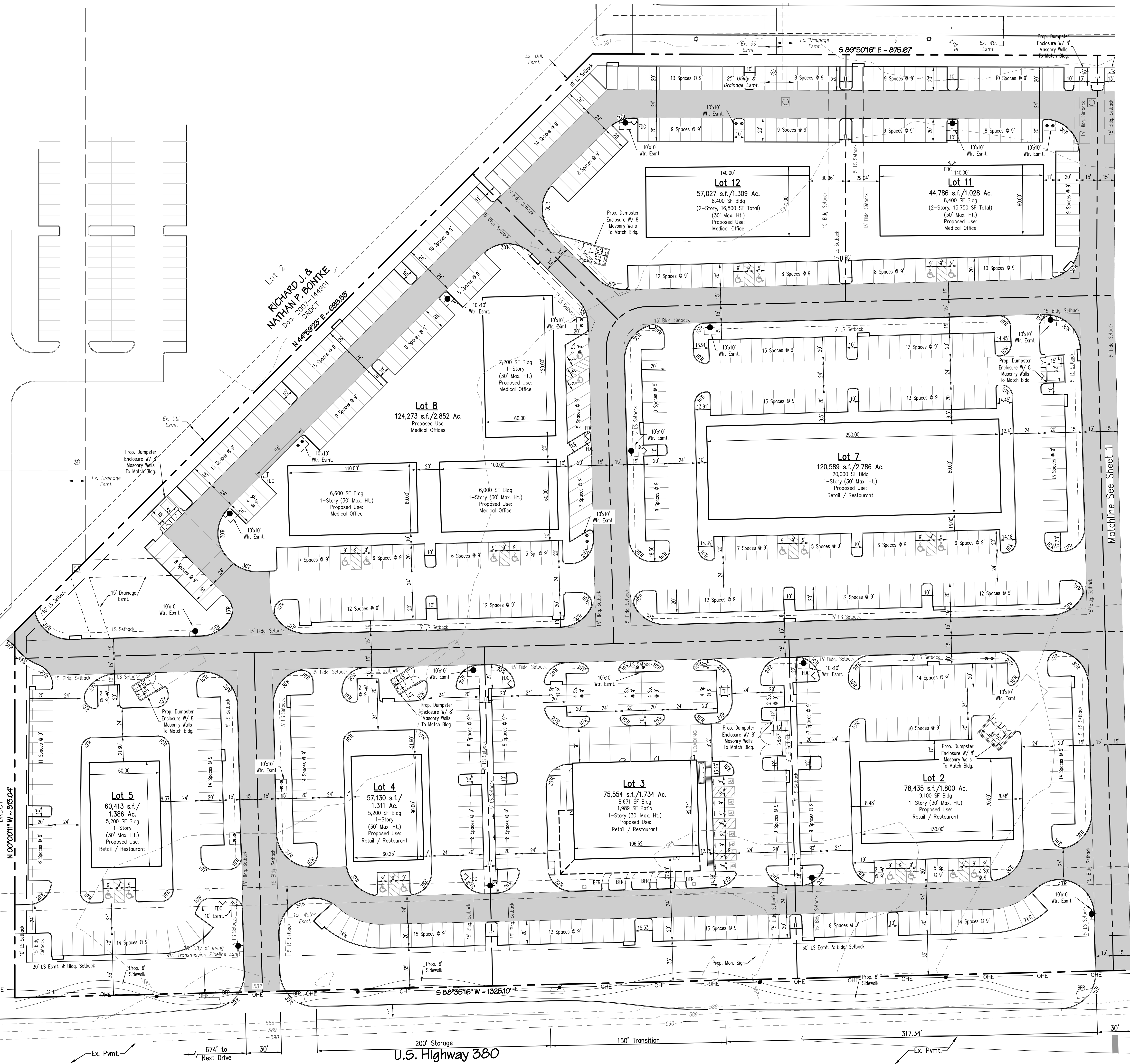
CASE No. - D 22-0021
PRELIMINARY SITE PLAN
US 380 & TEEL PARKWAY
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS
C. SMITH SURVEY ABSTRACT NO. 1681
955,868 Sq. Ft./21.944 Acres

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

OWNER/DEVELOPER
Teel 380, LP
8668 John Hickman Parkway
Frisco, TX 75034
Telephone: (972) 679-1918
Contact: Shiva Kondru

Drawn: C:\2021\DRS\21-152-380-Teel Due Diligence\CAD\Site Plan.dwg Saved By: Abroador Date: 5/2/2022 2:55:59 PM
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NATHAN J. &
NATHAN P. BONITKE
Doc. 2007-144901
DRDCT



Town of Prosper Site Plan Notes:


- 1) Dumpsters and trash compactors shall be screened per the Zoning Ordinance.
- 2) Open storage, where permitted, shall be screened per the Zoning Ordinance.
- 3) Outdoor lighting shall comply with the lighting and glare standards contained within the Zoning Ordinance and Subdivision Ordinance.
- 4) Landscaping shall conform to landscape plans approved by the Town of Prosper.
- 5) All elevations shall comply with the standards contained within the Zoning Ordinance.
- 6) Buildings of 5,000 square feet or greater shall be 100% fire sprinkled. Alternative fire protection measures may be approved by the Fire Department.
- 7) Occupant notification per this section and 907.5 shall be required for all new construction, or existing construction complying with the International Building Code, for renovations to existing buildings, tenant spaces, changes in occupancy, replacement or modification of the existing fire alarm system, or as required by the Fire Code Official, for all buildings or spaces provided with an approved automatic sprinkler system.
- 8) Fire lanes shall be designed and constructed per Town Standards or as directed by the Fire Department.
- 9) Two points of access shall be maintained for the property at all times.
- 10) Speed bumps/humps are not permitted within a fire lane.
- 11) Fire lanes shall be provided within 150 feet of all exterior walls of any building for hose lay requirements. Amendment 503.1.1
- 12) The fire lane shall be a minimum of 24 feet wide. Amendment 503.2.1
- 13) Buildings more than 30 feet in height are required to have a minimum of a 26-foot wide fire lane in the immediate vicinity for firefighting operations of the building. One of the 26-foot wide fire lanes shall be located a minimum of 15 feet from the building and no more than 30 feet. Appendix D105
- 14) The inside turning radius of the 24-foot fire lane shall be a minimum of 30 feet. Amendment 503.2.4
- 15) The inside turning radius of the 26-foot fire lane shall be a minimum of 30 feet. Amendment 503.2.4
- 16) Dead-end fire lanes are only permitted with approved hammerheads.
- 17) Fire hydrants shall be provided at the entrances and intersections. Amendment 507.5.1
- 18) As properties develop, fire hydrants shall be located at all intersecting streets and the maximum spacing shall be every 300 feet (300') for all developments, and facilities other than R3. R-3 developments shall be every 500 feet (500'). Distances between hydrants shall be measured along the route that fire hose is laid by a fire apparatus from hydrant-to-hydrant, not as the "crow flies" Amendment 507.5.1
- 19) Fire department connection (FDC) for the fire sprinkler system shall be located within 50 feet of a fire hydrant and 50 feet of a fire lane. 5" Starz, 30-degree downward turn with locking cap. Amendment 507.5.1
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- 21) There shall be a minimum of two (2) fire hydrants serving each property within the prescribed distances listed above. A minimum of one fire hydrant shall be located on each lot. Amendment 507.5.1
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- 23) The maximum dead-end cul-de-sac length shall not exceed six hundred feet (600') as measured from the centerline of the intersection street to the center point of the radius. Amendment 503.1.5
- 24) One- and two-family dwellings automatic fire systems. Automatic fire protection systems per NFPA 13D or NFPA 13R shall be provided in all one- and two-family dwellings with a conditioned floor area of 5,500 square feet (511 m2) or greater, dwellings three (3) stories or greater, or dwellings with roof heights exceeding thirty-five feet (35') from grade. IRC-2015 Amendment R313.2
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- 29) Sidewalks of not less than six (6) feet in width along thoroughfares and collectors and five (5) feet in width along residential streets and barrier-free ramps at all curb crossings shall be provided per Town Standards.
- 30) All new electrical lines shall be installed and/or relocated underground.
- 31) All mechanical equipment shall be screened from public view per the Zoning Ordinance.
- 32) All landscape easements must be exclusive of any other type of easement.
- 33) Impact fees will be assessed per the land use classification(s) identified on the Site Data Summary Table; however, changes to the proposed land use at the time of CO and/or finish-out permit may result in additional impact fees and/or parking requirements.
- 34) The approval of a Preliminary Site Plan shall be effective for two (2) years from the date that the Preliminary Site Plan is approved by the Planning & Zoning Commission, at the end of which time the applicant must have submitted and received the approval of a Site Plan by the Planning & Zoning Commission. If a site plan is not approved within such two (2) year period, the Preliminary Site Plan approval is null and void. If Site Plan approval is only for a portion of the property, the approval of the Preliminary Site Plan for the remaining property shall be null and void.

All dimensions are to face of curb or edge of building unless otherwise noted.

All curb radii are 2' unless otherwise noted.

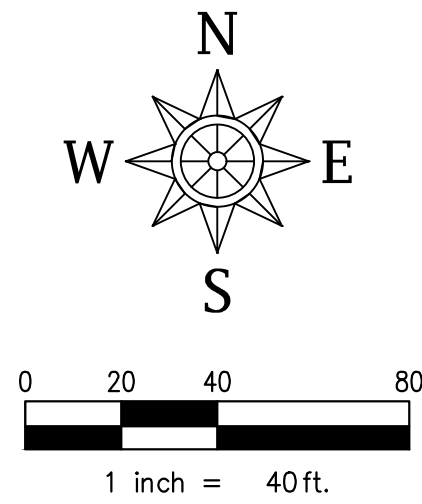
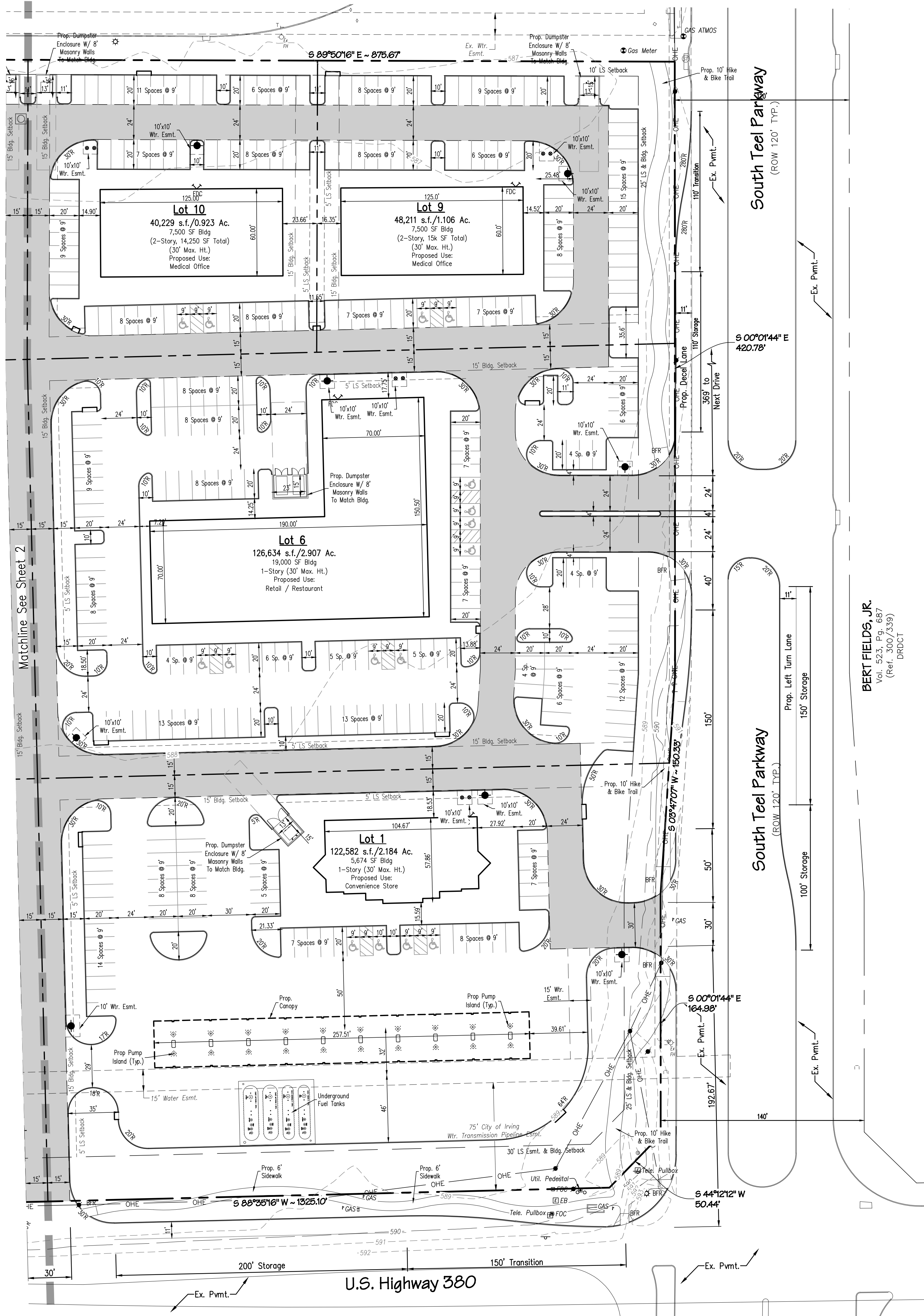
Notes:

1. The thoroughfare alignments shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat.
2. Headlight screening will be provided in accordance with Town Standards.

<u>LEGEND</u>	
	FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "SPIARSENG" SET, UNLESS OTHERWISE NOTED.
■	POWER POLE
☆	LIGHT POLE/STANDARD
◁	GUY WIRE ANCHOR
●	BOLLARD
~	SIGNPOST
— OH —	OVERHEAD POWER LINE
CM	CONTROL MONUMENT
⊙	PROPOSED FIRE HYDRANT
⊖	EXISTING FIRE HYDRANT

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US 380 & TEEL PARKWAY
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C. SMITH SURVEY ABSTRACT NO. 1681
955,868 Sq. Ft./21.944 Acres

ENGINEER / SURVEYOR / APPLICANT Spiors Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: David Bond	OWNER/DEVELOPER Teel 380, LP 8668 John Hickman Parkway Frisco, TX 75034 Telephone: (972) 679-1918 Contact: Shiva Kondru
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Town of Prosper Site Plan Notes:

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- 24) One-and-two-family dwellings automatic fire systems. Automatic fire protection systems per NFPA 13D or NFPA 13R shall be provided in all one-and-two-family dwellings with a conditioned floor area of 5,500 square feet (511 m2) or greater, dwellings three (3) stories or greater, or dwellings with roof heights exceeding thirty-five feet (35') from grade. IRC-2015 Amendment R313.2
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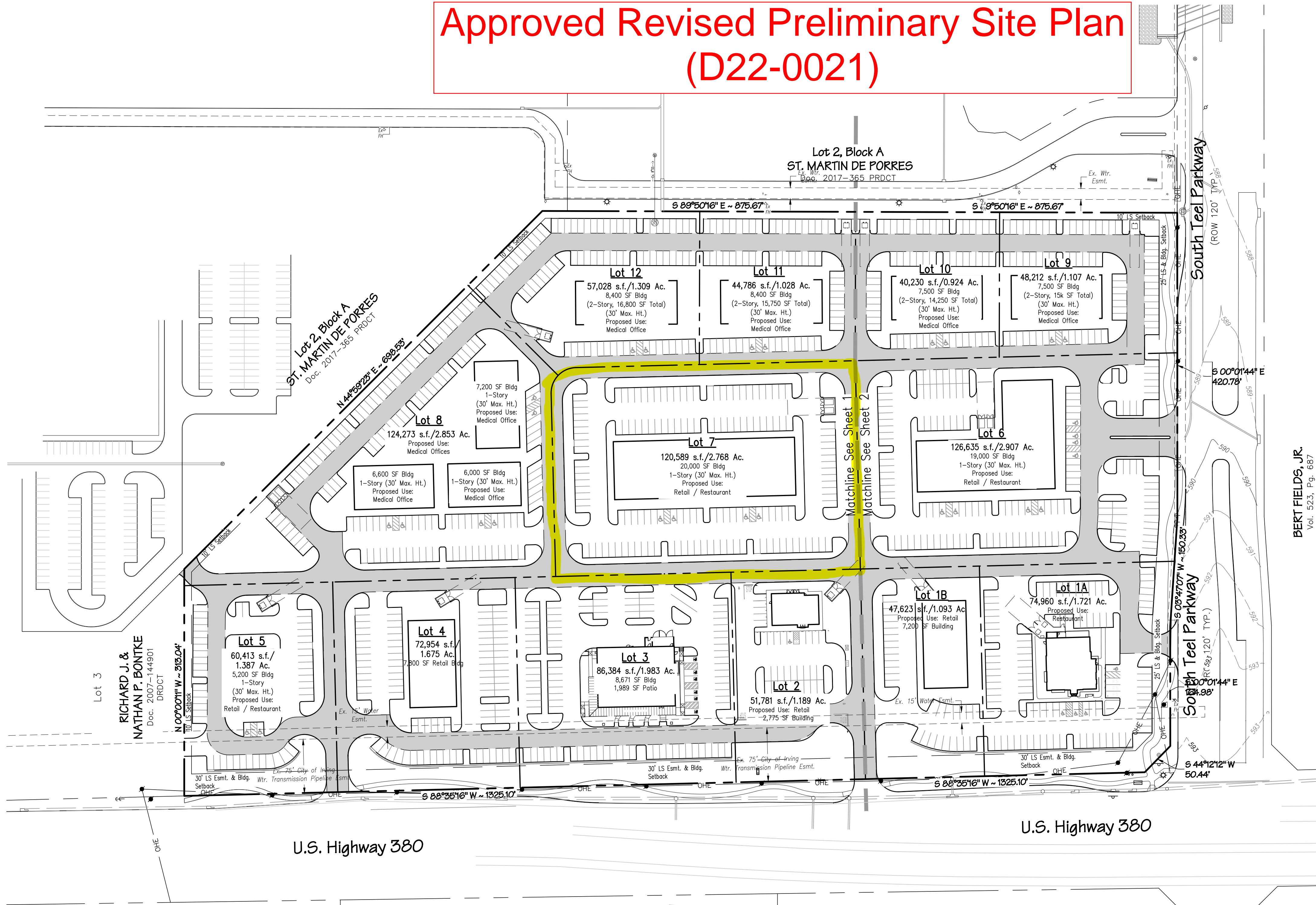
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LEGEND	
	FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT
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	POWER POLE
	LIGHT POLE/STANDARD
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US 380 & TEEL PARKWAY
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C. SMITH SURVEY ABSTRACT NO. 1681
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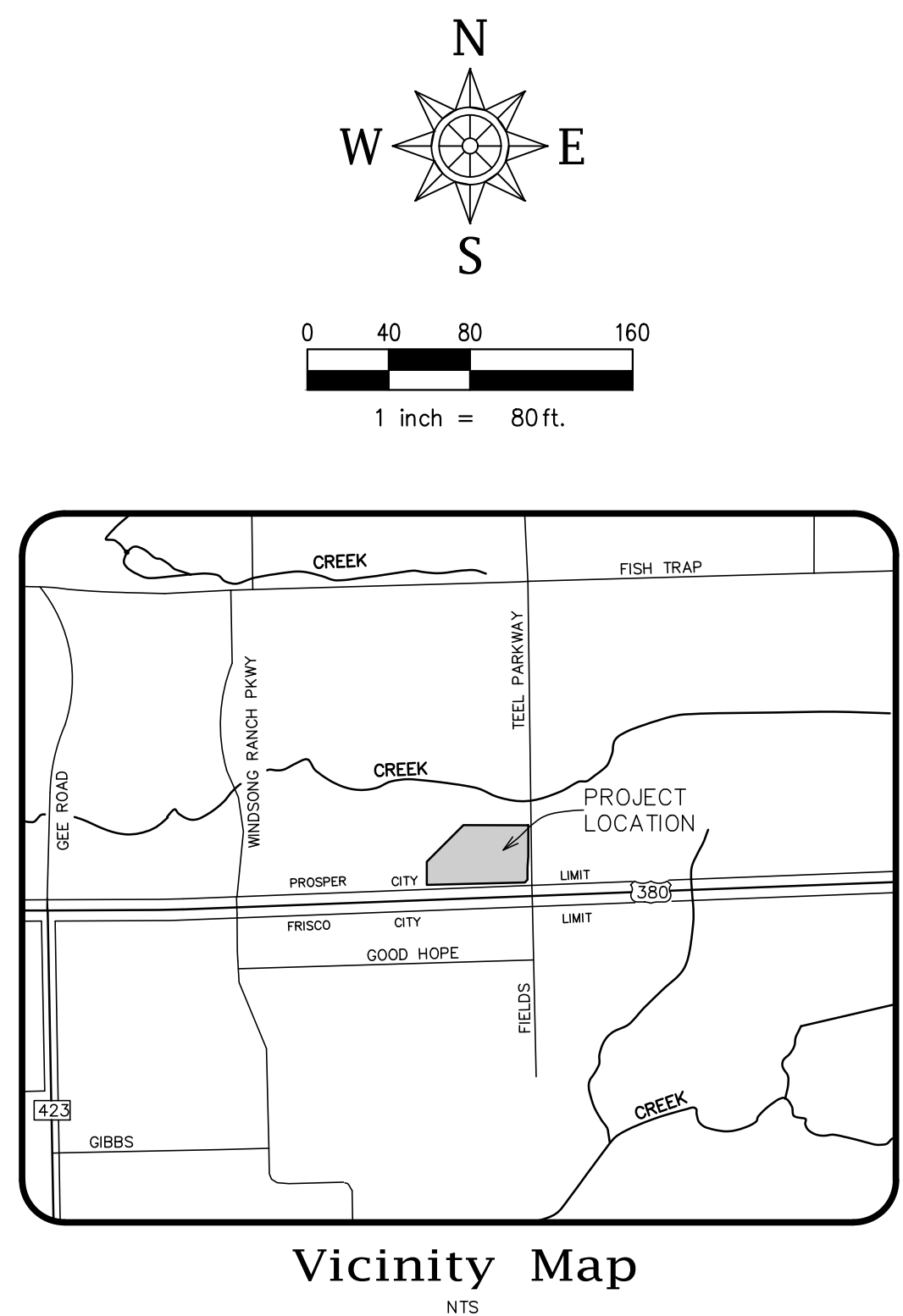
Approved Revised Preliminary Site Plan (D22-0021)



Note:
All proposed driveways, deceleration lanes and median openings along 380 are subject to TxDOT approval.

LEGEND

- Firelane
- Match Line



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SITE DATA SUMMARY TABLE

LOT	ZONING	PROPOSED USE	LOT AREA		FIRST FLOOR BUILDING AREA (SF)	TOTAL BUILDING AREA (SF)	UNIT COUNT	BUILDING HEIGHT (story)	COVERAGE (%)	FLOOR AREA RATIO	REQ. PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED	REQUIRED HANDICAP PARKING	PROVIDED HANDICAP PARKING	INTERIOR LANDSCAPE REQUIRED (SF)	INTERIOR LANDSCAPE PROVIDED (SF)	IMPERVIOUS AREA (SF)	OPEN SPACE REQUIRED (SF)	OPEN SPACE PROVIDED (SF)
			SF	AC																
1A	PD	RESTAURANT	74,960	1.72	4,750	4,750	N/A	1	6.3%	0.0634:1	1:100	48	96	2	3	1,440	1,660	44,246	5,247	23,937
1B	PD	RETAIL	47,623	1.09	7,200	7,200	N/A	1	15.1%	0.1500:1	1:250	29	30	1	0	450	3,021	21,220	3,334	16,182
2	PD	RETAIL	51,781	1.19	2,775	2,775	N/A	1	5.4%	0.0536:1	1:250	12	32	1	1	480	250	33,591	3,625	15,165
3	PD	RESTAURANT	86,384	1.98	8,671	10,660	N/A	1	10.0%	0.1234:1	1:100; 1:250	43	98	2	6	1,470	6,168	51,390	6,047	18,166
4	PD	RETAIL	72,954	1.67	7,800	7,800	N/A	1	10.7%	0.1069:1	1:100; 1:250	78	88	2	2	1,320	4,677	42,631	5,107	17,846
5	PD	RETAIL & RESTAURANT	60,413	1.39	5,200	5,200	N/A	1	8.6%	0.0861:1	1:100; 1:250	21	49	2	2	735	4,341	32,877	4,229	17,995
6	PD	RETAIL & RESTAURANT	126,635	2.91	19,000	19,000	N/A	1	15.0%	0.15:1	1:100; 1:250	76	138	5	8	1,140	9,525	72,664	8,864	25,446
7	PD	RETAIL & RESTAURANT	120,589	2.77	20,000	20,000	N/A	1	16.6%	0.1659:1	1:100; 1:250	80	142	5	4	1,200	17,143	73,540	8,441	9,906
8	PD	MEDICAL OFFICE	124,273	2.85	19,800	19,800	N/A	1	15.9%	0.1593:1	1:250	80	134	5	6	2,010	3,526	59,597	8,699	41,350
9	PD	MEDICAL OFFICE	48,212	1.11	7,500	15,000	N/A	2	15.6%	0.3111:1	1:250	30	68	2	2	1,020	1,362	23,942	3,375	15,048
10	PD	MEDICAL OFFICE	40,230	0.92	7,500	14,250	N/A	2	18.6%	0.3542:1	1:250	30	56	2	2	840	1,162	20,757	2,816	10,793
11	PD	MEDICAL OFFICE	44,786	1.03	8,400	15,750	N/A	2	18.8%	0.3517:1	1:250	34	62	2	2	930	1,162	22,444	3,135	12,762
12	PD	MEDICAL OFFICE	57,028	1.31	8,400	16,800	N/A	2	14.7%	0.2946:1	1:250	34	80	2	2	1,200	1,500	27,671	3,782	19,457
Total			955,868	21.944	126,996	158,985						595	1,073	33	40	14,235	55,497	526,570	66,701	244,053

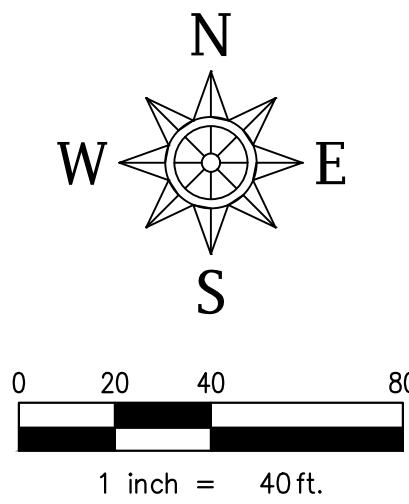
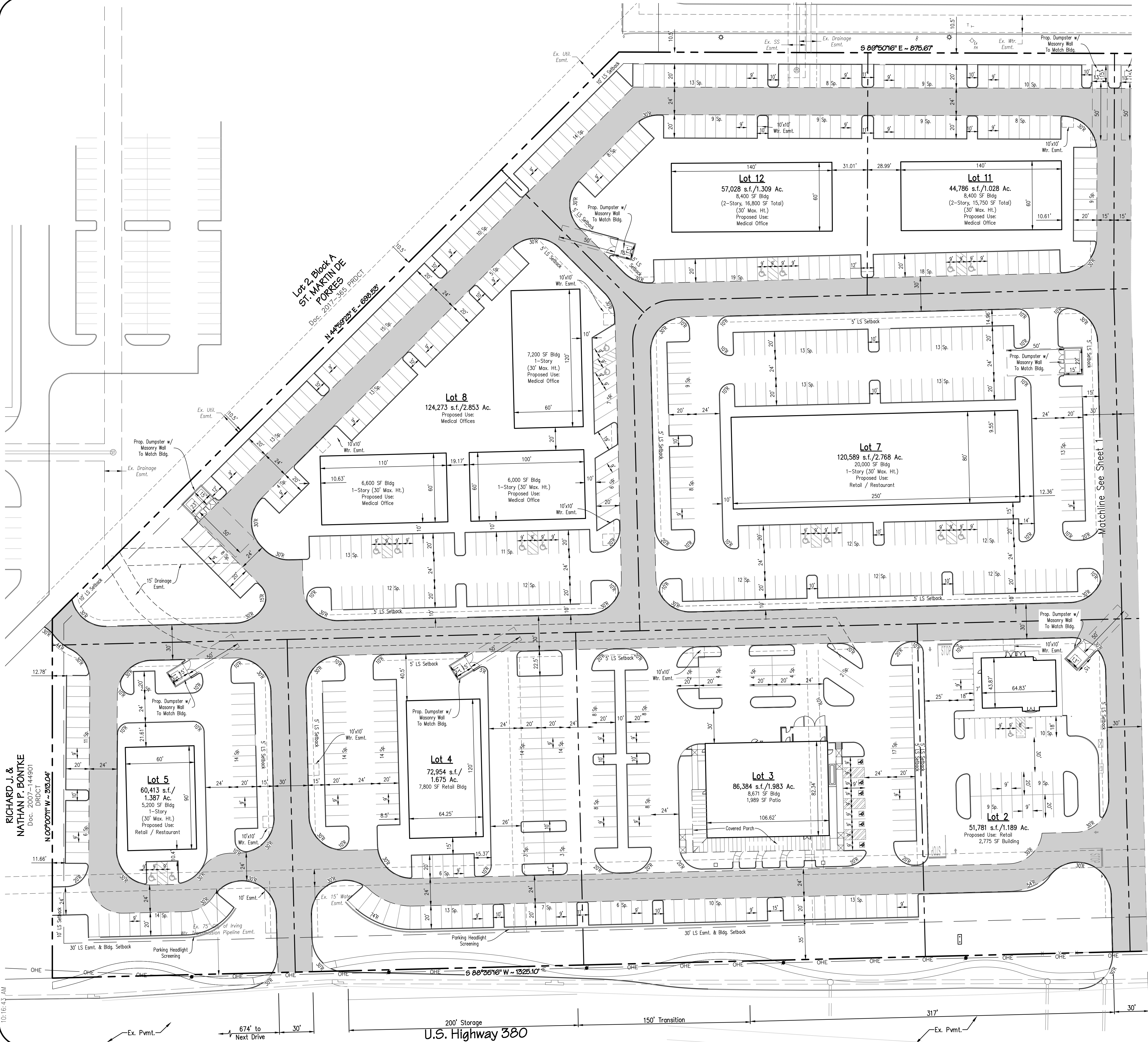


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US 380 & TEEL PARKWAY
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS
C. SMITH SURVEY ABSTRACT NO. 1681
955,868 Sq. Ft./21.944 Acres

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Sparks Engineering, Inc.
765 Custer Road, Suite 100
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Telephone: (972) 422-0077
TBPE No. F-2121
Contact: David Bond

OWNER/DEVELOPER
Teel 380, LP
8668 John Hickman Parkway
Frisco, TX 75034
Telephone: (972) 679-1918
Contact: Shiva Kondru

Drawn by: G-2021, DBS, V1-152, 380-Teel Due Diligence CAD/Preliminary, Site Plan data. Saved by: Kenneth, Site Plan data. Scale: 1"=40'. Date: 5/2/2023, 10:25 AM. Printed by: Kenneth, Plot Date: 5/2/2023, 10:25 AM.



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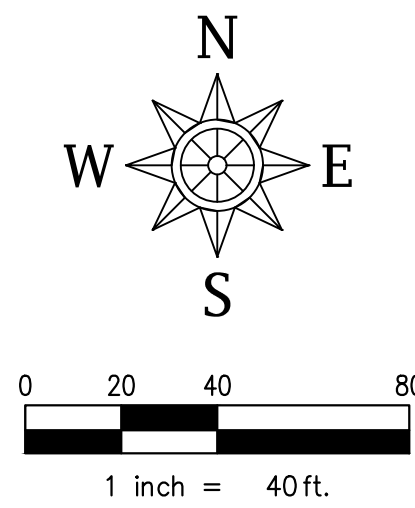
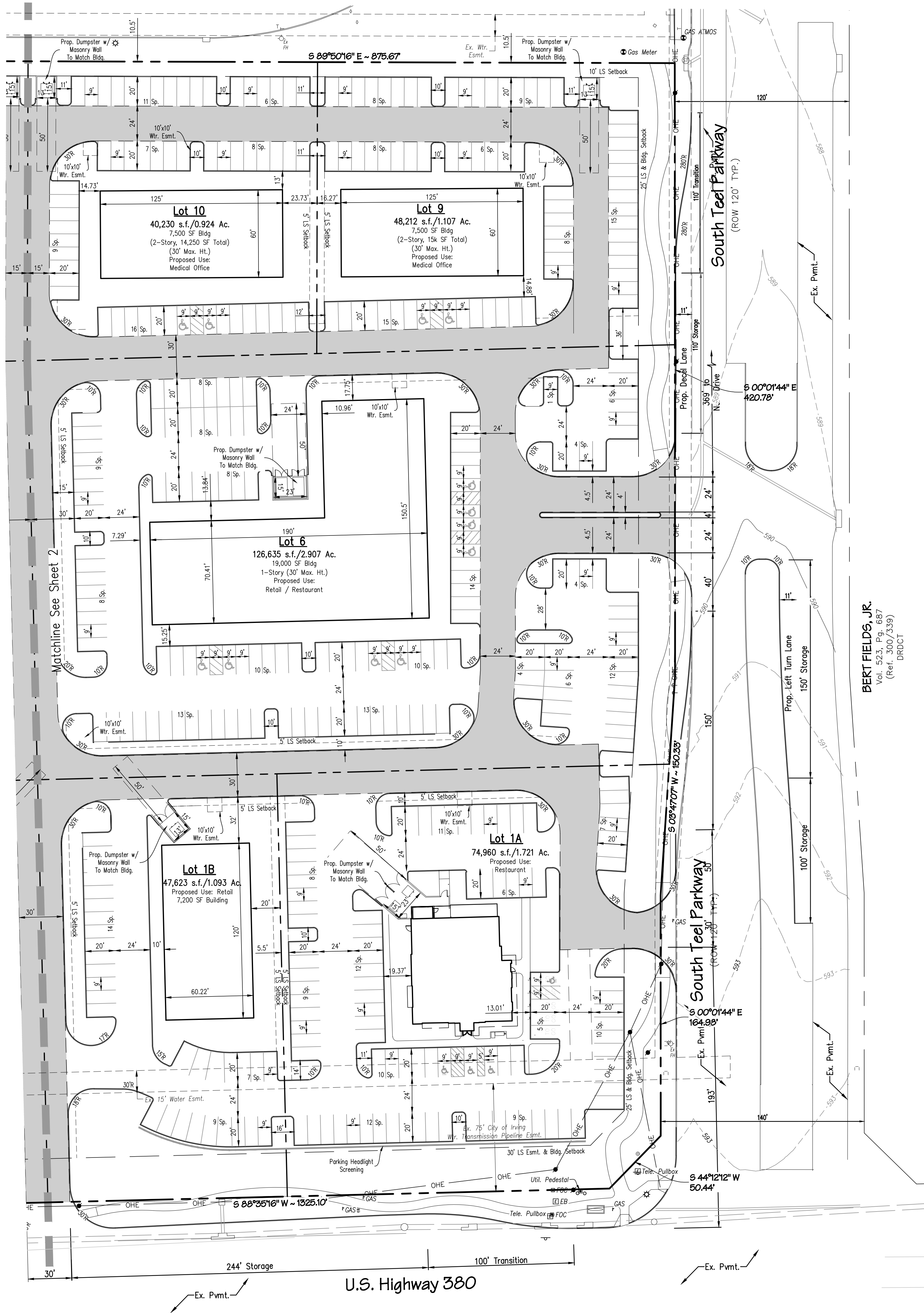
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PLANNING

To: Planning & Zoning Commission

From: Dakari Hill, Senior Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3f

Agenda Item:

Consider and act upon a request for a Final Plat of Teel 380 Addition, Block A, Lot 7, on 2.8± acres, located 325± feet north of University Drive and 440± feet west of Teel Parkway. (DEVAPP-24-0005)

Future Land Use Plan:

The Future Land Use Plan designates this area as the US Highway 380 District.

Zoning:

The property is zoned Planned Development-40 (Single Family).

Conformance:

The Final Plat conforms to the development standards of Planned Development-40.

Description of Agenda Item:

The purpose of this Final Plat is to dedicate easements necessary for the development of Lot 7. The Conveyance Plat (D22-0070) was approved by the Planning & Zoning Commission on August 16, 2022.

Companion Item:

As a companion item, the Site Plan (DEVAPP-24-0006) is on this Planning & Zoning Commission agenda.

Attached Documents:

1. Location Map
2. Final Plat
3. Approved Conveyance Plat (D22-0070)

Town Staff Recommendation:

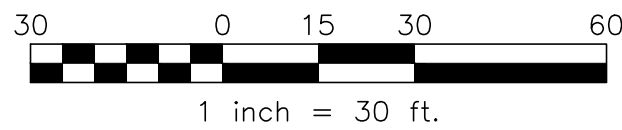
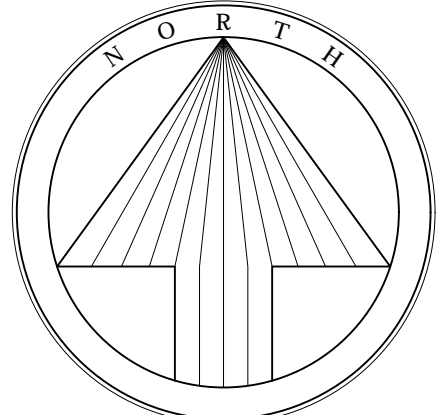
Town Staff recommends approval of the Final Plat.



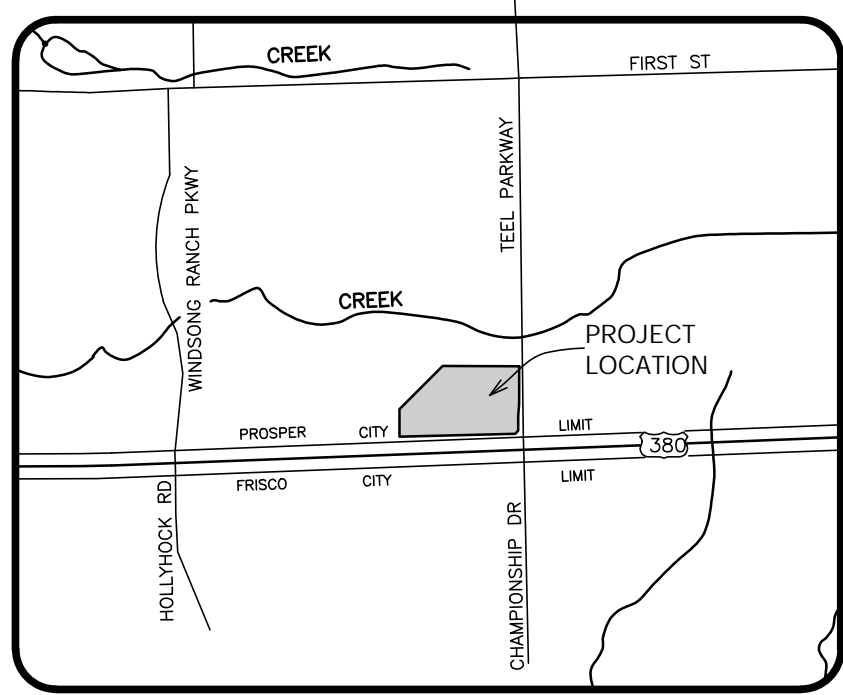
DEVAPP-24-0005

TEEL 380 ADDITION

Final Plat



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



Vicinity Map

NTS

LEGEND	
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "SPIARSEN" SET, UNLESS OTHERWISE NOTED.
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
■	POWER POLE
⊗	SAN. SEWER MANHOLE
⊗	STORM SEWER MANHOLE
⊗	LIGHT POLE/STANDARD
⊗	GUY WIRE ANCHOR
○	BOLLARD
—	SIGNPOST
⊗	HANDICAP PARKING
⊗	FIRE HYDRANT
⊗	GAS MARKER
⊗	GROUND LIGHT
UGE	UNDERGROUND ELECTRIC LINE MARKER
UGC	UNDERGROUND CABLE MARKER
GTL	GAS TEST LEAD
GM	GAS METER
GAS	GAS LINE MARKER
FQC	FIBEROPTIC CABLE MARKER
FC	FIRE SPRINKLER CONTROL BOX
EB	ELECTRIC BOX
EM	ELECTRIC METER
⊗	IRRIGATION CONTROL VALVE
⊗	WATER VALVE
⊗	WATER METER
SSCO	SANITARY SEWER CLEANOUT
—	CHAIN LINK FENCE
—	GUARD RAIL FENCE
—	BARBED WIRE FENCE
—	WOOD FENCE
—	OVERHEAD POWER LINE
CM	CONTROL MONUMENT

NOTES:

- This plat was prepared without the benefit of a commitment for title insurance. No research was performed for any easements other than that shown on the record plat of this property. Therefore, easements, agreements, and other documents may exist that affect the subject property that are not shown on this replat.
- Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
- 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 utilities and building permits.
- No floodplain exists on the site.

Purpose Statement:

The purpose of this Final Plat is to dedicate easements necessary for the development of Lot 7.

FIRE LANE EASEMENT

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

ACCESS EASEMENT

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

Remainder of
(called 22.659 acres)
TEEL 380 LP
Doc. No. 2021-153671
ORDCT

Proposed
Block A, Lot 7
Teel 380 Addition
2.768 Acres
(120,591 S.F.)

Proposed
Lot 3, Block A

Proposed
Lot 2, Block A

Proposed
Lot 1B, Block A

TOWN APPROVAL

APPROVED THIS _____ DAY OF _____, 2024,
by the Planning and Zoning Commission of the Town of Prosper,
Texas.

Town Secretary

Engineering Department

Development Services Department

OWNER / APPLICANT
TEEL 380 LP
8668 John Hickman Parkway
Suite 907
Frisco, Texas 75034
Telephone (248) 345-3818
Contact: Shiva Kondru

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: Karis Smith

FINAL PLAT
TEEL 380 ADDITION
BLOCK A, LOT 7
SITUATED IN THE C.L. SMITH SURVEY, ABSTRACT NO. 1681
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS
120,591 Sq.Ft. / 2.768 Acres
Current Zoning: PD-40
Town Case No. DEVAPP-24-0005

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DENTON §

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the C.L. Smith Survey, Abstract No. 1681, Town of Prosper, Denton County, Texas, and being part of a called 22.659 acre tract of land described in a Special Warranty Deed (with vendor's lien) to Teel 380 LP, recorded in Document No. 2021-153671 of the Official Records of Denton County, Texas (ORDCT), and being more particularly described by metes and bounds as follows:

THENCE the following courses and distances as follows:

S 88°35'17" W, 420.36 feet;

N 01°24'44" W, 252.50 feet;

THENCE around a tangent curve to the right having a radius of 35.00', a chord of N 43°35'16" E, 49.50 feet, and an arc length of 54.98';

THENCE N 88°35'16" E, 385.36 feet to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set for corner;

S 01°24'44" E, 287.50 feet to the POINT OF BEGINNING AND CONTAINING 2.768 acres of land or 120,591 square feet of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TEEL 380 LP, acting herein by and through its duly authorized officer, does hereby certify and adopt this plat designating the hereinabove described property as **TEEL 380 ADDITION, BLOCK A, LOT 7**, an addition to the Town of Prosper, Texas, and does hereby dedicate, to the public use forever, the streets and alleys shown thereon. Teel 380 LP, does herein certify the following:

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

Witness our hands this _____ day of _____, 2024.

TEEL 380 LP

By: _____
Shiva Kondru, Manager

STATE OF TEXAS §
COUNTY OF DENTON §

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

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

Notary Public, State of Texas

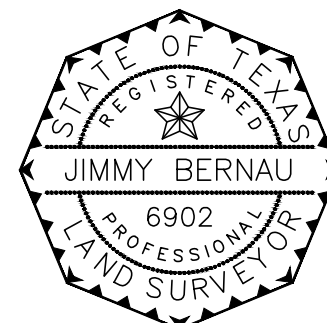
SURVEYOR'S CERTIFICATE

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

Dated this _____ day of _____, 2024.

PRELIMINARY. THIS DOCUMENT
SHALL NOT BE RECORDED
FOR ANY PURPOSE

JIMMY BERNAU, R.P.L.S. NO. 6902



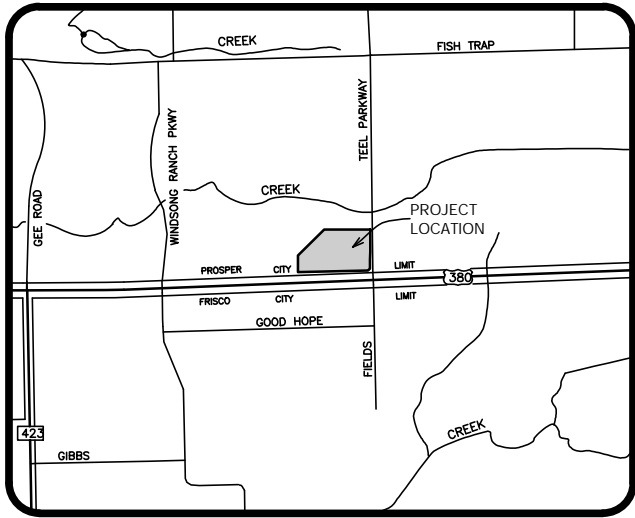
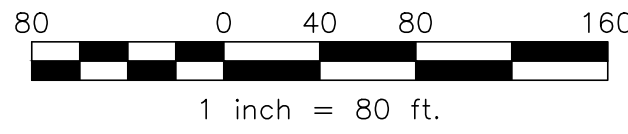
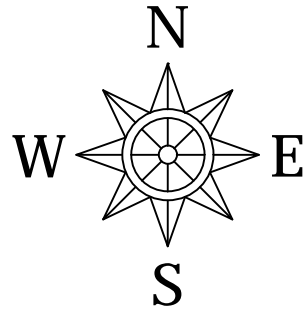
Jimmy Bernau@
spiarsengineering.com

STATE OF TEXAS §
COUNTY OF DENTON §

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

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

Notary Public, State of Texas

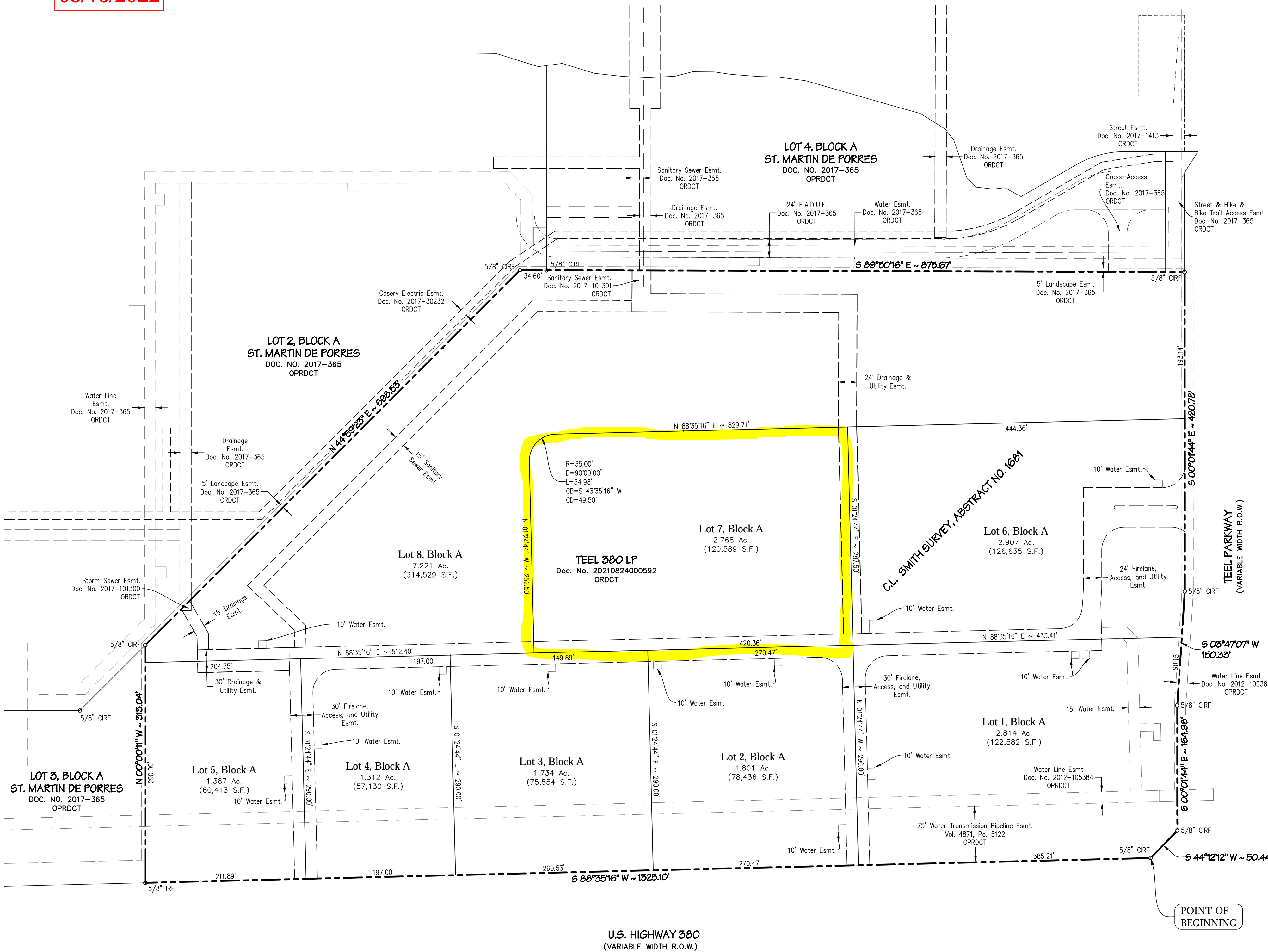


LOCATION MAP
1" = 2000'

LEGEND	
(Not all items may be applicable)	
o	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPARSING" SET, UNLESS OTHERWISE NOTED
NOTE: IF UNABLE TO SET ACTUAL LOT CORNER, A 5 FOOT OFFSET IRON ROD MAY BE SET WITH A PINK PLASTIC CAP STAMPED "SPARSING-5' O/S PC".	
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
IPF	IRON PIPE FOUND
AMF	ALUMINUM MONUMENT FOUND
CM	CONTROL MONUMENT
Emt.	EASEMENT
UHL	UTILITY
DE	DRAINAGE EASEMENT
DUE	DRAINAGE AND UTILITY EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
SE	SIDEWALK EASEMENT
STE	STREET EASEMENT
F.A.D.U.E.	FIRELAME, ACCESS, DRAINAGE & UTILITY EASEMENT
WME	WALL MAINTENANCE EASEMENT
HBE	HIKE & BIKE TRAIL EASEMENT
VAM	VISIBILITY, ACCESS & MAINTENANCE EASEMENT
(BTP)	BY THIS PLAT
R.O.W.	RIGHT-OF-WAY
Min. FF	MINIMUM FINISH FLOOR ELEVATION
BL	BUILDING LINE
◆	STREET NAME CHANGE
▲	BLOCK DESIGNATION
▶	STREET FRONTAGE
Cab.	CABINET
Vol.	VOLUME
Pg.	PAGE
No.	NUMBER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FIRM	FLOOD INSURANCE RATE MAP
Ord. No.	ORDINANCE NUMBER
Inst./Doc.	INSTRUMENT OR DOCUMENT
DRDCT	DEED RECORDS, DENTON COUNTY, TEXAS
PRDCT	PLAT RECORDS, DENTON COUNTY, TEXAS
ORDCT	OFFICIAL RECORDS, DENTON COUNTY, TEXAS



Approved Conveyance Plat (D22-0070)



OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS Teel 380 LP is the owner of a tract of land situated in the C.L. Smith Survey, Abstract No. 1681, Town of Prosper, Denton County, Texas, being all of a tract conveyed to Teel 380 LP by deed recorded in Document No. 20210824000592 of the Official Records of Denton County, Texas, with the subject tract being more particularly described as follows:

BEGINNING at a 5/8 inch capped iron rod found at the south end of a corner clip at the intersection of the west right-of-way line of Teel Parkway (variable width right-of-way) and the north right-of-way line of U.S. Highway 380 (variable width right-of-way);

THENCE, S 88°35'16" W, 1325.10 feet to a 5/8 inch iron rod found at the southeast corner of Lot 3, Block A of St. Martin De Porres, an addition to the Town of Prosper, Denton County, Texas, according to the plat thereof recorded in Document No. 2017-365 of the Official Public Records of Denton County, Texas;

THENCE, N 00°00'11" W, 313.04 feet to a 5/8 inch capped iron rod found at the north corner of said Lot 3, Block A and lying in the southeast line of Lot 2, Block A of said St. Martin De Porres

THENCE, N 44°59'23" E, 698.53 feet to a 5/8 inch capped iron rod found;

THENCE, S 89°50'16" E, passing at a distance of 34.60 feet the southwest corner of Lot 4, Block A of said St. Martin De Porres, and continuing a total distance of 875.67 feet to a 5/8 inch capped iron rod found at the southeast corner of said Lot 4, Block A and lying in said west right-of-way line of Teel Parkway;

THENCE, S 00°01'44" E, 420.78 feet to a 5/8 inch capped iron rod found lying in said west right-of-way line of Teel Parkway;

THENCE, S 03°47'07" W, 150.33 feet to a 5/8 inch capped iron rod found lying in said west right-of-way line of Teel Parkway;

THENCE, S 00°01'44" E, 164.98 feet to a 5/8 inch capped iron rod found lying in said west right-of-way line of Teel Parkway at the north end of said corner clip at the intersection of the west right-of-way line of Teel Parkway and the north right-of-way line of U.S. Highway ;

THENCE, S 44°12'12" W, 50.44 feet to the POINT OF BEGINNING with the subject tract containing 955,868 square feet or 21.944 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, **TEEL 380 LP**, do hereby adopt this plat designating the hereinabove described property as **TEEL 380 ADDITION, LOTS 1-8, BLOCK A**, an Addition to the Town of Prosper, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strip for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas.

Witness our hands at _____ County, Texas, this _____ day of _____, 2022.

TEEL 380 LP

By: _____
Shiva Kondru, Manager

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2022.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

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

Dated this _____ day of _____, 2022.

PRELIMINARY, THIS DOCUMENT
SHALL NOT BE RECORDED
FOR ANY PURPOSE

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



darren.brown@spiarsengineering.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 Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2022.

Notary Public, State of Texas

CONVEYANCE PLAT

TEEL 380 ADDITION

LOTS 1-8, BLOCK A

SITUATED IN THE C.L. SMITH SURVEY, ABSTRACT NO. 1681
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS

21.944 Acres

Current Zoning: PD-40

Town Case No. D22-0070

OWNER / APPLICANT
TEEL 380 LP
8668 John Hickman Parkway
Suite 907
Frisco, Texas 75034
Telephone (248) 345-3818
Contact: Shiva Kondru

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

Scale: 1" = 80' 8/2/2022 SEI Job No. 21-152

NOTES:

- This plat was prepared without the benefit of a commitment for title insurance. No research was performed for any easements other than that shown on the record plat of this property. Therefore, easements, agreements, and other documents may exist that affect the subject property that are not shown on this replat.
- Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
- 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 utilities and building permits.
- No floodplain exists on the site.

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.



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: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3g

Agenda Item:

Consider and act upon a request for a Preliminary Site Plan for a Medical Office, Office, and Retail Buildings on Prosper Center, Block A, Lots 10-12, on 6.2± acres, located on the northwest corner of Legacy Drive and Prairie Drive. (DEVAPP-24-0033)

Future Land Use Plan:

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

Zoning:

The property is zoned Planned Development-65 (Single Family). The majority of Planned Development-65 is residential; however, commercial uses such as medical office, professional office, and retail are permitted at the hard corner of Legacy Drive and Prairie Drive.

Conformance:

The Preliminary Site Plan conforms to the development standards of Planned Development-65.

Description of Agenda Item:

The Preliminary Site Plan consists of a two-story, 16,655 square foot medical office building, an 11,000 square foot office building, and a 14,725 square foot retail building.

Access:

Access is provided from Legacy Drive and Prairie Drive.

Landscaping, Open Space, and Screening:

The proposed development complies with all landscaping and open space requirements.

The Zoning Ordinance requires screening adjacent to property zoned for residential use. The property to the north and the west is zoned for single-family use; however, there is an existing

masonry wall on the northern property line and an existing wooden fence line on the western property line. As such, Town Staff recommends a living screen rather than a six-foot masonry screening wall on the western property line. The living screen will consist of new evergreen trees, three-inch caliper, every 30 linear feet (see attachment). The use of a living screen is subject to Planning & Zoning Commission approval.

Companion Item:

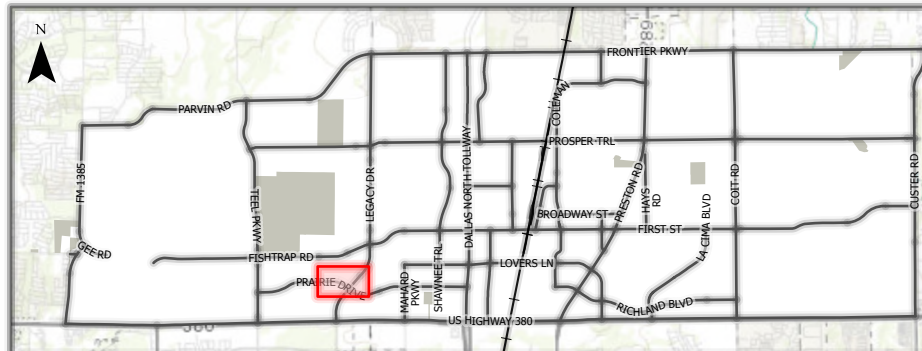
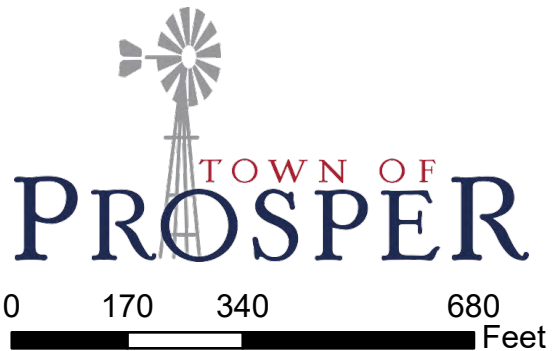
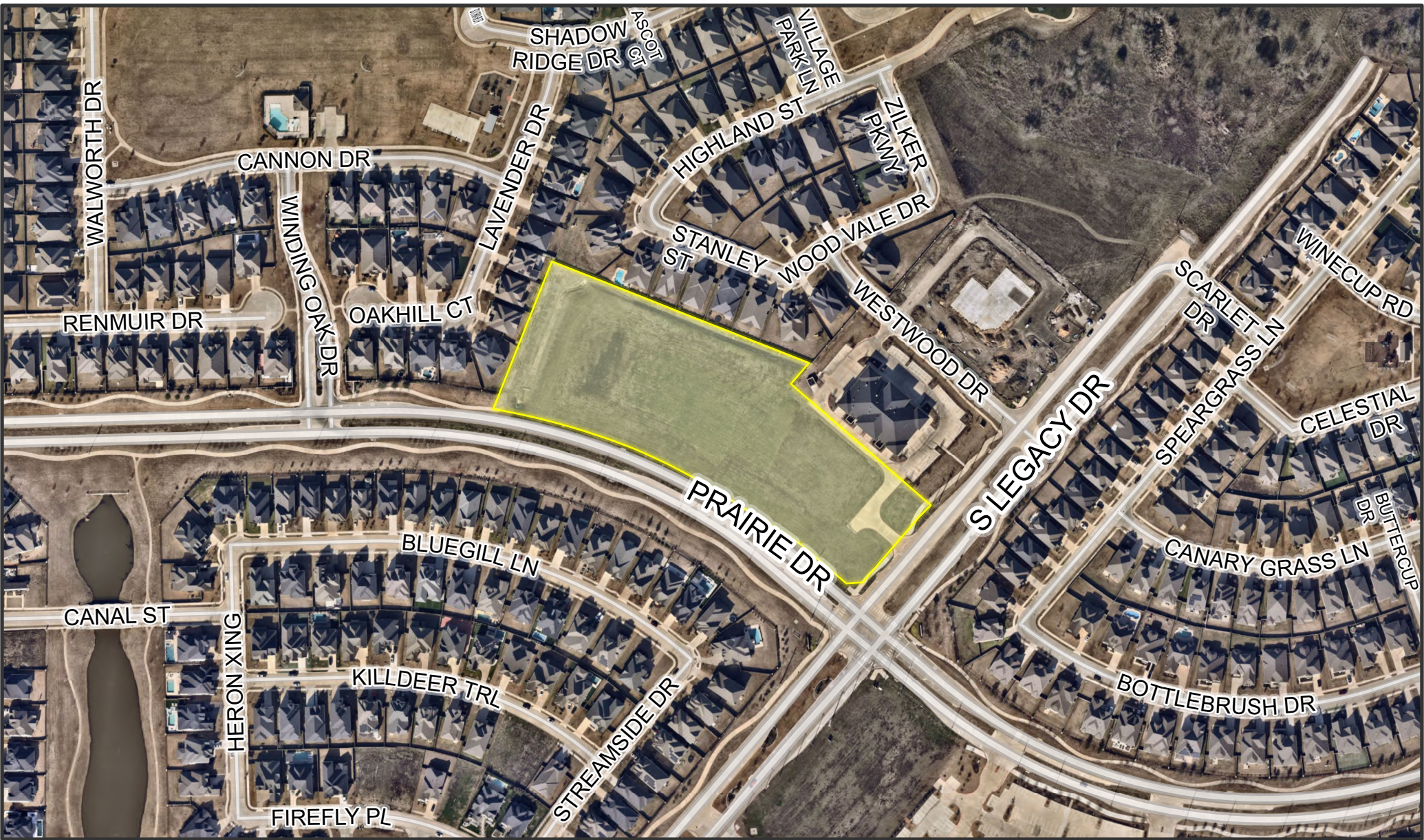
As a companion item, the Conveyance Plat (DEVAPP-24-0032) is on this Planning & Zoning Commission agenda.

Attachments:

1. Location Map
2. Preliminary Site Plan
3. Landscape Plan

Town Staff Recommendation:

Town Staff recommends approval of the Preliminary Site Plan with the use of a living screen.



DEVAPP-24-0033

Harold Medical Office

Preliminary Site Plan

SITE DATA SUMMARY TABLE			
ITEM	LOT 10 - TRACT 1	LOT 11 - TRACT 2	LOT 12 - TRACT 3
ZONING:	PD-65	PD-65	PD-65
PROPOSED USE:	2-STORY MEDICAL OFFICE BUILDING	OFFICE	RETAIL
LOT AREA:	129610 SF / 2.975 AC	54890 SF / 1.26 AC	86300 SF / 1.98 AC
BUILDING AREA:	16655 SF / 0.38 AC	11000 SF / 0.25 AC	14725 SF / 0.34 AC
BUILDING HEIGHT:	35'	-	-
LOT COVERAGE:	13%	20%	17%
FLOOR AREA RATIO:	13%	20%	17%
PARKING REQUIREMENT RATIO:	1:250 SF OF FLOOR AREA	1:350 SF OF FLOOR AREA	1:250 SF OF FLOOR AREA
TOTAL PARKING REQUIRED:	134	32	59
TOTAL PARKING PROVIDED:	155	45	71
ACCESSIBLE PARKING REQUIRED:	6	2	3
ACCESSIBLE PARKING PROVIDED:	6	2	4
AREA OF IMPERVIOUS SURFACES:	72,400 SF	38,250 SF	58,100 SF
INTERIOR PARKING LANDSCAPING REQUIRED:	2,325 SF/1.79%	675 SF/1.23%	1,125 SF/1.30%
INTERIOR PARKING LANDSCAPING PROVIDED:	5,660 SF/4.36%	2,487 SF/4.53%	2,283 SF/2.64%
OPEN SPACE REQUIRED:	9,073 SF/7.00%	3,841 SF/7.00%	6,041 SF/7.00%
OPEN SPACE PROVIDED:	11,182 SF/8.63%	8433 SF/15.36%	20,033 SF/23.21%

LEGEND

FL

FL

FL

FL

PROPOSED FIRE LANE / FIRE ACCESS, DRAINAGE, AND UTILITY EASEMENT (F.A.D.U.E.)

EXISTING FIRE LANE / FIRE ACCESS, DRAINAGE, AND UTILITY EASEMENT (F.A.D.U.E.)

PROPOSED TURN LANE PAVEMENT

EASEMENT LINE

SETBACK LINE

PHASE II PAVEMENT

EXISTING CONTOUR

PROPOSED FIRE HYDRANT

PROPOSED SEWER MANHOLE

PROPOSED FIRE DEPT. CONNECTION

PROPOSED RETAINING WALL

EX. LIGHT POLE

EX. WATER METER

EX. FIRE HYDRANT (FH)

EX. STORM MANHOLE

EX. STORM INLET

EX. SAN. SWR. MANHOLE

NOTES

1.

NO FLOODPLAIN EXISTS ON THE SITE.

2.

ALL DIMENSIONS ARE SHOWN TO FACE OF CURB UNLESS OTHERWISE NOTED.

3.

FIRE LANES SHALL BE A MINIMUM OF 24' IN WIDTH WITH A 30' TURNING RADIUS.

4.

FDOS SHALL BE PROVIDED IN ACCORDANCE WITH THE TOWN OF PROSPER STANDARDS.

5.

TREES SHALL NOT BE LOCATED WITHIN PUBLIC EASEMENTS IN ACCORDANCE WITH TOWN STANDARDS.

6.

FOUNDATION PLANTINGS TO BE PROVIDED IN ACCORDANCE WITH THE ZONING ORDINANCE.

7.

ALL PROPOSED OPEN STORAGE SHALL BE SCREENED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE.

8.

NO TREES EXIST ON-SITE AND NO TREES ARE TO BE REMOVED.

9.

ALL MECHANICAL UNITS ARE TO BE ROOFTOP UNITS AND SCREENED FROM THE PUBLIC RIGHT-OF-WAY.

NORTH

0

20

40

80

GRAPHIC SCALE IN FEET

SITE

FIRST STREET

PRairie Drive

LEGACY DRIVE

TEEL

PROSPER

FRISCO

380

PARVIN

DALLAS PKWY

BRANCH

DALLAS NORTH TOLLWAY

BNSF

PRESTON ROAD

SITE LOCATION MAP
(NOT TO SCALE)

TOWN OF PROSPER PRELIMINARY SITE PLAN NOTES

•

ALL DEVELOPMENT STANDARDS SHALL FOLLOW TOWN STANDARDS.

•

LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN OF PROSPER.

•

ALL DEVELOPMENT STANDARDS SHALL FOLLOW FIRE REQUIREMENTS PER THE TOWN OF PROSPER.

•

HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.

•

ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.

•

IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED ON THE SITE DATA SUMMARY TABLE. HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.

•

THE APPROVAL OF A PRELIMINARY SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS FROM THE DATE THAT THE PRELIMINARY SITE PLAN IS APPROVED BY THE PLANNING & ZONING COMMISSION. AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED THE APPROVAL OF A SITE PLAN BY THE PLANNING & ZONING COMMISSION. IF A SITE PLAN IS NOT APPROVED WITHIN SUCH TWO (2) YEAR PERIOD, THE PRELIMINARY SITE PLAN APPROVAL IS NULL AND VOID. IF SITE PLAN APPROVAL IS ONLY FOR A PORTION OF THE PROPERTY, THE APPROVAL OF THE PRELIMINARY SITE PLAN FOR THE REMAINING PROPERTY SHALL BE NULL AND VOID.

•

OPEN SPACE REQUIREMENTS SHALL FOLLOW THE ZONING ORDINANCE, PER TRACT. OPEN SPACE SHALL NOT INCLUDE VEHICULAR PAVING, REQUIRED PARKING LOT LANDSCAPE ISLANDS, BUILDING FOOTPRINT, UTILITY YARDS, REQUIRED LANDSCAPE SETBACKS, SIDEWALKS, AND DETENTION POND.

Kimley»Horn

PRELIMINARY SITE PLAN
HARROD MEDICAL OFFICE BUILDING
PROSPER CENTER
BLOCK A, LOT 10 - 12
CASE # - DEVAPP-24-0033
6.2 ACRES

ENGINEER / SURVEYOR

KIMLEY-HORN AND ASSOCIATES, INC.
100 WEST OAK STREET, SUITE 203
DENTON, TX, 76201
PHONE (940) 287-3620
CONTACT: MACK MATTKE, P.E.

OWNER / APPLICANT

PROSPER VILLAGES AT LEGACY LLC
10950 RESEARCH ROAD
FRISCO, TX, 75033
PHONE (214) 387-3993
CONTACT: CRAIG CURRY

PREPARATION DATE: MAY 16, 2024

TOWN OF PROSPER, DENTON COUNTY, TEXAS

40

EXISTING MASONRY SCREEN WALL

STORM PIPE REF. CIVIL

WATER LINE REF. CIVIL

12" ROCK (TYP.)

MULCH (TYP.)

WATER LINE REF. CIVIL

STORM PIPE REF. CIVIL

25' DRAINAGE EASEMENT REF. CIVIL

FIRE HYDRANT REF. CIVIL

12" ROCK (TYP.)

MULCH (TYP.)

WET POND REF. CIVIL

SIDEWALK REF. CIVIL







STORM STRUCTURE REF. CIVIL

CONTRACTOR TO SEED ANY DISTURBED AREAS WITHIN THE R.O.W.



PRAIRIE DRIVE

CONTRACTOR TO SEED ANY DISTURBED AREAS WITHIN THE R.O.W.

PLANT SCHEDULE

<u>SYMBOL</u>	<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL / COMMON NAME</u>	<u>SPECIFICATIONS</u>	<u>REMARKS</u>
TREES					
	MG	4	Magnolia grandiflora / Southern Magnolia	3" cal, 12' ht, 5"-7" spr	Full, Straight, Single Leader
	QL	5	Quercus laceyl / Lacey Oak	3" cal, 14' ht, 5"-6" spr	Full, Straight, Single Leader
	QM	14	Quercus macrocarpa / Burr Oak	3" cal, 14' ht, 5"-6" spr	Full, Straight, Single Leader
	QS	13	Quercus shumardii / Shumard Red Oak	3" cal, 14' ht, 5"-6" spr	Full, Straight, Single Leader
	QV	21	Quercus virginiana / Southern Live Oak	3" cal, 16' ht, 6" spr	Full, Straight, Single Leader
	UC	10	Ulmus crassifolia / Cedar Elm	3" cal, 14' ht, 6" spr	Full, Straight, Single Leader





ORNAMENTAL TREE

	CT	2	<i>Cercis canadensis</i> / Eastern Redbud	3" cal, 10" ht, 5' spr	Full, Single Leader
	LN	4	<i>Lagerstroemia</i> x 'Natchez' / Crape Myrtle Natchez	3" cal, 14" ht, 6' spr	Full, Single Leader




SHRUBS

	ABE	24	<i>Abelia x grandiflora</i> / Glossy Abelia	24" ht, 18" spr, 36" oc	Full
	ABK	157	<i>Abelia x grandiflora</i> 'Kaleidoscope' / Kaleidoscope Glossy Abelia	24" ht, 18" spr, 30" oc	Full
	BBK	217	<i>Buddleia davidii</i> 'Miss Molly' / Miss Molly Butterfly Bush	18" ht, 18" spr, 30" oc	Full
	IXH	26	<i>Ilex x 'Nellie R. Stevens'</i> / Nellie R. Stevens Holly	36" ht, 24" spr, 48" oc	Full
	LPF	142	<i>Loropetalum chinense</i> 'Shang-hi' / Purple Diamond Fringe Flower	18" ht, 18" spr, 30" oc	Full
	MCW	76	<i>Myrica cerifera</i> / Wax Myrtle	36" ht, 24" spr, 48" oc	Full
	SIS	79	<i>Salvia x 'Indigo Spires'</i> / Indigo Spires Sage	24" ht, 24" spr, 24" oc	Full

GROUND COVERS

	EUF	201	<i>Euonymus fortunei</i> 'Coloratus' / Purple-leaf Winter Creeper	8" ht, 8" sp ¹⁸ , 18" oc	Full, 1 gallon min.
	LCD	134	<i>Lantana camara</i> 'Dallas Red' / Dallas Red Lantana	12" ht, 12" sp ¹⁸ , 18" oc	Full
	LEM	500	<i>Liriodendron muscari</i> 'Emerald Goddess' / Emerald Goddess Liriodendron	12" ht, 12" sp ¹⁸ , 18" oc	Full, 1 gallon min.
	TRA	478	<i>Trachelospermum asiaticum</i> 'Asiatic' / Asiatic Jasmine	8" ht, 8" sp ¹⁸ , 18" oc	Full, 1 gallon min.

MISC

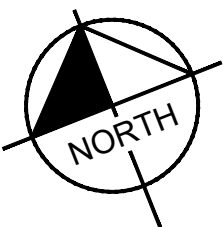
	SOD	TBD	Common dactyon/ Common Bermuda	Solid Sod, rolled tight with sand filled joints, 100% weed, disease, and pest free
	DG	TBD	Decomposed Granite	3" Depth
	ROCK	TBD	ROCK	1' Perimeter around building as specified 3"-5" tejas black rock from local supplier

TOWN OF PROSPER, TX, CODE LANDSCAPE TABLE LOT 10

OPEN SPACE AREA		
MIN 7% OF NET LOT AREA	9,073 SF	11,007 SF
129,610 SF X 7% = 9,073 SF		
PRAIRIE DRIVE		
25' BUFFER	YES	YES
TREES (3" CAL, 12" HT)	14 TREES	14 TREES
1 LARGE TREE PER 30 LF		
411 LF / 30 = 14		
SHRUBS (MIN 5 GAL.)	206 SHRUBS	207/SHRUBS
15 SHRUB PER 30 LF		
411 LF / 30 = 13.7 X 15 = 202.5		
NORTH / WEST PROPERTY LINES		
11' BUFFER (RESIDENTIAL)	YES	YES
TREES (3" CAL)	25 TREES	25 TREES
1 LARGE TREE PER 30 LF		
PLANTED 30" O.C.		
745 LF / 30 = 25		
*EXISTING MASONRY SCREENING WALL		
EAST PROPERTY LINE		
5' BUFFER (NON-RESIDENTIAL)	EXEMPT	EXEMPT
TREES	- TREES	- TREES
1 SMALL TREE PER 15 LF		
SHRUBS (MIN 5 GAL.)	- SHRUBS	- SHRUBS
1 SHRUB PER 15 LF		
INTERIOR LANDSCAPE		
LANDSCAPED AREA	YES	YES
15 SF PER PARKING SPACE	2,445 SF	5,908 SF
163 SPACES X 15 = 2,445 SF		
ISLANDS (MIN 10'X16')		
1 ISLAND EVERY 15 SPACES	YES	YES
1 LARGE TREE PER ISLAND	YES	YES
ISLANDS WITH 150 LF OF A TREE	YES	YES
DUMPSTER/UTILITY SCREENING	YES	YES

TOWN OF PROSPER LANDSCAPE NOTES

2. Plant material shall be measured and sized according to the latest edition of the American Standard for Nursery Stock.
3. All plant selections are subject to Town approval and must be specified on the approved landscape plan. Ground covers used in lieu of turf grass must provide complete coverage within one (1) year of planting and maintain adequate coverage as approved by the Town.
4. All plantings shall be spaced at least 12" apart, except for shrubs, utility lines, screening walls, and all structures. Single-trunk trees shall have a single, straight leader, and all trees shall be full, with balanced canopy. Major damage to trunk(s), or branches, will be cause for denial.
5. All trees shall be set at least 10' from any structure, driveway, sidewalk, or landscaping grade.
6. The tree pit shall be backfilled with native topsoil free of rock and other debris
7. Buriap, tump, and wire baskets shall be severed and removed from the top of the root ball.
8. A 3'-4" layer of mulch shall be provided around the base of the planted tree. The mulch shall be pulled back 1-2' from the trunk of the tree.
9. No person(s) or entity may use improper or malicious maintenance or pruning techniques including, but not limited to: topping or other non symmetrical trimmings of trees, damage from a backhoe, or use of chainsaws.
10. All pruning shall follow the American Standard for Nursery Stock (ANSI Z60.1) guidelines on pruning and maintenance.
11. Topsoil shall be a minimum of eight (8) inches in depth in planting areas. Soil shall be free of stones, debris, weeds and any other material that may harm the plants.
12. All plant beds shall be top-dressed with a minimum of three (3) inches of mulch.
13. Trees overhanging walks and parking shall have a minimum clear branch height of seven (7) feet.
14. Trees overhanging public street pavement drive aisles and fire lanes shall have a minimum clear height of ten (10) feet.
15. A visibility triangle must be provided at all intersections, where shrubs are not to exceed thirty (30) inches in height, and trees shall have a minimum clear trunk height of nine (9) feet.
16. All trees shall be set on a slope that is no greater than 10%.
17. All areas of less than three (3) feet in width shall be grass, groundcover, or some type of Decorative tree trunk, pavers, or concrete.
18. The Town, applicant, and third parties, if any, shall be jointly and severally responsible for the maintenance, establishment, and permanence of plant material. All landscaping shall be maintained in a neat and orderly at all times including, but not limited to, mowing, edging, pruning, fertilizing, watering, de-weeding, and trash removal.
19. Any plant material that is damaged, destroyed, or removed shall be replaced with Plants meeting minimum specifications per landscape plan. All turfground cover areas are to be established prior to receipt of Certificate of Occupancy, unless otherwise approved by the Town.
20. An automatic irrigation system shall be provided to irrigate all landscape areas. Streets, sidewalks, or alleys.
21. No planting areas shall exceed 3:1 slope (3 horizontal to 1 ft Vertical). Earthen berms shall not be used for erosion control.
22. All walkways shall meet ADA 2.2 and 2.34 requirements.
23. Landscape installation must comply with approved landscape plans, and as-built plans submitted to Parks and Recreation, prior to final acceptance by the Town and/or obtaining a Certificate of Occupancy.
24. Final inspection and approval of screening walls, irrigation, and landscape is subject to all public utilities, including but not limited to manholes, valves, water meters, cleanouts, and other appurtenances being accessible, adjusted to grade, and to the Town of Prosper Public Works Department standards.
25. **IMPORTANT: MINIMUM STANDARDS FOR PLANTS.** AS SET FORTH IN THE ZONING ORDINANCE AND APPROVED LANDSCAPE PLANS ARE TAKEN SERIOUSLY BY THE TOWN OF PROSPER AND PARKS AND RECREATION. INSTALLING INFERIOR PLANTS WITHOUT WRITTEN APPROVAL FROM A PARKS REPRESENTATIVE MAY RESULT IN REJECTION OF SOME OR ALL PLANTS, THEREBY DELAYING RECEIPT OF A CERTIFICATE OF OCCUPANCY. ARCHITECTS AND LANDSCAPE CONTRACTORS ARE REQUESTED TO MEET WITH THE TOWN OF PROSPER PLANTS TO DISCUSS POSSIBLE DEFICIENCIES PRIOR TO INSTALLATION.
26. Call Parks and Recreation at (972) 569-1160 at least forty-eight (48) hours prior to the following inspection:
 - a. Proposed plant alignment
 - b. Berm construction / grading
 - c. Plant release
 - d. Final inspection



GRAPHIC SCALE IN FEET

0 10 20 40

Kimley»» Horn

A rectangular stamp with a double border. At the top, the word "PRELIMINARY" is written in a bold, sans-serif font. Below it, the text "FOR REVIEW ONLY" and "Not for construction or permit purposes" is written in a smaller font. The company name "Kimley-Horn" is prominently displayed in a large, bold, sans-serif font. Below the company name, the initials "P.L.A." are followed by the name "LEAH M. CAMPBELL". At the bottom, the text "L.A. No. 0395" is followed by "Date 05/16/2024".

KHA PROJECT 063220404	DATE MAY 2024	SCALE AS SHOWN	DESIGNED BY BTM	DRAWN BY BTM
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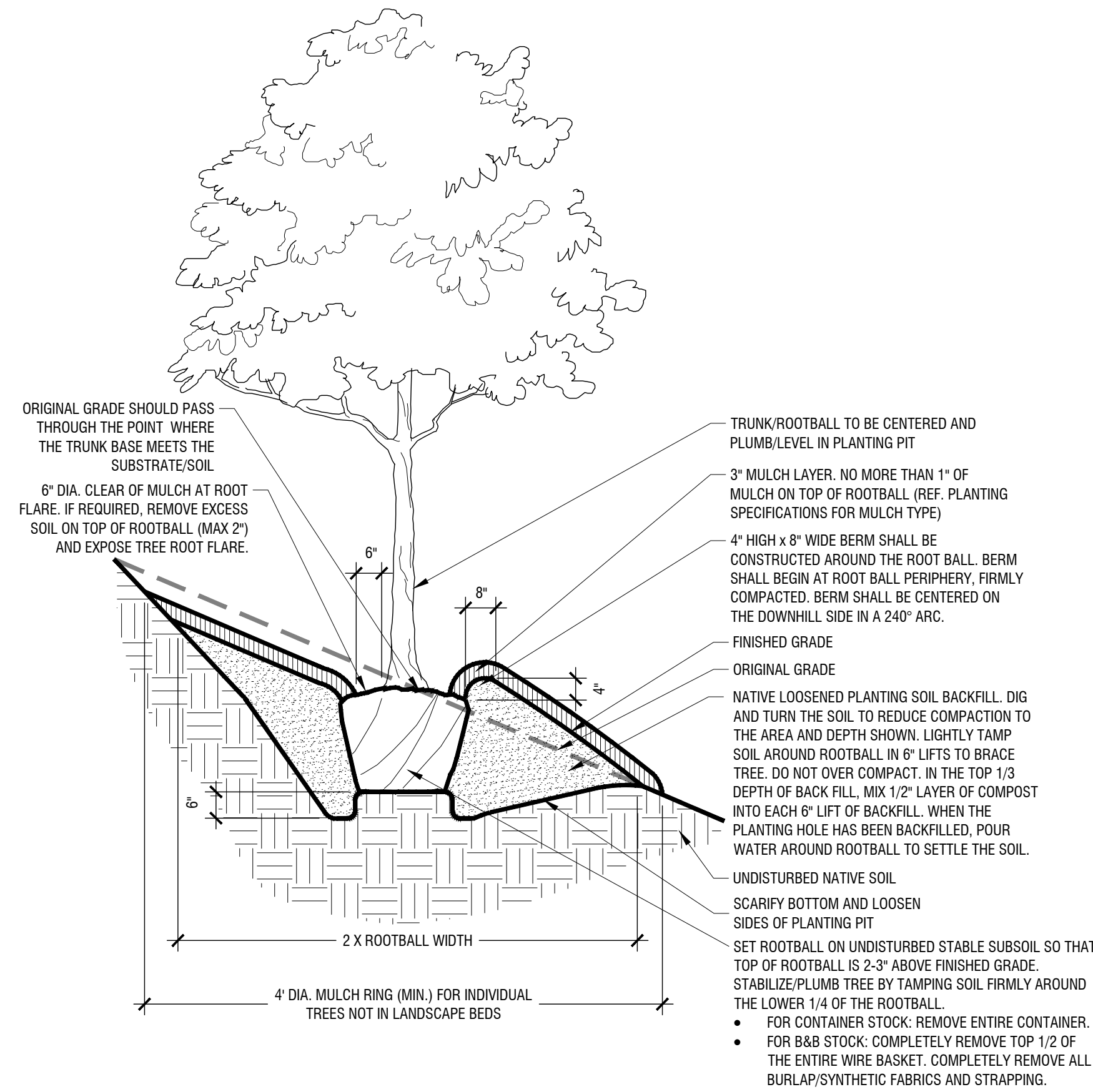
**HARROD MEDICAL
OFFICE BUILDING**
BLOCK A, LOT10
TOWN OF PROSPER, COLLIN COUNTY, TX

LANDSCAPE PLAN
(LOT 10)

SHEET NUMBER
LP 1.01

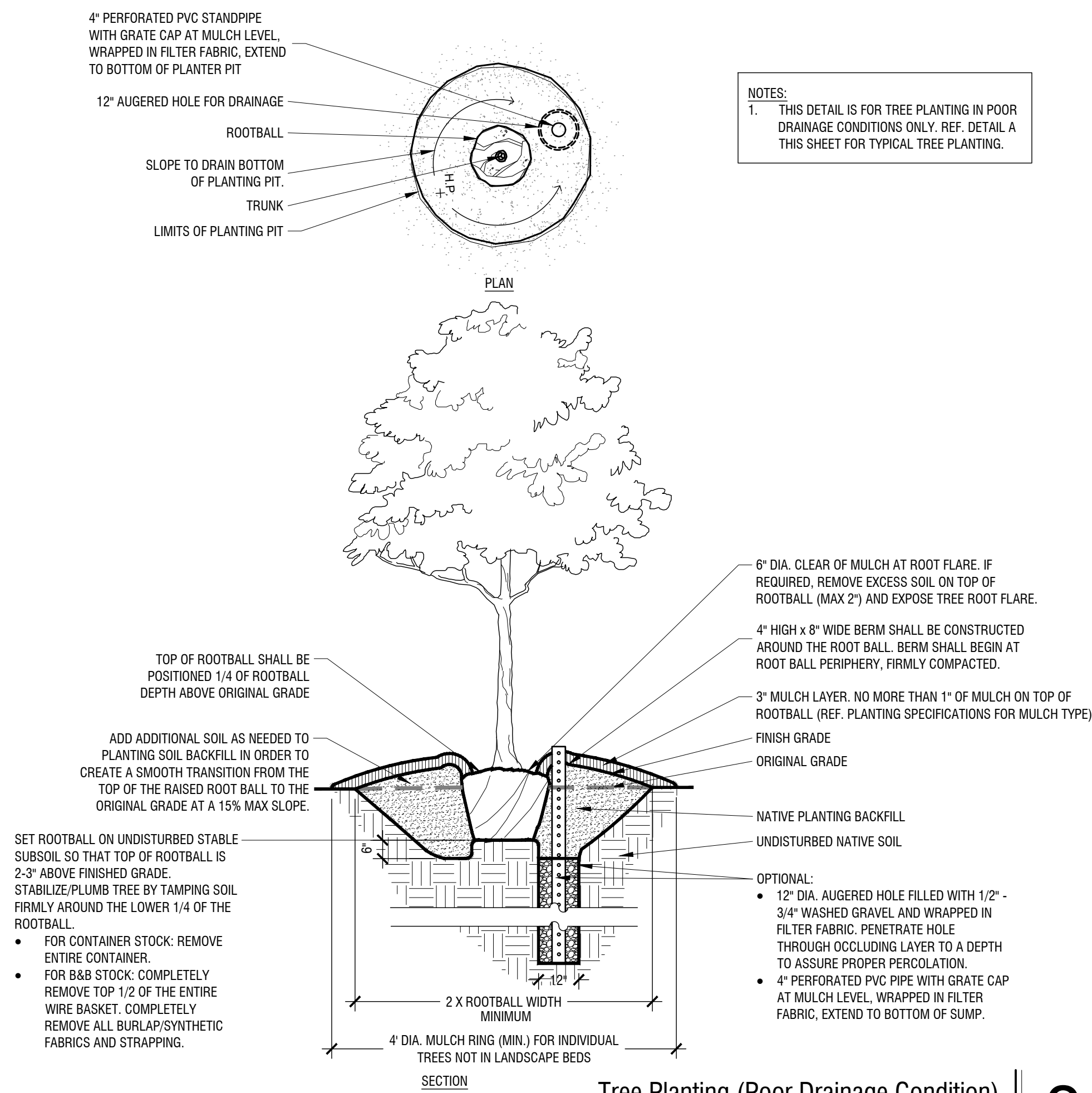
NOTES:

1. REF. PLANTING AND PLANTING SOIL SPECIFICATIONS FOR ADDITIONAL INFORMATION.
2. REF. TREE STAKING DETAIL THIS SHEET.



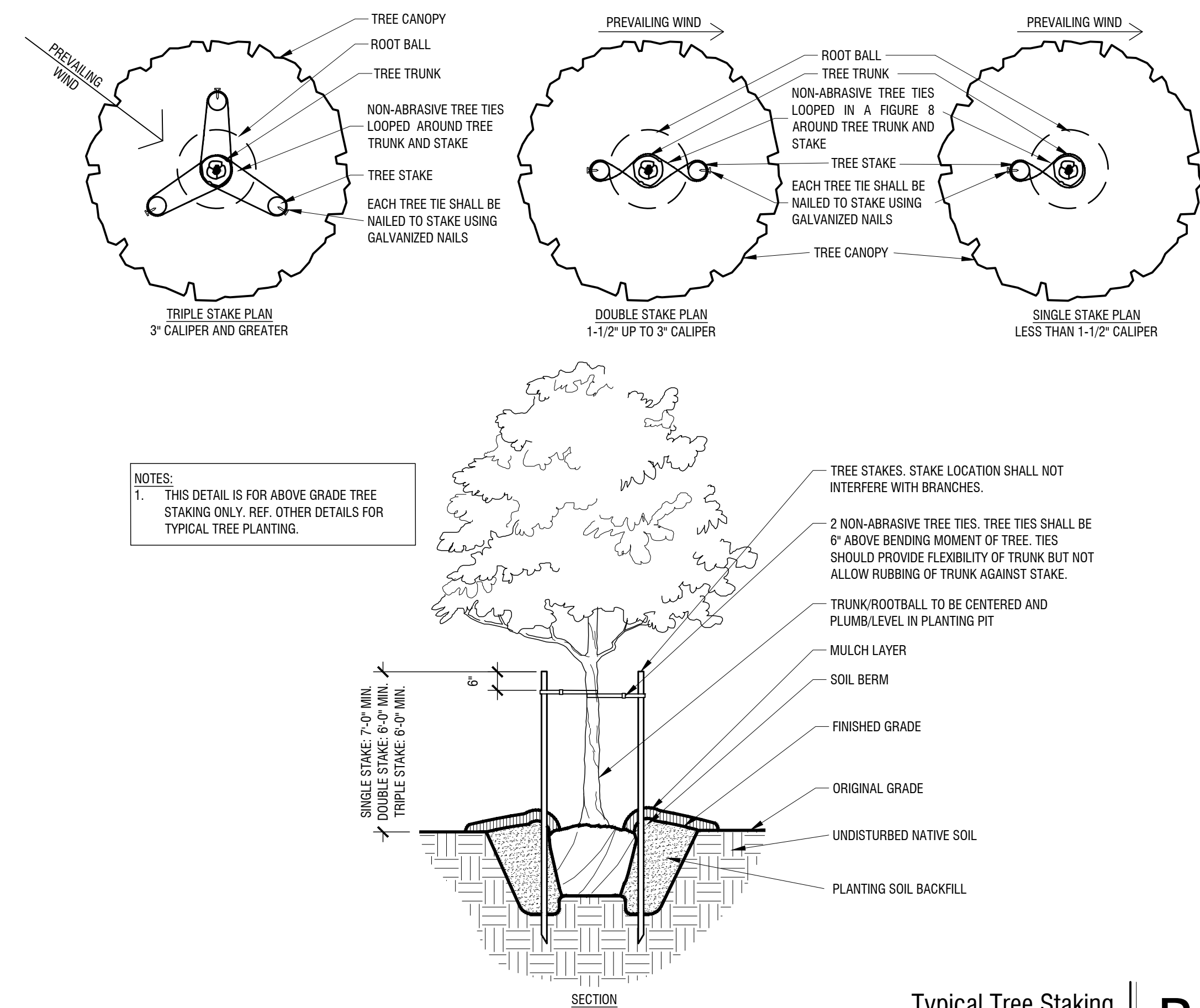
Tree Planting On 5-25% Slopes (20:1 to 4:1 Slopes)

Scale: NTS



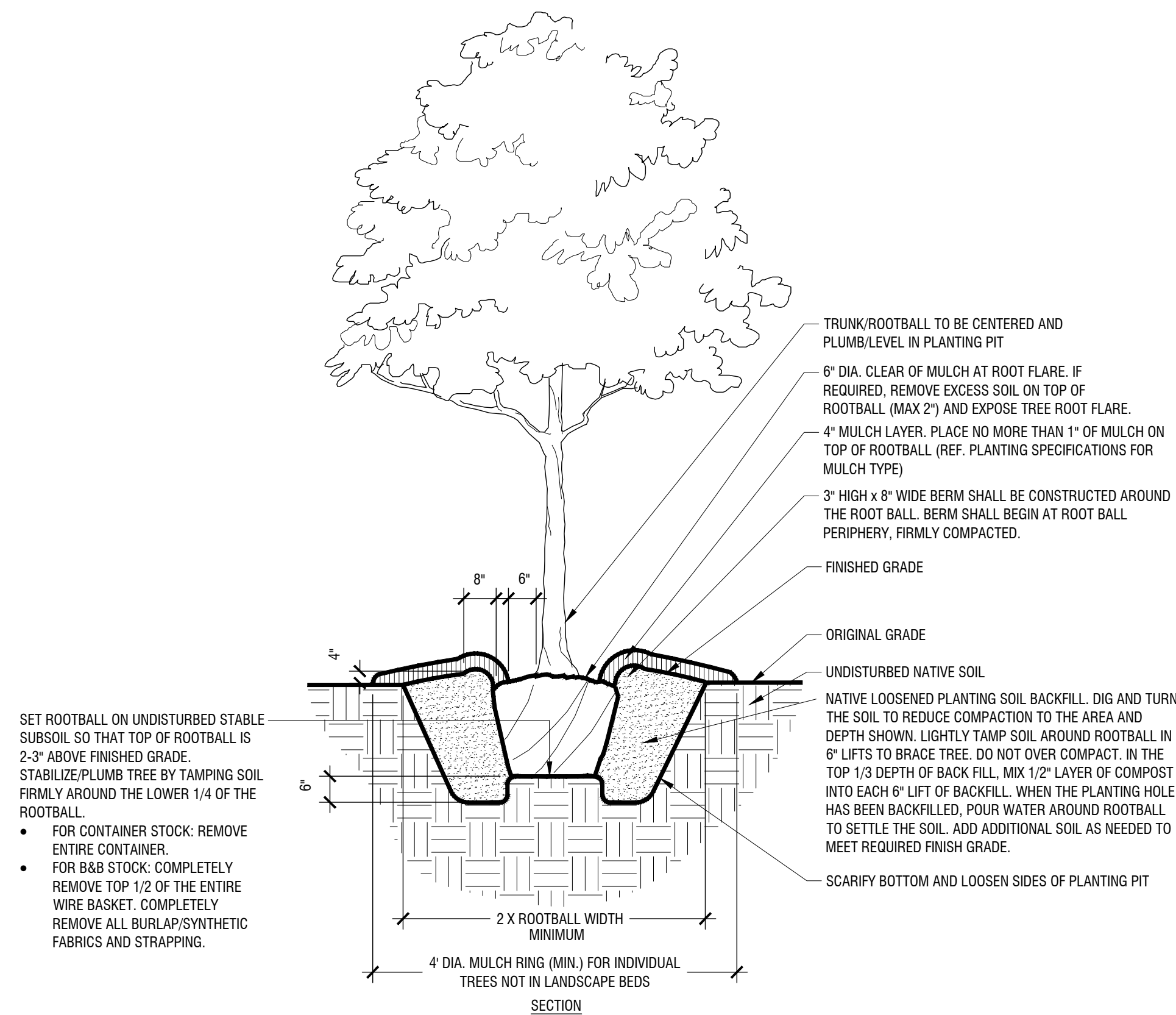
Tree Planting (Poor Drainage Condition)

Scale: NTS



Typical Tree Staking

Scale: NTS



Typical Tree Planting (Up to 3" Caliper)

Scale: NTS

[illegible]

Kimley»»Horn

KHA PROJECT 063220404
DATE MAY 2024
SCALE AS SHOWN
DESIGNED BY BTM
DRAWN BY BTM
CHECKED BY LMC

**HARROD MEDICAL
OFFICE BUILDING**
BLOCK A, LOT10
TOWN OF PROSPER, COLLIN COUNTY, TX

LANDSCAPE DETAILS

SHEET NUMBER
LP 3.01

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

GENERAL LANDSCAPE SPECIFICATIONS AND NOTES

- A. SCOPE OF WORK
1. THE WORK CONSISTS OF FURNISHING ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, TRANSPORTATION, AND ANY OTHER APPURTENANCES NECESSARY FOR THE COMPLETION OF THIS PROJECT AS SHOWN ON THE DRAWINGS, AS INCLUDED IN THE PLANT LIST, AND AS HEREIN SPECIFIED.
2. WORK SHALL INCLUDE MAINTENANCE AND WATERING OF ALL PLANTING AREAS OF THIS CONTRACT UNTIL CERTIFICATION OF ACCEPTABILITY BY THE OWNER.
- B. PROTECTION OF EXISTING STRUCTURES
- ALL EXISTING BUILDINGS, WALKS, WALLS, PAVING, PIPING, AND OTHER ITEMS OF CONSTRUCTION AND PLANTING ALREADY COMPLETED OR ESTABLISHED SHALL BE PROTECTED FROM DAMAGE BY THIS CONTRACTOR UNLESS OTHERWISE SPECIFIED. ALL DAMAGE RESULTING FROM NEGLIGENCE SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE OWNER.
- C. PROTECTION OF EXISTING PLANT MATERIALS OUTSIDE LIMIT OF WORK
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UNAUTHORIZED CUTTING OR DAMAGE TO TREES AND SHRUBS EXISTING OR OTHERWISE CAUSED BY CARELESS OPERATION OF EQUIPMENT, STOCKPILING OF MATERIALS, ETC. THIS SHALL INCLUDE COMPACTION BY DRIVING OR PARKING INSIDE THE DRINKLINE OR THE SPRINKLER OR OIL, GASOLINE, OR OTHER DELETERIOUS MATERIALS WITHIN THE DRINKLINE. NO MATERIALS SHALL BE BURNED WHERE THE HEAT WILL DAMAGE ANY PLANT. TREES KILLED OR DAMAGED SO THAT THEY ARE MISSHAPEN AND/OR UNSIGHTLY SHALL BE REPLACED AT THE COST TO THE CONTRACTOR OF ONE HUNDRED DOLLARS (\$100) PER CALIPER INCH ON AN ESCALATING SCALE WHICH ADDS AN ADDITIONAL TWENTY (20) PER CENT PER INCH OVER FOUR (4) INCHES CALIPER AS FIXED AND AGREED LIQUIDATED DAMAGES. CALIPER SHALL BE MEASURED SIX (6) INCHES ABOVE GROUND LEVEL FOR TREES UP TO AND INCLUDING FOUR (4) INCHES IN CALIPER AND TWELVE (12) INCHES ABOVE GROUND LEVEL FOR TREES OVER FOUR (4) INCHES IN CALIPER.
- D. MATERIALS
1. GENERAL
- SAMPLES OF MATERIALS AS LISTED BELOW SHALL BE SUBMITTED FOR APPROVAL, ON THE SITE OR AS OTHERWISE DETERMINED BY THE OWNER. UPON APPROVAL OF SAMPLES, DELIVERY OF MATERIALS MAY BEGIN.
- MATERIALS SAMPLES
- MULCH ONE (1) CUBIC FOOT
- TOPSOIL ONE (1) CUBIC YARD
- PLANTS ONE (1) OF EACH VARIETY
2. PLANT MATERIALS
- A. PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. NOMENCLATURE SHALL CONFORM TO STANDARDIZED PLANT NAMES, 1982 EDITION. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH GRADES AND STANDARDS AS STATED IN THE LATEST EDITION OF "AMERICAN STANDARDS FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSEYMEN. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED AND FREE OF DISEASE AND INSECTS. INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES FOR PLANTING IN ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE OWNER. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE OWNER.
- B. MEASUREMENTS: THE HEIGHT AND/OR WIDTH OF TREES SHALL BE MEASURED FROM THE GROUND OR ACROSS THE NORMAL SPREAD OF BRANCHES WITH THE PLANTS IN THEIR NORMAL POSITION. THIS MEASUREMENT SHALL NOT INCLUDE THE IMMEDIATE TERMINAL GROWTH. PLANTS LARGER IN SIZE THAN THOSE SPECIFIED IN THE PLANT LIST MAY BE USED IF APPROVED BY THE OWNER. IF THE USE OF LARGER PLANTS IS APPROVED, THE BALL OF EARTH OR SPREAD OF ROOTS SHALL BE INCREASED IN PROPORTION TO THE SIZE OF THE PLANT.
- C. INSPECTION: PLANTS SHALL BE SUBJECT TO INSPECTION AND APPROVAL AT THE PLACE OF GROWTH, OR UPON DELIVERY TO THE SITE, AS DETERMINED BY THE OWNER, FOR QUALITY, SIZE, AND VARIETY. SUCH APPROVAL SHALL NOT IMPAIR THE RIGHT OF INSPECTION AND REJECTION AT THE SITE DURING PROGRESS OF THE WORK OR AFTER COMPLETION FOR SIZE AND CONDITION OF BALLS OR ROOTS. LATENT DEFECTS OR INADEQUATE PLANTS SHALL BE REJECTED IMMEDIATELY FROM THE SITE. NOTICE REQUESTING INSPECTION SHALL BE SUBMITTED IN WRITING BY THE CONTRACTOR AT LEAST ONE (1) WEEK PRIOR TO ANTICIPATED DATE.
- E. TOPSOIL
1. ASTM D2028, NATURAL, FRIABLE, FERTILE, FINE LOAMY SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE TOPSOIL IN THE VICINITY THAT PRODUCES HEAVY GROWTH. TOPSOIL SHALL HAVE A PH RANGE OF 5.5 TO 7.4 PERCENT, FREE FROM SUBSOIL, OBJECTIONABLE WEEDS, LITTER, SODS, STIFF CLAY, STONES LARGER THAN 1/4 INCH IN DIAMETER, STUMPS, ROOTS, TRASH, HERBICIDES, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL WHICH MAY BE HARMFUL TO PLANT GROWTH OR HINDER PLANTING OPERATIONS. TOP SOIL SHALL CONTAIN A MINIMUM OF THREE PERCENT ORGANIC MATERIAL.
2. SALVAGED OR EXISTING TOPSOIL: REUSE SUITABLE TOPSOIL STOCKPILED ON-SITE OR EXISTING TOPSOIL UNDISTURBED BY GRADING OR EXCAVATION OPERATIONS. CLEAN TOPSOIL OF ROOTS, PLANTS, SODS, STONES, CLAY LUMPS, AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
3. VERIFY AMOUNT OF SUITABLE TOPSOIL STOCKPILED IF ANY, AND SUPPLY ADDITIONAL IMPORTED TOPSOIL, AS NEEDED. FOUR (4) INCHES OF TOPSOIL TO BE PROVIDED FOR ALL PLANTING AREAS. TWENTY FOUR (24) INCHES OF TOPSOIL TO BE PROVIDED FOR ALL PLANTING AREAS WITHIN INTERIOR LANDSCAPE ISLANDS AND FOUNDATION PLANTINGS. FOR ALL OTHER PLANTING AREAS, TWELVE (12) INCHES OF TOPSOIL MINIMUM TO BE PROVIDED.
4. IMPORTED TOPSOIL: SUPPLEMENT SALVAGED TOPSOIL WITH IMPORTED TOPSOIL FROM OFF-SITE SOURCES WHEN EXISTING QUANTITIES ARE INSUFFICIENT.
5. OBTAIN TOPSOIL DISPLACED FROM NATURALLY WELL-DRAINED SITES WHERE TOPSOIL OCCURS AT LEAST 6 INCHES DEEP. DO NOT OBTAIN FROM AGRICULTURAL LAND, BODS, OR MARSHES.
6. VERIFY BORROW AND DISPOSAL SITES ARE PERMITTED AS REQUIRED BY STATE AND LOCAL REGULATIONS. OBTAIN WRITTEN CONFIRMATION THAT PERMITS ARE CURRENT AND ACTIVE.
7. OBTAIN PERMITS REQUIRED BY STATE AND LOCAL REGULATIONS FOR TRANSPORTING TOPSOIL. PERMITS SHALL BE CURRENT AND ACTIVE.
8. AMEND EXISTING AND IMPORTED TOPSOIL AS INDICATED BELOW.
- a. ORGANIC SOIL AMENDMENTS
1. MANURE: WELL-ROTTED, UNLEACHED, STABLE OR CATTLE MANURE CONTAINING NOT MORE THAN 25 PERCENT BY VOLUME OF STRAW, SAWDUST, OR OTHER BEDDING MATERIALS, FREE OF TOXIC SUBSTANCES, STONES, STICKS, SOIL, WEED SEED, AND MATERIAL HARMFUL TO PLANT GROWTH.
2. BACK TO NATURE COTTON BURR COMPOST OR APPROVED EQUIVALENT.
3. COMPOST: DECOMPOSED ORGANIC MATERIAL INCLUDING LEAF LITTER, MANURE, SAWDUST, PLANT TRIMMINGS AND/OR HAY, MIXED WITH SOIL.
4. PECAN HULLS: COMPOSTED PECAN HULLS FOR LOCAL SOURCE.
5. BIOSOLIDS: USE GRADE 1 CONTAINING LOWER PATHOGEN LEVELS.
6. WORM CASTINGS: EARTHWORMS.
- b. INORGANIC SOIL AMENDMENTS
1. LIME: ASTM C602, CLASS 0 AGRICULTURAL LIMESTONE CONTAINING A MINIMUM OF 80 PERCENT CALCIUM CARBONATE EQUIVALENT WITH A MINIMUM OF 95 PERCENT PASSING NO. 8 SIEVE AND MINIMUM OF 95 PERCENT PASSING NO. 20 SIEVE.
2. SULFUR: GRANULAR, BIODEGRADABLE, CONTAINING A MINIMUM OF 90 PERCENT SULFUR, WITH A MINIMUM OF 99 PERCENT PASSING NO. 6 SIEVE AND A MAXIMUM OF 10 PERCENT PASSING NO. 40 SIEVE.
3. IRON SULFATE: GRANULATED FERROUS SULFATE CONTAINING A MINIMUM OF 20 PERCENT IRON AND 10 PERCENT SULFUR.
4. AGRICULTURAL GYPSUM: FINELY GROUND, CONTAINING A MINIMUM OF 90 PERCENT CALCIUM SULFATE.
5. SAND: CLEAN, WASHED, NATURAL OR MANUFACTURED, FREE OF TOXIC MATERIALS.
- c. PLANTING SOIL MIX
1. PLANTING MIX MAY BE PROVIDED BY LIVING EARTH OR MIMICK MATERIALS OR APPROVED EQUAL.
2. PLANTING MEDIUM CONTAINING 75 PERCENT SPECIFIED TOPSOIL, MIXED WITH 15 PERCENT ORGANIC SOIL AMENDMENTS AND 10 PERCENT SHARP WASHED SAND. INSTALL TO DEPTHS, PER PLANTING DETAILS (12" MIN.) FINISHED GRADES OF PLANTING BEDS TO BE 2" BELOW FINISHED GRADE OF ADJACENT PAVING OR AS SHOWN ON GRADING PLAN.
3. SOD/SEED AREA TOPSOIL
- ALL SOD AREAS TO RECEIVE A DEPTH (MIN) TOPSOIL PRIOR TO INSTALLATION. TOPSOIL SHALL BE NATURAL, FRIABLE, FERTILE, WITH 25% (MIN) ORGANIC MATERIAL, AND FREE OF TRASH, DEBRIS, STONES, WEEDS, AND TWIGSBRANCHES. THE PARTICLE SIZES SHALL BE SUCH THAT 90.0% OF THE TOPSOIL WILL PASS THROUGH A 1/2 INCH SCREEN AND 99% MORE SHALL PASS THROUGH A 3/4 INCH SCREEN. TOPSOIL SHALL BE REVIEWED/APPROVED BY OWNER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. CONTRACTOR TO SUBMIT SAMPLES IN 1 GAL (MIN.) CONTAINER.
- I. WATER
- WATER NECESSARY FOR PLANTING AND MAINTENANCE SHALL BE OF SATISFACTORY QUALITY TO SUSTAIN AN ADEQUATE GROWTH OF PLANTS AND SHALL NOT CONTAIN HARMFUL, NATURAL OR MAN-MADE ELEMENTS DETRIMENTAL TO PLANTS. WATER MEETING THE ABOVE STANDARD SHALL BE OBTAINED ON THE SITE FROM THE OWNER, IF AVAILABLE, AND THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE ARRANGEMENTS FOR ITS USE BY HIS TANKS, HOSES, SPRINKLERS, ETC. IF SUCH WATER IS NOT AVAILABLE AT THE SITE, THE CONTRACTOR SHALL PROVIDE SUCH SATISFACTORY WATER FROM SOURCES OFF THE SITE AT NO ADDITIONAL COST TO THE OWNER.
- J. COMMERCIAL FERTILIZER
- COMMERCIAL FERTILIZER SHALL BE A COMPLETE FORMULA. IT SHALL BE UNIFORM IN COMPOSITION, DRY AND FREE FLOWING. THIS FERTILIZER SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED CONTAINERS, EACH BEARING THE MANUFACTURER'S GUARANTEED STATEMENT OF ANALYSIS. FIFTY PERCENT (50%) OF THE NITROGEN SHALL BE DERIVED FROM NATURAL ORGANIC SOURCES. THE FOLLOWING FERTILIZERS SHALL BE USED AND APPLIED AT RATES AS SUGGESTED BY MANUFACTURER'S SPECIFICATIONS.
1. SHRUBS AND TREES: MILORONITE, OR APPROVED EQUAL
2. ANNUALS AND GROUNDCOVERS: GOMCOTESSERA BLEND 14-14-14
3. SOD-SEED FERTILIZER
- IN ADDITION TO SURFACE APPLIED FERTILIZERS, ALL CONTAINER GROWN AND FIELD GROWN PLANT MATERIAL SHALL RECEIVE "AGRIFORM" PLANTING TABLETS AT A RATE OF 21 GRAM OR EQUAL. THESE TABLETS SHALL BE PLACED AT A DEPTH OF ROOT BALL AT THE RATE AS SPECIFIED BY MANUFACTURER.
- K. MULCH
- MULCH MATERIAL SHALL BE MOISTENED AT THE TIME OF APPLICATION TO PREVENT WIND DISPLACEMENT, AND APPLIED AT A DEPTH OF 3 INCHES. SEE PLANT LIST FOR TYPE OF MATERIAL AND GRADE.

- L. DIGGING AND HANDLING
1. PROTECT ROOTS OR BALLS OF PLANTS AT ALL TIMES FROM SUN AND DRYING WINDS, WATER AND FREEZING, AS NECESSARY UNTIL PLANTING. PLANT MATERIALS SHALL BE ADEQUATELY PACKED TO PREVENT BREAKAGE AND DRYING OUT DURING TRANSIT. TREES TRANSPORTED MORE THAN TEN (10) MILES OR WHICH ARE NOT PLANTED WITHIN THREE (3) DAYS OF DELIVERY TO SITE SHALL BE SPRAYED WITH AN ANTI-TRANSPARENT PRODUCT ("WILTPROOF" OR EQUAL) TO MINIMIZE TRANSPIRATIONAL WATER LOSS.
2. BALLED AND BURLAPPED PLANTS (B&B) SHALL BE DUG WITH FIRM, NATURAL BALLS OF SOIL OF SUFFICIENT SIZE TO ENCOMPASS THE FIBROUS AND FEEDING ROOTS OF THE PLANTS. NO PLANTS MOVED WITH A BALL SHALL BE PLANTED IF THE BALL IS CRACKED OR BROKEN. PLANTS BILLED AND BURLAPPED OR CONTAINER GROWN SHALL NOT BE HANDLED BY STEMS.
3. PLANTS MARKED "BIR" IN THE PLANT LIST SHALL BE DUG WITH BARE ROOTS. THE ROOTS SHALL NOT BE CUT WITHIN THE MINIMUM SPREAD SPECIFIED IN THE PLANT LIST. CARE SHALL BE EXERCISED THAT THE ROOTS DO NOT DRY OUT IN MOVING AND PRIOR TO PLANTING.
4. PROTECTION OF PALMS (IF APPLICABLE): ONLY A MINIMUM OF FRONDS SHALL BE REMOVED FROM THE CROWN OF THE PALM TREES TO FACILITATE MOVING AND HANDLING. CLEAR TRUNK (CT) SHALL BE AS SPECIFIED AFTER THE MINIMUM OF FRONDS HAVE BEEN REMOVED. ALL PALMS SHALL BE BRACED PER DETAIL.
5. EXCAVATION OF TREE PITS SHALL BE DONE USING EXTREME CARE TO AVOID DAMAGE TO SURFACE AND SUBSURFACE ELEMENTS SUCH AS UTILITIES OR HARDCAPE ELEMENTS, FOOTERS AND PREPARED SUB-BASES.
- M. CONTAINER GROWN STOCK
1. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE OF GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION.
2. AN ESTABLISHED CONTAINER GROWN PLANT SHALL BE TRANSPLANTED INTO A CONTAINER AND GROWN IN THAT CONTAINER SUFFICIENTLY LONG FOR THE NEW FIBROUS ROOTS TO HAVE DEVELOPED SO THAT THE ROOT MASS WILL RETAIN ITS SHAPE AND HOLD TOGETHER WHEN REMOVED FROM THE CONTAINER. CONTAINER GROWN STOCK SHALL NOT BE HANDLED BY THEIR STEMS.
3. PLANT ROOTS BOUND IN CONTAINERS SHALL NOT BE ACCEPTABLE.
4. SUBSTITUTION OF NON-CONTAINER GROWN MATERIAL FOR MATERIAL EXPLICITLY SPECIFIED TO BE CONTAINER GROWN WILL NOT BE PERMITTED UNLESS WRITTEN APPROVAL IS OBTAINED FROM THE OWNER AND LANDSCAPE ARCHITECT.
- N. COLLECTED STOCK
- WHEN THE USE OF COLLECTED STOCK IS PERMITTED AS INDICATED ON THE PLANT LIST SCHEDULE, THE MINIMUM SIZES OF ROOTBALLS SHALL BE EQUAL TO THAT SPECIFIED FOR THE NEXT LARGER SIZE OF NURSERY GROWN STOCK OF THE SAME VARIETY.
- O. NATIVE STOCK
- PLANTS COLLECTED FROM WILD OR NATIVE STANDS SHALL BE CONSIDERED NURSERY GROWN WHEN THEY HAVE BEEN SUCCESSFULLY REESTABLISHED IN A NURSERY ROW AND GROWN UNDER REGULAR NURSERY CULTURAL PRACTICES FOR A MINIMUM OF TWO (2) GROWING SEASONS AND HAVE ATTAINED ADEQUATE ROOT AND TOP GROWTH TO INDICATE FULL RECOVERY FROM TRANSPLANTING INTO THE NURSERY ROW.
- P. MATERIALS LIST
- QUANTITIES NECESSARY TO COMPLETE THE WORK ON THE DRAWINGS SHALL BE FURNISHED BY THE CONTRACTOR. QUANTITY ESTIMATES HAVE BEEN MADE CAREFULLY, BUT THE LANDSCAPE ARCHITECT OR OWNER ASSUMES NO LIABILITY FOR OMISSIONS OR ERRORS. SHOULD A DISCREPANCY OCCUR BETWEEN THE BIDDERS TAKE OFF AND THE PLANT LIST QUANTITY, THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED FOR CLARIFICATION PRIOR TO THE SUBMISSIONS OF BIDS. ALL DIMENSIONS AND/OR SIZES SPECIFIED SHALL BE THE MINIMUM ACCEPTABLE SIZE.
- Q. FINE GRADING
1. FINE GRADING UNDER THIS CONTRACT SHALL CONSIST OF FINAL FINISHED GRADING OF LAWN AND PLANTING AREAS THAT HAVE BEEN ROUGH GRADED BY OTHERS, BEING AS SHOWN ON THE DRAWINGS SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR, UNLESS OTHERWISE NOTED.
2. THE LANDSCAPE CONTRACTOR SHALL FINE GRADE THE LAWN AND PLANTING AREAS TO BRING THE ROUGH GRADE UP TO FINAL FINISHED GRADE ALL AROUND FOR THICKNESS OF SOD AND/OR MULCH DEPTH. THIS CONTRACTOR SHALL FINE GRADE BY HAND AND/OR WITH ALL EQUIPMENT NECESSARY INCLUDING A GRADING TRACTOR WITH FRONT-END LOADER FOR TRANSPORTING SOIL WITHIN THE SITE.
3. ALL PLANTING AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW FREE FLOW OF SURFACE WATER AREAS ADJACENT TO BUILDINGS SHALL SLOPE AWAY FROM THE BUILDINGS.
- R. PLANTING PROCEDURES
1. CLEANING UP BEFORE COMMENCING WORK: THE CONTRACTOR SHALL CLEAN UP WORK AND SURROUNDING AREAS OF ALL RUBBISH OR OBJECTIONABLE MATTER. ALL MORTAR, CEMENT, AND TOXIC MATERIAL SHALL BE REMOVED FROM THE SURFACE OF ALL PLANT BEDS. THESE MATERIALS SHALL NOT BE MIXED WITH THE SOIL. SHOULD THE CONTRACTOR FIND SUCH SOIL CONDITIONS BENEATH THE SOIL WHICH WILL IN ANY WAY ADVERSELY AFFECT THE PLANT GROWTH, HE SHALL IMMEDIATELY CALL IT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT OR OWNER. FAILURE TO DO SO BEFORE PLANTING SHALL MAKE THE CORRECTIVE MEASURES THE RESPONSIBILITY OF THE CONTRACTOR.
2. VERIFY LOCATIONS OF ALL UTILITIES, CONDUITS, SUPPLY LINES AND CABLES, INCLUDING BUT NOT LIMITED TO: ELECTRIC, GAS LINES AND TANKS), WATER, SANITARY SEWER, STORMWATER LINES, CABLE AND TELEPHONE. PROPERLY MAINTAIN AND PROTECT EXISTING UTILITIES.
3. SUBGRADE EXCAVATION: SITE CONTRACTOR IS RESPONSIBLE TO REMOVE ALL EXISTING AND IMPORTED LIMEROCK AND LIMEROCK SUB-BASE FROM ALL LANDSCAPE PLANTING AREAS TO A MINIMUM DEPTH OF 36" . SITE CONTRACTOR IS RESPONSIBLE TO BACKFILL THESE PLANTING AREAS TO ROUGH FINISHED GRADE WITH CLEAN TOPSOIL FROM AN ON-SITE SOURCE OR AN IMPORTED SOURCE. IF LIMEROCK OR OTHER ADVERSE CONDITIONS OCCUR IN PLANTED AREAS AFTER 36" DEEP EXCAVATION BY SITE CONTRACTOR, AND POSITIVE DRAINAGE CAN NOT BE ACHIEVED, LANDSCAPE CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT OR OWNER.
4. FURNISH NURSERY'S CERTIFICATE OF COMPLIANCE WITH ALL REQUIREMENTS AS HEREIN SPECIFIED AND REQUIRED. INSPECT AND SELECT PLANT MATERIALS BEFORE PLANTS ARE DUG AT NURSERY OR GROWING SITE.
5. GENERAL: COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY, AND LOCAL REGULATIONS GOVERNING LANDSCAPE MATERIALS AND WORK. CONFORM TO ACCEPTED HORTICULTURAL PRACTICES AS USED IN THE TRADE. PLANTS SHALL BE PROTECTED UPON ARRIVAL AT THE SITE BY BEING THOROUGHLY WATERED AND PROPERLY MAINTAINED UNTIL PLANTED. PLANTS SHALL NOT REMAIN UNPROTECTED FOR A PERIOD EXCEEDING TWENTY-FOUR (24) HOURS. AT ALL TIMES WORKMANLIKE METHODS CUSTOMARY IN GOOD HORTICULTURAL PRACTICES SHALL BE EXERCISED.
6. THE WORK SHALL BE COORDINATED WITH OTHER TRADES TO PREVENT CONFLICTS. COORDINATE THE PLANTING WITH THE IRRIGATION WORK TO ASSURE AVAILABILITY OF WATER AND PROPER LOCATION OF IRRIGATION ITEMS AND PLANTS.
7. ALL PLANTING PITS SHALL BE EXCAVATED TO SIZE AND DEPTH IN ACCORDANCE WITH THE USA STANDARD FOR NURSERY STOCK 200.1, UNLESS SHOWN OTHERWISE ON THE DRAWINGS, AND BACKFILLED WITH THE PREPARED PLANTING SOIL AS SPECIFIED HEREIN BEFORE SECTION H). TEST ALL TREE PITS WITH WATER BEFORE PLANTING TO ASSURE PROPER DRAINAGE PERCOLATION IS AVAILABLE. NO ALLOWANCE WILL BE MADE FOR IMPROPER DRAINAGE. IF POOR DRAINAGE EXISTS, UTILIZE PLANTING DETAIL THAT ADDRESSES THIS CONDITION. TREES SHALL BE SET PLUMB AND HELD IN POSITION UNTIL THE PLANTING MIXTURE HAS BEEN FLOUSED INTO PLACE WITH A SLOW, FULL HOSE STREAM. ALL PLANTING SHALL BE PERFORMED BY PERSONNEL FAMILIAR WITH PLANTING PROCEDURE AND UNDER THE SUPERVISION OF A QUALIFIED PLANTING FOREMAN. PROPER "JETTING IN" SHALL BE ASSURED TO ELIMINATE AIR POCKETS AROUND THE ROOTS. "JET STOCK" OR EQUAL IS RECOMMENDED.
8. TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO BUILDINGS AND BUILDING STRUCTURES WHILE INSTALLING TREES.
9. SOIL MIXTURE SHALL BE AS SPECIFIED IN SECTION H OF THESE SPECIFICATIONS. IN ADDITION, EACH PLANTING PIT SHALL RECEIVE 21-GRAM "AGRIFORM" PLANTING TABLETS PER MANUFACTURER'S SPECIFICATIONS OR AS FOLLOWS:
- TWO (2) TABLETS PER 1 GAL. PLANT
- THREE (3) TABLETS PER 3 GAL. PLANT
- FOUR (4) TABLETS PER 10 GAL. PLANT
- LARGER MATERIAL - TWO (2) TABLETS PER 12" OF TRUNK CALIPER
10. TREES AND SHRUBS SHALL BE SET STRAIGHT AND AT SUCH A LEVEL THAT AFTER SETTLEMENT, THE PLANT CROWN WILL STAND ONE (1) TO TWO (2) INCHES ABOVE GRADE. EACH PLANT SHALL BE SET IN THE CENTER OF THE PIT. PLANTING SOIL MIXTURE SHALL BE BACKFILLED AND THOROUGHLY TAMPED AROUND THE BALL AND SHALL BE SETTLED BY WATER AFTER TAMPING.
11. FILL HOLE WITH SOIL MIXTURE, MAKING CERTAIN ALL SOIL IS SATURATED. TO DO THIS, FILL HOLE WITH WATER AND ALLOW TO SOAK MINIMUM TWENTY (20) MINUTES. STIRRING IF NECESSARY TO GET SOIL THOROUGHLY WET. PACK LIGHTLY WITH FEET. ADD MORE WET SOIL MIXTURE. DO NOT COVER TOP OF BALL WITH SOIL MIXTURE, ONLY WITH MULCH. ALL BURLAP, ROPE, WIRES, ETC., SHALL BE REMOVED FROM THE SIDES AND TOPS OF BALLS, BUT NO BURLAP SHALL BE PULLED FROM UNDERNEATH.
12. PRUNING: EACH TREE SHALL BE PRUNED TO PRESERVE THE NATURAL CHARACTER OF THE PLANT AS SHOWN ON THE DRAWINGS. ALL SOFT WOOD OR SUCKER GROWTH AND ALL BROKEN OR BADLY DAMAGED BRANCHES SHALL BE REMOVED WITH A CLEAN CUT.
13. SHRUBS AND GROUND COVER PLANTS SHALL BE EVENLY SPACED IN ACCORDANCE WITH THE DRAWINGS AND AS INDICATED ON THE PLANT LIST. CULTIVATE ALL PLANTING AREAS TO A MINIMUM DEPTH OF 6"; REMOVE AND DISPOSE ALL DEBRIS. TILL INTO TOP 4" THE PLANTING SOIL MIX AS SPECIFIED IN SECTION E. THOROUGHLY WATER ALL PLANTS AFTER INSTALLATION.
14. TREE GUYING AND BRACING SHALL BE INSTALLED BY THE LANDSCAPE CONTRACTOR IN ACCORDANCE WITH THE PLANS TO INSURE STABILITY AND MAINTAIN TREES IN AN UPRIGHT POSITION. IF THE LANDSCAPE CONTRACTOR AND OWNER DECIDE TO WAIVE THE TREE GUYING AND BRACING, THE OWNER SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING OF THEIR INTENTIONS AND AGREE TO HOLD HARMLESS THE LANDSCAPE ARCHITECT IN THE EVENT ANY TREES FALL DOWN AND DAMAGE PERSON OR PROPERTY.
15. MULCHING: PROVIDE A THREE (3) INCH MINIMUM LAYER OF SPECIFIED MULCH OVER THE ENTIRE AREA OF EACH SHRUB BED, GROUND COVER AND VINE BED AND TREE PIT.
16. HERBICIDE WEED CONTROL: ALL PLANT BEDS SHALL BE KEPT FREE OF NOXIOUS WEEDS UNTIL FINAL ACCEPTANCE OF WORK. IF DIRECTED BY THE OWNER, "ROUNDUP" SHALL BE APPLIED FOR WEED CONTROL BY QUALIFIED PERSONNEL TO ALL PLANTING AREAS IN SPOT APPLICATIONS PER MANUFACTURER'S PRECAUTIONS AND SPECIFICATIONS. PRIOR TO FINAL INSPECTION, TREAT ALL PLANTING BEDS WITH AN APPROVED PRE-EMERGENT HERBICIDE AT AN APPLICATION RATE RECOMMENDED BY THE MANUFACTURER.

- S. LAWN SODDING
1. THE WORK CONSISTS OF LAWN BED PREPARATION, SOIL PREPARATION, AND SODDING COMPLETION. IN STRICT ACCORDANCE WITH THE SPECIFICATIONS AND THE APPLICABLE DRAWINGS TO PRODUCE A GRASS LAWN ACCEPTABLE TO THE OWNER.
2. LAWN BED PREPARATION: ALL AREAS THAT ARE TO BE SODDED SHALL BE CLEARED OF ANY ROUGH GRASS, WEEDS, AND DEBRIS, AND THE GROUND BROUGHT TO AN EVEN GRADE. THE WHOLE SURFACE SHALL BE ROLLED WITH A ROLLER WEIGHING NOT MORE THAN ONE HUNDRED (100) POUNDS PER FOOT OF WIDTH. DURING THE ROLLING, ALL DEPRESSIONS CAUSED BY SETTLEMENT OF ROLLING SHALL BE FILLED WITH ADDITIONAL SOIL, AND THE SURFACE SHALL BE REGRADED AND ROLLED UNTIL PRESENTING A SMOOTH AND EVEN FINISH THAT IS UP TO THE REQUIRED GRADE.
3. SOIL PREPARATION: PREPARE LOOSE BED FOUR (4) INCHES DEEP. APPLY FERTILIZER AT RATE OF TWENTY (20) POUNDS PER ONE THOUSAND (1000) SQUARE FEET. APPLICATION SHALL BE UNIFORM. UTILIZING APPROVED MECHANICAL SPREADERS. MIX FERTILIZER THOROUGHLY WITH THE SOIL TO A DEPTH OF THREE (3) INCHES. HAND RAKE UNTIL ALL BUMPS AND DEPRESSIONS ARE REMOVED. WET PREPARED AREA THOROUGHLY.
4. SODDING
- A. THE CONTRACTOR SHALL SOD ALL AREAS THAT ARE NOT PAVED OR PLANTED AS DESIGNATED ON THE DRAWINGS WITHIN THE CONTRACT LIMITS, UNLESS SPECIFICALLY NOTED OTHERWISE.
- B. THE SOD SHALL BE CERTIFIED TO MEET THE STATE PLANT BOARD SPECIFICATIONS, ABSOLUTELY TRUE TO VARIETAL TYPE, AND FREE FROM WEEDS, FUNGUS, INSECTS AND DISEASE OF ANY KIND.
- C. SOD PANELS SHALL BE LAID TIGHTLY TOGETHER SO AS TO MAKE A SOLID SODDED LAWN AREA. SOD SHALL BE Laid UNIFORMLY AGAINST THE EDGES OF ALL CURBS AND OTHER HARDCAPE ELEMENTS, PAVED AND PLANTED AREAS. ADJACENT TO BUILDINGS, A FOUR INCH MULCH STRIP SHALL BE PROVIDED. IMMEDIATELY FOLLOWING SOD LAYING, THE LAWN AREAS SHALL BE ROLLED WITH A LAWN ROLLER CUSTOMARILY USED FOR SUCH PURPOSES, AND THEN THOROUGHLY IRRIGATED. IF, IN THE OPINION OF THE OWNER, TOP DRESSING IS NECESSARY AFTER ROLLING TO FILL THE VOIDS BETWEEN THE SOD PANELS AND TO EVEN OUT INCONSISTENCIES IN THE SOD, CLEAN SAND AS APPROVED BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE UNIFORMLY SPREAD OVER THE ENTIRE SURFACE OF THE SOD AND THOROUGHLY WATERED IN.
- D. DURING DELIVERY, PRIOR TO AND DURING THE PLANTING OF THE LAWN AREAS, THE SOD PANELS SHALL AT ALL TIMES BE PROTECTED FROM EXCESSIVE DRYING AND UNNECESSARY EXPOSURE OF THE ROOTS TO THE SUN. ALL SOD SHALL BE STACKED SO AS NOT TO BE DAMAGED BY SWEATING OR EXCESSIVE HEAT AND MOISTURE.
5. SEEDING
- A. PROVIDE FRESH, CLEAN, NEW CROP LAWN SEED MIXTURE, FURNISH TO OWNER DEALERS GUARANTEED STATEMENT OF COMPOSITION OF MIXTURE AND PERCENTAGE OF PURITY AND GERMINATION OF EACH VARIETY.
- B. SEED MIXTURE: PROVIDE SEED OF GRASS SPECIES AND VARIETIES, PROPORTIONS BY WEIGHT AND MINIMUM PERCENTAGES OF PURITY, GERMINATION, AND MAXIMUM PERCENTAGE OF WEED SEED. SEED MIXTURES VARY BY REGION AND SEASON AND SHALL COMPLY WITH STATE DO AND LOCAL SOIL CONSERVATION SERVICE STANDARDS FOR LAWN TURF.
- C. DO NOT PERFORM SEEDING IN WINDY CONDITIONS.
- D. SEEDING SHALL BE DISPERSED IN 2 DIRECTIONS AT RIGHT ANGLES TO EACH OTHER.
- E. PERMANENTLY SEED AND MULCH CUT AND FILL SLOPES AS CONSTRUCTION PROCEEDS TO EXTENT CONSIDERED DESIRABLE AND PRACTICAL. IN THE EVENT IT IS NOT PRACTICAL, TO SEED AREAS, SLOPES SHALL BE STABILIZED WITH STRAW MULCH AND JACKFIBER, BONDED FIBER MATRIX, NETTING, BLANKETS OR OTHER MEANS TO REDUCE THE EROSION POTENTIAL OF THE AREA.
- F. SEED LAWN AREAS BY SOWING EVENLY WITH APPROVED MECHANICAL SEEDER AT RATE OF MINIMUM OF 6 POUNDS PER 1,000 SQUARE FEET. AMOUNT WILL VARY BASED ON VARIETY AND/OR SPECIES. CULTI-PACKER OR APPROVED SIMILAR EQUIPMENT MAY BE USED TO COVER SEED AND TO FORM SEEDBED IN ONE OPERATION. AREAS INACCESSIBLE TO CULTI-PACKER, LIGHTLY RAKE SEEDBED GROUND WITH FLEXIBLE RAKES AD ROLL WITH WATER BALLAST ROLLER. AFTER ROLLING, MULCH WITH STRAW MULCH AT THE RATE OF 2 TONS PER ACRE.
- G. SURFACE LAYER OF SOIL FOR SEEDBED AREAS SHALL BE KEPT MOIST DURING GERMINATION PERIOD. WATER SEEDBED AREAS TWICE FIRST WEEK TO MINIMUM DEPTH OF 4 INCHES WITH FINE SPRAY AND FINE WEEK THEREAFTER AS NECESSARY TO SUPPLEMENT NATURAL RAIN TO EQUIVALENT OF 6 INCHES DEPTH.
- H. CONTRACTOR TO REAPPLY SEED AS NECESSARY IN ORDER TO GET ALL SEEDBED AREAS ESTABLISHED AS INTENDED.
6. LAWN MAINTENANCE:
- A. WITHIN THE CONTRACT LIMITS, THE CONTRACTOR SHALL PRODUCE A DENSE, WELL ESTABLISHED LAWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR AND RE-SODDING OF ALL ERODED, SUNKEN OR BARE SPOTS UNTIL CERTIFICATION OF ACCEPTABILITY BY THE LANDSCAPE ARCHITECT OR OWNER. REPAIRED SODDING SHALL BE ACCOMPLISHED AS IN THE ORIGINAL WORK (INCLUDING REGRADING IF NECESSARY).
- B. WATER EVERY DAY FOR TEN (10) SUCCESSIVE DAYS, THEN WATER THREE (3) TIMES PER WEEK (AT EVEN INTERVALS) FOR TWO (2) ADDITIONAL WEEKS. ALL WATERING SHALL BE OF SUFFICIENT QUANTITY TO WET OR RESTORE WATER TO DEPTH OF FOUR (4) INCHES. CONTRACTOR TO DETERMINE IF SITE IS IN A DROUGHT RESTRICTION AREA AND MUST FOLLOW CITY/COUNTY PROTOCOL IF ANY ARE IN PLACE.
- T. CLEAN-UP
- UPON COMPLETION OF ALL PLANTING WORK AND BEFORE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL MATERIAL, EQUIPMENT, AND DEBRIS RESULTING FROM HIS WORK. PAVED AREAS SHALL BE BROOM CLEANED AND THE SITE LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE.
- U. PLANT MATERIAL MAINTENANCE
- ALL PLANTS AND PLANTING INCLUDING UNDER THIS CONTRACT SHALL BE MAINTAINED BY WATERING, CULTIVATING, SPRAYING, AND ALL OTHER OPERATIONS (SUCH AS RE-STAKING OR REPAIRING GUY SYSTEMS) NECESSARY TO INSURE A HEALTHY CONDITION BY THE CONTRACTOR UNTIL CERTIFICATION OF ACCEPTABILITY BY THE LANDSCAPE ARCHITECT OR OWNER. MAINTENANCE AFTER THE CERTIFICATION OF ACCEPTABILITY SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS IN THIS SECTION. THE CONTRACTORS ARE REQUESTED TO PROVIDE A BID ESTIMATE TO COVER LANDSCAPE AND IRRIGATION MAINTENANCE FOR A PERIOD OF 90 CALENDAR DAYS COMMENCING AFTER ACCEPTANCE.
- V. MAINTENANCE (ALTERNATE BID ITEM)
1. CONTRACTORS ARE REQUESTED TO PROVIDE A BID ESTIMATE FOR MAINTENANCE FOLLOWING THE INITIAL 90-DAY MAINTENANCE PERIOD ON A COST PER MONTH BASIS.
- W. GUARANTEE
1. THE LIFE AND SATISFACTORY CONDITION OF ALL PLANT MATERIAL INSTALLED BY THE LANDSCAPE CONTRACTOR SHALL BE GUARANTEED BY THE CONTRACTOR FOR A MINIMUM OF ONE (1) CALENDAR YEAR COMMENCING AT THE TIME OF CERTIFICATION OF ACCEPTABILITY BY THE LANDSCAPE ARCHITECT OR OWNER.
2. THE LIFE AND SATISFACTORY CONDITION OF ALL OTHER PLANT MATERIAL (INCLUDING SOD) INSTALLED BY THE LANDSCAPE CONTRACTOR SHALL BE GUARANTEED BY THE CONTRACTOR FOR A MINIMUM OF 90 CALENDAR DAYS, COMMENCING AT THE TIME OF CERTIFICATION OF ACCEPTABILITY BY THE LANDSCAPE ARCHITECT OR OWNER.
3. REPLACEMENT: ANY PLANT NOT FOUND IN A HEALTHY GROWING CONDITION AT THE END OF THE GUARANTEE PERIOD SHALL BE REMOVED FROM THE SITE AND REPLACED AS SOON AS WEATHER CONDITIONS PERMIT. ALL REPLACEMENTS SHALL BE PLANTS OF THE SAME KIND AND SIZE AS SPECIFIED IN THE PLANT LIST. THEY SHALL BE FURNISHED PLANTED AND MULCHED AS SPECIFIED UNDER "PLANTING," AT NO ADDITIONAL COST TO THE OWNER.
4. IN THE EVENT THE OWNER DOES NOT CONTRACT WITH THE CONTRACTOR FOR LANDSCAPE (AND IRRIGATION) MAINTENANCE, THE CONTRACTOR IS ENCOURAGED TO VISIT THE PROJECT SITE PERIODICALLY DURING THE ONE YEAR WARRANTY PERIOD TO EVALUATE MAINTENANCE PROCEDURES BEING PERFORMED BY THE OWNER, AND SHALL NOTIFY THE OWNER IN WRITING OF MAINTENANCE PROCEDURES OR CONDITIONS WHICH THREATEN VIGOROUS AND HEALTH PLANT GROWTH. IT IS SUGGESTED SUCH SITE VISITS SHALL BE CONDUCTED A MINIMUM OF ONCE PER MONTH FOR A PERIOD OF TWELVE (12) MONTHS FROM THE DATE OF ACCEPTANCE.
- X. FINAL INSPECTION AND ACCEPTANCE OF WORK
- FINAL INSPECTION AT THE END OF THE GUARANTEE PERIOD SHALL BE ON PLANTING, CONSTRUCTION AND ALL OTHER INCIDENTAL WORK PERTAINING TO THIS CONTRACT. ANY REPLACEMENT AT THIS TIME SHALL BE SUBJECT TO THE SAME ONE (1) YEAR GUARANTEE (OR AS SPECIFIED BY THE LANDSCAPE ARCHITECT OR OWNER IN WRITING) BEGINNING WITH THE TIME OF REPLACEMENT AND ENDING WITH THE SAME INSPECTION AND ACCEPTANCE HEREIN DESCRIBED.

LANDSCAPE SPECIFICATION

SHEET NUMBER
LP 3.03

HARROD MEDICAL
OFFICE BUILDING
BLOCK A, LOT 10
TOWN OF PROSPER, COLLIN COUNTY, TX

KHA PROJECT
063220404

DATE
MAY 2024

SCALE AS SHOWN

DESIGNED BY BTM

DRAWN BY BTM

CHECKED BY LMC

Kimley»Horn

REVISIONS

DATE

BY

44



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: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 3h

Agenda Item:

Consider and act upon a request for a Final Plat of Prosper Center, Block A, Lots 10-11, on 6.2± acres, located on the northwest corner of Legacy Drive and Prairie Drive. (DEVAPP-24-0032)

Future Land Use Plan:

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

Zoning:

The property is zoned Planned Development-65 (Single Family).

Conformance:

The Final Plat conforms to the development standards of Planned Development-65.

Description of Agenda Item:

The purpose of this Conveyance Plat is to create two lots out of Lot 10. The Preliminary Site Plan shows three lots; however, only Lots 10 and 11 are being created. Lot 11 will be subdivided later.

Companion Item:

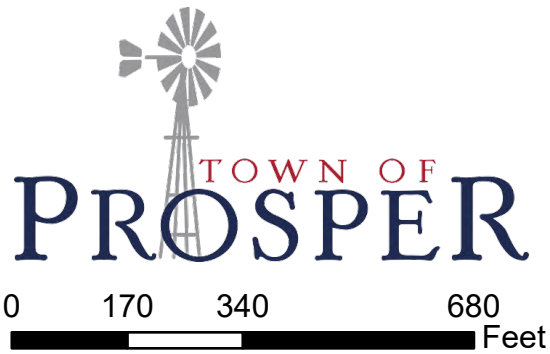
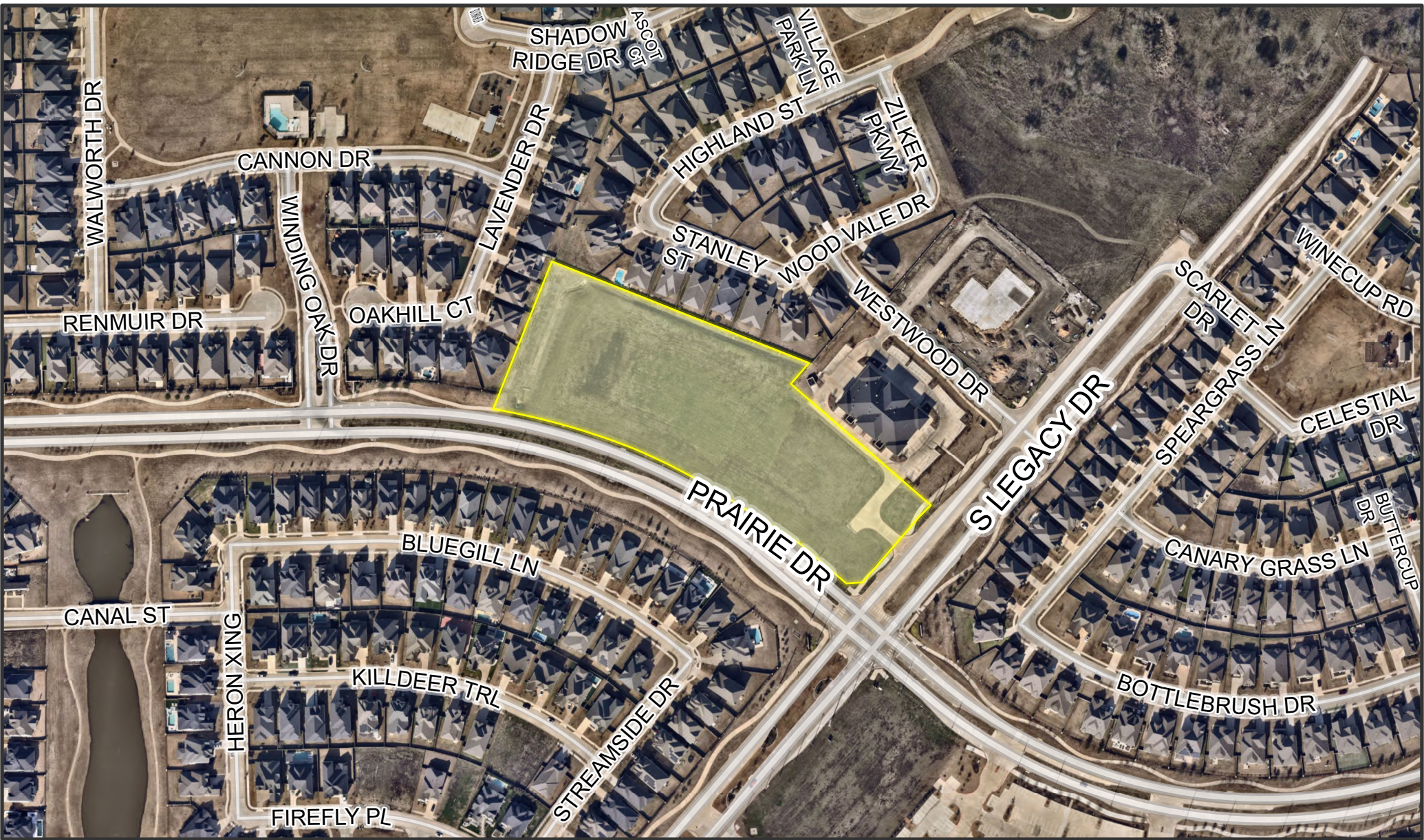
As a companion item, the Preliminary Site Plan (DEVAPP-24-0033) is on this Planning & Zoning Commission agenda.

Attached Documents:

1. Location Map
2. Conveyance Plat

Town Staff Recommendation:

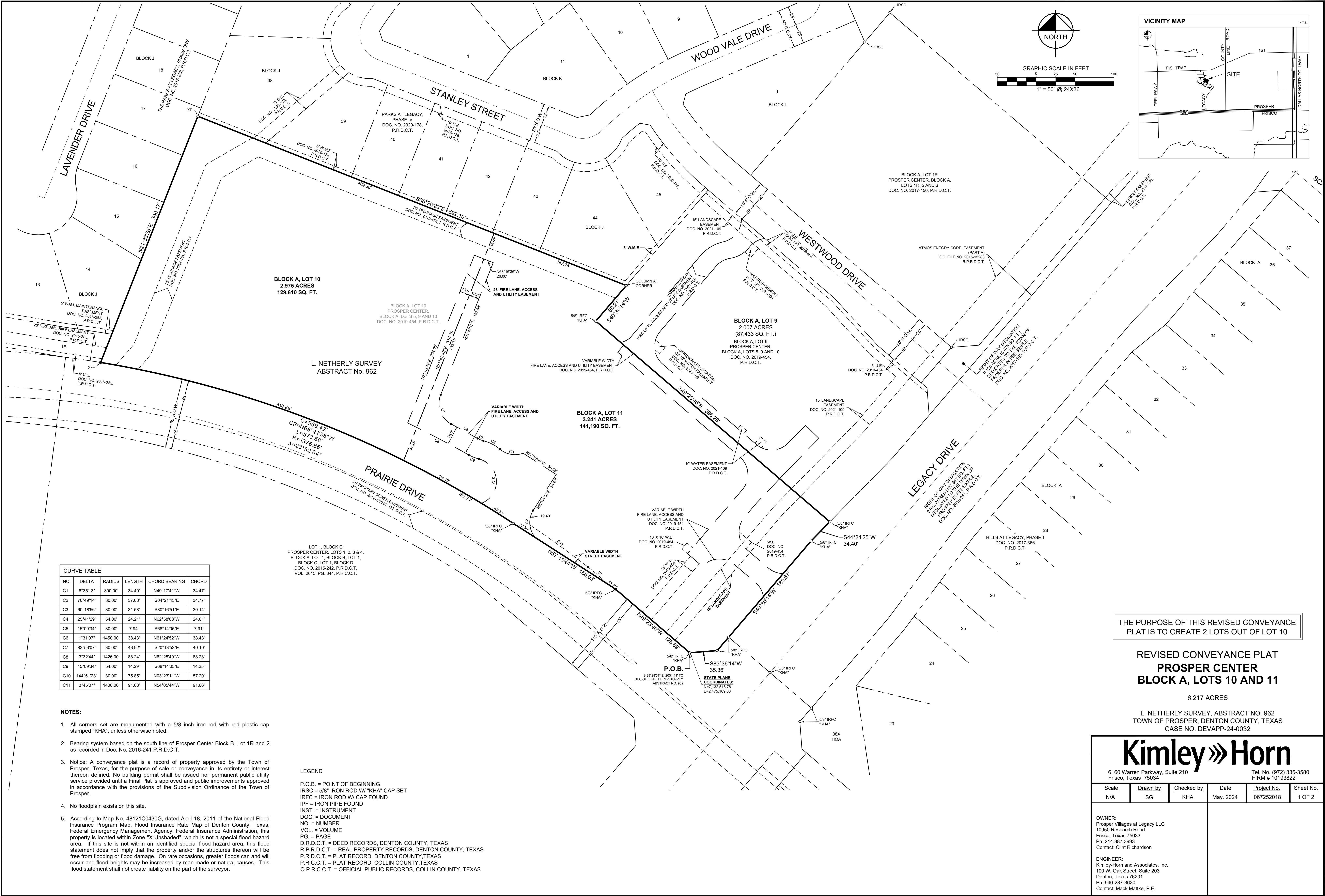
Town Staff recommends approval of the Conveyance Plat.



DEVAPP-24-0032

Harold Medical Office

Conveyance Plat



CURVE TABLE				
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING
C1	6°35'13"	300.00'	34.49'	N49°17'41"W 34.47'
C2	70°49'14"	30.00'	37.08'	S04°21'43"E 34.77'
C3	60°18'56"	30.00'	31.58'	S80°16'51"E 30.14'
C4	25°41'29"	54.00'	24.21'	N62°58'08"W 24.01'
C5	15°09'34"	30.00'	7.94'	S68°14'05"E 7.91'
C6	1°31'07"	1450.00'	38.43'	N61°24'52"W 38.43'
C7	83°53'07"	30.00'	43.92'	S20°13'52"E 40.10'
C8	3°32'44"	1426.00'	88.24'	N62°25'40"W 88.23'
C9	15°09'34"	54.00'	14.29'	S68°14'05"E 14.25'
C10	144°51'23"	30.00'	75.85'	N03°23'11"W 57.20'
C11	3°45'07"	1400.00'	91.68'	N54°05'44"W 91.66'

- NOTES:
- All corners set are monumented with a 5/8 inch iron rod with red plastic cap stamped "KHA", unless otherwise noted.
 - Bearing system based on the south line of Prosper Center Block B, Lot 1R and 2 as recorded in Doc. No. 2016-241 P.R.D.C.T.
 - 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.
 - No floodplain exists on this site.
 - According to Map No. 48121C0430G, dated April 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Denton County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located within Zone "X-Unshaded", which is not a special flood hazard area. 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.

LEGEND

P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/ CAP FOUND
IPF = IRON PIPE FOUND
INST. = INSTRUMENT
DOC. = DOCUMENT
NO. = NUMBER
VOL. = VOLUME
PG. = PAGE
D.R.D.C.T. = DEED RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. = REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORD, DENTON COUNTY, TEXAS
P.R.C.C.T. = PLAT RECORD, COLLIN COUNTY, TEXAS
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

THE PURPOSE OF THIS REVISED CONVEYANCE PLAT IS TO CREATE 2 LOTS OUT OF LOT 10

REVISED CONVEYANCE PLAT
PROSPER CENTER
BLOCK A, LOTS 10 AND 11

6.217 ACRES

L. NETHERLY SURVEY, ABSTRACT NO. 962
TOWN OF PROSPER, DENTON COUNTY, TEXAS
CASE NO. DEVAPP-24-0032

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SG	KHA	May. 2024	067252018	1 OF 2

OWNER:
Prosper Villages at Legacy LLC
10950 Research Road
Frisco, Texas 75033
Ph: 214.387.3993
Contact: Clint Richardson

ENGINEER:
Kimley-Horn and Associates, Inc.
400 W. Oak Street, Suite 203
Denton, Texas 76201
Ph: 940-287-3620
Contact: Mack Matthe, P.E.

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, PROSPER VILLAGES AT LEGACY LLC 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 10, Block A of Prosper Center, Block A, Lots 5, 9 and 10, according to the plat thereof recorded in Document No. 2019-454 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" found for the westerly southeast corner of said Lot 10, common to the west end of a corner clip at the intersection of the northwesterly right of way line of Legacy Drive, a variable width right of way, with the northerly right of way line of Prairie Drive, a variable width right of way;

THENCE North 49°23'46" West, along the southwesterly line of said Lot 10 and the northeasterly right of way line of said Prairie Drive, a distance of 125.69 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" found for corner;

THENCE North 57°15'44" West, continuing along the southwesterly line of said Lot 10 and the northeasterly right of way line of said Prairie Drive, a distance of 156.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" found at the beginning of a non-tangent curve to the left with a radius of 1,376.86 feet, a central angle of 23°52'04", and a chord bearing and distance of North 68°41'36" West, 569.42 feet;

THENCE in a northwesterly direction continuing along the southwesterly line of said Lot 10 and the northeasterly right of way line of said Prairie Drive, and with said non-tangent curve to the left, an arc distance of 573.56 feet to an "X" cut in concrete found for the southwest corner of said Lot 10, common to the southeast corner of the Parks at Legacy, Phase One, according to the plat thereof recorded in Document No. 2015-283 of the Plat Records of Denton County, Texas;

THENCE North 21°33'26" East, departing the northeasterly right of way line of said Prairie Drive, along the westerly line of said Lot 10 and the easterly line of said the Parks at Legacy, Phase One, a distance of 340.17 feet to an "X" cut in concrete found for the northwest corner of said Lot 10, common the southwest corner of Parks at Legacy, Phase IV, according to the plat thereof recorded in Document No. 2020-178 of the Plat Records of Denton County, Texas;

THENCE South 68°26'23" East, departing the easterly line of said the Parks at Legacy, Phase One, along the northeasterly line of said Lot 10 and the southwesterly line of said Parks at Legacy, Phase IV, a distance of 592.10 feet to the northerly northeast corner of said Lot 10, common to the westerly southeast corner of said Parks at Legacy, Phase IV, being on the northwesterly line of Block A, Lot 9 of Prosper Center, Block A, Lots 5, 9 and 10, according to the plat thereof recorded in Document No. 2019-454 of the Plat Records of Denton County, Texas;

THENCE South 40°36'14" West, along the southeasterly line of said Lot 10 and the northwesterly line of said Lot 9, a distance of 60.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" found for an interior ell corner of said Lot 10, common to the westerly corner of said Lot 9;

THENCE South 49°23'46" East, along the northeasterly line of said Lot 10 and the southwesterly line of said Lot 9, a distance of 396.28 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" found for the easterly northeast corner of said Lot 10, common to the southeast corner of said Lot 9, same being on the northwesterly right of way line of aforesaid Legacy Drive;

THENCE South 44°24'25" West, along the southeasterly line of said Lot 10 and the northwesterly right of way line of said Legacy Drive, a distance of 34.40 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" found for corner;

THENCE South 40°36'14" West, continuing along the southeasterly line of said Lot 10 and the northwesterly right of way line of said Legacy Drive, a distance of 185.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the easterly southeast corner of said Lot 10, common to the east end of aforesaid corner clip;

THENCE South 85°36'14" West, departing the northwesterly right of way line of said Legacy Drive and along the southerly line of said Lot 10, a distance of 35.36 feet to the POINT OF BEGINNING and containing 6.217 acres (270,800 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PROSPER VILLAGES AT LEGACY LLC, acting herein by and through its duly authorized officer, does hereby certify and adopt this plat designating the herein above described property as PROSPER CENTER, BLOCK A, LOTS 10 AND 11, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. PROSPER VILLAGES AT LEGACY LLC AND ORL III, LLC, does herein certify the following:

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

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

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.

ACCESS EASEMENT

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

FIRE LANE EASEMENT

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

LANDSCAPE EASEMENT

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

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

By: PROSPER VILLAGES AT LEGACY LLC, a Texas limited liability company

By: _____
Craig Curry, Manager

Printed Name

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this personally appeared Craig Curry, 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 _____ day of _____, 20_____.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

Known 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 Regulation of the Town of Prosper, Texas.

Dated this _____ day of _____, 20_____.

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

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 DENTON §

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 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 _____ 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

THE PURPOSE OF THIS REVISED CONVEYANCE
PLAT IS TO CREATE 2 LOTS OUT OF LOT 10

REVISED CONVEYANCE PLAT
PROSPER CENTER
BLOCK A, LOTS 10 AND 11

6.217 ACRES

L. NETHERLY SURVEY, ABSTRACT NO. 962
TOWN OF PROSPER, DENTON COUNTY, TEXAS
CASE NO. DEVAPP-24-0032

Kimley»Horn

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SG	KHA	May. 2024	067252018	2 OF 2

OWNER:
Prosper Villages at Legacy LLC
10950 Research Road
Frisco, Texas 75033
Ph: 214.387.3993
Contact: Clint Richardson

ENGINEER:
Kimley-Horn and Associates, Inc.
100 W. Oak Street, Suite 203
Denton, Texas 76201
Ph: 940-287-3620
Contact: Mack Mattkke, P.E.



PLANNING

To: Planning & Zoning Commission

From: Suzanne Porter, AICP, Planning Manager

Through: David Hoover, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – May 21, 2024

Item No. 4

Agenda Item:

Consider and act upon a request to rezone 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail. (ZONE-24-0001)

Background:

On April 23, 2024, the Planning & Zoning Commission held a Public Hearing for this item. The Public Hearing was closed, and the item was tabled to the May 7, 2024, meeting. On May 1, 2024, the Planning & Zoning Commission and Town Council held a joint work session to discuss items related to this project. On May 7, 2024, the Planning & Zoning Commission tabled this item to May 21, 2024.

The applicant has made the following modifications to the Planned Development standards (See referenced sections in Exhibit C).

1. Added a maximum number of residential units for the overall development. The maximum number is 515 units. (See Section E.2. and F.2.)
2. Added a Lot Coverage of 45% to the Multifamily Zone, matching the Zoning Ordinance Multifamily District requirement. (See E.2.iv.)
3. Modified the Minimum Dwelling Area to remove Efficiency Units and increased the minimum unit size to 850 square feet. (See E.2.v. and F.2.iv.)
4. Modified the multifamily building configuration so that it wraps at least 75% of a structured garage and put requirements in place for the appearance of the structured garage. Added standards regarding surface parking. (See E.3.i.-ix.)
5. Removed specific examples for the multifamily amenities. (See E.3.x.)
6. Updated off-street parking to account for the removal of efficiency units. (See E.4. and F.4.)

7. Updated Permitted Uses and Uses allowed by Specific Use Permit in the Mixed-Use Zone. (See F.1.)

Changes to Permitted Uses:

- Alcohol Beverage Establishment – *removed*
- Alcohol Beverage Sales – *removed*
- Wine Bar – added
- Cocktail Lounge – added
- Cigar Bar – added
- Community Center – *removed*
- Farmer's Market – *removed*
- Furniture Restoration, as an accessory use to a Furniture Store – *removed*
- Homebuilder Marketing Center – *removed*
- Hotel, Residence/Extended Stay – modified "(for rehabilitation purposes in conjunction with Medical Office)" to "(HO2)"
- Pet Day Care – *removed*

Changes to Permitted with Specific Use Permit:

- Farmer's Market – added
- Pet Day Care – added
- Utility Distribution/Transmission Facility – *removed*
- Body Art Studio – *removed*

8. Added a section about linking the architectural elements within the Mixed-Use Zone to the historical features throughout the Town of Prosper. (See F.5.ii.8.)
9. Added to the planting standard requirements for Useable Open Space and Trails. (See G.3.iv. and G.3.v.)
10. Added a second sentence in the Detention/Retention section addressing the man-made water feature and that it will be sized to accommodate the proposed development on both sides as shown on the Conceptual Plan. (See H.)
11. Updated the Phasing Plan. (See J.)

The applicant modified the Conceptual Plan (Exhibit D) to match the changes to the development standards. The acreage of each zone was updated. The Multifamily Zone was reduced from 10.6 acres to 6.8 acres, and the Mixed-Use Zone was increased from 25.1 acres to 28.9 acres. The Conceptual Plan shows the multifamily location in the northwest corner in a wrapped-style building. An office building is added to the northeast corner of the property. Other changes include the expansion of the water feature to the east, the addition of a retail component in the hotel, and a change in the outdoor sports field and surrounding buildings. Attached to this agenda is the previous Conceptual Plan and the updated Conceptual Plan.

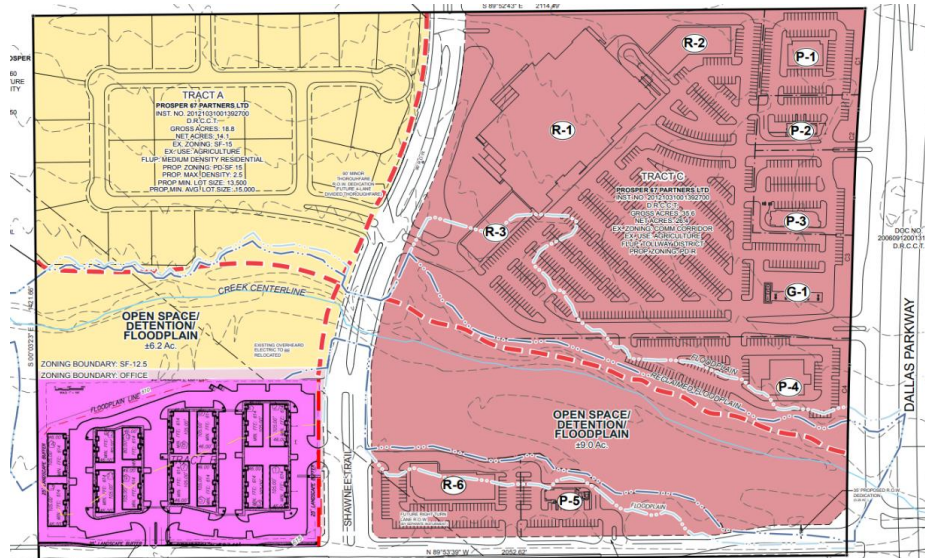
History:

The subject property is part of a larger area of land that was rezoned on March 26, 2019, to Planned Development-75 (Ordinance No. 19-16) with a base zoning of Retail. Planned Development-75 was separated into three distinct zonings as shown and described below.

Office – The northwest corner of Shawnee Trail and Prosper Trail was identified for office development. Phase 1 of the office development is complete and Phase 2 is under review.

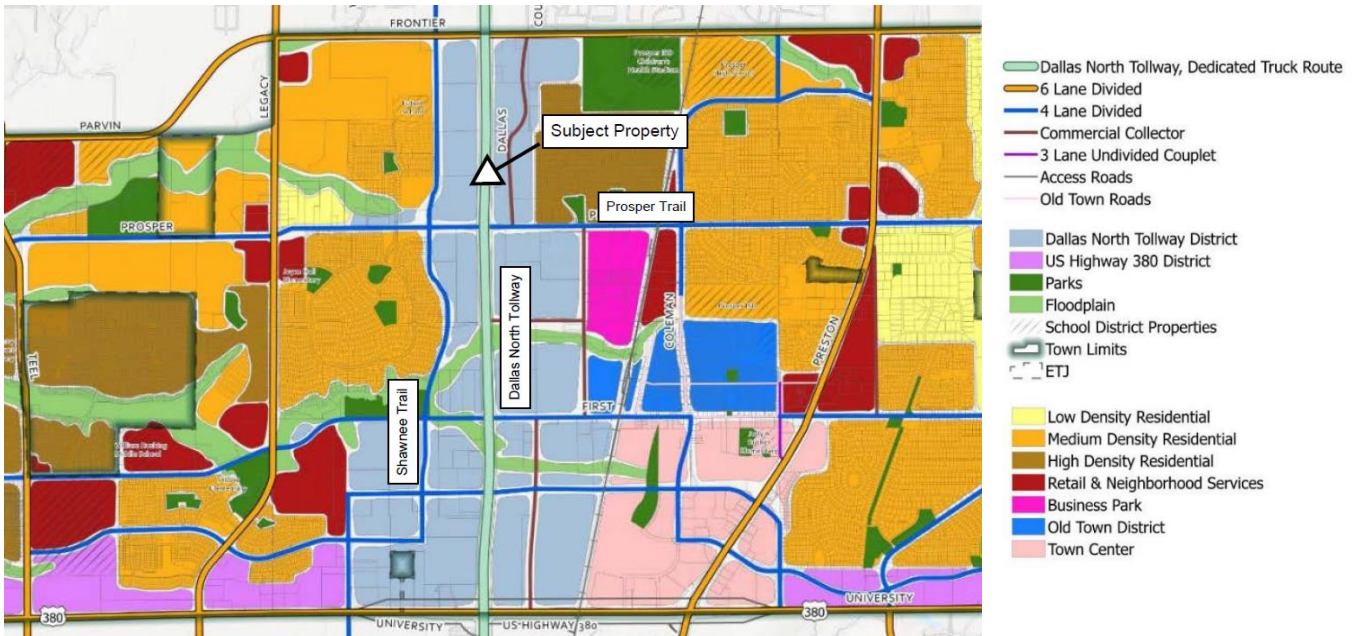
Single Family-15 – The single family portion of the development is on the west side of Shawnee Trail, north of the office development. A Preliminary Plat for the residential subdivision has been approved and a Final Plat is currently under reviewed.

Retail – The conceptual plan shows a Big Box retail store, gas pumps, restaurants with and without drive-throughs, retail and office uses. This is the property which the applicant requests to rezone, creating a new Planned Development.



Future Land Use Plan:

The Future Land Use Plan classifies the property as the Dallas North Tollway District. The proposed zoning request conforms to the Future Land Use Plan. The following shows the property's location on the Future Land Use Plan and the Comprehensive Plan description of the Dallas North Tollway District.



Dallas North Tollway District

The Dallas North Tollway District will consist of the most intense land uses within Prosper. A diverse mixture of office, retail, and residential will likely develop along the corridor. Mid-rise office (up to 12 stories) may be permitted throughout the corridor. Office buildings should be designed for a “campus feel” —they should be oriented towards common public space with significant landscaping and should be linked by a pedestrian network. A common architectural theme should also be established for a consistent visual appearance. Mixed-use development should be encouraged and should contain a mixture of office, retail and residential uses. Mixed-use lofts/apartments would be the most appropriate residential use within this District. Structured parking should be encouraged in more intense areas to limit the presence and visibility of large parking lots. Structured parking should be oriented to minimize visibility from the Tollway. The Town may explore an overlay zoning district to better accommodate the preferred development outcomes in the Dallas North Tollway District.

Use Appropriateness			
<ul style="list-style-type: none"> ● ● ● = Appropriate primary uses ● ● ○ = Conditional as primary uses ● ○ ○ = Conditional as secondary uses ○ ○ ○ = Inappropriate use 			
Residential		Nonresidential	
Agricultural	○ ○ ○	Mixed-Use, Neighborhood Scale	○ ○ ○
Cluster Subdivision	○ ○ ○	Mixed-Use, Community Scale	● ● ●
Single-Family, Large Lot	○ ○ ○	Mixed-Use, Regional Scale	● ● ●
Single-Family, Medium Lot	○ ○ ○	Neighborhood Office and Commercial	● ● ○
Single-Family, Small Lot	○ ○ ○	Regional Office and Commercial	● ● ●
Townhome	○ ○ ○	Neighborhood Shopping Center	● ● ○
Duplex	○ ○ ○	Regional Shopping Center	● ● ●
Senior Housing	● ○ ○	Light Industrial/Flex Space	○ ○ ○
Apartment	● ● ○	Civic/Recreation/Open Space	● ● ○

Zoning:

The property is zoned Planned Development-75 (Retail).

Thoroughfare Plan:

The property has access to the following streets on the Thoroughfare Plan:

- Dallas North Tollway – Dedicated Truck Route
- Prosper Trail – Four-Lane Divided Thoroughfare
- Shawnee Trail – Four-Lane Divided Thoroughfare

Parks Master Plan:

The Parks Master Plan does not indicate the need for a park on the property. All trails comply with the Hike & Bike Master Plan. A ten-foot hike and bike trail is required on Dallas Parkway and Prosper Trail. A six-foot sidewalk is required along all other public roadways. Trails within the development shall connect to the trails along the roadways.

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. Citizen comment was provided at the April 23, 2024, Planning & Zoning Commission meeting in favor of the development.

Attached Documents:

1. Aerial & Zoning Maps
2. Future Land Use Plan Exhibit
3. Town-wide Multifamily Locations
4. Exhibit A-1 – Metes and Bounds Legal Description
5. Exhibit A-2 – Survey
6. Exhibit B – Statement of Intent and Purpose
7. Email from Director of Development Services to Applicant Dated May 2, 2024
8. Exhibit C – Redlined to represent changes made after the April 23, 2024, Planning & Zoning Commission Meeting.
9. Exhibit C – Development Standards
10. Exhibit D – Previous Conceptual Plan from the April 23, 2024, Planning & Zoning Commission Meeting.
11. Exhibit D – Updated Conceptual Plan
12. Exhibit E – Development Schedule
13. Exhibit F – Conceptual Elevations
14. Draft Development Agreement

Description of Agenda Item:

The purpose of this request is to create the Prosper Arts District Planned Development. The project will have two subdistricts (zones). The Multifamily Zone consists of approximately 6.8 acres in the northwestern portion of the property, and the Mixed-Use Zone consists of approximately 28.9 acres on the balance of the property. The boundary between these two areas may shift somewhat during the design thus changing the final area allocated to each zone.

Though these two zones have different development regulations regarding uses, density, heights, etc., they will be linked in other respects. Open space and trails, architectural styles, parking, and the installation of Public Art will tie these two zones together to make a cohesive development.

Some of the features in this development include:

- A multifamily building with a structure garage that is wrapped on the east, west and south.
- An office building at the northeast corner of the property.
- Medical office along Dallas Parkway that will include a long-term stay hotel for the use of rehabilitation.
- A hotel along the Dallas Parkway that will cater to sports teams and will have retail amenities.
- A hotel on Shawnee Trail which will have small pod hotel rooms along the linear water channel.
- Public art throughout the entire development.
- A central parking garage that will be utilized by several uses and buildings within the Mixed-Use Zone.
- Interaction between businesses and the linear open space through the Mixed-Use Zone.
- A man-made water feature bisecting the property east to west.

Compatibility:

The zoning change will introduce a residential component to the site while retaining the non-residential components. The mix of uses is compliant with the intent of the Comprehensive Plan and appropriate along the Dallas North Tollway. The Multifamily Zone will abut property zoned Commercial Corridor to the north. The Mixed-Use Zone will include a variety of uses, including hotels, medical office, retail, restaurant, and an event venue whose primary purpose is for weddings. All uses intended for this development are listed in the “Uses” section of this report.

The following chart describes the surrounding properties:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-75 (Retail)	Vacant	Dallas North Tollway District
North	Commercial Corridor	Vacant	Dallas North Tollway District
East	Commercial Corridor	Vacant	Dallas North Tollway District
South	Planned Development-66 (Retail)	Vacant	Dallas North Tollway District
West	Planned Development-75 (Office & Single Family-15)	Office & Vacant	Dallas North Tollway District & Medium Density Residential

Conceptual Plan:

The Conceptual Plan (See Exhibit D) shows the general layout of the development. There have been several changes to the layout since the April 23, 2024, Planning & Zoning Commission meeting. The previous plan is included as an attachment for comparison purposes.

The Conceptual Plan does not take into account all Zoning regulations, Engineering Standards, etc. as it is too early in the development process to determine certain criteria. In recognition of this, the following note has been placed on the Conceptual Plan:

Note:

The conceptual layout generally depicts intent, but final layout shall be determined at time of Preliminary Site Plan, and shall meet all Town requirements including, but not limited to, ALL Fire Code requirements. Engineering Design Standards as it relates to driveway spacing, throat depth and turn lane requirements, standard Town landscape requirements if not otherwise defined in Exhibit C (Development Standards), and all development standards listed throughout the Town Zoning Ordinance also if not otherwise defined in Exhibit C. In addition, all other local, state, and federal regulations as it relates to the floodplain and waters of the US, or other shall be adhered. There are no vested rights with the approval of the layout of this zoning case depicted in Exhibit D.

Dallas North Tollway District Design Guidelines

The property is located in the Frontier Parkway Gateway Subsection of the Dallas North Tollway District. These guidelines provide criteria recommended for development in this corridor and are not zoning requirements. The guidelines encourage a mixed-use environment to create a live, work and play environment. It is an area to be used not only as an employment center but provide uses and amenities that create an atmosphere where families can visit and enjoy. The uses proposed in this development that meet these qualifications include, medical office, office, hotels (full-service), dine-in restaurant, retail, an event space (chapel), and a focus on public art. A central open space will allow buildings and businesses to face and interact with this amenity. The inclusion of multifamily in the development will promote activity during all times of the day and night.

Uses:

The uses proposed within the Multifamily and Mixed-Use Zones are listed below. They fall into the categories of "Permitted" and "Specific Use Permit."

Multifamily Zone	Mixed-Use Zone
Permitted	Permitted
<ol style="list-style-type: none">1. Multifamily Dwelling2. Accessory Building3. House of Worship4. Municipal Uses Operated by Town of Prosper5. Park or Playground6. Private Recreation Center7. Home Occupation	<ol style="list-style-type: none">1. Administrative, Medical or Professional Office2. Wine Bar3. Cocktail Lounge4. Cigar Bar5. Antique Shop and Used Furniture6. Artisan's Workshop7. Automobile Parking Lot/Garage8. Automobile Paid Parking Lot/Garage9. Bank, Savings and Loan, or Credit Union10. Beauty Salon/Barber Shop11. Business Service12. Caretaker's/Guard's Residence13. Catering14. Civic/Convention Center15. Commercial Amusement, Indoor16. Convenience Store without Gas Pumps17. Dry Cleaning, Minor

	18. Furniture, Home Furnishings and Appliance Store 19. Governmental Office 20. Gymnastics/Dance Studio 21. Health/Fitness Center 22. Hospital 23. Hotel, Full Service 24. Hotel, Residence/Extended Stay (HO2) 25. House of Worship 26. Insurance Office 27. Meeting/Banquet/Reception Facility 28. Mobile Food Vendor 29. Multifamily, if over a minimum 1-floor of non-residential uses. 30. Municipal Uses Operated by the Town of Prosper 31. Museum/Art Gallery 32. Outdoor Merchandise Display, Temporary 33. Park or Playground 34. Print Shop, Minor 35. Private Club 36. Private Recreation Center 37. Restaurant (without a drive-through) 38. Retail Stores and Shops 39. Retail/Service Incidental Use 40. Theater, Neighborhood 41. Veterinarian Clinic and/or Kennel, Indoor
(No uses by Specific Use Permit)	Specific Use Permit Required 1. Commercial Amusement, Outdoor 2. Farmer's Market 3. Helistop 4. Outdoor Merchandise Display, Incidental 5. Pet Day Care 6. Rehabilitation Care Institution

Multifamily Units:

All multifamily units will consist of one, two and three bedrooms. The minimum size of any unit is 850 square feet. No more than ten percent of the units may contain three-bedrooms.

Density:

The maximum number of residential units allowed within the entire Planned Development is 515.

Multifamily Zone – The density in this zone is 50 units per acre. The maximum number will be based on the area, which may fluctuate somewhat as the plans are finalized. Per the Conceptual Plan (Exhibit D), the property is shown as 6.777 acres. At 50 units per acre, the maximum number of units is 338.

Mixed-Use Zone – The maximum density in this zone is 60 units per acre with a maximum of 350 total units.

Building Height:

Multifamily Zone – Five (5) stories, no greater than sixty (60) feet from finished grade.

Parking garage height will be no greater than that of the wrapped residential building.

Mixed-Use Zone – Nine (9) stories, no greater than 110 feet along Shawnee Trail and 14 stories, no greater than 170 feet along Dallas Parkway.

Parking garage height varies depending on whether the garage is stand-alone or in conjunction with another building. Stand-alone garages shall not exceed seven (7) stories or 75 feet. Attached garages cannot be taller than the adjoining or wrapped building.

Building Setbacks:

Building setbacks are defined in Exhibit C. Multifamily structures can have a 10-foot or greater front setback with 30-foot side and rear setbacks. Buildings shall be 30 feet apart. There are no setback requirements in the Mixed-Use Zone, with the exception of meeting Fire Code standards.

Parking:

All multifamily units within the Planned Development will be parked as follows:

- One and one-half (1.5) spaces per dwelling unit for one-bedroom and two-bedroom units
- For every additional room, an additional parking space is required.

Multifamily Zone – The arrangement of multifamily buildings shall be organized so that resident parking is provided in a structured garage that is wrapped by the residential units. A maximum 25% of the garage may be exposed; however, the architecture of that portion must have architecture to give the appearance of a building rather than a parking garage. Visitor and other ancillary parking may be located on the drive aisle/fire lane that wraps the multifamily development.

Mixed-Use Zone – Parking for the multifamily will be in structured garages. Parking between uses is intended to be shared. A shared parking arrangement will be determined at the time of preliminary site plan review.

Sidewalks:

Multifamily Zone – Seven-foot sidewalks are required in front of buildings. This will allow for entry doors into each unit from the exterior of the building and a space for outdoor patios.

Mixed-Use Zone – A 15-foot sidewalk is required along the fronts of primary buildings, along drive aisles and parking rows.

Landscape:

The minimum landscape buffers along the streets shown on the Thoroughfare Plan are as follows:

- Twenty-five (25) feet along Prosper Trail
- Twenty-five (25) feet along Shawnee Trail
- Thirty (30) feet along Dallas Parkway.

In the Multifamily Zone, the requirement for landscape islands in the surface parking that surrounds the building is one island between a maximum of seven parking spaces.

The standard Ordinance requirement for the Multifamily district is one landscape island between every five parking spaces for parking areas between the building and a public street and one island between every 12 parking spaces for parking elsewhere on the site.

Open Space and Trails:

The floodplain bisects the property east to west. This natural feature was identified the existing Planned Development as an open space area with walking paths, and it is a primary feature of this proposal. It is intended to be an amenity to serve both zones with connecting trails/sidewalks throughout the development.

The amount of open space proposed for the entire development is 15%, which is approximately 5.4 acres. Exhibit C, Section G(1) describes the criteria for the development of the open space, including the following:

- A minimum 30% of the Multifamily Zone area will be open space. Of this, one-third must be provided within the bounds of that zone. The remaining area can be allocated elsewhere within the entire development.
- No more than 60% of the useable open space can be detention or within floodplain.
- Amenities are required within the open space.
- Buildings must side or face the open space areas to the greatest extent possible.

Detention/Retention:

Detention located within the Floodplain must meet all Town of Prosper, FEMA and all other applicable regulations. The proposed man-made water feature, located in the approximate location of the existing creek bed, will be sized to accommodate the proposed development on both sides as shown on the Conceptual Plan.

Architectural Standards:

Buildings will be designed to front onto adjacent public streets with minimal parking in front of the buildings. Garages that are visible from the Tollway will be designed so that it will appear as a building façade rather than a structured garage.

Building Materials:

The styles of buildings are to be consistent within the Multifamily zone. The Mixed-Use Zone will have buildings that will be somewhat unique and have an artistic expression. Examples of buildings are provided in Exhibit F. These will be further refined when preliminary site plan and site plan applications are submitted for review.

Regarding building materials, the applicant proposes the following:

- All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
- Primary materials include fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
- On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
- No single finish shall cover more than eighty percent (80%) of the front of any building.

- First floors in the Mixed-Use Zone will have a minimum ceiling height of 14 feet and will have windows covering 60% of the facades that face a major street and/or public-realm.

Public Art:

A minimum of 24 public art installations shall be included throughout the entire project. The placement and types of public art will be determined at the time of development and are subject to the approval of the Director of Development Services.

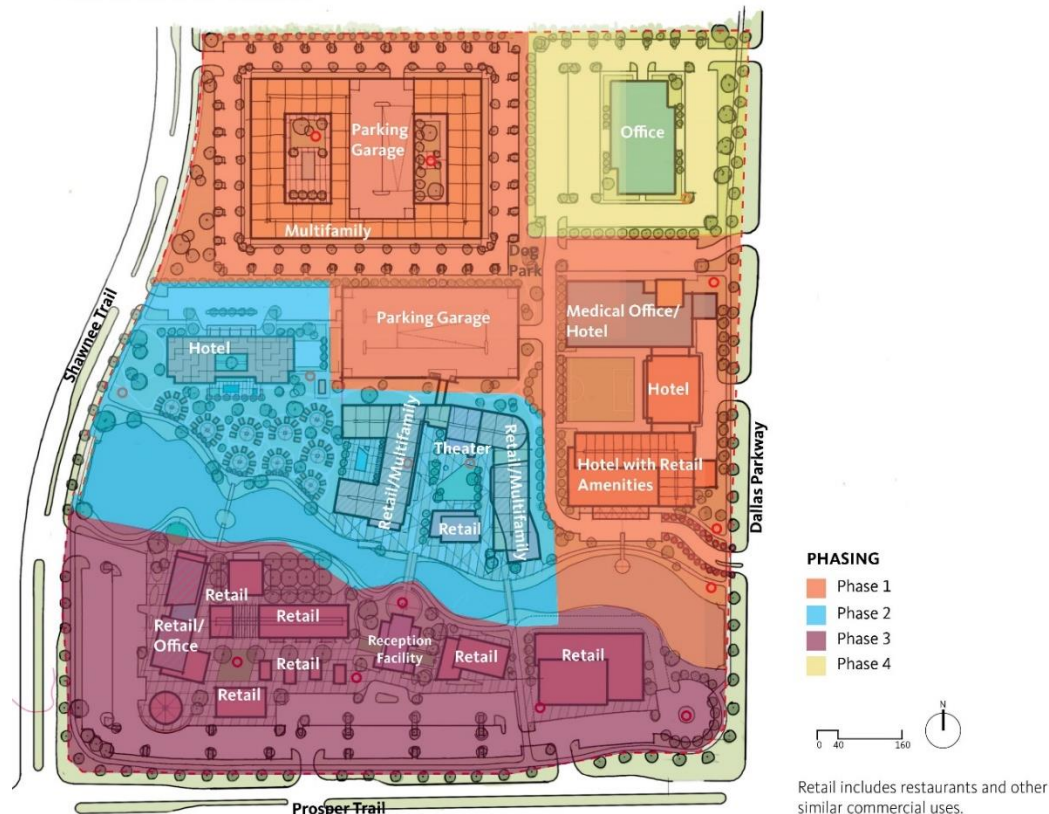
Phasing:

The project will be developed in four phases, as follows:

- Phase 1: Multifamily Zone; Trail System; Hotel on the east including 144 rooms, performance center, recovery center, streaming & e-sports center, retail operations, protein bar/restaurant, sports bar/restaurant and a food hall; Parking Garage; Extended Stay Hotel/Medical Office Tower on the east including a rooftop workout and relaxation facility; soccer field; running track, covered sports pavilion; enclosed multi-sport courts
- Phase 2: Hotel on the west, Mixed-Use Multifamily, Retail
- Phase 3: Retail and Office on Prosper Trail/Shawnee
- Phase 4: Office on Dallas Parkway

A phasing diagram for the entire development is depicted below.

PHASING DIAGRAM

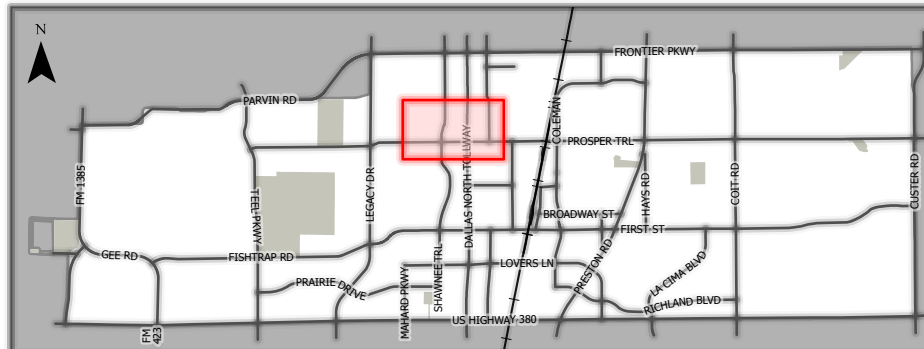
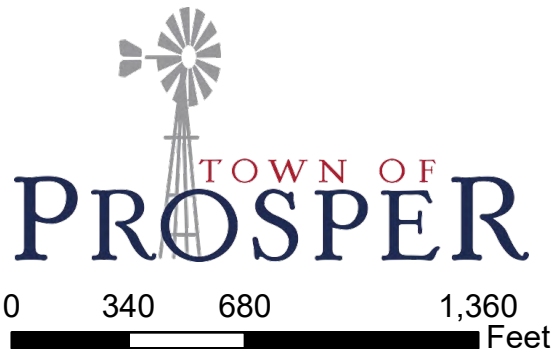
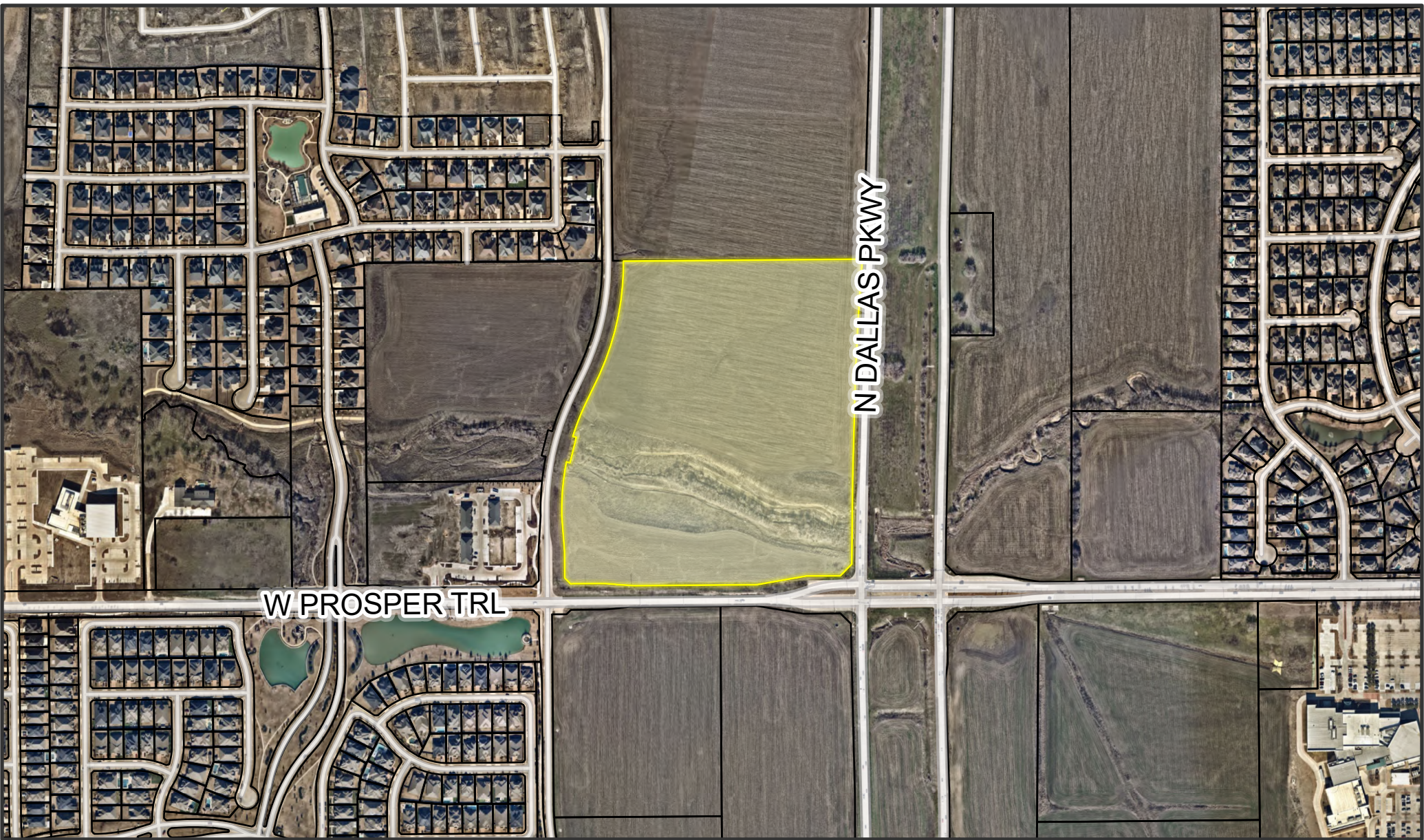


Town Staff Recommendation:

Town Staff recommends approval of the request to rezone 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail.

Town Council Public Hearing:

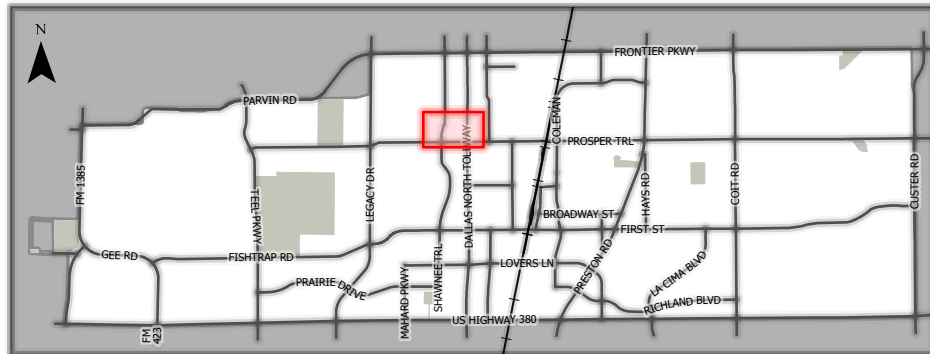
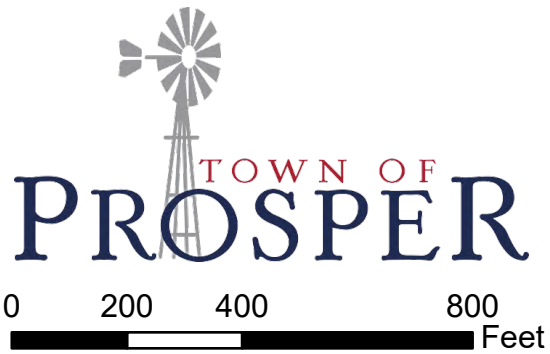
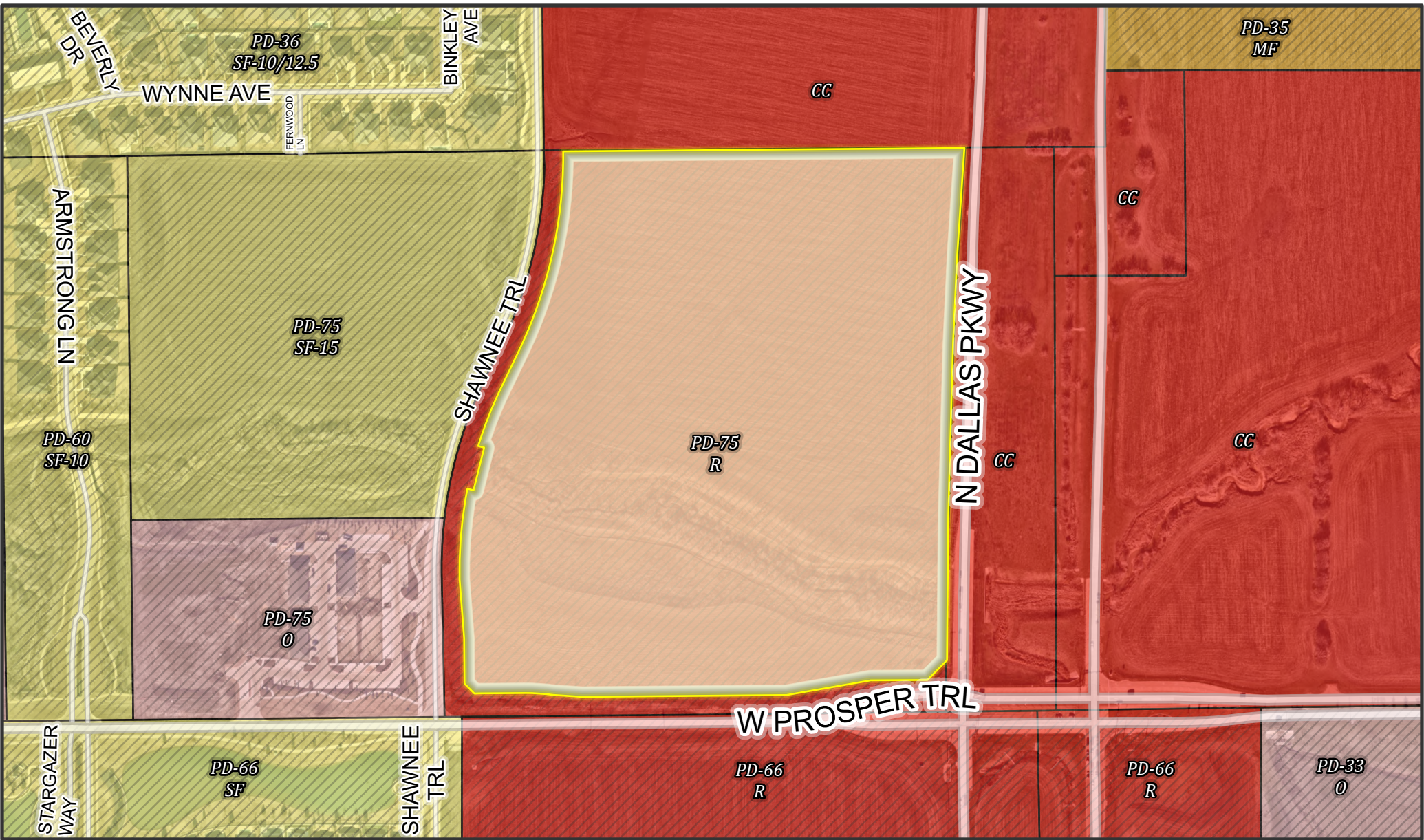
Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on May 28, 2024.



ZONE-24-0001

Prosper Arts District

Planned Development

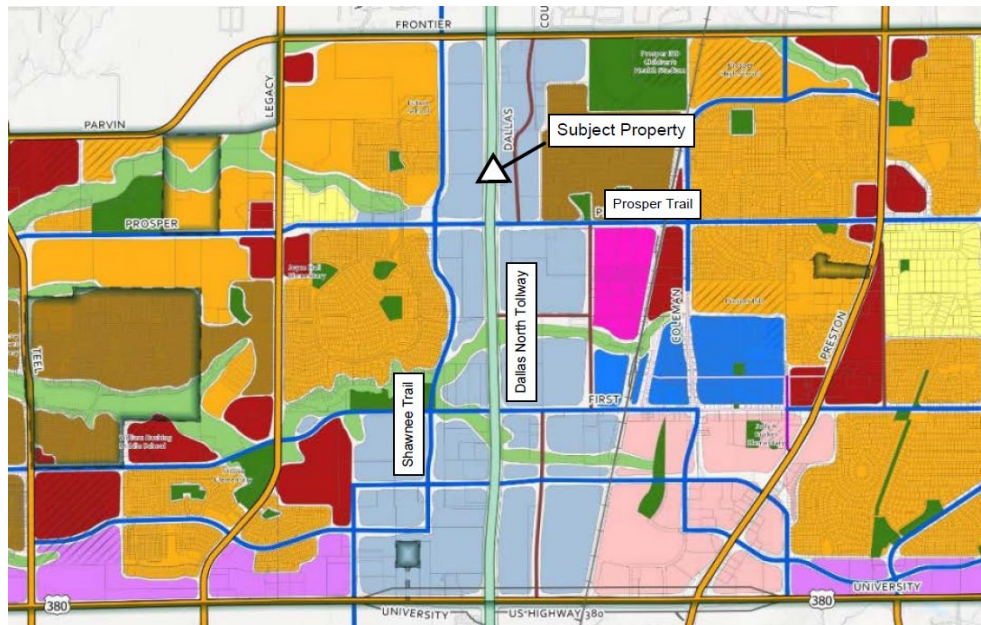


ZONE-24-0001

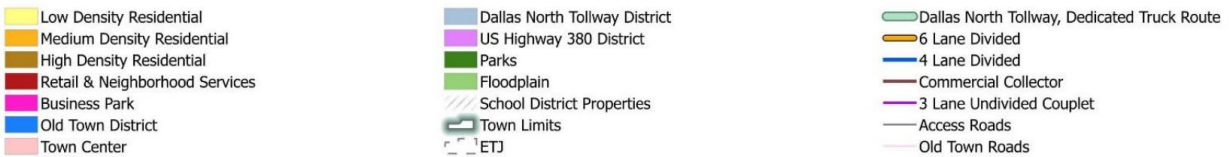
Prosper Arts District

Planned Development

Future Land Use Plan Exhibit



Future Land Use



Dallas North Tollway District

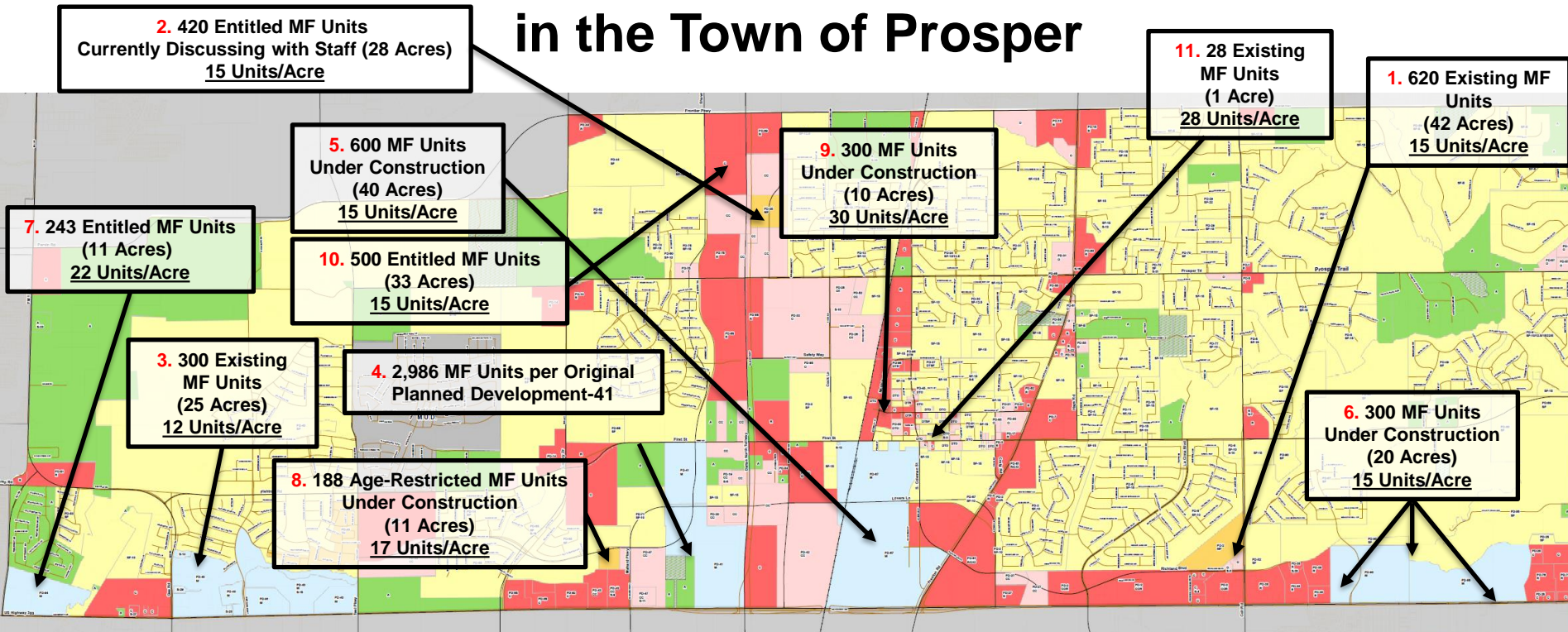
The Dallas North Tollway District will consist of the most intense land uses within Prosper. A diverse mixture of office, retail, and residential will likely develop along the corridor. Mid-rise office (up to 12 stories) may be permitted throughout the corridor. Office buildings should be designed for a “campus feel”—they should be oriented towards common public space with significant landscaping and should be linked by a pedestrian network. A common architectural theme should also be established for a consistent visual appearance. Mixed-use development should be encouraged and should contain a mixture of office, retail and residential uses. Mixed-use lofts/apartments would be the most appropriate residential use within this District. Structured parking should be encouraged in more intense areas to limit the presence and visibility of large parking lots. Structured parking should be oriented to minimize visibility from the Tollway. The Town may explore an overlay zoning district to better accommodate the preferred development outcomes in the Dallas North Tollway District.

Use Appropriateness

- ● ● = Appropriate primary uses
- ● ○ = Conditional as primary uses
- ○ ○ = Conditional as secondary uses
- ○ ○ = Inappropriate use

Residential		Nonresidential	
Agricultural	○ ○ ○	Mixed-Use, Neighborhood Scale	○ ○ ○
Cluster Subdivision	○ ○ ○	Mixed-Use, Community Scale	● ● ●
Single-Family, Large Lot	○ ○ ○	Mixed-Use, Regional Scale	● ● ●
Single-Family, Medium Lot	○ ○ ○	Neighborhood Office and Commercial	● ● ○
Single-Family, Small Lot	○ ○ ○	Regional Office and Commercial	● ● ●
Townhome	○ ○ ○	Neighborhood Shopping Center	● ● ○
Duplex	○ ○ ○	Regional Shopping Center	● ● ●
Senior Housing	● ○ ○	Light Industrial/Flex Space	○ ○ ○
Apartment	● ● ○	Civic/Recreation/Open Space	● ● ○

Current Zoning for Multifamily in the Town of Prosper



- 1.** Orion Prosper (PD-2): 620 Existing Units (15 Units Per Acre on 42 Acres)
- 2.** DNT & Prosper Trail (PD-35): Maximum of 420 Units (15 Units Per Acre on 28 Acres)
- 3.** Windsong Ranch (PD-40): 300 Existing Units (12 Units Per Acre on 25 Acres)
- 4.** Prosper West (PD-41): Maximum of 2,986 Units per original Planned Development-41.
- 5.** Gates of Prosper (PD-67): Maximum of 600 Units (15 Units per Acre on 40 Acres)
- 6.** Brookhollow Centre (PD-86): Maximum of 300 Units (15 Units Per Acre on 20 Acres)
- 7.** Westside (PD-94): Maximum of 243 Units (22 Units Per Acre on 11 Acres)
- 8.** Alders at Prosper (PD-98): Maximum of 188 Age-Restricted Units (17 Units Per Acre on 11 Acres)
- 9.** Downtown Loft Apartments (PD-106): Maximum of 300 Units (30 Units Per Acre on 10 Acres)
- 10.** Pradera (PD-119): Maximum of 500 Units (15 Units Per Acre on 33 Acres)
- 11.** Downtown: 28 Existing Units (28 Units Per Acre on 1 Acre)

Project	Status	Number of Units
1. Orion Prosper (PD-2)	Existing	620
2. DNT & Prosper Trail (PD-35)	Entitled	420
3. Windsong Ranch (PD-40)	Existing	300
4. Prosper West (PD-41)	Uncertain	2,986
5. Gates of Prosper (PD-67)	Under Construction	600
6. Brookhollow Centre (PD-86)	Under Construction	300
7. Westside (PD-94)	Entitled	243
8. Alders at Prosper (PD-98)*	Under Construction	188
9. Downtown Loft Apts. (PD-106)	Under Construction	300
10. Pradera (PD-119)	Entitled	500
11. Downtown	Existing	28

	Total Number of Units	Existing MF	Under Construction MF	Under Construction (Senior Living)	Entitled
Number of Units	6,485 Units	948 Units	1,200 Units	188	4,149 Units

	Downtown	Tollway District	US-380 District	Other Districts
Number of Units	328 Units	3,906 Units	1,351 Units	900 Units

Updated 04/24/2024

Exhibit A-1

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the Collin County School Land #12 Survey, Abstract Number 147, Town of Prosper, Collin County, Texas, being all of a tract conveyed to Prosper Tollway Avenues 35 LP, by deed recorded in Document No. 2022000116052, Official Public Records, Collin County, Texas (OPRCCT), also being all of a tract of land described as Parcel 40-18, by deed recorded in Instrument No. 20060912001319330 OPRCCT, also being a portion of Prosper Trail and Shawnee Trail (variable width right-of-way), according to the plat recorded in Document No. 2018-408 OPRCCT, with the subject tract being more particularly described as follows:

BEGINNING at a point at the northeast corner of said Parcel 40-18, also being in Dallas Parkway (variable width right-of-way);

THENCE along the east line of said Parcel 40-18, the following:

S 00°10'54" E, 326.59 feet;

S 01°07'15" W, 1094.89 feet to a point in the centerline of Prosper Trail;

THENCE S 89°26'13" W, 1521.87 feet along the centerline thereof to a point at the intersection of the centerline of Prosper Trail and the centerline of Shawnee Trail;

THENCE Along the centerline of Shawnee Trail, the following:

N 00°33'47" W, 360.01 feet;

Around a non-tangent curve to the right having a central angle of 26°13'18", a radius of 1099.99 feet, a chord of N 12°33'02" E, 499.04 feet, and an arc length of 503.42 feet;

N 25°39'41" E, 100.00 feet;

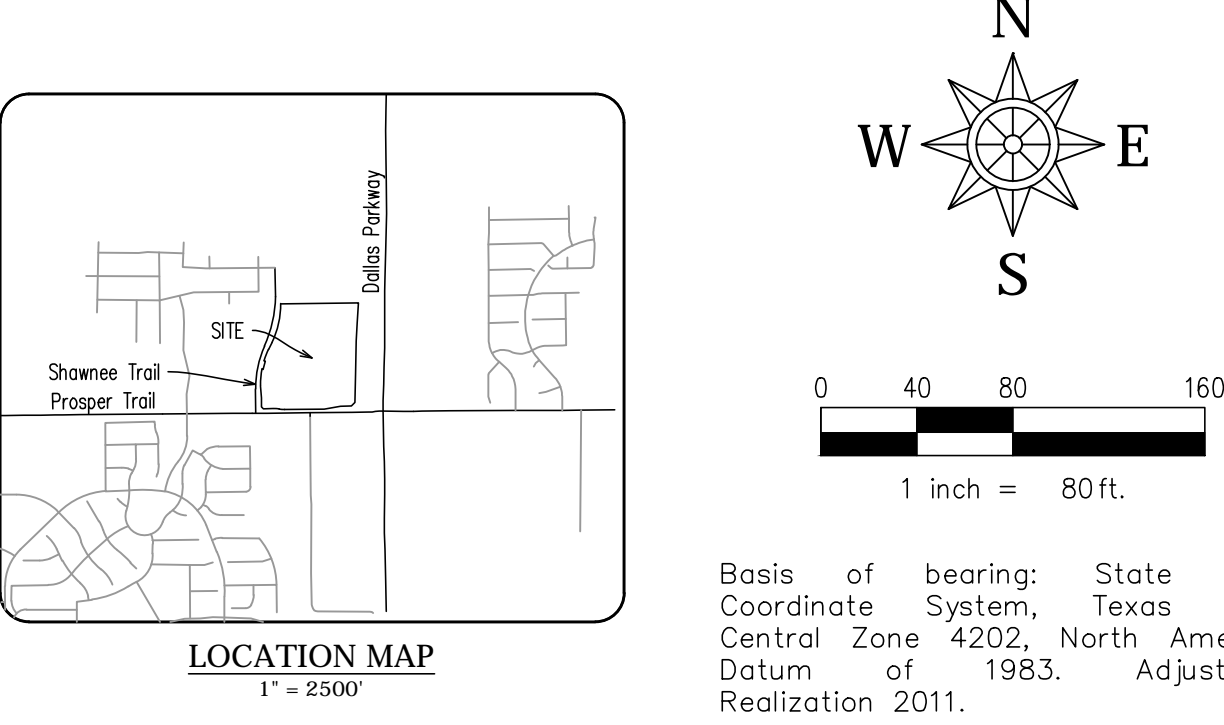
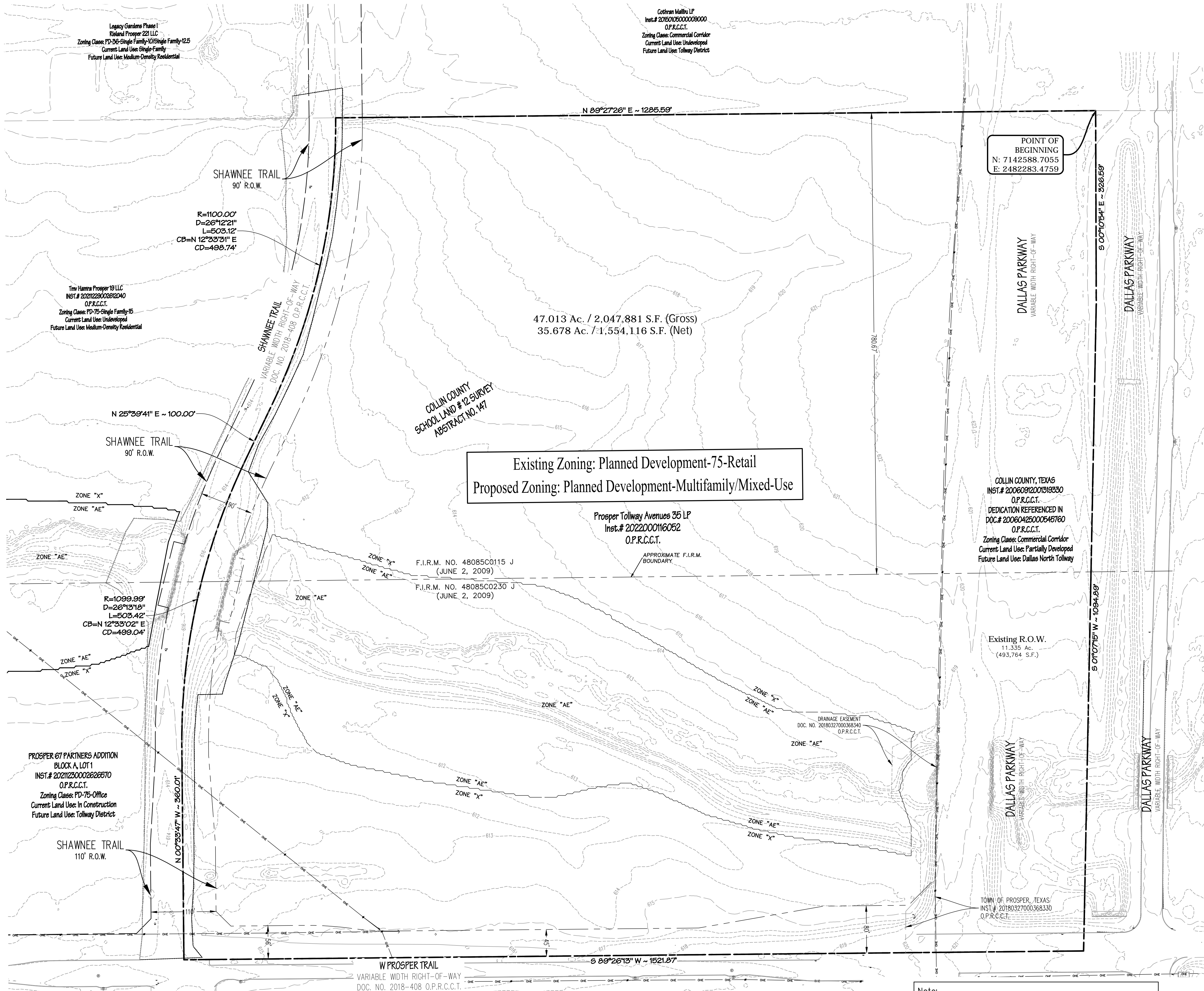
Around a tangent curve to the left having a central angle of 26°12'21", a radius of 1100.00 feet, a chord of N 12°33'31" E, 498.74 feet, and an arc length of 503.12 feet to a point at the southwest corner of a tract of land conveyed to Cothran Malibu LP, by deed recorded in Instrument No. 20150105000009000 OPRCCT;

THENCE N 89°27'26" E, 1285.59 feet along the south line thereof to the POINT OF BEGINNING with the subject tract containing 2,047,881 square feet or 47.013 acres of land.



This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Drawing: 6/2023 205313-148 City of Prosper, County: Collin, County: Collin, State: TX, Date: 5/14/2024, 10:28:08 AM
Printed by: [Name], Date: 5/14/2024, 1:18 PM



METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the Collin County School Land #12 Survey, Abstract Number 147, Town of Prosper, Collin County, Texas, being all of a tract conveyed to Prosper Tollway Avenues 35 LP, by deed recorded in Document No. 2022000116052, Official Public Records, Collin County, Texas (OPRCCT), also being all of a tract of land described as Parcel 40-18, by deed recorded in Instrument No. 20060912001319330 OPRCCT, also being a portion of Prosper Trail and Shawnee Trail (variable width right-of-way), according to the plat recorded in Document No. 2018-408 OPRCCT, with the subject tract being more particularly described as follows:

BEGINNING at a point at the northeast corner of said Parcel 40-18, also being in Dallas Parkway (variable width right-of-way);

THENCE along the east line of said Parcel 40-18, the following:

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S 01°07'15" W, 1094.89 feet to a point in the centerline of Prosper Trail;

THENCE S 89°26'13" W, 1521.87 feet along the centerline thereof to a point at the intersection of the centerline of Prosper Trail and the centerline of Shawnee Trail;

THENCE Along the centerline of Shawnee Trail, the following:

N 00°33'47" W, 360.01 feet;

Around a non-tangent curve to the right having a central angle of 26°13'18", a radius of 1099.99 feet, a chord of N 12°33'02" E, 499.04 feet, and an arc length of 503.42 feet;

N 25°39'41" E, 100.00 feet;

Around a tangent curve to the left having a central angle of 26°12'21", a radius of 1100.00 feet, a chord of N 12°33'31" E, 498.74 feet, and an arc length of 503.12 feet to a point at the southwest corner of a tract of land conveyed to Cothran Malibu LP, by deed recorded in Instrument No. 2015010500009000 OPRCCT;

THENCE N 89°27'26" E, 1285.59 feet along the south line thereof to the POINT OF BEGINNING with the subject tract containing 2,047,881 square feet or 47.013 acres of land.

Note:
The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of Final Plat.

Note:
FEMA Floodplain depicted on this exhibit reflects Flood Insurance Rate Map (FIRM) panel number 48085C0115J, dated 6/2/2009, and Letter of Map Revision (LOMR) Case No. 21-06-1205P, dated 1/27/2022

Note:
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

EXHIBIT A-2
BOUNDARY EXHIBIT

PROSPER ARTS DISTRICT
2,047,881 SQ. FEET OR 47.013 ACRES (GROSS)
1,554,116 SQ. FEET OR 35.678 ACRES (NET)
OF LAND OUT OF THE
COLLIN COUNTY SCHOOL LAND #12 SURVEY
ABSTRACT NO. 147, TRACT 74
TOWN OF PROSPER
COLLIN COUNTY, TEXAS

OWNER / APPLICANT
Prosper Tollway Avenues 35, LP
5 Cowboys Way, #300
Frisco, TX 75034
Telephone: (630) 987-9275
Contact: Satya Donepudi

ENGINEER
Spiars Engineering, Inc.
501 W. President George Bush Hwy, Suite 200
Richardson, TX 75080
Telephone: (972) 422-0077
TBPELS No. F-2121 And No. F-10043100
Contact: Mike Martinie

EXHIBIT B
STATEMENT OF INTENT AND PURPOSE

I. Statement of Intent

A. Overall Intent

This 35.68 acre Tract C zone of PD-75 is intended to be developed in a manner that will allow flexibility of uses including retail, commercial, office, medical office, hotel, multifamily and entertainment. This development will include outdoor amenity space with a detention pond, trails, benches, and public art and will grow into an active community of mixed uses.

B. Description of Property

Located at the northwest intersection of the Dallas Parkway and Prosper Trail this 35.68-acre Tract C zone of PD-75 is owned by Satya Donepudi, Prosper Tollway Avenues 35, LP. Shawnee Trail, a four (4) lane divided minor thoroughfare runs north and south along the west side of this zone and will provide access to the proposed uses within the entire development. Driveway access for the development will also be taken off Prosper Trail on the southern boundary of the site and the Dallas Parkway along the eastern boundary. A floodplain, open space and detention basin runs east and west through the site along the creek. With the exception of the existing 20-foot-wide paving for Prosper Trail along the southern boundary, the subject Tract C zone of PD-75 is currently vacant. To the north and west of PD-75 is a proposed single-family development, Legacy Crossing (PD-36 and PD-60). To the south is the proposed 880-acre Villages of Star Trail, a Planned Development (PD-66) which incorporates single family, office, retail and commercial zoning. Exhibit A-2 and Exhibit D depict the location and boundary of the project.

C. Description of Proposed Development

The location of this project, at the intersection of a major highway and two thoroughfares, lends itself well for mixed-use development including commercial, retail, hotel, office, and multifamily residential.

Tract C is divided into two sub-zones- A Multifamily Zone (approximately 6.8 acres) and a Mixed-Use Zone (approximately 28.9 acres). Uses in the Multifamily Zone include Multifamily residential. Uses in the mixed-use zone include hotel, office, retail, structured parking, indoor event/reception space and Multifamily over retail. The mixed-use zone contains a detention/open space area. A hike and bike trail is proposed within the detention/open space area and will connect to the trail in the neighboring development.

II. Current Zoning and Future Land Use

A. Current Zoning Classification

The land is currently zoned as PD-75, with Tract C slated exclusively for retail uses including a grocery, gas station, restaurants, fast food, general retail and office/retail.

B. Future Land Use Plan and Compatibility with the Comprehensive Plan

The 2023 Future Land Use Plan designates this parcel as Dallas North Tollway District, which is defined in the 2023 Comprehensive Plan as consisting of the most intense land uses with a diverse mixture of office, retail and residential uses. The proposed mix of multi-family residential, hotel, office, retail, and structured parking meet the intention of the Comprehensive Plan.

David Hoover

From: David Hoover
Sent: Thursday, May 2, 2024 7:09 AM
To: Barry Hand
Subject: Good Morning

Happy Thursday.

After last night's meeting and continuing with comments from the original P & Z meeting, I believe the following changes will have to occur for the project to move forward with any degree of success.

Some type of phasing will have to occur with a retail, restaurant, component to be included at the beginning.

Most all of the parking for the multi-family will have to be in structured style parking, wrapped by the multi-family units. Or enlarge the structured parking garage already proposed to accommodate the multi-family. Virtually no surface parking will be approved.

The permitted uses will have to be revisited to be more in line with those suggested in the Tollway Plan.

The language in the PD will have to be tightened up to better ensure the words match the pictures.

A strategy for the size and location of the multi-family units will have to be developed.

An overall limit of 500 units needs to be inserted into the text.

The multi-family structures need to be 4-5 stories.

The proposed water feature needs to be codified in the text.

A draft Development Agreement will have to be developed (Town Staff will do this).

This is a pretty good start. We will pow wow here at the Staff level and see if anything else comes up.



David A. Hoover, AICP

Director of Development Services

250 W. First Street
Prosper, Texas 75078
T: 972.569.1137
dhoover@prospertx.gov
prospertx.gov

Case No. ZONE-24-0001

EXHIBIT C
Planned Development Standards

A. Conformance with the Town's Zoning Ordinance and Subdivision Ordinance.

1. Unless expressly identified and referenced within this ordinance, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20), as it exists or may be amended, and the Subdivision Ordinance, as it exists or may be amended, shall apply.
2. The zoning exhibits attached and incorporated into the Planned Development shall serve as a guide for development of the Property. The ultimate layout (including streets, site layout, building uses, and open space areas) shall be determined at the time of Preliminary Site Plan application review by the Planning & Zoning Commission.
3. The developer shall provide an updated Conceptual Plan (Exhibit "D") with each development application if any changes are being made to the most recent Exhibit on file with the Town.
4. Proposed amendments to this Ordinance, or any of the exhibits attached hereto shall be submitted to the Director of Development Services and evaluated in conformance with Zoning Ordinance, Chapter 2, Section 24 (Planned Development District).

B. Exhibits.

Use and development of the Property shall be in conformance with the following exhibits:

1. Exhibit B, Statement of Intent and Purpose
2. Exhibit D, Conceptual Plan
3. Exhibit E, Development Schedule
4. Exhibit F, Elevations

C. Regulations.

The regulations in Exhibit C shall be the exclusive regulations governing building setbacks and other types of regulations such as, lot area, lot width, lot depth, residential density, dwelling area, height, number of stories, coverage, and floor area ratio.

D. Project Tracking Plan.

A Project Tracking Plan shall be submitted with each preliminary site plan, site plan, preliminary plat and final plat to provide context for planning purposes and to serve as a "tracking tool" for compliance with this PD Ordinance. Updates to a Project Tracking Plan may be submitted at any time. It is an informational document that is used for tracking purposes only and no approval of a Project Tracking Plan is required. No rights derived from Chapter 245 of the Texas Local Government Code, as amended, or other vested rights shall accrue from the Project Tracking Plan, and the Project Tracking Plan shall not be deemed to provide "fair notice" as provided therein. Each tracking plan shall track the following:

1. The number of building permits issued for multifamily units in the Mixed-Use Zone and in the Multifamily Zone;
2. the density in the Mixed-Use Zone and in the Multifamily Zone based on approved preliminary site plans and site plans;
3. the acreage and percentage of open space within each Zone;
4. the acreage and percentage of parkland within each Zone and/or fees paid in lieu of parkland per Ordinance requirements;
5. the approximate number of dwelling units (or range), as well as dwelling types, if any, authorized by an approved plat within each Zone and the Property (i.e. overall density summary). For tracking purposes, each Project Tracking Plan submitted with a preliminary site plan or plat application will include a tabular summary of each recorded plat for all or any portion of the Property subject to this PD Ordinance.

E. Multifamily Zone Development Standards.

1. Uses. Except as noted below, the Multifamily Zone shall develop in accordance with the Multifamily District, as it exists or may be amended, and in accordance with the regulations described below.
 - i. Permitted Uses. Uses shall be permitted in accordance with the Multifamily District as follows:
 1. Multifamily Dwelling
 2. Accessory Building
 3. House of Worship
 4. Municipal Uses Operated by Town of Prosper
 5. Park or Playground
 6. Private Recreation Center
 7. Home Occupation
2. Regulations.
 - i. Residential Density. Maximum fifty (50) units per acre ~~up to 450 total units.~~ The combined total multifamily units for the Multifamily Zone and Mixed-Use Zone may not exceed 515 units.
 - ii. Size of Yards.
 1. Minimum Front Yard: Ten (10) feet
 2. Minimum Side Yard: Thirty (30) feet for structures adjacent to property that is either zoned for multifamily or non-residential uses
 3. Minimum Rear Yard: Thirty (30) feet for structures adjacent to property that is either zoned for multifamily or non-residential uses
 4. Multiple structures constructed on the same lot shall maintain a minimum separation of thirty (30) feet

iii. Maximum Height: Five (5) stories, no greater than sixty (60) feet from finished grade

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iii-iv. Lot Coverage: Forty-five percent (45%)

iv-v. Minimum Dwelling Area:

1. ~~Efficiency Units (a dwelling unit containing only one habitable room used for combined living, dining, and sleeping purposes plus a private bathroom facilities within the unit) — 570 square feet.~~
2. 1. One or two bedroom — ~~750-850~~ square feet.
3. 2. Additional bedrooms — 150 square feet per additional bedroom.
4. ~~A maximum 10% of the units may be Efficiency Units.~~
3. No more than 10% of the units may contain three ~~bedrooms or more~~ bedrooms.
- 5.

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3. Building Configuration.

i. The arrangement of multifamily buildings shall be organized so that ~~the resident parking shall be provided in a structured garage. Visitor and other ancillary parking may be located on the drive aisle/fire lane that wraps the multifamily development. most of the required parking is in the interior of the development, either in surfaced-parked or garage format.~~

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ii. The Multifamily shall wrap the structured parking so that no more than 25% of the structured parking garage is exposed to the drive aisle/fire lane. The height of the garage shall not exceed the height of the adjoining multifamily building. All associated appurtenances to the garage, such as an elevator shaft or mechanical equipment, shall be completely screened.

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iii. Any elevation or portion of an elevation of a structured garage that is not wrapped by a building or is visible from Dallas Parkway/Tollway shall have architectural styles and materials compatible with the adjacent or attached structure to ensure the exposed structured garage elevation gives the appearance of a building rather than a blank parking garage. Cladding, murals, or other artistic expressions ~~should~~shall be used to enhance the overall architectural character of the structured garage.

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i-iv. Parking in a structured garage shall be a minimum nine (9) feet in width and a minimum twenty (20) feet in depth.

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v. ~~The residential buildings should have a strong urban edge.~~ Internal roadways/fire lanes on the front sides of the multi-family buildings shall include on-street parking, either in parallel or angled parking format to further build an urban character. ~~A maximum of one row of parking on each side of the drive aisle is permitted on the front side of residential buildings.~~

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vi. Any non-structured, off-street, surface parking that contains ten (10) or more spaces shall provide interior landscaping as follows:

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1. All landscaped areas shall be protected by a raised six (6) inch concrete curb. Pavement shall not be placed closer than four (4) feet from the trunk of a tree unless a Town approved root barrier is utilized.
2. Landscaped islands shall be located at the terminus of all parking rows, except for-street parking, and shall contain at least one (1) large tree, three (3) inch caliper minimum, with no more than seven (7) parking spaces permitted in a continuous row without being interrupted by a landscape island.
- iii.3. Landscape islands shall be a minimum of one hundred sixty (160) square feet, not less than nine (9) feet wide, measured from the inside face of curb, and length equal to the abutting space.

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iii-vii. The Multifamily Zone may be gated. If the Multifamily Zone is gated, details and logistics related to being gated will be refined in later planning stages.

iv-viii. ~~No more than two trays of parking shall be included on the interior side of grouped residential buildings. A maximum of one row of parking on each side of the drive aisle is permitted on the front side of residential buildings.~~

v-ix. ~~The residential buildings shall have a strong urban edge with buildings forming a block.~~ Residential buildings shall have entrances oriented to the sidewalk for ease of pedestrian access and shall be located in such a manner as to minimize conflicts between pedestrians and automobiles. Outward facing residential units on the ground floor ~~shall~~~~should~~~~may~~ include patio/outdoor space associated with the unit and an exterior door that leads to the sidewalk.

vi-x. Upscale amenities shall include a minimum of five (5) items and be approved by the Director of Development Services. ~~Examples include:~~

1. ~~Sport court~~
2. ~~Outdoor fitness stations~~
3. ~~Swimming pool~~
4. ~~Amenity center~~
5. ~~Community dog park~~

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4. Off-Street Parking. Multifamily shall be parked at ~~one (1) space per dwelling unit for Efficiency Units and one and one-half~~ one-half (1.5) spaces per dwelling unit for one-bedroom and two-bedroom units. For every additional room, an additional parking space is required. For example, a three-bedroom unit will require two and one-half (2.5) parking spaces. ~~Parking can be a combination of surface parking and private garages associated with individual units.~~

5. Architectural and Material Standards.

i. Review and Approval Process.

1. Conceptual Architectural and Material Standards.
The applicant shall submit a detailed materials and style plan along with sample elevations and renderings to define the architectural

character of the property. This shall be submitted at the time of Preliminary Site Plan submission.

2. Final Architectural and Material Standards.
The applicant shall submit a Façade Plan and Material Sample Board for each structure at the time of Site Plan submission.
3. The conceptual elevations in Exhibit F are intended to evoke a general look and feel of the architecture of the various land use types. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the design guidelines outlined in the Design Guidelines of this Exhibit C.

ii. Design Guidelines.

1. All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
 2. Primary materials include fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
 3. On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
 4. The style of all buildings must be consistent and in keeping with the style of the entire Multifamily Zone.
 5. All materials and exterior colors shall be compatible with those used throughout the development.
 6. Horizontal and vertical building articulation is required on all elevations. This may be achieved through recessed or projected architectural elements, variations in roof line, etc.
 7. No single finish shall cover more than eighty (80) percent of the front of any building.
6. Sidewalks. Sidewalks adjacent to the fronts of buildings shall be a minimum seven (7) feet in width and may include tree wells, landscape beds/plantings, and enhanced pavement.
7. Screening and Retaining Walls.

i. Service, Mechanical and Utility Equipment.

1. All service, mechanical and/or utility equipment, including transformers, shall be completely screened from public view by architectural screens, masonry screening walls, and/or landscaping.
2. When possible, all service areas and mechanical equipment shall be located at the rear of the building and out of view of the roadways.

ii. Screening and retaining walls shall be finished with a masonry veneer compatible with the materials of the surrounding development.

8. Landscape Buffers. A minimum of a twenty-five (25) foot landscape buffer is required along Prosper Trail, minimum of a twenty-five (25) foot landscape buffer is required along Shawnee Trail, and a minimum thirty (30) foot buffer is required along Dallas Parkway.

F. Mixed-Use Zone Development Standards.

1. Uses. Except as noted below, the Mixed-Use Zone of Tract C shall develop in accordance with the Retail District, as it exists or may be amended, and in accordance with the regulations described below.

i. Permitted Uses:

1. Administrative, Medical or Professional Office
- ~~2. Alcohol Beverage Establishment~~
- ~~3. Alcohol Beverage Sales~~
- ~~2. Wine Bar~~
- ~~3. Cocktail Lounge~~
- ~~4. Cigar Bar~~
- ~~4.5. Antique Shop and Used Furniture~~
- ~~5.6. Artisan's Workshop~~
- ~~6.7. Automobile Parking Lot/Garage~~
- ~~7.8. Automobile Paid Parking Lot/Garage~~
- ~~8.9. Bank, Savings and Loan, or Credit Union~~
- ~~9.10. Beauty Salon/Barber Shop~~
- ~~10.11. Business Service~~
- ~~11.12. Caretaker's/Guard's Residence~~
- ~~12.13. Catering~~
- ~~13.14. Civic/Convention Center~~
- ~~14.15. Commercial Amusement, Indoor~~
- ~~15. Community Center~~
16. Convenience Store without Gas Pumps
17. Dry Cleaning, Minor
- ~~18. Farmer's Market~~
- ~~19.18. Furniture, Home Furnishings and Appliance Store~~
- ~~20.19. Furniture Restoration, as an accessory use to a Furniture Store~~
- ~~21.20. Governmental Office~~
- ~~22.21. Gymnastics/Dance Studio~~
- ~~23.22. Health/Fitness Center~~
- ~~24. Homebuilder Marketing Center~~
- ~~25.23. Hospital~~
- ~~26.24. Hotel, Full Service~~
- ~~27.25. Hotel, Residence/Extended Stay (for rehabilitation purposes in conjunction with Medical Office HO2)~~
- ~~28.26. House of Worship~~
- ~~29.27. Insurance Office~~
- ~~30. Locksmith/Security System Company~~
- ~~31.28. Meeting/Banquet/Reception Facility~~
- ~~32.29. Mobile Food Vendor~~

~~33.30.~~ Multifamily, if over a minimum 1-floor of non-residential uses.

~~34.31.~~ Municipal Uses Operated by the Town of Prosper

~~35.32.~~ Museum/Art Gallery

~~36.33.~~ Outdoor Merchandise Display, Temporary

~~37.34.~~ Park or Playground

~~38.~~ Pet Day Care

~~39.35.~~ Print Shop, Minor

~~40.36.~~ Private Club

~~41.37.~~ Private Recreation Center

~~42.38.~~ Restaurant (without a drive-through)

~~43.39.~~ Retail Stores and Shops

~~44.40.~~ Retail/Service Incidental Use

~~45.41.~~ Theater, Neighborhood

~~46.42.~~ Veterinarian Clinic and/or Kennel, Indoor

ii. Permitted with Specific Use Permit:

~~1.~~ Commercial amusement, Outdoor

~~1.2.~~ Farmer's Market

~~2.3.~~ Helistop

~~4.~~ Outdoor Merchandise Display, Incidental

~~3.5.~~ Pet Day Care

~~4.6.~~ Rehabilitation Care institution

~~5.~~ Utility Distribution/Transmission Facility

~~6.~~ Body Art Studio

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2. Regulations.

- i. Residential Density. Maximum sixty (60) dwelling units per acre, up to 350 total units. The combined total multifamily units for the Multifamily Zone and Mixed-Use Zone may not exceed 515 units.

ii. Size of Yards.

1. Minimum Front Yard: No minimum front yard setbacks
2. Minimum Side Yard:
 - a. Ten feet, subject to provision of fire-retardant wall as required by adopted edition of the Unified Building Code.
 - b. Ten feet without fire retardant wall.
3. Minimum Rear Yard:
 - a. None, if abutting an alley or fire lane and constructed with fire retardant wall.
 - b. Ten feet or none if attached to an adjacent building and constructed with fire retardant wall.
 - c. Ten feet without alley separation or fire-retardant wall.

iii. Size of Lots.

1. Minimum Lot Area: 30,000 square feet
2. Minimum Lot Width: 120 feet

3. Minimum Lot Depth: 250 feet

iv. Minimum Dwelling Area:

- ~~1. Efficiency Units (a dwelling unit containing only one habitable room used for combined living, dining, and sleeping purposes plus a private bathroom facilities within the unit) — 570 square feet.~~
- ~~2. 1. One or two bedroom — 750-850 square feet.~~
- ~~3. 2. Additional bedrooms — 150 square feet per additional bedroom.~~
- ~~4. A maximum 10% of the units may be Efficiency Units.~~
- ~~5. 3. No more than 10% of the units may contain three bedrooms or more bedrooms.~~

v. Maximum Height: 9 stories, no greater than 110 feet along Shawnee Trail and 14 stories, no greater than 170 feet along Dallas Parkway.

vi. Lot Coverage: Fifty-five percent (55%)

vii. Floor Area Ratio: Maximum 2.25:1

3. Building Configuration.

- i. Multifamily structures shall be attached to structured parking by a covered walkway or connector element.
- ii. First Floor: The ceiling height of the first floor shall be a minimum fourteen (14) feet in height.
- iii. Garage Height:
 1. Attached Garages: Attached garages are those that are directly connected to another building. The height of the garage shall not exceed the height of an adjoining or exterior building and all associated appurtenances, such as an elevator shaft or mechanical equipment, shall be completely screened.
 2. Detached Garages: The height of detached garages shall not exceed seven (7) stories or seventy-five (75) feet in height.

4. Off-Street Parking.

- i. Multifamily shall be parked at ~~one (1) space per dwelling unit for efficiency units and one and one and~~ one-half (1.5) spaces per dwelling unit for one-bedroom and two-bedroom units. For every additional room, an additional parking space is required. For example, a three-bedroom unit will require two and one-half (2.5) parking spaces.
- ii. A shared parking strategy is encouraged to reduce the required parking needed in the Mixed-Use Zone based on peak time demands. Shared parking agreements for adjacent properties should include a written

agreement between property owners that clearly stipulates the terms of the joint use of the parking spaces. The shared parking agreement should include parking ratios per use that will be agreed upon between the developer and Town Staff during the Preliminary Site Plan review phase.

- iii. When a building includes Multifamily uses, the resident parking shall be provided in a structured garage. A section of the garage may be gated specifically for Multifamily use. If the Multifamily parking is gated from the parking utilized for other uses in the structured garage, details and logistics related to being gated will be refined in the Preliminary Site Plan review phase. Visitor parking and other ancillary uses associated with the Multifamily uses may be located between the building and a public street when located at or beyond the required landscape setback and screened with a headlight screen of earthen berms and/or a row of shrubs.

- iv. Parking in a structured garage shall be a minimum nine (9) feet in width and a minimum twenty (20) feet in depth.

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5. Architectural and Material Standards.

i. Review and Approval Process.

1. Conceptual Architectural and Material Standards.
The applicant shall submit a detailed materials and style plan along with sample elevations and renderings to define the architectural character of the property. This shall be submitted at the time of Preliminary Site Plan submission.
2. Final Architectural and Material Standards.
The applicant shall submit a Façade Plan and Material Sample Board for each structure at the time of Site Plan submission.
3. The conceptual elevations in Exhibit F are intended to evoke a general look and feel of the architecture of the various land use types. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the design guidelines outlined in the Design Guidelines of this Exhibit C. The Mixed-Use Zone should offer architectural diversity between buildings, with each structure contributing its own unique flair that blends styles, materials, and artistic expressions in this dynamic arts district.
4. Structured Garages. Any elevation or portion of an elevation of a structured garage that is not wrapped by a building or is visible from Dallas Parkway/Tollway shall have architectural styles and materials compatible with the adjacent or attached structure to ensure the exposed structured garage elevation gives the appearance of a building rather than a blank parking garage. Cladding, murals, or other artistic expressions ~~should~~ shall be used to enhance the overall architectural character of the structured garage.

ii. Design Guidelines.

1. All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
2. For purposes of this section, primary materials shall include: fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
3. On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
4. All materials and exterior colors shall be compatible throughout the development.
5. Horizontal and vertical building articulation is required on all elevations. This may be achieved through recessed or projected architectural elements, variations in roof line, etc.
6. No single finish shall cover more than eighty (80) percent of the front of any building.
7. Storefronts on façade treatments that span multiple tenants shall use architecturally compatible materials, colors, details, awning signage, and lighting fixtures. Retail ground floor shall have windows covering a minimum of 60% of the major street and/or public-realm fronting façade(s).
8. Architectural elements should tie into and play off of the historical features throughout the Town of Prosper, including but not limited to the silos and windmills to ensure this development feels connected to the Town as a whole. Modern elements and artistic expression may be used to play off of the historic theme of Prosper.

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6. Sidewalks. Sidewalks adjacent to the fronts of primary buildings, along drive aisles and parking rows, shall be a minimum fifteen (15) feet in width and may include tree wells, landscape beds/plantings, and enhanced pavement.

7. Screening and Retaining Walls.

i. Service, Mechanical and Utility Equipment.

1. All service, mechanical and/or utility equipment, including transformers, shall be completely screened from public view by architectural screens, masonry screening walls, and/or landscaping.
2. When possible, all service areas and mechanical equipment shall be located at the rear of the building and out of view of the roadways.

- ii. Screening and retaining walls shall be finished with a masonry veneer compatible with the materials of the surrounding development.

8. Landscape Buffers. A minimum of a twenty-five (25) foot landscape buffer is required along Prosper Trail, minimum of a twenty-five (25) foot landscape buffer is required along Shawnee Trail, and a minimum thirty (30) foot buffer is required along Dallas Parkway.

G. Useable Open Space and Trails.

Usable open space is to be laid out in a way that provides equal access to both the Multifamily Zone and Mixed-Use Zone.

1. Useable Open Space.

- i. A minimum of 15% of the property (35.68 acres) is required to be open space which will be provided through the entire development.
- ii. A minimum 30% of the Multifamily Zone area is required to be open space. At least one-third of this open space is to be within the boundary of the Multifamily Zone. The remaining two-thirds of the required minimum open space for the Multifamily Zone is included as part of the entire project, can be located in the Mixed-Use Zone, and will require an easement, shared property right, or other form of agreement through the property owners association to be determined in later planning or development stages.
- iii. Any use of the floodplain as open space shall be approved by the Director of Engineering Services.
- iv. This space may include detention and floodplain areas. No more than (60%) of the useable open space can be detention or within the floodplain.
- v. Useable open space shall be a minimum of 35 feet in width, unless otherwise approved by the Director of Development Services, or his/her designee.
- vi. Useable open space in the floodplain shall include walking trails, sculptures/artwork, benches, and other amenities as outlined in item viii.
- vii. Buildings shall face and/or side to the open space to the greatest extent possible to provide pedestrian access and areas of congregation along the open space.
- viii. A minimum of six (6) amenities shall be provided within the open space and shall be approved by the Director of Development Services. Examples include:
 1. Outdoor fitness stations
 2. Areas of decorative pavement
 3. Benches and other seating areas
 4. Durable shade structure such as a pavilion or pergola

5. Sport court
6. Fire pits and lounging areas
7. Water features, including fountains and ponds outside the detention area
8. Any other similar improvement approved by the Director of Development Services or his/her designee.

2. Trails.

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- i. All trails shall comply with the Hike & Bike Master Plan.
- ii. A ten-foot (10') trail is required along Dallas Parkway and Prosper Trail, and a six-foot (6') sidewalk is required along all other public roadways.
- iii. Trails within the development shall connect to the trails along the roadways.

3. Planting Standards.

- i. One (1) – Four (4) inch caliper evergreen tree shall be planted per thirty (30) feet of linear open space area. These trees shall be planted in groups with appropriate spacing for species.
- ii. One (1) – Three (3) inch caliper ornamental tree shall be planted per thirty (30) linear feet of open space area. These trees may be planted in groups with appropriate spacing for species.
- iii. A minimum of fifteen (15) shrubs with a minimum size of five (5) gallons each shall be planted per thirty (30) linear feet of open space area. These shrubs may be planted in groups with appropriate spacing for species.

iv. It is intended that all plant types promote a natural landscape. Where possible, the planting shall be in accordance with the general planting style. Drought tolerant and/or native plants from the Town's approved plant list are required for compliance. Other species may be utilized with approval from the Town as part of the Site Plan process.

iv-v. All landscape areas to be kept free of weeds, invasive plant species, and trash.

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H. Detention/Retention.

Detention located within the Floodplain must meet all Town of Prosper, FEMA and all other applicable regulations. The proposed man-made water feature, located in the approximate location of the existing creek bed, will be sized to accommodate the proposed development on both sides as shown on the Conceptual Plan.

I. Public Art.

An amount of not less than twenty-four (24) public art installations shall be included throughout the entire project. Approximate locations for public art are denoted on Exhibit D, which

includes locations at significant entry points into the development along the Tollway. The Director of Development Services shall determine the location and types of public art.

J. Phasing.

Phase 1: Multifamily Zone, Trail System, Hotel on the east including 144 rooms, performance center, recovery center, streaming & e-sports center, retail operations, protein bar/restaurant, sports bar/restaurant and a food hall, Parking Garage, Extended Stay Hotel/Medical Office Tower on the east including a rooftop workout and relaxation facility, soccer field, running track, covered sports pavilion, enclosed multi-sport courts

Phase 2: Hotel on the west, Mixed-Use Multifamily, Retail

Phase 3: Retail and Office on Prosper Trail/Shawnee

Phase 4: Office on Dallas Parkway

A phasing diagram for the entire development is depicted below.

PHASING DIAGRAM

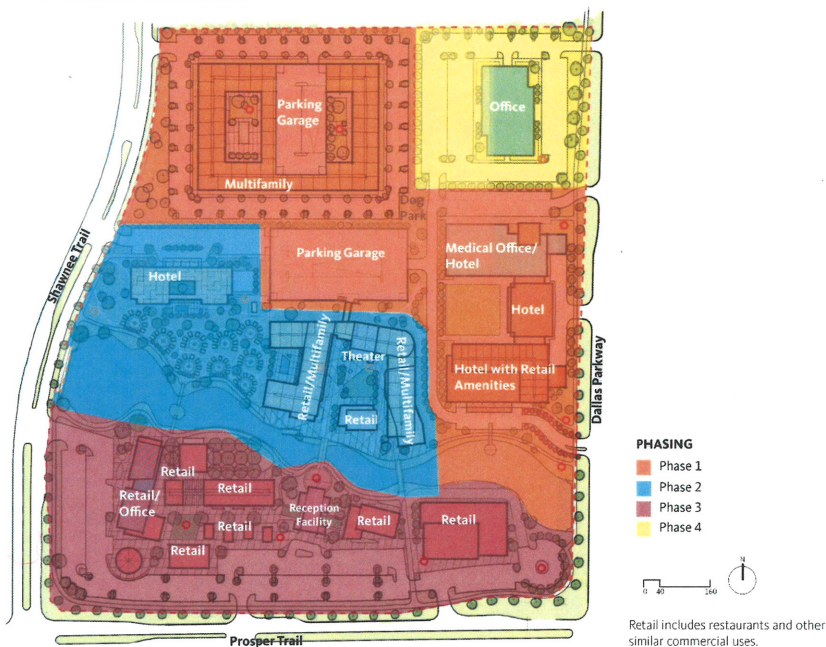


EXHIBIT C
Planned Development Standards

A. Conformance with the Town's Zoning Ordinance and Subdivision Ordinance.

1. Unless expressly identified and referenced within this ordinance, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20), as it exists or may be amended, and the Subdivision Ordinance, as it exists or may be amended, shall apply.
2. The zoning exhibits attached and incorporated into the Planned Development shall serve as a guide for development of the Property. The ultimate layout (including streets, site layout, building uses, and open space areas) shall be determined at the time of Preliminary Site Plan application review by the Planning & Zoning Commission.
3. The developer shall provide an updated Conceptual Plan (Exhibit "D") with each development application if any changes are being made to the most recent Exhibit on file with the Town.
4. Proposed amendments to this Ordinance, or any of the exhibits attached hereto shall be submitted to the Director of Development Services and evaluated in conformance with Zoning Ordinance, Chapter 2, Section 24 (Planned Development District).

B. Exhibits.

Use and development of the Property shall be in conformance with the following exhibits:

1. Exhibit B, Statement of Intent and Purpose
2. Exhibit D, Conceptual Plan
3. Exhibit E, Development Schedule
4. Exhibit F, Elevations

C. Regulations.

The regulations in Exhibit C shall be the exclusive regulations governing building setbacks and other types of regulations such as, lot area, lot width, lot depth, residential density, dwelling area, height, number of stories, coverage, and floor area ratio.

D. Project Tracking Plan.

A Project Tracking Plan shall be submitted with each preliminary site plan, site plan, preliminary plat and final plat to provide context for planning purposes and to serve as a "tracking tool" for compliance with this PD Ordinance. Updates to a Project Tracking Plan may be submitted at any time. It is an informational document that is used for tracking purposes only and no approval of a Project Tracking Plan is required. No rights derived from Chapter 245 of the Texas Local Government Code, as amended, or other vested rights shall accrue from the Project Tracking Plan, and the Project Tracking Plan shall not be deemed to provide "fair notice" as provided therein. Each tracking plan shall track the following:

1. The number of building permits issued for multifamily units in the Mixed-Use Zone and in the Multifamily Zone;
2. the density in the Mixed-Use Zone and in the Multifamily Zone based on approved preliminary site plans and site plans;
3. the acreage and percentage of open space within each Zone;
4. the acreage and percentage of parkland within each Zone and/or fees paid in lieu of parkland per Ordinance requirements;
5. the approximate number of dwelling units (or range), as well as dwelling types, if any, authorized by an approved plat within each Zone and the Property (i.e. overall density summary). For tracking purposes, each Project Tracking Plan submitted with a preliminary site plan or plat application will include a tabular summary of each recorded plat for all or any portion of the Property subject to this PD Ordinance.

E. Multifamily Zone Development Standards.

1. Uses. Except as noted below, the Multifamily Zone shall develop in accordance with the Multifamily District, as it exists or may be amended, and in accordance with the regulations described below.
 - i. Permitted Uses. Uses shall be permitted in accordance with the Multifamily District as follows:
 1. Multifamily Dwelling
 2. Accessory Building
 3. House of Worship
 4. Municipal Uses Operated by Town of Prosper
 5. Park or Playground
 6. Private Recreation Center
 7. Home Occupation
2. Regulations.
 - i. Residential Density. Maximum fifty (50) units per acre. The combined total multifamily units for the Multifamily Zone and Mixed-Use Zone may not exceed 515 units.
 - ii. Size of Yards.
 1. Minimum Front Yard: Ten (10) feet
 2. Minimum Side Yard: Thirty (30) feet for structures adjacent to property that is either zoned for multifamily or non-residential uses
 3. Minimum Rear Yard: Thirty (30) feet for structures adjacent to property that is either zoned for multifamily or non-residential uses
 4. Multiple structures constructed on the same lot shall maintain a minimum separation of thirty (30) feet

- iii. Maximum Height: Five (5) stories, no greater than sixty (60) feet from finished grade
- iv. Lot Coverage: Forty-five percent (45%)
- v. Minimum Dwelling Area:
 - 1. One or two bedroom —850 square feet.
 - 2. Additional bedrooms — 150 square feet per additional bedroom.
 - 3. No more than 10% of the units may contain three bedrooms.

3. Building Configuration.

- i. The arrangement of multifamily buildings shall be organized so that the resident parking shall be provided in a structured garage. Visitor and other ancillary parking may be located on the drive aisle/fire lane that wraps the multifamily development.
- ii. The Multifamily shall wrap the structured parking so that no more than 25% of the structured parking garage is exposed to the drive aisle/fire lane. The height of the garage shall not exceed the height of the adjoining multifamily building. All associated appurtenances to the garage, such as an elevator shaft or mechanical equipment, shall be completely screened.
- iii. Any elevation or portion of an elevation of a structured garage that is not wrapped by a building or is visible from Dallas Parkway/Tollway shall have architectural styles and materials compatible with the adjacent or attached structure to ensure the exposed structured garage elevation gives the appearance of a building rather than a blank parking garage. Cladding, murals, or other artistic expressions shall be used to enhance the overall architectural character of the structured garage.
- iv. Parking in a structured garage shall be a minimum nine (9) feet in width and a minimum twenty (20) feet in depth.
- v. Internal roadways/fire lanes on the front sides of the multi-family buildings shall include on-street parking, either in parallel or angled parking format to further build an urban character. A maximum of one row of parking on each side of the drive aisle is permitted on the front side of residential buildings.
- vi. Any non-structured, off-street, surface parking that contains ten (10) or more spaces shall provide interior landscaping as follows:
 - 1. All landscaped areas shall be protected by a raised six (6) inch concrete curb. Pavement shall not be placed closer than four (4) feet from the trunk of a tree unless a Town approved root barrier is utilized.
 - 2. Landscaped islands shall be located at the terminus of all parking rows, except for-street parking, and shall contain at least one (1) large tree, three (3) inch caliper minimum, with no more than seven

- (7) parking spaces permitted in a continuous row without being interrupted by a landscape island.
 - 3. Landscape islands shall be a minimum of one hundred sixty (160) square feet, not less than nine (9) feet wide, measured from the inside face of curb, and length equal to the abutting space.
 - vii. The Multifamily Zone may be gated. If the Multifamily Zone is gated, details and logistics related to being gated will be refined in later planning stages.
 - viii. The residential buildings shall have a strong urban edge with buildings forming a block. Residential buildings shall have entrances oriented to the sidewalk for ease of pedestrian access and shall be located in such a manner as to minimize conflicts between pedestrians and automobiles. Outward facing residential units on the ground floor shall include patio/outdoor space associated with the unit and an exterior door that leads to the sidewalk.
 - ix. Upscale amenities shall include a minimum of five (5) items and be approved by the Director of Development Services.
4. Off-Street Parking. Multifamily shall be parked at one and one-half (1.5) spaces per dwelling unit for one-bedroom and two-bedroom units. For every additional room, an additional parking space is required. For example, a three-bedroom unit will require two and one-half (2.5) parking spaces.
5. Architectural and Material Standards.
- i. Review and Approval Process.
 - 1. Conceptual Architectural and Material Standards.

The applicant shall submit a detailed materials and style plan along with sample elevations and renderings to define the architectural character of the property. This shall be submitted at the time of Preliminary Site Plan submission.
 - 2. Final Architectural and Material Standards.

The applicant shall submit a Façade Plan and Material Sample Board for each structure at the time of Site Plan submission.
 - 3. The conceptual elevations in Exhibit F are intended to evoke a general look and feel of the architecture of the various land use types. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the design guidelines outlined in the Design Guidelines of this Exhibit C.
 - ii. Design Guidelines.
 - 1. All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
 - 2. Primary materials include fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.

3. On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
 4. The style of all buildings must be consistent and in keeping with the style of the entire Multifamily Zone.
 5. All materials and exterior colors shall be compatible with those used throughout the development.
 6. Horizontal and vertical building articulation is required on all elevations. This may be achieved through recessed or projected architectural elements, variations in roof line, etc.
 7. No single finish shall cover more than eighty (80) percent of the front of any building.
6. Sidewalks. Sidewalks adjacent to the fronts of buildings shall be a minimum seven (7) feet in width and may include tree wells, landscape beds/plantings, and enhanced pavement.
7. Screening and Retaining Walls.
- i. Service, Mechanical and Utility Equipment.
 1. All service, mechanical and/or utility equipment, including transformers, shall be completely screened from public view by architectural screens, masonry screening walls, and/or landscaping.
 2. When possible, all service areas and mechanical equipment shall be located at the rear of the building and out of view of the roadways.
 - ii. Screening and retaining walls shall be finished with a masonry veneer compatible with the materials of the surrounding development.
8. Landscape Buffers. A minimum of a twenty-five (25) foot landscape buffer is required along Prosper Trail, minimum of a twenty-five (25) foot landscape buffer is required along Shawnee Trail, and a minimum thirty (30) foot buffer is required along Dallas Parkway.

F. Mixed-Use Zone Development Standards.

1. Uses. Except as noted below, the Mixed-Use Zone of Tract C shall develop in accordance with the Retail District, as it exists or may be amended, and in accordance with the regulations described below.
 - i. Permitted Uses:
 1. Administrative, Medical or Professional Office
 2. Wine Bar
 3. Cocktail Lounge
 4. Cigar Bar
 5. Antique Shop and Used Furniture

6. Artisan's Workshop
7. Automobile Parking Lot/Garage
8. Automobile Paid Parking Lot/Garage
9. Bank, Savings and Loan, or Credit Union
10. Beauty Salon/Barber Shop
11. Business Service
12. Caretaker's/Guard's Residence
13. Catering
14. Civic/Convention Center
15. Commercial Amusement, Indoor
16. Convenience Store without Gas Pumps
17. Dry Cleaning, Minor
18. Furniture, Home Furnishings and Appliance Store
19. Governmental Office
20. Gymnastics/Dance Studio
21. Health/Fitness Center
22. Hospital
23. Hotel, Full Service
24. Hotel, Residence/Extended Stay (HO2)
25. House of Worship
26. Insurance Office
27. Meeting/Banquet/Reception Facility
28. Mobile Food Vendor
29. Multifamily, if over a minimum 1-floor of non-residential uses.
30. Municipal Uses Operated by the Town of Prosper
31. Museum/Art Gallery
32. Outdoor Merchandise Display, Temporary
33. Park or Playground
34. Print Shop, Minor
35. Private Club
36. Private Recreation Center
37. Restaurant (without a drive-through)
38. Retail Stores and Shops
39. Retail/Service Incidental Use
40. Theater, Neighborhood
41. Veterinarian Clinic and/or Kennel, Indoor

ii. Permitted with Specific Use Permit:

1. Commercial amusement, Outdoor
2. Farmer's Market
3. Helistop
4. Outdoor Merchandise Display, Incidental
5. Pet Day Care
6. Rehabilitation Care institution

2. Regulations.

- i. Residential Density. Maximum sixty (60) dwelling units per acre, up to 350 total units. The combined total multifamily units for the Multifamily Zone and Mixed-Use Zone may not exceed 515 units.

ii. Size of Yards.

1. Minimum Front Yard: No minimum front yard setbacks
2. Minimum Side Yard:
 - a. Ten feet, subject to provision of fire-retardant wall as required by adopted edition of the Unified Building Code.
 - b. Ten feet without fire retardant wall.
3. Minimum Rear Yard:
 - a. None, if abutting an alley or fire lane and constructed with fire retardant wall.
 - b. Ten feet or none if attached to an adjacent building and constructed with fire retardant wall.
 - c. Ten feet without alley separation or fire-retardant wall.

iii. Size of Lots.

1. Minimum Lot Area: 30,000 square feet
2. Minimum Lot Width: 120 feet
3. Minimum Lot Depth: 250 feet

iv. Minimum Dwelling Area:

1. One or two bedroom —850 square feet.
2. Additional bedrooms — 150 square feet per additional bedroom.
3. No more than 10% of the units may contain three bedrooms.

v. Maximum Height: 9 stories, no greater than 110 feet along Shawnee Trail and 14 stories, no greater than 170 feet along Dallas Parkway.

vi. Lot Coverage: Fifty-five percent (55%)

vii. Floor Area Ratio: Maximum 2.25:1

3. Building Configuration.

- i. Multifamily structures shall be attached to structured parking by a covered walkway or connector element.
- ii. First Floor: The ceiling height of the first floor shall be a minimum fourteen (14) feet in height.
- iii. Garage Height:

1. Attached Garages: Attached garages are those that are directly connected to another building. The height of the garage shall not exceed the height of an adjoining or exterior building and all associated appurtenances, such as an elevator shaft or mechanical equipment, shall be completely screened.

2. Detached Garages: The height of detached garages shall not exceed seven (7) stories or seventy-five (75) feet in height.

4. Off-Street Parking.

- i. Multifamily shall be parked at one and one-half (1.5) spaces per dwelling unit for one-bedroom and two-bedroom units. For every additional room, an additional parking space is required. For example, a three-bedroom unit will require two and one-half (2.5) parking spaces.
- ii. A shared parking strategy is encouraged to reduce the required parking needed in the Mixed-Use Zone based on peak time demands. Shared parking agreements for adjacent properties should include a written agreement between property owners that clearly stipulates the terms of the joint use of the parking spaces. The shared parking agreement should include parking ratios per use that will be agreed upon between the developer and Town Staff during the Preliminary Site Plan review phase.
- iii. When a building includes Multifamily uses, the resident parking shall be provided in a structured garage. A section of the garage may be gated specifically for Multifamily use. If the Multifamily parking is gated from the parking utilized for other uses in the structured garage, details and logistics related to being gated will be refined in the Preliminary Site Plan review phase. Visitor parking and other ancillary uses associated with the Multifamily uses may be located between the building and a public street when located at or beyond the required landscape setback and screened with a headlight screen of earthen berms and/or a row of shrubs.
- iv. Parking in a structured garage shall be a minimum nine (9) feet in width and a minimum twenty (20) feet in depth.

5. Architectural and Material Standards.

i. Review and Approval Process.

1. Conceptual Architectural and Material Standards.
The applicant shall submit a detailed materials and style plan along with sample elevations and renderings to define the architectural character of the property. This shall be submitted at the time of Preliminary Site Plan submission.
2. Final Architectural and Material Standards.
The applicant shall submit a Façade Plan and Material Sample Board for each structure at the time of Site Plan submission.
3. The conceptual elevations in Exhibit F are intended to evoke a general look and feel of the architecture of the various land use types. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the design guidelines outlined in the Design Guidelines of this Exhibit C. The Mixed-Use Zone should offer architectural diversity between buildings, with each structure contributing its own unique flair that

blends styles, materials, and artistic expressions in this dynamic arts district.

4. Structured Garages. Any elevation or portion of an elevation of a structured garage that is not wrapped by a building or is visible from Dallas Parkway/Tollway shall have architectural styles and materials compatible with the adjacent or attached structure to ensure the exposed structured garage elevation gives the appearance of a building rather than a blank parking garage. Cladding, murals, or other artistic expressions shall be used to enhance the overall architectural character of the structured garage.

ii. Design Guidelines.

1. All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
 2. For purposes of this section, primary materials shall include: fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
 3. On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
 4. All materials and exterior colors shall be compatible throughout the development.
 5. Horizontal and vertical building articulation is required on all elevations. This may be achieved through recessed or projected architectural elements, variations in roof line, etc.
 6. No single finish shall cover more than eighty (80) percent of the front of any building.
 7. Storefronts on façade treatments that span multiple tenants shall use architecturally compatible materials, colors, details, awning signage, and lighting fixtures. Retail ground floor shall have windows covering a minimum of 60% of the major street and/or public-realm fronting façade(s).
 8. Architectural elements should tie into and play off of the historical features throughout the Town of Prosper, including but not limited to the silos and windmills to ensure this development feels connected to the Town as a whole. Modern elements and artistic expression may be used to play off of the historic theme of Prosper.
6. Sidewalks. Sidewalks adjacent to the fronts of primary buildings, along drive aisles and parking rows, shall be a minimum fifteen (15) feet in width and may include tree wells, landscape beds/plantings, and enhanced pavement.
7. Screening and Retaining Walls.

i. Service, Mechanical and Utility Equipment.

1. All service, mechanical and/or utility equipment, including transformers, shall be completely screened from public view by architectural screens, masonry screening walls, and/or landscaping.
 2. When possible, all service areas and mechanical equipment shall be located at the rear of the building and out of view of the roadways.
- ii. Screening and retaining walls shall be finished with a masonry veneer compatible with the materials of the surrounding development.
8. Landscape Buffers. A minimum of a twenty-five (25) foot landscape buffer is required along Prosper Trail, minimum of a twenty-five (25) foot landscape buffer is required along Shawnee Trail, and a minimum thirty (30) foot buffer is required along Dallas Parkway.

G. Useable Open Space and Trails.

Usable open space is to be laid out in a way that provides equal access to both the Multifamily Zone and Mixed-Use Zone.

1. Useable Open Space.
 - i. A minimum of 15% of the property (35.68 acres) is required to be open space which will be provided through the entire development.
 - ii. A minimum 30% of the Multifamily Zone area is required to be open space. At least one-third of this open space is to be within the boundary of the Multifamily Zone. The remaining two-thirds of the required minimum open space for the Multifamily Zone is included as part of the entire project, can be located in the Mixed-Use Zone, and will require an easement, shared property right, or other form of agreement through the property owners association to be determined in later planning or development stages.
 - iii. Any use of the floodplain as open space shall be approved by the Director of Engineering Services.
 - iv. This space may include detention and floodplain areas. No more than (60%) of the useable open space can be detention or within the floodplain.
 - v. Useable open space shall be a minimum of 35 feet in width, unless otherwise approved by the Director of Development Services, or his/her designee.
 - vi. Useable open space in the floodplain shall include walking trails, sculptures/artwork, benches, and other amenities as outlined in item viii.
 - vii. Buildings shall face and/or side to the open space to the greatest extent possible to provide pedestrian access and areas of congregation along the open space.

- viii. A minimum of six (6) amenities shall be provided within the open space and shall be approved by the Director of Development Services. Examples include:

1. Outdoor fitness stations
2. Areas of decorative pavement
3. Benches and other seating areas
4. Durable shade structure such as a pavilion or pergola
5. Sport court
6. Fire pits and lounging areas
7. Water features, including fountains and ponds outside the detention area
8. Any other similar improvement approved by the Director of Development Services or his/her designee.

2. Trails.

- i. All trails shall comply with the Hike & Bike Master Plan.
- ii. A ten-foot (10') trail is required along Dallas Parkway and Prosper Trail, and a six-foot (6') sidewalk is required along all other public roadways.
- iii. Trails within the development shall connect to the trails along the roadways.

3. Planting Standards.

- i. One (1) – Four (4) in caliper evergreen tree shall be planted per thirty (30) feet of linear open space area. These trees shall be planted in groups with appropriate spacing for species.
- ii. One (1) – Three (3) inch caliper ornamental tree shall be planted per thirty (30) linear feet of open space area. These trees may be planted in groups with appropriate spacing for species.
- iii. A minimum of fifteen (15) shrubs with a minimum size of five (5) gallons each shall be planted per thirty (30) linear feet of open space area. These shrubs may be planted in groups with appropriate spacing for species.
- iv. It is intended that all plant types promote a natural landscape. Where possible, the planting shall be in accordance with the general planting style. Drought tolerant and/or native plants from the Town's approved plant list are required for compliance. Other species may be utilized with approval from the Town as part of the Site Plan process.
- v. All landscape areas to be kept free of weeds, invasive plant species, and trash

H. Detention/Retention.

Detention located within the Floodplain must meet all Town of Prosper, FEMA and all other applicable regulations. The proposed man-made water feature, located in the approximate

location of the existing creek bed, will be sized to accommodate the proposed development on both sides as shown on the Conceptual Plan.

I. Public Art.

An amount of not less than twenty-four (24) public art installations shall be included throughout the entire project. Approximate locations for public art are denoted on Exhibit D, which includes locations at significant entry points into the development along the Tollway. The Director of Development Services shall determine the location and types of public art.

J. Phasing.

Phase 1: Multifamily Zone; Trail System; Hotel on the east including 144 rooms, performance center, recovery center, streaming & e-sports center, retail operations, protein bar/restaurant, sports bar/restaurant and a food hall; Parking Garage; Extended Stay Hotel/Medical Office Tower on the east including a rooftop workout and relaxation facility; soccer field; running track, covered sports pavilion; enclosed multi-sport courts

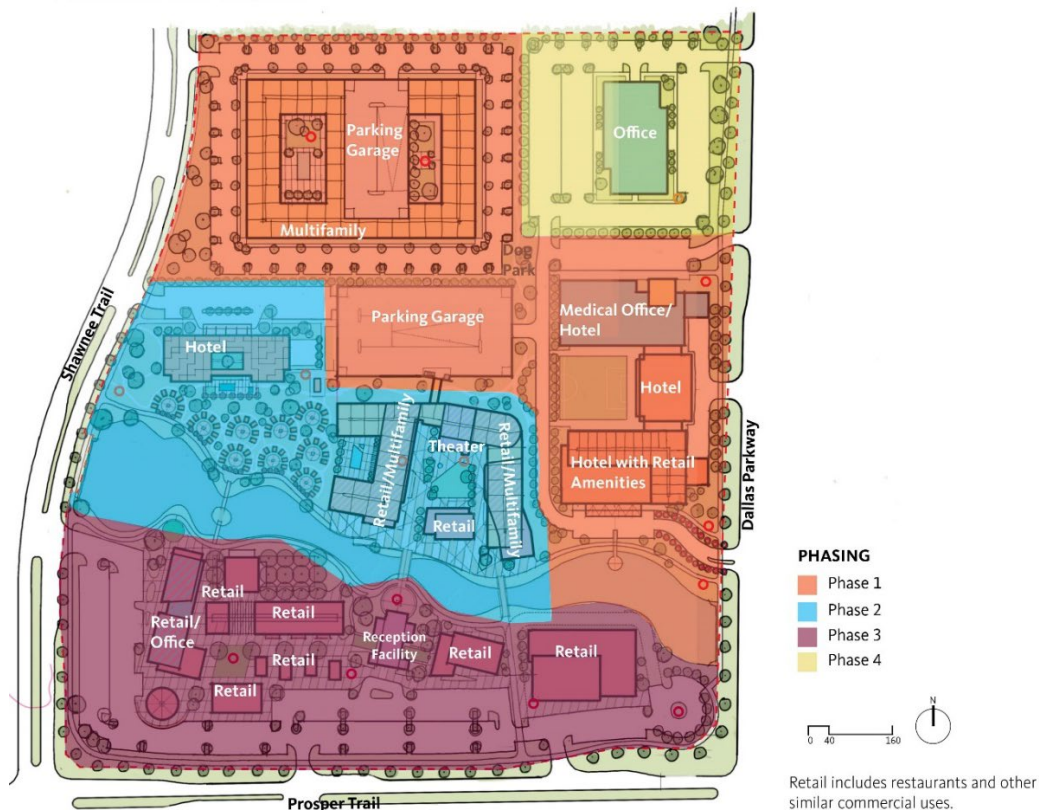
Phase 2: Hotel on the west, Mixed-Use Multifamily, Retail

Phase 3: Retail and Office on Prosper Trail/Shawnee

Phase 4: Office on Dallas Parkway

A phasing diagram for the entire development is depicted below.


PHASING DIAGRAM

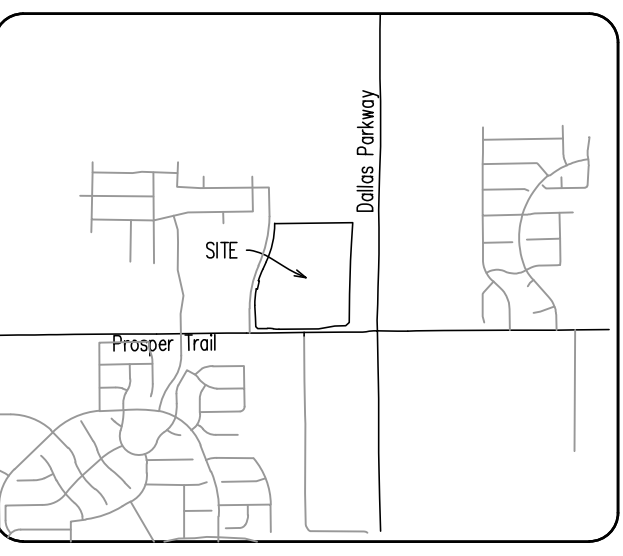


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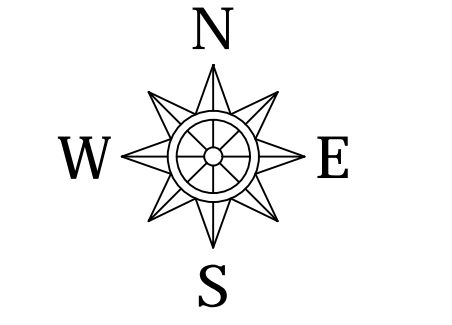
Legacy Gardens Phase I
Rieland Prosper 221 LLC
Zoning Class: PD-36-Single Family-10/Single Family-12.5
Current Land Use: Single-Family
Future Land Use: Medium-Density Residential

Exhibit D Previous Conceptual Plan from the April 23, 2024, Planning & Zoning Commission Meeting

Note:
 Approximate location of public art.

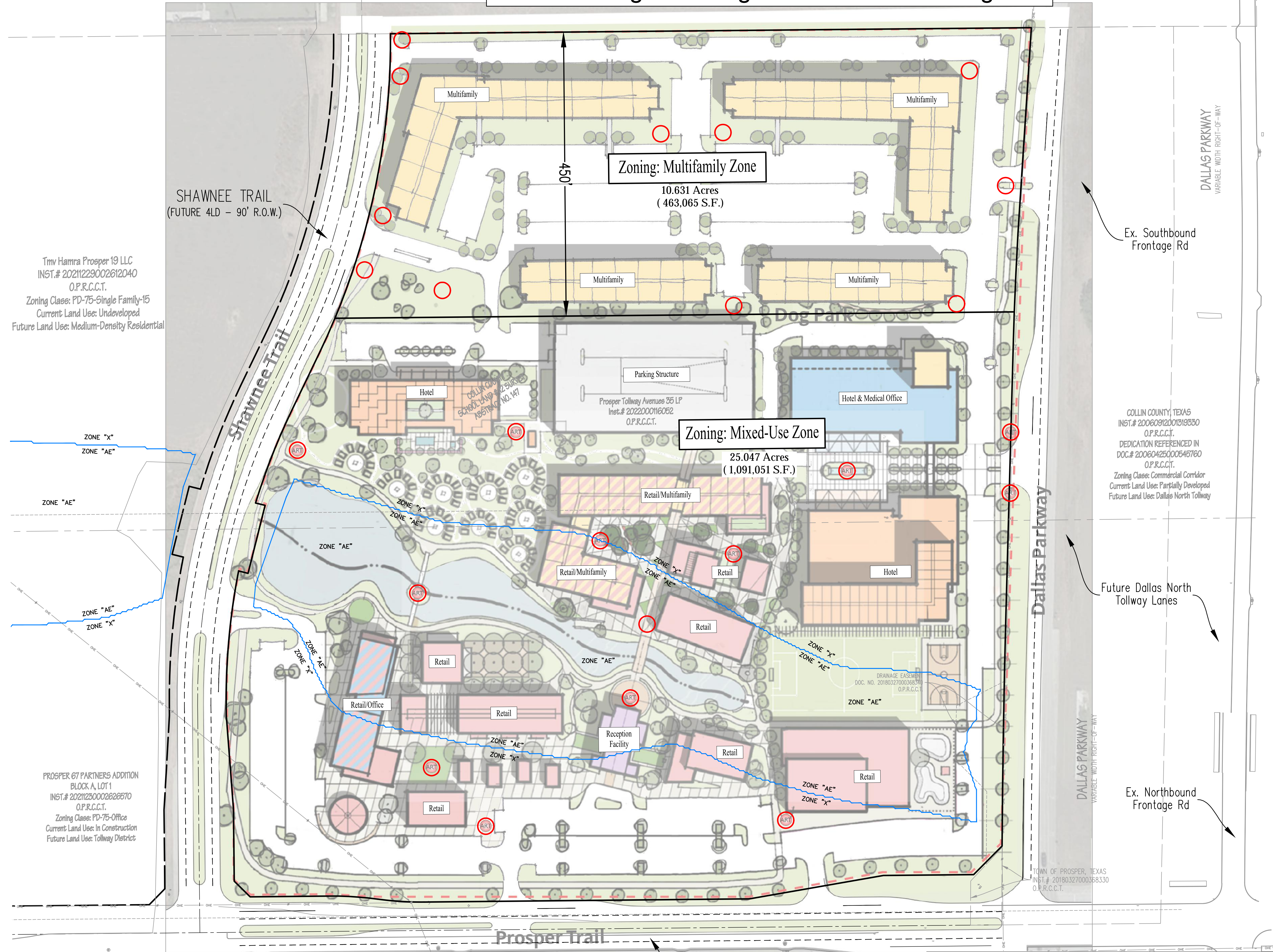


LOCATION MAP
1" = 2500'



0 50 100 200
1 inch = 100 ft.

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



Site Data Summary Table	
Multifamily Zone	
Max. Permitted Density	50 du/ac
Min. Front Yard Setback	10'
Min. Side Yard Setback	30' for structures adjacent to property line that is either zoned for Multi-Family or non-residential uses; Multiple structures constructed on the same lot shall maintain a minimum separation of 30'
Min. Rear Yard Setback	30' for structures adjacent to property line that is either zoned for Multi-Family or non-residential uses
Max. Height	5 stories, no greater than 60 feet from finished grade
Shawnee Trail Landscape Buffer	25'
Dallas Parkway Landscape Buffer	30'
Prosper Trail Landscape Buffer	25'
Mixed-Use Zone	
Min. Front Yard Setback	None
Min. Side Yard Setback	10' subject to provision of fire retardant wall as required by adopted edition of the Unified Building Code; 10 feet without fire retardant wall.
Min. Rear Yard Setback	None, if abutting an alley or fire lane and constructed with fire retardant wall; 10' subject to provision of fire retardant wall as required by adopted edition of the Unified Building Code; 10' without alley separation or fire-retardant wall.
Min. Lot Area	30,000 sq. ft
Min. Lot Width	120'
Min. Lot Depth	250'
Max. Height	9 stories, no greater than 110 feet along Shawnee Trail and 14 stories, no greater than 170 feet along Dallas Parkway
Lot Coverage	55%
Floor Area Ratio	2.25:1
Shawnee Trail Landscape Buffer	25'
Dallas Parkway Landscape Buffer	30'
Prosper Trail Landscape Buffer	25'

Note:
The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of Final Plat.

Note:
All proposed driveways shall meet all Town of Prosper standards in regards to spacing, throat depth, and such.

Note:
The Traffic Impact Analysis (TIA) shall be provided at time of Preliminary Site Plan. Additional improvements or modifications may be required to accommodate results.

Note:
FEMA Floodplain depicted on this exhibit reflects Flood Insurance Rate Map (FIRM) panel number 48085C0115J, dated 6/2/2009, and Letter of Map Revision (LOMR) Case No. 21-06-1205P, dated 1/27/2022

EXHIBIT D CONCEPTUAL PLAN
PROSPER ARTS DISTRICT
2,047,881 SQ. FEET OR 47.013 ACRES (GROSS)
1,554,116 SQ. FEET OR 35.678 ACRES (NET)
OF LAND OUT OF THE
COLLIN COUNTY SCHOOL LAND #12 SURVEY
ABSTRACT NO. 147, TRACT 74
TOWN OF PROSPER
COLLIN COUNTY, TEXAS

PROJECT NO. ZONE-24-0001

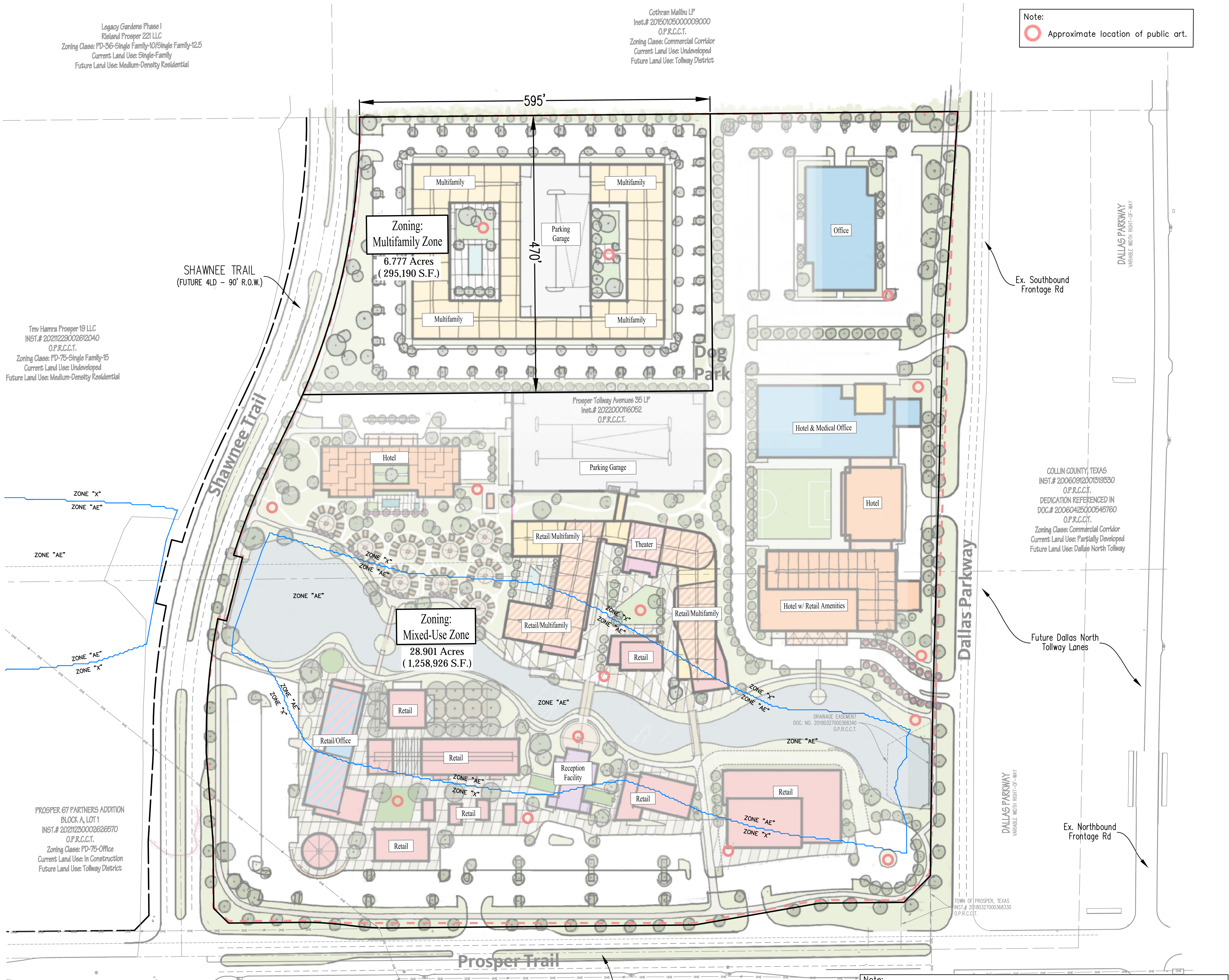
OWNER / APPLICANT Prosper Tollway Avenues 35, LP 5 Cowboys Way, #300 Frisco, TX 75034 Telephone: (630) 987-9275 Contact: Satya Donepudi	ENGINEER Spiars Engineering, Inc. 801 W. President George Bush Hwy, Suite 200 Richardson, TX 75080 Telephone: (972) 422-0077 TBPELS No. F-2121 And No. F-10043100 Contact: Mike Martinie
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Note:
The conceptual layout generally depicts intent, but final layout shall be determined at time of Preliminary Site Plan, and shall meet all Town requirements including, but not limited to, ALL Fire Code requirements. Engineering Design Standards as it relates to driveway spacing, throat depth and turn lane requirements, standard Town landscape requirements if not otherwise defined in Exhibit C (Development Standards), and all development standards listed throughout the Town Zoning Ordinance also if not otherwise defined in Exhibit C. In addition, all other local, state, and federal regulations as it relates to the floodplain and waters of the US, or other shall be adhered. There are no vested rights with the approval of the layout of this zoning case depicted in Exhibit D.

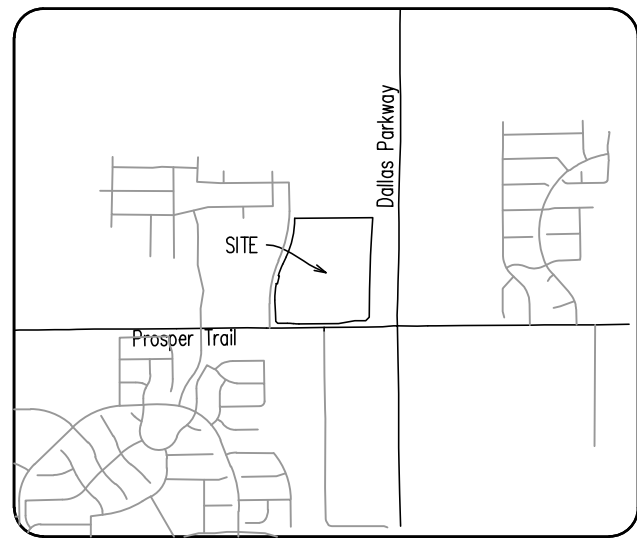
Villages of Star Trail
Inst.# 202002040000159110
O.P.R.C.C.T.
Zoning Class: PD-66-Single Family
Current Land Use: Single-Family
Future Land Use: Medium Density Residential

183 Land Corporation
Inst.# 20210407000704790
O.P.R.C.C.T.
Zoning Class: PD-66-Retail
Current Land Use: Undeveloped
Future Land Use: Tollway District

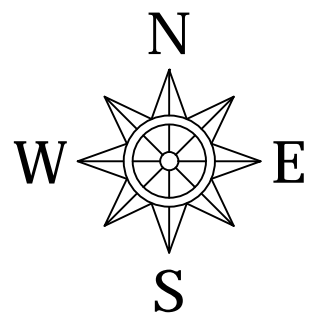
W PROSPER TRAIL
(FUTURE 4LD - 90' R.O.W.)



Note:
○ Approximate location of public art.



LOCATION MAP
1" = 2500'



0 40 80 160
1 inch = 80 ft.

Basis of bearing: State Plane
Coordinate System, Texas North
Central Zone 4202, North American
Datum of 1983. Adjustment
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Mixed-Use Zone	
Min. Front Yard Setback	None
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Min. Lot Area	30,000 sq. ft
Min. Lot Width	120'
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Floor Area Ratio	2.25:1
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Note:
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Note:
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Note:
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Note:
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EXHIBIT D CONCEPTUAL PLAN

PROSPER ARTS DISTRICT
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ABSTRACT NO. 147, TRACT 74
TOWN OF PROSPER
COLLIN COUNTY, TEXAS

PROJECT NO. ZONE-24-0001

OWNER / APPLICANT
Prosper Tollway Avenues 35, LP
5 Cowboys Way, #300
Frisco, TX 75034
Telephone: (630) 987-9275
Contact: Satya Donepudi

ENGINEER
Spiars Engineering, Inc.
801 W. President George Bush Hwy, Suite 200
Richardson, TX 75080
Telephone: (972) 422-0077
TBPELS No. F-2121 And No. F-10043100
Contact: Mike Martinie

EXHIBIT E DEVELOPMENT SCHEDULE

The phasing and development of this project is dependent upon market conditions and the construction of the Dallas North Tollway and Prosper Trail. Upon initiation of development, the project is expected to be completed in four (4) phases. The following is the anticipated construction schedule:

Phase 1:

- Multifamily Zone
- Trail System
- Hotel on the east including the following:
 - 144 rooms
 - Performance center
 - Recovery center
 - Streaming & e-sports center
 - Retail operations
 - Protein bar/restaurant
 - Sports bar/restaurant
 - Food hall
- Parking Garage
- Extended Stay Hotel/Medical Office Tower on the east including a rooftop workout and relaxation facility
- Soccer field
- Running track
- Covered sports pavilion
- Enclosed multi-sport courts

Phase 2:

- Hotel on the west
- Mixed-Use Multifamily
- Retail

Phase 3:

- Retail and Office on Prosper Trail/Shawnee

Phase 4:

- Office on Dallas Parkway

PHASING DIAGRAM

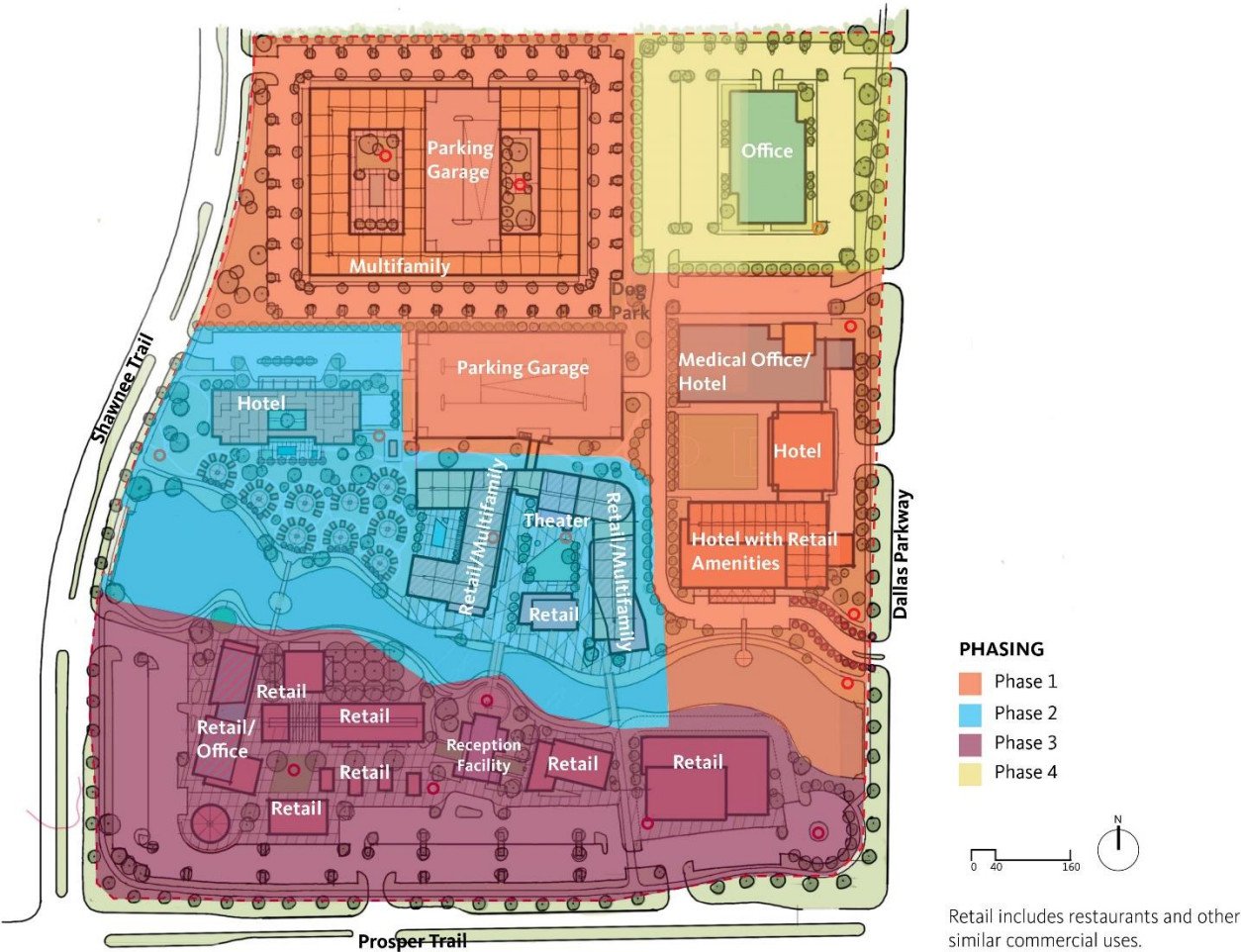


EXHIBIT F - CONCEPTUAL ELEVATIONS : RETAIL



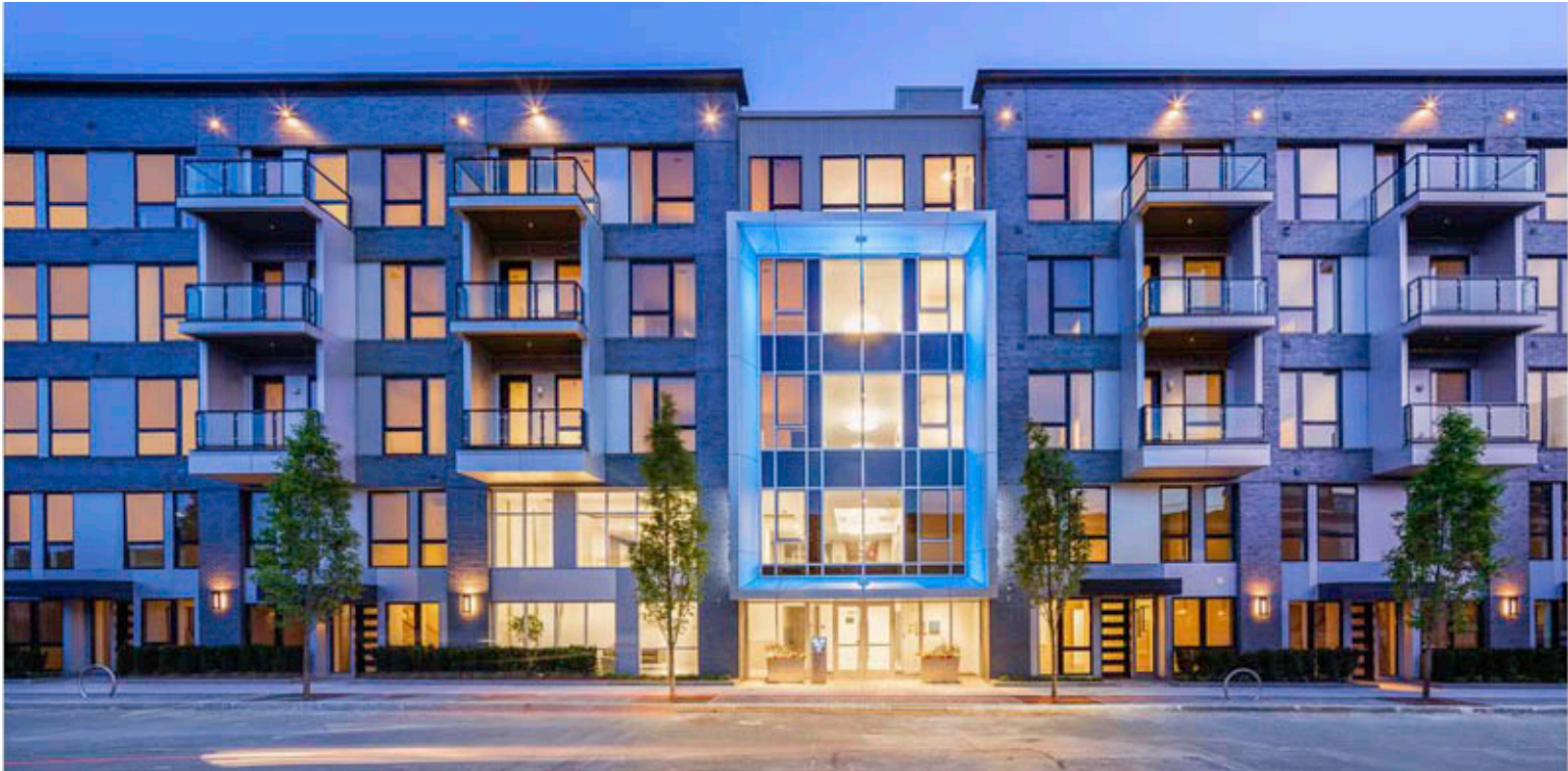
The imagery shown in this Exhibit F are intended to evoke a general look and feel for the architecture. Detailed material/style plans along with facade plans/elevations must be submitted at the time of Preliminary Site Plan and/or Site Plan approval.

EXHIBIT F - CONCEPTUAL ELEVATIONS : HOTEL



The imagery shown in this Exhibit F are intended to evoke a general look and feel for the architecture. Detailed material/style plans along with facade plans/elevations must be submitted at the time of Preliminary Site Plan and/or Site Plan approval.

EXHIBIT F - CONCEPTUAL ELEVATIONS : MULTIFAMILY



The imagery shown in this Exhibit F are intended to evoke a general look and feel for the architecture. Detailed material/style plans along with facade plans/elevations must be submitted at the time of Preliminary Site Plan and/or Site Plan approval.

EXHIBIT F - CONCEPTUAL ELEVATIONS : OFFICE



The imagery shown in this Exhibit F are intended to evoke a general look and feel for the architecture. Detailed material/style plans along with facade plans/elevations must be submitted at the time of Preliminary Site Plan and/or Site Plan approval.

PROSPER ARTS DISTRICT DEVELOPMENT AGREEMENT

THIS PROSPER ARTS DISTRICT DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the Town of Prosper, Texas ("Town"), and Prosper Tollway Avenues 35, LP. ("Developer"), individually, a "Party" and collectively, the "Parties," to be effective (the "Effective Date") on the latest date executed by a Party.

WHEREAS, the Town is a home-rule municipal corporation, located in Collin County and Denton County, Texas, organized and existing under the laws of the State of Texas; and

WHEREAS, Developer is developing a project in the Town known as Prosper Arts District ("Property"), a legal description of which Property is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Property was rezoned by the Town Council on or about _____, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in said development, as may be amended, and as more fully described herein.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

1. Development Standards. For any structure built on the Property following the Effective Date, it shall comply with the requirements contained in Exhibit B, "Building Materials," attached hereto and incorporated herein. The Parties agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Nothing in this Agreement shall be deemed to modify or otherwise amend any zoning regulation duly adopted by the Town, previously or in the future.

2. Maintenance of Landscape Areas.

A. Developer agrees to maintain all Landscape Areas (including all vegetation) on the Property, as referenced and/or depicted in the applicable zoning ordinance, as amended, free of weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter, as defined in Article 6.03 of Chapter 6 of the Town's Code of Ordinances, as amended. Further, Developer agrees that landscape maintenance obligations referenced herein include mulching of Landscape Areas, prompt replacement of dead or dying vegetation with new vegetation, mowing of Landscape Areas, where required, and other routine and regular maintenance of plants and other vegetation.

B. In the event that any Landscape Area or plants or vegetation is/are not properly maintained in accordance with this Agreement, the Town may give written notice to Developer of such failure to maintain and Developer shall promptly address such failure, taking into account the type(s) and species of such plants and vegetation and applicable planting cycles of same. After such notice, and Developer's failure to address same, Developer agrees and acknowledges that the Town shall have the right to go onto Developer's property and replace, replant or otherwise address such failure to maintain any Landscape Area or plants or vegetation, with an invoice of costs incurred by the Town being promptly provided by the Town to Developer. In the event Developer does not pay such invoice within thirty (30) days of receipt by Developer, the Town may file a lien on the Property for the costs it incurred for the work done, including a reasonable administrative fee. Any failure to maintain any Landscape Area, plants or vegetation shall not be considered a default in accordance with Paragraph 7 of this Agreement, and any obligations referenced in said Paragraph shall not be applicable to this Paragraph 2.

C. Notwithstanding any provision in this Paragraph to the contrary, the Town specifically reserves the right to take enforcement action and/or file a complaint against Developer in the Town's municipal court (or other appropriate forum) relative to weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter on the Property, in accordance with Article 6.03 of Chapter 6 of the Town's Code of Ordinances, as amended.

3. Periodic Review of the Property's Zoning by the Town Council. The Town Council reserves the right to periodically review the progress and/or scope of development of the Property pursuant to the terms of any zoning regulations applicable to the Property, and in the event any amendment(s) or revision(s) to said zoning regulations are deemed reasonably appropriate and have the written approval of the Developer, the Town may provide appropriate notices for Town consideration of same, pursuant to the provisions of Chapter 211 of the Texas Local Government Code, as amended, and the Town's Zoning Ordinance, as amended.

4. Certain Business Establishments Prohibited. Developer agrees and acknowledges that it will not lease, sell or otherwise permit or authorize on the Property any of the following business establishments: (1) credit access businesses, as defined in Texas Finance Code § 393.601, as amended, including but not limited to payday lending businesses, "cash for title" lenders, and credit services businesses, as defined in Texas Finance Code § 393.001, as amended; (2) body art facilities; (3) smoke or vape shops; (4) any business entity that sells drug paraphernalia; (5) any business establishment offering gaming or slot machines; (6) sex shops, including but not limited to business entities whose primary purpose is the sale of lewd merchandise; (7) pawn shops; and (8) business entities which primarily utilize outdoor storage or displays. Additionally, Developer agrees and acknowledges that it will not lease, sell or otherwise permit or authorize on the Property a package liquor store, which for purposes of this Agreement is defined as any business entity that is required to obtain a Package Store Permit (P) from the Texas Alcoholic Beverage Commission for the off-premises consumption of alcohol.

5. Covenant Running with the Land. The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

6. Applicability of Town Ordinances. Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable Town ordinances and building/construction codes.

7. Default. No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

8. Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Collin County, Texas. Exclusive venue for any action arising under this Agreement shall lie in Collin County, Texas.

9. Notice. Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the Town: The Town of Prosper
 250 W. First Street
 Prosper, Texas 75078
 Attention: Town Manager

If to Developer: Prosper Tollway Avenues 35, LP.
5 Cowboys Way St. 300
Frisco, TX 75034
Attention: Krishna Nimmagadda

10. Prevailing Party. In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

11. Entire Agreement. This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

12. Savings/Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

13. Binding Agreement. A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

14. Authority to Execute. This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The Town warrants and represents that the individual executing this Agreement on behalf of the Town has full authority to execute this Agreement and bind the Town to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The Town Council hereby authorizes the Town Manager of the Town to execute this Agreement on behalf of the Town.

15. Filing in Deed Records. This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Collin County, Texas.

16. Mediation. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

17. Notification of Sale or Transfer; Assignment of Agreement. Developer shall notify the Town in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the Town, but upon written notice to the Town) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become an Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. A copy of each assignment shall be provided to the Town within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon receipt of the assignment by the Town. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

18. Sovereign Immunity. The Parties agree that the Town has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

19. Effect of Recitals. The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the Town Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

20. Consideration. This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

21. Counterparts. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

22. Amendment. This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor

Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

23. Miscellaneous Drafting Provisions. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date referenced herein.

TOWN:

THE TOWN OF PROSPER, TEXAS

By: _____
Name: Mario Canizaares
Title: Town Manager, Town of Prosper

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the ____ day of _____, 2023, by Mario Canizares, Town Manager of the Town of Prosper, Texas, on behalf of the Town of Prosper, Texas.

Notary Public, State of Texas
My Commission Expires: _____

DEVELOPER:

Prosper Tollway Avenues 35, LP.

By: _____
Name: Krishna Nimmagadda
Title: _____

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the ____ day of _____, 2023, by Krishna Nimmagadda on behalf of Prosper Tollway Avenues 35, LP., known to be the person whose name is subscribed to the foregoing instrument, and that he executed the same on behalf of and as the act of Developer.

Notary Public, State of Texas
My Commission Expires: _____

EXHIBIT A
(Legal Description & Property Depiction)

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the Collin County School Land #12 Survey, Abstract Number 147, Town of Prosper, Collin County, Texas, being all of a tract conveyed to Prosper Tollway Avenues 35 LP, by deed recorded in Document No. 2022000116052, Official Public Records, Collin County, Texas (OPRCCT), also being all of a tract of land described as Parcel 40-18, by deed recorded in Instrument No. 20060912001319330 OPRCCT, also being a portion of Prosper Trail and Shawnee Trail (variable width right-of-way), according to the plat recorded in Document No. 2018-408 OPRCCT, with the subject tract being more particularly described as follows:

BEGINNING at a point at the northeast corner of said Parcel 40-18, also being in Dallas Parkway (variable width right-of-way);

THENCE along the east line of said Parcel 40-18, the following:

S 00°10'54" E, 326.59 feet;

S 01°07'15" W, 1094.89 feet to a point in the centerline of Prosper Trail;

THENCE S 89°26'13" W, 1521.87 feet along the centerline thereof to a point at the intersection of the centerline of Prosper Trail and the centerline of Shawnee Trail;

THENCE Along the centerline of Shawnee Trail, the following:

N 00°33'47" W, 360.01 feet;

Around a non-tangent curve to the right having a central angle of 26°13'18", a radius of 1099.99 feet, a chord of N 12°33'02" E, 499.04 feet, and an arc length of 503.42 feet;

N 25°39'41" E, 100.00 feet;

Around a tangent curve to the left having a central angle of 26°12'21", a radius of 1100.00 feet, a chord of N 12°33'31" E, 498.74 feet, and an arc length of 503.12 feet to a point at the southwest corner of a tract of land conveyed to Cothran Malibu LP, by deed recorded in Instrument No. 20150105000009000 OPRCCT;

THENCE N 89°27'26" E, 1285.59 feet along the south line thereof to the POINT OF BEGINNING with the subject tract containing 2,047,881 square feet or 47.013 acres of land.



This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT B
(Building Materials)

Multifamily Zone:

1. Architectural and Material Standards.

i. Review and Approval Process.

1. Conceptual Architectural and Material Standards.

The applicant shall submit a detailed materials and style plan along with sample elevations and renderings to define the architectural character of the property. This shall be submitted at the time of Preliminary Site Plan submission.

2. Final Architectural and Material Standards.

The applicant shall submit a Façade Plan and Material Sample Board for each structure at the time of Site Plan submission.

3. The conceptual elevations in Exhibit F are intended to evoke a general look and feel of the architecture of the various land use types. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the design guidelines outlined in the Design Guidelines of this Exhibit C.

ii. Design Guidelines.

1. All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.
2. Primary materials include fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
3. On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
4. The style of all buildings must be consistent and in keeping with the style of the entire Multifamily Zone.
5. All materials and exterior colors shall be compatible with those used throughout the development.
6. Horizontal and vertical building articulation is required on all elevations. This may be achieved through recessed or projected architectural elements, variations in roof line, etc.

7. No single finish shall cover more than eighty (80) percent of the front of any building.

Mixed-Use Zone:

1. Architectural and Material Standards.

- i. Review and Approval Process.

1. Conceptual Architectural and Material Standards.

The applicant shall submit a detailed materials and style plan along with sample elevations and renderings to define the architectural character of the property. This shall be submitted at the time of Preliminary Site Plan submission.

2. Final Architectural and Material Standards.

The applicant shall submit a Façade Plan and Material Sample Board for each structure at the time of Site Plan submission.

3. The conceptual elevations in Exhibit F are intended to evoke a general look and feel of the architecture of the various land use types. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the design guidelines outlined in the Design Guidelines of this Exhibit C. The Mixed-Use Zone should offer architectural diversity between buildings, with each structure contributing its own unique flair that blends styles, materials, and artistic expressions in this dynamic arts district.

4. Structured Garages. Any elevation or portion of an elevation of a structured garage that is not wrapped by a building or is visible from Dallas Parkway/Tollway shall have architectural styles and materials compatible with the adjacent or attached structure to ensure the exposed structured garage elevation gives the appearance of a building rather than a blank parking garage. Cladding, murals, or other artistic expressions shall be used to enhance the overall architectural character of the structured garage.

- ii. Design Guidelines.

1. All buildings must be a minimum of eighty percent (80%) primary materials, excluding windows and doors on each façade.

2. For purposes of this section, primary materials shall include: fiber cement panel, metal composite material (examples include, but not limited to Centria and Alucobond), steel plate, clay fired brick, natural and manufactured stone, granite, and marble.
3. On each façade, stucco is limited to a maximum ten percent (10%) on the first floor, a maximum thirty percent (30%) on the second and third stories, and a maximum fifty percent (50%) on the fourth story and above.
4. All materials and exterior colors shall be compatible throughout the development.
5. Horizontal and vertical building articulation is required on all elevations. This may be achieved through recessed or projected architectural elements, variations in roof line, etc.
6. No single finish shall cover more than eighty (80) percent of the front of any building.
7. Storefronts on façade treatments that span multiple tenants shall use architecturally compatible materials, colors, details, awning signage, and lighting fixtures. Retail ground floor shall have windows covering a minimum of 60% of the major street and/or public-realm fronting façade(s).
8. Architectural elements should tie into and play off of the historical features throughout the Town of Prosper, including but not limited to the silos and windmills to ensure this development feels connected to the Town as a whole. Modern elements and artistic expression may be used to play off of the historic theme of Prosper.