

AGENDA
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, February 1, 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 January 18, 2022, Planning & Zoning Commission Regular meeting.
- 3b.** Consider and act upon a Final Plat for the Brookhollow Apartments Addition, on 21.8± acres, located on the north side of US 380, west of Custer Road. The property is zoned Planned Development-86 (PD-86). (D21-0104).
- 3c.** Consider and act upon a Site Plan for a Restaurant with Drive-Through Service, in Windsong Ranch Marketplace, on 0.6± acres, located north of US 380, east of Gee Road. The property is zoned Planned Development-40 (PD-40). (D21-0128).

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.** Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
- 5.** 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, January 28, 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, January 18, 2022, 6:00 p.m.

1. Call to Order/ Roll Call

The meeting was called to order at 6:01 p.m.

Commissioners present: Chair Brandon Daniel, Vice-Chair Sarah Peterson, Secretary Mike Pettis, Doug Charles, Sekou Harris, Damon Jackson, and Chris Kern.

Staff present: Alex Glushko, 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 December 7, 2021, Planning & Zoning Commission Regular meeting.**
- 3b. Consider and act upon a Revised Preliminary Site Plan for a multifamily development in Brookhollow, on 25.2± acres, located on the north side of US 380, west of Custer Road. The property is zoned Planned Development-86 (PD-86). (D21-0008).**
- 3c. Consider and act upon a Site Plan for a multifamily development in Brookhollow, on 25.2± acres, located on the north side of US 380, west of Custer Road. The property is zoned Planned Development-86 (PD-86). (D21-0103).**
- 3d. Consider and act upon a Site Plan for a Restaurant with Drive-Through Service, on 1.2± acres, in the Victory at Frontier development, located on the west side of Preston Road, south of Frontier Parkway. The property is zoned Planned Development-10 (PD-10) and Specific Use Permit-38 (S-38). (D21-0129).**
- 3e. Consider and act upon a Replat for Public Safety Addition, Block A, Lot 1R, on 12.6± acres, located on the southwest corner of Safety Way and Cook Lane. The property is zoned Planned Development-95 (PD-95). (D21-0130).**
- 3f. Consider and act upon a Site Plan for a Restaurant with Drive-Through Service, on in Prosper Town Center, on 1.0± acres, located on the north side of First Street, east of Preston Road. The property is zoned Planned Development-7 (PD-7). (D21-0134).**
- 3g. Consider and act upon a Conveyance Plat/Final Plat for Prosper Town Center, Phase VII, Block A, Lots 8 and 9, on 3.4± acres, located on the north side of First Street, east of Preston Road. The property is zoned Planned Development-7 (PD-7). (D21-0135).**

Motion by Jackson, second by Pettis, to approve the Consent Agenda, subject to staff recommendations. Motion approved 7-0.

REGULAR AGENDA

- 4. Consider and act upon a Site Plan for a house of worship (Hope Fellowship Church Prosper), on 18.2± acres, located on the north side of Prosper Trail, east of Legacy Drive. The property is zoned Agriculture (A). (D21-0099).**

Glushko: Provided information regarding the project and the request for a solid living screen.

Matt Moore (Applicant): Provided additional information regarding the type of landscaping being used and the long-term maintenance.

Motion by Peterson, second by Charles, to approve Item 4, subject to staff recommendations. Motion approved 7-0.

- 5. Receive presentation regarding proposed development of Prosper Flats, located on the north side of US 380, west of Lakewood Drive.**

Received a presentation from developer regarding the proposed development.

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

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

Commissioner Charles requested an update regarding Dallas North Tollway Design guidelines.

- 7. Adjourn.**

Motion by Harris, second by Jackson, to adjourn. Motion approved 7-0 at 7:27 p.m.

Evelyn Mendez, Planning Technician

Michael Pettis, Secretary



To: Planning & Zoning Commission

Item No. 3b

From: David Soto, Senior Planner

Through: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – February 1, 2022

Agenda Item:

Consider and act upon a Final Plat for the Brookhollow Apartments Addition, on 21.8± acres, located on the north side of US 380, west of Custer Road. The property is zoned Planned Development-86 (PD-86). (D21-0104).

Description of Agenda Item:

The purpose of the Final Plat for Brookhollow Apartments Addition, Block A, Lot 1 is to dedicate easements necessary for development. The Final Plat conforms to Planned Development-86 development standards.

The Revised Preliminary Site Plan (D21-0008) & Site Plan (D21-0103) for the Brookhollow Multifamily development were approved by the Planning & Zoning Commission on January 18, 2022.

Attached Documents:

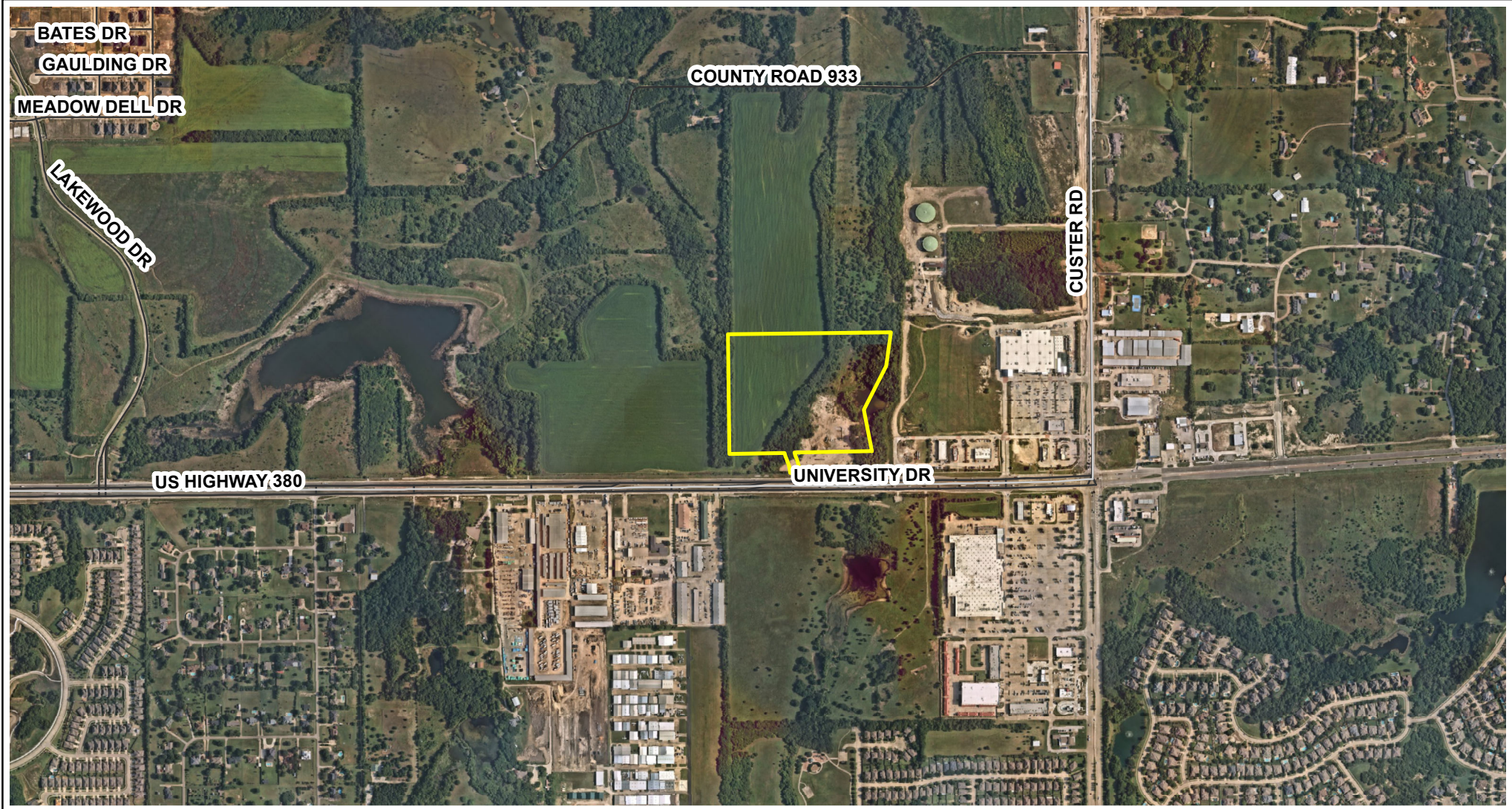
1. Location Map
2. Final Plat

Staff Recommendation:

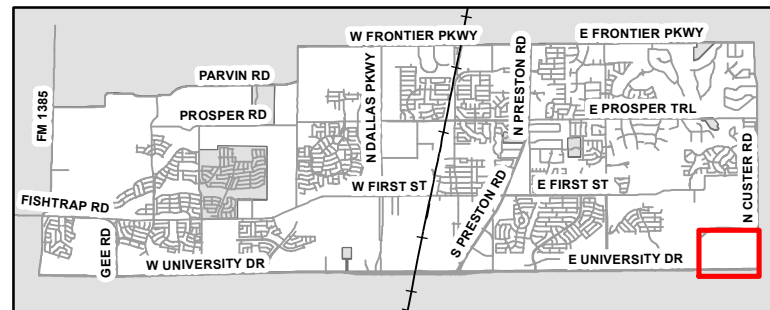
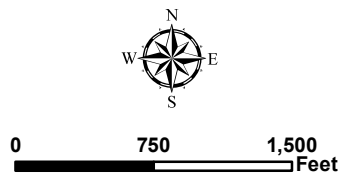
Staff recommends approval of Final Plat, subject to:

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

D21-0104 - Brookhollow Multifamily, Block A, Lot 1

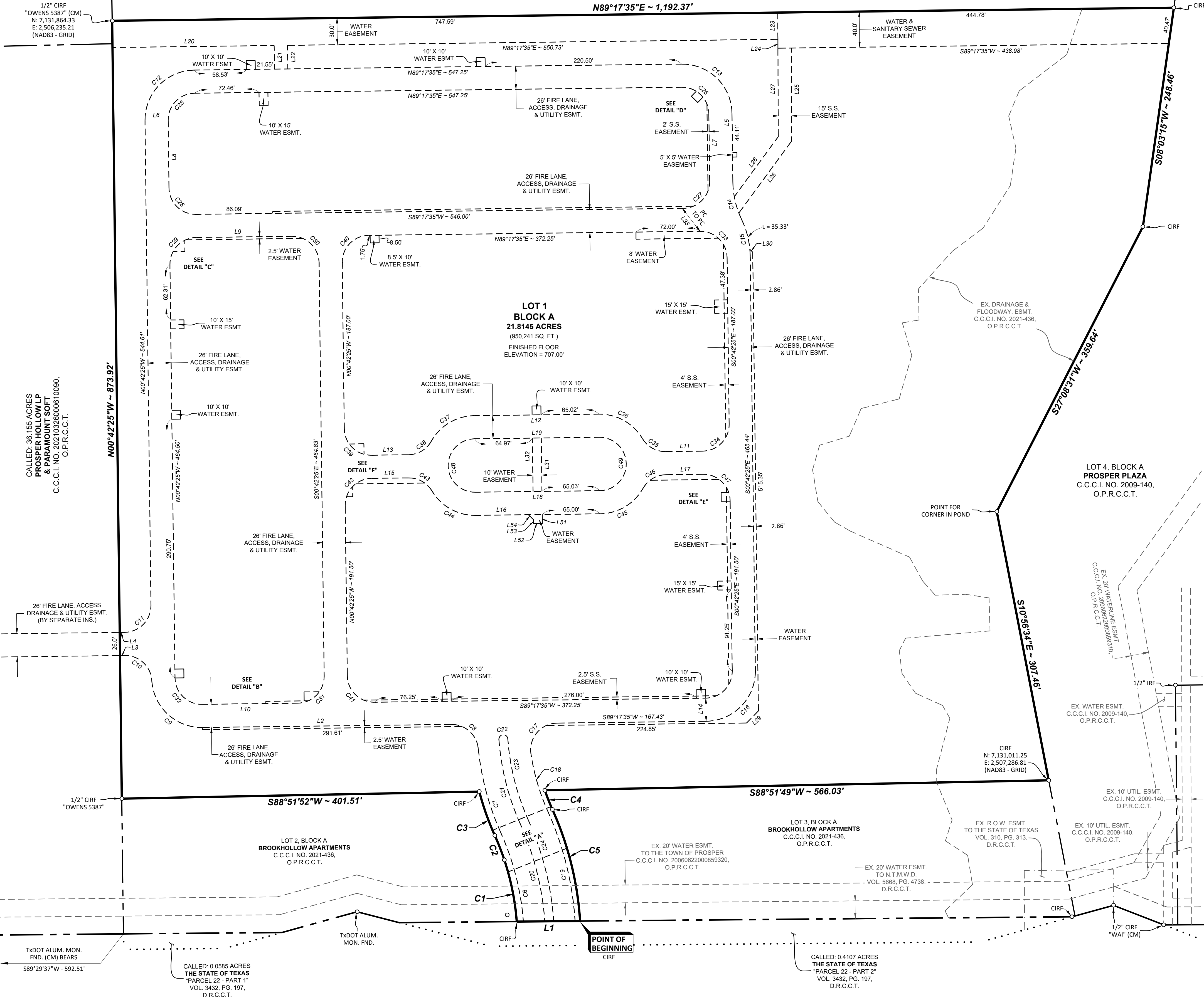


This map is for illustration purposes only.



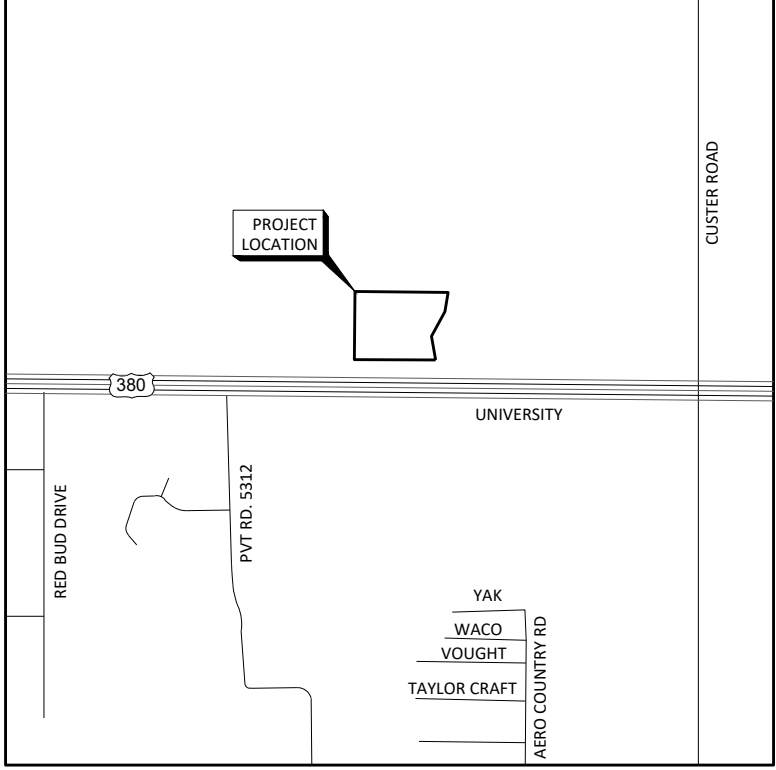
CALLED: 146.609 ACRES
310 PROSPER, L.P.
"TRACT TWO IN"
VOL. 5823, PG. 3462,
D.R.C.C.T.

REMAINDER OF
CALLED: 104.483 ACRES
104 PROSPER, L.P.
C.C.C.I. NO. 2002-0185633,
O.P.R.C.C.T.



(VARIABLE WIDTH PUBLIC R.O.W.
ALSO KNOWN AS U.S. HIGHWAY NO. 380)
UNIVERSITY DRIVE

CURVE TABLE				
CURVE	RADIUS	LENGTH	CH. BEARING	CH. LENGTH
C1	288.50'	70.75'	N11°22'07\"W	70.57'
C2	294.44'	29.56'	N21°19'45\"W	29.54'
C3	311.35'	52.39'	S19°26'54\"E	52.32'
C4	240.50'	23.25'	S21°29'38\"E	23.24'
C5	359.50'	129.76'	N13°55'22\"W	129.06'
C6	296.00'	103.42'	N14°15'16\"W	102.89'
C7	304.00'	98.47'	S14°59'01\"E	98.04'
C8	30.00'	44.51'	N48°12'20\"W	40.54'
C9	56.00'	84.06'	S47°51'12\"E	76.39'
C10	30.00'	47.12'	N45°42'14\"W	42.42'
C11	30.00'	47.12'	N44°17'35\"E	42.43'
C12	56.00'	87.96'	S44°17'35\"W	79.20'
C13	56.00'	87.96'	N45°42'25\"W	79.20'
C14	100.00'	43.35'	S13°07'33\"E	43.01'
C15	100.00'	43.35'	N13°07'33\"W	43.01'
C16	56.00'	87.96'	N44°17'35\"E	79.20'
C17	30.00'	51.18'	S40°25'22\"W	45.19'
C18	246.00'	67.91'	S16°21'20\"E	67.69'
C19	354.00'	127.23'	N13°58'01\"W	126.55'
C20	320.00'	113.37'	N14°06'49\"W	112.78'
C21	280.00'	98.61'	S14°10'25\"E	98.11'
C22	5.01'	15.21'	S85°54'57\"W	10.00'
C23	270.00'	95.09'	S14°10'25\"E	94.60'
C24	330.00'	117.52'	N14°03'40\"W	116.90'
C25	30.00'	47.12'	S44°17'35\"W	42.43'
C26	30.00'	47.12'	N45°42'25\"W	42.43'
C27	30.08'	47.34'	N46°28'49\"E	42.60'
C28	30.00'	47.12'	S45°42'25\"E	42.43'
C29	30.00'	47.12'	S44°17'35\"W	42.43'
C30	30.00'	47.12'	N45°42'25\"W	42.43'
C31	30.00'	47.12'	N44°17'35\"E	42.43'
C32	30.00'	47.12'	S45°42'25\"E	42.43'
C33	30.00'	47.12'	N45°42'25\"W	42.43'
C34	30.00'	47.12'	N44°17'35\"E	42.43'
C35	30.00'	31.42'	S60°42'11\"E	30.00'
C36	56.00'	58.65'	N60°42'15\"W	56.01'
C37	56.00'	58.65'	S59°17'25\"W	56.00'
C38	30.00'	31.42'	N59°17'28\"E	30.00'
C39	30.00'	47.12'	S45°42'25\"E	42.43'
C40	30.00'	47.12'	S44°17'35\"W	42.43'
C41	30.00'	47.12'	S45°42'25\"E	42.43'
C42	30.00'	47.12'	S44°17'35\"W	42.43'
C43	30.00'	31.41'	N60°42'32\"W	30.00'
C44	56.00'	58.64'	S60°42'36\"E	56.00'
C45	56.00'	58.63'	N59°17'45\"E	55.99'
C46	30.00'	31.41'	S59°17'49\"W	30.00'
C47	30.00'	47.12'	N45°42'25\"W	42.43'
C48	30.00'	94.25'	S00°42'32\"E	60.00'
C49	30.00'	94.25'	N00°42'32\"W	60.00'



* VICINITY MAP *
(NOT TO SCALE)

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°30'20\"W	71.13'
L2	S89°17'35\"W	279.62'
L3	S89°17'57\"W	5.50'
L4	N89°17'35\"E	5.50'
L5	S00°42'25\"W	77.12'
L6	N89°17'35\"E	26.00'
L7	S00°42'25\"E	77.12'
L8	N00°42'25\"W	76.07'
L9	N89°17'35\"E	107.50'
L10	S89°17'35\"W	107.50'
L11	S89°17'35\"W	41.64'
L12	S89°17'28\"W	140.00'
L13	S89°17'35\"W	41.65'
L14	N00°42'25\"W	26.00'
L15	N89°17'35\"E	41.65'
L16	N89°17'28\"E	140.00'
L17	N89°17'35\"E	41.65'
L18	N89°17'28\"E	140.00'
L19	S89°17'28\"W	140.00'
L20	N89°17'35\"E	181.58'
L21	S00°42'25\"W	26.50'
L22	N00°42'25\"W	26.50'
L23	N00°11'52\"W	30.00'
L24	N00°11'52\"W	10.00'
L25	S00°12'05\"E	104.46'
L26	S36°12'48\"W	100.27'
L27	S00°12'03\"E	99.40'
L28	S36°12'48\"W	83.59'
L29	N44°17'35\"E	19.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L30	S45°42'25\"E	4.50'
L31	S00°42'03\"E	60.00'
L32	N00°42'03\"W	60.00'
L33	S37°55'40\"E	32.65'
L34	N89°17'35\"E	10.00'
L35	S00°42'25\"E	10.00'
L36	S89°17'35\"W	10.00'
L37	N00°42'25\"W	2.50'
L38	N89°17'35\"E	47.83'
L39	N00°42'25\"W	10.00'
L40	N89°17'28\"E	17.15'
L41	N68°03'32\"E	71.35'
L42	S67°56'44\"W	71.02'
L43	N89°45'48\"E	13.24'
L44	N00°28'24\"W	12.62'
L45	S44°17'35\"W	7.84'
L46	S45°42'25\"E	10.00'
L47	N44°17'35\"E	8.32'
L48	S89°17'35\"W	10.00'
L49	N00°42'25\"W	10.00'
L50	N89°17'35\"E	8.50'
L51	S00°45'00\"E	10.00'
L52	S89°17'35\"W	10.00'
L53	N00°45'00\"W	4.38'
L54	N45°42'25\"W	7.94'
L55	S89°52'27\"E	6.92'
L56	N00°07'33\"E	11.50'
L57	N89°17'31\"E	16.52'
L58	S00°45'00\"E	11.80'

NOTE: SEE PAGE 2 OF 2 FOR
OWNER'S CERTIFICATE, OWNER'S DEDICATION,
GENERAL NOTES, SURVEYOR'S STATEMENT,
CITY APPROVAL, AND DETAILS.

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
JANUARY 3, 2022

CITY PROJECT NO. D21-0104
FINAL PLAT
**LOT 1, BLOCK A
BROOKHOLLOW APARTMENTS**

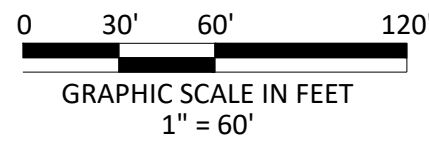
BEING A FINAL PLAT OF A 21.8145 ACRE TRACT OF LAND LOCATED IN THE JEREMIAH HORN SURVEY, ABSTRACT NO. 411, TOWN OF PROSPER, COLLIN COUNTY, TEXAS, SAID 21.8145 ACRE TRACT BEING ALL OF LOT 1, BLOCK A, BROOKHOLLOW APARTMENTS, BEING AN ADDITION TO THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN COLLIN COUNTY CLERK'S INSTRUMENT NO. 2021-436, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID 21.8145 ACRE TRACT OF LAND ALSO BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO DD BROOKHOLLOW, LLC, BY DEED THEREOF FILED FOR RECORD IN COLLIN COUNTY CLERK'S INSTRUMENT NO. 20210810001614960, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS.

1 LOT ~ 21.8145 ACRES
JANUARY 2022

SHEET 1 OF 2

* LEGEND *

CIRF	5/8\" ROD WITH CAP STAMPED "SPOONER 5922" FOUND UNLESS SHOWN OTHERWISE HEREON
ALUM. MON.	ALUMINUM MONUMENT
P.F.C.	POINT FOR CORNER
(CM)	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
C.C.C.I. NO.	COLLIN COUNTY CLERK'S INSTRUMENT NUMBER
D.R.C.C.T.	DEED RECORDS, COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS COLLIN COUNTY, TEXAS
B.T.P.	BY THIS PLAT
ESMT.	EASEMENT
D.E.	DRAINAGE EASEMENT
W.E.	WATER EASEMENT
UTIL.	UTILITY



ENGINEER:

BURGESS & NIPLE

OWNER:

DD BROOKHOLLOW, LLC
403 CORPORATE CENTER DR.
STOCKBRIDGE, GEORGIA 30281
ATTN: FRED S. HAZEL

3 SUGAR CREEK CENTER BLVD., STE 610
SUGAR LAND, TEXAS 77478
PH: (330) 376-5778
TBPE FIRM NO. F-10834
ATTN: TOM LUNZMAN, P.E.

SURVEYOR:



300 BYERS STREET, SUITE 100, EL DRESS, TEXAS 76039
(817) 885-4448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900 - S&A 20181

* OWNER'S CERTIFICATION *

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, DD BROOKHOLLOW, LLC, is the sole owner of a 21.8145 acre tract of land located in the Jeremiah Horn Survey, Abstract No. 411, Town of Prosper, Collin County, Texas, said 21.8145 acre tract of land being all of **LOT 1, BLOCK A, BROOKHOLLOW APARTMENTS**, being an addition to the said Town and State, according to the plat thereof filed for record in Collin County Clerk's Instrument No. 2021-436, Official Public Records, Collin County, Texas (O.P.R.C.C.T.) said 21.8145 acre tract also being all of that certain tract of land conveyed to **DD BROOKHOLLOW, LLC** by deed thereof filed for record in Collin County Clerk's Instrument No. 2021081001614960, O.P.R.C.C.T., said 21.8145 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "SPOONER 5922" found (hereinafter referred to as an iron rod found) at the most southerly southeast lot corner of said Lot 1, same being the southwest lot corner of Lot 3 of said Block A, said beginning point being on the north right-of-way line of University Drive (being a variable width public right-of-way, a portion of said right-of-way being conveyed to the State of Texas, by deed thereof filed for record in Volume 3432, Page 197, D.R.C.C.T.);

THENCE South 89°30'20" West, along the south lot line of said Lot 1 and along the said north right-of-way line, 71.13 feet to an iron rod set at the most southerly southwest lot corner of said Lot 1, same being the southeast lot corner of Lot 2 of said Block A, and being at the beginning of a non-tangent curve to the left having a radius of 288.50 feet;

THENCE departing the said right-of-way line, along the common lot line of said Lots 1 and 2 the following courses and distances:

With said curve to the left, an arc length of 70.75 feet, and across a chord which bears North 11°22'07" West, a chord distance of 70.57 feet to an iron rod set at the beginning of a curve to the left having a radius of 294.44 feet;

With said curve to the left, an arc length of 29.56 feet, and across a chord which bears North 21°19'45" West, a chord length of 29.54 feet to an iron rod set at the beginning of a curve to the right having a radius of 311.35 feet;

With said curve to the right, an arc length of 52.39 feet, and across a chord which bears North 19°26'54" West, a chord length of 52.32 feet to an iron rod set at a southwest interior ell lot corner of said Lot 1, same being the northeast lot corner of said Lot 2;

South 88°51'52" West, 401.51 feet to a 1/2 inch iron rod with a cap stamped "OWENS 5387" found at the most westerly southwest lot corner of said Lot 1, same being the northwest lot corner of said Lot 2, said 1/2 inch iron rod found being on the east property line of a called 36.155 acre tract of land conveyed to Prosper Hollow LP and Paramount Soft, by deed thereof filed for record in Collin County Clerk's Instrument No. 20210326000610090, O.P.R.C.C.T.;

THENCE North 00°42'25" West, departing the said common lot line, along the west lot line of said Lot 1 and along the east property line of the said 36.155 acre tract, at a distance of 848.18 feet passing the northeast property corner of the said 36.115 acre tract, and continuing along the west lot line of said Lot 1, in all a total distance of 873.92 feet to a 1/2 inch iron rod with a cap stamped "OWENS 5387" found at the northwest lot corner of said Lot 1;

THENCE North 89°17'35" East, along the north lot line of said Lot 1, 1,192.37 feet to an iron rod found at the northeast lot corner of said Lot 1, said iron rod found being on a west lot line of Lot 4, Block A, Prosper Plaza, being an Addition to the said City and State, according to the plat thereof filed for record in Collin County Clerk's Instrument No. 2009-140, O.P.R.C.C.T.;

THENCE along the said Lots 1 and 4 the following courses and distances:

South 08°03'15" West, 248.46 feet to an iron rod found;

South 27°08'31" West, 359.64 feet to a point for corner in a pond;

South 10°56'34" East, 307.46 feet to an iron rod set at the most easterly southeast lot corner of said Lot 1, same being the northeast lot corner of aforesaid Lot 3;

THENCE departing the said east lot line of Lot 1 and the said west lot line of Lot 4, along the common lot line of said Lots 1 and 3 the following courses and distances:

South 88°51'49" West, 566.03 feet to an iron rod set at a southeast interior ell lot corner of said Lot 1, same being the northwest lot corner of said Lot 3, and being at the beginning of a non-tangent curve to the left having a radius of 240.50 feet;

With said curve to the left, an arc length of 23.25 feet, and across a chord which bears South 21°29'38" East, a chord length of 23.24 feet to an iron rod set at the beginning of a curve to the right having a radius of 359.50 feet;

With said curve to the right, an arc length of 129.76 feet, and across a chord which bears South 13°55'22" East, a chord length of 129.06 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **21.8145 acres (950,241 square feet)** of land, more or less.

* GENERAL NOTES *

- The bearings, distances and coordinates shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. Coordinates shown are scaled to surface distances at 0.0 using a combined scale factor of 1.00152710. All areas shown hereon are calculated based on surface measurements.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security and by graphic plotting only, the subject property appears to be located in Zone "A" (No Base Flood Elevations determined) and Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain) as shown on Map No. 4805C0255J; map revised June 2, 2009, for Collin County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "A" or Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- This survey was prepared with the benefit of a Title Commitment prepared by First American Title Insurance Company, G.F. No. 1002-315863-RR1, having an effective date of August 13, 2020 and issued January 07, 2021. The easements shown hereon are the only easements known by Spooner & Associates and does not imply that the any other easements, covenants, restrictions, or other matters of record do not affect the subject property. No other research was performed by Spooner & Associates, Inc.
- All easements not dimensioned hereon are parallel-perpendicular to the adjoining line.
- Notice: Selling a portion of this addition by metes and bounds is a violation of Town Ordinances and State Law, and is subject to fines and withholding of utilities and building permits.

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT WE, DD BROOKHOLLOW, LLC, acting herein by and through its duly authorized officers, does hereby certify and adopt this Final Plat designating the herein above described property as Brookhollow Apartments, Block A, Lot 1, an Addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. DD BROOKHOLLOW, LLC, does herein certify the following:

- The streets and alleys are dedicated for street and alley purposes.
- All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- The easements and public use areas, as shown, are dedicated for the public use forever for the purposes indicated on this Conveyance Plat.
- No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across easements as shown, except that landscape improvements may be placed in landscape easements if approved by the Town of Prosper.
- The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Town of Prosper's use thereof.
- The Town of Prosper and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of their respective systems in the easements.
- The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.
- All modifications to this document shall be by means of plat and approved by the Town of Prosper.
- 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 restriction as 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.
- The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstructions, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access o fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.
- Drainage and Floodway Easement: This plat hereby adopted by the Owners and approved by the Town of Prosper (Called "Town") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: The Portion of Block A, as shown on the plat is called "Drainage and Floodway Easement" and is the natural drainage channel across 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, of for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any 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 to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the 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 purpose. 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. They natural drainage through he 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 define. 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.

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

WITNESS, my hand, this the ____ day of _____, 2022.

DD BROOKHOLLOW, LLC, a Georgia limited liability company

BY: Davis Development, Inc., a Georgia corporation, its Manager

Fred S. Hazel
Vice President

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared FRED S. HAZEL, a duly authorized agent for DD BROOKHOLLOW, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

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

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF TARRANT §

THAT, I, Eric S. Spooner, do hereby certify that I prepared this final 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.

Surveyed on the ground during the month of January, 2021.

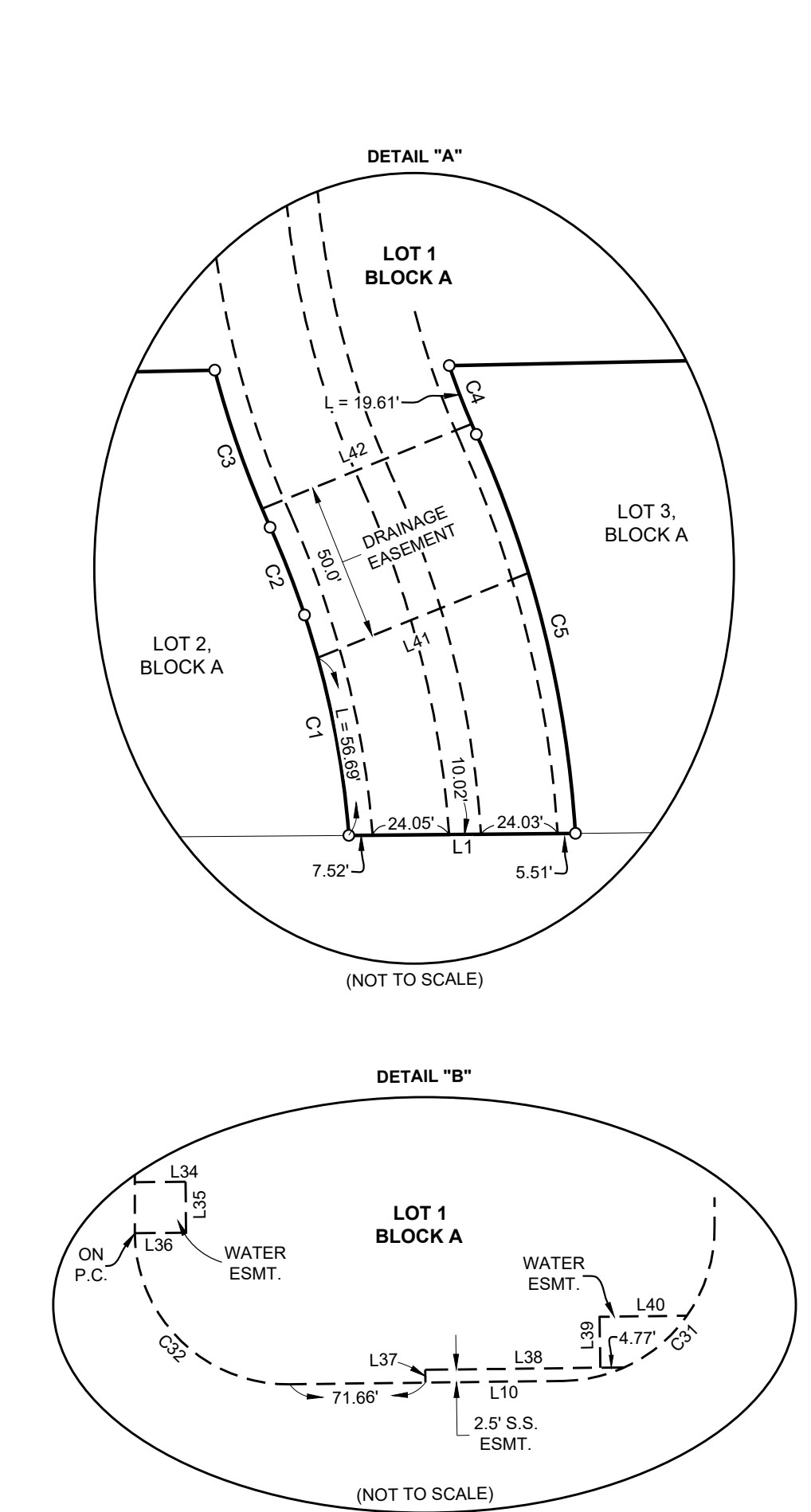
THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
JANUARY 3, 2022

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Eric Spooner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

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

Notary Public, State of Texas





PLANNING

To: Planning & Zoning Commission

Item No. 3c

From: David Soto, Senior Planner

Through: Alex Glushko, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – February 1, 2022

Agenda Item:

Consider and act upon a Site Plan for a Restaurant with Drive-Through Service, in Windsong Ranch Marketplace, on 0.6± acres, located north of US 380, east of Gee Road. The property is zoned Planned Development-40 (PD-40). (D21-0128).

Description of Agenda Item:

The Site Plan shows a stand-alone restaurant with drive-through service, totaling 665 square feet. Access is provided from US 380. The depicted number of off-street parking spaces meets the minimum standards of the Zoning Ordinance. The Site Plan conforms to the PD-40 development standards.

The Preliminary Site Plan (D21-0046) & Final Plat (D21-0047) for four (4) lots, including (2) drive-through restaurants (Swig and Salad and Go) were approved by the Planning & Zoning Commission on August 17, 2021.

Attached Documents:

1. Location Map
2. Site Plan

Staff Recommendation:

Staff recommends approval of the Site Plan subject to:

1. Town staff approval of civil engineering, irrigation plan, open space plan, façade, and address plan.
2. Town staff approval of all fire hydrants, fire department connections (FDC) and fire lanes, including widths, radii, and location.

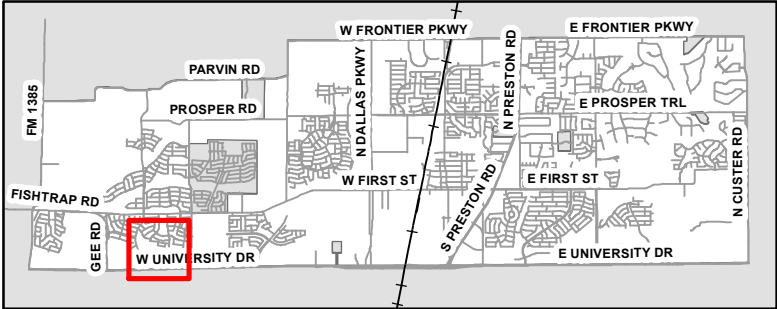
D21-0128 - SWIG



This map is for illustration purposes only.



0 250 500 Feet





Prosper is a place where everyone matters.

RESULTS

Agenda

Prosper TIRZ No. 1 Board of Directors Meeting

Prosper TIRZ No. 2 Board of Directors Meeting

Prosper Town Council Meeting

Council Chambers

Prosper Town Hall

250 W. First Street, Prosper, Texas

Tuesday, January 25, 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.

MEETING OF THE TOWN OF PROSPER TAX INCREMENT REINVESTMENT ZONE (TIRZ) NO. 1 BOARD OF DIRECTORS.

TIME: 5:45 P.M.

Call to Order/ Roll Call.

1. Consider and act upon the minutes from the January 26, 2021 TIRZ No. 1 Board Meeting. (MLS)
2. Receive the 2021 Annual Report. (BP)

Adjourn.

MEETING OF THE TOWN OF PROSPER TAX INCREMENT REINVESTMENT ZONE (TIRZ) NO. 2 BOARD OF DIRECTORS.

TIME: IMMEDIATELY FOLLOWING THE MEETING ADJOURNMENT OF THE TIRZ NO. 1 BOARD OF DIRECTORS.

Call to Order/ Roll Call.

3. Consider and act upon the minutes from the January 26, 2021, TIRZ No. 2 Board Meeting. (MLS)
4. Receive the 2021 Annual Report. (BP)

Adjourn.

MEETING OF THE PROSPER TOWN COUNCIL

TIME: IMMEDIATELY FOLLOWING THE MEETING ADJOURNMENT OF THE TIRZ NO. 2 BOARD OF DIRECTORS.

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

Presentations.

5. Presentation of a Proclamation declaring February 2022 as Congenital Heart Defect Awareness Month. (MLS)

CONSENT AGENDA: APPROVED 6-0

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.

6. Consider and act upon the minutes from the January 11, 2022, Town Council meeting. (MLS)
7. Consider and act upon the minutes from the January 13, 2022, Town Council Work Session. (MLS)
8. Consider and act upon a resolution approving the Town of Prosper and Prosper Economic Development Corporation (PEDC) Investment Policy and Investment Strategy and approving the list of qualified brokers/dealers and financial institutions that are authorized to engage in investment transactions with the Town of Prosper and the PEDC. (BP)
9. Consider and act upon authorizing the Town Manager to execute an Agreement between Motorola Solutions, Inc., and the Town of Prosper, for annual radio system support and maintenance. (SB)

10. Consider and act upon approving Amendment No. 3 to the Software Maintenance and Hosting Agreement between Town of Prosper, TX and CentralSquare Technologies, LLC; and authorizing the Town Manager to execute the same. (KD)
11. Consider and act upon an ordinance amending Section 1.02.061, "Regular Meetings," and Subsection (a) of Section 1.02.162, "Public Member Request to Speak at Public Hearing," of Article 1.02, "Town Council," of Chapter 1, "General Provisions," of the Code of Ordinances, regarding the starting time of regular Town Council meetings and at Public Hearings allowing one member of the public to speak on behalf of multiple members of the public. (RB)
12. Consider and act upon a resolution appointing a member of the Prosper Town Council to the North Central Texas (NCT) Regional 9-1-1 Emergency Communications District Board of Managers. (MLS)
13. 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 Plan or Preliminary Site Plan, including Brookhollow Multifamily, Hope Fellowship, Prosper Town Center, and Victory at Frontier. (AG)

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:

14. Conduct a public hearing and consider and act upon a request to rezone 163.2± acres, from Planned Development-90 (PD-90) to Planned Development (PD), to facilitate the development of a single family residential subdivision with private social club, located on the north side of First Street, east of Coit Road. (Z20-0021). (AG) **APPROVED 6-0 WITH CONDITIONS**
15. Conduct a public hearing to discuss and consider the Dallas North Tollway (DNT) Design Guidelines. (KD) **APPROVED 5-1**
16. Consider and act upon an ordinance amending Ordinance No. 2021-55 (FY 2021-2022 Annual Budget). (BP)
17. Consider and act upon approving the purchase of trees from Fannin Tree Farm, LLC, through a City of Frisco contract; and authorizing the Town Manager to execute documents for the same. (PN)
18. Consider and act upon the 2022 Town Council regular meeting schedule. (MLS)

19. Receive the 2022-2024 Communications and Community Engagement Plan.(RB)

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

20. Discuss the Denton County Bond Program Call for Projects. (RZ)

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.

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 551.074 - To discuss and consider the Town Manager's performance review.

Section 551.071 – To consult with the Town Attorney regarding an Intergovernmental Agreement between the Town and the US Government, 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, January 21, 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.