

AGENDA
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, May 3, 2022, 6:00 p.m.

Notice Regarding Public Participation

Welcome to the Planning & Zoning Commission meeting. Individuals may attend the meeting in person, or access the meeting via videoconference, or telephone conference call.

To access the videoconference online, follow these instructions:

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

Enter Meeting ID: 818 4797 8852

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

To join the meeting by phone, dial any one of the following numbers: +1 346 248 7799

Enter Meeting ID: 818 4797 8852

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

Addressing the Planning & Zoning Commission:

- Those wishing to address the Commission must complete the [Public Comment Request Form](#) located on the Town website or in Council Chambers.
- **If you are attending in person**, please submit this form to the Board Chair or a staff member prior to the meeting. When called upon, please come to the podium and state your name and address for the record.
- **If you are attending online/virtually**, please submit this form prior to 5:00 p.m. on the day of the meeting. Please ensure your full name appears on the screen and you are unmuted so the meeting moderator can recognize you and allow you to speak. The Chat feature is not monitored during the meeting. The Town assumes no responsibility for technical issues that are beyond our control.

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

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may address the Commission when the item is considered by the Planning & Zoning Commission.

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

3. CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A Planning & Zoning Commissioner may remove any item for discussion and separate action. Planning & Zoning Commissioners may vote nay on any single item without comment and may submit written comments as part of the official record.)

- 3a.** Consider and act upon minutes from the April 19, 2022, Planning & Zoning Commission Regular meeting.
- 3b.** Consider and act upon a Final Plat for Star Trail, Phase 13, for 127 single family residential lots and five (5) HOA/Open space lots, on 40.0± acres, located on the south side of Berylline Lane, south of Parvin Road. The property is zoned Planned Development-40 (PD-40). (D22-0035).

REGULAR AGENDA

If you wish to address the Planning & Zoning Commission, please fill out a "Public Meeting Appearance Card" and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may address the Commission when the item is considered by the Planning & Zoning Commission.

- 4.** Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a Restaurant with Drive-Through Service on 1.2± acres, located on the north side of US 380, west of Custer Road. The property is zoned Commercial (C). (S22-0002). **[REQUEST TO BE TABLED]**
- 5.** Conduct a Public Hearing, and consider and act upon a request to rezone 110.9± acres from Agriculture (A) and Planned Development-71 (PD-71) to Planned Development-Mixed Use (PD-MU), located on the south side of First Street, west of Dallas Parkway, in order to allow for a mixed-use development, including multifamily, townhomes, patio homes, office, retail and related uses. (Z22-0003). **[REQUEST TO BE TABLED]**
- 6.** Conduct a Public Hearing, and consider and act upon a request to rezone a portion of Planned Development-36, and a portion of Planned Development-63, to Planned Development (PD) for Legacy Gardens, on 121.4± acres, in order to modify the residential development standards, including but not limited to reducing permitted lot sizes. (Z20-0019).
- 7.** Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
- 8.** Adjourn.

Note: The order in which items are heard on the agenda is subject to change.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, April 29, 2022, 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 Hall is wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, April 19, 2022, 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, Secretary Mike Pettis, Sekou Harris, and Chris Kern.

Commissioners absent: Vice-Chair Sarah Peterson, Damon Jackson, and Doug Charles.

Staff present: Khara Dodds, Director of Development Services; David Soto, Senior Planning Manager; and Evelyn Mendez, Planning Technician.

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

- 3a. Consider and act upon minutes from the March 15, 2022, Planning & Zoning Commission Regular meeting.**
- 3b. Consider and act upon a Preliminary Plat Wandering Creek, for 150 single family residential lots and eight (8) HOA/Open space lots, on 74.6± acres, located on the south side First Street, between Coit Road and Custer Road. The property is zoned Planned Development-90 (PD-90). (D21-0127).**
- 3c. Consider and act upon a Final Plat for Brookhollow West, for 149 single family residential lots, and four (4) HOA/open space lots, on 43.2± acres, located on the northwest corner of Richland Boulevard and Lakewood Drive. The property is zoned Planned Development-111 (PD-111). (D22-0024).**
- 3d. Consider and act upon a Final Plat for Legacy Gardens, Phase 2, for 100 single family residential lots and seven (7) HOA/open space lots, on 45.6± acres, located north of Prosper Trail, west of Dallas Parkway. The property is zoned Planned Development-36 (PD-36). (D22-0027).**
- 3e. Consider and act upon a Final Plat for Star Trail, Phase 13, for 43 single family residential lots and two (2) HOA/Open space lots, on 18.0± acres, located west of Legacy Drive, north of Fishtrap Road. The property is zoned Planned Development-66 (PD-66). (D21-0121).**

Motion by Pettis, second by Harris, to approve the Consent Agenda, subject to staff recommendations. Motion approved 4-0.

REGULAR AGENDA

- 4. Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a Restaurant with Drive-Through Service on 1.2± acres, located on the north side of US 380, west of Custer Road. The property is zoned Commercial (C). (S22-0002). [REQUEST TO BE TABLED]**

Soto: Indicated the applicant has requested that the item be tabled, and the Public Hearing continued to the May 3, 2022, Planning & Zoning Commission meeting.

Motion by Harris, second by Pettis, to table Item 4, and continue the Public Hearing to the May 3, 2022, Planning & Zoning Commission meeting. Motion approved 4-0.

- 5. Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit, on 0.7± acre, for a Wireless Communication and Support Structure, to allow for additional antennas on an existing tower, located in the Bradford Farms subdivision, located east of Hays Road, north of First Street. (S22-0003).**

Dodds: Summarized the request, presented exhibits, and recommended approval.

Chair Daniel Opened the Public Hearing.

Doug Henderson (Applicant): Provided an overview of the proposed wireless antenna.

Ron Corley (Dish Wireless LLC): Provided additional information regarding operations and service.

There being no additional speakers, the Public Hearing was closed.

Motion by Kern, second by Pettis, to approve the Item 5, subject to staff recommendations. Motion approved 4-0.

- 6. Conduct a Public Hearing, and consider and act upon a request to rezone 110.9± acres from Agriculture (A) and Planned Development-71 (PD-71) to Planned Development-Mixed Use (PD-MU), located on the south side of First Street, west of Dallas Parkway, in order to allow for a mixed-use development, including multifamily, townhomes, patio homes, office, retail and related uses. (Z22-0003).**

Dodds: Summarized the request, presented exhibits, and recommended denial.

Chair Daniel opened the Public Hearing.

Matt Moore (Applicant): Provided information regarding the proposed zoning request.

Stacy Standridge (Standridge Co.): Provided additional information regarding the development concept and vision.

Doug Mousel (Land Plan Development): Spoke in support of the request.

Commissioner Harris spoke in opposition to the request.

Commissioners Kern, Pettis and Daniel generally expressed support for the request.

Matt Moore (Applicant): Requested Agenda Item 6 be tabled to the May 3, 2022 Planning & Zoning Commission meeting.

Motion by Pettis, second by Harris, to table Item 6, and continue the Public Hearing to the May 3, 2022, Planning & Zoning Commission meeting. Motion approved 4-0.

- 7. Conduct a Public Hearing, and consider and act upon a request to rezone Planned Development-86 (PD-86) to Planned Development (PD), on 277.6± acres, to amend the single-family residential regulations, located on the north side of US 380, west of Custer Road. (Z22-0005).**

Soto: Summarized the request and presented exhibits.

Chair Daniel opened the Public Hearing.

Doug Mousel (Applicant): Provided a presentation regarding the proposed development.

Jim Williams (Land Plan Development): Provided information regarding the proposed zoning request.

There being no additional speakers, the Public Hearing was closed.

Commissioners spoke in support of the request.

Motion by Kern, second by Pettis, to approve the Item 7, as presented by the applicant. Motion approved 4-0.

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

Soto: Provided a summary of recent action taken by Town Council.

- 9. Adjourn.**

Motion by Harris, second by Pettis, to adjourn. Motion approved 4-0 at 8:05 p.m.

Evelyn Mendez, Planning Technician

Michael Pettis, Secretary



PLANNING

To: Planning & Zoning Commission

Item No. 3b

From: Evelyn Mendez, Planning Technician

Through: David Soto, Planning Manager

Re: Planning & Zoning Commission Meeting – May 3, 2022

Agenda Item:

Consider and act upon a Final Plat for Star Trail, Phase 13, for 127 single family residential lots and five (5) HOA/Open space lots, on 40.0± acres, located on the south side of Berylline Lane, south of Parvin Road. The property is zoned Planned Development-40 (PD-40). (D22-0035).

Description of Agenda Item:

The Final Plat shows 127 single family residential lots and five (5) HOA/Open space lots. Access is provided from Berylline Lane and Good Hope Road. The Final Plat conforms to the PD-40 development standards.

Attached Documents:

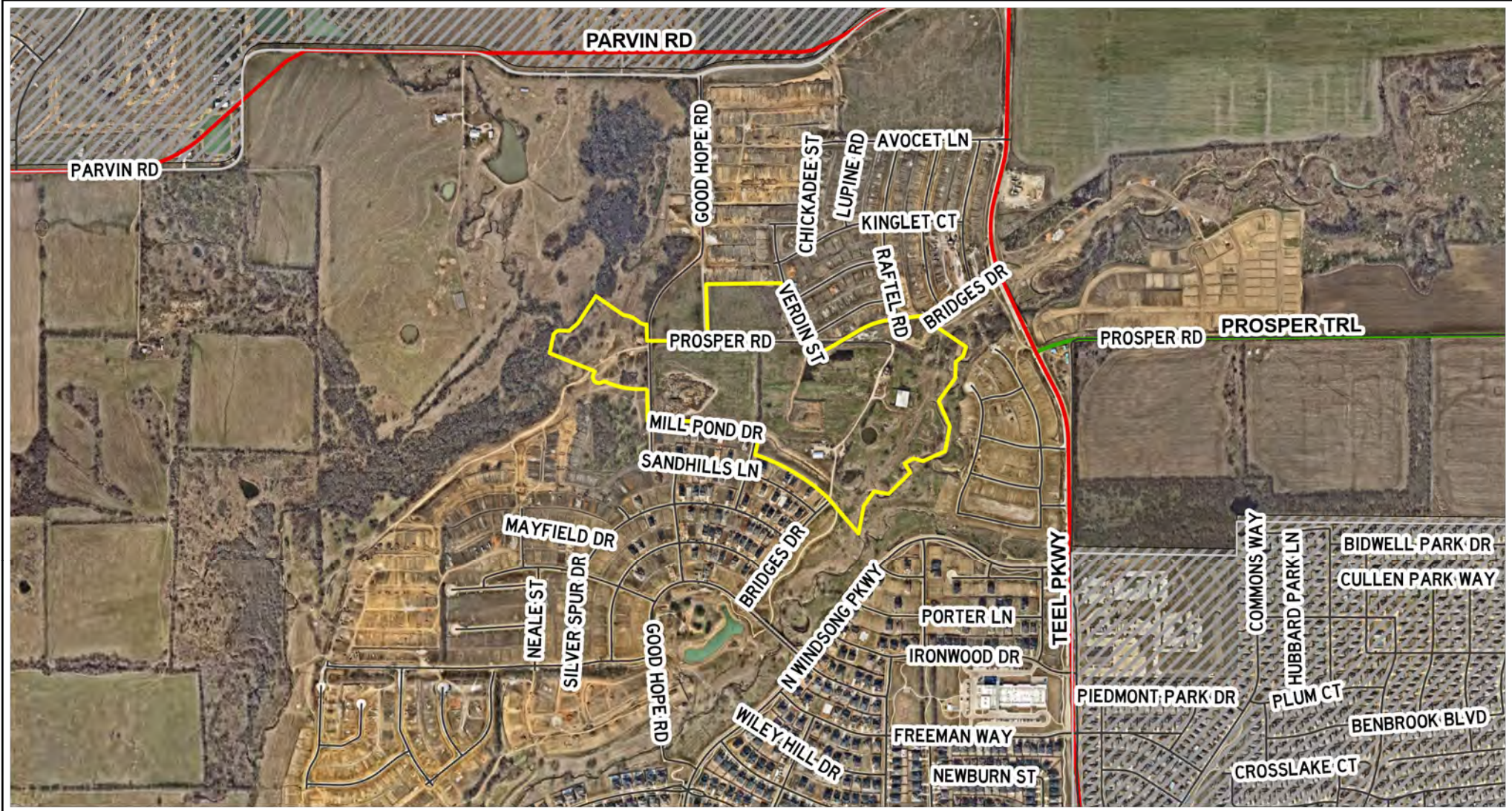
1. Location Map
2. Final Plat

Staff Recommendation:

Staff recommends approval of the Final Plat, subject to:

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

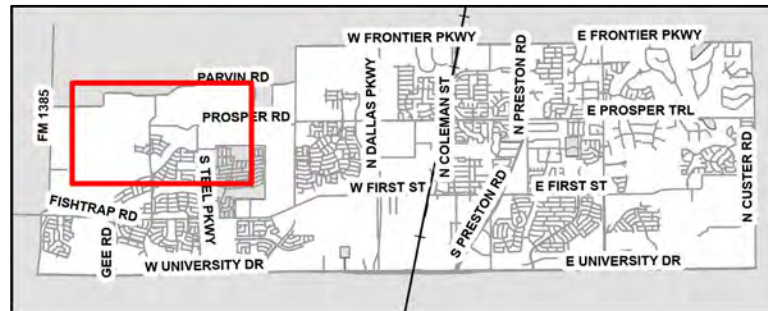
D22-0035 - Windsong Ranch Phase 6D



This map is for illustration purposes only.



0 500 1000 2000 Feet



Drawn by: csmith Plot Date: 4/19/2022 10:51 AM

Drawn by: csmith Plot Date: 4/19/2022 10:51 AM

Boundary Line Table		
Line #	Length	Direction
BL1	125.13'	S 27°27'43" E
BL2	14.30'	S 151°8'03" W
BL3	50.00'	S 30°21'10" E
BL4	4.56'	S 59°38'50" E
BL5	13.50'	S 80°20'19" E
BL6	130.50'	S 32°25'22" W
BL7	151.92'	S 57°34'38" E
BL8	115.43'	S 48°08'57" E
BL9	85.00'	S 40°49'41" E
BL10	115.30'	S 47°06'54" E
BL11	83.37'	S 32°11'26" E
BL12	116.97'	S 80°07'38" W

Boundary Line Table		
Line #	Length	Direction
BL13	142.08'	S 35°14'16" W
BL14	13.61'	N 61°19'54" E
BL15	50.04'	N 18°17'48" E
BL16	14.63'	N 28°58'43" W
BL17	50.11'	N 72°58'15" W
BL18	13.84'	S 59°54'06" W
BL19	154.18'	N 86°57'30" W
BL20	185.26'	S 89°11'05" W
BL21	14.14'	N 45°48'55" W
BL22	60.17'	S 89°11'05" W
BL23	14.15'	N 45°49'54" W
BL24	43.25'	S 89°11'05" W

Boundary Line Table		
Line #	Length	Direction
BL25	18.33'	N 55°48'19" W
BL26	156.06'	N 12°00'00" E
BL27	46.11'	N 51°00'00" E
BL28	86.67'	S 86°30'00" E
BL29	92.68'	N 49°00'00" E
BL30	120.50'	S 00°46'17" E
BL31	50.00'	S 00°48'35" E
BL32	14.15'	S 45°49'59" E
BL33	50.00'	N 89°11'27" E
BL34	131.80'	S 00°50'42" E
BL35	45.13'	N 67°05'57" W

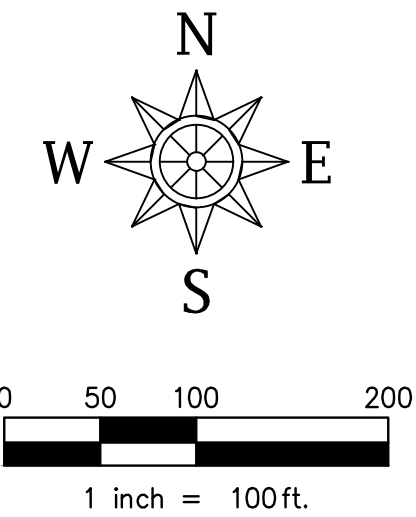
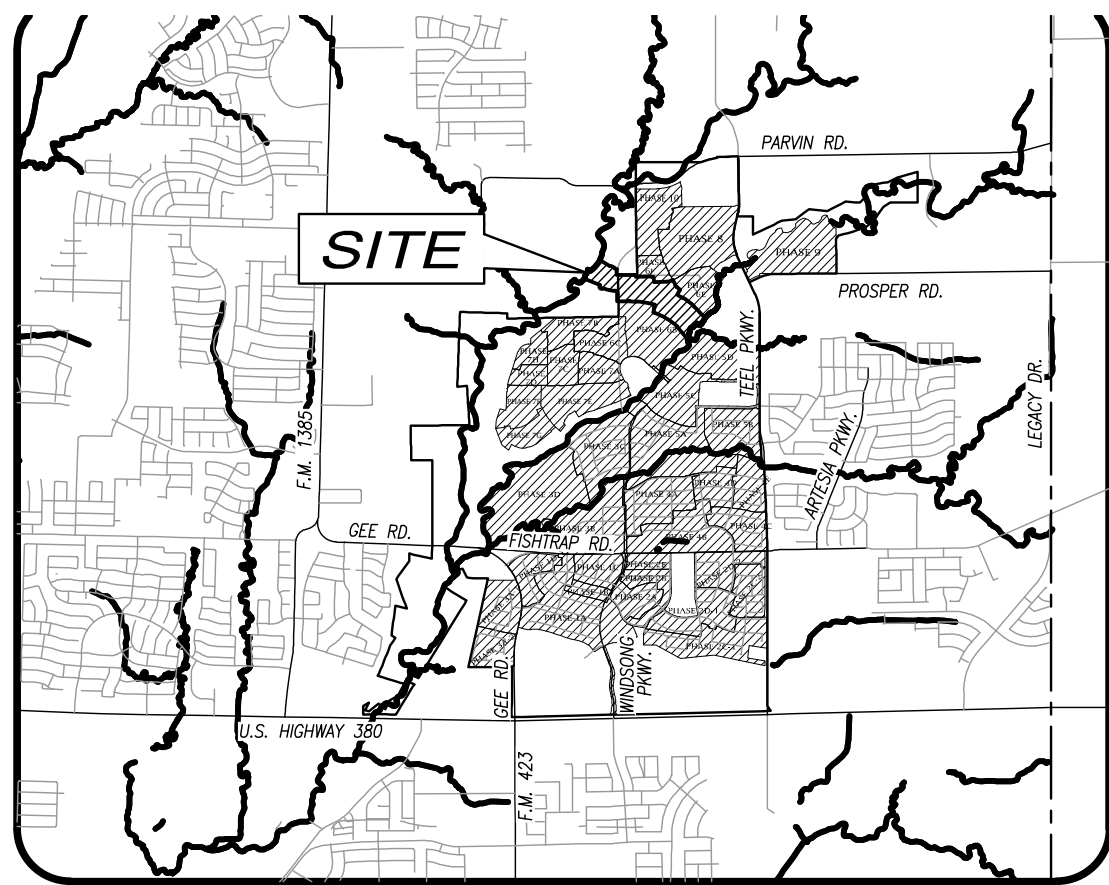
Boundary Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
BC1	3.99'	325.00'	3.99'	S 27°48'51" E	0°42'15"
BC2	97.86'	325.00'	97.49'	S 48°57'03" E	17°15'09"
BC3	336.43'	2044.50'	336.05'	S 52°51'47" E	9°25'41"
BC4	668.66'	1590.00'	663.74'	N 59°31'54" W	24°05'43"
BC5	57.44'	1025.00'	57.43'	N 12°06'37" W	3°12'39"
BC6	63.26'	975.01'	63.25'	N 12°21'49" E	3°43'03"
BC7	3.57'	456.30'	3.57'	N 71°39'23" W	0°26'52"
BC8	397.65'	1770.00'	396.82'	N 80°31'20" W	12°52'20"
BC9	35.34'	525.00'	35.33'	N 88°53'12" W	3°51'24"
BC10	285.78'	630.00'	283.34'	N 77°49'14" W	25°59'26"
BC11	21.33'	20.00'	20.33'	S 83°54'20" W	61°06'36"
BC12	154.82'	50.00'	99.97'	N 37°56'39" W	177°24'24"
BC13	130.46'	184.92'	127.77'	S 66°42'43" E	40°25'20"
BC14	63.52'	80.00'	61.86'	S 69°14'47" E	45°29'28"
BC15	14.75'	573.77'	14.75'	S 05°38'37" W	1°28'21"
BC16	102.41'	300.00'	101.92'	N 76°52'45" E	19°33'35"

PHASE 6E
127 LOTS DEVELOPED TO PD-40 STANDARDS
40.340 ACRES (3.15 UNITS/ACRE)
AVERAGE LOT SIZE = 9160.12 SF
5 OPEN SPACE LOTS

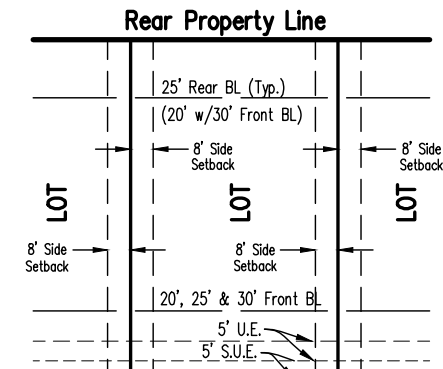
Lot Summary	Phase 6D
Type A (Min. 8,000 SF)	50
Type B (Min. 9,000 SF)	15
Type C (Min. 10,500 SF)	6
Type D (Min. 12,500 SF)	2
Type E (Min. 6,000 SF)	54
Total	127

NOTES:

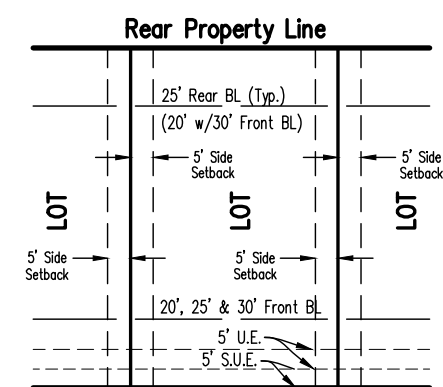
- Selling a portion of this addition by metes and bounds is a violation of Town ordinance and state law and is subject to fines and withholding of utilities and building permits.
- All corners are 1/2 inch iron rods with plastic caps stamped "SPIARS ENG RPLS 5252" unless otherwise noted.
- All development will comply with Town of Prosper PD-40 Requirements.
- Open space areas, Lots 1-5, Block X, to be owned and maintained by the H.O.A.
- Front yard setbacks are staggered per requirements of PD-40 and Zoning Ordinance Section 9.3.F.
- Lots 1-5, Block X to be used for sidewalks, trails, and landscaping. Easements for these uses are granted by this plat. Lot 1 & Lot 5, Block X to be a Drainage and Floodway Easement.
- No transformers or utility pedestals shall be allowed in the sidewalk and utility easement or landscape easements.
- This property is subject to the Windsong Ranch license agreement between VP Windsong Operations LLC (governing the installation & maintenance of street trees) and the Town of Prosper.
- This plot is subject to the additional residential zoning standards outlined in ordinance 15.55
- All landscape easements must be exclusive of any other type of easement, with the exception of perpendicular crossings, unless otherwise approved by Town Council.
- Flood plain reclamation subject to engineering approval of flood study, wetland delineation study, habitat study, and vegetative study at time of Final Plat submittal.
- Finished floor elevation shall be at least 2' above the 100-year floodplain.
- 7.347 acres of right-of-way being dedicated by this plat in fee simple.
- All fences adjacent to open space shall be ornamental metal.



LEGEND	
(Not all items may be applicable)	
IRS	IRON ROD SET
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
DE	DRAINAGE EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
SUE	SIDEWALK AND UTILITY EASEMENT - See Note 8
WME	WALL MAINTENANCE EASEMENT
HE	HOA EASEMENT
AE	ACCESS EASEMENT
(BTP)	BY THIS PLAT
R.O.W.	RIGHT-OF-WAY
BL	BUILDING LINE
HOA	HOME OWNERS ASSOCIATION
◆	STREET NAME CHANGE
(A)	BLOCK DESIGNATION
DS	107.107 TRANSFORMER EASEMENT
CL	CLUSTER MAILBOX LOCATION - Per Revised SLP
▶	LOT FRONT
*	KEY LOT
NO DRIVE ACCESS	
DRDCT	DEED RECORDS, DENTON COUNTY, TEXAS
PRDCT	PLAT RECORDS, DENTON COUNTY, TEXAS
OPRDCT	OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS



STANDARD LOT DETAIL FOR LOT TYPE A, B, C, & D



STANDARD LOT DETAIL FOR LOT TYPE E

D22-0035 FINAL PLAT WINDSONG RANCH PHASE 6D

40.340 GROSS ACRES, 7.347 ACRES R.O.W.
32.993 ACRES NET

OUT OF THE B. RUE SURVEY ABST. 1113
H. RUE SURVEY ABST. 1111,
L. NETHERLY SURVEY ABST. 962,
J. TETTER SURVEY ABST. 1262

TOWN OF PROSPER
DENTON COUNTY, TEXAS

OWNER / APPLICANT
VP WINDSONG OPERATIONS LLC
130 N Preston Road, Suite 130
Prosper, Texas 75078
Telephone (469) 532-0681
Contact: David Blom

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

Scale: 1"=100' April 19, 2022 SEI Job No. 22-006

Sheet 1 of 3

Drawn: 6/30/22 08:52:00 WindSong Ranch Phase 6D\421-008 Final.dwg Saved By: Corinrh Date: 4/19/2022 10:31 AM Printed by: Corinrh Print Date: 4/19/2022 10:31 AM

STATE OF TEXAS §
COUNTY OF DENTON §

TRACT 1: OWNER'S CERTIFICATE

WHEREAS VP Windsong Operations LLC is the owner of a tract of land situated in the B. Rue Survey, Abstract No. 1113, the H. Rue Survey, Abstract No. 1111, the L. Netherly Survey, Abstract No. 962, and the J. Tetter Survey, Abstract No. 1262, Town of Prosper, Denton County, Texas, being a tract conveyed to VP Windsong Investments, by deed recorded in Document No. 2018-142929 of the Official Public Records, Denton County, Texas (OPRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap set along the west right-of-way of Verdin Street and bearing N 83°21'30" E, a distance of 1070.76' to the southeast corner of the B. Rue Survey Abstract No. 1113 and the intersection of the north line of the L. Netherly Survey Abstract No. 962:

THENCE S 27°27'43" E, a distance of 125.13 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the left having a central angle of 0°42'15", a radius of 325.00 feet, a chord of S 27°48'51" E — 3.99 feet, an arc length of 3.99 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE S 15°18'03" W, a distance of 14.30 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE S 30°21'10" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE N 59°38'50" E, a distance of 4.56 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE S 80°20'19" E, a distance of 13.50 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the left having a central angle of 17°15'09", a radius of 325.00 feet, a chord of S 48°57'03" E — 97.49 feet, an arc length of 97.86 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE S 32°25'22" W, a distance of 130.50 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE S 57°34'38" E, a distance of 151.92 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 9°25'41", a radius of 2044.50 feet, a chord of S 52°51'47" E — 336.05 feet, an arc length of 336.43 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE the following courses and distances:

S 48°08'57" E, a distance of 115.43 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 40°49'41" E, a distance of 85.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 47°06'54" W, a distance of 115.30 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 32°11'26" E, a distance of 83.37 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 45°18'52" W, a distance of 241.94 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 80°07'38" W, a distance of 116.97 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 35°14'16" W, a distance of 142.08 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 10°38'28" W, a distance of 222.20 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 40°45'07" W, a distance of 381.90 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the left having a central angle of 24°05'43", a radius of 1590.00 feet, a chord of N 59°31'54" W — 663.74 feet, an arc length of 668.66 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the left having a central angle of 3°12'39", a radius of 1025.00 feet, a chord of N 12°06'37" E — 57.43 feet, an arc length of 57.44 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a compound curve to the right having a central angle of 3°43'03", a radius of 975.01 feet, a chord of N 12°21'49" E — 63.25 feet, an arc length of 63.26 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE N 61°19'54" E, a distance of 13.61 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE N 18°17'48" E, a distance of 50.04 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the left having a central angle of 0°26'52", a radius of 456.30 feet, a chord of N 71°39'23" W — 3.57 feet, an arc length of 3.57 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE N 28°58'43" W, a distance of 14.63 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE N 72°58'15" W, a distance of 50.11 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE S 59°54'06" W, a distance of 13.84 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the left having a central angle of 12°52'20", a radius of 1770.00 feet, a chord of N 80°31'20" W — 396.82 feet, an arc length of 397.65 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE N 86°57'30" W, a distance of 154.18 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the left having a central angle of 3°51'24", a radius of 525.00 feet, a chord of N 88°53'12" W — 35.33 feet, an arc length of 35.34 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE the following courses and distances:

S 89°11'05" W, a distance of 185.26 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 45°48'55" W, a distance of 14.14 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 89°11'05" W, a distance of 60.17 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 00°50'53" W, a distance of 235.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 45°49'54" W, a distance of 14.15 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 89°11'05" W, a distance of 43.25 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 25°59'26", a radius of 630.00 feet, a chord of N 77°49'14" W — 283.34 feet, an arc length of 285.78 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a compound curve to the left having a central angle of 61°08'36", a radius of 20.00 feet, a chord of S 83°54'20" W — 20.33 feet, an arc length of 21.33 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the right having a central angle of 177°24'24", a radius of 50.00 feet, a chord of N 37°56'39" W — 99.97 feet, an arc length of 154.82 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE the following courses and distances:

N 55°48'19" W, a distance of 18.33 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 68°12'10" W, a distance of 372.30 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 12°00'00" E, a distance of 156.06 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 51°00'00" E, a distance of 46.11 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 86°30'00" E, a distance of 86.67 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 49°00'00" E, a distance of 92.68 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 33°30'00" E, a distance of 257.92 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 56°30'00" E, a distance of 266.60 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the right having a central angle of 40°25'20", a radius of 184.92 feet, a chord of S 66°42'43" W — 127.77 feet, an arc length of 130.46 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a compound curve to the left having a central angle of 45°29'28", a radius of 80.00 feet, a chord of S 69°14'47" E — 61.86 feet, an arc length of 63.52 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the left having a central angle of 1°28'21", a radius of 573.77 feet, a chord of S 05°38'37" W — 14.75 feet, an arc length of 14.75 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE the following courses and distances:

S 00°46'17" E, a distance of 120.50 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 89°11'25" E, a distance of 451.08 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 00°48'35" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 89°11'25" E, a distance of 366.26 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 45°49'59" E, a distance of 14.15 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 89°11'27" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
S 00°50'42" E, a distance of 131.80 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;
N 86°39'32" E, a distance of 305.99 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the left having a central angle of 19°33'35", a radius of 300.00 feet, a chord of N 76°52'45" E — 101.92 feet, an arc length of 102.41 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

AND N 67°05'57" E, a distance of 45.13 feet, to the POINT OF BEGINNING with the subject tract containing 1,757,226 square feet or 40.340 acres of land.

ACCESS EASEMENT

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

LANDSCAPE EASEMENT

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

DRAINAGE AND FLOODWAY EASEMENT

This plat is hereby adopted by the Owners and approved by the Town of Prosper (Called "Town") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: All of Lot 4, Block X, as shown on the plat is called "Drainage and Floodway Easement" and is the natural drainage channel crossing each lot. The existing creek or creeks traversing along the Drainage and Floodway Easement within the limits of this addition, will remain as an open channel at all times and will be maintained by the owners of the lot or lots that are traversed by or adjacent to the drainage courses in the Drainage and Floodway Easement. The Town will not be responsible for the maintenance and operation of said creek or creeks or for any damage to private property or person that results from the flow of water along said creek, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Floodway Easement or the natural drainage channels, as herein above defined. Provided it is understood that in the event it becomes necessary for the Town of erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Drainage and Floodway Easement at any point, or points, to investigate, survey or to erect, construct, and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the natural drainage channels traversing or adjacent to his property clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the Town shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Floodway Easement, as in the case of all natural channels, are subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The Town shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures, within the natural drainage channels. Building areas outside the Drainage and Floodway Easement line shall be filled to a minimum elevation as shown on the plat. The minimum floor elevation for each lot shall be as shown on the plat.

SURVEYOR'S CERTIFICATE

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

Dated this the ____ day of _____, 2022.



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

STATE OF TEXAS §
COUNTY OF COLLIN §

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

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

Notary Public, State of Texas

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, **VP Windsong Operations LLC**, do hereby adopt this Final Plat designating the herein above described property as **WINDSONG RANCH PHASE 6D**, 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 _____, 20____.

VP Windsong Operations LLC
A Delaware Limited Liability Company

By: _____
David R. Blom, Vice President

STATE OF TEXAS §
COUNTY OF COLLIN §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 20____.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

Approved this _____ day of _____, 2022 by the Planning & Zoning Commission of the Town of Prosper, Texas.

_____ Town Secretary
_____ Engineering Department
_____ Planning Department

D22-0035
FINAL PLAT

WINDSONG RANCH PHASE 6D

40.340 GROSS ACRES, 7.347 ACRES R.O.W.
32.993 ACRES NET

OUT OF THE B. RUE SURVEY ABST. 1113,
H. RUE SURVEY ABST. 1111,
L. NETHERLY SURVEY ABST. 962,
J. TETTER SURVEY ABST. 1262
TOWN OF PROSPER
DENTON COUNTY, TEXAS

OWNER / APPLICANT VP WINDSONG OPERATIONS LLC 130 N Preston Road, Suite 130 Prosper, Texas 75078 Telephone (469) 532-0681 Contact: David Blom	ENGINEER / SURVEYOR Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: Matt Dorsett
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April 19, 2022 SEI Job No. 22-006

Printed by: csmith Print Date: 4/19/2022 10:51 AM

Drawing: S:\2022\2685\22-006 WindSong Ranch Phase 6\CAD\22-006 PLAT.dwg Saved By: Csmith Save Time: 4/19/2022 10:48:43 AM

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
12	D	10,219	0.235	B
13	D	8,756	0.201	A
14	D	8,756	0.201	A
15	D	8,756	0.201	A
16	D	8,756	0.201	A
17	D	8,756	0.201	A
18	D	8,756	0.201	A
19	D	8,756	0.201	A
20	D	8,594	0.197	A
21	D	9,100	0.209	A

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
9	M	14,888	0.342	D
10	M	9,350	0.215	A
11	M	13,204	0.303	A
12	M	12,017	0.276	C
13	M	8,613	0.198	A
14	M	8,654	0.199	A
15	M	8,726	0.200	A
16	M	8,140	0.187	A
17	M	8,117	0.186	A
18	M	8,133	0.187	A
19	M	8,117	0.186	A
20	M	8,105	0.186	A
21	M	8,612	0.198	A

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
1	N	9,794	0.225	B
2	N	8,176	0.188	A
3	N	8,204	0.188	A
4	N	8,182	0.188	A
5	N	8,142	0.187	A
6	N	8,165	0.187	A
7	N	8,023	0.184	A
8	N	8,004	0.184	A
9	N	8,239	0.189	A
10	N	8,843	0.203	A
11	N	10,277	0.236	A
12	N	10,996	0.252	A
13	N	9,379	0.215	A
14	N	11,166	0.256	B
15	N	10,849	0.249	B
16	N	9,694	0.223	B
17	N	9,271	0.213	A
18	N	10,538	0.242	B
19	N	11,670	0.268	B
20	N	11,182	0.257	A
21	N	9,756	0.224	A
22	N	9,223	0.212	A
23	N	8,868	0.204	A
24	N	8,689	0.199	A
25	N	8,661	0.199	A
26	N	8,668	0.199	A
27	N	8,669	0.199	A
28	N	8,666	0.199	A
29	N	9,747	0.224	A

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
8	R	12,207	0.280	B
9	R	11,162	0.256	B
10	R	10,742	0.247	B
11	R	10,533	0.242	B
12	R	11,150	0.256	C
13	R	13,048	0.300	C

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
1	U	12,197	0.280	C
2	U	11,246	0.258	C
3	U	9,808	0.225	B
4	U	10,039	0.230	A
5	U	10,089	0.232	A
6	U	10,436	0.240	A
7	U	8,954	0.206	A
8	U	8,617	0.198	A
9	U	8,636	0.198	A
10	U	8,614	0.198	A
11	U	11,262	0.259	B

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
1	S	8,452	0.194	E
2	S	7,100	0.163	E
3	S	7,102	0.163	E
4	S	7,103	0.163	E
5	S	7,105	0.163	E
6	S	7,106	0.163	E
7	S	7,108	0.163	E
8	S	7,109	0.163	E
9	S	7,111	0.163	E
10	S	7,112	0.163	E
11	S	7,114	0.163	E
12	S	7,115	0.163	E
13	S	7,117	0.163	E
14	S	7,119	0.163	E
15	S	8,513	0.195	E
16	S	8,021	0.184	E
17	S	6,723	0.154	E
18	S	6,725	0.154	E
19	S	6,726	0.154	E
20	S	6,745	0.155	E
21	S	6,818	0.157	E
22	S	6,898	0.158	E
23	S	6,977	0.160	E
24	S	7,057	0.162	E
25	S	7,104	0.163	E
26	S	7,107	0.163	E
27	S	7,109	0.163	E
28	S	7,110	0.163	E
29	S	7,112	0.163	E
30	S	8,482	0.195	E

Lot Area Table				
Lot #	Block #	Square Feet	Acreage	Lot Type
1	T	13,371	0.307	D
2	T	9,561	0.219	B
3	T	9,851	0.226	B
4	T	11,285	0.259	C
5	T	8,558	0.196	E
6	T	7,108	0.163	E
7	T	6,887	0.158	E
8	T	6,714	0.154	E
9	T	6,631	0.152	E
10	T	6,591	0.151	E
11	T	6,574	0.151	E
12	T	6,562	0.151	E
13	T	6,577	0.151	E
14	T	6,738	0.155	E
15	T	9,396	0.216	E
16	T	7,699	0.177	E
17	T	7,280	0.167	E
18	T	9,387	0.216	E
19	T	7,750	0.178	E
20	T	7,011	0.161	E
21	T	6,544	0.150	E
22	T	6,619	0.152	E
23	T	6,716	0.154	E
24	T	7,001	0.161	E
25	T	7,093	0.163	E
26	T	7,225	0.166	E
27	T	7,395	0.170	E
28	T	8,753	0.201	E

Lot Line Table		
Line #	Length	Direction
L1	13.88'	N 38°31'40" E
L2	14.36'	S 51°18'53" E
L3	36.71'	N 88°04'26" W
L4	33.54'	S 02°26'00" W
L5	36.63'	N 83°42'32" W
L6	34.36'	S 05°09'55" W
L7	13.73'	N 42°31'56" E
L8	14.15'	N 45°49'38" W
L9	14.14'	S 44°10'22" W
L10	14.48'	S 47°12'54" E
L11	17.23'	N 01°04'11" W
L12	13.68'	N 11°56'27" E
L13	14.14'	N 44°10'16" E
L14	14.15'	N 45°49'37" W
L15	14.14'	S 44°10'06" W
L16	14.14'	N 44°10'16" E
L17	14.15'	S 45°49'44" E

Centerline Line Table		
Line #	Length	Direction
L18	13.88'	N 59°38'50" E
L19	23.12'	N 06°05'04" W
L20	23.11'	N 37°25'03" W
L21	20.00'	N 29°59'30" E

Lot Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C1	66.07'	353.50'	65.98'	S 06°25'28" E	10°42'34"
C2	70.20'	313.50'	70.06'	N 06°52'03" W	12°49'51"
C3	28.12'	3628.50'	28.12'	N 86°45'43" W	0°26'38"
C4	17.86'	998.50'	17.86'	N 89°37'32" W	1°01'30"
C5	45.09'	50.00'	43.58'	S 76°35'41" W	51°40'16"
C6	112.70'	50.00'	90.31'	S 35°00'31" W	129°08'52"
C7	19.47'	20.00'	18.71'	S 40°13'16" E	55°47'00"
C8	15.84'	20.00'	15.43'	N 89°14'21" W	45°22'54"

Centerline Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C9	130.56'	300.00'	129.53'	N 72°06'52" E	24°56'05"
C10	278.60'	310.00'	269.32'	S 31°49'51" E	51°29'34"
C11	468.47'	2000.00'	467.40'	N 50°52'01" W	13°25'14"
C12	170.59'	1500.00'	170.50'	N 52°25'47" E	6°30'57"
C13	140.92'	2600.00'	140.90'	S 54°08'06" W	3°06'19"
C14	57.55'	300.00'	57.46'	N 42°54'46" W	10°59'26"
C15	709.48'	1745.00'	704.60'	N 60°03'20" W	23°17'43"
C16	260.61'	475.00'	257.35'	N 02°27'49" W	31°26'08"
C17	90.77'	300.00'	90.43'	S 09°30'47" E	17°20'11"
C18	80.43'	1000.00'	80.41'	N 86°53'10" E	4°36'31"
C19	31.19'	1000.00'	31.19'	S 89°54'58" E	1°47'14"
C20	31.19'	1000.00'	31.19'	N 89°54'58" W	1°47'14"
C21	332.04'	600.00'	327.82'	S 74°57'40" E	31°42'28"
C22	177.12'	300.00'	174.56'	S 73°54'06" E	33°49'39"

D22-0035
FINAL PLAT

WINDSONG RANCH PHASE 6D
40.340 GROSS ACRES, 7.347 ACRES R.O.W.
32.993 ACRES NET
OUT OF THE B. RUE SURVEY ABST. 1113,
H. RUE SURVEY ABST. 1111,
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J. TETTER SURVEY ABST. 1262
TOWN OF PROSPER
DENTON COUNTY, TEXAS

OWNER / APPLICANT VP WINDSONG OPERATIONS LLC 130 N Preston Road, Suite 130 Prosper, Texas 75078 Telephone (469) 532-0681 Contact: David Blom	ENGINEER / SURVEYOR Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: Matt Dorsett
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PLANNING

To: Planning & Zoning Commission

Item No. 4

From: David Soto, Planning Manager

Through: Khara Dodds, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – May 3, 2022

Agenda Item:

Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a Restaurant with Drive-Through Service on 1.2± acres, located on the north side of US 380, west of Custer Road. The property is zoned Commercial (C). (S22-0002).

Description of Agenda Item:

The application was submitted on March 7, 2022, and has been requested to be tabled indefinitely.

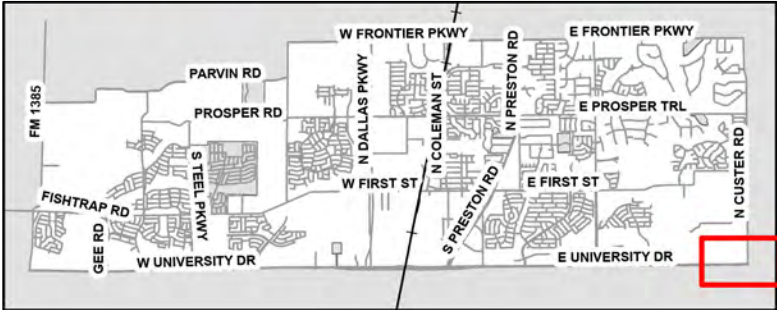
Staff Recommendation:

Staff recommends the Planning & Zoning Commission table this item indefinitely and will renotify this case.

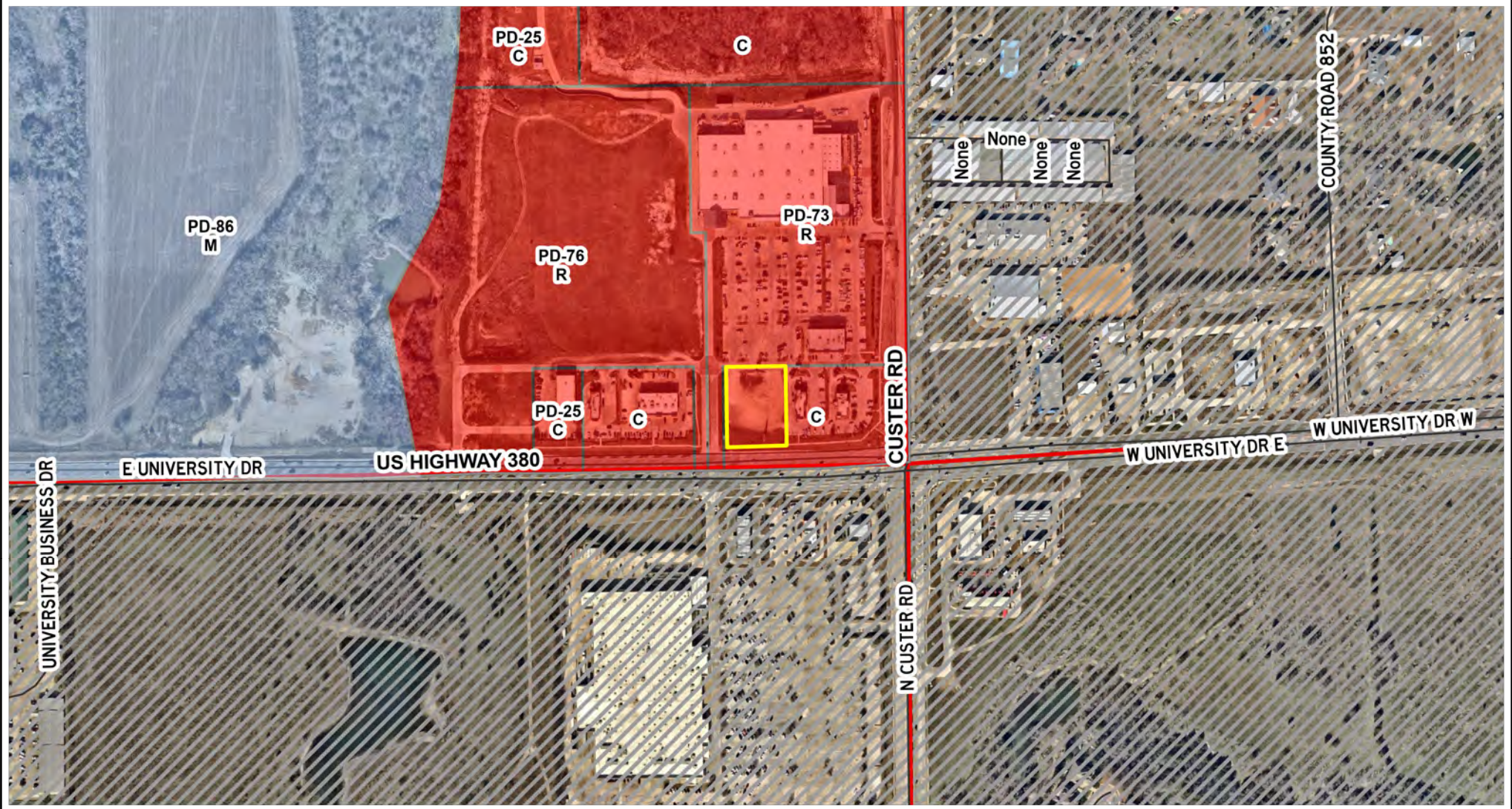
S22-0002 - Prosper Plaza



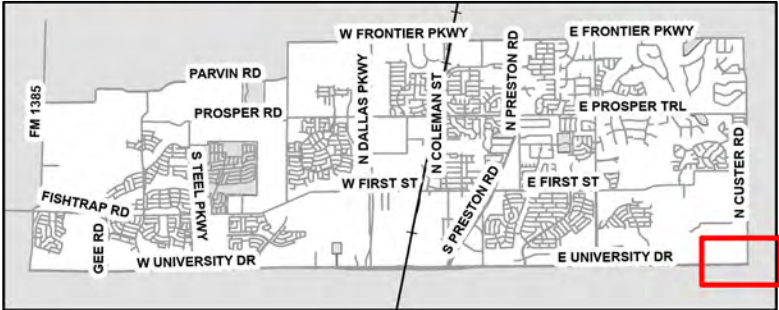
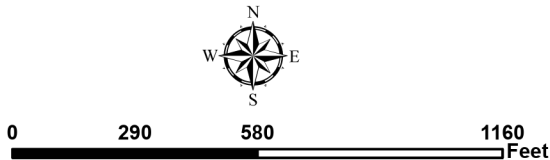
This map is for illustration purposes only.

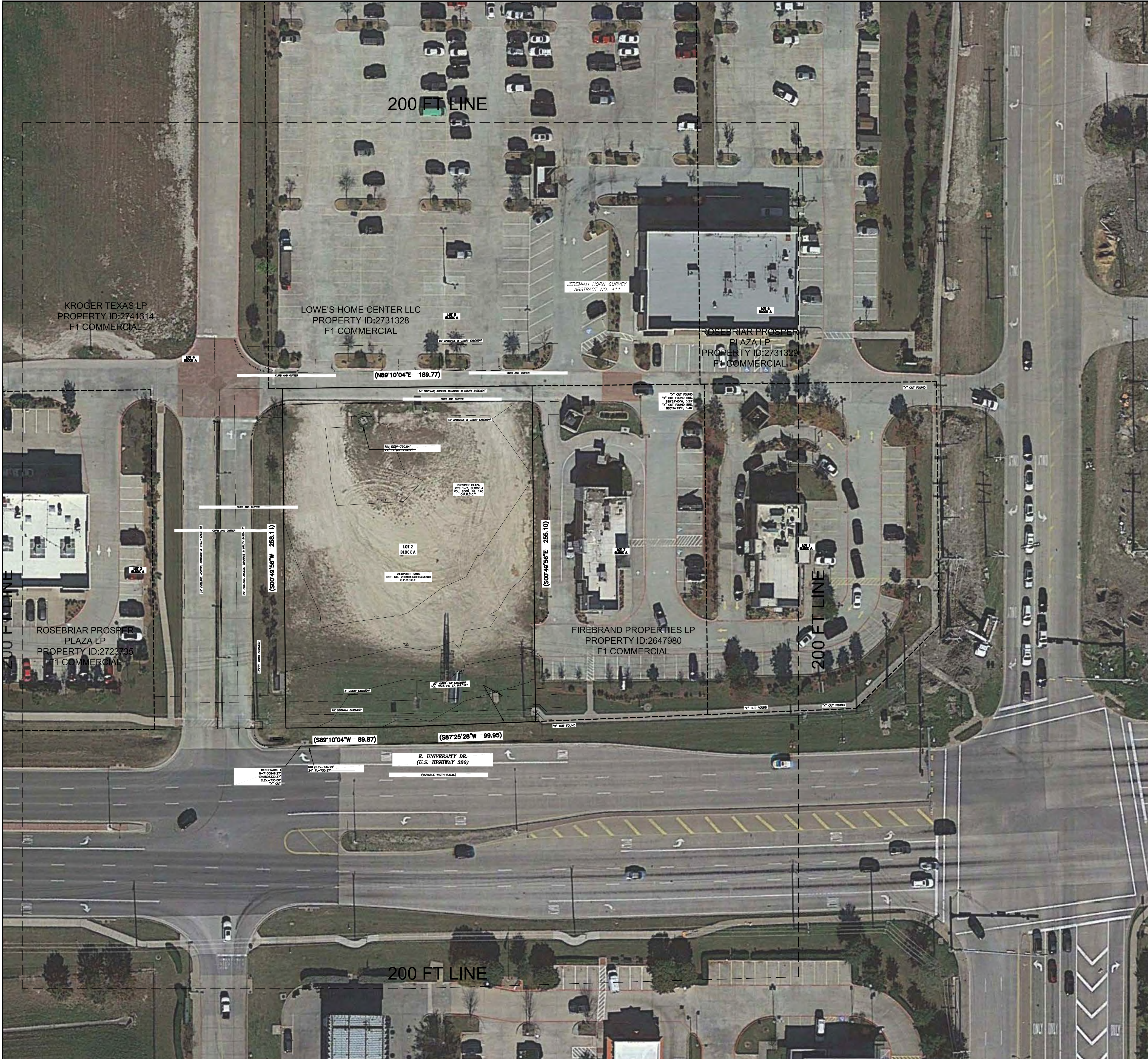


S22-0002 - Prosper Plaza

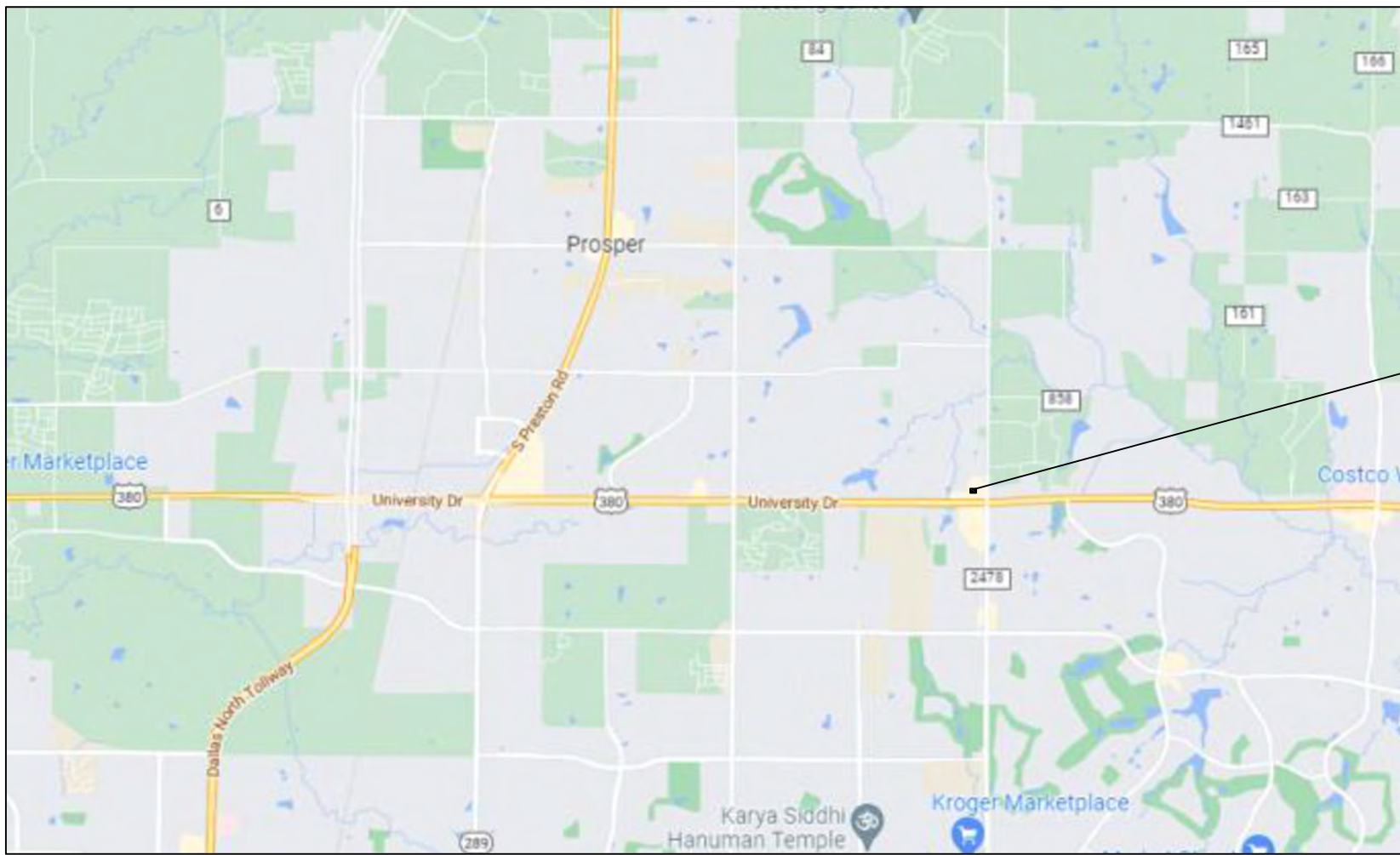


This map is for illustration purposes only.





Schedule B Items	Schedule B Items (cont.)
<p>1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception): Volume 2009, Page 141, Real Property Records, Collin County, Texas; Volume 1910, Page 485, Real Property Records, Collin County, Texas; Volume 4189, Page 1135, Real Property Records, Collin County, Texas; under Clerk's File No. 2008060500084910, Real Property Records, Collin County, Texas; under Clerk's File No. 20160123000105770, Real Property Records, Collin County, Texas; as affected by First Amendment recorded under Clerk's File No. 2016052700064230, Real Property Records, Collin County, Texas; under Clerk's File No. 20081010001213250, Real Property Records, Collin County, Texas. (AFFECTS TRACT 2)</p> <p>Ommitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.</p> <p>10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):</p> <p>a. Rights of parties in possession.</p> <p>b. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgage Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:</p> <p>Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.</p> <p>Note: Upon receipt of a survey acceptable to the Title Company, this exception will be deleted. The Company reserves the right to except additional items and/or make additional requirements after reviewing said survey.</p> <p>c. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.</p> <p>d. Rights of tenants in possession, as tenants only, under unrecorded lease agreements.</p> <p>e. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plot:</p> <p>Purpose: 1) 24' fire line, access, drainage & utility easement; Purpose: 2) 10' drainage and utility easement; Purpose: 3) 10' sidewalk; Purpose: 4) 5' utility easement; Recording No: Volume 2009, Page 141, Real Property Records, Collin County, Texas</p> <p>f. Those items shown on plot recorded in Volume 2009, Page 141, Real Property Records, Collin County, Texas. (AFFECTS TRACT 2)</p> <p>g. Easement(s) and rights incidental thereto, as granted in a document: Granted to: North Texas Municipal Water District Purpose: As provided in said document Recording Date: May 13, 2004 Recording No: Volume 5668, Page 4738, Real Property Records, Collin County, Texas. (AFFECTS TRACT 2)</p> <p>h. Easement(s) and rights incidental thereto, as granted in a document: Granted to: North Texas Municipal Water District Purpose: As provided in said document Recording Date: August 27, 2004 Recording No: Volume 5741, Page 37, Real Property Records, Collin County, Texas. (AFFECTS AS SHOWN)</p> <p>i. Easement(s) and rights incidental thereto, as granted in a document: Granted to: Denton County Electric Cooperative, Inc. d/b/a CoServ Electric Purpose: As provided in said document Recording Date: May 4, 2009 Recording No: under Clerk's File No. 20090504000525290, Real Property Records, Collin County, Texas. (AFFECTS TRACT 2)</p> <p>j. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, any including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in said document. Recording Date: January 29, 2016 Recording No: under Clerk's File No. 20160129000105770, as affected by First Amendment recorded under Clerk's File No. 2016052700064230, Real Property Records, Collin County, Texas. (AFFECTS TRACT 1)</p> <p>k. Terms, provisions and conditions contained in that certain document Entitled: Amended and Restated Easements Covenants, Conditions and Restrictions Dated: January 28, 2016 Executed by: and between Rosebriar Prosper Plaza, LP, Lowe's Home Centers, LLC, POP Holdings, LP, Firebrand Properties, LP, LegacyTexas Bank, and Bridgestone Retail Operations, LLC Recording Date: January 29, 2016 Recording No: under Clerk's File No. 20160129000105770, as affected by First Amendment recorded under Clerk's File No. 2016052700064230, Real Property Records, Collin County, Texas. Reference is hereby made to said document for full particulars. (AFFECTS TRACT 2)</p> <p>l. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document Entitled: Memorandum of Amended and Restated Outdoor Advertising Sign or Ground Lease Lessor: LegacyBank Texas Lessee: Primary Media, Ltd., a Texas limited partnership Recording Date: May 9, 2017 Recording No: under Clerk's File No. 20170509000594530, Real Property Records, Collin County, Texas (AFFECTS TRACT 1)</p>	<p>m. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated August 5, 1938, recorded August 23, 1938 at Volume 319, Page 1326 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540650, of the Official Records of Collin County, Texas, which document contains the following language "...1/4 interest of all the oil, gas, and other minerals...", et al". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>n. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 1, 1997, recorded October 31, 1997 at Volume 4031, Page 1326 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540650, of the Official Records of Collin County, Texas, which document contains the following language "...all the oil, gas, hydrocarbons and all other minerals...", et al". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>o. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated January 11, 1978, recorded January 13, 1978 at Volume 1089, Page 673 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540640, of the Official Records of Collin County, Texas, which document contains the following language "...1/2 interest in and to all oil, gas, and other minerals...", Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>p. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated February 8, 1980, recorded February 22, 1980 at Volume 1236, Page 445 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540630, of the Official Records of Collin County, Texas, which document contains the following language "...an undivided 1/8 interest in and to all of the oil, gas, and other minerals...", Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>q. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated August 30, 2005, recorded September 2, 2005 at Volume 5295, Page 855 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540630, of the Official Records of Collin County, Texas, which document contains the following language "...an undivided 1/8 interest in and to all of the oil, gas, and other minerals...", Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>r. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated August 30, 2005, recorded September 2, 2005 at Volume 5295, Page 7329 of the Official Records of Collin County, Texas, which document contains the following language "...all subsurface water, oil, gas, and other minerals ...". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>s. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated January 4, 1984, recorded January 16, 1984 at Volume 1810, Page 485 of the Official Records of Collin County, Texas, which document contains the following language "...an undivided 1/2 interest in the oil, gas, and other minerals...", Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>t. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated October 10, 2008, recorded October 10, 2008 at under Clerk's File No. 20081010001213260, and re-filed under Clerk's File No. 20090414000454650 of the Official Records of Collin County, Texas, which document contains the following language "...all the oil, gas, hydrocarbons and other minerals...". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).</p> <p>u. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:</p> <p>Owner and Loan Policy(es): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.</p> <p>Owner Policy(es) Only: Liability hereunder at the date hereof is limited to \$ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or this policy.</p> <p>Loan Policy(es) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.</p>



VICINITY MAP

Scale: NTS

OWNER:
WS Residential Investments LLC
170 Westcott
Houston, TX 77007
Phone (281) 816-6550
Eric Walker

APPLICANT:
Identity Architects
111 Travis St
Houston, TX 77002
Phone (713) 565-2191
William Kalkman

SURVEYOR:
Landpoint
6410 Southwest Blvd Ste 127
Fort Worth, TX 76109
Phone (817) 554-1805
Robert Maloy

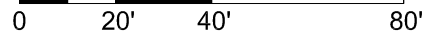
EXHIBIT A

PROSPER PLAZA
TRACT 1 LOT 2 BLOCK A
VOLUME 2009, PAGE 140 O.P.R.C.C.T
JEREMIAH HORN SURVEY, ABSTRACT NO. 411
1.121 ACRES

SITE PLAN

Scale: 1" = 40'-0"

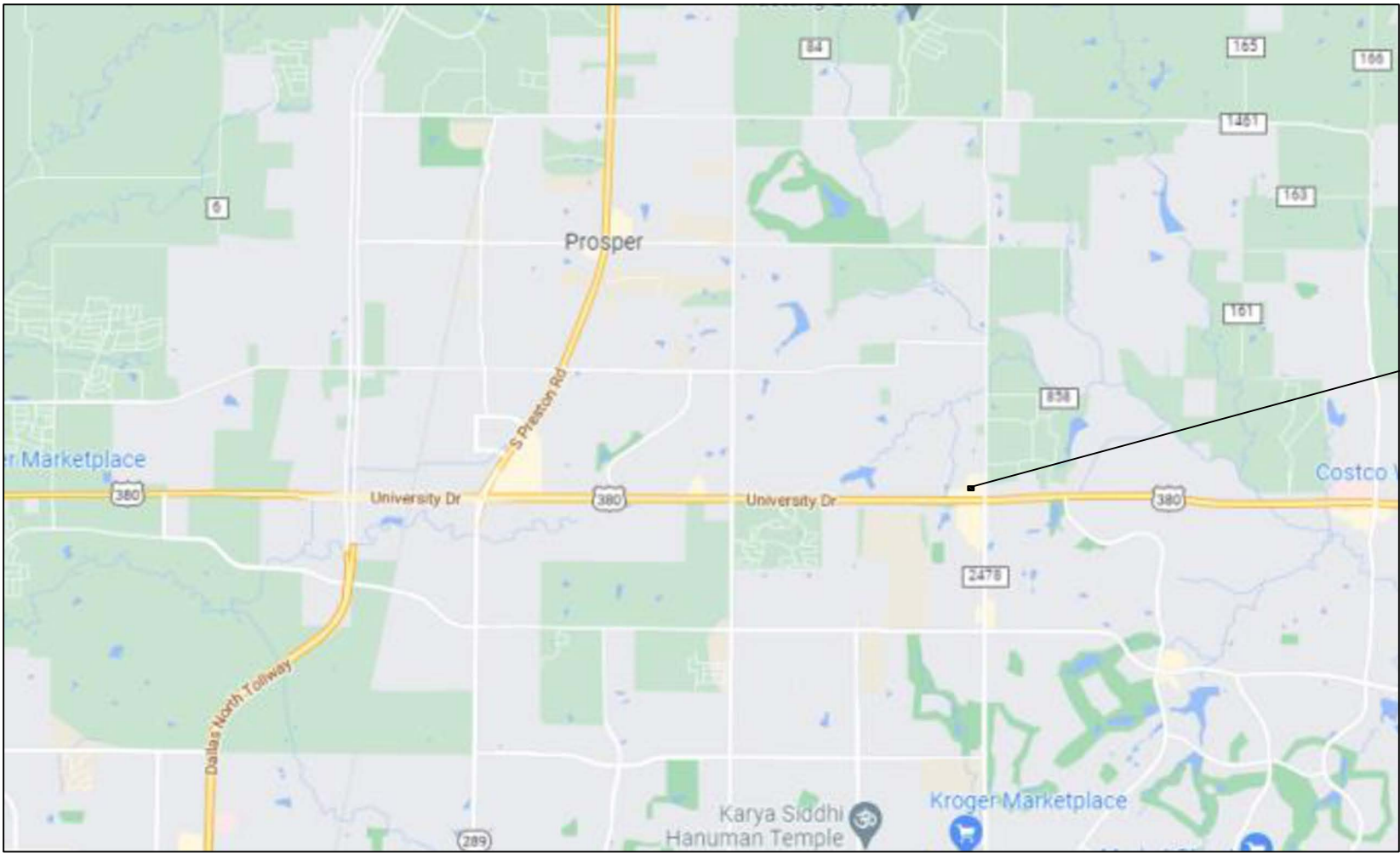
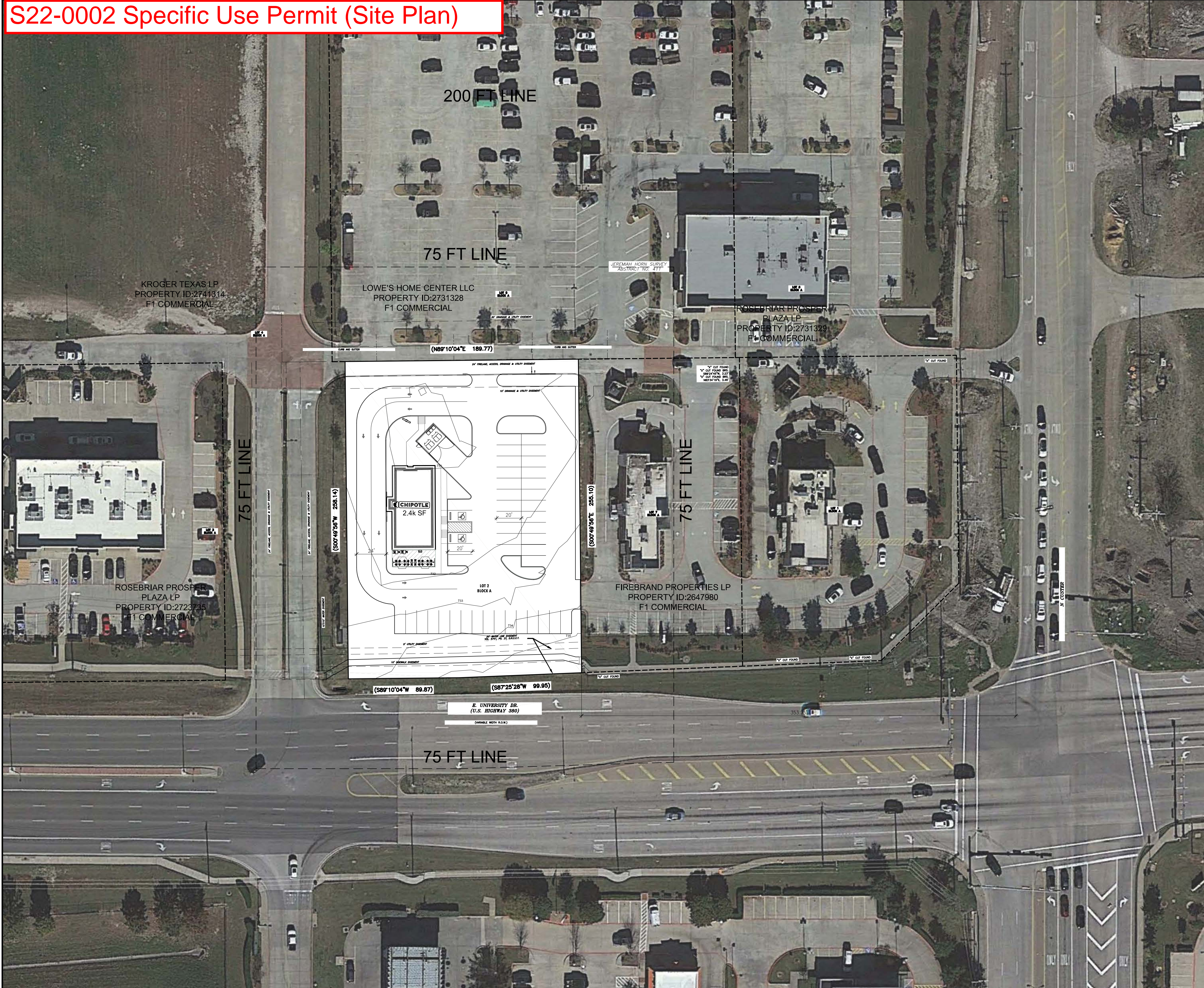
identityARCHITECTS



111 Travis Street, Houston, Texas 77002
www.identityarchitects.com 713.595.2150

January 14, 2022

S22-0002 Specific Use Permit (Site Plan)



VICINITY MAP

Scale: NTS

STANDARD NOTES

ANY REVISION TO THIS PLAN WILL REQUIRE TOWN APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS BETWEEN PLANS.

1. DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
2. OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH 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.
5. ALL ELEVATIONS SHALL COMPLY WITH THE STANDARDS CONTAINED WITHIN THE ZONING ORDINANCE.
6. BUILDINGS OF 5,000 SQUARE FEET OR GRATER SHALL BE 100% FIRE SPRINKLED. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE DEPARTMENT.
7. FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER TOWN STANDARDS OR AS DIRECTED BY THE FIRE DEPARTMENT.
8. TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
9. SPEED BUMPS/HUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
10. 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.
11. ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
12. ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO BUILDING OFFICIAL APPROVAL.
13. ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM TO THE APPROVED FACADE PLAN.
14. 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.
15. APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE ENGINEERING DEPARTMENT.
16. SITE PLAN APPROVAL IS REQUIRED PRIOR TO GRADING RELEASE.
17. ALL NEW ELECTRICAL LINES SHALL BE INSTALLED AND/OR RELOCATED UNDERGROUND.
18. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH THE ZONING ORDINANCE.
19. ALL LANDSCAPE EASEMENTS MUST BE EXCLUSIVE OF ANY OTHER TYPE OF EASEMENT.
20. IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED ON THE SITE DATA SUMMARY TABLE; HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME OF AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
21. THE APPROVAL OF A SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF EIGHTEEN (18) MONTHS FROM THE DATE OF APPROVAL BY THE PLANNING & ZONING COMMISSION. AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED APPROVAL OF ENGINEERING PLANS AND BUILDING PERMITS. IF THE ENGINEERING PLANS AND BUILDING PERMITS ARE NOT APPROVED, THE SITE PLAN APPROVAL, TOGETHER WITH ANY PRELIMINARY SITE PLAN FOR THE PROPERTY, IS NULL AND VOID.

ZONING:	COMMERCIAL
PROPOSED USE:	RESTAURANT
LOT AREA:	48,835 SF 1.121 ACRES
BUILDING AREA (GROSS):	2,400 SF
BUILDING HEIGHT:	19 FT 4 IN
LOT COVERAGE(%):	4.9%
FLOOR AREA RATIO:	0.05:1
TOTAL PARKING REQUIRED (W/RATIO):	29 PS
PATIO 1PS/100SF	5 PS
RESTAURANT 1 PS/100 SF	24 PS
TOTAL PARKING PROVIDED:	42 PS
NUMBER OF HANDICAPPED SPACES REQUIRED:	2 PS
NUMBER OF HANDICAP SPACES PROVIDED:	2 PS
PERCENTAGE OF LANDSCAPE REQUIRED (% AND SF):	10% 4,884 SF
PERCENTAGE OF LANDSCAPE PROVIDED (% AND SF):	27% 13,207 SF
SQUARE FOOTAGE OF IMPERVIOUS SURFACE:	35,628 SF

OWNER:
WS Residential Investments LLC
170 Westcott
Houston, TX 77007
Phone (281) 616-6550
Eric Walker

APPLICANT:
Identity Architects
111 Travis St
Houston, TX 77002
Phone (713) 595-2191
William Kalkman

SURVEYOR:
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6410 Southwest Blvd Ste 127
Fort Worth, TX 76109
Phone (817) 554-1805
Robert Maloy

SITE PLAN

Scale: 1" = 40'-0"

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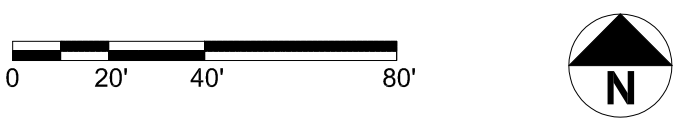
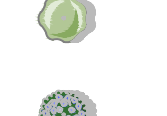



EXHIBIT B

January 14, 2022

PROSPER PLAZA
TRACT 1 LOT 2 BLOCK A
VOLUME 2009, PAGE 140 O.P.R.C.T
JEREMIAH HORN SURVEY, ABSTRACT NO. 411
1.121 ACRES

PLANT SCHEDULE

TREES	CODE	QTY	COMMON / BOTANICAL NAME	SIZE	REMARKS	
	TD	5	BALD CYPRESS / TAXODIUM DISTICHUM	3" CAL.		
	VC	12	CHASTE TREE / VITEX AGNUS-CASTUS	30 GAL.	6' HT	
	QV	7	LIVE OAK / QUERCUS VIRGINIANA	3" CAL.		
	LI	20	TUSCARORA CRAPE MYRTLE / LAGERSTROEMIA INDICA X FAURIEI 'TUSCARORA'	30 GAL.	8'-10' HT	
	IV	19	YAUPON HOLLY / ILEX VOMITORIA	30 GAL.	6' HT	
SHRUBS	CODE	QTY	COMMON / BOTANICAL NAME	SIZE	REMARKS	
	CJ	19	CLEYERA / CLEYERA JAPONICA	3 GAL.	24" HT., 18" SPRD., FULL POT, WELL ROOTED	
	IB	54	DWARF BURFORD HOLLY / ILEX CORNUTA 'BURFORDII NANA'	5 GAL.	24" HT., 24" SPRD., FULL POT, WELL ROOTED	
	ML	124	DWARF MAIDEN GRASS / MISCANTHUS SINENSIS 'LITTLE KITTEN'	3 GAL.	18" HT., 18" SPRD., FULL POT, WELL ROOTED	
	MP	45	DWARF WAX MYRTLE / MYRICA PUSILLA	5 GAL.	24" HT., 24" SPRD., FULL POT, WELL ROOTED	
	IN	15	DWARF YAUPON HOLLY / ILEX VOMITORIA 'NANA'	3 GAL.	18" HT., 18" SPRD., FULL POT, WELL ROOTED	
	PA	56	PLUMBAGO / PLUMBAGO AURICULATA	3 GAL.	12" HT., 12" SPRD., FULL POT, WELL ROOTED	
GROUND COVERS	CODE	QTY	COMMON / BOTANICAL NAME	SIZE	SPACING	REMARKS
	CH	10,674 SF	BERMUDA GRASS / CYNODON DACTYLON '419 HYBRID'	---		
	LB	320 SF	BIG BLUE LILYTURF / LIRIOPE MUSCARI 'BIG BLUE'	---		



COLOR LANDSCAPE PLAN



111 Travis Street, Houston, Texas 77002
www.identityarchitects.com 713.595.2150

Scale: 1" = 20'-0"



EXHIBIT C LANDSCAPE PLAN

January 14, 2022

US-380 & CUSTER RD.
PROSPER, TX
124-22-157 Landscape Base 1

THIS DRAWING IS FOR PRESENTATION PURPOSES ONLY. ANY AND ALL FEATURES, MATTERS AND OTHER INFORMATION DERIVED HEREON OR CONTAINED HEREIN ARE FOR ILLUSTRATIVE MARKETING PURPOSES ONLY. ARE SUBJECT TO MODIFICATION WITHOUT NOTICE, ARE NOT INTENDED TO BE RELIED UPON BY ANY PARTY AND ARE NOT INTENDED TO CONSTITUTE REPRESENTATIONS AND WARRANTIES AS TO THE SIZE AND NATURE OF IMPROVEMENTS TO BE CONSTRUCTED (OR THAT ANY IMPROVEMENTS WILL BE CONSTRUCTED) OR AS TO THE IDENTITY OR NATURE OF ANY OCCUPANTS THEREOF.

FPR



PLANNING

To: Planning & Zoning Commission

Item No. 5

From: Khara Dodds, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – May 3, 2022

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request to rezone 110.9± acres from Agriculture (A) and Planned Development-71 (PD-71) to Planned Development-Mixed Use (PD-MU), located on the south side of First Street, west of Dallas Parkway, in order to allow for a mixed-use development, including multifamily, townhomes, patio homes, office, retail and related uses. (Z22-0003).

Description of Agenda Item:

The application was submitted on January 18, 2022, and has been requested to be tabled to the May 17, 2022 meet to allow additional time to finalize the request.

Staff Recommendation:

Staff recommends the Planning & Zoning Commission table this item to the May 17, 2022, meeting.



PLANNING

To: Planning & Zoning Commission

Item No. 6

From: David Soto, Planning Manager

Through: Khara Dodds, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – May 3, 2022

Agenda Item:

Conduct a Public Hearing, and consider and act upon a request to rezone a portion of Planned Development-36, and a portion of Planned Development-63, to Planned Development (PD) for Legacy Gardens, on 121.4± acres, in order to modify the residential development standards, including but not limited to reducing permitted lot sizes. (Z20-0019).

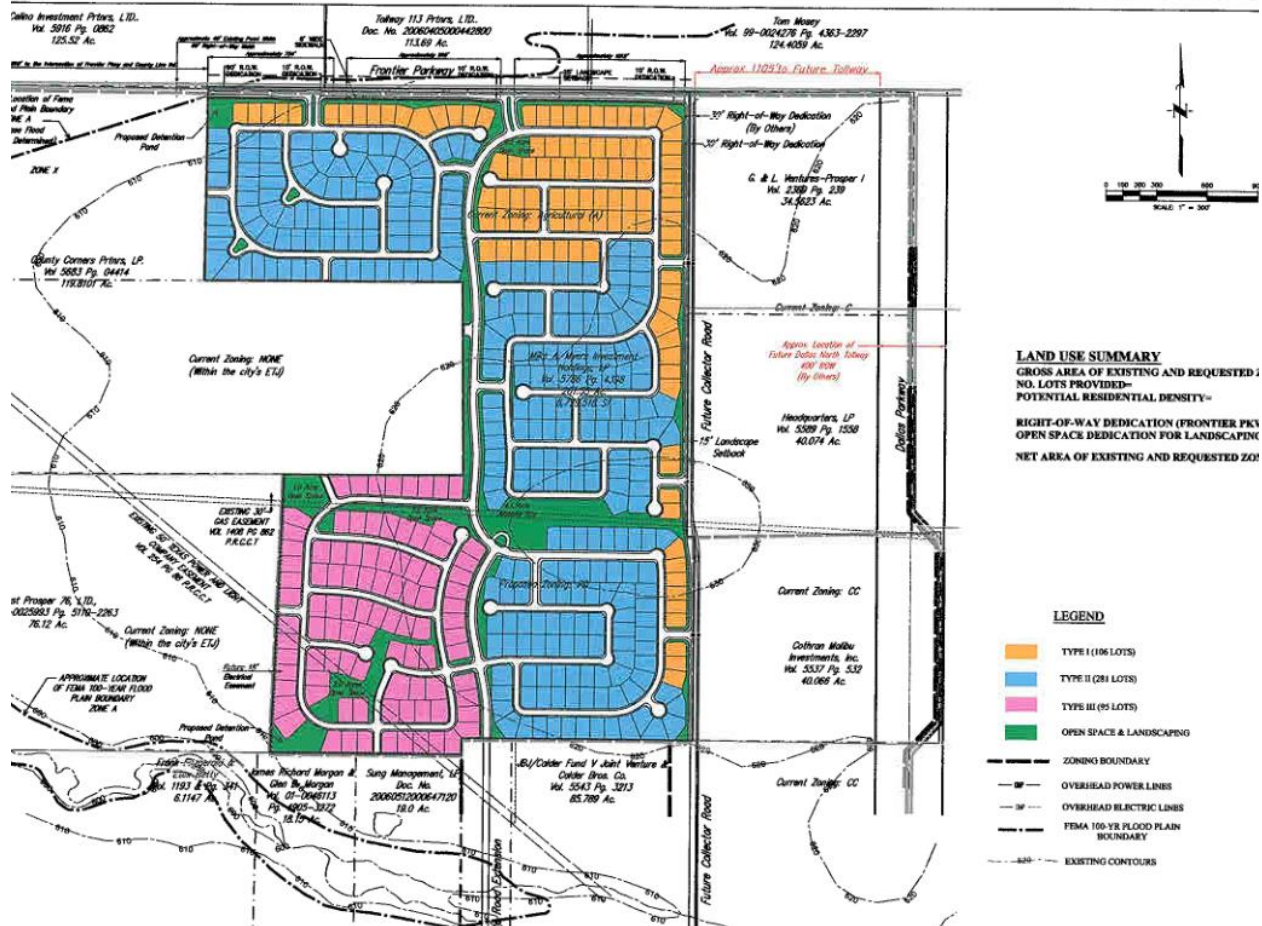
Description of Agenda Item:

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

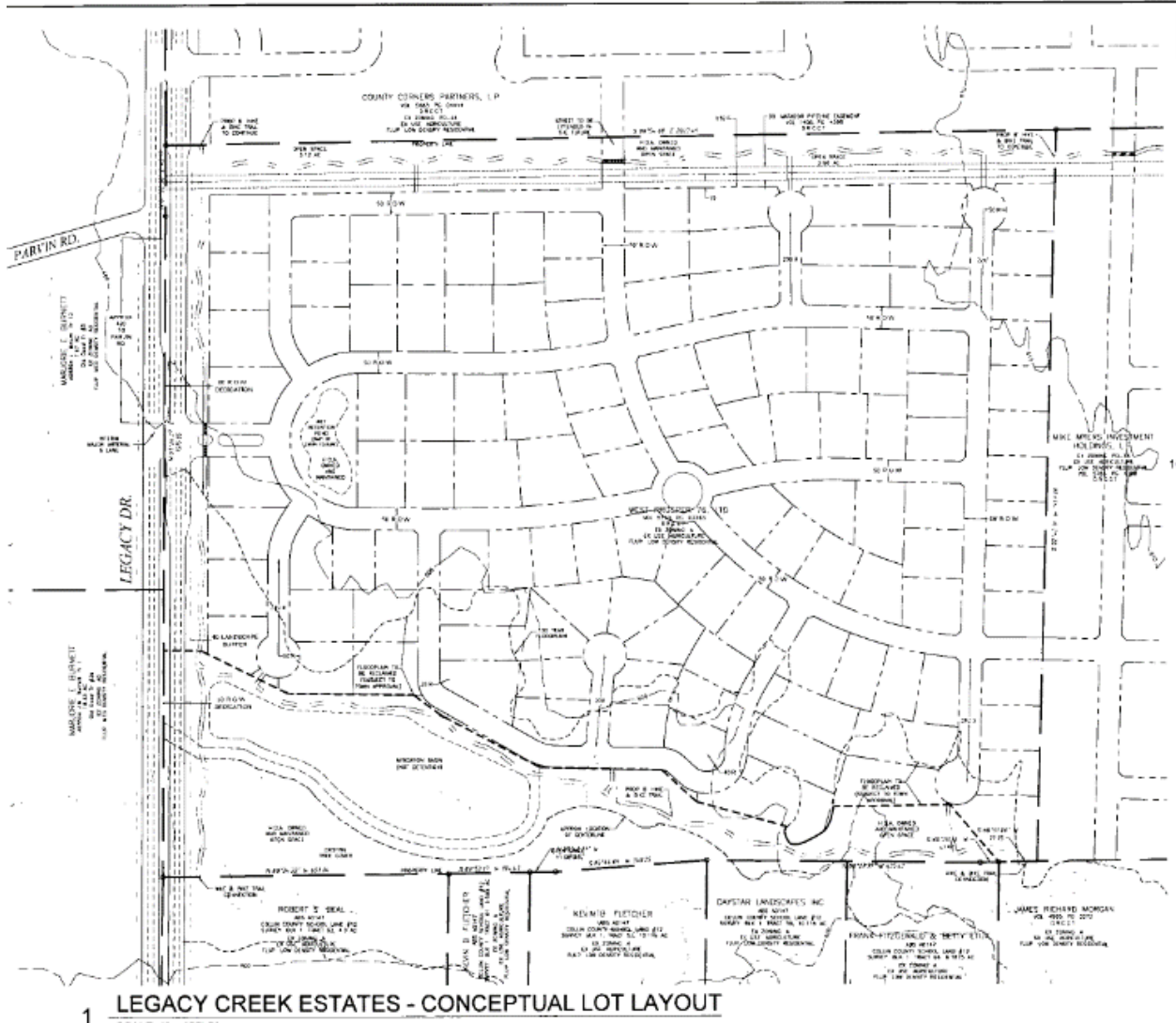
	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-36-Single Family & Planned Development 63	Undeveloped	Low Density Residential & Medium Density Residential
North	City of Celina	City of Celina	City of Celina
East	Commercial	Undeveloped	Tollway District
South	Planned Development-36-Single Family & Planned Development 63	Legacy Garden Subdivision	Low Density Residential & Medium Density Residential
West	Planned Development-88-Single Family and Planned Development-90-Single Family	Undeveloped	Low Density Residential & Medium Density Residential

Requested Zoning – This is a request to rezone 121.4± acres a portion of Planned Development-36, and a portion of Planned Development-63, to establish a new Planned Development. The purpose of rezoning is to establish a new zoning district, and to facilitate the development of a single-family detached residential subdivision. The existing exhibits for both PD-36 and PD-63 are shown below.

Existing PD 36- Legacy Crossing



PD-63 Legacy Creek Estates



The proposed rezoning request modifies the single-family detached residential development standards as describe below:

Lot Comparison

Currently in PD-36, there are three (3) types of lots for single-family detached residential lots and in PD-63, there is one (1) type of lot for single family- family detached residential lots. The applicant is proposing to modify the proposed standards and introduce three new (3) lot types. A table comparing the existing and proposed single-family detached residential lots is shown below. All other development standards that are not shown, were not altered. Staff does have concerns with the size of the lots being proposed.

Existing PD-36				Existing PD-63
LOT AREA SUMMARY				LOT AREA SUMMARY
	I	II	III	
Min. Lot Area (sq.ft)	10,000 sq. ft.	11,000 sq. ft.	12,500 sq. ft.	13,500 sq. ft., Maximum 10 lots between 13,500 sq. ft.- 15,000 sq. ft.
Min Lot. Width (ft.)	No less than 80ft	No less than 80ft	No less than 80ft	100ft
Min. Lot Depth	125ft	125ft	135ft	135ft
Min. Front Yard	25ft	25ft	30ft	35ft
Min. Side Yard	8ft	8ft	8ft	10ft, 15ft on corner
Min. Dwelling Area	1,800 sq. ft.	1,800 sq. ft.	2,500 sq. ft.	2,500 sq. ft.

NEW PROPOSED PD			
LOT AREA SUMMARY			
	8F	9F	10F
Min. Lot Area (sq.ft)	8,000 sq. ft.	9,000 sq. ft.	10,000 sq. ft.
Normal Lot size	66 x 125	76 x 130	86 x 130
Min. Front Yard	20ft	25ft	25ft
Min. Side Yard	8ft	8ft	8ft
Min. Dwelling Area	1,200 sq. ft.	1,400 sq. ft.	1,500 sq. ft.

Single Family Lot Entitlement

In PD-36, 106 Type I, 281 Type II and 95 Type III single family lots are being proposed. As there are only one (1) type in PD-63, 121 single family lots are proposed. In the new PD, there is no minimum or maximum number of 8F and 9F single family lots, however there is a minimum of 125 10F type of single family lots as shown in the subdivision layout.

Further, the proposed PD provides for a subdivision layout, as shown below.



Future Land Use Plan – The Future Land Use Plan recommends Low Density Residential & Medium Density Residential

Thoroughfare Plan – The property is adjacent to Shawnee Trail, a future major thoroughfare and Frontier Parkway, a future six-lane divided major thoroughfare.

Parks Master Plan – The Parks Master Plan identifies multiple hike and bike trails on the subject property. There is a 12' H&B trail at the south side along the creek. A 10' trail along Shawnee (east side) and Frontier Pkwy (north side). A 10' trail crossing the middle of their property east to west.

Legal Obligations and Review:

Zoning is discretionary. Therefore, the Planning & Zoning Commission is not obligated to approve the request. Notification was provided to neighboring property owners as required by state law. To date, staff has received one (1) response letter in opposition to the proposed zoning request.

Attached Documents:

1. Aerial and Zoning Maps
2. Proposed Exhibits A – E
3. Reply Form

Staff Recommendation:

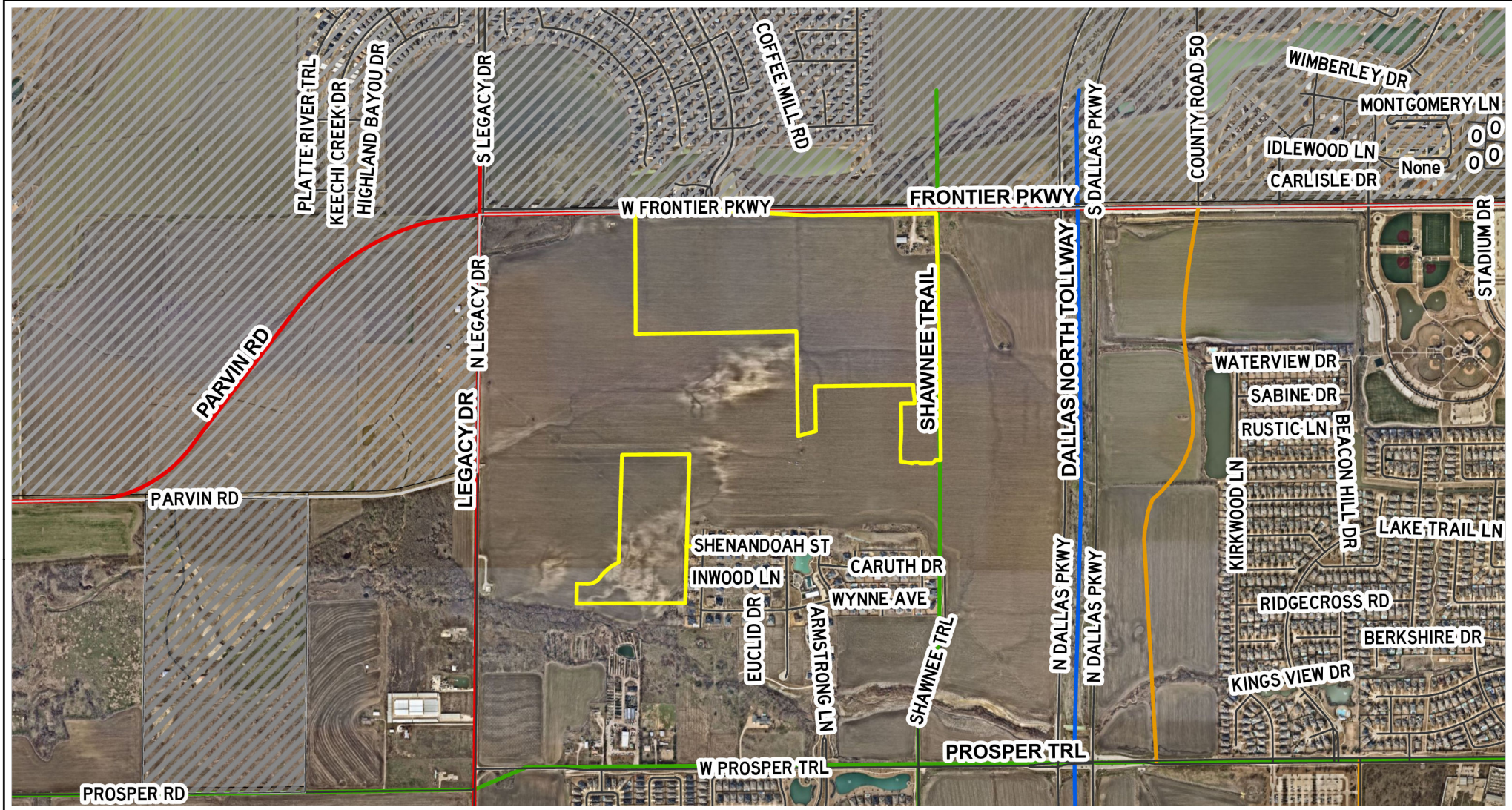
Staff recommends approval of the request to rezone a portion of Planned Development-36, and a portion of Planned Development-63, to Planned Development (PD) for Legacy Gardens, on 121.4± acres, to modify the residential development standards, including but not limited to reducing permitted lot sizes, subject to the following:

1. The applicant revise the size of the proposed lots and update the conceptual plan.

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 24, 2022.

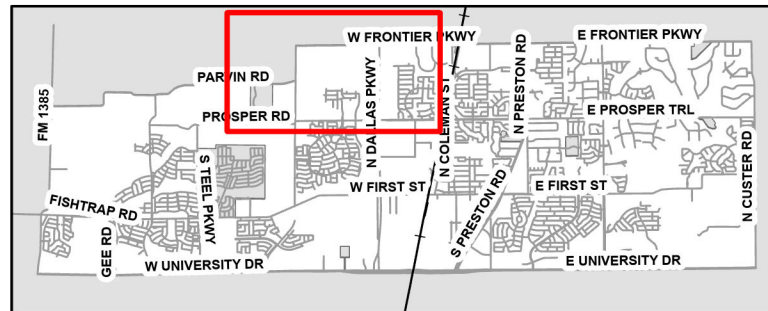
Z20-0019 - Legacy Gardens



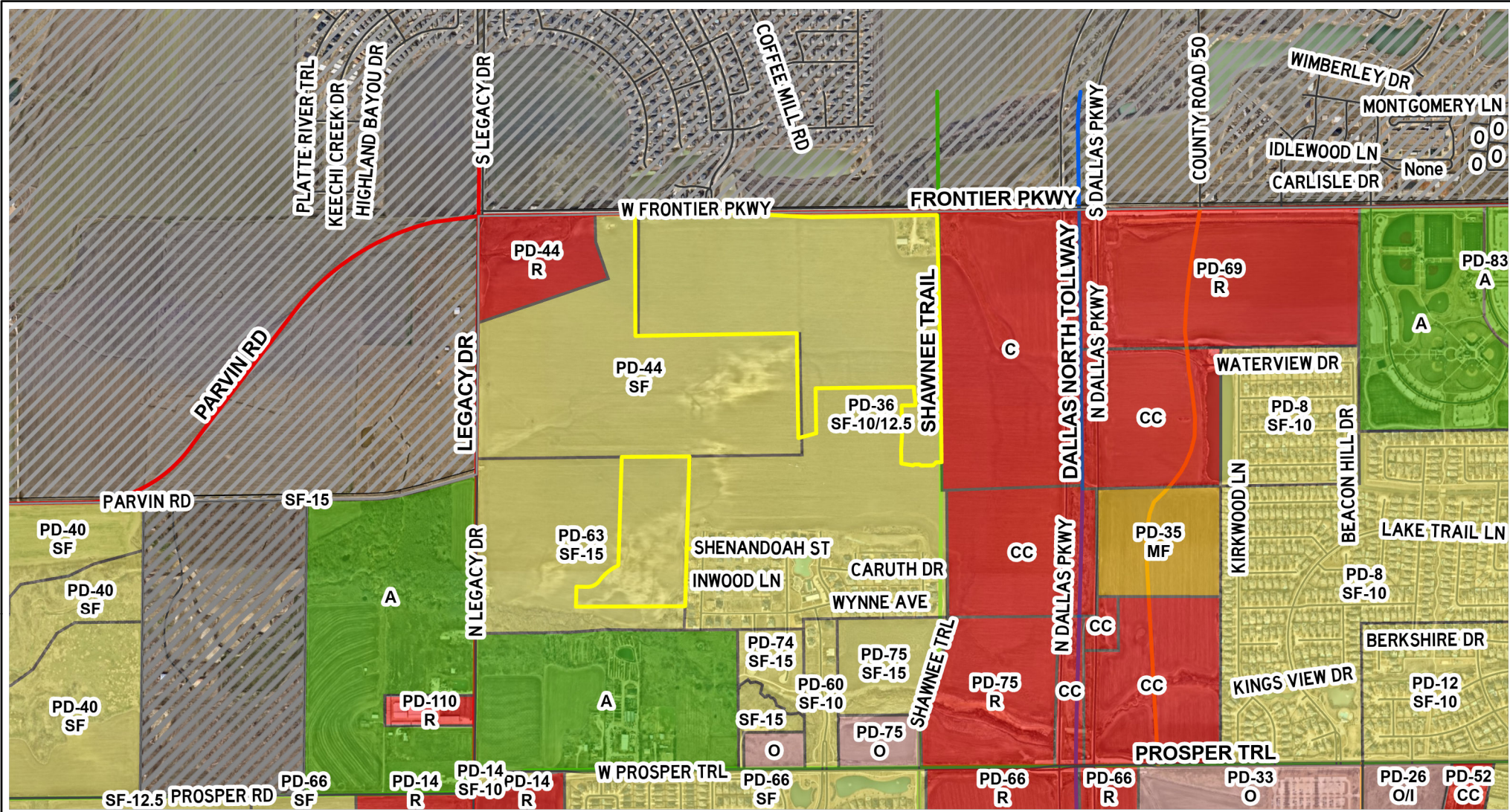
This map is for illustration purposes only.



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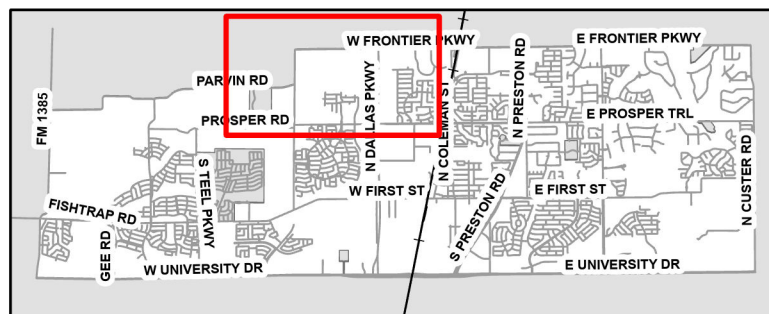
Z20-0019 - Legacy Gardens

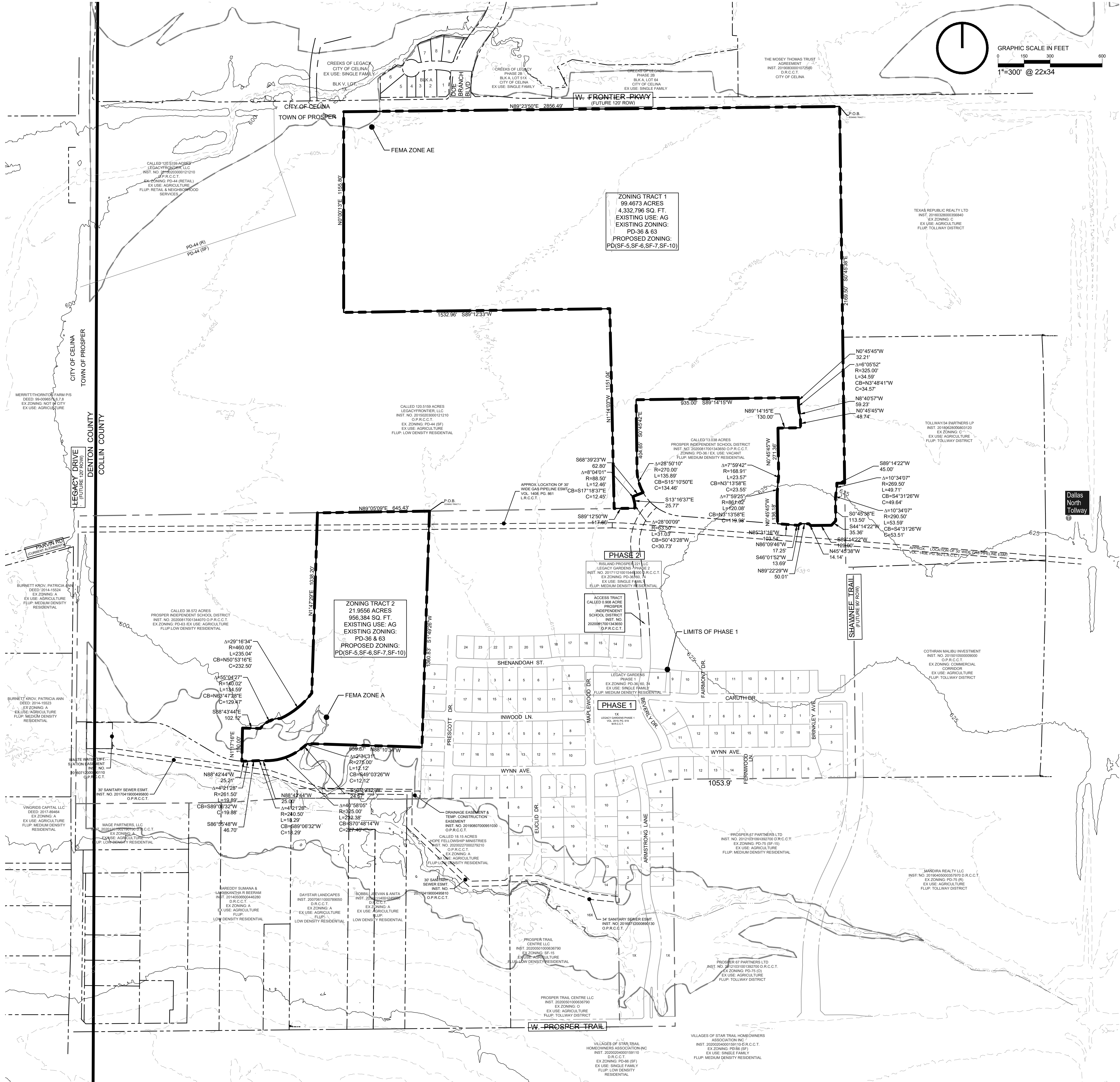


This map is for illustration purposes only.



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ZONING TRACT 1 DESCRIPTION

BEING a tract of land situated in the Collin County School Land Survey No. 12, Abstract No. 147, Town of Prosper, Collin County, Texas, and being a portion of a remainder of a called 221.617 acre tract of land described in a Special Warranty Deed to BGY Prosper 221 LLC (now known as Risland Prosper 221 LLC), recorded in Instrument No. 20171122001544530 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of said 221.617 acre tract, same being on the centerline of W. Frontier Parkway;

THENCE South 00°45'38" East, along the easterly line of said 221.617 acre tract and the centerline of future Shawnee Trail, a distance of 2,169.50 feet to a point for corner;

THENCE South 89°14'22" West, over and across said remainder, a distance of 45.00 feet to a point at the beginning of a non-tangent curve to the right with a radius of 269.50 feet, a central angle of 10°34'07", and a chord bearing and distance of South 04°31'26" West, 49.84 feet;

THENCE in a southerly direction, with said non-tangent curve to the right, an arc distance of 49.71 feet to a point at the beginning of a reverse curve to the left with a radius of 290.50 feet, a central angle of 10°34'07", and a chord bearing and distance of South 04°31'26" West, 53.51 feet;

THENCE in a southerly direction, with said reverse curve to the left, an arc distance of 53.59 feet to a point for corner;

THENCE South 00°45'38" East, a distance of 113.50 feet to a point for corner;

THENCE South 44°14'22" West, a distance of 35.36 feet to a point for corner;

THENCE South 89°14'22" West, a distance of 120.00 feet to a point for corner;

THENCE North 45°45'38" West, a distance of 14.14 feet to a point for corner;

THENCE North 89°22'29" West, a distance of 50.01 feet to a point for corner;

THENCE South 46°01'52" West, a distance of 13.69 feet to a point for corner;

THENCE North 86°09'46" West, a distance of 17.25 feet to a point for corner;

THENCE North 85°31'16" West, a distance of 103.54 feet to a point for corner, being the southeast corner of a called 13.038 acre tract of land ("Tract 1") described in Donation Deed to Prosper Independent School District recorded in Instrument No. 20200817001343650 of the O.P.R.C.C.T.;

THENCE along the east, north and west lines of said 13.038 acre tract the following courses:

North 00°45'45" West, a distance of 136.18 feet to a point at the beginning of a tangent curve to the right with a radius of 861.02 feet, a central angle of 07°59'25", and a chord bearing and distance of North 03°13'58" East, 119.98 feet;

In a northerly direction, with said tangent curve to the right, an arc distance of 120.08 feet to a point at the beginning of a reverse curve to the left with a radius of 168.91 feet, a central angle of 07°59'42", and a chord bearing and distance of North 03°13'58" East, 23.55 feet;

In a northerly direction, with said reverse curve to the left, an arc distance of 23.57 feet to a point for corner;

North 00°45'45" West, a distance of 271.36 feet to a point for corner;

North 89°14'15" East, a distance of 130.00 feet to a point for corner;

North 00°45'45" West, a distance of 48.74 feet to a point for corner;

North 08°40'57" West, a distance of 59.23 feet to a point at the beginning of a non-tangent curve to the right with a radius of 325.00 feet, a central angle of 06°05'52", and a chord bearing and distance of North 03°48'41" West, 34.57 feet;

In a northerly direction, with said non-tangent curve to the right, an arc distance of 34.59 feet to a point for corner;

North 00°45'45" West, a distance of 32.21 feet to a point for corner;

South 89°14'15" West, a distance of 935.00 feet to a point for corner;

South 00°45'42" East, a distance of 404.65 feet to a point at the beginning of a non-tangent curve to the left with a radius of 270.00 feet, a central angle of 28°50'10", and a chord bearing and distance of South 15°10'50" East, 134.46 feet;

In a southerly direction, with said non-tangent curve to the left, an arc distance of 135.89 feet to a point for corner in the westerly line of said 13.038 acre tract, same being on the east line of a future right of way;

THENCE South 68°39'23" West, over and across said future right of way, a distance of 62.80 feet to a point in the west line of said future right of way, and being at the beginning of a non-tangent curve to the right with a radius of 88.50 feet, a central angle of 08°04'01", and a chord bearing and distance of South 17°18'37" East, 12.45 feet;

THENCE in a southerly direction, with the west line of said future right of way, and with said non-tangent curve to the right, an arc distance of 12.46 feet to a point for corner;

THENCE South 13°16'37" East, continuing along the west line of said future right of way, a distance of 25.77 feet to a point at the beginning of a tangent curve to the right with a radius of 63.50 feet, a central angle of 28°00'09", and a chord bearing and distance of South 00°43'28" West, 30.73 feet;

THENCE in a southerly direction, with the west line of said future right of way, and with said tangent curve to the right, an arc distance of 31.03 feet to a point for corner;

THENCE South 89°12'50" West, over and across said remainder of 221.617 acre tract, a distance of 117.66 feet to a point for corner being the southeast corner of a called 120.5159 acre tract of land described in Special Warranty Deed to LegacyFrontier, LLC by Instrument No. 20150203000121210 of the O.P.R.C.C.T.;

THENCE North 01°14'03" West, along the east line of said 120.5159 acre tract, and west line of said remainder of 221.617 acre tract a distance of 1,151.04 feet to a point for corner being the easterly, northeast corner of said 120.5159 acre tract;

THENCE South 89°12'33" West, along a northerly line of said 120.5159 acre tract, and a southerly line of said remainder of 221.617 acre tract, a distance of 1,532.96 feet to a point for corner being the southwest corner of said remainder of 221.617 acre tract;

THENCE North 00°00'13" East, along an easterly line of said 120.5159 acre tract and a westerly line of said remainder of 221.617 acre tract, a distance of 1,155.80 feet to a point for corner being the northerly, northwest corner of said remainder of 221.617 acre tract, same being on the centerline of aforesaid W. Frontier Parkway;

THENCE North 89°23'50" East, along the northerly line of said remainder of 221.617 acre tract and the centerline of said W. Frontier Parkway, a distance of 2,856.49 feet to the POINT OF BEGINNING and containing 99.47 acres of land, more or less.

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.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kinley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kinley-horn.com

NOTES:

- The thoroughfare alignments shown on this exhibit are for illustrative purposes only. The alignment of each thoroughfare will be finalized at the time of preliminary plat and will be established at the time of final plat.
- Refer to Exhibit B for planned development standards.
- Existing zoning district boundaries from Town of Prosper GIS site, 6/9/2020.
- According to Flood Insurance Rate Map (FIRM) map no. 48085C0115J with LOMR #17-06-1400p effective 1/16/2018 prepared by Federal Emergency Management Agency (FEMA) for Denton Collin county, Texas this property is within Zone X, A and Zone AE.
- PISD Tracts are shown for illustrative purposes only and do not reflect actual approved conditions.
- Exact size for the parks to be coordinated with the Town of Prosper.

ZONING TRACT 2 DESCRIPTION

BEING a tract of land situated in the Collin County School Land Survey No. 12, Abstract No. 147, Town of Prosper, Collin County, Texas, and being a portion of a remainder of a called 76.131 acre tract of land described in a Special Warranty Deed to BGY Prosper 221 LLC (now known as Risland Prosper 221 LLC), recorded in Instrument No. 20171122001544530 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a point being the southeast corner of a called 120.5159 acre tract of land described in Special Warranty Deed to LegacyFrontier, LLC by Instrument No. 20150203000121210 of the O.P.R.C.C.T., same being a southerly northwest corner of a remainder of a called 221.617 acre tract of land described in a Special Warranty Deed to BGY Prosper 221 LLC (now known as Risland Prosper 221 LLC), recorded in Instrument No. 20171121001544530 of the O.P.R.C.C.T.;

THENCE South 89°12'50" West, along the south line of said 120.5159 acre tract, and north line of said remainder of 221.617 acre tract, a distance of 1,063.34 feet to a point for corner being the northeast corner of said remainder of 76.131 acre tract, and being a southerly northwest corner of said remainder of 221.617 acre tract, and being the POINT OF BEGINNING of the herein described tract;

THENCE South 01°49'26" West, along the east line of said remainder of 76.131 acre tract, west line of said remainder of 221.617 acre tract, and west line of Block H, Inwood Lane (a 50-foot right of way), and Block D of Legacy Gardens Phase 1 recorded in Instrument No. 01180913610003930 of the O.P.R.C.C.T., a distance of 1,360.83 feet to a point for corner, being in the west line of Lot 2, of said Block D;

THENCE North 88°10'34" West, over and across said remainder of 76.131 acre tract, a distance of 659.07 feet to a point in the south line of a future right of way, being at the beginning of a non-tangent curve to the right with a radius of 275.00 feet, a central angle of 02°31'31", and a chord bearing and distance of South 49°03'26" West, 12.12 feet;

THENCE in a westerly direction, with the south line of said future right of way, and with said non-tangent curve to the right, an arc distance of 12.12 feet to a point for corner;

THENCE with the south line of said future right of way the following courses:

South 50°19'12" West, a distance of 24.57 feet to a point at the beginning of a tangent curve to the right with a radius of 325.00 feet, a central angle of 40°58'05", and a chord bearing and distance of South 70°48'14" West, 227.46 feet;

In a westerly direction, with said tangent curve to the right, an arc distance of 232.38 feet to a point for corner;

North 88°42'44" West, a distance of 25.00 feet to a point at the beginning of a tangent curve to the left with a radius of 240.50 feet, a central angle of 04°21'28", and a chord bearing and distance of South 89°06'32" West, 18.29 feet;

In a westerly direction, with said tangent curve to the left, an arc distance of 18.29 feet to a point for corner;

South 86°55'48" West, a distance of 46.70 feet to a point at the beginning of a tangent curve to the right with a radius of 261.50 feet, a central angle of 40°58'05", and a chord bearing and distance of South 89°06'32" West, 19.88 feet;

In a westerly direction, with said tangent curve to the right, an arc distance of 19.89 feet to a point for corner;

North 88°42'44" West, a distance of 25.21 feet to a point for corner being the southeasterly corner of a called 38.572 acre tract of land described in Special Warranty Deed to Prosper Independent School District by Instrument No. 20200817001344070 of the O.P.R.C.C.T.;

THENCE with the east line of said 38.572 acre tract, and over and across said future right the following courses:

North 01°17'16" East, a distance of 190.00 feet to a point for corner;

South 88°43'44" East, a distance of 102.12 feet to a point at the beginning of a non-tangent curve to the right with a radius of 140.02 feet, a central angle of 55°04'27", and a chord bearing and distance of North 63°47'28" East, 129.47 feet;

In an easterly direction, with said non-tangent curve to the right, an arc distance of 134.59 feet to a point at the beginning of a non-tangent curve to the left with a radius of 460.00 feet, a central angle of 29°16'34", and a chord bearing and distance of North 50°53'16" East, 232.50 feet;

In an easterly direction, with said non-tangent curve to the left, an arc distance of 235.04 feet to a point for corner;

North 01°14'29" East, a distance of 1,038.20 feet to a point for corner being the northeast corner of said 38.572 acre tract, and being in the south line of said 120.5159 acre tract;

THENCE North 89°05'09" East, along the south line of said 120.5159 acre tract, and a north line of said remainder of 221.617 acre tract, a distance of 645.43 feet to the POINT OF BEGINNING and containing 21.96 acres of land, more or less.

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.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
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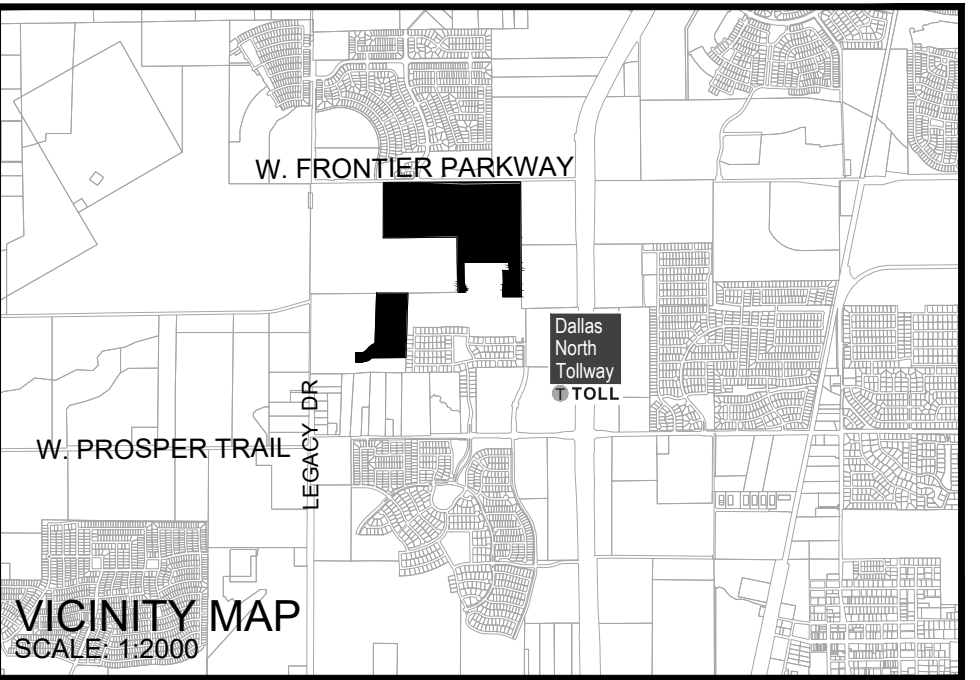


EXHIBIT A

Legacy Gardens

±297.75 ACRES IN THE COLLIN COUNTY SCHOOL SURVEY,
ABSTRACT #147 IN THE TOWN OF PROSPER,
COLLIN COUNTY, TEXAS April 2022

APPLICANT / OWNER:
Risland Prosper 221 LLC
5600 Tennyson Parkway
Suite 225
Plano, TX 75024
P (281) 682-7321
E michael.hanschen@rislandus.com
Contact: Michael Hanschen

ENGINEER / SURVEYOR:
Kinley-Horn and Associates
State of Texas Registration No. F-928
6160 Warren Parkway
Suite 200
Frisco, TX 75034
P (972) 335-3580
Contact: Thomas G. Coppin, PE

RISLAND

Kimley»Horn

EXHIBIT B

Statement of Intent and Purpose for Legacy Gardens, Town of Prosper, Texas

Legacy Gardens is a residential community designed for all ages with homes and amenities that appeal to a variety of tastes and lifestyles. Single family residential development is the primary land use in Legacy Gardens and includes a mix of different lot sizes, housing styles and materials reminiscent of traditional American neighborhoods that developed more “organically” as each home was individually built. Complementary schools and recreational facilities will also occupy a significant portion of the property.

Legacy Gardens is designed as a single, cohesive neighborhood with consistent, high standards of design and maintenance. At its core is a roughly 4-acre amenity site with clubhouse, resort style pool, engaging play equipment, a small, serene lake and abundant landscape. The amenity center functions as a modern, suburban “town square” for the neighborhood.

Standards and criteria that follow are aimed at ensuring a high-quality appearance and are also intended to create a community with timeless character. These standards and criteria will result in a community where Legacy Gardens’ residents are proud of owning a home, excited when returning home, and relaxed and peaceful when at home.

EXHIBIT C:

Development Standards for Legacy Gardens (Tracts 1 and 2), Town of Prosper, Texas

Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20 as it currently exists or may be amended) and Subdivision Ordinance (as it currently exists or may be amended) shall apply to the Property ("Tract 1 and Tract 2" as illustrated on Exhibit D).

1. Planned Development – Residential – 121.4 gross acres

- 1.1. Definition: Single Family shall mean the use of a lot with one building designed for and containing not more than one unit with facilities for living, sleeping, and eating therein.
- 1.2. Density: The maximum number of single-family-detached units for the Property is 300, subject to the limits per Lot Type specified in Table 1.
- 1.3. Permitted Uses: Land uses allowed within the Property shall consist of Single-Family Residential uses including the following: Uses followed by a "C" are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town's Zoning Ordinance.
 - a. Public or Private Parks, playgrounds and neighborhood recreation facilities including, but not limited to, swimming pools, clubhouse facilities and tennis courts
 - b. Schools – public or private
 - c. Temporary real estate sales offices for each builder during the development and marketing of the Planned Development which shall be removed no later than 30 days following the final issuance of the last Certificate of Occupancy (CO) on the last lot owned by that builder.
 - d. Temporary buildings of the builders and uses incidental to construction work on the premises, which shall be removed upon completion of such work.
 - e. Utility distribution lines and facilities. Electric substations shall be allowed at the sole discretion of the Developer.
 - f. Accessory buildings incidental to the allowed use and constructed of the same materials as the main structure.
 - g. Guest House
 - h. Home Occupation C
 - i. Model Home

1.4. Lot Types: The single family detached lots developed within the Properties shall be in accordance with the following Lot Types:

- a. Type 8F Lots: Minimum 8,000 square foot lots
- b. Type 9F Lots: Minimum 9,000 square foot lots
- c. Type 10F Lots: Minimum 10,000 square foot lots

1.5. Area and building regulations:

- a. Type 8F Lots: The area and building standards for Type 8F Lots are as follows and as set forth in Table 1:
 - A. Minimum Lot Size. The minimum lot size for Type 8F Lots shall be 8,000 square feet. A typical lot will be 66' x 125' but may vary as long as the requirements in Table 1 are accommodated.
 - B. Minimum Lot Width. The minimum lot width for Type 8F Lots shall be sixty feet (60').
 - C. Minimum Yard Setbacks.
 - i. Minimum Front yard Setback: The typical front yard setback for Type 8F Lots shall be twenty feet (20') and a minimum of fifteen feet (15'). Front setbacks shall be staggered +/- 5' at time of preliminary plat. Front-facing garage doors shall be located no closer than twenty-five feet (25') from the front property line.
 - ii. Minimum Side yard Setbacks
 - a) The minimum side yard setbacks shall be eight feet (8').
 - b) For corner lots, the minimum side yard setbacks shall be fifteen feet (15') on the street side.
 - iii. Minimum Rear yard Setbacks. The minimum rear yard setback shall be twenty-five feet (25'). Front Setbacks shall be staggered +/- 5' at time of preliminary plat, and where a twenty-five foot (25') Front Setback is shown, the Rear Setback shall be reduced to twenty feet (20').
 - iv. Permitted Encroachment.
 - a) Front porches, roof eaves, porte-cocheres, balconies, suspended planter or flower boxes, box or bay windows, awnings and chimneys may encroach into the front yard setback up to three feet (3')

- b) Fireplaces, awnings, overhang eaves, suspended planter or flower boxes, and box or bay windows may encroach up to three feet (3') into side setbacks
- D. Minimum Floor Space. Each dwelling constructed on a Type 8F Lot shall contain a minimum of 1,200 square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.
- E. Height. The maximum height for structures on Type 8F Lots shall be forty feet (40').
- F. Front Porches. A minimum of one-third (1/3) of Type 8F Lots shall have a front porch, subject to the following regulations.
 - i. Homes located directly across from pocket parks or other community open space identified on the Concept Plan (Exhibit D) shall have a porch.
 - ii. The minimum porch depth shall be seven feet (7') when less than eighteen feet (18') wide, and no less than six feet (6') otherwise.
 - iii. The developer shall be responsible for ensuring the number of front porches meet these design standards and shall provide the City with proof of compliance at the time of final preliminary plat submittal.
- G. House Pad Width. Type 8F lots shall have a minimum pad width of forty-three feet, six inches (43' 6").
- H. Driveways. Driveways fronting on a street on Type 8F Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- I. Exterior Surfaces.
 - i. Masonry is defined as clay fired brick, natural and manufactured stone, granite, marble, stucco, cementitious material, and architectural concrete block. The exterior facades of a main building or structure, excluding glass windows and doors shall be constructed of one hundred percent (100%) masonry, subject to the following conditions:
 - a) Stucco on structures on Type 8F Lots shall be traditional 3-coat process cement plaster stucco.
 - b) Cementitious materials may be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.
 - c) Cementitious materials may constitute up to 50% of the area for stories other than the first story.

- d) On side and rear elevations, cementitious materials may not be used as a facade cladding material for portions of upper stories that are in the same vertical plan as the first story.
 - e) On front elevations and side elevations facing streets, cementitious materials may be used as a façade cladding material for up to 20% of the front elevation area.
 - ii. EIFS. EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type 8F Lots.
 - iii. Chimneys. Chimneys located on an exterior wall must be one hundred percent (100%) masonry on Type 8F Lots.
- J. Roofing.
- i. Structures constructed on Type 8F Lots shall have a composition, slate, clay tile, standing seam metal, or cement/concrete tile roof.
 - ii. Metal roofs shall be non-reflective colors.
 - iii. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile roofs shall have a minimum slope of 3" in 12".
 - iv. The minimum roof pitch on other elements such as dormers, porches, bay windows, and other appurtenances shall be 4" in 12".
- K. Garages.
- i. Homes shall have a minimum of two (2) car garage bays. Garage doors may be constructed of either metal, fiberglass or wood.
 - ii. Metal or fiberglass doors shall be constructed to give the appearance of real wood doors when viewed from any street.
 - iii. Wood doors may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.).
 - iv. Doors may be single or double wide doors.
 - v. Additionally, two of the following upgrades must be incorporated:
 - Single doors must be separated by a masonry column
 - Garage doors may be "carriage style door" designs giving the appearance of classic swing-open design with the flexibility of an overhead door.
 - Doors may incorporate decorative hardware.

- Doors may incorporate windows.
- L. Plate Height. Each structure on a Type 8F Lot shall have a minimum principal plate height of 9' on the first floor.
 - M. Fencing. No fence, wall or hedge on a Type 8F Lot shall exceed six feet (6') in height unless otherwise specifically required by the Town of Prosper or originally constructed prior to the date of this Ordinance.
 - i. Corner lots shall utilize decorative metal fence no greater than five feet (5') in height in the required street-side side yard.
 - N. Air Conditioners. No window or wall air conditioning units will be permitted on structures on Type 8F Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.
 - O. Plan Elevations. On Type 8F Lots, plan elevations shall repeat no closer than every fourth (4th) home on the same side of a street and every third (3rd) home on the opposite side of the street.
 - P. Accessory Structures. Accessory structures used as a garage will be allowed.
 - i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum rear yard setback of ten feet (10'), and a minimum side yard setback of eight feet (8').
- b. Type 9F Lots: The area and building standards for Type 9F Lots are as follows and as set forth in Table 1:
- A. Minimum Lot Size. The minimum lot size for Type 9F Lots shall be 9,000 square feet. A typical lot will be 76' x 130' but may vary as long as the requirements in Table 1 are accommodated.
 - B. Minimum Lot Width. The minimum lot width for Type 9F Lots shall be seventy feet (70').
 - C. Minimum Yard Setbacks.
 - i. Minimum Front yard Setback: The typical front yard setback for Type 9F Lots shall be twenty-five feet (25') and a minimum of twenty feet (20'). Front setbacks shall be staggered +/- 5' at time of preliminary plat. Front-facing

garage doors shall be located no closer than twenty-five feet (25') from the front property line.

ii. Minimum Side yard Setbacks

- a) The minimum side yard setbacks shall be eight feet (8').
- b) For corner lots, the minimum side yard setbacks shall be fifteen feet (15') on the street side.

iii. Minimum Rear yard Setbacks. The minimum rear yard setback shall be twenty-five feet (25'). Front Setbacks shall be staggered +/- 5' at time of preliminary plat, and where a thirty foot (30') Front Setback is shown, the Rear Setback shall be reduced to twenty feet (20').

iv. Permitted Encroachment.

- a) Front porches, roof eaves, porte-cocheres, balconies, suspended planter or flower boxes, box or bay windows, awnings and chimneys may encroach into the front yard setback up to five feet (5')
- b) Swing-in garages may encroach into required front yards up to ten feet (10'). The side of the garage facing the street shall have a minimum of one (1) 3'x5' window and the portion of the garage that extends over the front building line shall be limited to one story in height.
- c) Fireplaces, awnings, overhang eaves, suspended planter or flower boxes, and box or bay windows may encroach up to three feet (3') into side setbacks

D. Minimum Floor Space. Each dwelling constructed on a Type 9F Lot shall contain a minimum of 1,400 square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.

E. Height. The maximum height for structures on Type 9F Lots shall be forty feet (40').

F. Front Porches. A minimum of twenty-five percent (25%) of Type 9F Lots shall have a front porch, subject to the following regulations.

- i. Homes located directly across from pocket parks or other community open space identified on the Concept Plan (Exhibit D) shall have a porch.
- ii. The minimum porch depth shall be seven feet (7') when less than eighteen feet (18') wide, and no less than six feet (6') otherwise.
- iii. The minimum porch width for a house with a split garage door shall be seven feet (7').

- iv. The minimum porch width for a house without a split garage door shall be ten feet (10').
- v. The developer shall be responsible for ensuring the number of front porches meet these design standards and shall provide the City with proof of compliance at the time of final preliminary plat submittal.
- G. House Pad Width. Type 9F lots shall have a minimum pad width of fifty-three feet, six inches (53' 6").
- H. Driveways. Driveways fronting on a street on Type 9F Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- I. Exterior Surfaces.
 - i. Masonry is defined as clay fired brick, natural and manufactured stone, granite, marble, stucco, cementitious material, and architectural concrete block. The exterior facades of a main building or structure, excluding glass windows and doors shall be constructed of one hundred percent (100%) masonry, subject to the following conditions:
 - a) Stucco on structures on Type 9F Lots shall be traditional 3-coat process cement plaster stucco.
 - b) Cementitious materials may be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.
 - c) Cementitious materials may constitute up to 50% of the area for stories other than the first story.
 - d) On side and rear elevations, cementitious materials may not be used as a facade cladding material for portions of upper stories that are in the same vertical plan as the first story.
 - e) On front elevations and side elevations facing streets, cementitious materials may be used as a façade cladding material for up to 20% of the front elevation area.
 - ii. EIFS. EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type 9F Lots.
 - iii. Chimneys. Chimneys located on an exterior wall must be one hundred percent (100%) masonry on Type 9F Lots.

K. Roofing.

- i. Structures constructed on Type 9F Lots shall have a composition, slate, clay tile, standing seam metal, or cement/concrete tile roof.
- ii. Metal roofs shall be non-reflective colors.
- iii. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile roofs shall have a minimum slope of 3" in 12".
- iv. The minimum roof pitch on other elements such as dormers, porches, bay windows, and other appurtenances shall be 4" in 12".

L. Garages.

- i. Homes shall have a minimum of two (2) car garage bays but no more than three (3).
- ii. Homes with three (3) garages shall not have more than two (2) garage bays facing the street.
- iii. Carports or three (3) car front facing garages shall not be permitted.
- iv. Garage doors may be constructed of either metal, fiberglass or wood.
- v. Metal or fiberglass doors shall be constructed to give the appearance of real wood doors when viewed from any street.
- vi. Wood doors may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.).
- vii. Doors may be single or double wide doors.
- viii. Additionally, two of the following upgrades must be incorporated:
 - Single doors must be separated by a masonry column of no less than twelve inches (12") in width.
 - Garage doors may be "carriage style door" designs giving the appearance of classic swing-open design with the flexibility of an overhead door.
 - Doors may incorporate decorative hardware.
 - Doors may incorporate windows.

M. Plate Height. Each structure on a Type 9F Lot shall have a minimum principal plate height of 9' on the first floor.

- N. Fencing. No fence, wall or hedge on a Type 9F Lot shall exceed six feet (6') in height unless otherwise specifically required by the Town of Prosper or originally constructed prior to the date of this Ordinance.
 - i. All Type 9F Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
 - ii. Corner lots shall utilize decorative metal fence no greater than five feet (5') in height in the required street-side side yard.
- O. Air Conditioners. No window or wall air conditioning units will be permitted on structures on Type 9F Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.
- P. Plan Elevations. On Type 9F Lots, plan elevations shall repeat no closer than every fourth (4th) home on the same side of a street and every third (3rd) home on the opposite side of the street.
- Q. Accessory Structures. Accessory structures used as a garage will be allowed.
 - i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum rear yard setback of ten feet (10'), and a minimum side yard setback of eight feet (8').
- c. Type 10F Lots: The area and building standards for Type 10F Lots are as follows and as set forth in Table 1:
 - A. Minimum Lot Size. The minimum lot size for Type 10F Lots shall be 10,000 square feet. A typical lot will be 86' x 130' but may vary as long as the requirements in Table 1 are accommodated.
 - B. Minimum Lot Width. The minimum lot width for Type 10F Lots shall be eighty feet (80').
 - C. Minimum Yard Setbacks.
 - i. Minimum Front yard Setback: The typical front yard setback for Type 10F Lots shall be twenty-five feet (25') and a minimum of twenty feet (20'). Front setbacks shall be staggered +/- 5' at time of preliminary plat. Front-facing garage doors shall be located no closer than twenty-five feet (25') from the front property line.

- ii. Minimum Side yard Setbacks
 - a) The minimum side yard setbacks shall be eight feet (8').
 - b) For corner lots, the minimum side yard setbacks shall be fifteen feet (15').
- iii. Minimum Rear yard Setbacks. The minimum rear yard setback shall be twenty-five feet (25'). Front Setbacks shall be staggered +/- 5' at time of preliminary plat, and where a thirty foot (30') Front Setback is shown, the Rear Setback shall be reduced to twenty feet (20').
- iv. Permitted Encroachment.
 - a) Front porches, roof eaves, porte-cocheres, balconies, suspended planter or flower boxes, box or bay windows, awnings and chimneys may encroach into the front yard setback up to five feet (5')
 - b) Swing-in garages may encroach into required front yards up to ten feet (10'). The side of the garage facing the street shall have a minimum of one (1) 3'x5' window and the portion of the garage that extends over the front building line shall be limited to one story in height.
 - c) Fireplaces, awnings, overhang eaves, suspended planter or flower boxes, and box or bay windows may encroach up to three feet (3') into side setbacks
- D. Minimum Floor Space. Each dwelling constructed on a Type 10F Lot shall contain a minimum of 1,500 square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.
- E. Height. The maximum height for structures on Type 10F Lots shall be forty feet (40').
- F. House Pad Width. Type 10F lots shall have a minimum pad width of sixty-three feet, six inches (63' 6").
- G. Driveways. Driveways fronting on a street on Type 10F Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- H. Exterior Surfaces.
 - i. Masonry is defined as clay fired brick, natural and manufactured stone, granite, marble, stucco, cementitious material, and architectural concrete block. The exterior facades of a main building or structure, excluding glass windows and doors shall be constructed of one hundred percent (100%) masonry.
 - ii. EIFS. EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type 10F Lots.

- iii. Chimneys. Chimneys located on an exterior wall must be one hundred percent (100%) masonry on Type 10F Lots.

J. Roofing.

- i. Structures constructed on Type 10F Lots shall have a composition, slate, clay tile, standing seam metal, or cement/concrete tile roof.
- ii. Metal roofs shall be non-reflective colors.
- iii. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile roofs shall have a minimum slope of 3" in 12".
- iv. The minimum roof pitch on other elements such as dormers, porches, bay windows, and other appurtenances shall be 4" in 12".

K. Garages.

- i. Homes shall have a minimum of two (2) car garages but no more than four (4).
- ii. Homes with three (3) or more garage bays shall not have more than two (2) garage doors facing the street.
- iii. Carports or three (3) car front facing garages shall not be permitted.
- iv. Garage doors may be constructed of either metal, fiberglass or wood.
- v. Metal or fiberglass doors shall be constructed to give the appearance of real wood doors when viewed from any street.
- vi. Wood doors may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.).
- vii. Doors may be single or double wide doors.
- viii. Additionally, two of the following upgrades must be incorporated:
 - Single doors must be separated by a masonry column of no less than twelve inches (12") in width.
 - Garage doors may be "carriage style door" designs giving the appearance of classic swing-open design with the flexibility of an overhead door.
 - Doors may incorporate decorative hardware.
 - Doors may incorporate windows.

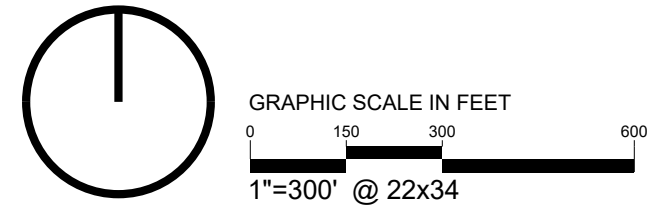
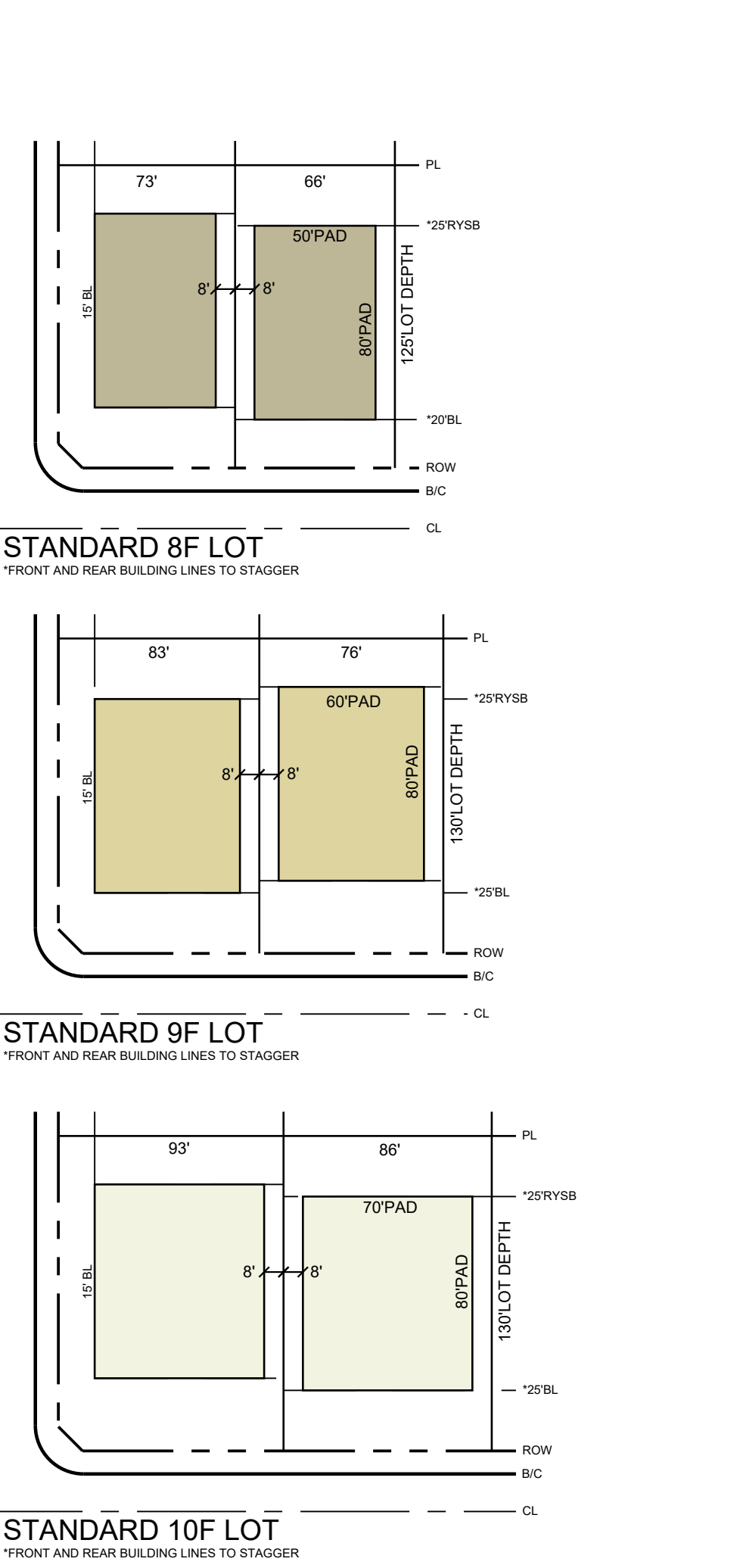
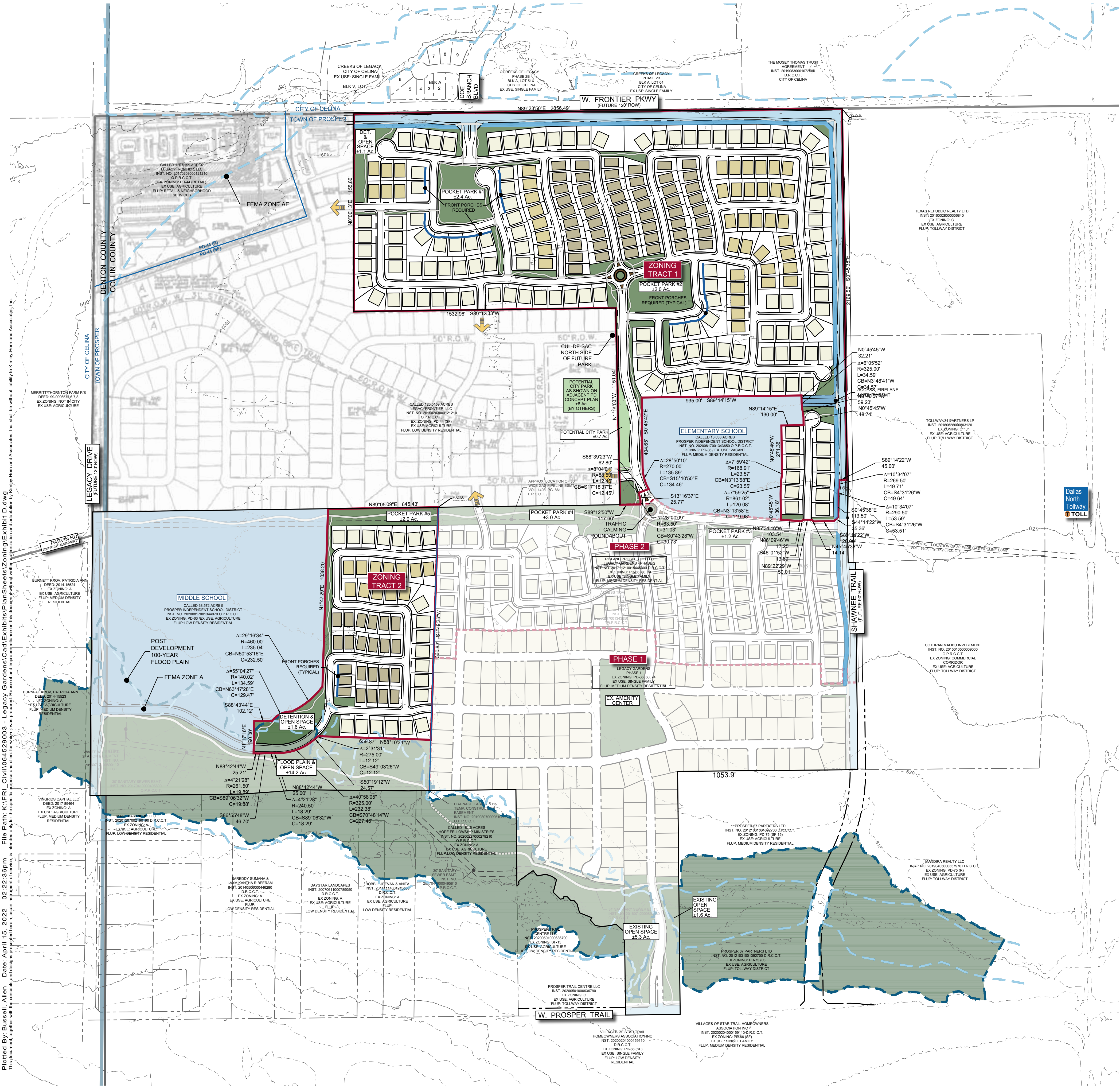
L. Plate Height. Each structure on a Type 10F Lot shall have a minimum principal plate height of 9' on the first floor.

- M. Fencing. No fence, wall or hedge on a Type 10F Lot shall exceed six feet (6') in height unless otherwise specifically required by the Town of Prosper or originally constructed prior to the date of this Ordinance.
- i. All Type 10F Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
 - ii. Corner lots shall utilize decorative metal fence no greater than five feet (5') in height in the required street-side side yard.
- N. Air Conditioners. No window or wall air conditioning units will be permitted on structures on Type 10F Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.
- O. Plan Elevations. On Type 10F Lots, plan elevations shall repeat no closer than every fourth (4th) home on the same side of a street and every third (3rd) home on the opposite side of the street.
- P. Accessory Structures. Accessory structures used as a garage will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum rear yard setback of ten feet (10'), and a minimum side yard setback of eight feet (8').

Table 1:

Type/Name	8F	9F	10F
Nominal Lot Size (ft)	66x125	76x130	86x130
Min lot size (SF)	8,000	9,000	10,000
Minimum Number	N/A	N/A	125
Garage Orientation	Front	Front / J-Swing	Front / J-Swing
Min Building Pad Width	43' 6"	53' 6"	63' 6"
Min Dwelling Area (living sf)	1,200	1,400	1,500
Min Front Yard (ft)	20*	25*	25*
Min Side Yard (ft)	8/8	8/8	8/8
Corner Lot Side Yard (ft)	15	15	15
Min Rear Yard (ft)	25*	25*	25*
Max Building Height (ft)	40	40	40
Max Lot Coverage	45%	45%	45%
Min Lot Width (ft)	60	70	80
Min Lot Depth (ft)	115	120	120

*Front setbacks shall be staggered +/- 5' from those shown in the table at time of preliminary plat. Where a 25' Front Setback is shown (30' for 9F or 10F Lots), the Rear Setback shall be reduced to 20 foot. Front porches, roof eaves, porte-cocheres and chimneys may encroach into the front yard setback, but in no event shall the front yard setback be less than 20 feet.



Land Use Acreage Summary	
Perimeter Thoroughfare Rights of Way (ROW)	9.6
Perimeter ROW Buffers	3.6
Public Park	0.7
Public Schools & Assoc. Easements	51.6
Open Space & Pocket Parks	45.2
Phases One and Two	65.6
Area Subject to Zoning	121.4
Total	297.8

Open Space Acreage Summary	
Open Space	45.2
Area (Net ROW, Buffers, Park & Schools)	232.3
Total Percent Open Space	19.5%

Lot Type Summary		
Proposed Lots		
8F (66'x125')	75	14.6%
9F (76'x130')	57	11.1%
10F (86'x130')	148	28.8%
Existing Platted Lots		
Type I (10,000 SF)	17	3.3%
Type II (11,000 SF)	167	32.5%
Type III (12,500 SF)	34	6.6%
PD-74-15 (15,000 SF)	16	3.1%
Total	514	

Density Summary (Units per Acre)	
Gross	1.7
Net of Perimeter ROW, Buffers & Schools	2.2

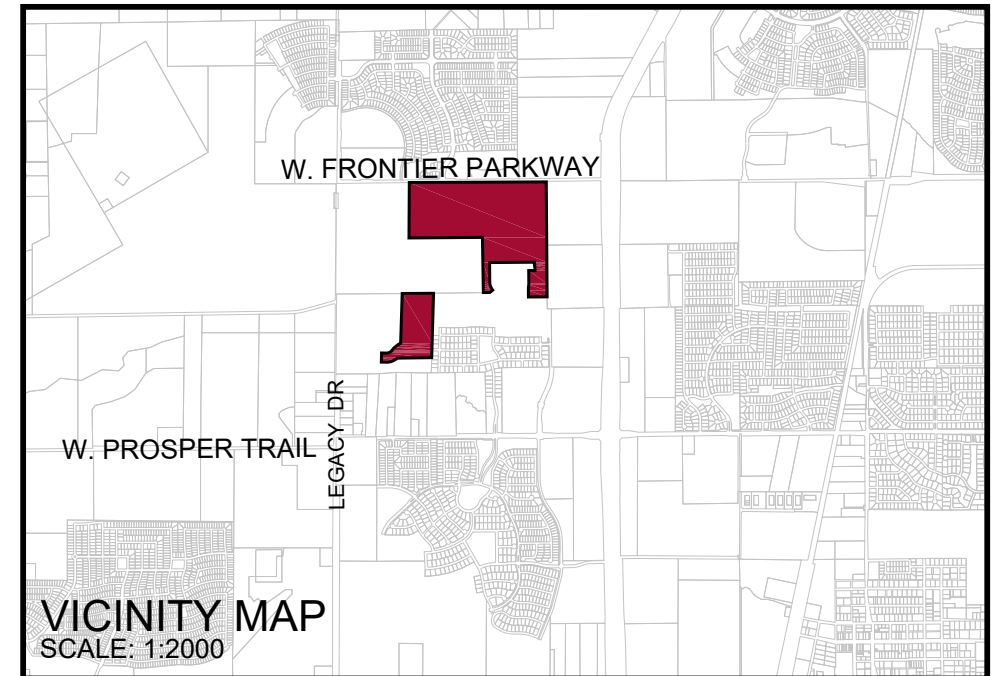


EXHIBIT D - CONCEPT PLAN
Legacy Gardens
±297.75 ACRES IN THE COLLIN COUNTY SCHOOL SURVEY,
ABSTRACT #147 IN THE TOWN OF PROSPER,
COLLIN COUNTY, TEXAS
April 2022

APPLICANT / OWNER:
Risland Prosper 221 LLC
5600 Tennyson Parkway
Suite 225
Piano, TX 75024
P (281) 682-7321
E michael.hanschen@rislandus.com
Contact: Michael Hanschen

ENGINEER / SURVEYOR:
Kimley-Horn and Associates
State of Texas Registration No. F-928
6160 Warren Parkway
Suite 200
Frisco, TX 75034
P (972) 335-3580
Contact: Thomas G. Coppin, PE

- NOTES:
- The thoroughfare alignments shown on this exhibit are for illustrative purposes only. The alignment of each thoroughfare will be finalized at the time of preliminary plat and will be established at the time of final plat.
 - Refer to Exhibit B for planned development standards.
 - Existing zoning district boundaries from Town of Prosper GIS site, 6/9/2020.
 - According to Flood Insurance Rate Map (FIRM) map no. 48085C0115J with LOMR #17-06-1400p effective 1/16/2018 prepared by Federal Emergency Management Agency (FEMA) for Denton Collin county, Texas this property is within Zone X, A and Zone AE.
 - PPSD Tracts are shown for illustrative purposes only and do not reflect actual approved conditions.
 - Exact size for the parks to be coordinated with the Town of Prosper.

EXHIBIT E:
Development Schedule for Legacy Gardens, Town of Prosper, Texas

Phase 1	118 lots	Substantially completed in September 2019
Phase 1 C	16 lots	Anticipated substantial completion December 2021
Phase 2	100 lots	Under design. Anticipated to include single family lots types and be substantially completed by September 30, 2023

Remaining phases anticipated to provide 100-150 finished lots of various Types each 18-month period beginning January 2024

This schedule is subject to change due to various factors beyond the control of the developer such as housing market conditions, construction materials and labor availability and acts of nature, among others.

EXHIBIT F:

Illustrative Elevations and Plans for Legacy Gardens, Town of Prosper, Texas

The following images represent home designs consistent with the standards set forth in Exhibit C for each Lot Type and shall serve as a guide in the design and construction of homes in Legacy Gardens, but do not constitute the exclusive plans or elevations to be built.

Exhibit F - Type 8F Lots





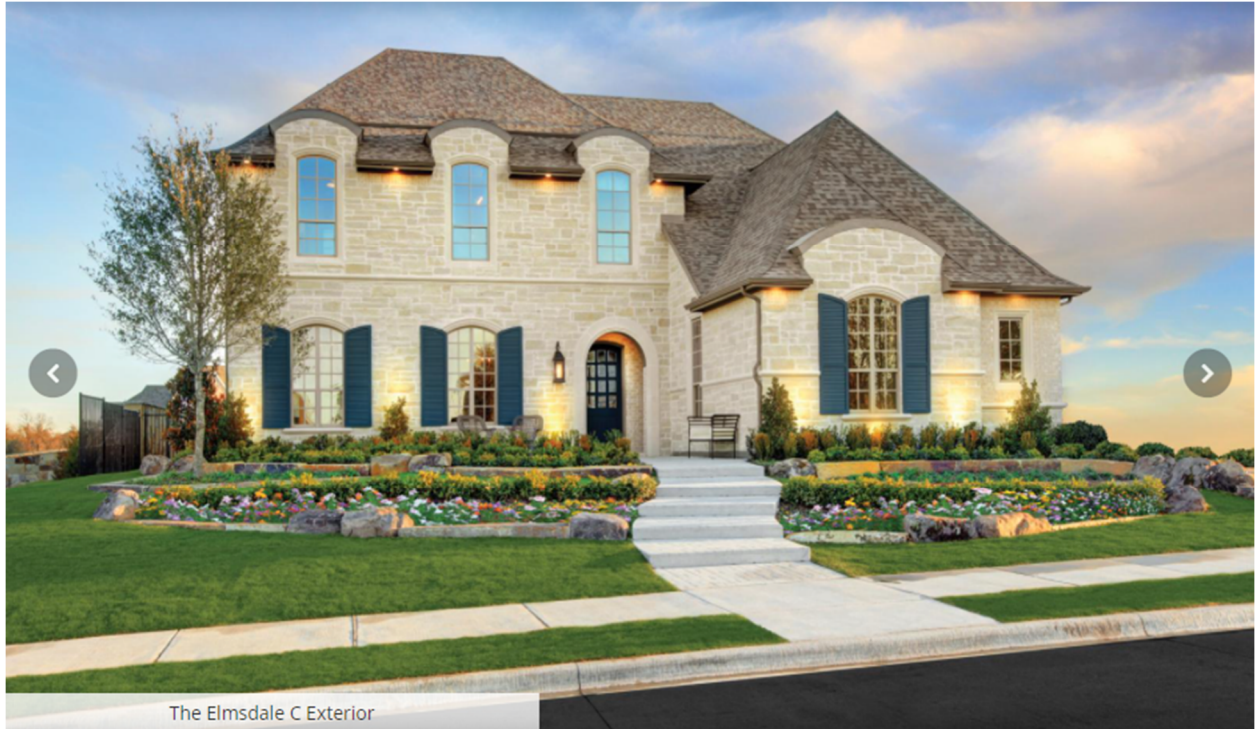


Exhibit F - Type 9F Lots





Exhibit F - Type 10F Lots





The Julian A Exterior





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

REPLY FORM

SUBJECT:

Zoning Case Z20-0019: The Town of Prosper has received a request to amend Planned Development-36, Planned Development-60, Planned Development-63, and Planned Development-74, for Legacy Gardens, on 121.4± acres, in order to modify the residential development standards, including but not limited to reducing permitted lot sizes.

LOCATION OF SUBJECT PROPERTY:

The property is located on the north side of Prosper Trail, west of Dallas Parkway.

- ☒ 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):

Reducing the lot sizes will reduce the value of the property and may cause traffic jam during rush hours due to more residents in the area.

YING XIAN
Name (please print)

1661 Caruth Dr
Address

Prosper, TX 75078
City, State, and Zip Code

585-409-4369
Phone Number

[Signature]
Signature

04/25/2022
Date

victorying@hotmail.com
E-mail Address

RECEIVED
APR 29 2022

BY:



Prosper is a place where everyone matters.

RESULTS

Agenda

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, April 26, 2022
5:45 PM

Notice Regarding Public Participation

Welcome to the Prosper Town Council. Individuals may attend the meeting in person, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link: <https://us02web.zoom.us/j/87047432329>

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 870 4743 2329

Addressing the Town Council:

Those wishing to address the Town Council must complete the [Public Comment Request Form](#) located on the Town website or in Council Chambers.

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

If you are attending online/virtually, please submit this form to the Town Secretary prior to 5:00 p.m. on the day of the meeting. Please ensure your full name appears on the screen and you are unmuted so the meeting moderator can recognize you and allow you to speak. The Chat feature is not monitored during the meeting. The Town assumes no responsibility for technical issues that are beyond our control.

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

Call to Order/ Roll Call.

Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Announcements of recent and upcoming events.

Presentations.

1. Proclamation recognizing May 2022, as Building Safety Month. (KD)

CONSENT AGENDA: APPROVED 7-0

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.

2. Consider and act upon the minutes from the April 12, 2022, Town Council meeting. (MLS)
3. Consider and act upon an ordinance amending Appendix A, "Fee Schedule" to the Town's Code Of Ordinances by adding a new subsection (f), "Proration Of Annual Fees," to section XX, "Health And Sanitation Fees" including the addition of late payment charges. (MB)
4. Consider and act upon approving a Cooperative Purchasing Agreement between North Texas Municipal Water District (NTMWD) and the Town of Prosper, for the purchase of Magnesium Hydroxide Treatment Implementation; and authorizing the Town Manager to execute the same. (FJ)
5. Consider and act upon an ordinance abandoning a portion of Good Hope Road prescriptive right-of-way, located north of Windsong Parkway, beginning at a point approximately 300 feet north of Mill Branch Drive and extending northward approximately 750 feet. (PC)
6. Consider and act upon approving an ordinance amending Chapter 3 "Building Regulations" of the Town's Code of Ordinances by amending Section 3.14.008 "Sign Specifications and Design" Subpart (1) of Subsection (c), "Restrictions", and amendments to locational restrictions in Section 3.14.012 "Criteria for Permissible Signs", Subpart (B)(i)(b) "Banner Sign" of Subsection 1 "Attached Signage"; Subpart (A)(i)(a) "Development Sign" of Subsection 2 "Freestanding Signage"; Subpart (B)(i)(b) "Downtown Sign", of Subsection 2 "Freestanding Signage"; and Subpart (G)(i)(c)(2) "Monument Sign" of Subsection 2 "Freestanding Signage". (BC)
7. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plans, including CHC Prosper Trail, Prosper Tollway Office Park, and Prestonwood Temporary Buildings. (DS)

CITIZEN COMMENTS

The public is invited to address the Council on any topic. However, the Council 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 the Town Secretary prior to the meeting.

REGULAR AGENDA:

If you wish to address the Council, please fill out a "Public Comment Request Form" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council 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 Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

Items for Individual Consideration:

8. Conduct a public hearing and consider and act upon a request to amend Planned Development-94 (PD-94), for the Westside Development, on 64.5± acres, northeast corner of US 380 and FM 1385, regarding hotel uses and development standards. (Z22-0001). (DS) **APPROVED 7-0**

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

9. Discussion regarding First Street (Coleman-Craig). (LH)
10. Receive an update regarding Phase 2 of the Matrix Report. (RZ)
11. Receive an update on the Town Hall Balcony Receptions. (RB)

EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.

Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.071 – To consult with the Town Attorney regarding new United States Supreme Court decision in City of Austin v. Reagan National Advertising relative to municipal sign regulation authority and all matters incident and related thereto.

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

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, April 22, 2022, 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.