

A Place Where Everyone Matters

AGENDA<br>Planning \& Zoning Commission<br>Prosper Town Hall, Council Chambers<br>250 W. First Street, Prosper, Texas<br>Tuesday, January 16, 2024<br>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 and Zoning Commission must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

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

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

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

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

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

## CONSENT AGENDA:

Items placed on the Consent Agenda are considered routine in nature and are considered noncontroversial. 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 January 2, 2024, Planning \& Zoning Commission meeting.

## CITIZEN COMMENTS

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

## REGULAR AGENDA:

If you wish to address the Commission, please fill out a "Public Comment Request Form" and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning and Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission.
4. Conduct a Public Hearing and consider and act upon a request for a Planned Development for Mini-Warehouse/Public Storage, Restaurant, and Retail uses on 8.7 $\pm$ acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28, located on the northwest corner of North Coleman Street and West Prosper Trail. The property is zoned Agricultural and Commercial. (ZONE-23-0017)
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, January 12, 2024, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, Town Secretary
Date Notice Removed

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

## NOTICE

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

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

MINUTES
Regular Meeting of the
Prosper Planning \& Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas Tuesday January 2, 2024, 6:00 p.m.

## 1. Call to Order / Roll Call

The meeting was called to order at 6:00 p.m.
Commissioners Present: Chair Brandon Daniel, Vice-Chair Damon Jackson, Josh Carson, and Glen Blanscet.

Staff Present: David Hoover, AICP, Director of Development Services; Suzanne Porter, AICP, Planning Manager; Dakari Hill, Senior Planner; Jerron Hicks, Planner; Reynaldo Merlos, Planning Technician.
2. Recitation of the Pledge of Allegiance.

## 3. CONSENT AGENDA

3a. Consider and act upon the minutes from the December 19, 2023, Planning \& Zoning Commission meeting.

3b. Consider and act upon a request for a Site Plan for Westside Addition, Block A, Lot 10R, on $2.4 \pm$ acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-23-0134)

3c. Consider and act upon a request for a Final Plat for Westside Addition, Block A, Lot 10R, on $2.4 \pm$ acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-23-0142)

3d. Consider and act upon a request for a Façade Plan for Westside Addition, Block A, Lot 10R, on $2.4 \pm$ acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-230143)

Motion by Commissioner Carson to approve the Consent Agenda. Seconded by Commissioner Blanscet. Motion carried unanimously.

## CITIZEN COMMENTS

No comments were made.

## REGULAR AGENDA

4. Conduct a Public Hearing and consider and act upon a request for a Planned Development for Mini-Warehouse/Public Storage, Restaurant, and Retail uses on $8.7 \pm$ acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28,
located on the northwest corner of North Coleman Street and West Prosper Trail. The property is zoned Agricultural and Commercial. (ZONE-23-0017)

Mr. Hill requested tabling this item and continuing the public hearing to the January 16, 2024, Planning \& Zoning Commission Meeting.

Commissioner Carson made a motion to table Item 4 and continue the Public Hearing to the January 16, 2024, meeting. Seconded by Vice-Chair Jackson. Motion carried unanimously.
5. Conduct a Public Hearing to consider a request for a Specific Use Permit for a Wireless Communications and Support Structure, on Lakewood Preserve, Block A, Lot 1, on $0.1 \pm$ acre, located south of East First Street and east of South Coit Road. (ZONE-23-0036)

Chair Daniel asked Town Staff about reply forms received from homeowners, the distance that the cell tower was relocated from the original location, and effects from the cell tower being close to the power lines.

Mrs. Porter answered that Town Staff did not receive any reply forms from homeowners prior to this meeting and does not know the exact distance between the old location and new location of the cell tower.

Chair Daniel opened the public hearing.
Bill Bauman (applicant) introduced himself and answered that the relocation distance was 450 feet and they have completed research to ensure there are no negative impacts from the cell tower being close to the power lines.

Satyaprakash Bommaraju (homeowner) expressed opposition for this item.
Chair Daniel closed the public hearing.
Commissioner Carson made a motion to approve Item 5. Seconded by Commissioner Blanscet. Motion passed unanimously.
6. Conduct a Public Hearing to consider and act upon amending Chapter 3, Section 1.4 - Conditional Development Standards of the Town of Prosper Zoning Ordinance to modify requirements related to gas pumps. (ZONE-23-0039)

Commissioners asked Town Staff about the benefit of changing the distance requirement of gas pumps to an intersection to permitted by right instead of on a case-by-case basis through a Planned Development, the impact to convenience stores with gas pumps, the definition of a Big Box, the minimum area being set for a grocery store, and whether Town Staff has fully reviewed the current ordinance to see if there are any other changes that should be made.

Mrs. Porter answered that this amendment would allow grocery stores with gas pumps to move the gas pumps from the intersection to alleviate traffic congestion. A convenience store with gas pumps that is a stand-alone use, not affiliated with a grocery store or Big Box, can situate itself better at intersections than a grocery store or Big Box with gas pumps. A Big Box is defined as a 80,000 square foot building where they may have other tenants and grocery stores is defined as a retail store. Staff wanted to ensure that grocery stores of a certain size are the only ones that are impacted by the ordinance change.

Mr. Hoover commented that Town Staff is unsure of the history that established a 200 -foot distance requirement from the corner of an intersection. Staff proposes to amend the ordinance due to grocery stores changing in size and services provided over time. The ordinance did not anticipate the growth of the Big Box and grocery stores and does not address the growing traffic congestion at intersections.

Chair Daniel opened the public hearing.
No comments were made.
Chair Daniel closed the public hearing.
Commissioner Carson made a motion to approve Item 6. Seconded by Vice Chair Jackson. Motion passed unanimously.
7. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

## 8. Adjourn.

The meeting was adjourned at 6:38 p.m.

A Place Where Everyone Matters

To: Planning \& Zoning Commission Item No. 4<br>From: Dakari Hill, Senior Planner<br>Through: David Hoover, AICP, Director of Development Services<br>Cc: $\quad$ Suzanne Porter, AICP, Planning Manager<br>Re: $\quad$ Planning \& Zoning Commission Meeting - January 16, 2024

## Agenda Item:

Conduct a Public Hearing and consider and act upon a request for a Planned Development for Mini-Warehouse/Public Storage, Restaurant, and Retail uses on $8.7 \pm$ acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28, located on the northwest corner of North Coleman Street and West Prosper Trail. The property is zoned Agricultural and Commercial. (ZONE-23-0017)

This item was tabled and the public hearing was continued on December 19, 2023 and January 2, 2024.

## Description of Agenda Item:

The purpose of this request is to rezone the property from Agricultural and Commercial to a Planned Development with a base zoning of Commercial. The intent of the request is to construct a new public storage facility that allows for automobile storage, outdoor storage, and recreational vehicle/truck parking. Additionally, the request would allow for two multi-tenant buildings with both restaurant and retail uses.

## Compatibility:

This zoning change would be seen as out of character with the existing neighborhood due to incompatibility with the surrounding residential areas. The current zoning and the Future Land Use Plan indicate that commercial uses are appropriate in this area; however, staff does not believe that a Mini-Warehouse/Public Storage use is an appropriate commercial use at this location. Staff does not view this use as complimentary to the residential areas to the east and the west of the property.

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

|  | Zoning | Current Land Use | Future Land Use Plan |
| :---: | :---: | :---: | :---: |
| Subject <br> Property |  <br> Commercial | Residential | Retail \& Neighborhood <br> Services |
| North | Commercial | Residential (Being <br> Converted to Office) | Retail \& Neighborhood <br> Services |
| East | Planned Development-24 | Residential | Medium Density <br> Residential |
| South | Retail | Vacant | Retail \& Neighborhood <br> Services |
| West | Planned Development-12 | Residential | High Density Residential |

## Uses:

The list of allowed uses within this Planned Development would include uses permitted within the Commercial District and these four additional uses:

- Automobile Storage
- Mini-Warehouse/Public Storage
- Outdoor Storage, Incidental
- Recreational Vehicle/Truck Parking Lot or Garage

These four additional uses all require a Specific Use Permit in the Commercial District. However, they would be allowed by right if this Planned Development were approved.

Additionally, the Town has used Planned Development districts to narrow the types of uses normally associated with the specific base zoning district. For instance, in Commercial zoning districts, the Town typically removes uses such as credit access businesses, body art facilities, package liquor stores, etc.

## Parking:

The parking requirements within this Planned Development would be consistent with the Town's Zoning Ordinance except for the Mini-Warehouse/Public Storage use. The Zoning Ordinance requires 4 parking spaces per complex and 1 additional space per 300 square feet of rental office space. This Planned Development would require 15 parking spaces per complex and no additional spaces for rental office space. The parking requirements within this Planned Development are shown below:

- Restaurant - 1 Space per 100 Square Feet
- 5,300 Square Feet (53 Spaces Required)
- Retail - 1 Space per 250 Square Feet
- 17,200 Square Feet (69 Spaces Required)
- Mini-Warehouse/Public Storage - 15 Spaces per Complex
- 1 Complex ( 15 Spaces Required)

A total of 160 spaces are being proposed for this development. Per the development standards within this Planned Development, the required parking for this site would be 137 spaces.

## Landscaping:

The landscaping standards within this Planned Development in comparison to the Town's Zoning Ordinance are shown below.

|  | Proposed Landscaping (Development Standards) | Required Landscaping (Zoning Ordinance) |
| :---: | :---: | :---: |
| Northern Boundary (Adjacent to Commercial) | Buffer: <br> 5' Landscape Area <br> Plantings: <br> One ornamental tree and shrub every 15 linear feet. | Buffer: <br> 5' Landscape Area <br> Plantings: <br> One ornamental tree and shrub every 15 linear feet. |
| Eastern Boundary (North Coleman Street) | Buffer: <br> 25' Landscape Area <br> Plantings: <br> One large tree, three-inch caliper minimum, every 20 linear feet. <br> Fifteen shrubs, minimum size five gallons each, every 30 linear feet. | Buffer: <br> 25' Landscape Area <br> Plantings: <br> One large tree, three-inch caliper minimum, every 30 linear feet. <br> Fifteen shrubs, minimum size five gallons each, every 30 linear feet. |
| Southern Boundary (West Prosper Trail) | Buffer: <br> 25' Landscape Area <br> Plantings: <br> One large tree, three-inch caliper minimum, every 20 linear feet. <br> Fifteen shrubs, minimum size five gallons each, every 30 linear feet. | Buffer: <br> 25' Landscape Area <br> Plantings: <br> One large tree, three-inch caliper minimum, every 30 linear feet. <br> Fifteen shrubs, minimum size five gallons each, every 30 linear feet. |
| Western Boundary (NSF Railroad) | Buffer: <br> 5' Landscape Area <br> Plantings: <br> One ornamental tree and shrub every 15 linear feet. | Buffer: <br> 5' Landscape Area <br> Plantings: <br> One ornamental tree and shrub every 15 linear feet. |

## Screening:

The screening standards within this Planned Development are shown below.
Northern Boundary (Adjacent to Commercial):

- Public Storage Facility - 6' Wrought Iron Fence

Eastern Boundary (North Coleman Street):

- Public Storage Facility - 6' Masonry Wall
- Multi-Tenant Restaurant \& Retail Buildings - Only Landscaping

Southern Boundary (West Prosper Trail):

- Multi-Tenant Restaurant \& Retail Buildings - Only Landscaping

Western Boundary (Northern Santa Fe Railroad):

- Multi-Tenant Restaurant \& Retail Buildings - Only Landscaping
- Public Storage Facility - 6' Wrought Iron Fence

Additionally, a 6' masonry wall is being proposed at the front of the public storage facility that separates it from the multi-tenant restaurant and retail buildings.

## Architectural Standards:

The architectural standards within this Planned Development require all buildings to be at a minimum $80 \%$ percent masonry, excluding glazing and door areas.

## Future Land Use Plan:

The Future Land Use Plan recommends Retail \& Neighborhood Services. The proposed zoning request does not conform to the Future Land Use Plan.

## Thoroughfare Plan:

This property has direct access to North Coleman Street and West Prosper Trail.

## Parks Master Plan:

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

## Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and state law. Staff has received two reply forms and one phone call in opposition to the proposed zoning request to date.

## Attached Documents:

1. Aerial and Zoning Maps
2. Survey
3. Letter of Intent
4. Development Standards
5. Zoning Exhibit
6. Development Schedule
7. Elevations
8. Notices Returned in Opposition (2)

## Town Staff Recommendation:

Town Staff recommends denial of the request for a Planned Development for MiniWarehouse/Public Storage, Restaurant, and Retail uses on $8.7 \pm$ acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28, located on the northwest corner of North Coleman Street and West 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 February 13, 2024.


ZONE-23-0017



ZONE-23-0017


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## Gal description-tracti, Parcel










## ALTA / NSPS

LAND TITLE SURVEY


## 

 Suite: 200
Denton, TX 7620
940.222 .3009

## Exhibit B

Our intent is to build 2 retail buildings totaling around 22,000 sqft that will front Prosper Trail and Coleman St. We plan on having both buildings open up to the open space at the corner that divides the buildings. This will allow us to keep many of the large trees on the property and have a usually shaded open space. While also having outdoor patios on the endcaps of each retail building for restaurants.
We plan on building a 2-story climate controlled self-storage building on the back of the property along the railroad. Which would also allow for up to 57 outdoor storage spaces for cars, boats, and trailers. The self-storage building will be fully gated with 24 hr security. It will have a 6 ft masonry wall along the South and East side, while having a 6 ft wrought iron fence along the North and West side.

## EXHIBIT C

## Planned Development Standards

STATEMENT OF EFFECT: Conformance with the Town of Prosper's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance, as it exists or may be amended, and the Subdivision Ordinance, as it exists or may be amended, shall apply.

## A. BASE ZONING DISTRICT:

The Property as shown on Exhibit A, shall be developed and used in accordance with "C" Commercial zoning regulations except as provided herein.
B. LOT USE REGULATIONS AND RESTRICTIONS:

Allowed use regulations shall be in accordance with "C" - Commercial zoning regulations and additionally as provided herein:

1) Allowed uses:
i. Outdoor Storage, Incidental
ii. Automobile Storage, only in areas as indicated in Exhibit D
iii. Recreational Vehicle/Truck Parking Lot or Garage, only in areas as indicated in Exhibit D
iv. Mini-Warehouse/Public Storage, only in areas as indicated in Exhibit D
C. PARKING:

Parking requirements based on use:

1) Mini-Warehouse/Public Storage: 15 spaces per complex

## D. LANDSCAPING:

## Perimeter Requirements:

a. A landscaped area consisting of living trees (as specified below), turf, or other living ground cover and being at least 25 feet in width measured from the property line interior to the property shall be provided adjacent to and outside of the right-of-way on all properties located adjacent to a major or minor thoroughfare as defined by the Town of Prosper Thoroughfare and Circulation Designs Standards.
iii. One large tree, three-inch caliper minimum per 20 linear feet of roadway frontage shall be planted within the required landscape area. The trees may be planted in groups with appropriate spacing for species.

## E. SCREENING:

Screening regulations shall be in accordance with " C " - Commercial zoning regulations and additionally as provided herein:

1) Location of required screening:
a. Retail/Restaurant Western frontage along Burlington Northern Santa Fe Railroad:
i. A screening wall or fence shall not be required under the provisions of this Planned Development due to existing living evergreen screen located between the abutting residential and the railroad.
b. Retail/Restaurant Eastern frontage along $N$ Coleman Street:
i. A screening wall or fence shall not be required under the provisions of this Planned Development due to N Coleman Street acting as a buffer between the abutting residential district and the proposed site.
c. Mini-Warehouse/Public Storage Eastern frontage along $N$ Coleman Street:
i. A screening wall shall be a six-foot-tall masonry wall.
d. Mini-Warehouse/Public Storage Western frontage along Burlington Northern Santa Fe Railroad and along the Northern Property Line:
i. A screening wall or fence shall be a six-foot-tall wrought iron fence.

## F. ELEVATIONS:

1. Calculated masonry for proposed buildings shall meet $80 \%$, excluding glazing and door areas.
2. For purposes of these Development Standards, building elevations that are in general conformance with Exhibit "F" shall be permitted.


Development schedule for 9ac Mixed Use in Prosper

The goal and plan are to have our property fully entitled by the end of September.
-Civil and Architectural design plans: Oct to Dec of 2023
-Construction bids: Dec to Jan 2024
-Construction: Feb 2024 to March of 2025








CLIMATE CONTROLLED -



(2) EXTERIOR ELEVATION-WEST

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| :---: | :---: |
| Stone veneer (crperss pont): | 426 so. FT. (9\%) |
| Metal panel (slate grat): | 373 50. FT. (887) |
| E.I.S. (cotoon wine sw 7104): | 244 so. FT. (5\%) |
| E.IFS. (Prosper orem: | 242 so. FT. (5\%) |
| E.IFS. (WNHE HERON SW 7627): | 2.574 59. FT. (577\%) |
| stone water table: | 37 so.f. (18) |
| glazing (store front) | 576 Sa. FT. (13\%) |
| msc. (0008s) | ${ }^{21}$ So. FT. (18) |
| FACAOE Total: | ${ }_{4}^{4.493}$ sp FT. |


| EXTERIOR FINISH SCHEDULE |  |  |
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A Place Where Everyone Matters

DEVELOPMENT SERVICES DEPARTMENT 250 W. First Street Prosper, TX 75078
Phone: 972-346-3502

REPLY FORM
SUBJECT:
Zoning Case ZONE-23-0017: The Town of Prosper has received a request for a Planned Development to allow for Mini-Warehouse/Public Storage, Restaurant, and Retail uses on $8.7 \pm$ acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28, located on the northwest comer of North Coleman Street and West Prosper Trail.

LOCATION OF SUBJECT PROPERTY:
The property is located on the northwest comer of North Coleman Street and West Prosper Trail.

I OPPOSE the request as described in the notice of Public Hearing. If in opposition, please provide a reason for opposition.
I DO NOT OPPOSE the request as described in the notice of Public Hearing.
COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):
We completely oppose Storage units and restaurants right outride my backyard. We spent the last 5 years developing our backyard with the new and bade - Not to mention the traffic and a whee population of traffic coming, and going on coleman. This will be extremely disruptive

Thomas fellows
$\qquad$
Address


$$
\frac{407-721-9618}{\text { Phone Number }}
$$



A Place Where Everyone Matters

DEVELOPMENT SERVICES DEPARTMENT 250 W. First Street Prosper, TX 75078
Phone: 972-346-3502

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LOCATION OF SUBJECT PROPERTY:
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I OPPOSE the request as described in the notice of Public Hearing. If in opposition, please provide a reason for opposition.
I DO NOT OPPOSE the request as described in the notice of Public Hearing.
COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):
The zoning chance would have retail a public
STORAGE FAR Too CLOSE TO RESIOENTML HONES. IT
WILL DECREASE THE VALUE OF THE HOMES RIGHT ACROSS THE
STREET. (BY A LARGE SUM!) ASK YOURSELF IF YOU WOULD WANT
THAT RIGHT ACROSS THE STREET FROW YOUR HOME

$\qquad$
130 DARIEN DR
Address
Prosper, TX 75078
City, State, and Zip Code

$$
515-271-6362
$$

Phone Number

JIM NMICHELLE2@GMAK.COM

E-mail Address

