



AGENDA
Planning and Zoning Commission
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, January 02, 2024
6:00 PM

Welcome to the Prosper Planning & Zoning Commission Meeting.

Citizens may watch the meeting live by using the following link: www.prospertx.gov/livemeetings

Addressing the Planning & Zoning Commission:

Those wishing to address the Planning and Zoning Commission must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

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

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

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

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

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

CONSENT AGENDA:

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

- 3a. Consider and act upon the minutes from the December 19, 2023, Planning & Zoning Commission meeting.
- 3b. Consider and act upon a request for a Site Plan for Westside Addition, Block A, Lot 10R, on 2.4± acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-23-0134)

- [3c.](#) Consider and act upon a request for a Final Plat for Westside Addition, Block A, Lot 10R, on 2.4± acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-23-0142)
- [3d.](#) Consider and act upon a request for a Façade Plan for Westside Addition, Block A, Lot 10R, on 2.4± acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-23-0143)

CITIZEN COMMENTS

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

REGULAR AGENDA:

If you wish to address the Commission, please fill out a “Public Comment Request Form” and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning and Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning and Zoning Commission.

- [4.](#) Conduct a Public Hearing and consider and act upon a request for a Planned Development for Mini-Warehouse/Public Storage, Restaurant, and Retail uses on 8.7± acres on Collin County School Land Survey, Abstract 147, Tracts 1-7 and 28, located on the northwest corner of North Coleman Street and West Prosper Trail. The property is zoned Agricultural and Commercial. (ZONE-23-0017)
- [5.](#) Conduct a Public Hearing to consider a request for a Specific Use Permit for a Wireless Communications and Support Structure, on Lakewood Preserve, Block A, Lot 1, on 0.1± acre, located south of East First Street and east of South Coit Road. (ZONE-23-0036)
- [6.](#) Conduct a Public Hearing to consider and act upon amending Chapter 3, Section 1.4 – Conditional Development Standards of the Town of Prosper Zoning Ordinance to modify requirements related to gas pumps. (ZONE-23-0039)
- 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.

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, December 29, 2023, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, Town Secretary

Date Notice Removed

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

NOTICE

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

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



MINUTES
Regular Meeting of the
Prosper Planning & Zoning Commission
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday December 19, 2023, 6:00 p.m.

1. Call to Order / Roll Call

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

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

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

2. Recitation of the Pledge of Allegiance.

3. CONSENT AGENDA

- 3a. Consider and act upon the minutes from the December 5, 2023, Planning & Zoning Commission meeting.
- 3b. Consider and act upon a request for a Preliminary Site Plan for Gates of Prosper, Phase 2, Block D, Lot 3, on 16.0± acres, located on the northwest corner of Greenway Drive and Richland Boulevard. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0162)
- 3c. Consider and act upon a request for a Revised Conveyance Plat for Gates of Prosper, Phase 3, Block B, Lots 2-6, on 32.9± acres, located north of US 380 and west of Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0209)
- 3d. Consider and act upon a request for a Site Plan for Gates of Prosper, Phase 3, Block B, Lot 2, on 15.8± acres, located north of US-380 and west of Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0164)
- 3e. Consider and act upon a request for a Façade Plan for Gates of Prosper, Phase 3, Block B, Lot 2, on 15.8± acres, located north of US-380 and west of Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0165)
- 3f. Consider and act upon a request for a Replat/Final Plat for Gates of Prosper, Phase 3, Block B, Lots 1R and 2, on 20.2± acres, located north of US 380 and west of Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0188)

- 3g. Consider and act upon a request for a Final Plat for Windsong Ranch Phase 7G, on 44.4± acres, located north of First Street and west of Windsong Parkway. The property is zoned Planned Development-40 (PD-40) Windsong Ranch. (DEVAPP-23-0213)**

Commissioner Reeves requested to pull Item 3d for review. Motion by Commissioner Hamilton to approve Items 3a, 3b, 3c, 3e, 3f, and 3g and pull 3d for review. Seconded by Commissioner Harris. Motion carried unanimously.

Commissioner Reeves asked for clarification on the number and location of access points to Preston Road.

Mr. Hill answered that there will be two access points to Preston Road and the northern drive aisle is for access to the adjacent commercial property.

Motion by Commissioner Reeves to approve Item 3d. Seconded by Commissioner Hamilton. Motion carried unanimously.

CITIZEN COMMENTS

No comments were made.

REGULAR AGENDA

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

Mr. Hill requested tabling this item and continuing the public hearing to the January 2, 2024 Planning & Zoning Commission Meeting.

Chair Daniel opened the public hearing.

Commissioner Blanscet made a motion to table Item 4 and continue the Public Hearing to the January 2, 2024 meeting. Seconded by Commissioner Carson. Motion carried unanimously.

- 5. Conduct a Public Hearing to consider a request for a Specific Use Permit to allow Retail Stores and Shops, a Convenience Store (without Gas Pumps), Dry Cleaning, Minor, and Gymnastics/Dance Studio uses on 3.6± acres on Windsong Ranch Office Addition, Block A, Lot 2, located south of Parvin Road and east of North Teel Parkway. The property is zoned Planned Development-103 (PD-103) Windsong Ranch Office. (ZONE-23-0023)**

Commissioners asked Town Staff about the living screen request, the setback reduction request, the adjacent uses and zoning, drive-through restaurants, the difference between a Major and Minor Dry Cleaning, the purpose of the Letter of Intent, the amount of convenience stores allowed without gas pumps on the lot and distance from other convenience stores on surrounding properties, and the type of screening on the veterinary clinic north of the property.

Mrs. Porter answered that the reason for the reduction in the setback is because the lot is adjacent to floodplain that will not be developed to the south and by a future school to the east. Teel Parkway is considered a major thoroughfare and separates the lot from residential and meets the 200 feet setback. The SUP request does not include a drive-through restaurant. If they do submit an SUP for a drive-through, there would need to be a new site plan and new SUP request for the lot. The Letter of Intent is for reference to clarify the allowed uses and the uses that will require an SUP. The definitions for both Major and Minor Dry Cleaning were read from the Zoning Ordinance and discussed. The intent of the living screening is to plant trees that will grow and fill out to provide screening comparable to a wall. The convenience stores without gas pumps do not have regulations like the ones with gas pumps. The convenience stores are classified similar to retail stores that are groceries but on a smaller scale. Upon investigation, the veterinary clinic did not provide screening adjacent to the Prosper ISD property. It appears that property was considered nonresidential during the review of that project, so the veterinary does not have screening on the north and east sides of the property.

Mr. Hoover commented that he had reached out to the Windsong Ranch Developer, and he had no objections to the uses proposed in the SUP request.

Chair Daniel opened the public hearing.

No comments were made.

Chair Daniel closed the public hearing.

Chair Daniel reopened the public hearing.

Resident Rajat Kher expresses support for this SUP.

Chair Daniel closed the public hearing.

Commissioners expressed concern on the use of a Living Screening.

Mrs. Porter commented that there is no set definition for a living screen. The Landscape planner has reviewed and approved the plans. The two types trees that are being proposed will be between 10-12 feet in height at the time of planting.

Commissioner Harris made a motion to approve Item 5. Seconded by Commissioner Reeves. Motion passed unanimously.

- 6. Consider and act upon a request for a Preliminary Site Plan for Windsong Ranch Office Addition, Block A, Lot 2, on 3.6± acres, located south of Parvin Road and east of North Teel Parkway. The property is zoned Planned Development-103 (PD-103) Windsong Ranch Office. (DEVAPP-23-0184)**

Commissioner Hamilton made a motion to approve Item 6. Seconded by Vice Chair Jackson. Motion passed unanimously.

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

Mr. Hill stated that the Sign Ordinance and the Drive Through Amendment was approved and the Multifamily amendment was tabled to the January 9th Town Council Meeting.

8. Adjourn.

The meeting was adjourned at 6:50 p.m.

Dakari Hill, Senior Planner

Cameron Reeves, Secretary

To: Planning & Zoning Commission

Item No. 3b

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

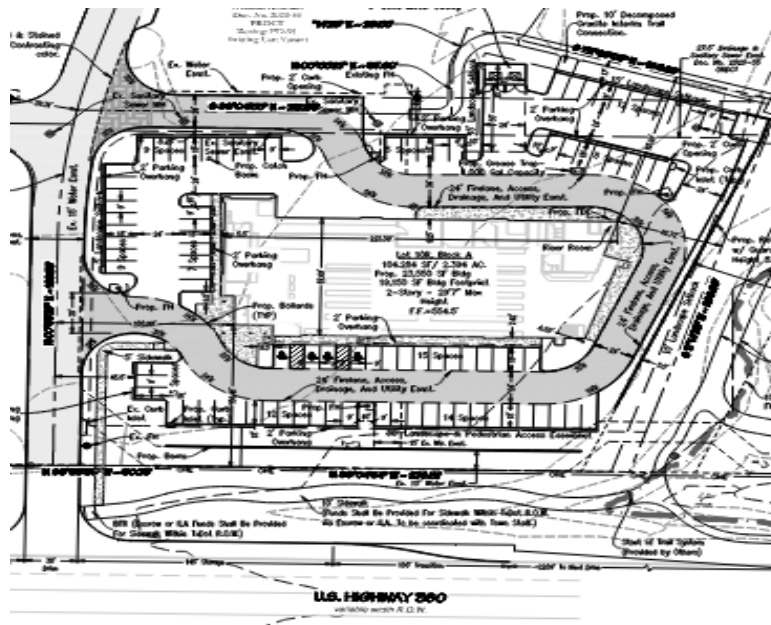
Re: Planning & Zoning Commission Meeting – January 2, 2024

Agenda Item:

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

Description of Agenda Item:

The Site Plan shows a two-story 23,550 square foot retail building with a footprint of 19,150 square feet and a 4,400 square foot second story. The building will be used as a grocery store.



Access is provided from US 380. The Site Plan conforms to the Planned Development-94 development standards.

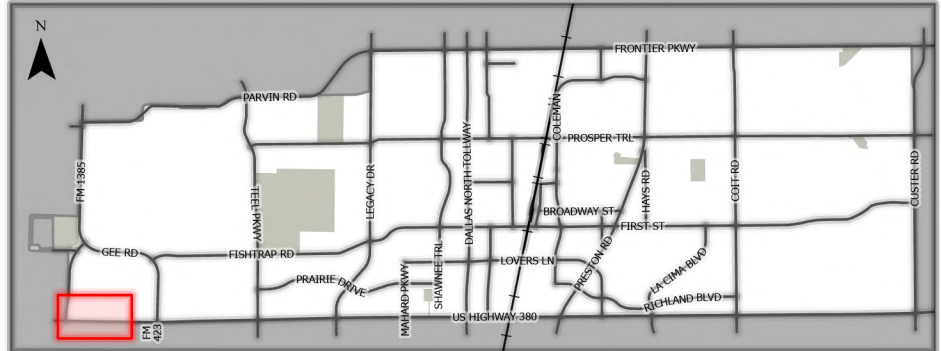
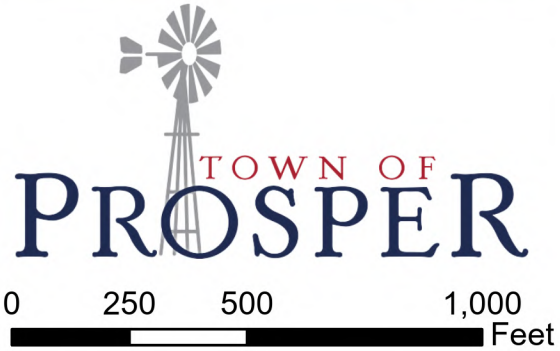
As companion items, the Final Plat (DEVAPP-23-0142) and Façade Plan (DEVAPP-23-0143) are also on the Planning & Zoning Commission agenda for January 2, 2024.

Attached Documents:

1. Location Map
2. Site Plan

Town Staff Recommendation:

Town Staff recommends approval of the Site Plan, subject to approval of civil engineering plans.

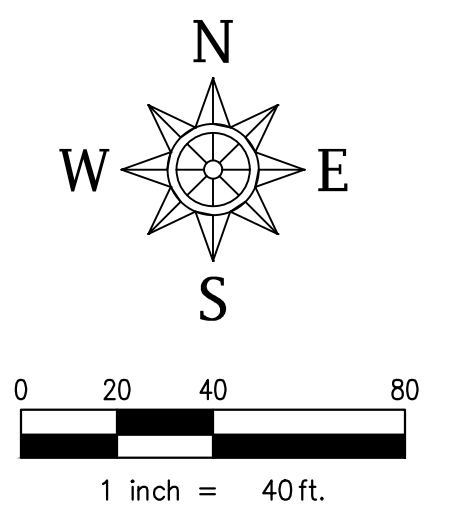
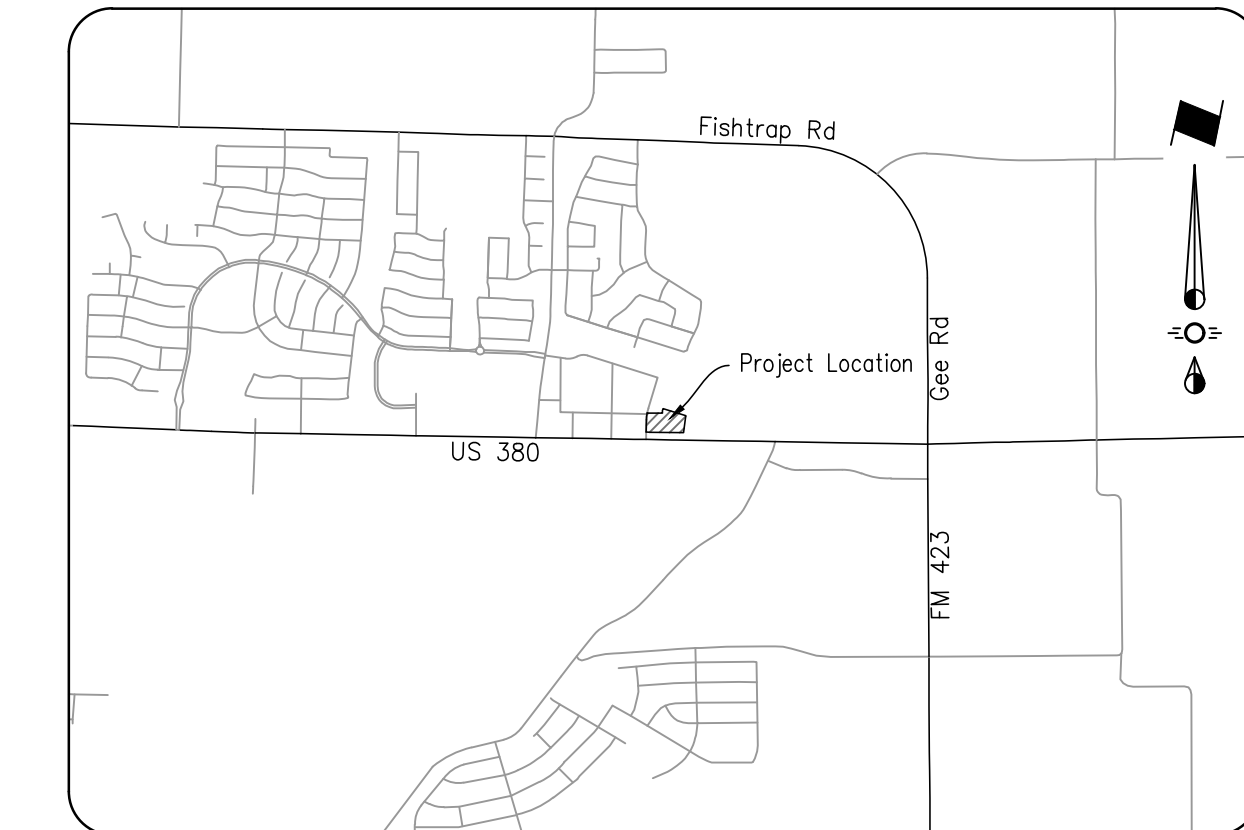


DEVAPP-23-0134

Westside Addition
Grocery

Site Plan

This map for illustration purposes only



Vicinity Map

Town of Prosper Site Plan Notes:

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

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

SITE DATA	
Zoning	Mixed Use PD-94
Proposed Use:	Retail
Lot Area:	2,394 Ac. (104,284 Sq. Ft.)
Building Area:	19,150 Sq. Ft.
Building Height:	2 Story, 29'7" Max.
Lot Coverage:	18.7%
Floor Area Ratio:	0.18:1
HC Parking Required:	4 Spaces
Total HC Parking Provided:	4 Spaces
Parking Required:	Retail 1:250 Sq. Ft. (23,550 Sq. Ft.) = 95 Spaces
Total Parking Provided:	95 Spaces Incl. 4 HC
Landscape Required:	1,230 Sq Ft
Landscape Provided:	2,166 Sq Ft
Open Space Required:	7,300 Sq Ft
Open Space Provided:	9,587 Sq Ft
Impervious Surface:	60,326 Sq. Ft.

SITE PLAN
DEVAPP-23-0134

WESTSIDE LOT 10R

**BLOCK A, LOT 10R, WESTSIDE ADDITION
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS
P. BARNES SURVEY ABSTRACT NO. 79
104,284 Sq. Ft./2.394 Acres**

ENGINEER / SURVEYOR / APPLICANT Spiers Engineering, Inc. 501 W President George Bush Hwy, Suite 200 Richardson, TX 75080 Telephone: (972) 422-0077 TBPE No. F-2121 Contact: David Bond	OWNER/DEVELOPER NFGCP1385HFMDV, LLC 7924 Preston Road, Suite 350 Plano, TX 75024 Email: dhruvu.nagallo@hareilfm.com Contact: Dhruvu Nagallo
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Drawn: G:\2023_08\23-0134\100 Westside Lot 10R\100 Westside Lot 10R.dwg Saved By: kcmibh Save Time: 12/28/2023 2:19 PM
 Plotted by: kcmibh Plot Date: 12/28/2023 2:19 PM



PLANNING

To: Planning & Zoning Commission

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

Re: Planning & Zoning Commission Meeting – January 2, 2024

Item No. 3c

Agenda Item:

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

Description of Agenda Item:

The purpose of the Final Plat is to combine Lots 10 & 11 and dedicate easements for construction of a retail building to be used as a grocery store. The plat conforms to the Planned Development-94 standards.

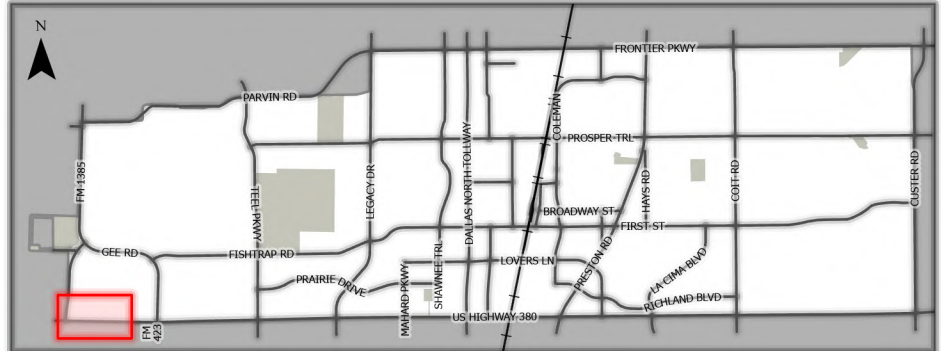
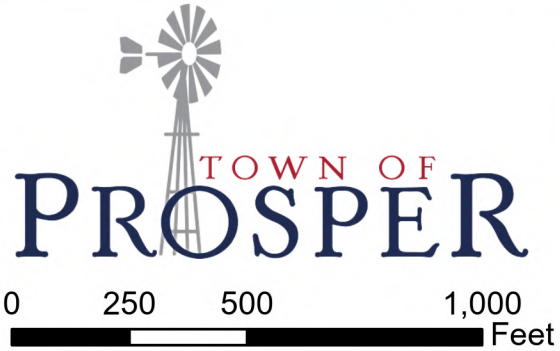
As companion items, the Site Plan (DEVAPP-23-0134) and Façade Plan (DEVAPP-23-0143) are also on the Planning & Zoning Commission agenda for January 2, 2024.

Attached Documents:

1. Location Map
2. Final Plat

Town Staff Recommendation:

Town Staff recommends approval of the Final Plat, subject to approval of all additions and/or alterations to the easements and dedications.

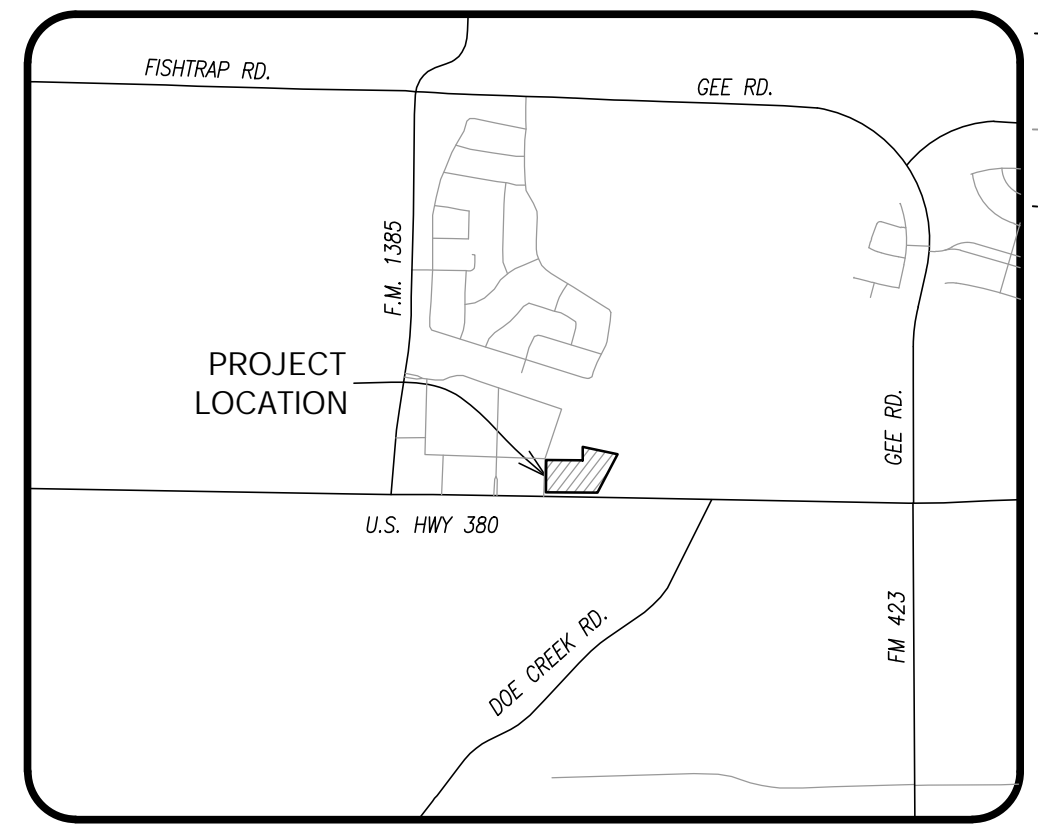
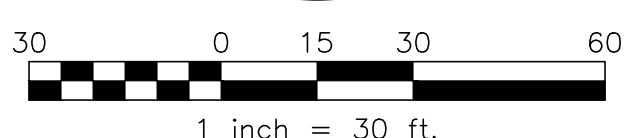
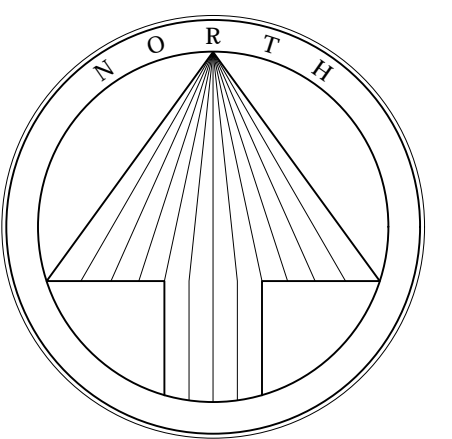


DEVAPP-23-0142

Westside Addition
Grocery

Final Plat

This map for illustration purposes only



LOCATION MAP
1" = 2000'

LEGEND	
(Not all items may be applicable)	
○	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPARSENG" SET, UNLESS OTHERWISE NOTED
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
IPF	IRON PIPE FOUND
AMF	ALUMINUM MONUMENT FOUND
CM	CONTROL MONUMENT
Esmt.	EASEMENT
UHL	UTILITY
(BTP)	BY THIS PLAT
R.O.W.	RIGHT-OF-WAY
Min. FF	MINIMUM FINISH FLOOR ELEVATION
Cab.	CABINET
Vol.	VOLUME
Pg.	PAGE
No.	NUMBER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FIRM	FLOOD INSURANCE RATE MAP
Ord. No.	ORDINANCE NUMBER
Inst./Doc.	INSTRUMENT OR DOCUMENT
DRDCT	DEED RECORDS, DENTON COUNTY, TEXAS
PRDCT	PLAT RECORDS, DENTON COUNTY, TEXAS
OPRODCT	OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS

- NOTES:
- Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
 - Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.
 - All Common Area Lots shall be maintained by Property Owners Association or other approved Common Area Management agreement.
 - No floodplain exists on the site.

FIRE LANE EASEMENT

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

LANDSCAPE EASEMENT

The undersigned covenants and agrees that the landscape easement and restrictions herein set forth shall run with the land and be binding on the owner(s) of the property in this subdivision, their successors and assigns, and all parties claiming by, through and under them. In the event a replat is requested on all or part of this property, the Town may require any similar or additional restrictions at its sole discretion. The sole responsibility for maintenance and replacement of landscape materials thereof shall be borne by any "homeowners" association hereafter established for the owners of lots in this subdivision and/or the 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.

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.

Lot 16, Block A
Westside Addition
Doc. No. 2020-55 PRDCT

Lot 17, Block A
Westside Addition
Doc. No. 2020-55 PRDCT

Lot 10, Block A
Westside Addition
Doc. No. 2020-55 PRDCT

Lot 11, Block A
Westside Addition
Doc. No. 2020-55 PRDCT

Lot 10R, Block A
2.394 Ac.
(104,284 S.F.)

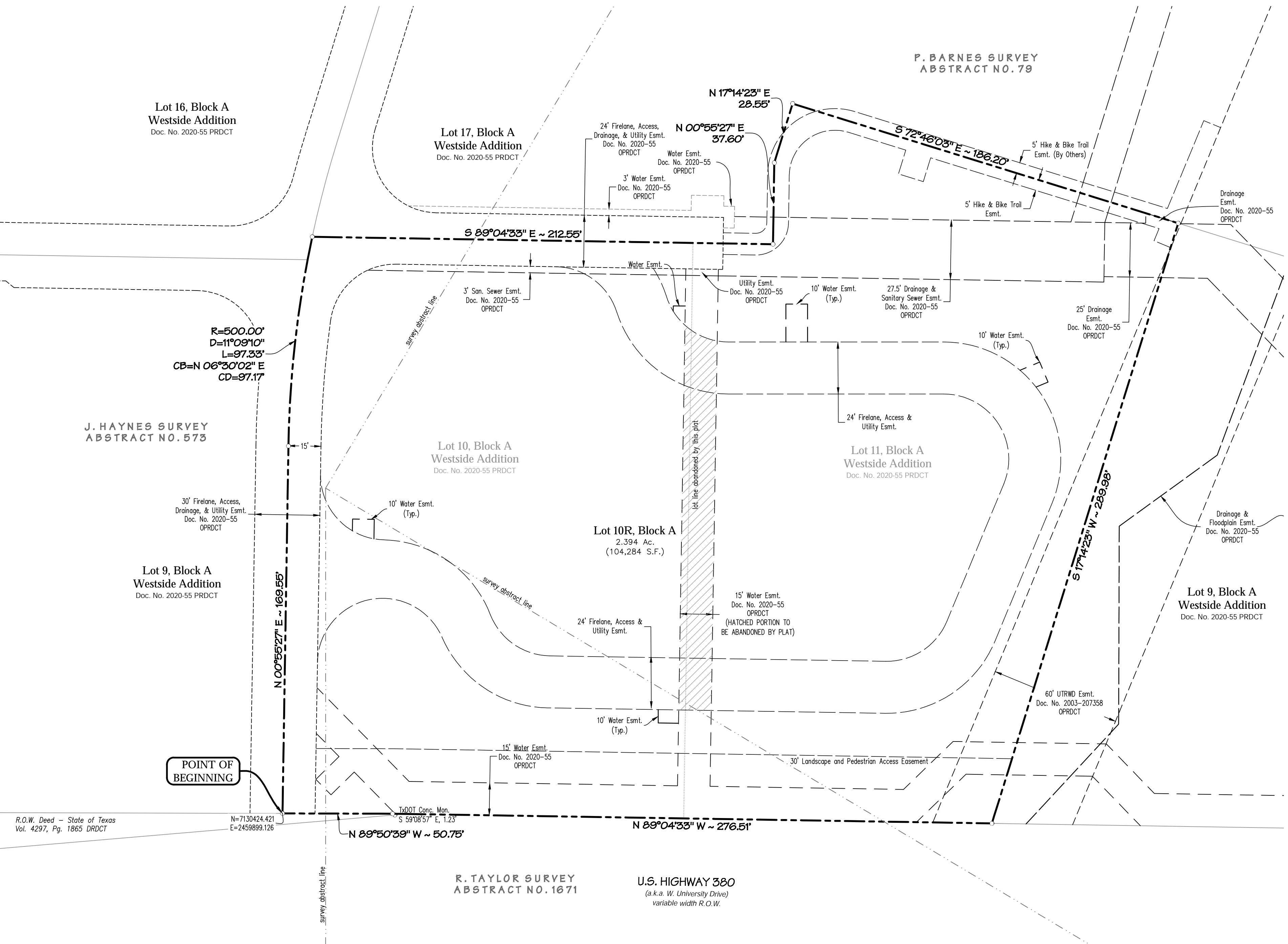
Lot 9, Block A
Westside Addition
Doc. No. 2020-55 PRDCT

Lot 9, Block A
Westside Addition
Doc. No. 2020-55 PRDCT

R. TAYLOR SURVEY
ABSTRACT NO. 1671

U.S. HIGHWAY 380
(a.k.a. W. University Drive)
variable width R.O.W.

P. BARNES SURVEY
ABSTRACT NO. 79



OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS _____ is the Owner of a tract of land situated in the R. Taylor Survey, Abstract No. 1671, the J. Haynes Survey, Abstract No. 573, and the P. Barnes Survey, Abstract No. 79, City of Prosper, Denton County, Texas, being all/part of a tract conveyed to NA, by deed recorded in Document No. 2020-55 of the Plat Records, Denton County, Texas (PRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a point for which an Aluminum Monument Found along the south property line of Lot 10, Block A, Westside Addition, bears N 89°50'39" W 50.75 feet;

THENCE N 00°55'27" E, 169.55 feet;

THENCE around a tangent curve to the right having a central angle of 11°09'10", a radius of 500.00 feet, a chord of N 06°30'02" E - 97.17 feet, an arc length of 97.33 feet;

THENCE S 89°04'33" E, 212.55 feet;

THENCE N 00°55'27" E, 37.60 feet;

THENCE N 17°14'23" E, 28.55 feet;

THENCE S 72°46'03" E, 186.20 feet;

THENCE S 17°14'23" W, 289.98 feet;

THENCE N 89°04'33" W, 276.51 feet;

THENCE N 89°50'39" W, 50.75 feet to the POINT OF BEGINNING with the subject tract containing 104,284 square feet or 2.394 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT NFGCP1385HFMDV, LLC, acting herein by and through its duly authorized officer, does hereby certify and adopt this plat designating the hereinabove described property as WESTSIDE ADDITION, Lot 10R, Block A on addition to the Town of Prosper, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. NFGCP1385HFMDV, LLC do herein certify the following:

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

Witness our hands this _____ day of _____, 2023.

NFGCP1385HFMDV, LLC, a Texas limited liability corporation

By: _____
Dhruva Nagalla, Managing Partner

STATE OF TEXAS §
COUNTY OF COLLIN §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2023.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spars 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 City of _____ Texas.

Dated this _____ day of _____, 2023.

PRELIMINARY, THIS DOCUMENT
SHALL NOT BE RECORDED
FOR ANY PURPOSE

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



darren.brown@sparsengineering.com

TOWN APPROVAL

APPROVED THIS _____ DAY OF _____, 2023,
by the Planning and Zoning Commission of the Town of Prosper, Texas.

Town Secretary

Engineering Department

Development Services Department

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 _____, 2023.

Notary Public, State of Texas

OWNER / APPLICANT
NFGCP1385HFMDV, LLC
7924 Preston Road, Suite 350
Plano, Texas 75024
Telephone (612) 845-6641
Contact: Dhruva Nagalla

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

To: Planning & Zoning Commission

Item No. 3d

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

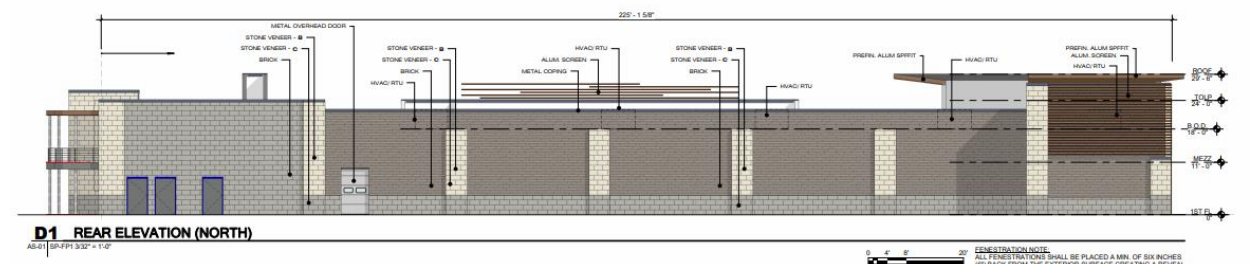
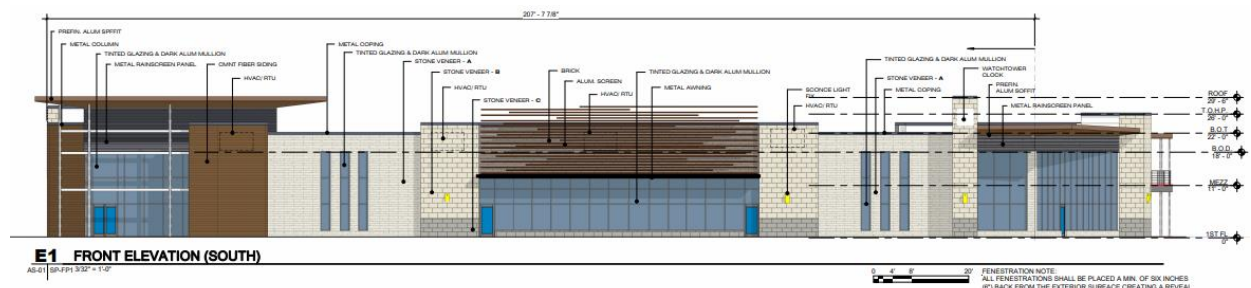
Re: Planning & Zoning Commission Meeting – January 2, 2024

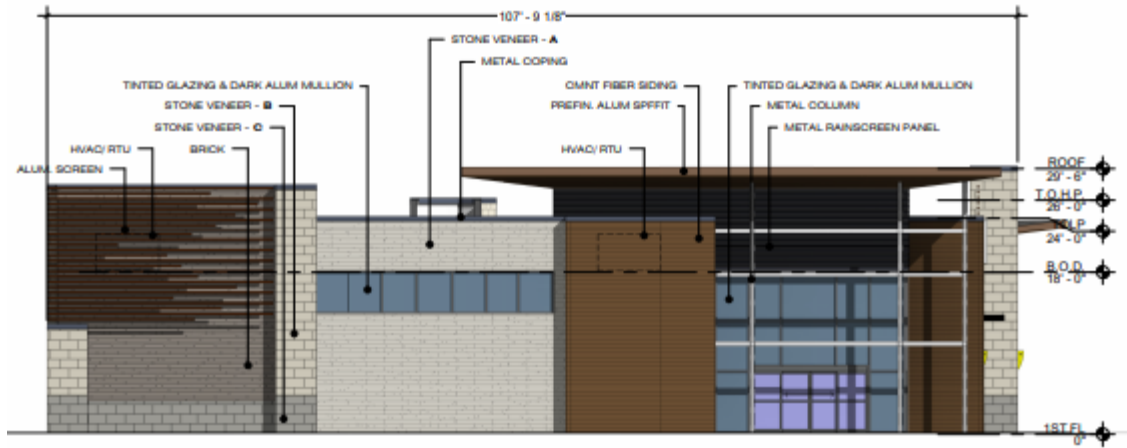
Agenda Item:

Consider and act upon a request for a Façade Plan for Westside Addition, Block A, Lot 10R, on 2.4± acres, located north of US 380 and east of FM 1385. The property is zoned Planned Development-94 (PD-94) Westside. (DEVAPP-23-0143)

Description of Agenda Item:

Per Planned Development-94, façade plans are required to be approved by the Planning & Zoning Commission. The Façade Plan below shows exterior elevations of the retail building that is being proposed.

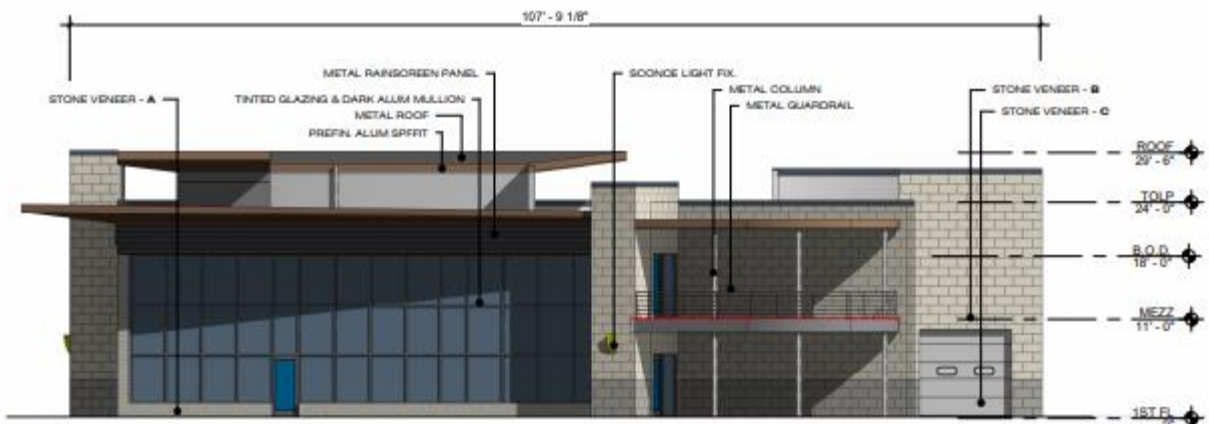




B1 LEFT ELEVATION (WEST)

AS-01 | SP-FP1 3/32" = 1'-0"

FENESTRATION NOTE:
ALL FENESTRATIONS SHALL BE PLACED A MIN. OF SIX INCHES (6") BACK FROM THE EXTERIOR SURFACE CREATING A REVEAL.



B4 RIGHT ELEVATION (EAST)

AS-01 | SP-FP1 3/32" = 1'-0"

FENESTRATION NOTE:
ALL FENESTRATIONS SHALL BE PLACED A MIN. OF SIX INCHES (6") BACK FROM THE EXTERIOR SURFACE CREATING A REVEAL.

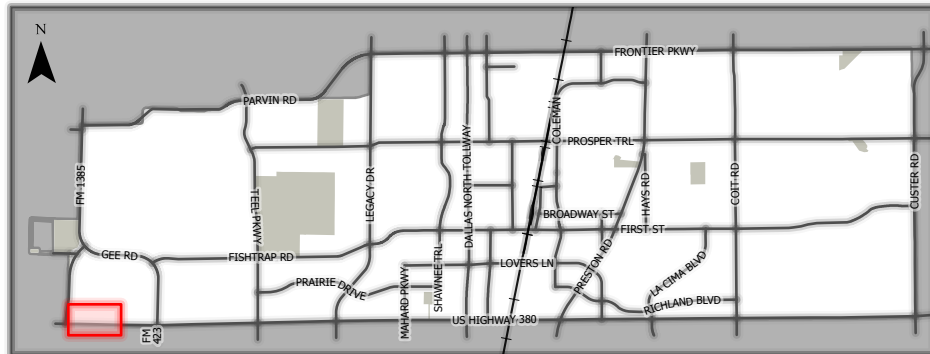
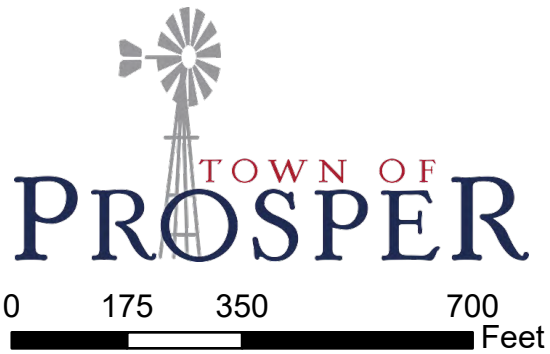
As companion items, the Site Plan (DEVAPP-23-0134) and Final Plat (DEVAPP-23-0142) are also on the Planning & Zoning Commission agenda for January 2, 2024.

Attached Documents:

1. Location Map
2. Façade Plan

Town Staff Recommendation:

Town Staff recommends approval of the Façade Plan.



This map for illustration purposes only

DEVAPP-23-0143

Westside Addition
Grocery

Facade Plan

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HARELI FRESH MARKET

WESTSIDE ADDITION
LOT 10 & 11
PROSPER, TX

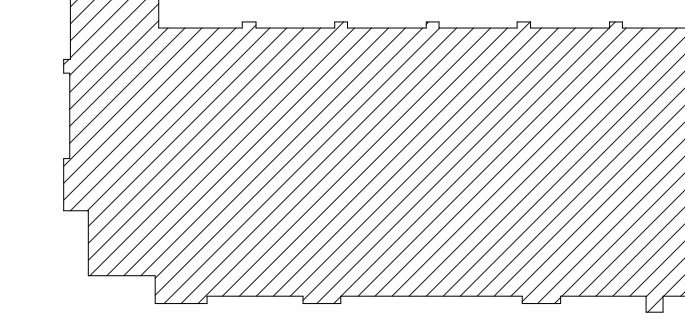
MATERIAL PERCENTAGES PER ELEVATION		
FRONT (SOUTH) ELEVATION - # E1		
SF	%	
A. BRICK	628.0	17%
B. STONE VENEER	1995.0	54%
C. FIBER CEMENT SIDING	580.6	16%
D. METAL PANEL	320.7	9%
E. ROOF SOFFIT	166.5	5%
NET SURFACE AREA= 3690.8 100%		
GLAZING (NOT CALCULATED) 1442.0		
TOTAL SURFACE AREA = 5214.3		
REAR (NORTH) ELEVATION - # D1		
SF	%	
A. BRICK	3764.2	72%
B. STONE VENEER	1424.8	27%
C. FIBER CEMENT SIDING	0.0	0%
D. METAL PANEL	0.0	0%
E. ROOF SOFFIT	61.7	1%
NET SURFACE AREA= 5250.7 100%		
GLAZING (NOT CALCULATED) 0.0		
TOTAL SURFACE AREA = 5367.0		
LEFT (WEST) ELEVATION - # B1		
SF	%	
A. BRICK	555.5	23%
B. STONE VENEER	914.6	38%
C. FIBER CEMENT SIDING	583.4	24%
D. METAL PANEL	254.3	10%
E. ROOF SOFFIT	130.0	5%
NET SURFACE AREA= 2437.7 100%		
GLAZING (NOT CALCULATED) 515.2		
TOTAL SURFACE AREA = 3012.8		
RIGHT (EAST) ELEVATION - # B4		
SF	%	
A. BRICK	0.0	0%
B. STONE VENEER	1461.3	77%
C. FIBER CEMENT SIDING	0.0	0%
D. METAL PANEL	215.2	11%
E. ROOF SOFFIT	212.5	11%
NET SURFACE AREA= 1889.0 100%		
GLAZING (NOT CALCULATED) 853.2		
TOTAL SURFACE AREA = 2928.7		
OVERALL		
SF	%	
A. BRICK	4947.7	37%
B. STONE VENEER	5795.7	44%
C. FIBER CEMENT SIDING	1164.0	9%
D. METAL PANEL	790.1	6%
E. ROOF SOFFIT	570.7	4%
NET SURFACE AREA= 13268.2 100%		
GLAZING (NOT CALCULATED) 2810.4		
TOTAL SURFACE AREA = 16078.5 100%		

NOTE:
ARCHITECTURAL STANDARDS & BUILDING MATERIALS:
DEVELOPMENT AGREEMENT :
EXHIBIT B - ORDINANCE 18-108 RETAIL DISTRICT

ISSUES	
NO.	DESCRIPTION
1	11/15/23 PRELIMINARY FACADE PLAN

REVISIONS	
NO.	DESCRIPTION

KEY PLAN	
NO.	DESCRIPTION



TOWN OF PROSPER
PROJECT NO: DEVAPP - 23 - 0143
FACADE PLAN
WEST SIDE ADDITION
LOT 10 & 11

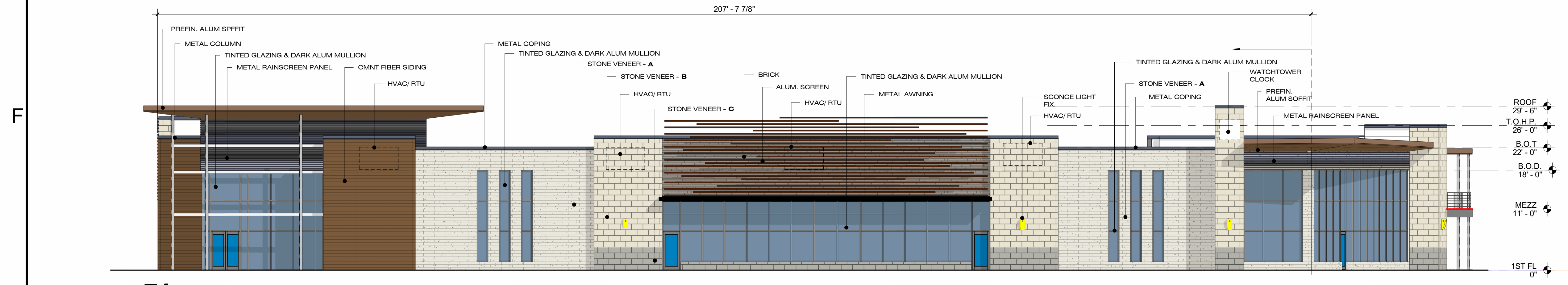
OWNER/ DEVELOPER
NFGCP1389FMDdev LLC
2525 MAIN ST. SUITE 430
FRISCO, TX 75036
DHIRUVA NAGALLA
612-845-6841(T)

ENGINEER / APPLICANT
SPIARS ENGINEERING Surveying
KARIS SMITH, PE
501 W PRESIDENT GEORGE BUSH HWY.
SUITE 200, RICHARDSON, TX 75080
972.422.0077
karis.smith@spiarsengineering.com

ARCHITECT
iXDESIGN STUDIO
SHAHNAZ TALUKDER, AIA
3204 SAN PATRICIO DR.
PLANO, TX 75034
IXDZN.STUDIO@GMAIL.COM
573.529.1551

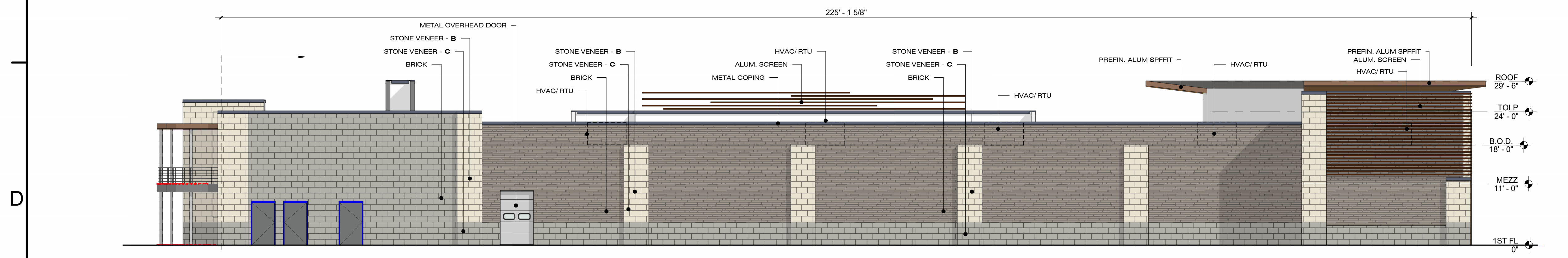
PRELIMINARY FACADE PLAN

SP-FP1



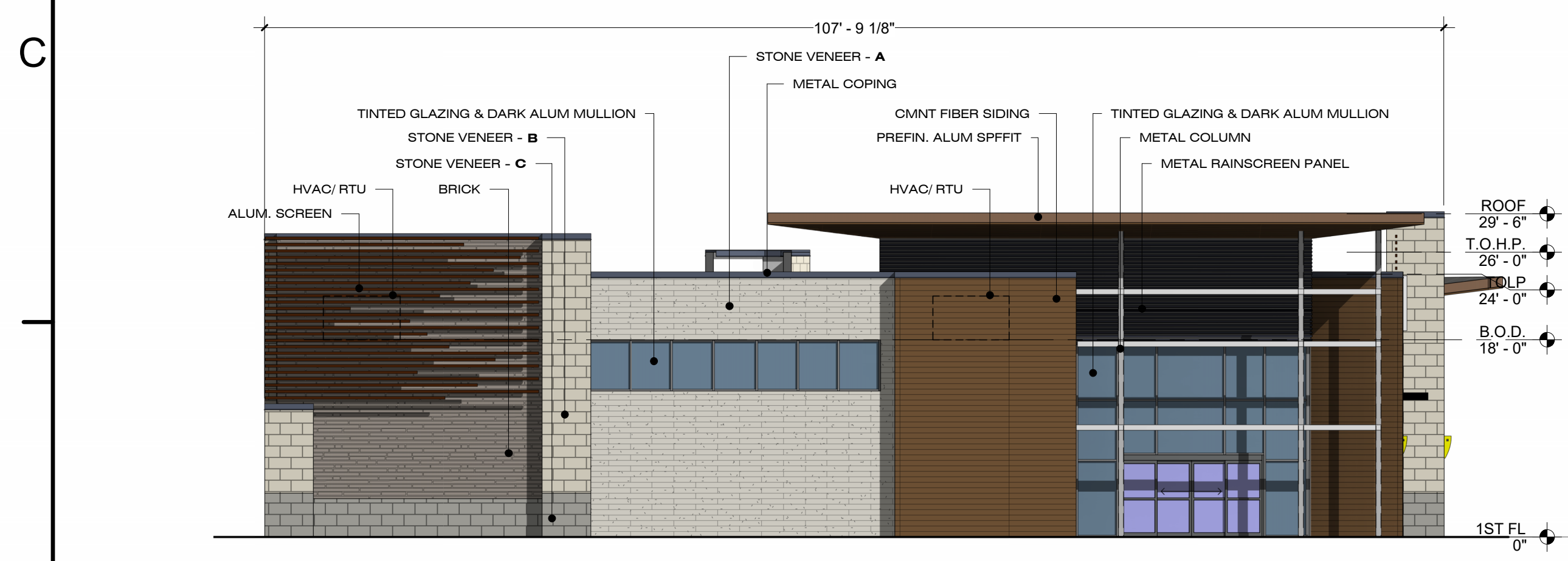
E1 FRONT ELEVATION (SOUTH)
AS-01 | SP-FP1 3/32" = 1'-0"

FENESTRATION NOTE:
ALL FENESTRATIONS SHALL BE PLACED A MIN. OF SIX INCHES (6") BACK FROM THE EXTERIOR SURFACE CREATING A REVEAL.



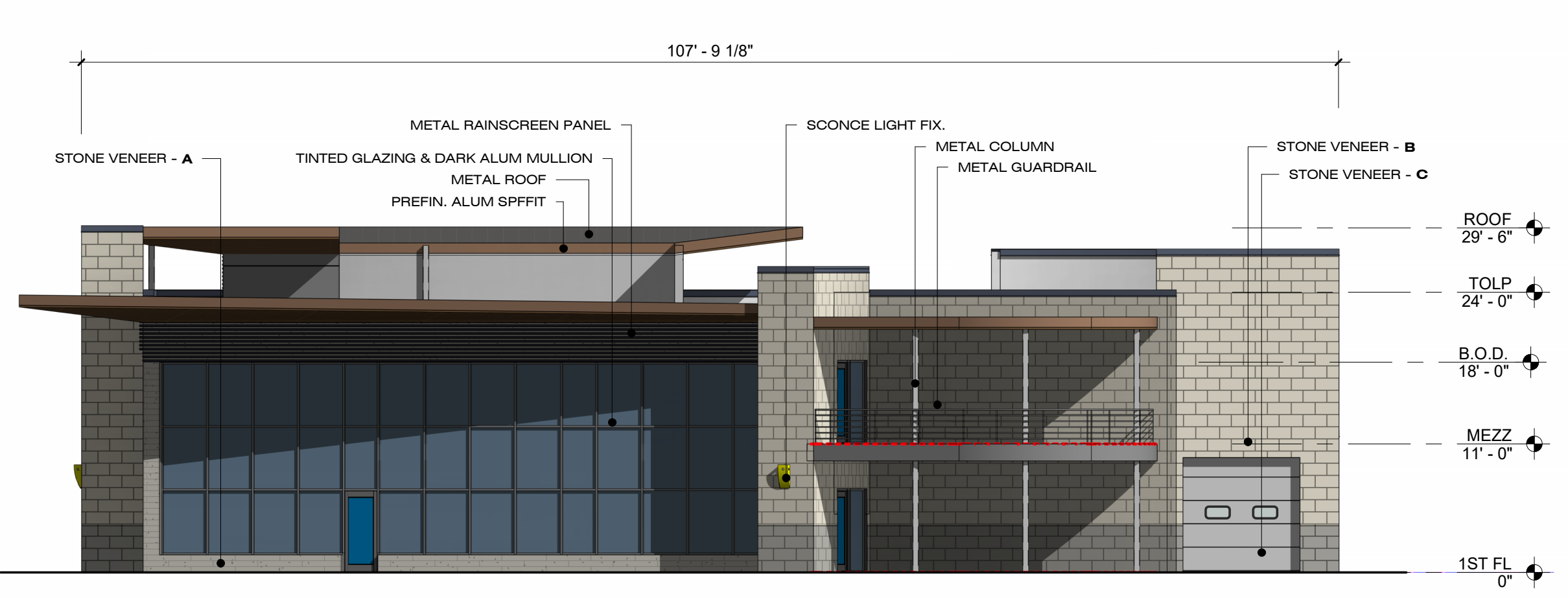
D1 REAR ELEVATION (NORTH)
AS-01 | SP-FP1 3/32" = 1'-0"

FENESTRATION NOTE:
ALL FENESTRATIONS SHALL BE PLACED A MIN. OF SIX INCHES (6") BACK FROM THE EXTERIOR SURFACE CREATING A REVEAL.



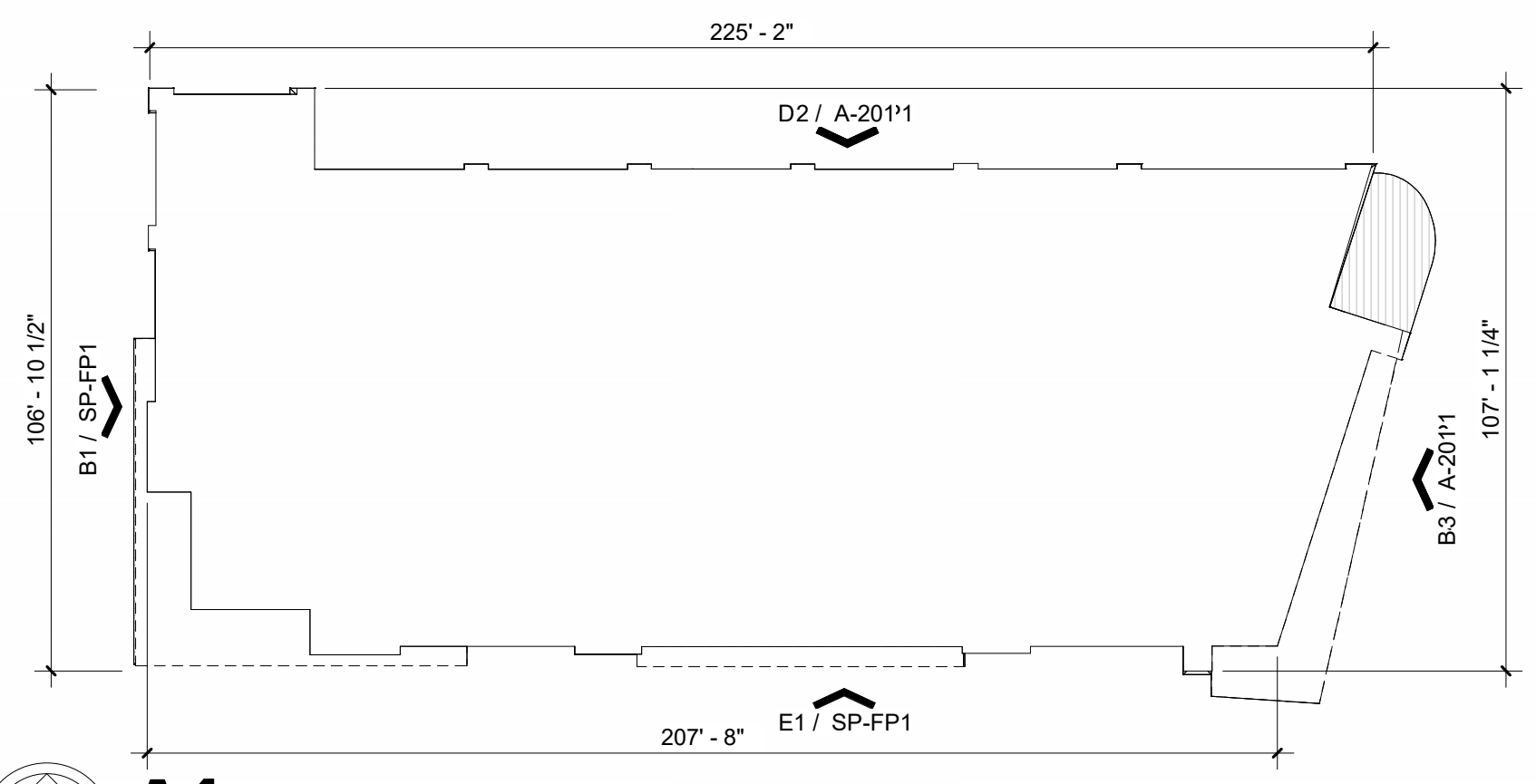
B1 LEFT ELEVATION (WEST)
AS-01 | SP-FP1 3/32" = 1'-0"

FENESTRATION NOTE:
ALL FENESTRATIONS SHALL BE PLACED A MIN. OF SIX INCHES (6") BACK FROM THE EXTERIOR SURFACE CREATING A REVEAL.



B4 RIGHT ELEVATION (EAST)
AS-01 | SP-FP1 3/32" = 1'-0"

FENESTRATION NOTE:
ALL FENESTRATIONS SHALL BE PLACED A MIN. OF SIX INCHES (6") BACK FROM THE EXTERIOR SURFACE CREATING A REVEAL.



A4 KEY PLAN
SP-FP1 1/32" = 1'-0"

LEGEND	
	A. LONG-FORMAT BRICK (LOREIOBRICK) COLOR : FAROLA
	B. METAL STANDING SEAM ROOF COLOR : MIRAGE 16° EVERGREEN
	C. METAL MATRIX 1X1 WALL PANEL SYS. COLOR : DOVE GRAY, SR.0.47 E.0.86 SR.153
	D. PAINTED METAL COLUMN COLOR : ONYX PPG1011-7
	E. FIBER CEMENT SIDING COLOR : NICHIIA VINTAGEWOOD REDWOOD
	G. STONE VENEER - A COLOR : SMOOTH,NORTHWOOD -HONED, BBCC
	F. STONE VENEER - B ELDORADO STONE MARQUEE24 DOVE TAIL
	F. STONE VENEER - C ELDORADO STONE -ZEN24-NICKEL

- CITY FACADE PLAN NOTES**
- THIS FACADE PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
 - ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW AS REQUIRED BY THE ZONING ORDINANCE.
 - WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING.
 - ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES.
 - AN ONSITE MOCKUP OF THE BUILDING MATERIALS TO BE USED ON THE STRUCTURE SHALL BE INSTALLED AND REVIEWED BY THE PLANNING DIVISION. MATERIALS SHALL NOT BE PLACED ON THE STRUCTURE UNTIL A GREEN TAG IS RECEIVED BY THE PLANNING DIVISION.
 - AN APPROVED FACADE PLAN SHALL BE POSTED ONSITE AT ALL TIMES.
 - ROOF ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE CHIEF BUILDING OFFICIAL.

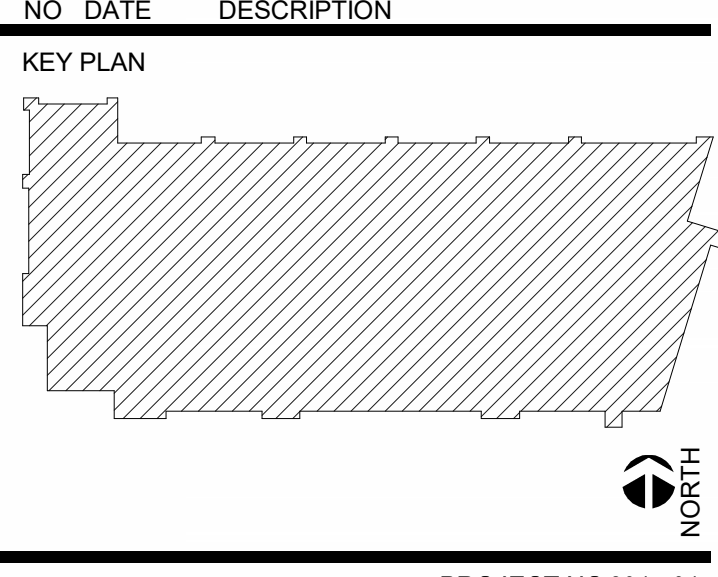
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HARELI FRESH MARKET

WESTSIDE ADDITION
LOT 10 & 11
PROSPER, TX

ISSUES	
NO.	DESCRIPTION
1	11/15/23 PRELIMINARY FACADE PLAN

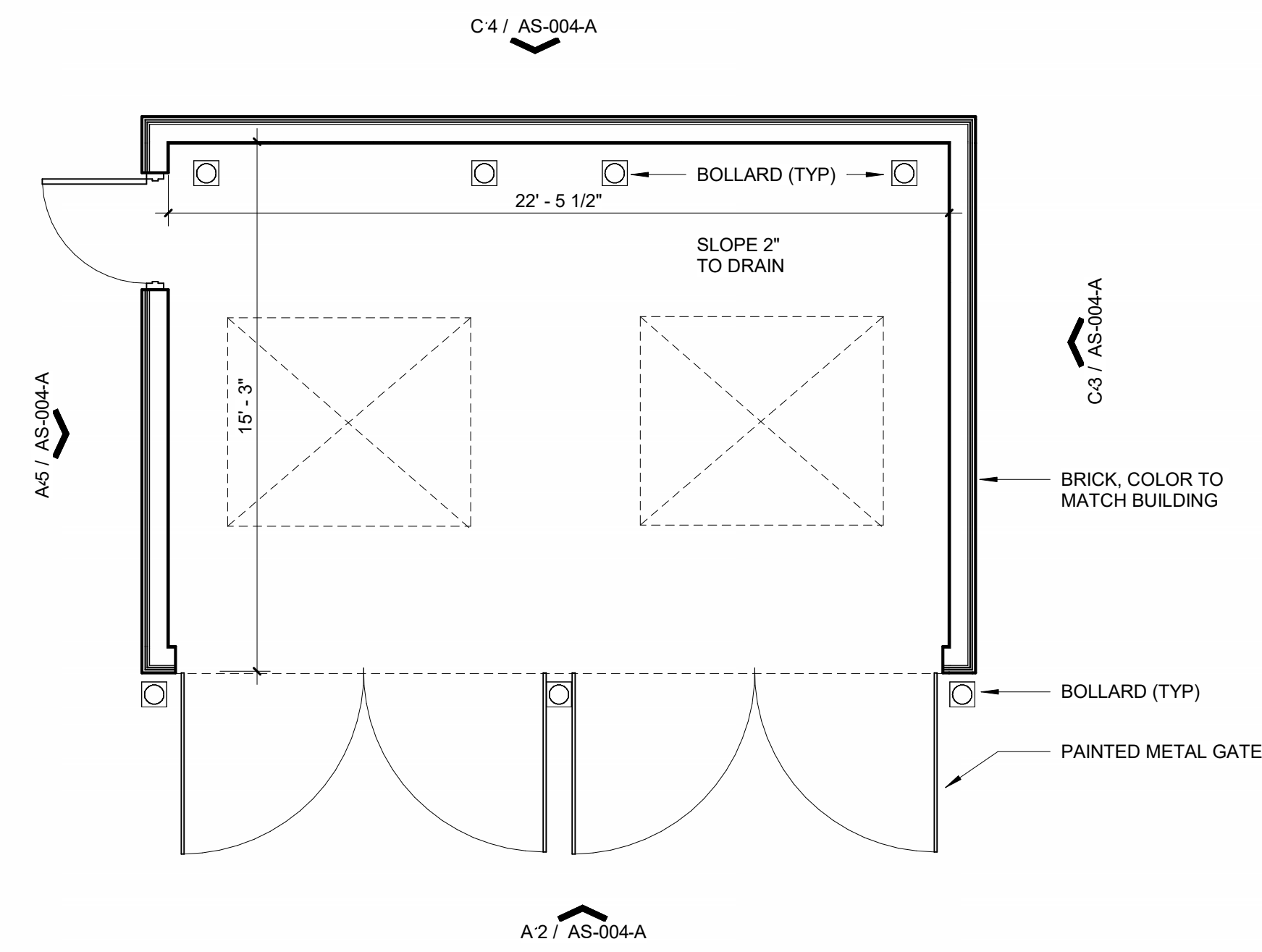
REVISIONS	
NO.	DESCRIPTION



PROJECT NO2315.01

FACADE PLAN, TRASH ENCLOSURE

SP-FP1-A



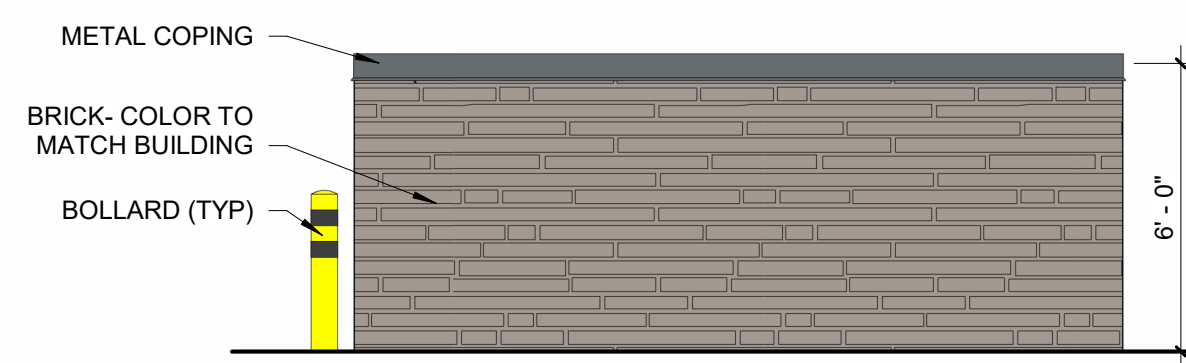
D1 DUMPSTER ENCLOSURE - PLAN VIEW

A-201 | SP-FP1-A4* = 1'-0"



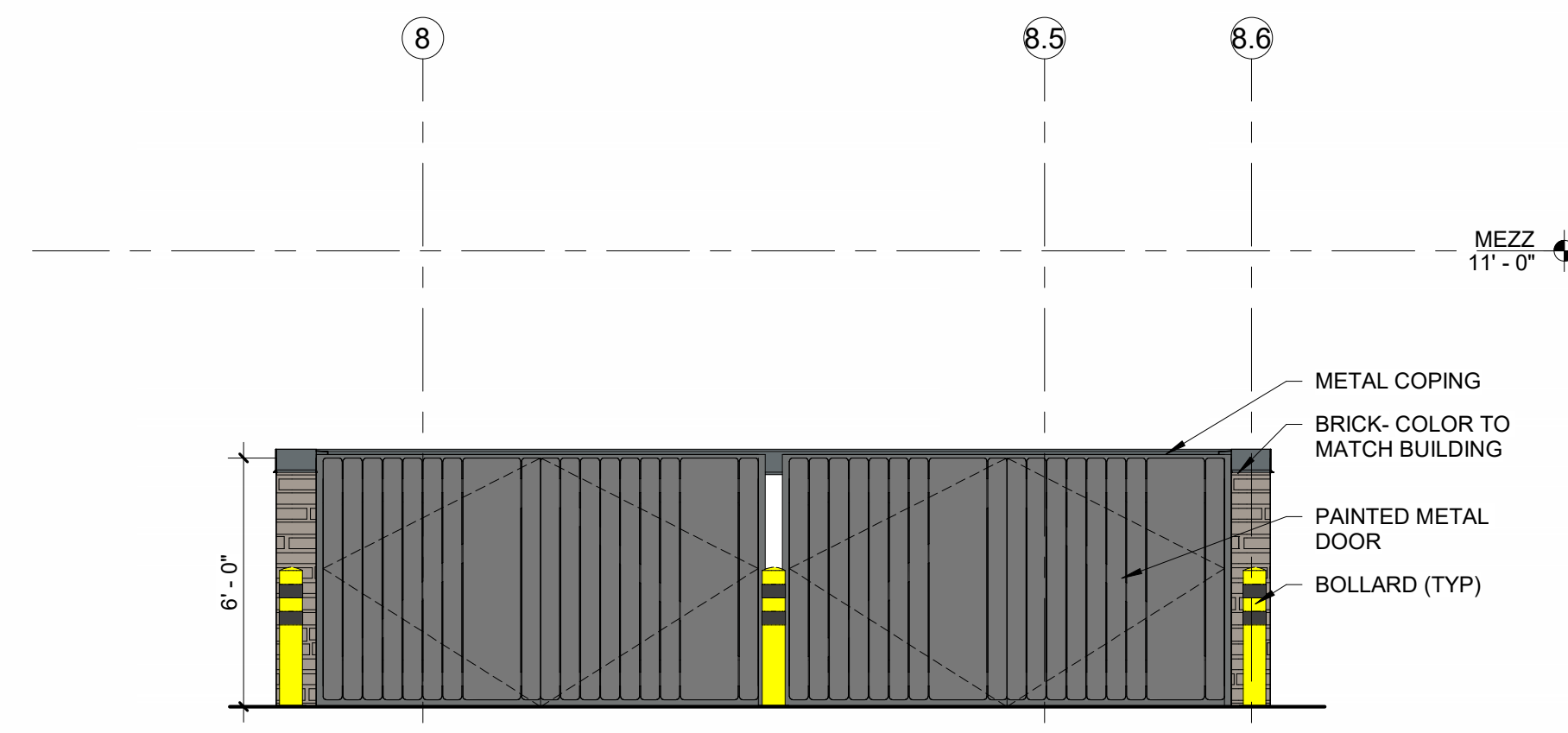
C1 REAR ELEVATION

AS-01 | SP-FP1-A4* = 1'-0"



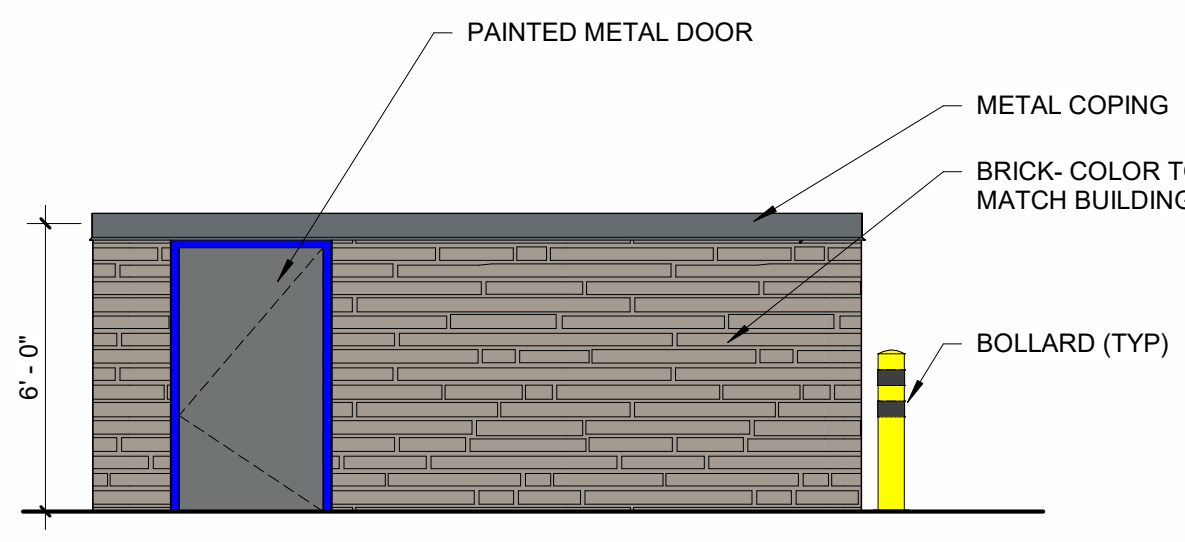
C4 RIGHT ELEVATION

AS-01 | SP-FP1-A4* = 1'-0"



A1 FRONT ELEVATION

AS-01 | SP-FP1-A4* = 1'-0"



A4 LEFT ELEVATION

AS-01 | SP-FP1-A4* = 1'-0"

TOWN OF PROSPER
PROJECT NO: DEVAPP - 23 - 0143

FACADE PLAN
WEST SIDE ADDITION
LOT 10 & 11

OWNER/ DEVELOPER
NFGCP1385HFMDev LLC
2525 MAIN ST. SUITE 430
FRISCO, TX 75036
DHRIJVA NAGALLA
612-845-6641(T)

ENGINEER / APPLICANT
SPIARS ENGINEERING Surveying
KARIS SMITH, PE
501 W PRESIDENT GEORGE BUSH HWY.
SUITE 200, RICHARDSON, TX 75080
972.422.0077
karis.smith@spiarsengineering.com

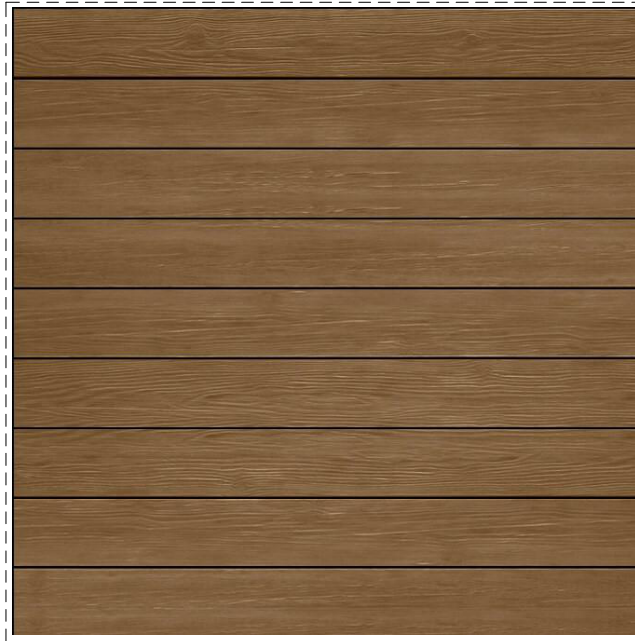
ARCHITECT
iXDESIGN STUDIO
SHAHNAZ TALUKDER, AIA
3204 SAN PATRICIO DR.
PLANO, TX 75034
IXDZN.STUDIO@GMAIL.COM
573.529.1551

SHEET SIZE: 30" X 42" | 11/15/2023 11:48:57 AM SP-FP1-A FACADE PLAN, TRASH ENCLOSURE

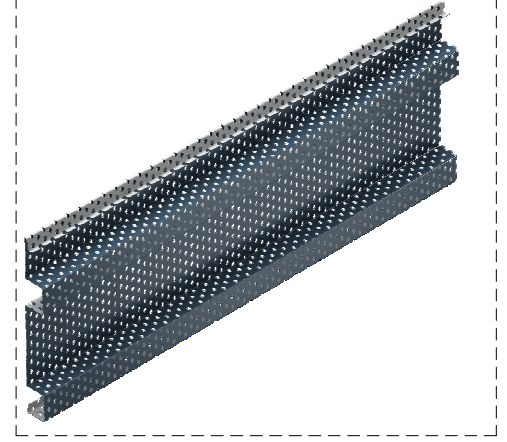
REVIT_V23



STONE - A | CUPACLAD 101 RNDM VENEER
 NATURAL SLATE



CMNT FIBER SIDING | NICHIIHA VINTAGEWOOD - CEDAR



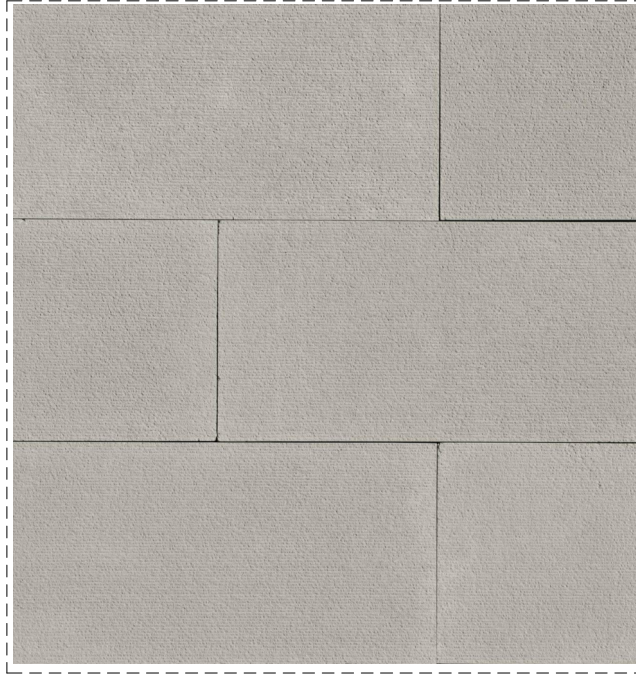
METAL | MATRIX MX-4 PANEL
 MORIN



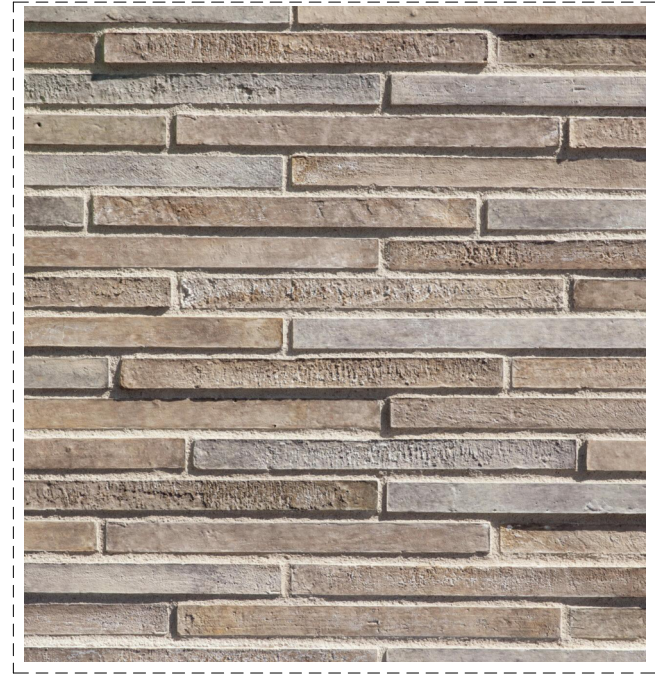
PT1- ONYX PPG1011-7



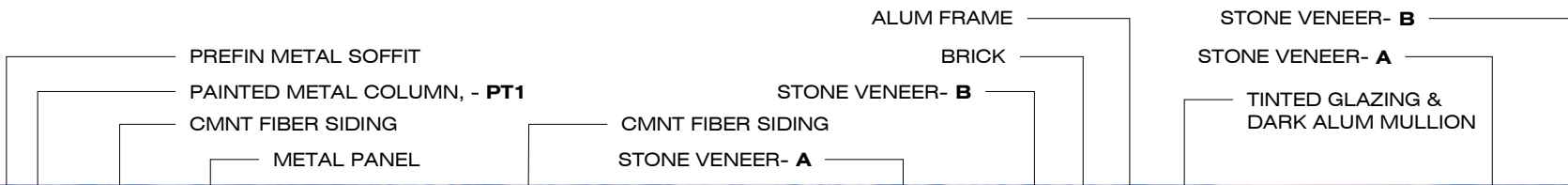
STONE - B | MARQUEE24 VENEER
 DOVE TAIL -ELDORADO



STONE - C | ZEN24 - NICKEL ELDORADO



BRICK | LOREIOBRICK - FAROLA ELDORADO



HARELI FRESH MARKET



PLANNING

To: Planning & Zoning Commission **Item No. 4**
From: Dakari Hill, Senior Planner
Through: David Hoover, AICP, Director of Development Services
Cc: Suzanne Porter, AICP, Planning Manager
Re: Planning & Zoning Commission Meeting – January 2, 2024

Agenda Item:

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

Description of Agenda Item:

Town Staff is requesting that this item be tabled to the Planning & Zoning Commission meeting on January 16, 2024, to allow additional time to finalize the request.

This item was tabled, and the public hearing was continued at the Planning & Zoning Commission meeting on December 19, 2023.

Town Staff Recommendation:

Town Staff recommends the Planning & Zoning Commission table this item and continue the Public Hearing to their meeting on January 16, 2024.



PLANNING

To: Planning & Zoning Commission **Item No. 5**

From: Suzanne Porter, AICP, Planning Manager

Through: David Hoover, AICP, Director of Development Services

Re: Specific Use Permit – Wireless Communications and Support Structure
Planning & Zoning Commission Meeting – January 2, 2024

Agenda Item:

Conduct a Public Hearing to consider a request for a Specific Use Permit for a Wireless Communications and Support Structure, on Lakewood Preserve, Block A, Lot 1, on 0.1± acre, located south of East First Street and east of South Coit Road. (ZONE-23-0036)

History:

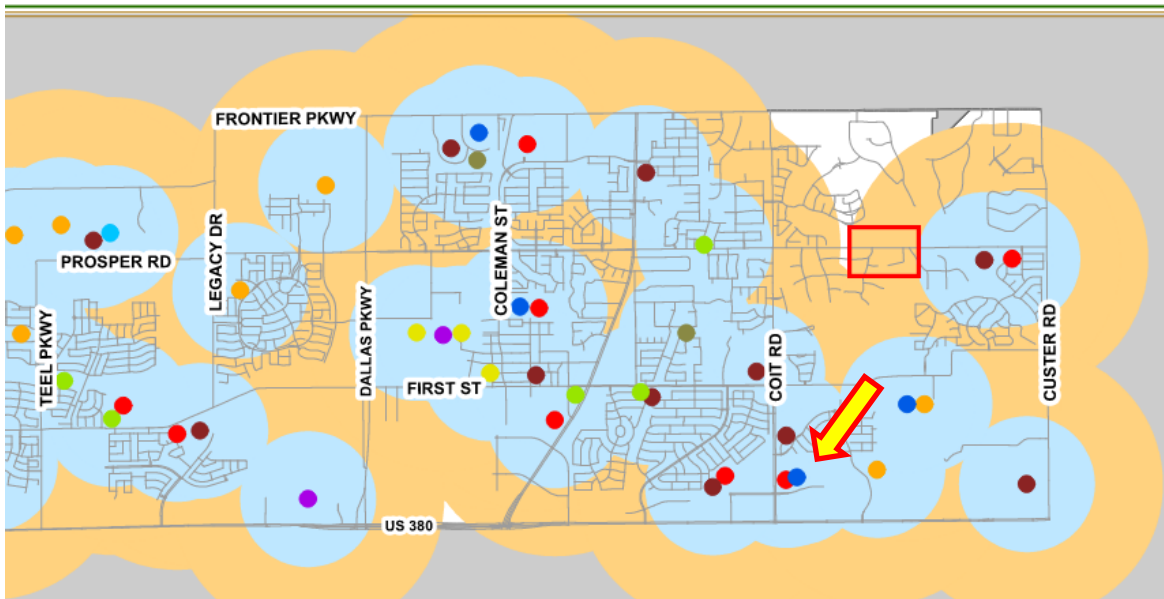
On November 7, 2023, the Planning & Zoning Commission considered a Specific Use Permit request (ZONE-23-0021) for a Wireless Communications and Support Structure on this property. At the time, the location of the tower and the surrounding screening wall were at the southwest corner of the park property, adjacent to Coit Road. Discussion at the meeting included relocating the tower further away from the street and providing additional screening to buffer it from the residential property to the south. Public comment in opposition to the request was also discussed. The applicant withdrew this Specific Use Permit prior to going to Town Council and has worked with Staff to relocate the tower further away from Coit Road and provide trees to screen the facility.

Description of Agenda Item:

The purpose of this request is to allow construction of a new 105' Wireless Communication and Support Structure on a 50-foot by 50-foot area of land within a City park, located south of East First Street and east of South Coit Road. The tower façade plan shows that four (4) Wireless Communication antennas could be placed on the structure. The site is located within a City park and north of a 170-foot wide electric easement. The ground equipment will be screened with a 6-foot CMU wall with a veneer that will be compatible with the design of the park infrastructure. The specific color and appearance of the veneer will be reviewed and approved by Staff when a Site Plan is submitted for the construction of the facility. Evergreen shrubs will be planted around the perimeter of the wall. Towards the end of construction, three Live Oak trees will be planted in locations determined by the Parks Department to provide additional screening from Coit Road and the residential property to the south.

In 2020, the Town completed a survey on areas of opportunities for wireless communication and support structures. The goal for this survey was to provide developers areas that were well suited for such use and to provide a comprehensive plan of communication towers for the Town of Prosper. These areas are potentially school sites, parks, or town properties. The location of the proposed tower is identified on this map with an arrow.

Wireless Communication Exhibit



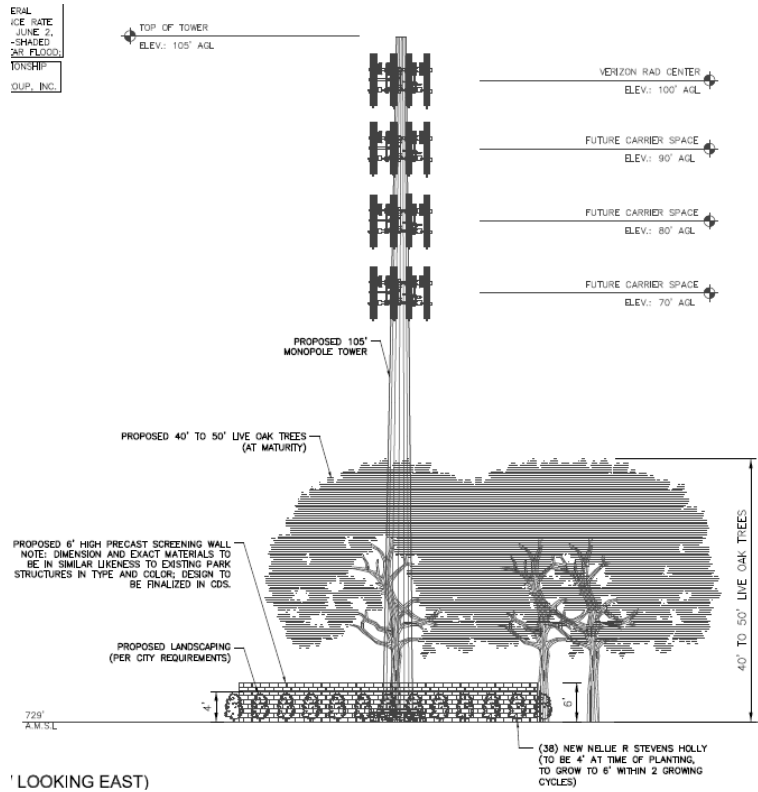
Legend

- Existing & Proposed Stadium Lights
 - ISD Existing School
 - Town Facility
 - 1/2 Mile Coverage
 - Existing Water Tower
 - Proposed Wireless Communication & Support Structure
 - Town Property
 - Proposed Water Tower
 - 1 Mile Coverage
- Updated March 29, 2021

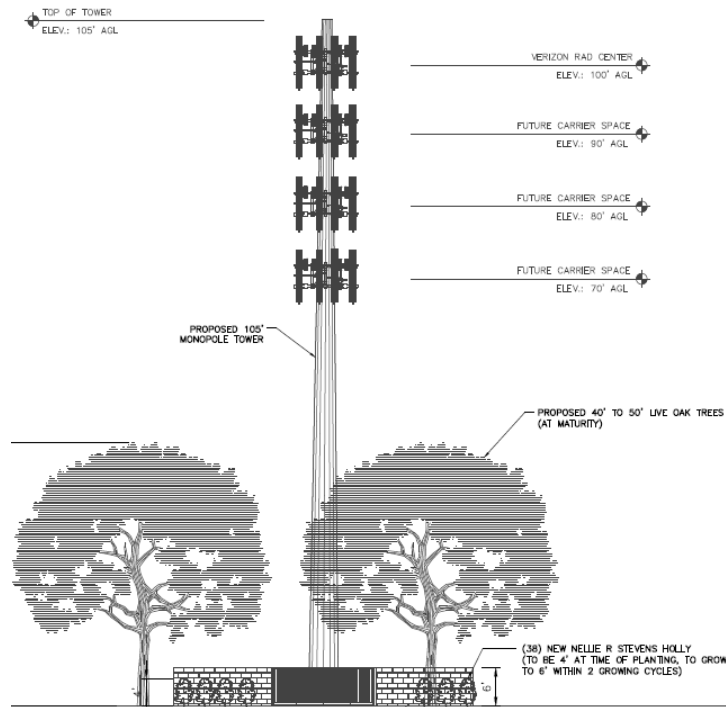
The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-87	City Park (Undeveloped)	Low Density Residential
North	Single Family-15 with a Specific Use Permit (S-44) for Private Streets	Undeveloped	Medium Density Residential
East	Planned Development-90	Undeveloped	Parks & Medium Density Residential
South	Planned Development-87	Residential (Developed)	Parks & Medium Density Residential
West	Planned Development-6	Residential (Developed)	Parks & Medium Density Residential

View of the tower from Coit Road, with the screening wall and landscape screen:



View of the tower from the south, with the screening wall and landscape screen:



The Zoning Ordinance contains the following four (4) criteria to be considered in determining the validity of a Specific Use Permit request.

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*

The site of this cell tower is within a City park and north of a 170-foot Texas Power & Light Company easement for electric power lines. The proposed tower will blend with the existing towers and utility lines in the adjacent easement. It is placed within the park property so as not to affect the trails or amenities.

2. *Are the activities requested by the applicant normally associated with the requested use?*

All of the proposed improvements are normally associated with a wireless communications facility.

3. *Is the nature of the use reasonable?*

A wireless communications facility in this location is reasonable and was previously identified by the Town in 2020 per the map above.

4. *Has any impact on the surrounding area been mitigated?*

The applicant has designed a gravel access drive to the cell tower. This construction material will minimize its visibility and impact to the surrounding park land. There will be a six-foot screening wall surrounded by approximately 38 Nellie R. Stevens Holly bushes at four feet in height at the time of planting. Within two growing seasons, the shrubs should reach a height of six feet. Three Live Oak trees, a minimum three-inch caliper and eight feet in height, will be planted around the facility to screen it from the street and residential neighborhood to the south. The mature height of these trees is approximately 40 feet to 50 feet.

In conclusion, Staff believes the applicant has satisfied the criteria and recommends approval of the request.

Future Land Use Plan – The Future Land Use Plan recommends the property develop as a Park.

Thoroughfare Plan – This facility has access to Coit Road.

Parks Master Plan – The facility is within a City Park.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and state law. Staff has not received any response to the proposed Specific Use Permit to date.

Attached Documents:

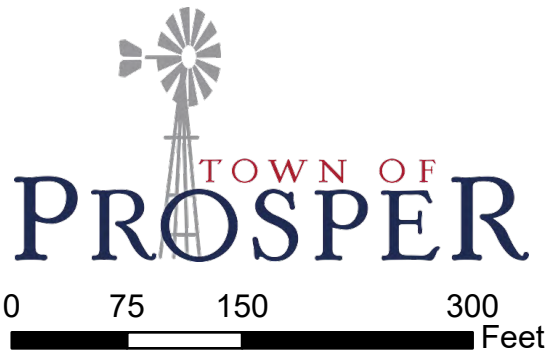
1. Aerial and Zoning Maps
2. Exhibit A – Survey
3. Exhibit B – Site Plan
4. Exhibit C – Landscape & Screening Plan
5. Exhibit D – Façade Plan

Town Staff Recommendation:

Town Staff recommends approval of a Specific Use Permit request for a Wireless Communications and Support Structure, on Lakewood Preserve, Block A, Lot 1, on 0.1± acre, located south of East First Street and east of South Coit Road.

Town Council Public Hearing:

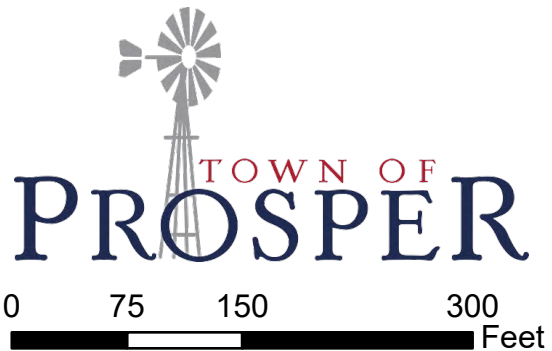
Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on January 23, 2024.



This map for illustration purposes only

ZONE-23-0036
 Lakewood Park Cell Tower

Specific Use Permit



This map for illustration purposes only

ZONE-23-0036
 Lakewood Park Cell Tower

SURVEYOR'S NOTES

- This is a Zoning Site survey, made on the ground under the supervision of a Texas Registered Land Surveyor. Date of field survey is November 27, 2023.
- The following surveying instruments were used at time of field visit: Topcon GM-55 and Topcon Hiper SR G.P.S. receiver, (R.T.K. network capable).
- Bearings are based on Texas North Central State Plane Coordinates NAD 83 by GPS observation.
- No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
- Benchmark used is a GPS Continuously Operating Reference Station, PID DF8982. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
- This survey was conducted for the purpose of a Zoning Site survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
- Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
- This Survey was conducted without the benefit of an Abstract Title search.
- Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
- Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
- Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1":15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
- This survey is not valid without the original signature and the original seal of a state licensed surveyor.
- This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.

LINE	BEARING	DISTANCE
L1	N 57°07'52" E	356.75'
L2	S 89°52'14" W	50.00'
L3	N 00°07'46" W	50.00'
L4	N 89°52'14" E	50.00'
L5	S 00°07'46" E	50.00'
L6	S 89°52'14" W	25.00'
L7	S 00°06'47" E	22.54'
L8	S 50°55'15" W	319.67'
L9	N 89°46'17" W	66.91'±

POB (AS-SURVEYED)
 50' X 50' LEASE AREA
 2,500.0 SQ. FT.±
 0.06 ACRES±
 5' LANDSCAPE BUFFER
 3600.0 SQ.FT.±
 0.08 ACRES±
 N:7134275.58
 E:2498590.20

PARENT TRACT
 PARCEL ID:2759846
 CITY OF PROSPER
 INST. NO.
 20170622010003020



SURVEYOR'S CERTIFICATION

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Texas to the best of my knowledge, information, and belief.

William H. Sommerville, III
 William H. Sommerville, III
 Texas License No. 6094
 12/19/23

NO.	REVISION	DATE	BY

PROJECT NO.
23-10564

DRAWN BY: DC
CHECKED BY: CS
FIELD CREW: Bmc
APPROVED BY: MKD
DATE: 11/28/23
SCALE: AS SHOWN
SHEET 1 OF 1

TOWER INFO

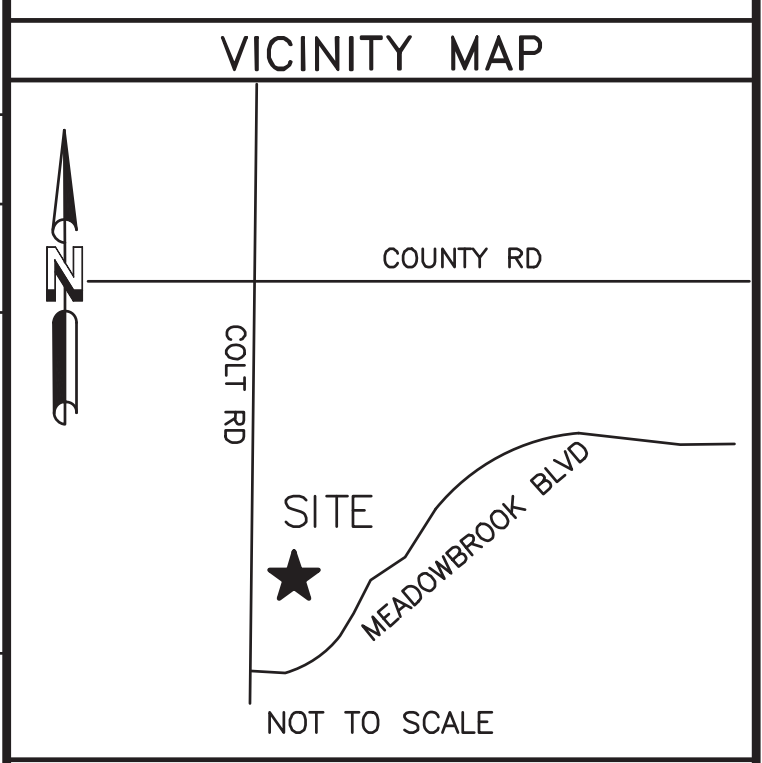
CENTER OF TOWER

LATITUDE: 33.228667
 LONGITUDE: -96.766236
 (NAD 83)
 GROUND ELEVATION: 729'
 ABOVE MEAN SEA LEVEL (NAVD88)

SITE ADDRESS:
 COIT RD
 PROSPER, TEXAS 75078

PROJECT NO.
23-10564

DRAWN BY: DC
CHECKED BY: CS
FIELD CREW: Bmc
APPROVED BY: MKD
DATE: 11/28/23
SCALE: AS SHOWN
SHEET 1 OF 1



TEXAS NORTH CENTRAL

GRID NORTH
 CONVERGENCE
 0°56'44.10650"

TRUE NORTH TO MAGNETIC
 DECLINATION
 2°41' E

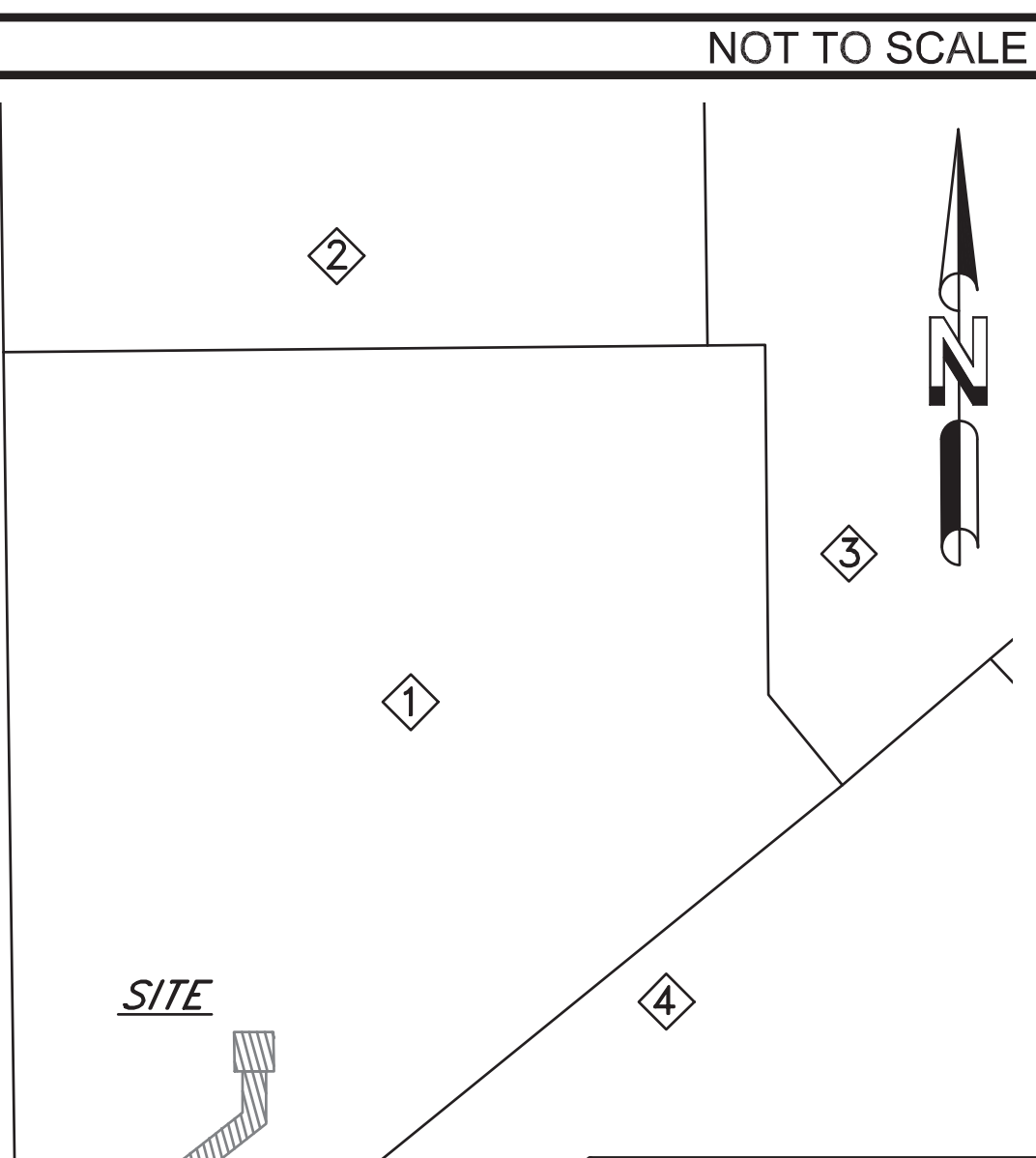
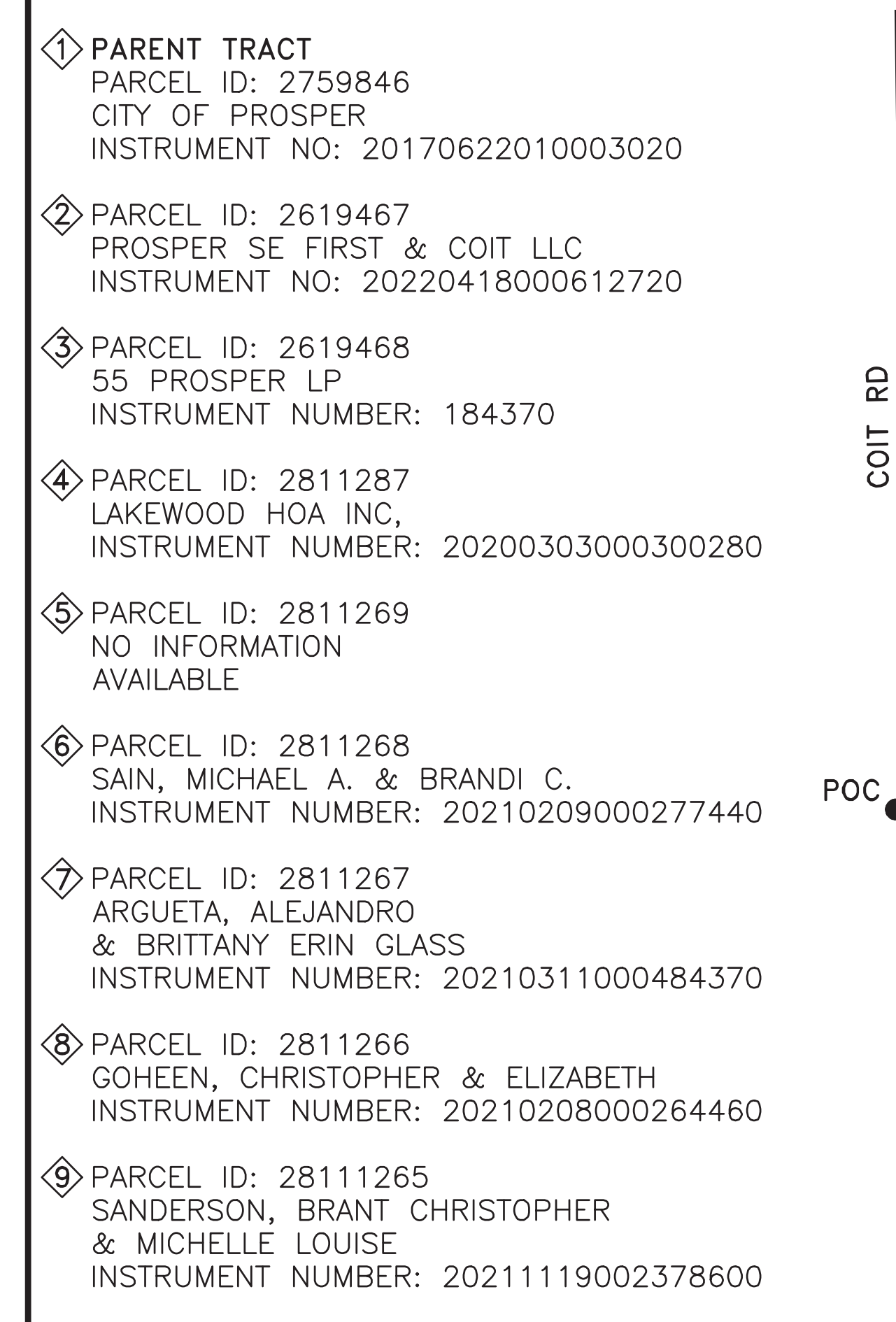
COMBINED SCALE FACTOR
 0.999877377

LEGEND

- = 5/8" REBAR SET
- = FOUND PROPERTY MARKER
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- (R) = REFERENCED INFORMATION
- (M) = MEASURED
- ⊕ = POWER POLE
- ⊥ = GUY ANCHOR
- ☐ = POWER BOX
- ☐ = TELEPHONE PEDESTAL
- ⊙ = SANITARY SEWER MANHOLE
- ⊙ = TEMPORARY BENCHMARK
5/8" REBAR SET
ELEVATION 729.62'

--- ROW --- = RIGHT-OF-WAY
 - - - - - OP - - - - - = OVERHEAD POWER

PARENT TRACT OVERVIEW



FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone "X" of the Flood Insurance Rate Map Community Panel No. 48085C0235J, which bears an effective date of June 2, 2009 and IS NOT in a special flood hazard area. Zone 'X': Areas determined to be outside the 0.2% annual chance floodplain.

PROJECT NAME & SHEET DESCRIPTION:

EXHIBIT A
ZONE-23-0036
 SURVEY

SITE LOCATION INFORMATION:
 PLAN TYPE: NEW 105' MONOPOLE TOWER
 PROPERTY OWNER: TOWN OF PROSPER
 LEGAL DESCRIPTION: LAKEWOOD PRESERVE, BLOCK A, LOT 1.
 GROSS ACREAGE: 22.840-ACRE TRACT (.0574 ACRE TOWER ADDITION)
 SURVEY ABSTRACT NAME: JAMES STONE SURVEY, ABSTRACT 847

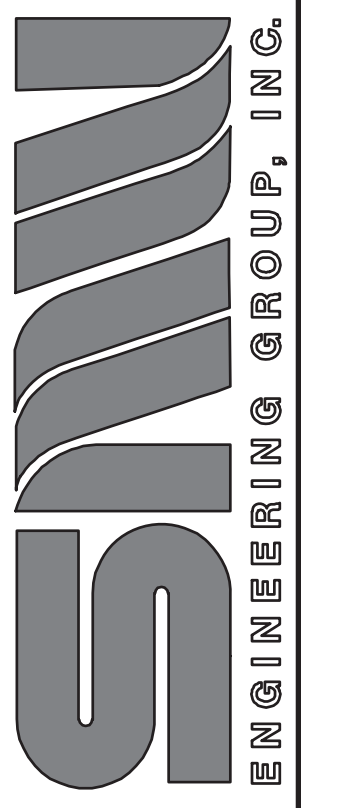
PROSPER COIT
JAMES STONE SURVEY, ABSTRACT NO. 847
 COLLIN COUNTY, TEXAS

SHEET S.1

RAWLAND TOWER SURVEY
 5944 Luther Lane
 Suite 725
 Dallas, TX, 75225



FOR:
 SMW Engineering Group, Inc.
 158 Business Center Drive
 Birmingham, Alabama 35244
 Ph: 205-252-6985
 www.smweng.com



ZONING NOTE:
 APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

FLOOD NOTE:
 ACCORDING TO MAP NO. 48085C0235J, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR COLLIN COUNTY, TEXAS, EFFECTIVE DATE JUNE 2, 2009 THE SUBJECT TRACT IS SITUATED WITHIN: UN-SHADED ZONE "X"; DEFINED AS AREAS OUTSIDE THE 500-YEAR FLOOD;

NOTE: THIS PLAN IS SHOWN TO CLARIFY THE RELATIONSHIP OF PROPOSED WORK TO OVERALL SITE ONLY. PLAN BASED ON SURVEY BY: SMW ENGINEERING GROUP, INC.

EXISTING UNDERGROUND UTILITIES ARE NOT SHOWN. CONTRACTOR IS TO LOCATE AND PROTECT EXISTING UNDERGROUND UTILITIES DURING CONSTRUCTION.

SITE LOCATION IS A GRASSY FIELD. CONTRACTOR SHALL CLEAR AND LEVEL ENTIRE LEASE AREA.

TOWER MATERIAL NOTE:
 TOWER SHALL COMPLY WITH APPROVED FACADE & DESIGN APPROVED BY TOWN OF PROSPER AND HOA'S HAVING JURISDICTION.

EXISTING TREES NOTE:
 NO EXISTING TREES WILL BE REMOVED FOR THE CONSTRUCTION OF THIS PROJECT

PROPOSED 6' HIGH PRECAST MASONRY SCREENING WALL
 NOTE: DIMENSION AND EXACT MATERIALS TO BE IN SIMILAR LIKENESS TO EXISTING PARK STRUCTURES IN TYPE AND COLOR; DESIGN TO BE FINALIZED IN CDS.

PROPOSED LANDSCAPE SCREENING WITHIN A 5' WIDE LANDSCAPE BUFFER AREA
50'X50' LEASED PREMISES (FOR TENANT'S EXCLUSIVE USE)

PROPOSED 105' MONOPOLE TOWER
 EXISTING PROTECTED TREE LINE (PLASTIC SAFETY FENCE) (TO BE REMOVED AS NEEDED FOR CONSTRUCTION)
PROPOSED 40' TO 50' LIVE OAK TREES (AT MATURITY)

PARENT TRACT
 PARCEL ID: 2759846
 CITY OF PROSPER
 INST. NO:
 20170622010003020

PROPOSED (4) 2" FIBER CONDUITS FROM ANTHEMNET RACK TO MMPB ABUTTING ROW (450'±)
PROPOSED (1) 3" ANTHEMNET U.G. POWER CONDUIT FROM PEDESTAL TO ANTHEMNET RACK (450'±)

20' WIDE ACCESS/UTILITY AND FIRE FASSETMENT LESSEE'S PROPOSED GRAVEL ACCESS DRIVE (8,182.5± SQ FT.)

EXISTING UTILITY POLE (POWER SOURCE)
PROPOSED FIBER HANDHOLE (MMPB)
PROPOSED PEDESTAL (BY COSERV)
 EXISTING CURB (TO BE CUT AND REMOVED)

PROPOSED PRIVET DRIVE (NOT FOR PUBLIC USE) SIGN

EXISTING TRANSMISSION LINES (TYP.)
 EXISTING SIDE WALK

15'R TYP.

EXISTING UTILITY POLE (TO BE RELOCATED BY COSERV)

PROPOSED 11' DECEL LANE

EXISTING OVERHEAD POWER LINE (TYP.)

PROPOSED RELOCATED UTILITY POLE (BY COSERV)

EXISTING DRIVEWAY

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

EXISTING POND

809' TO NORTHERN DRIVEWAY

199' TO SOUTHERN DRIVEWAY

730'± TO NEAREST INTERSECTION MEADOWBROOK BLVD

GRASSY MEDIAN

40' STORAGE AREA

100' TRANSITION

COIT RD CONCRETE PUBLIC RIGHT-OF-WAY

EXISTING 170' TEXAS POWER & LIGHT EASEMENT VOL. 810, PG. 639

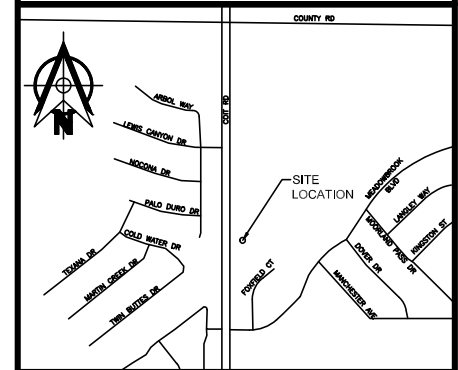
PREPARED FOR:



DATE OF CREATION: 12/04/2023

REV. NO:	REV. DESCRIPTION:	DATE:
A	ZONING DRAWINGS	12.04.23
B	ZONING DRAWINGS	12.19.23
C	ZONING DRAWINGS	12.29.23

EXHIBIT B



DATE VICINITY MAP (N.T.S.)

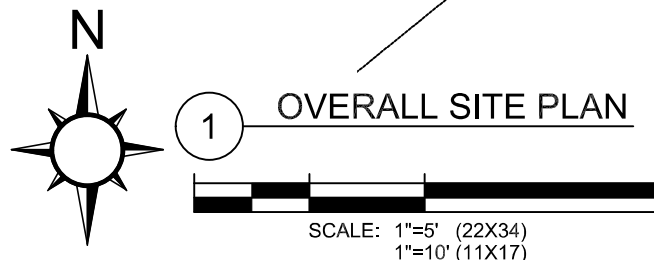
FOR ZONING REVIEW ONLY

ENGINEER:

PRELIMINARY DRAWING
 (NOT VALID UNLESS STAMPED AND SIGNED)

PROJECT NAME & SHEET DESCRIPTION:
EXHIBIT B
 ZONE-23-0036
 OVERALL SITE PLAN - PAGE 1 OF 2

SITE LOCATION INFORMATION:
 PLAN TYPE: NEW 105' MONOPOLE TOWER
 PROPERTY OWNER: TOWN OF PROSPER
 LEGAL DESCRIPTION: LAKEWOOD PRESERVE, BLOCK A, LOT 1.
 GROSS ACREAGE: 22.840-ACRE TRACT (.0574 ACRE TOWER ADDITION)
 SURVEY ABSTRACT NAME: JAMES STONE SURVEY, ABSTRACT 847



OVERALL SITE PLAN

1

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EXISTING TREES NOTE:
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FLOOD NOTE:
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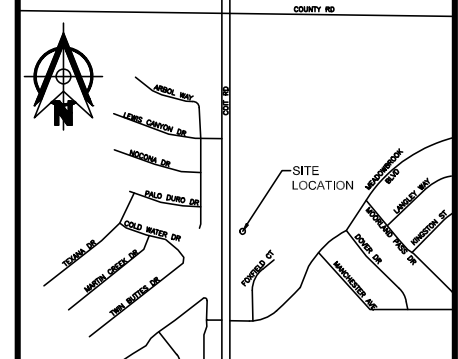
NOTE: THIS PLAN IS SHOWN TO CLARIFY THE RELATIONSHIP OF PROPOSED WORK TO OVERALL SITE ONLY. PLAN BASED ON SURVEY BY: SMW ENGINEERING GROUP, INC.



DATE OF CREATION: 12/04/2023

REV. NO:	REV. DESCRIPTION:	DATE:
A	ZONING DRAWINGS	12.04.23
B	ZONING DRAWINGS	12.19.23
C	ZONING DRAWINGS	12.29.23

EXHIBIT B



DATE VICINITY MAP (N.T.S.)

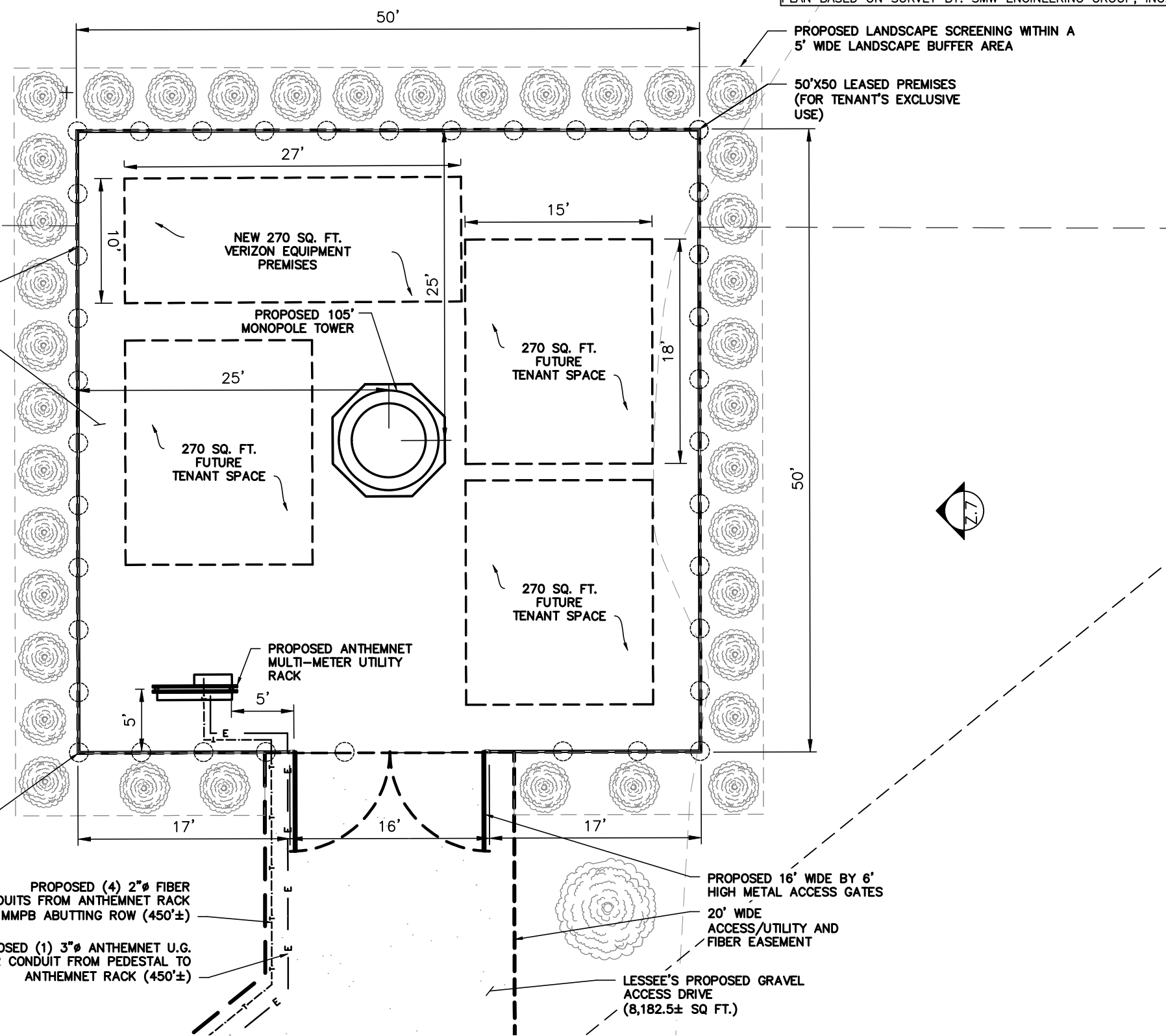
FOR ZONING REVIEW ONLY

ENGINEER:

PRELIMINARY DRAWING
 (NOT VALID UNLESS STAMPED AND SIGNED)

PROJECT NAME & SHEET DESCRIPTION:
EXHIBIT B
 ZONE-23-0036
 ENLARGED SITE PLAN - PAGE 2 OF 2

SITE LOCATION INFORMATION:
 PLAN TYPE: NEW 105' MONOPOLE TOWER
 PROPERTY OWNER: TOWN OF PROSPER
 LEGAL DESCRIPTION: LAKEWOOD PRESERVE, BLOCK A, LOT 1.
 GROSS ACREAGE: 22.840-ACRE TRACT (.0574 ACRE TOWER ADDITION)
 SURVEY ABSTRACT NAME: JAMES STONE SURVEY, ABSTRACT 847



EXISTING PROTECTED TREE LINE (PLASTIC SAFETY FENCE) (TO BE REMOVED AS NEEDED FOR CONSTRUCTION)

EXISTING TREE CANOPY (TO BE TRIMMED AS NEEDED FOR CONSTRUCTION)

LESSEE'S COMPOUND WITH CRUSHED LIMESTONE TO 95% PROCTOR (2,500± SQ. FT.)

PROPOSED 40' TO 50' LIVE OAK TREES (AT MATURITY) (TYPx3)



25'

PROPOSED 6' HIGH PRECAST MASONRY SCREENING WALL
 NOTE: DIMENSION AND EXACT MATERIALS TO BE IN SIMILAR LIKENESS TO EXISTING PARK STRUCTURES IN TYPE AND COLOR; DESIGN TO BE FINALIZED IN CDS.

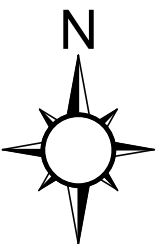
PROPOSED (4) 2"Ø FIBER CONDUITS FROM ANTHEMNET RACK TO MMPB ABUTTING ROW (450'±)

PROPOSED (1) 3"Ø ANTHEMNET U.G. POWER CONDUIT FROM PEDESTAL TO ANTHEMNET RACK (450'±)

PROPOSED 16' WIDE BY 6' HIGH METAL ACCESS GATES

20' WIDE ACCESS/UTILITY AND FIBER EASEMENT

LESSEE'S PROPOSED GRAVEL ACCESS DRIVE (8,182.5± SQ. FT.)



1 ENLARGED SITE PLAN



SCALE: 1"=5' (22X34)
 1"=10' (11X17)



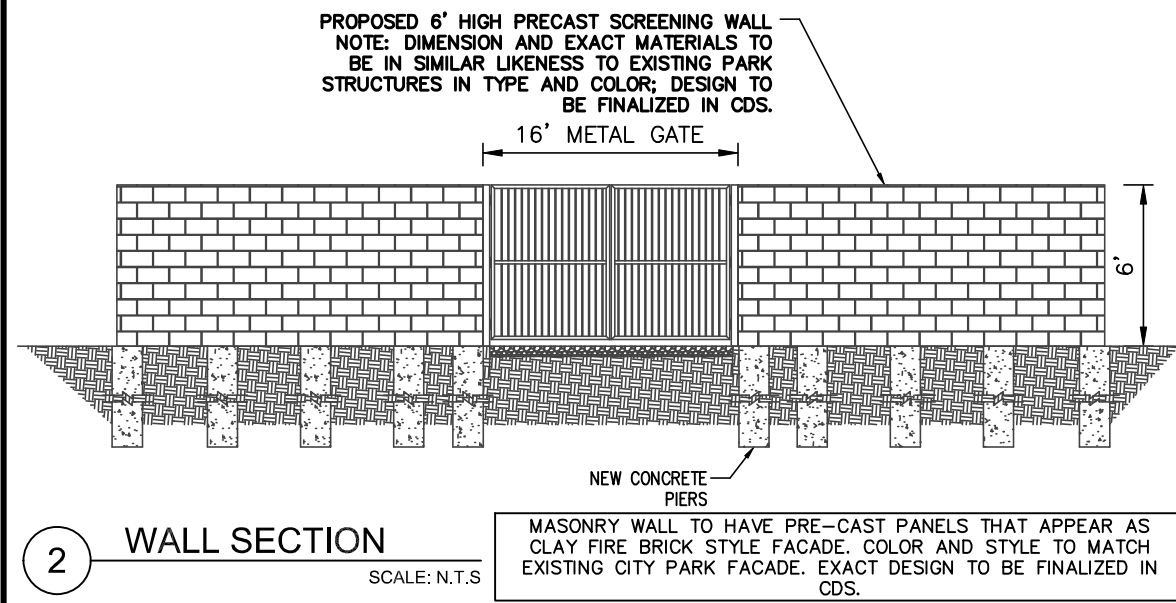
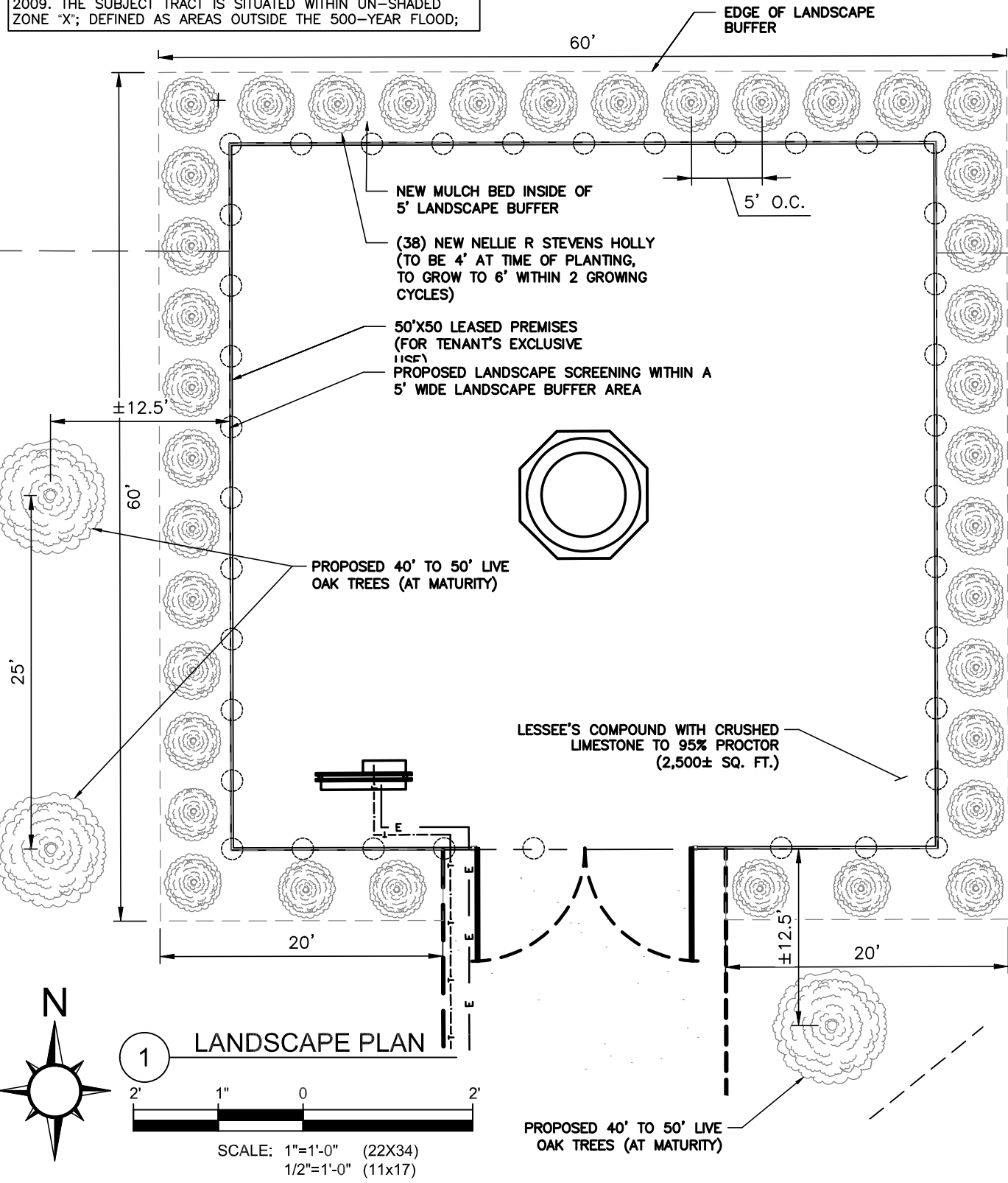
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FLOOD NOTE:
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SITE LOCATION IS A GRASSY FIELD. CONTRACTOR SHALL CLEAR AND LEVEL ENTIRE LEASE AREA.

TOWER MATERIAL NOTE:
 TOWER SHALL COMPLY WITH APPROVED FACADE & DESIGN APPROVED BY TOWN OF PROSPER AND HOA'S HAVING JURISDICTION.

EXISTING TREES NOTE:
 NO EXISTING TREES WILL BE REMOVED FOR THE CONSTRUCTION OF THIS PROJECT



LANDSCAPING NOTES

PRIMARY SCREENING:
 ALL PLANTS TO BE 5 GALLON SIZE AND PLACED 5± SPACING. ONLY DROUGHT TOLERANT NATIVE SPECIES TO BE USED. SHRUBBERY SHALL BE A MINIMUM OF FOUR FEET (4') IN HEIGHT AT TIME OF PLANTING, PLANTED EVERY FIVE FEET (5') OR LESS ON CENTER.

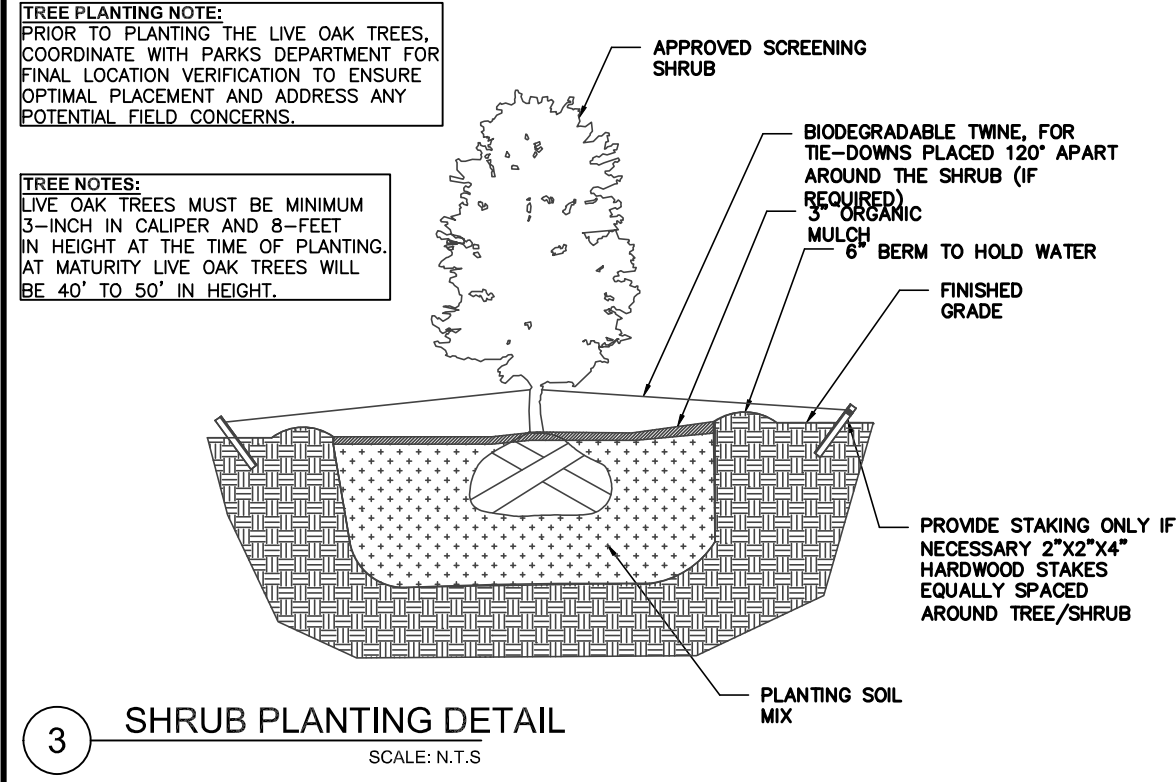
APPROVED SPECIES:
 NELLIE R STEVENS HOLLY [WELL BRANCHED, MIN. HEIGHT OF 4' AT TIME OF PLANTING, TO GROW TO 6' WITHIN 2 GROWING CYCLES] (APPROX 38 PLANTS NEEDED TOTAL):

IRRIGATION:
 NO IRRIGATION SYSTEM IS TO BE INSTALLED. A COMPANY IS TO BE CONTRACTED TO WATER THE PLANTS WEEKLY FOR THE FIRST 4 MONTHS AND THEN MONTHLY FOR THE NEXT 6 MONTHS.

MAINTENANCE:
 PLANT USING 3" MULCH COVER. PLANTINGS TO BE MAINTAINED BY INDEPENDENT CONTRACTOR, TO BE PROVIDED BY TOWER DEVELOPER.

PLANTING NOTES:

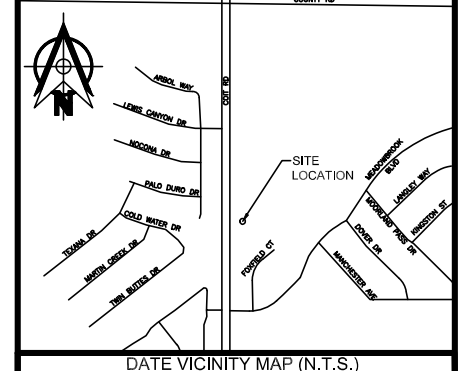
- MULCH WITH 4" MIN. ORGANIC MULCH.
- LANDSCAPE CONTRACTOR TO GUARANTEE SHRUBS FOR 180 DAYS.
- ALL PROPOSED LANDSCAPING IS REQUIRED AND SHALL BE PROPERLY MAINTAINED TO ENSURE GOOD HEALTH & VITALITY.
- SEED, MULCH, AND FERTILIZE IN DISTURBED AREAS.
- REFER TO LANDSCAPE PLAN (DETAIL 1, THIS SHEET) FOR PLANTING LOCATIONS.



DATE OF CREATION: 12/04/2023

REV. NO:	REV. DESCRIPTION:	DATE:
A	ZONING DRAWINGS	12.04.23
B	ZONING DRAWINGS	12.19.23
C	ZONING DRAWINGS	12.29.23

EXHIBIT C



FOR ZONING REVIEW ONLY

ENGINEER:

PRELIMINARY DRAWING
 (NOT VALID UNLESS STAMPED AND SIGNED)

PROJECT NAME & SHEET DESCRIPTION:

EXHIBIT C
 ZONE-23-0036
 LANDSCAPE AND SCREENING PLAN

SITE LOCATION INFORMATION:
 PLAN TYPE: NEW 105' MONOPOLE TOWER
 PROPERTY OWNER: TOWN OF PROSPER
 LEGAL DESCRIPTION: LAKEWOOD PRESERVE, BLOCK A, LOT 1.
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 SURVEY ABSTRACT NAME: JAMES STONE SURVEY, ABSTRACT 847

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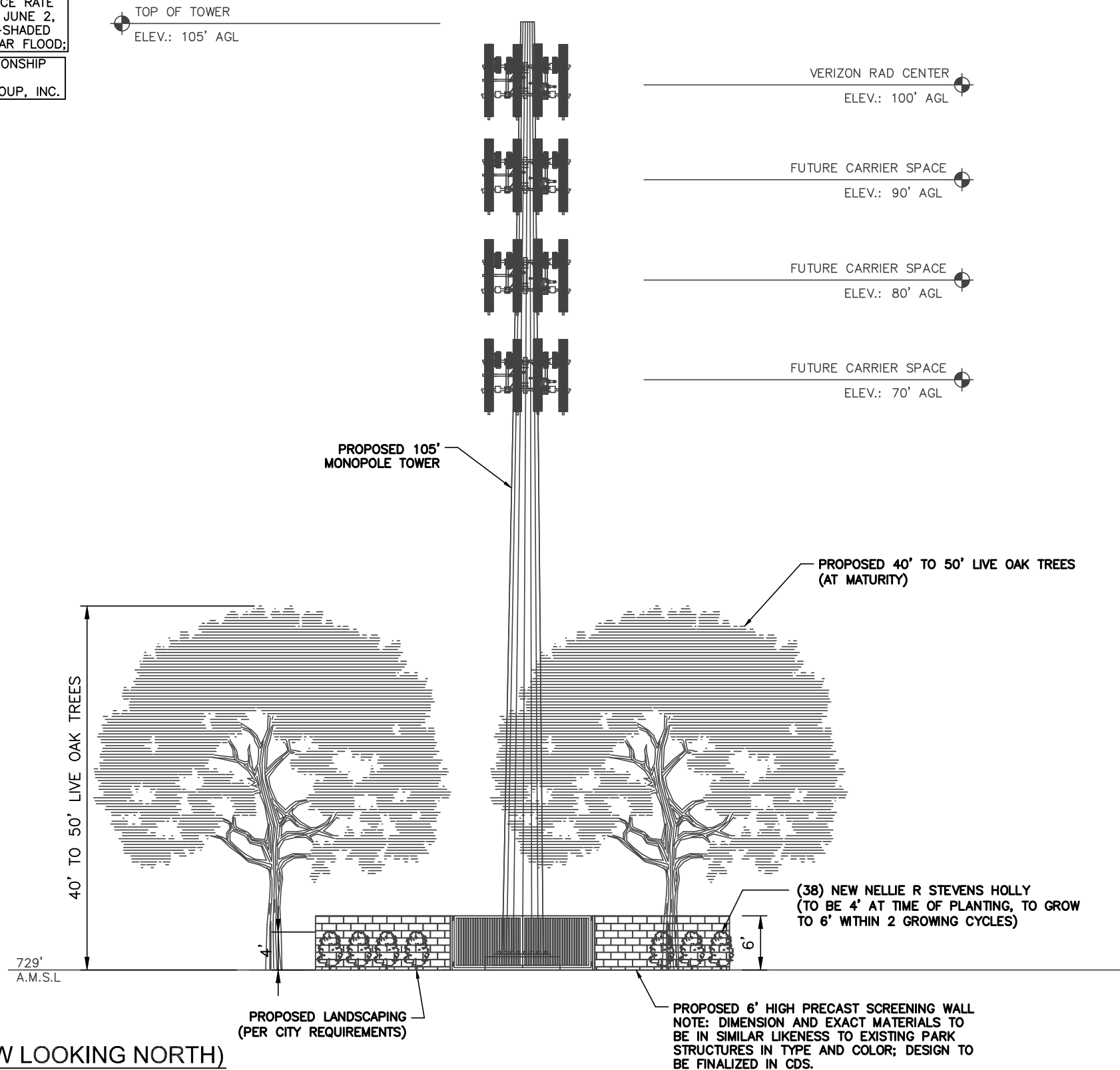
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SITE LOCATION IS A GRASSY FIELD. CONTRACTOR SHALL CLEAR AND LEVEL ENTIRE LEASE AREA.

TOWER MATERIAL NOTE:
 TOWER SHALL COMPLY WITH APPROVED FACADE & DESIGN APPROVED BY TOWN OF PROSPER AND HOA'S HAVING JURISDICTION.

TOWER NOTES:
 1. SMW HAS NOT PERFORMED A STRUCTURAL ANALYSIS OF THE PROPOSED TOWER OR PROPOSED ANTENNA MOUNT. REFER TO STRUCTURAL ANALYSIS BY OTHERS FOR ADDITIONAL INFORMATION.
 2. REFER TO TOWER STRUCTURAL ANALYSIS FOR PROPOSED CABLE ROUTING AND ATTACHMENT DETAILS.
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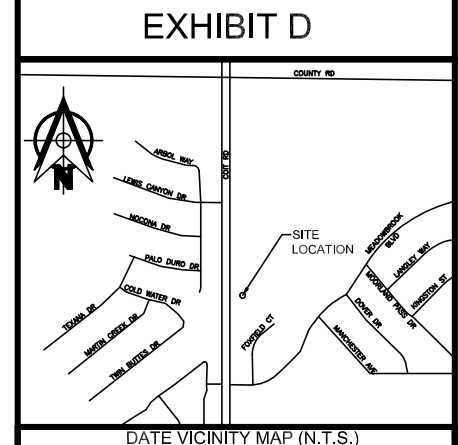


1 SOUTH ELEVATION (VIEW LOOKING NORTH) SCALE: N.T.S



DATE OF CREATION: 12/04/2023

REV NO:	REV. DESCRIPTION:	DATE:
A	ZONING DRAWINGS	12.04.23
B	ZONING DRAWINGS	12.19.23
C	ZONING DRAWINGS	12.29.23



FOR ZONING REVIEW ONLY

ENGINEER:

PRELIMINARY DRAWING
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PROJECT NAME & SHEET DESCRIPTION:
EXHIBIT D
 ZONE-23-0036
 FACADE PLAN - PAGE 1 OF 4

SITE LOCATION INFORMATION:
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 PROPERTY OWNER: TOWN OF PROSPER
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 GROSS ACREAGE: 22.840-ACRE TRACT (.0574 ACRE TOWER ADDITION)
 SURVEY ABSTRACT NAME: JAMES STONE SURVEY, ABSTRACT 847

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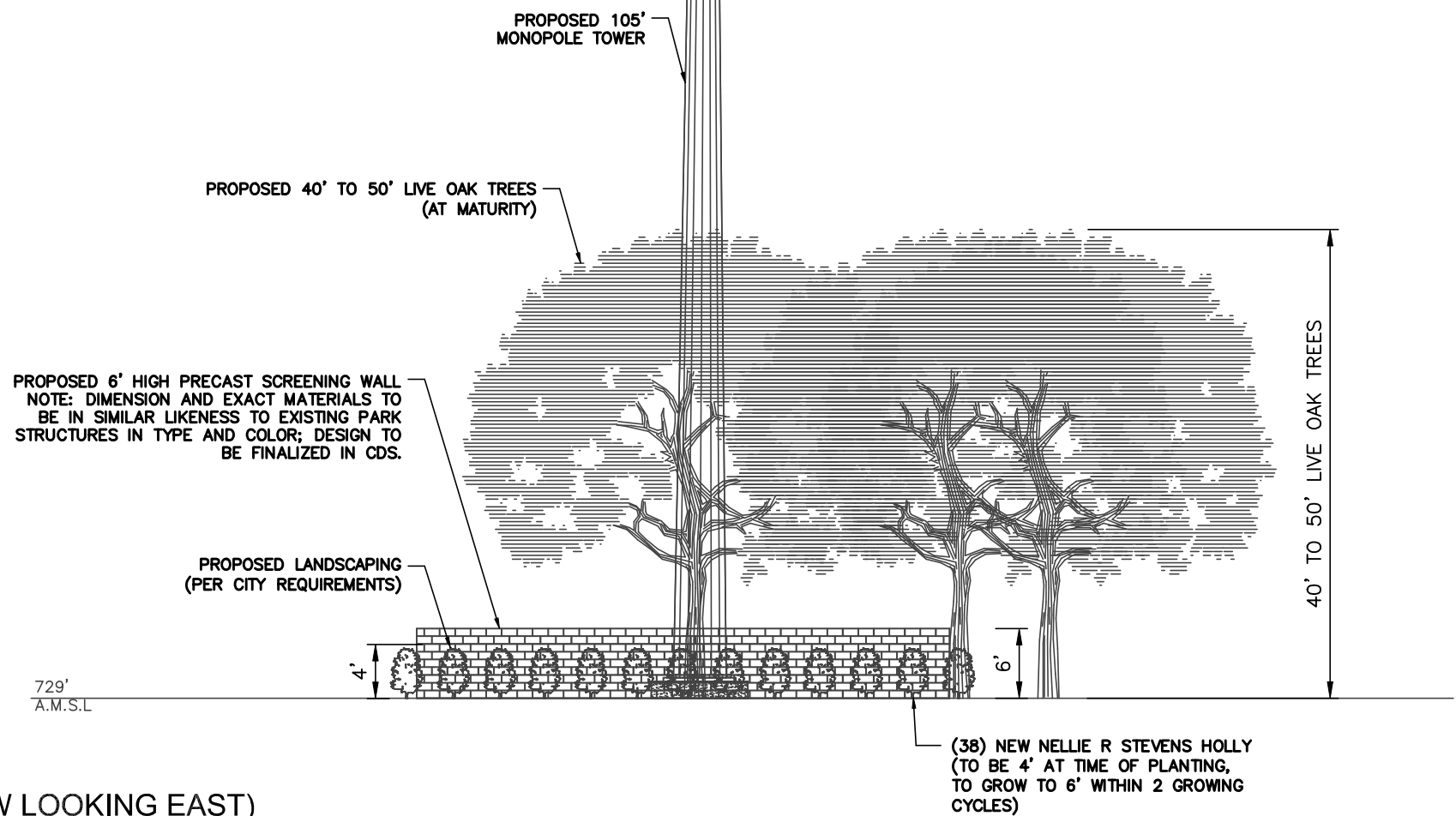
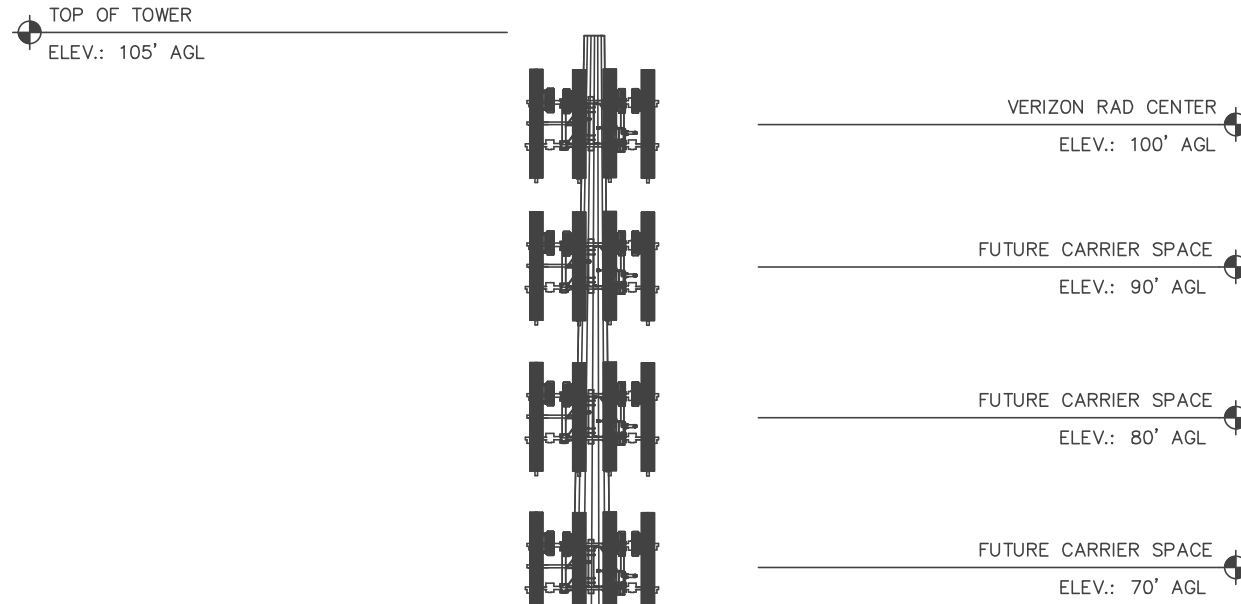
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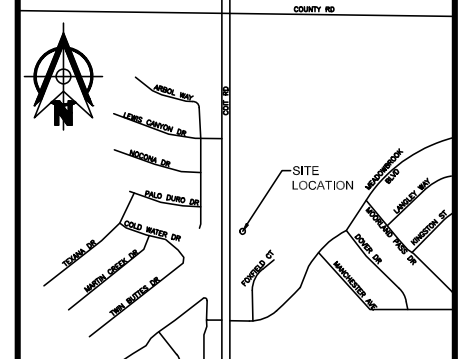
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EXHIBIT D



DATE VICINITY MAP (N.T.S.)

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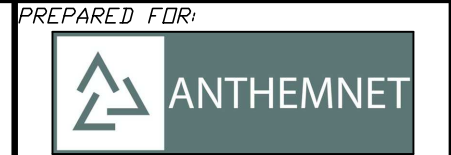
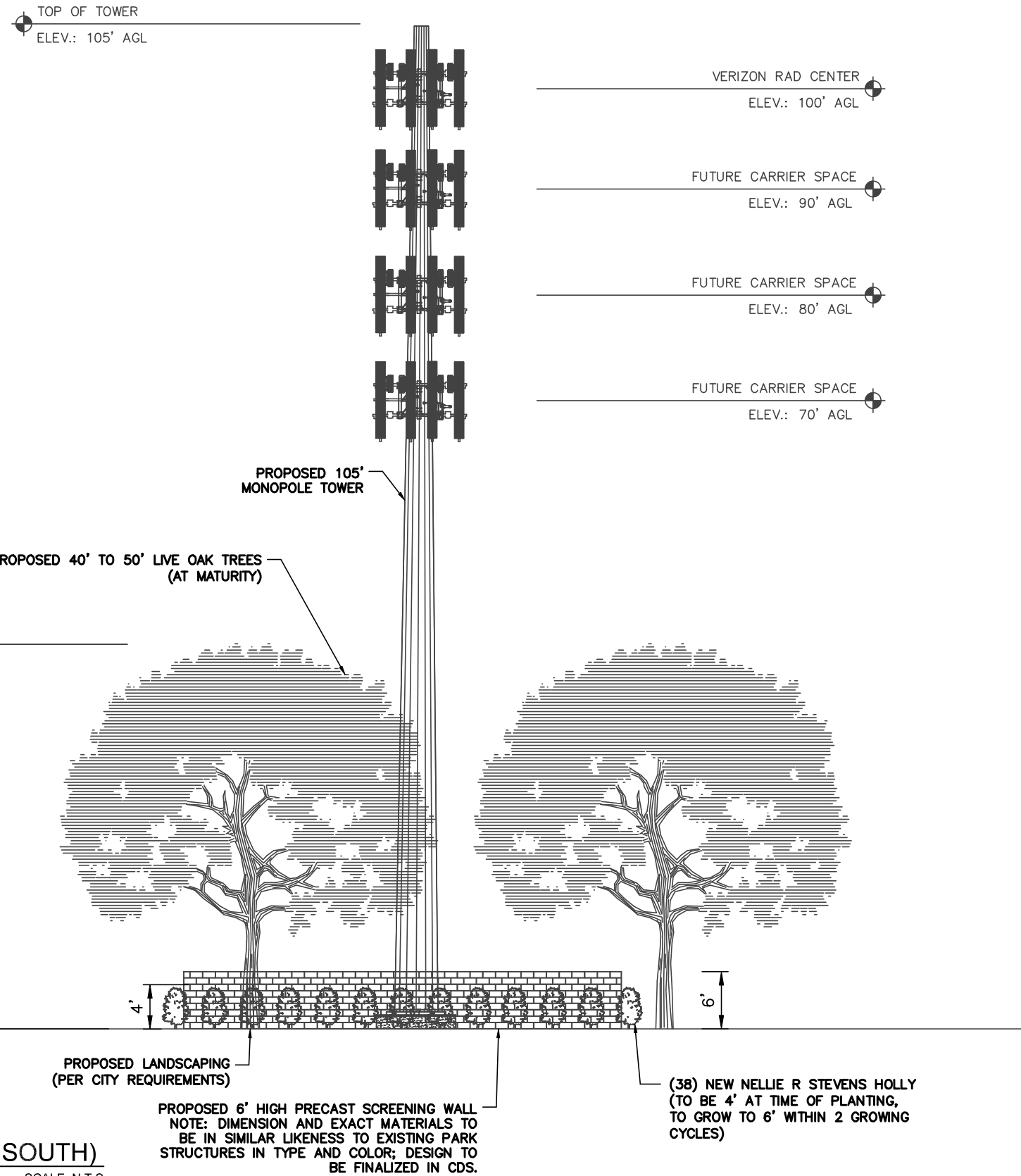
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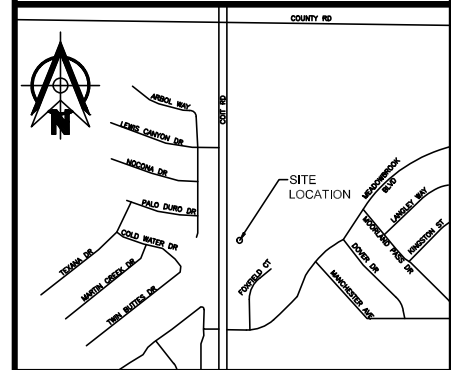
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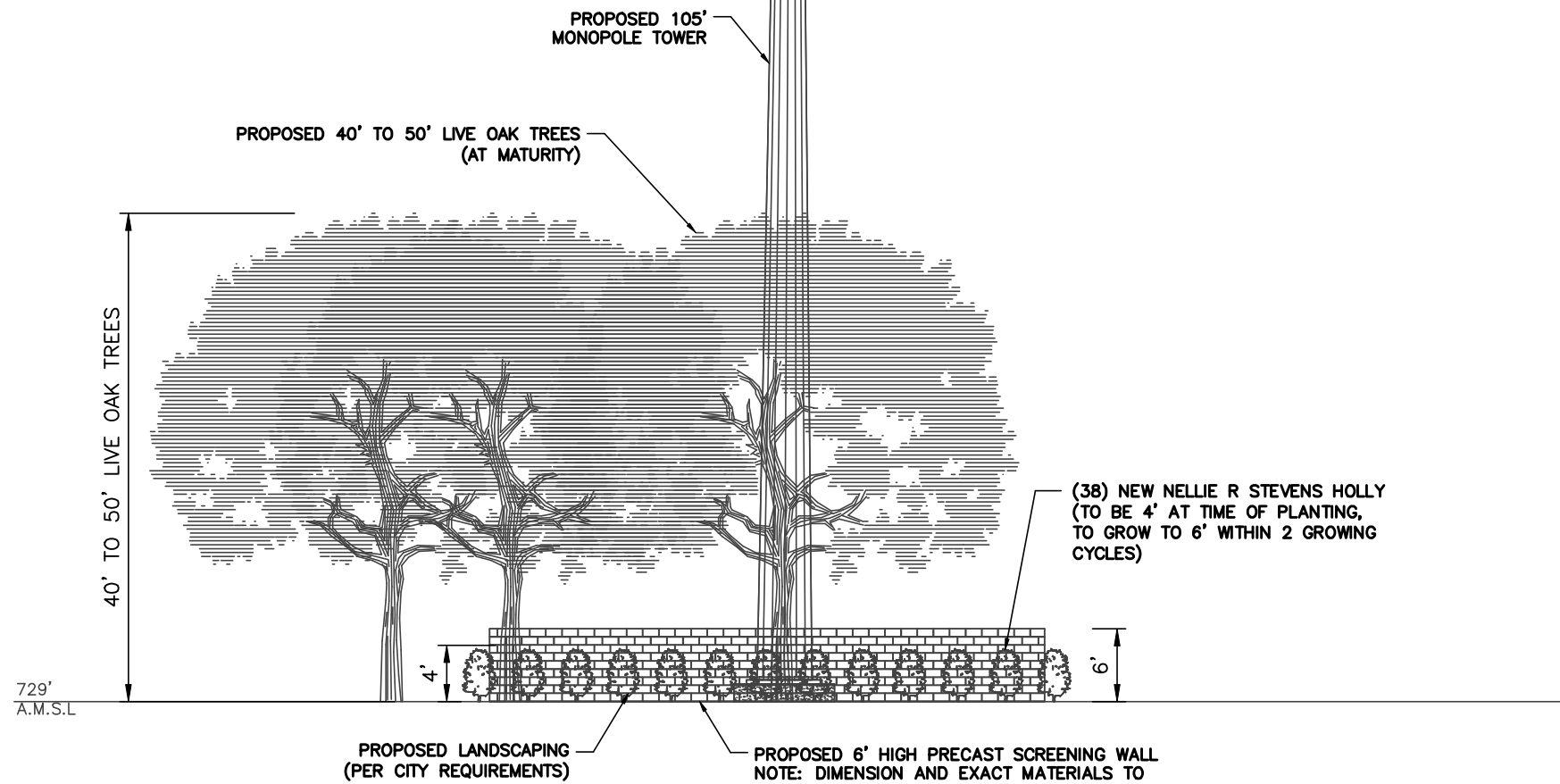
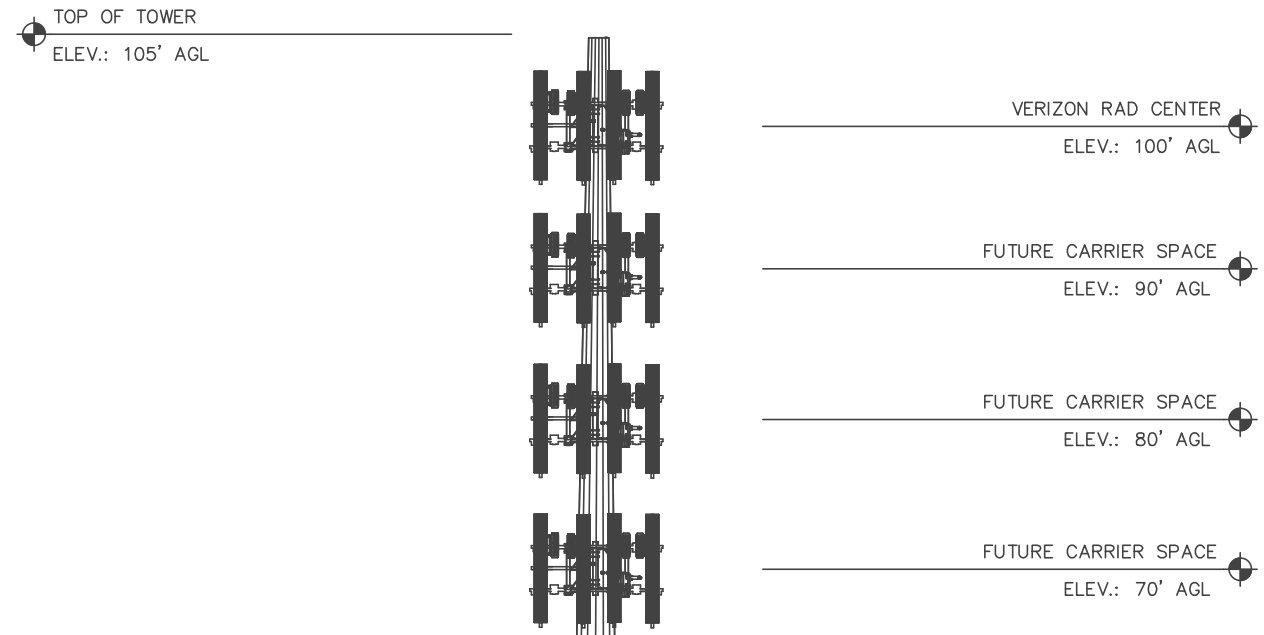
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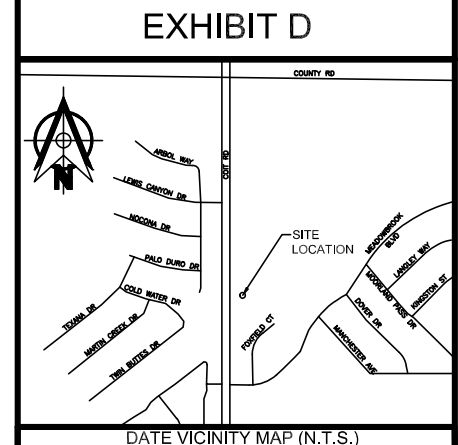
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PLANNING

To: Planning & Zoning Commission **Item No. 6**

From: Suzanne Porter, AICP, Planning Manager

Through: David Hoover, AICP, Director of Development Services

Re: Planning & Zoning Commission Meeting – January 2, 2024

Agenda Item:

Conduct a Public Hearing to consider and act upon amending Chapter 3, Section 1.4 – Conditional Development Standards of the Town of Prosper Zoning Ordinance to modify requirements related to gas pumps. (ZONE-23-0039)

Description of Agenda Item:

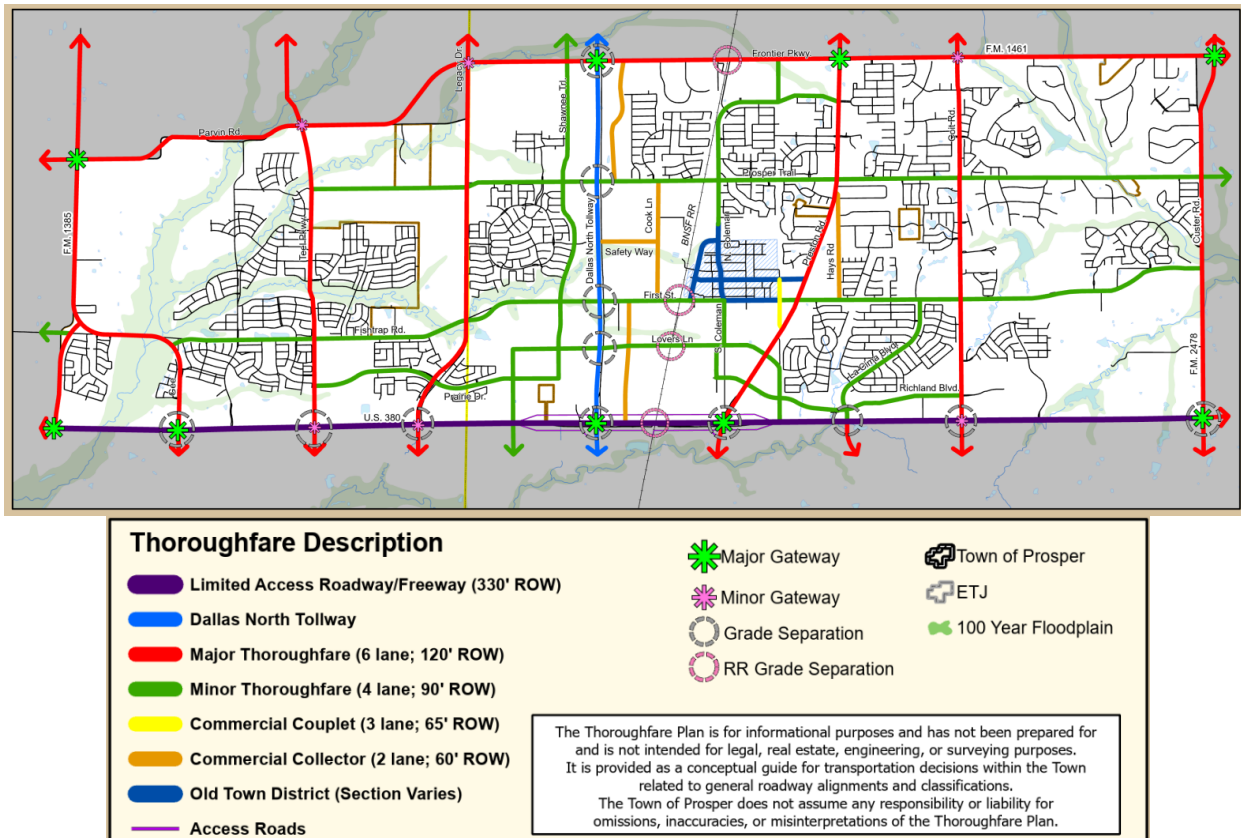
The Zoning Ordinance places conditions on the location of gas pumps. The pumps and associated canopies are required to be within 200 feet of an intersection of major thoroughfares, per the Town’s Thoroughfare Plan. Only two fueling stations are permitted at the intersection.

Grocery stores often provide gas pumps as part of their operations. As shown below, Walmart, Kroger, HEB, and Costco have pumps that are more than 200 feet from the nearest major intersection. This was permitted as part of the property’s Planned Development standards.

- Costco – 690 feet from the intersection of US 380 and a major thoroughfare (FM 1385).
- HEB – 310 feet from the intersection of the Dallas North Tollway and a major thoroughfare (Frontier Parkway).
- Kroger – 600 feet from the intersection of a major thoroughfare (Preston Road) and minor thoroughfare (Prosper Trail)
- Walmart – 525 feet from the intersection of a major thoroughfare (Preston Road) and minor thoroughfare (Richland Boulevard)

Staff proposes an amendment to the standards for gas pumps and convenience stores with gas pumps that would allow the pumps and associated canopy to be further than 200 feet from an intersection of major thoroughfares provided that the pumps are associated with a grocery store that is a minimum 50,000 square feet or a Big Box. (A Big Box means a retail building over 80,000 square feet where the primary tenant occupies at least 80 percent of the building.)

The gas pumps can be on the same lot or a separate lot from the associated grocery store or Big Box. There is no modification to the maximum number of fueling stations at an intersection. Additionally, the separation requirement of 200 feet is still applicable between buildings, gasoline pump islands, vacuums, outdoor speakers, gasoline or fuel storage tanks, air and water dispensers, and other structures in conjunction with any automotive use and property zoned or designated on the Future Land Use Plan for residential uses.



Comprehensive Plan:

Staff finds that the proposed modification is compliant with the following guiding principle and goals of the Comprehensive Plan:

Guiding Principle: *Quality Development - Maintain the community's small-town feel by ensuring quality development occurs in a cohesive manner, compatible with neighboring developments.*

Goal 4: *Require high-quality and visually attractive characteristics in both residential and nonresidential developments.*

Allowing the flexibility for the fueling station to be further from the intersection when associated with a 50,000 square foot grocery store or Big Box allows greater flexibility in design of the nonresidential development.

Gas pumps and a convenience store with gas pumps that are not associated with a 50,000 square foot grocery store or Big Box are still required to maintain a maximum distance of 200-feet from the major thoroughfare intersection.

Goal 5: *Develop quality, open roadways that enhance compatibility with adjacent development and provide safe and convenient traffic movements.*

The volume of traffic will increase at a major intersection with the construction of a large grocery store and its associated fueling station. Shifting the gas pumps away from a major intersection can reduce the traffic movements at the intersection.

Staff finds that the proposed amendments uphold the Town's Comprehensive Plan.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and State law. Staff has not received any response to the proposed zoning text amendment to date.

Attached Documents:

1. A red lined version of the current Zoning Ordinance sections that are proposed to be amended with additions shown in blue and underlined, and the deleted sections shown in red with ~~strike through~~.
2. A final version of the proposed text amendments.

Town Staff Recommendation:

Town Staff recommends approval of the amendment to Chapter 3, Section 1.4 – Conditional Development Standards of the Town of Prosper Zoning Ordinance to modify requirements related to gas pumps.

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 January 9, 2024.

Attachment No. 1

A red lined version of the current Zoning Ordinance sections that are proposed to be amended with additions shown in **blue** and underlined, and the deleted sections shown in **red** with ~~strike through~~.

Chapter 3 PERMITTED USES AND DEFINITIONS

SECTION 1. USE OF LAND AND BUILDINGS

1.4 CONDITIONAL DEVELOPMENT STANDARDS

3. **Gas Pumps.** Gas pumps shall be subject to the following development standards:
- a) Gas Pumps are permitted only within 200 feet of the right-of-way lines of intersecting major thoroughfares. When Gas Pumps are associated with a minimum 50,000 square foot grocery store or Big Box, the gas pumps may be a distance greater than 200 feet from the right-of-way lines of intersecting major thoroughfares;
 - b) Gas Pumps are permitted at a maximum of two corners at an intersection of two major thoroughfares;
 - c) Canopies shall have pitched roofs;
 - d) Canopy support columns shall be entirely masonry encased;
 - e) A raised landscape planter of the same material as the masonry columns shall be provided at both ends of all pump islands. Raised landscape planters shall be between 18 inches and 24 inches tall and a minimum of four feet wide and four feet long;
 - f) Raised planters shall be landscaped with a combination of shrubs and ground cover as approved by the Director of Planning, or his/her Designee.
 - g) Landscape island(s) totaling a length equal to 50 percent of the canopy perimeter and a minimum of six ~~feetwide~~ feet wide shall be provided for screening and traffic flow purposes. These areas shall have a minimum of one ornamental tree per 12 linear feet or portion thereof and one five-gallon shrub per one linear foot arranged as approved by the Director of Planning, or his/her Designee.
 - h) Use shall be removed if closed for more than six months; and
 - i) The canopy band face shall be of a color consistent with the main structure or an accent color and may not be backlit.

17. **Convenience Store With Gas Pumps.** Convenience Stores with Gas Pumps shall be subject to the following development standards:
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- b) Gas Pumps are permitted at a maximum of two corners at an intersection of two major thoroughfares;
- c) The distance requirement from any residential zoning district as established in Section 9.11 of Chapter 4 shall apply.
- d) Canopies shall have pitched roofs;
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Attachment No. 2

A final version of the proposed text amendments.

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