



**AGENDA**  
**Planning & Zoning Commission**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Monday, September 15, 2025  
**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](http://www.prospertx.gov/livemeetings)

**Addressing the Planning & Zoning Commission:**

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

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

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

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

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

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

**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 September 2, 2025, Planning & Zoning Commission work session meeting.
- 3b. Consider and act upon the minutes from the September 2, 2025, Planning & Zoning Commission regular meeting.

- 3c. Consider and act upon a request for a Replat of Haiman Addition, Block A, Lots 1R1 and 1R2, on 0.6± acre, located on the north side of Seventh Street and 120± feet west of Church Street. (DEVAPP-25-0075)
- 3d. Consider and act upon a request for a Preliminary Site Plan for Office and Restaurant buildings on Saddle Creek Commercial, Block A, Lots 2R and 3, on 13.6± acres, located on the west side of Preston Road and 200± feet north of Prosper Trail. (DEVAPP-25-0088)
- 3e. Consider and act upon a request for a Replat of Saddle Creek Commercial, Block A, Lots 2R and 3, on 13.6± acres, located on the west side of Preston Road and 200± feet north of Prosper Trail. (DEVAPP-25-0087)

### **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. Please limit your comments to three minutes. If multiple individuals wish to speak on a topic, they may yield their three minutes to one individual appointed to speak on their behalf. All individuals yielding their time must be present at the meeting, and the appointed individual will be limited to a total of 15 minutes.

### **REGULAR AGENDA:**

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

- 4. Conduct a Public Hearing and consider and act upon a request to rezone 61.7± acres from Agricultural and Planned Development-71 to a Planned Development allowing for Mixed-Use Development, located on the south side of First Street and 1,550± feet east of Legacy Drive. (ZONE-24-0025)
- 5. Discussion of Proposed Unified Development Code.
- 6. Review actions taken by the Planning & Zoning Commission and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
- 7. 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 Tuesday, September 9, 2025, and remained so posted at least 3 days before said meeting was convened



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Michelle Lewis Sirianni, Town Secretary

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Date Notice Removed

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

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:** The Prosper Planning & Zoning Commission meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1073 at least 48 hours prior to the meeting time.



**MINUTES**  
**Prosper Planning & Zoning Commission**  
**Work Session**  
Prosper Town Hall– Executive Conference Room  
250 W. First Street, Prosper, Texas  
Tuesday, September 2, 2025  
**5:30 PM**

**1. Call to Order / Roll Call**

The meeting was called to order at 5:38 p.m.

Commissioners Present: Vice Chair Damon Jackson, Secretary Josh Carson, Sekou Harris, John Hamilton, Glen Blanscet, and Matthew Furay

Commissioners Absent: Chair Brandon Daniel

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

Other(s) Present: Jeremy Page, Town Attorney

**Items for Individual Consideration:**

**1. Discuss items on the September 2, 2025, Planning & Zoning Commission agenda.**

Staff noted that the case number for Agenda Item 3h should have been DEVAPP-25-0052.

Commissioner Blanscet discussed Item 3c with Staff and the conflicting information between a list of revisions on the site plan and the dimensions on the site plan layout. Staff made a recommendation for the item to be pulled and approved with conditions.

A discussion was had regarding Item 3d, and the Planning & Zoning Commission's role in the approval process for a waiver. The Town Attorney indicated that the Commission needed to take an action on the item before Town Council's review.

**2. Adjourn.**

The work session was adjourned at 6:08 p.m.

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Trey Ramon, Planning Technician

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Josh Carson, Secretary



**MINUTES**  
**Prosper Planning & Zoning Commission**  
**Regular Meeting**  
Prosper Town Hall  
Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, September 2, 2025, 6:00 p.m.

**1. Call to Order / Roll Call**

The meeting was called to order at 6:10 p.m.

Commissioners Present: Vice Chair Damon Jackson, Secretary Josh Carson, Sekou Harris, John Hamilton, Glen Blanscet, and Matthew Furay

Commissioners Absent: Chair Brandon Daniel

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

Other(s) Present: Jeremy Page, Town Attorney

**2. Recitation of the Pledge of Allegiance.**

**CONSENT AGENDA**

- 3a. Consider and act upon the minutes from the August 19, 2025, Planning & Zoning Commission work session meeting.**
- 3b. Consider and act upon the minutes from the August 19, 2025, Planning & Zoning Commission regular meeting.**
- 3c. Consider and act upon a request for a Revised Site Plan for site modifications to a Restaurant with a Drive-Through on Windsong Ranch Marketplace, Block A, Lot 14, on 2.5± acres, located on the northwest corner of University Drive (US 380) and Windsong Parkway. (DEVAPP-24-0146)**
- 3d. Consider and act upon a request for a Waiver for Lot Frontage on Teel 380 Addition, Block A, Lot 7, located on the northwest corner of Teel Parkway and University Drive (US 380). (WAIV-25-0004)**
- 3e. Consider and act upon a request for a Conveyance Plat of Teel 380 Addition, Block A, Lots 1A, 1B, and 2-8, on 22.0± acres, located on the northwest corner of Teel Parkway and University Drive (US 380). (DEVAPP-25-0072)**
- 3f. Consider and act upon a request for a Revised Conveyance Plat of Frontier Retail Center Revised, Block A, Lot 1, on 2.8± acres, located on the east side of Dallas Parkway and 790± feet south of Frontier Parkway. (DEVAPP-25-0073)**

- 3g. Consider and act upon a request for a Site Plan for a Restaurant with a Drive-Through on Frontier Retail Center Revised, Block A, Lot 1, on 2.8± acres, located on the east side of Dallas Parkway and 790± feet south of Frontier Parkway. (DEVAPP-25-0051)**
- 3h. Consider and act upon a request for a Final Plat of Frontier Retail Center Revised, Block A, Lot 1, on 2.8± acres, located on the east side of Dallas Parkway and 790± feet south of Frontier Parkway. (DEVAPP-25-0052)**

Commissioner Blanscet made a request to pull Item 3c.

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

Mr. Hicks presented Item 3c to the Commissioners, providing an overview of the development.

Commissioner Blanscet noted that the list of revisions on the site plan do not match the dimensions on the drawing. He requested that staff work with the applicant to make the notes and plans consistent; any conflicting information needs to be revised.

Commissioner Blanscet made a motion to approve Item 3c subject to Staff ensuring that the site plan dimensions match, those on the drawing and the revisions requested. The motion was seconded by Commissioner Carson. The motion was carried unanimously by a vote of 6-0.

#### **CITIZEN COMMENTS**

No comments were made.

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

Mr. Hill informed the Commissioners of past Town Council actions and upcoming cases for Planning & Zoning Commission consideration.

#### **5. Adjourn.**

Commissioner Harris made a motion to adjourn the meeting. The motion was seconded by Commissioner Furay. The motion was carried unanimously by a vote of 6-0.

The meeting was adjourned at 6:23 P.M.

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Trey Ramon, Planning Technician

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Josh Carson, Secretary



## PLANNING

**To:** Planning & Zoning Commission

**From:** Jerron Hicks, Planner

**Through:** David Hoover, AICP, Director of Development Services

**Cc:** Suzanne Porter, AICP, Planning Manager

**Re:** Replat of Haiman Addition, Block A, Lots 1R1 & 1R2

**Meeting:** September 15, 2025

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**Item No. 3c**

**Agenda Item:**

Consider and act upon a request for a Replat of Haiman Addition, Block A, Lots 1R1 and 1R2, on 0.6± acre, located on the north side of Seventh Street and 120± feet west of Church Street. (DEVAPP-25-0075)

**Future Land Use Plan:**

The Future Land Use Plan designates this area as Old Town District.

**Zoning:**

The property is zoned Planned Development-132 (Single Family-15).

**Conformance:**

The Replat conforms to the development standards of Planned Development-132.

**Description of Agenda Item:**

The purpose of this Replat is to split an existing recorded lot into two lots. This subdivision is in accordance with the recently approved zoning case (ZONE-24-0002) for this property.

**Companion Item:**

There is no companion item on this Planning & Zoning Commission agenda.

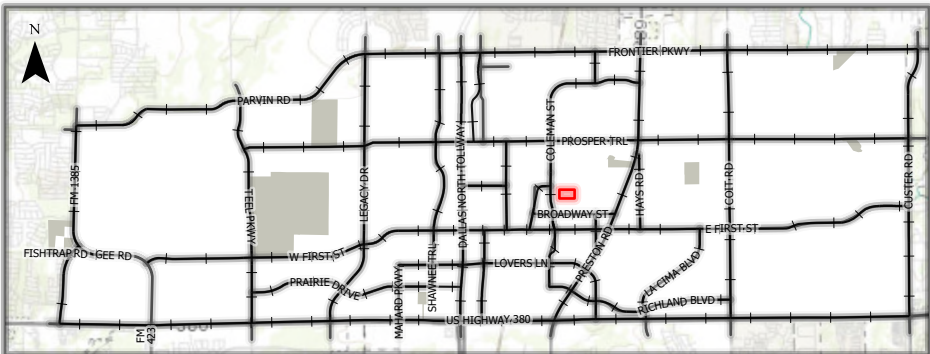
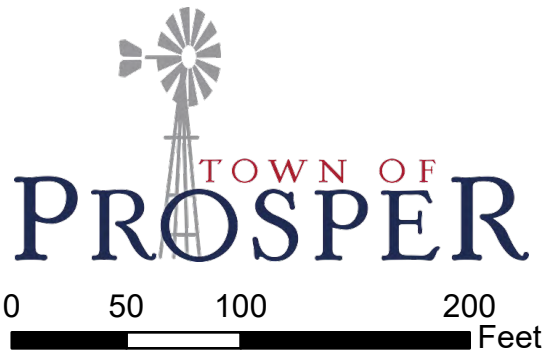
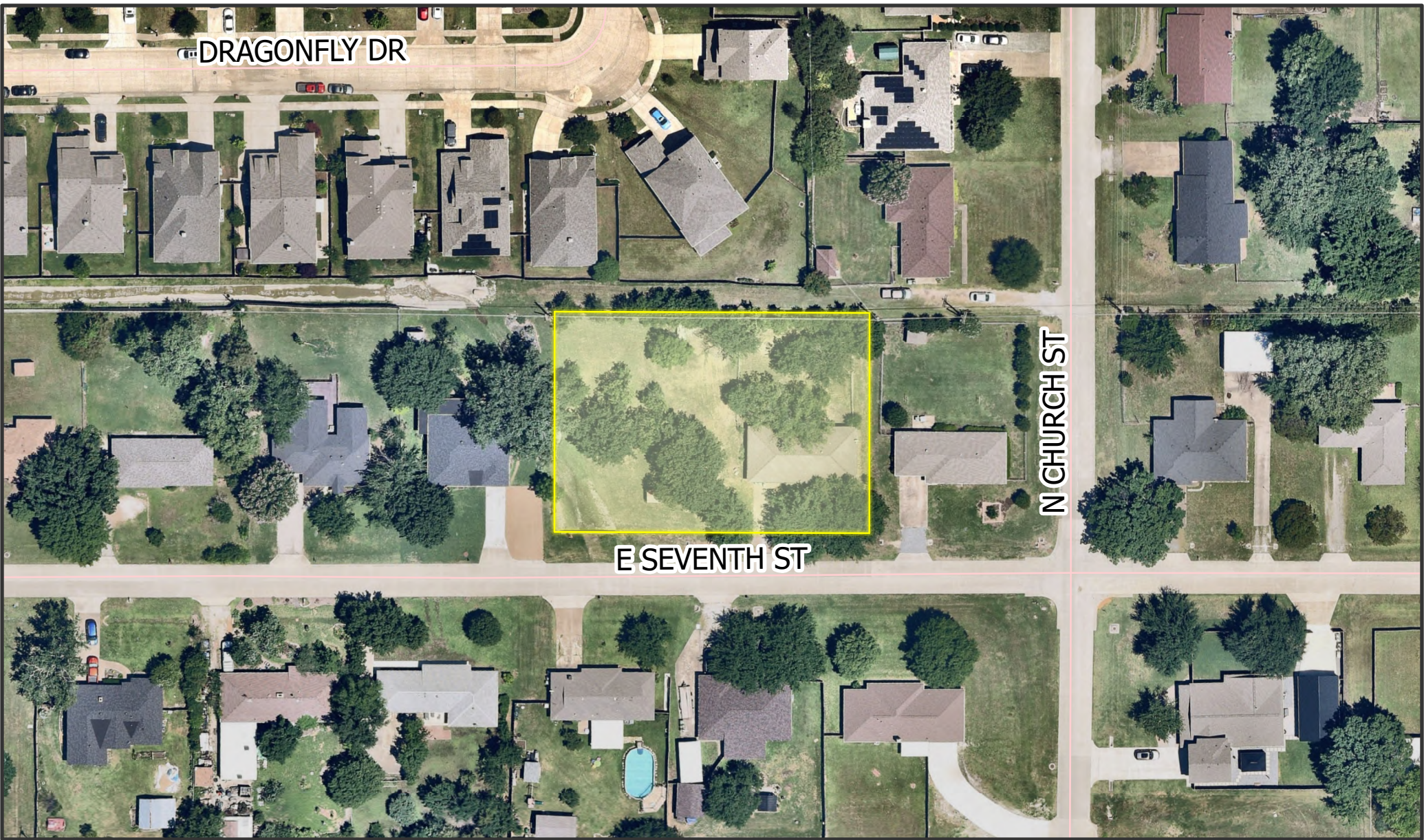
**Attached Documents:**

1. Location Map
2. Replat

**Town Staff Recommendation:**

Town Staff recommends approval of the Replat.





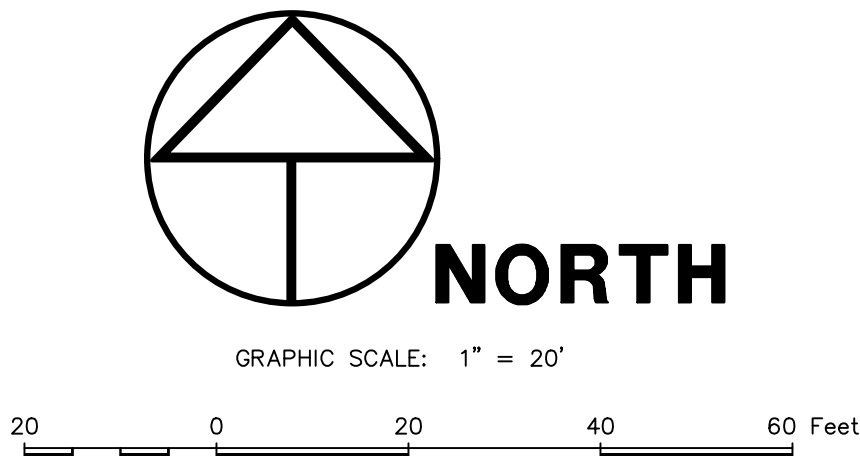
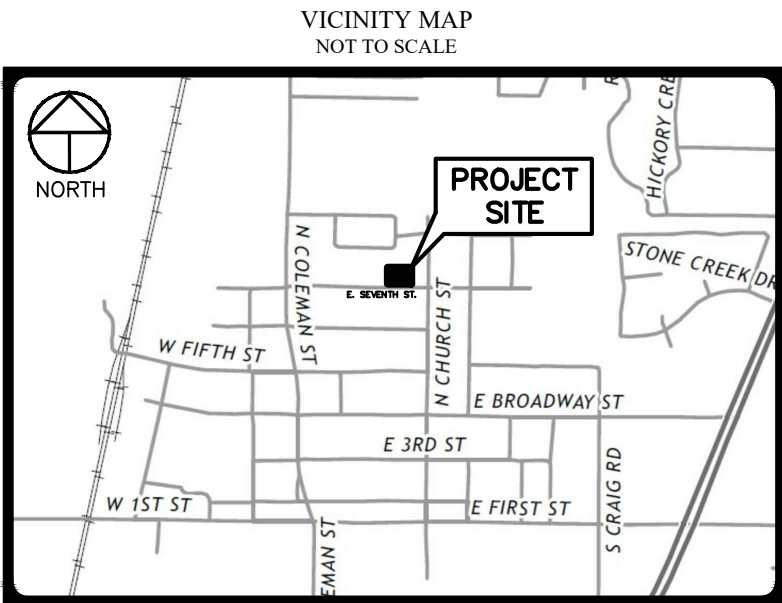
This map for illustration purposes only

DEVAPP-25-0075

Haiman Addition, Block A,  
Lots 1R1 and 1R2

Replat

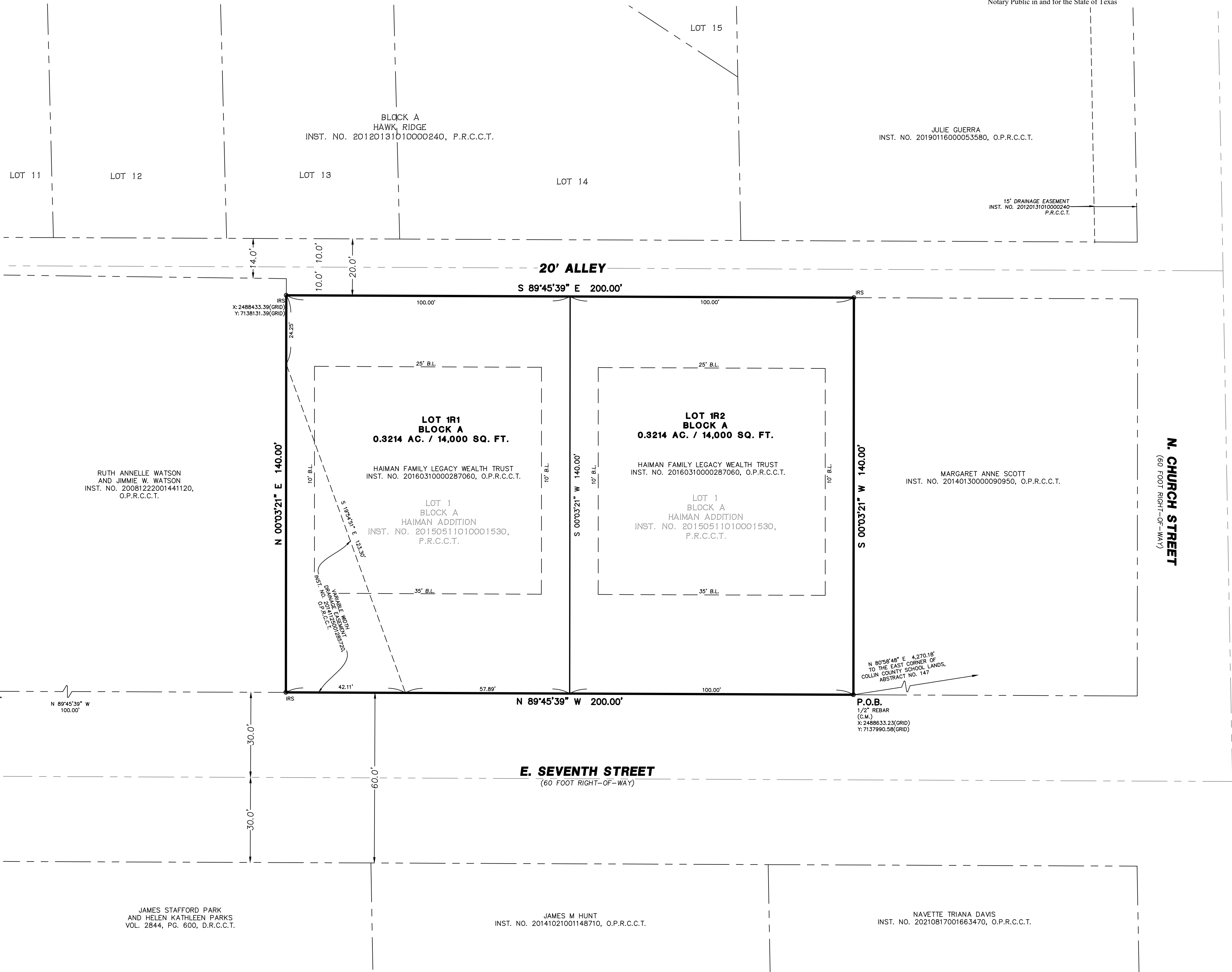




- LEGEND OF ABBREVIATIONS**
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
  - O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
  - P.R.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
  - ROW RIGHT OF WAY
  - IRS 1/2 INCH RED CAPPED REBAR STAMPED "WINDROSE" SET
  - C.M. CONTROLLING MONUMENT
  - B.L. BUILDING LINE

- SURVEYOR'S NOTES:**
- Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.00015271.
  - This property lies within Zone "X" Unshaded of the Flood Insurance Rate Map for Collin County, Texas and Incorporated Areas, map no. 48085C0235J, dated June 02, 2009, via scaled map location and graphic plotting.
  - No 100-year floodplain exist on the site.
  - Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
  - The purpose of this plat is to split an existing recorded lot into 2 recorded lots. The total area is based on the monuments as surveyed on the ground. The acreage varies slightly from previously recorded plat.

AREA TABLE		
LOT	ACREAGE	SQ. FT.
LOT 1R1	0.3214	14,000'
LOT 1R2	0.3214	14,000'
GROSS	0.6428	28,000'



STATE OF TEXAS §  
COUNTY OF DENTON §

**SURVEYOR'S CERTIFICATE**  
**Known All Men By These Presents:**

That I, Daniel L. Jackson, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulation of the Town of Prosper, Texas.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Daniel L. Jackson, R.P.L.S.  
No. 5577

STATE OF TEXAS §  
COUNTY OF DENTON §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

STATE OF TEXAS §  
COUNTY OF COLLIN §

WHEREAS Haiman Family Legacy Wealth Trust is the owner of a 0.6428 acre Tract Of Land Situated In The Collin County School Lands, Abstract Number (No.) 147, Collin County, Texas, Being All Of Lot 1, Block A, Haiman Addition, An Addition To The Town Of Prosper, According To The Map Or Plat Thereof Recorded In Instrument (Inst.) No. 20150511010001530, Plat Records Of Collin County, Texas (P.R.C.C.T.), Same Being Tract Of Land Described To Haiman Family Legacy Wealth Trust In Special Warranty Deed Recorded In 20160310000287060, Official Public Records Of Collin County, Texas (O.P.R.C.C.T.), And Being More Particularly Described By Metes And Bounds As Follows, (Bearings And Distances Are Based On The State Plane Coordinate System, Texas North Central Zone (4202) North American Datum 83 (Nad83)(Us Foot) With A Combined Scale Factor Of 1.00015271):

Beginning At 1/2 Inch Rebar Found For The Southeast Corner Of Said Lot 1, Said Point Lying On The North Right-Of-Way Line Of Seventh Street (60 Foot Right-Of-Way);

Thence, North 89 Degrees 45 Minutes 39 Seconds West, With The North Right-Of-Way Line Of Said Seventh Street, A Distance Of 200.00 Feet To A Capped 1/2 Inch Rebar Stamped "Windrose" Set For The Southwest Corner Of Said Lot 1;

Thence, North 00 Degrees 03 Minutes 21 Seconds East, With The West Line Of Said Lot 1, A Distance Of 140.00 Feet To A Capped 1/2 Inch Rebar Stamped "Windrose" Set For The Northwest Corner Of Said Lot 1, Said Point Lying On The South Right-Of-Way Line Of A 20 Foot Alley;

Thence, South 89 Degrees 45 Minutes 39 Seconds East, With The South Right-Of-Way Line Of Said 20 Foot Alley, A Distance Of 200.00 Feet To A Capped 1/2 Inch Rebar Stamped "Windrose" Set For The Northeast Corner Of Said Lot 1;

Thence, South 00 Degrees 03 Minutes 21 Seconds West, With The East Line Of Said Lot 1, A Distance Of 140.00 Feet To The Point Of Beginning And Containing 0.6428 Acres Or 28,000 Square Feet Of Land, More Or Less.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS**

That **Haiman Family Legacy Wealth Trust** acting herein by and through its duly authorized officers, does hereby certify that and adopt this plat designating the herein above described property as **HAIMAN ADDITION, BLOCK A, LOTS 1R1 AND 1R2**, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon.

Haiman Family Legacy Wealth Trust, 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 to 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 the public utilities being subordinate to the public's and Town of Prosper's use thereof.
- The Town of Prosper and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
- The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
- All modifications to this document shall be by means of plat and approved by the Town of Prosper.

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

WITNESS MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**HAIMAN FAMILY LEGACY WEALTHY TRUST**

Frederick Haiman

Deana Shutes-Haiman

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

**CERTIFICATE OF APPROVAL:**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 BY THE PLANNING & ZONING COMMISSION OF THE TOWN OF PROSPER, TEXAS.

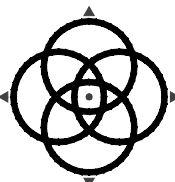
\_\_\_\_\_ TOWN SECRETARY

\_\_\_\_\_ DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_ ENGINEERING DEPARTMENT

**OWNER/DEVELOPER**  
FREDERICK HAIMAN  
5300 TOWN & COUNTRY SUITE 200  
FRISCO, TEXAS 75034,  
PH.# 214-618-3160  
Collin County, Texas

**OWNER/DEVELOPER**  
DEANA L. SHUTES-HAIMAN  
305 E 7TH ST.  
PROSPER, Texas 75078,  
PH.# 915-474-0177  
Collin County, Texas



**WINDROSE**  
LAND SURVEYING | PLATTING

1955 LAKEWAY DRIVE, SUITE 220 | LEWISVILLE, TX 75057 | 214.217.2544  
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

DRAWN BY: M.H. DATE: 05/13/2025 CHECKED BY: D.L.J. JOB NO.: D59045

DEVAPP-25-0075

**REPLAT**

**HAIMAN ADDITION  
BLOCK A, LOTS 1R1 AND 1R2**

Being a Replat of Lot 1, Block A  
Haiman Addition, an addition to the  
Town of Prosper, as recorded in  
Instrument Number 20150511010001530, P.R.D.C.T.  
Situated in the Collin County School Lands,  
Abstract Number 147  
Town of Prosper, Collin County, Texas  
0.6428 acres

-- 2025 --



## PLANNING

**To:** Planning & Zoning Commission **Item No. 3d**  
**From:** Suzanne Porter, AICP, Planning Manager  
**Through:** David Hoover, AICP, Director of Development Services  
**Re:** Preliminary Site Plan for Saddle Creek Commercial, Block A, Lots 2R and 3  
**Meeting:** September 15, 2025

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**Agenda Item:**

Consider and act upon a request for a Preliminary Site Plan for Office and Restaurant buildings on Saddle Creek Commercial, Block A, Lots 2R and 3, on 13.6± acres, located on the west side of Preston Road and 200± feet north of Prosper Trail. (DEVAPP-25-0088)

**Future Land Use Plan:**

The Future Land Use Plan designates this area as Retail & Neighborhood Services.

**Zoning:**

The property is zoned Planned Development-31 (Office).

**Conformance:**

The Preliminary Site Plan conforms to the development standards of Planned Development-31.

**Description of Agenda Item:**

The Preliminary Site Plan consists of two lots – Lot 2R and Lot 3. Five one-story and four two-story buildings, with a combined total of 108,836 square feet, are allocated for office and restaurant uses on Lot 2R. There is an existing 4,242 square foot dental office on Lot 3. The parking and drive-aisle configuration around the office will remain until Lot 2R develops, at which time the parking area will be expanded and drive-aisles will extend through the development.

The first preliminary site plan was approved on this property in 2007 (D07-0026). After expiring, the same preliminary site plan layout was approved in 2010 (D10-0011) and then again in 2016 (D15-0098). The last approved plan is included as attachment.

**Access:**

Access is provided from Preston Road and Prosper Trail.

**Landscaping, Open Space, and Screening:**

The proposed development complies with all landscaping, open space, and screening requirements. Ponds were constructed along Preston Road and Prosper Trail with the development of the residential subdivision. These are extended into this development and additional ponds are being provided throughout the site and used as open space features.

**Companion Item:**

As a companion item, the Replat (DEVAPP-25-0087) is on this Planning & Zoning Commission agenda.

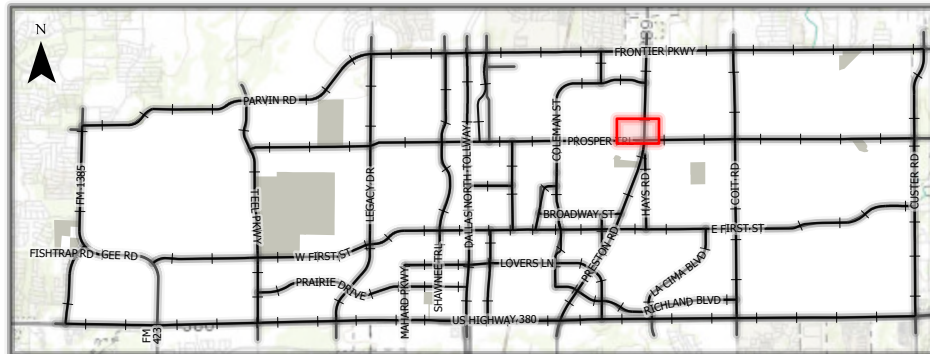
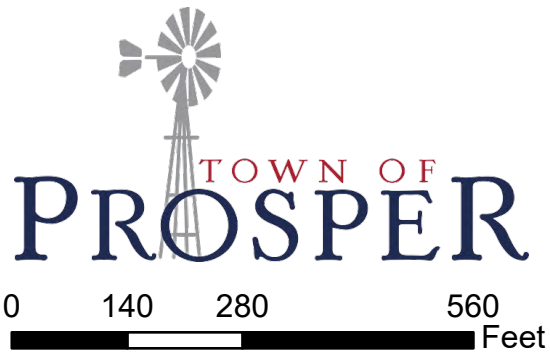
**Attachments:**

1. Location Map
2. Preliminary Site Plan
3. Open Space Plan
4. Expired Preliminary Site Plan (D15-0098)

**Town Staff Recommendation:**

Town Staff recommends approval of the Preliminary Site Plan.





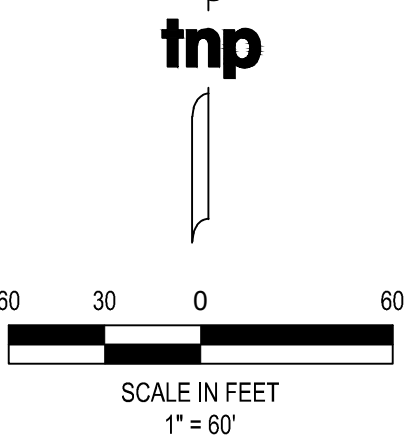
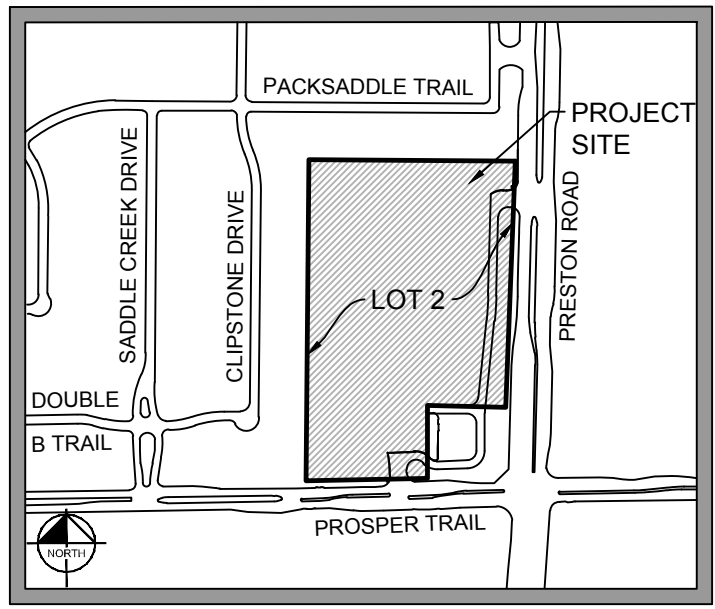
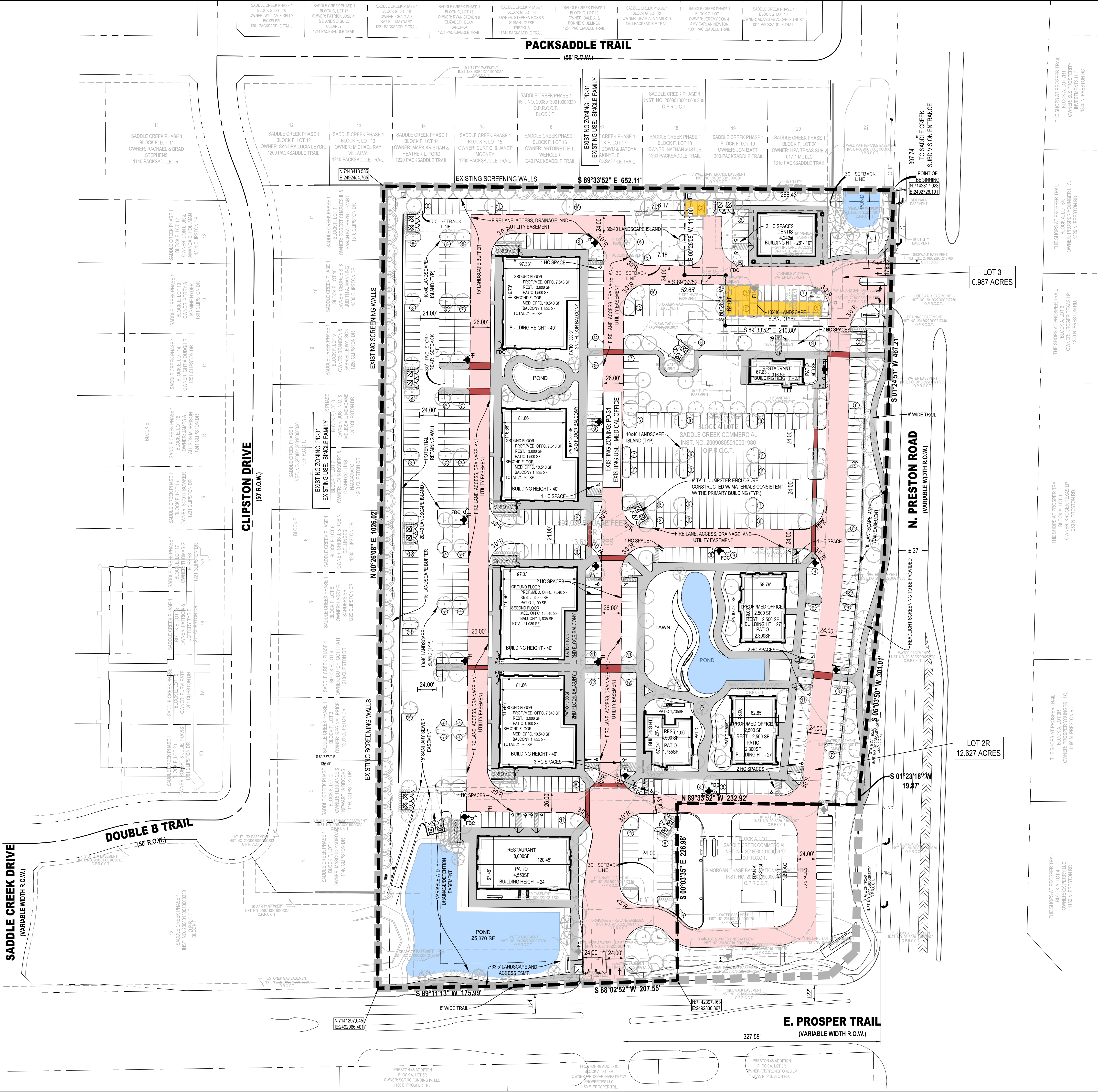
This map for illustration purposes only

DEVAPP-25-0088

Saddle Creek Commercial  
Block A, Lots 2R & 3

Preliminary Site Plan





- LEGEND**
- EXISTING PROPERTY LINE
  - - - PROPOSED ZONING LINE
  - EXISTING ZONING LIMITS
  - EXISTING FIRE HYDRANT
  - PROPOSED FIRE HYDRANT
  - PROPOSED FIRE LANE
  - PROPOSED SIDEWALK
  - PROPOSED PEDESTRIAN CROSSING
  - PROPOSED POND
  - LOT 3 PHASE 2 DEVELOPMENT
- TOWN OF PROSPER STANDARD SITE PLAN NOTES:**
- All development standards shall follow Town Standards.
  - Landscape shall conform to landscape plans approved by the Town of Prosper. All development standards shall follow Fire Requirements per the Town of Prosper.
  - Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
  - All signage is subject to Building Official approval.
  - Impact fees will be assessed in accordance with the land use classification(s) identified on the Site Data Summary Table; however, changes to the proposed land use at the time of CO and/or finish-out permit may result in additional impact fees and/or parking requirements.
  - The approval of a Preliminary Site Plan shall be effective for a period of two (2) years from the date that the Preliminary Site Plan is approved by the Planning & Zoning Commission, at the end of which time the applicant must have submitted and received the approval of a Site Plan by the Planning & Zoning Commission. If a site plan is not approved within such two (2) year period, the Preliminary Site Plan approval is null and void. If Site Plan approval is only for a portion of the property, the approval of the Preliminary Site Plan for the remaining property shall be null and void.
  - Open Space requirements shall follow the Zoning Ordinance, per tract. Open Space shall not include vehicular paving, required parking lot landscape islands, building footprint, utility yards, required landscape setbacks, sidewalks, and detention pond \*

SITE INFORMATION			
	OVERALL	LOT 2R	LOT 3
LAND AREA:	13.614 ACRES (593,039 SF)	12.627 ACRES (550,045 SF)	0.987 ACRES (42,994 SF)
CURRENT ZONING:	PLANNED DEVELOPMENT (PD-31)	PLANNED DEVELOPMENT (PD-31)	PLANNED DEVELOPMENT (PD-31)
EXISTING USE:	DENTAL OFFICE W/ REMAINING VACANT	VACANT	DENTAL OFFICE
PROPOSED USE:	DENTAL OFFICE & NON RESIDENTIAL USES PER PD	NON RESIDENTIAL USES PER PD	DENTAL OFFICE
BUILDING AREA:	± 113,078 SF	± 108,836 SF	± 4,242 SF
BUILDING HEIGHT:	40' MAX	40' MAX	27' MAX
LOT COVERAGE:	70.034/593,039 = 11.8% > 11.8%	65.792/550,045 = 11.9% > 11.9%	4.242/42,994 = 9.8% > 9.8%
HANDICAP PARKING REQUIRED, INCLUDING VAN ACCESSIBLE	12	10	2
HANDICAP PARKING PROVIDED, INCLUDING VAN ACCESSIBLE	21	19	2
FLOOR AREA RATIO	113,078 SF / (13.614 x 43,560) = 0.19 > 19%	108,836 SF / (12.627 x 43,560) = 0.19 > 19%	4,242 SF / (0.987 x 43,560) = 0.098 > 9.8%
*BUILDING REQUIRED PARKING:	1/250 SF OFFICE SPACE = 81,562 / 250 = 327 SPACES 1/100 SF RESTAURANT (MULTI TENANT SPACE) = 17,000 / 100 = 170 SPACES 1/75 SF RESTAURANT (STAND-ALONE) = 6,516 / 75 = 87 SPACES TOTAL = 584	1/250 SF OFFICE SPACE = 77,322 / 250 = 310 SPACES 1/100 SF RESTAURANT (MULTI TENANT SPACE) = 17,000 / 100 = 170 SPACES 1/75 SF RESTAURANT (STAND-ALONE) = 6,516 / 75 = 87 SPACES TOTAL = 567	1/250 SF OFFICE SPACE = 4,242 / 250 = 17 SPACES
BUILDING PARKING PROVIDED:	646	617	29
INTERIOR LANDSCAPE AREA REQUIRED (15 SF / PARKING SPACE):	9,690 SF	9,255 SF	435 SF
INTERIOR LANDSCAPE AREA PROVIDED	31,021	27,787	3,234
IMPERVIOUS SURFACE (SF)	480,860	446,745 SF	33,915 SF
OPEN SPACE REQUIRED (7% TOTAL AREA)	593,039 x 0.07 = 41,513 SF	550,045 x 0.07 = 38,504 SF	42,994 x 0.07 = 3010 SF
OPEN SPACE PROVIDED	72,550 SF	69,344 SF	3,206 SF

\*NOTE: PATIO PARKING AT 1 SPACE PER 200 SF WILL BE PROVIDED AT THE TIME OF SITE PLAN SUBMITTAL.

NOTE: THE SITE IS SITUATED IN ZONE "X" OUTSIDE OF THE 100 YEAR FEMA FLOOD PLAIN AS SHOWN ON EXISTING FEMA MAPS 48085C0235J AND 48085C0120J BOTH EFFECTIVE ON 6/2/2009.

NOTE: AT THE SITE PLAN LEVEL, ENSURE ALL PROPOSED COMMERCIAL RESTAURANT/FOOD FACILITIES INSTALL THEIR OWN INDIVIDUAL MINIMUM 1,000 GALLON GREASE TRAP. GREASE TRAP MUST BE EXTERIOR, IN GROUND AND MUST INCLUDE A SAMPLE WELL. GREASE TRAP CANNOT BE INSTALLED IN A PARKING STALL OR FIRE LANE. GREASE TRAP SIZE AND LOCATION MUST BE SHOWN ON SITE PLAN PER HEALTH DEPARTMENT.

CASE NO. DEVAPP - 25-0088

**PRELIMINARY SITE PLAN  
SADDLE CREEK COMMERCIAL  
BLOCK A, LOTS 2R & 3**

593,039 SQUARE FEET

13.614 ACRES

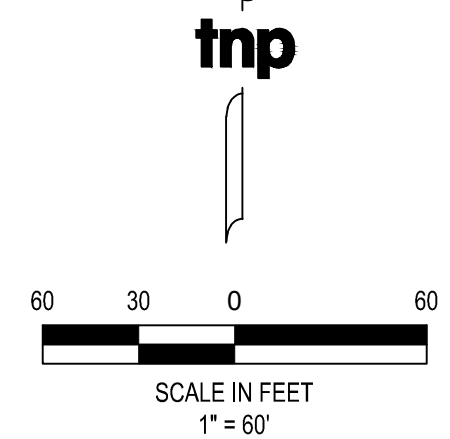
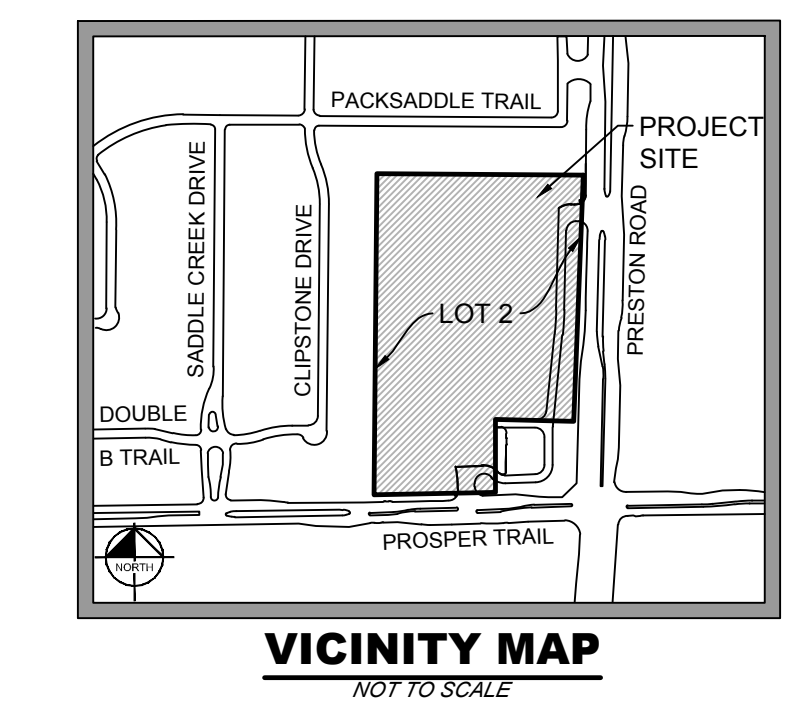
ALL OF THE REMAINDER OF BLOCK A, LOT 2 OF SADDLE CREEK COMMERCIAL, AN ADDITION TO THE TOWN OF PROSPER, TEXAS AS RECORDED IN INSTRUMENT NUMBER 2024010000593 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS

SITUATED IN THE  
SPENCER RICE SURVEY, ABSTRACT NUMBER 787  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

<b>OWNER</b> SADDLE CREEK INVESTMENTS, LTD. 5550 Granite Pkwy Ste 110 Plano, TX 75024 Contact: Brad Burns 972.931.9585	<b>PROJECT INFORMATION</b> Project No.: BRB 23074 Date: SEPT 10, 2025 Drawn By: CAS Scale: 1"=60'	<b>SURVEYOR</b> TEAGUE NALL & PERKINS, INC. 825 Watters Creek Boulevard, Suite M300 Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx T.B.P.L.S. Registration No. 10194381 www.tnpsc.com Contact: Jay Maddox	<b>ENGINEER</b> TEAGUE NALL & PERKINS, INC. 825 Watters Creek Boulevard, Suite M300 Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx T.B.P.L.S. Registration No. 10194381 www.tnpsc.com Contact: Cameron Slown
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SHEET 1 of 1





- LEGEND**
- EXISTING PROPERTY LINE
  - PROPOSED ZONING LINE
  - EXISTING ZONING LIMITS
  - EXISTING FIRE HYDRANT
  - PROPOSED FIRE HYDRANT
  - PROPOSED FIRE LANE
  - PROPOSED SIDEWALK
  - PROPOSED PEDESTRIAN CROSSING
  - PROPOSED POND
  - LOT 3 PHASE 2 DEVELOPMENT
  - OPEN SPACE
- TOWN OF PROSPER STANDARD SITE PLAN NOTES:**
- All development standards shall follow Town Standards.
  - Landscape shall conform to landscape plans approved by the Town of Prosper. All development standards shall follow Fire Requirements per the Town of Prosper.
  - Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
  - All signage is subject to Building Official approval.
  - Impact fees will be assessed in accordance with the land use classification(s) identified on the Site Data Summary Table; however, changes to the proposed land use at the time of CO and/or finish-out permit may result in additional impact fees and/or parking requirements.
  - The approval of a Preliminary Site Plan shall be effective for a period of two (2) years from the date that the Preliminary Site Plan is approved by the Planning & Zoning Commission, at the end of which time the applicant must have submitted and received the approval of a Site Plan by the Planning & Zoning Commission. If a site plan is not approved within such two (2) year period, the Preliminary Site Plan approval is null and void. If Site Plan approval is only for a portion of the property, the approval of the Preliminary Site Plan for the remaining property shall be null and void.
  - Open Space requirements shall follow the Zoning Ordinance, per tract. Open Space shall not include vehicular paving, required parking lot landscape islands, building footprint, utility yards, required landscape setbacks, sidewalks, and detention pond.

SITE INFORMATION			
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CASE NO. DEVAPP - 25-0088

**OPEN SPACE PLAN**  
**SADDLE CREEK COMMERCIAL**  
**BLOCK A, LOTS 2R & 3**

593,039 SQUARE FEET  
13.614 ACRES

ALL OF THE REMAINDER OF BLOCK A, LOT 2 OF SADDLE CREEK COMMERCIAL, AN ADDITION TO THE TOWN OF PROSPER, TEXAS AS RECORDED IN INSTRUMENT NUMBER 2024010000593 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS

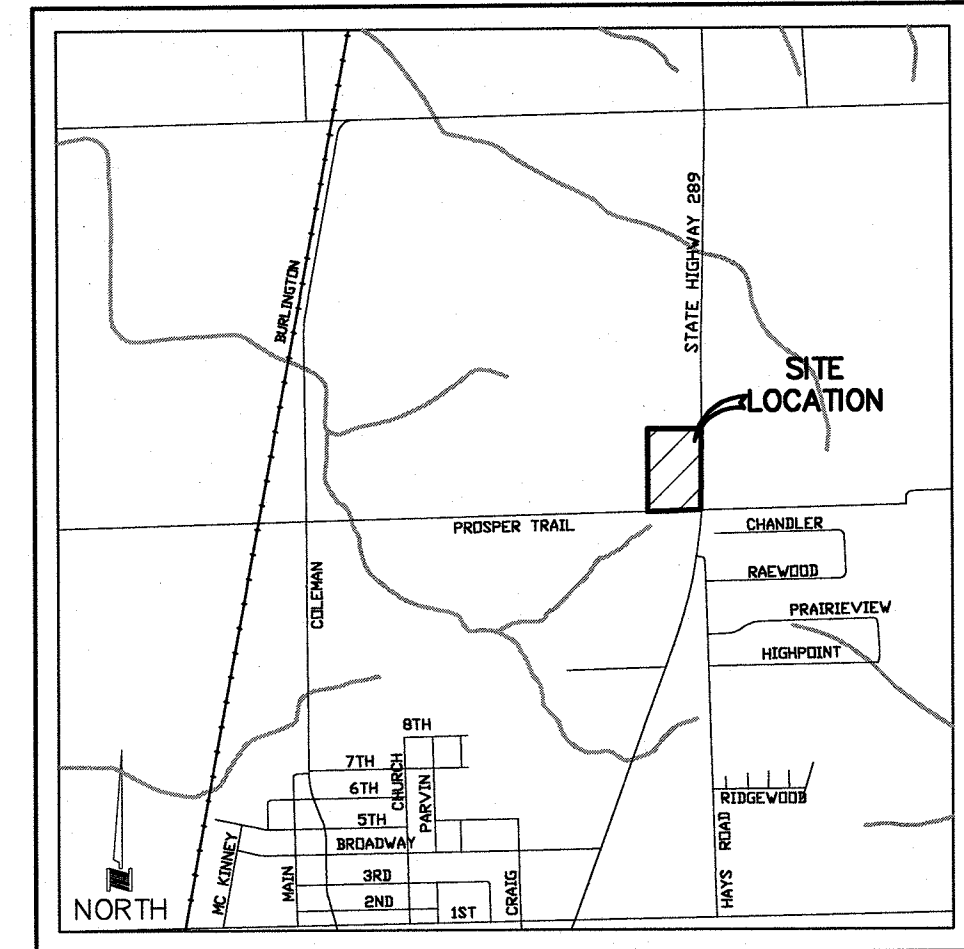
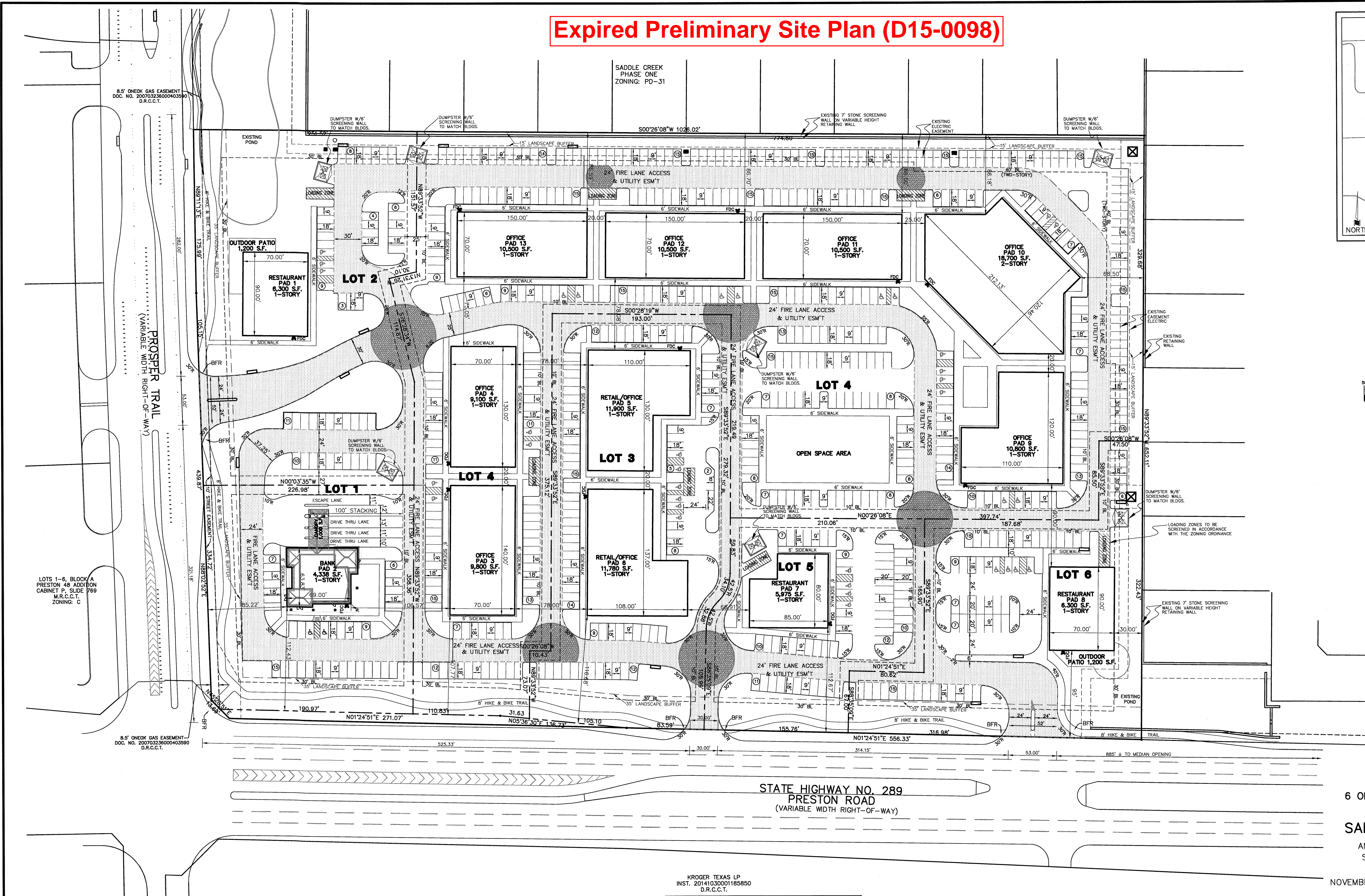
SITUATED IN THE  
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<b>OWNER</b> SADDLE CREEK INVESTMENTS, LTD. 5550 Granite Pkwy Ste 110 Plano, TX 75024 Contact: Brad Burns 972.931.9585	<b>PROJECT INFORMATION</b> Project No.: BRB 23074 Date: SEPT 10, 2025 Drawn By: CAS Scale: 1"=60'	<b>SURVEYOR</b> TEAGUE NALL & PERKINS, INC. 825 Watters Creek Boulevard, Suite M300 Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx T.B.P.L.S. Registration No. 10194381 www.tnpsc.com Contact: Jay Maddox	<b>ENGINEER</b> TEAGUE NALL & PERKINS, INC. 825 Watters Creek Boulevard, Suite M300 Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx T.B.P.L.S. Registration No. 10194381 www.tnpsc.com Contact: Cameron Slown
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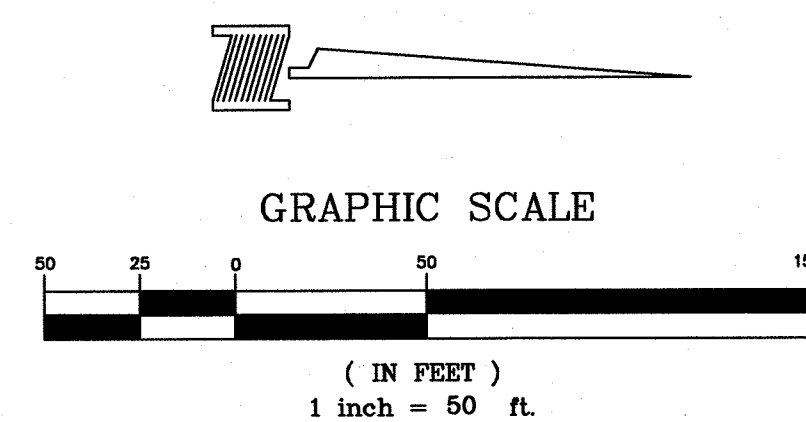
SHEET 1 of 1



# Expired Preliminary Site Plan (D15-0098)



LOCATION MAP  
NOT TO SCALE



01/05/2016

CASE # D15-0098

6 OFFICE/RETAIL LOTS ~ 15.000 ACRES

PRELIMINARY SITE PLAN

SADDLE CREEK COMMERCIAL

AN ADDITION TO THE TOWN OF PROSPER  
S. RICE SURVEY ~ ABSTRACT NO. 787  
COLLIN COUNTY, TEXAS

NOVEMBER 02, 2015

SCALE: 1"=50'

OWNER

SADDLE CREEK INVESTMENTS, LTD.

6900 DALLAS PARKWAY SUITE 780  
(972)608-5388 PLANO, TEXAS 75024

OWNER - LOT 1

LEGACYTEXAS BANK

5851 LEGACY CIRCLE SUITE 1200  
(972)758-1570 PLANO, TEXAS 75024

ENGINEER/SURVEYOR

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

KROGER TEXAS LP  
INST. 20141030001185850  
D.R.C.C.T.

CURVE TABLE				
CURVE	DELTA	RADIUS	TANGENT LENGTH	CHORD
C1	104°49'12"	112.50'	10.85'	21.24'
C2	104°49'12"	112.50'	10.85'	21.24'
C3	45°58'12"	42.50'	18.03'	34.10'
C4	44°39'29"	42.50'	17.46'	33.13'

## LEGEND

- |  |                        |  |                            |
|--|------------------------|--|----------------------------|
|  | FIRE HYDRANT           |  | FIRE LANE                  |
|  | WATER VALVE            |  | DE DRAINAGE EASEMENT       |
|  | EXISTING CONTOUR       |  | SE SANITARY SEWER EASEMENT |
|  | # OF PARKING SPACES    |  | WE WATER EASEMENT          |
|  | HANDICAP PARKING SPACE |  | UE UTILITY EASEMENT        |
|  |                        |  | BL BUILDING LINE           |
|  |                        |  | LS LANDSCAPE               |

REVISED: DECEMBER 28, 2015



SITE PLAN NOTES

Any revision to this plan will require town approval and will require revisions to any corresponding plans to avoid conflicts between plans.

1) Dumpsters and trash compactors shall be screened in accordance with the Zoning Ordinance.

2) Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.

3) Outdoor lighting shall comply with the lighting and glare standards contained within the Zoning Ordinance and Subdivision Regulation Ordinance.

4) Landscaping shall conform to landscape plans approved by the town.

5) All elevations shall comply with the standards contained within the Zoning Ordinance.

6) Buildings of 5,000 square feet or greater shall be 100% fire sprinkled. Alternative fire protection measures may be approved by the Fire Department.

7) Fire lanes shall be designed and constructed per town standards or as directed by the Fire Department.

8) Two points of access shall be maintained for the property at all times.

9) Speed bumps/humps are not permitted within a fire lane.

10) Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Uniform Building Code.

11) All signage is subject to Building Official approval.

12) All fences and retaining walls shall be shown on the site plan and are subject to Building Official approval.

13) All exterior building materials are subject to Building Official approval and shall conform to the approved facade plan.

14) Sidewalks of not less than six (6') feet in width along thoroughfares and collectors and five (5') in width along residential streets, and barrier free ramps at all curb crossings shall be provided per Town standards.

15) Approval of the site plan is not final until all engineering plans are approved by the Engineering Department.

16) Site plan approval is required prior to grading release.

17) All new electrical lines shall be installed and/or relocated underground.

18) All mechanical equipment shall be screened from public view in accordance with the Zoning Ordinance

19) Shared parking agreement must be filed with Town prior to any final site plans with shared parking approved by Town.

SITE DATA SUMMARY	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	TOTAL
1. ZONING:	PD-31	PD-31	PD-31	PD-31	PD-31	PD-31	
2. PROPOSED USE:	BANK	RESTAURANT	OFFICE/RETAIL	OFFICE	RESTAURANT	RESTAURANT	
3. PROJECT AREA	1.2 AC. 54,209 SF	2.0 AC 88,125 SF	1.9 AC 84,095 SF	7.2 AC 311,821 SF	1.1 AC 46,762 SF	1.5 AC 64,750 SF	14.9 AC 649,762 SF
4. BUILDING AREA	4,338 SF	7,500 SF (6,300 SF MAIN/ 1,200 SF OUTDOOR DINING)	23,680 SF	98,200 SF	5,975 SF	7,500 SF (6,300 SF MAIN/ 1,200 SF OUTDOOR DINING)	147,193 SF
5. BUILDING HEIGHT	MAX 40.0'	MAX 30.0'	MAX 30.0'	MAX 30.0'-40.0'	MAX 30.0'	MAX 30.0'	MAX 30.0'-40.0'
6. LOT COVERAGE	8.0%	8.5%	28.2%	25.6%	12.8%	11.6%	19.8%
7. FLOOR AREA RATIO	0.080:1	0.085:1	0.282:1	0.315:1	0.128:1	0.116:1	0.227:1
8. TOTAL PARKING REQUIRED	13 (350:1)	100 (75:1)	79 (300:1)	281 (350:1)	80 (75:1)	100 (75:1)	658 VARIES
9. TOTAL PARKING PROVIDED	37*	49*	84*	403*	59*	59*	699*
10. TOTAL HANDICAP REQUIRED	2	4	4	9	4	4	27
11. TOTAL HANDICAP PROVIDED	2	4	6	16	4	4	36
NOTE: HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH A.D.A. STANDARDS							
12. INTERIOR LANDSCAPE REQUIRED	555 SF	765 SF	1,260 SF	6,150 SF	900 SF	885 SF	10,515 SF
13. INTERIOR LANDSCAPE PROVIDED	2,650 SF	2,215 SF	3,471 SF	7,105 SF	1,750 SF	1,875 SF	19,066 SF
14. SQUARE FOOTAGE OF IMPERVIOUS SURFACE	34,282 SF	41,120 SF	63,996 SF	220,865 SF	34,699 SF	34,156 SF	429,118 SF
15. OPEN SPACE REQUIRED (7% OF NET AREA)	3,795 SF	6,169 SF	5,887 SF	21,827 SF	3,273 SF	4,533 SF	45,483 SF
16. OPEN SPACE PROVIDED	12,850 SF (23.7%)	7,650 SF (8.7%)	10,550 SF (12.5%)	25,285 SF (8.1%)	6,200 SF (13.3%)	7,500 SF (11.6%)	60,035 SF (9.2%)

\*CROSS PARKING AGREEMENT\* LOTS 1-6 (SEE NOTE 19)



01/05/2016

6 OFFICE/RETAIL LOTS ~ 15.000 ACRES  
PRELIMINARY SITE PLAN

SADDLE CREEK COMMERCIAL

AN ADDITION TO THE TOWN OF PROSPER  
S. RICE SURVEY ~ ABSTRACT NO. 787  
COLLIN COUNTY, TEXAS

NOVEMBER 02, 2015

SCALE: 1"=50'

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ENGINEER/SURVEYOR

DOWDEY, ANDERSON & ASSOCIATES, INC.

5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694

STATE REGISTRATION NUMBER: F-399



## PLANNING

**To:** Planning & Zoning Commission **Item No. 3e**  
**From:** Suzanne Porter, Planning Manager  
**Through:** David Hoover, AICP, Director of Development Services  
**Re:** Replat of Saddle Creek Commercial, Block A, Lots 2R and 3  
**Meeting:** September 15, 2025

---

**Agenda Item:**

Consider and act upon a request for a Replat of Saddle Creek Commercial, Block A, Lots 2R and 3, on 13.6± acres, located on the west side of Preston Road and 200± feet north of Prosper Trail. (DEVAPP-25-0087)

**Future Land Use Plan:**

The Future Land Use Plan designates this area as Retail & Neighborhood Services.

**Zoning:**

The property is zoned Planned Development-31 (Office).

**Conformance:**

The Replat conforms to the development standards of Planned Development-31.

**Description of Agenda Item:**

The purpose of this Replat is to subdivide Lot 2 into two lots – Lot 2R and Lot 3. The property was final platted with the development of the dental office in the northeast corner of the site. The dental office will be located on Lot 3.

**Companion Item:**

As a companion item, the Preliminary Site Plan (DEVAPP-25-0088) is on this Planning & Zoning Commission agenda.

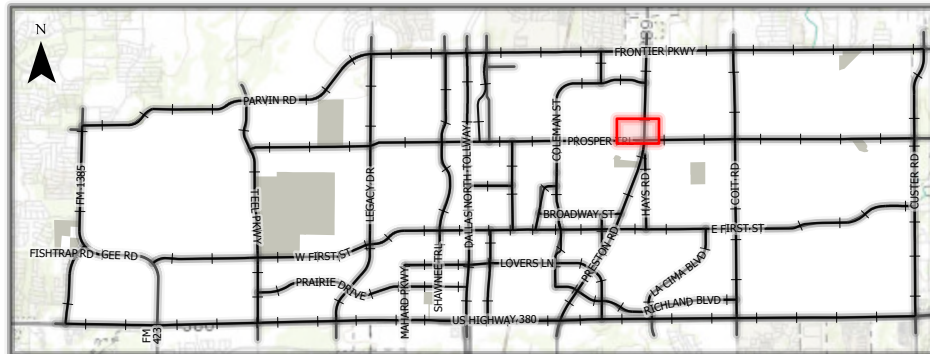
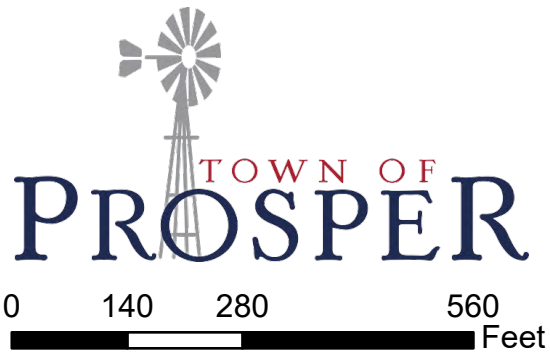
**Attached Documents:**

1. Location Map
2. Replat

**Town Staff Recommendation:**

Town Staff recommends approval of the Replat.





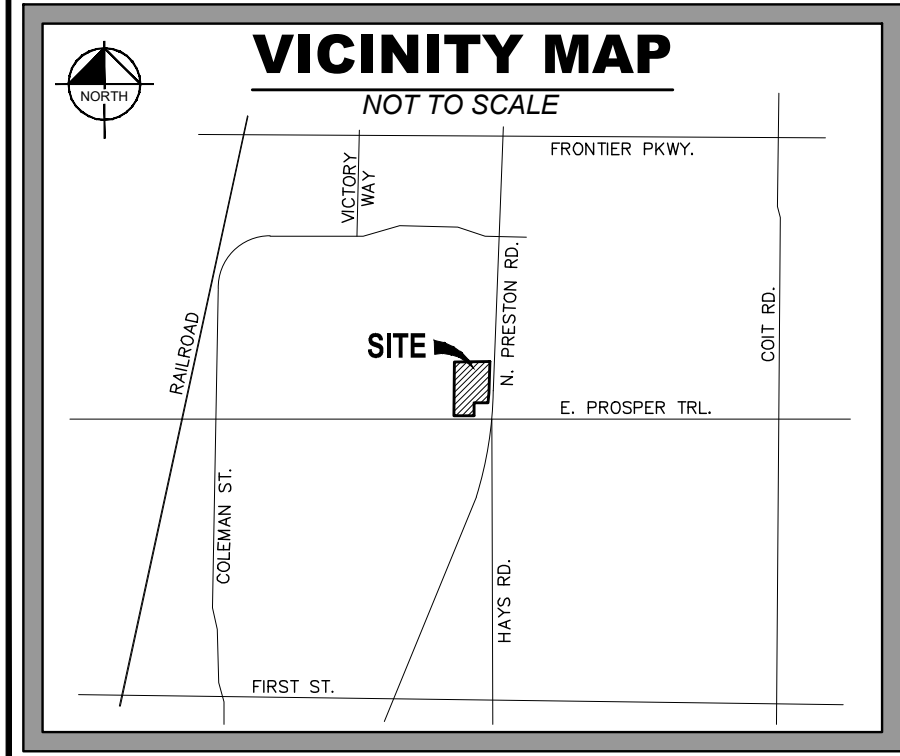
This map for illustration purposes only

DEVAPP-25-0087

Saddle Creek Commercial  
Block A, Lots 2R & 3

Replat





Contact: Jay Maddox





## 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:** Planned Development for Bella Prosper

**Meeting:** September 15, 2025

---

**Agenda Item:**

Conduct a Public Hearing and consider and act upon a request to rezone 61.7± acres from Agricultural and Planned Development-71 to a Planned Development allowing for Mixed-Use Development, located on the south side of First Street and 1,550± feet east of Legacy Drive. (ZONE-24-0025)

**Background:**

On May 6, 2025, the Planning & Zoning Commission held a work session regarding this case. Additionally, on May 13, 2025, the Town Council held a work session regarding this case.

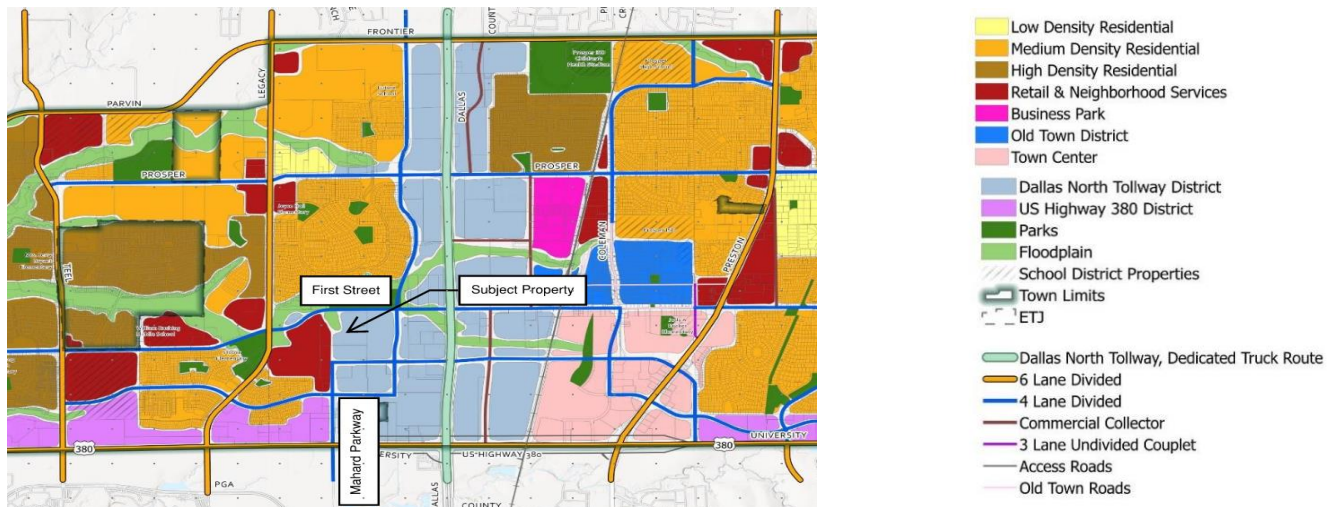
The applicant has made the following modifications to the proposal:

- Reduction of the number of multifamily dwellings from 550 to 435.
- Reduction of the number of townhome units from 94 to 88.
- Addition of curvilinear streets within the townhome section.
- Removal of second hotel to accommodate more restaurants and retail near amphitheater.
- Reconfiguration of assisted living building and full-service hotel to face the amphitheater area.

**Future Land Use Plan:**

The Future Land Use Plan recommends the Dallas North Tollway District.

- The Dallas North Tollway District recommends the most intense land uses within the Town. Mixed-use development containing a mixture of office, retail, and residential uses is encouraged. Additionally, mixed-use loft/apartments are identified as the most appropriate residential use within the district.



### **Zoning:**

The property is zoned Agricultural and Planned Development-71.

### **Thoroughfare Plan:**

This property has direct access to First Street and future Mahard Parkway.

### **Parks Master Plan:**

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

### **Hike & Bike Trail:**

The Hike & Bike Trail Master Plan requires a ten-foot hike and bike trail along future Lovers Lane.

### **Legal Obligations and Review:**

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

### **Attached Documents:**

1. Aerial & Zoning Maps
2. Future Land Use Exhibit
3. Exhibit A-1 – Written Metes and Bounds
4. Exhibit A-2 – Boundary Exhibit
5. Exhibit B – Letter of Intent
6. Exhibit C – Development Standards
7. Exhibit D – Conceptual Plan
8. Exhibit E – Development Schedule
9. Exhibit F – Elevations
10. Exhibit G – Open Space Plan
11. Draft Development Agreement

### **Description of Agenda Item:**

The purpose of this request is to rezone the property from Agricultural and Planned Development-71 to a Planned Development allowing for mixed-use development. The Planned Development establishes two subdistricts, Neighborhood and Retail, with residential uses in one and commercial uses in the other. In the Neighborhood Subdistrict, the intent is to construct a maximum of 435 multifamily units and 88 townhomes units. In the Retail Subdistrict, the intent is

to construct a maximum of 249 assisted living units and other various commercial uses including a full-service hotel, restaurants, and retail.

**Compatibility:**

This zoning change would not be out of character with the existing area due to compatibility with the surrounding properties. The adjacent vacant property to the east is a Planned Development (PD-41) that allows for mixed-use development including multifamily. The adjacent vacant property to the south is also in a Planned Development (PD-71); however, this property will be rezoned in the future due to part of its boundary being included in the proposed rezoning request. Additionally, the adjacent vacant property shares the same Future Land Use designation as the property in the proposed rezoning request; therefore, it should ultimately develop in a similar fashion. Lastly, the residential subdivision to the north, Star Trail, is not directly adjacent to the property as it is separated by a thoroughfare, First Street. The proposed zoning change is compatible with the current zoning districts and Future Land Use Plan designations of immediately adjacent property and the impact of residential adjacency concerns to the subdivision to the north is mitigated by the thoroughfare between the properties.

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

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Agricultural and Planned Development-71	Vacant	Dallas North Tollway District
<b>North</b>	Planned Development-66 (Star Trail)	Single-Family Residential	Medium Density Residential
<b>East</b>	Planned Development-41 (Multifamily)	Vacant	Dallas North Tollway District
<b>South</b>	Planned Development-71 (Single Family-10)	Vacant	Dallas North Tollway District
<b>West</b>	Commercial	Community Center (Children's Hunger Fund)	Retail & Neighborhood Services

**NEIGHBORHOOD SUBDISTRICT**

**District Regulations:**

The Neighborhood Subdistrict allows for both townhomes and multifamily. In comparison with the Zoning Ordinance standards, the permitted density for townhomes in the proposed development will be reduced from ten units per acre to eight units per acre with 88 units in total. The front setback for townhomes will be reduced by five feet from 25 feet to 20 feet while the rear setback will be increased by five feet from 20 feet to 25 feet. Additionally, the maximum height for townhomes will be increased by five feet from 40 feet to 45 feet.

The permitted density for multifamily in the proposed development is 435 units. The maximum height for multifamily structures will be reduced by three stories from eight stories to five stories. Additionally, the maximum lot coverage for multifamily will be increased from 45% to 80%.

The district regulations for both townhomes and multifamily within the Planned Development compared to the regulations in the Townhome and Multifamily Districts in the Zoning Ordinance are shown below.

### Townhome District

	<b>Townhome District Regulations (Zoning Ordinance)</b>	<b>Proposed Regulations (Townhome District)</b>
<b>Maximum Permitted Density</b>	<b>Units Per Acre:</b> 10	<b>Units Per Acre:</b> 8
<b>Size of Yards</b>	<b>Front:</b> 25'  <b>Side:</b> 0' (Unit to Unit) 10' (End of Structure) 15' (Adj. to Side Street) 20' (Structure to Structure)  <b>Rear:</b> 20'	<b>Front:</b> 20'  <b>Side:</b> 0' (Unit to Unit) 10' (End of Structure) 15' (Adj. to Side Street) 20' (Structure to Structure)  <b>Rear:</b> 25'
<b>Size of Lots</b>	<b>Area:</b> 2,500 SF  <b>Width:</b> 20'  <b>Depth:</b> 100'	<b>Area:</b> 2,500 SF  <b>Width:</b> 20'  <b>Depth:</b> 100'
<b>Minimum Dwelling Area</b>	<b>Size:</b> 1,000 SF	<b>Size:</b> 1,000 SF
<b>Maximum Height</b>	<b>Stories:</b> 2.5 (Max. of 40')	<b>Stories:</b> 3 (Max. of 45')
<b>Lot Coverage</b>	<b>Maximum:</b> 55%	<b>Maximum:</b> 55%
<b>Minimum Usable Open Space</b>	<b>Minimum:</b> 20%	<b>Minimum:</b> 20%

### Multifamily District

	<b>Multifamily District Regulations (Zoning Ordinance)</b>	<b>Proposed Regulations (Multifamily District)</b>
<b>Density</b>	<b>Dwelling Units:</b> Determined w/ Development	<b>Dwelling Units:</b> 435
<b>Size of Yards</b>	<b>Front:</b> Determined w/ Development	<b>Front:</b> 50'

	<b>Side:</b> Determined w/ Development	<b>Side:</b> 25' 50' (Adj. to Thoroughfare)
	<b>Rear:</b> Determined w/ Development	<b>Rear:</b> 25'
<b>Size of Lots</b>	<b>Area:</b> Determined w/ Development	<b>Area:</b> 1 Acre
	<b>Width:</b> Determined w/ Development	<b>Width:</b> 100'
	<b>Depth:</b> Determined w/ Development	<b>Depth:</b> 150'
<b>Minimum Dwelling Area</b>	<b>Size (1-2 Bedrooms):</b> 850 SF	<b>Size (1-2 Bedrooms):</b> 850 SF
	<b>Size (3+ Bedrooms):</b> 850 + 150 SF (Each Room)	<b>Size (3+ Bedrooms):</b> 850 + 150 SF (Each Room)
<b>Maximum Height</b>	<b>Stories:</b> 8' (Max. of 110')	<b>Stories:</b> 5
<b>Lot Coverage</b>	<b>Maximum:</b> 45%	<b>Maximum:</b> 80%
<b>Minimum Usable Open Space</b>	<b>Minimum:</b> 30%	<b>Minimum:</b> 30% (Consolidated in District)
<b>Building Configuration</b>	<b>Design:</b> Wrap-Around Configuration	<b>Design:</b> Wrap-Around Configuration
<b>First Floor</b>	<b>Minimum Height:</b> 14'	<b>Minimum Height:</b> 14'
<b>Garage Height</b>	<b>Maximum Height:</b> Height of Exterior Building	<b>Maximum Height:</b> Height of Exterior Building

### **Uses:**

The list of permitted uses within the Neighborhood Subdistrict of this Planned Development is shown below.

- By Right:
  - Mobile Food Vendor
  - Multifamily Dwelling
  - Park or Playground
  - Townhome (Single Family Dwelling, Attached)

### **Open Space:**

The open space standards within the Neighborhood Subdistrict of this Planned Development require a minimum of 20% open space for townhomes, and it must be located within the townhome area. Additionally, a minimum of 30% open space is required for multifamily development; however, it can be incorporated with the entire development, excluding the townhome area.

## RETAIL SUBDISTRICT

### District Regulations:

The Retail Subdistrict allows for commercial use within this Planned Development including 249 assisted living units. The floor area ratio for all buildings will be increased from 0.4:1 to 0.8:1 and some uses will be permitted to exceed the maximum building height of two stories, including assisted living and full-service hotels. Buildings utilized for assisted living are permitted to be a maximum of five stories and full-service hotels are permitted to be a maximum of eight stories. Additionally, the regulations listed for full-service hotels match the requirements set forth in the Zoning Ordinance.

The district regulations for the Retail Subdistrict within the Planned Development compared to the regulations in the Retail District in the Zoning Ordinance are shown below.

	<b>Retail District Regulations (Zoning Ordinance)</b>	<b>Proposed Regulations (Retail District)</b>
<b>Size of Yards</b>	<b>Front:</b> 30'  <b>Side:</b> 0' (Attached, Separate Lots) 15' (Adj. to Commercial) 30' (Adj. to Thoroughfare) 30' (1-Story Adj. to Res.) 60' (2-Story Adj. to Res.)  <b>Rear:</b> 0' (Attached, Separate Lots) 15' (Adj. to Commercial) 30' (1-Story Adj. to Res.) 60' (2-Story Adj. to Res.)	<b>Front:</b> 25'  <b>Side:</b> 0' (Attached, Separate Lots) 15' (Adj. to Commercial) 30' (Adj. to Thoroughfare) 30' (1-Story Adj. to Res.) 60' (2-Story Adj. to Res.)  <b>Rear:</b> 0' (Attached, Separate Lots) 15' (Adj. to Commercial) 30' (1-Story Adj. to Res.) 60' (2-Story Adj. to Res.)
<b>Size of Lots</b>	<b>Area:</b> 10,000 SF  <b>Width:</b> 100'  <b>Depth:</b> 100'	<b>Area:</b> 10,000 SF  <b>Width:</b> 100'  <b>Depth:</b> 100'
<b>Maximum Height</b>	<b>Stories:</b> 2 (Max. of 40')	<b>Stories:</b> 2 (Max. of 40')
<b>Lot Coverage</b>	<b>Maximum:</b> 40%	<b>Maximum:</b> 40%
<b>Floor Area Ratio</b>	<b>Maximum:</b> 0.4:1	<b>Maximum:</b> 0.8:1



**Uses:**

The list of permitted uses within the age-restricted single-family residential section of this Planned Development is shown below.

- By Right:
  - Administrative, Medical, or Professional Office
  - Alcoholic Beverage Sales
  - Antique Shop
  - Assisted Care or Living Facility
  - Automobile Paid Parking Lot/Garage
  - Automobile Parking Lot/Garage
  - Bank, Savings and Loan, or Credit Union
  - Beauty Salon/Barber Shop (Incidental Use)
  - Big Box
  - Business Service
  - Catering
  - Child Care Center, Incidental
  - Farmer's Market
  - Food Truck Park (Special Events Only)
  - Furniture, Home Furnishings and Appliance Store
  - Governmental Office
  - Gymnastics/Dance Studio
  - Health/Fitness Center
  - Hotel, Full Service
  - House of Worship
  - Insurance Office
  - Meeting/Banquet/Reception Facility
  - Mobile Food Vendor
  - Multifamily Dwelling
  - Museum/Art Gallery
  - Park or Playground
  - Print Shop (Minor)
  - Restaurant
  - Retail/Service Incidental
  - Retail Stores and Shops
  - School, Private or Parochial
  - School, Public
  - Theater, Neighborhood
  - Theater, Regional
  - Veterinarian Clinic and/or Kennel, Indoor
  - Wireless Communications and Support Structures
- By Specific Use Permit:
  - Commercial Amusement, Indoor
  - Restaurant (Drive-Through)

**Open Space:**

A minimum of seven percent of open space is required for each lot in the Retail Subdistrict; however, it can be incorporated with the entire development, excluding the townhome area. The open space, as shown on the Conceptual Plan, will consist of a centrally located amphitheater area and a water feature.

## GENERAL REGULATIONS (BOTH SUBDISTRICTS)

### Architectural Standards:

The architectural standards within this Planned Development are shown below.

- Building Materials:
  - Primary Materials (Min. of 75%)
    - Brick
    - Cementitious Panel System (Max. of 50%)
    - Glazing (Curtain and Window Wall)
    - Stone (Natural or Manufactured)
  - Secondary Materials (Max. of 25%)
    - Clapboard Siding
    - Metal Panel Systems
    - Resin-Impregnated Wood Panel System
    - Stucco (Three-Coat)
  - First Floor of Buildings
    - Masonry Cladding (Min. of 90%)
    - Metal Panel Systems (Non-Residential Uses Only)
  - Multifamily Buildings
    - Brick
    - Cementitious Panel System
    - Stone (Natural or Manufactured)
  - Office Buildings
    - Decorative or Enhanced Concrete Tilt Wall (Maximum of 60%)
    - Primary Materials
    - Secondary Materials
- Building Design:
  - Articulation
    - Articulation will be accentuated by the inclusion of architectural building features, awnings or canopies, or different building materials and is required where retail or service uses take place on the first floor of a building and building façades front both streets and driveways.
  - Awnings, Canopies, and Overhangs
    - Awnings and canopies will be comprised of materials that are complimentary to the building.
  - Doors and Windows
    - Windows will be transparent on 30% of ground floor façade areas facing open space or right-of-way and 20% of upper floor façade areas facing right-of-way.

- Embellishments and Mechanical Equipment
  - Architectural embellishments and mechanical equipment may extend 20 feet above the building height provided they are setback at a distance equal to their height or are integral parts of the building façade.
- Entries
  - Entries will be highlighted using building articulation and entry canopies.
- Façade Composition
  - Façade compositions will consist of architecturally compatible multi-tenant storefronts, defined and articulated building entrances, and accentuated and unique features for “feature buildings” located at the intersection of streets.
- Height
  - Hotel: Minimum of Four Stories
  - Multifamily: Minimum of Three Stories
  - Office: Minimum of Two Stories
  - Restaurant/Retail: Minimum of One Story
  - Townhome: Minimum of Two Stories
- Parking Structures
  - Parking structures will have horizontal and vertical articulation, clearly marked entries and exits for vehicles and pedestrians, and architectural finishes compatible to surrounding buildings if visible from the street.
- Projections
  - Projections into Fire, Access, Utility, and Drainage Easements (F.A.U.D.E.) are permitted if there are no encroachments into building setbacks, extensions over public right-of-way, and extensions over public utilities located within a fire lane or public utility easement.
- Roof Form
  - Roofs will be flat or low-pitched (2.5:12 or lower) with parapets.

**Triggers:**

The triggers within this Planned Development are shown below.

- Trigger One:
  - The full length of Mahard Parkway, as shown on the conceptual plan, will be constructed with the townhome section.
- Trigger Two:
  - A minimum of 50,000 square feet of commercial development will be constructed prior to the construction of the second multifamily building.

**Phasing:**

The phasing within this Planned Development is shown below.

- Phase 1
  - Tract 1: Restaurant
  - Tract 2: Restaurant
  - Tract 3: Townhomes
    - Mahard Parkway Right-Of-Way Dedication
    - Townhome Street Dedication
  - Tract 4: Bank, Restaurant/Retail, and Retail
- Phase 2
  - Tract 6: Multifamily and Restaurant/Retail
  - Tract 7: Full-Service Hotel
- Phase 3
  - Portion of Tract 5: Assisted Living and Office
- Phase 4
  - Portion of Tract 5: Restaurant and Restaurant/Retail
- Phase 5
  - Portion of Tract 5: Office and Restaurant/Retail

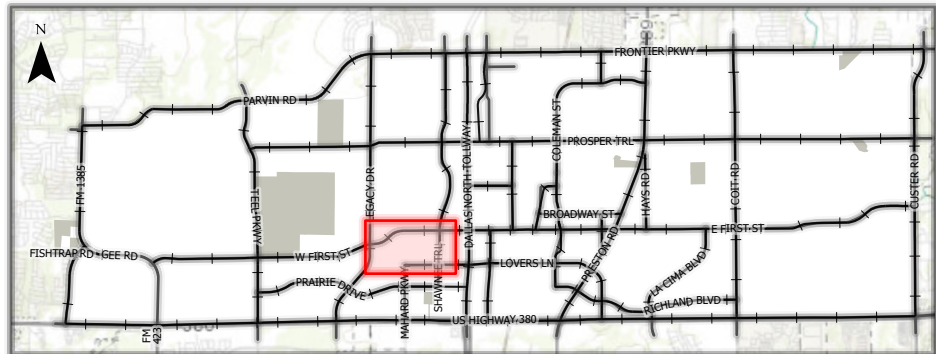
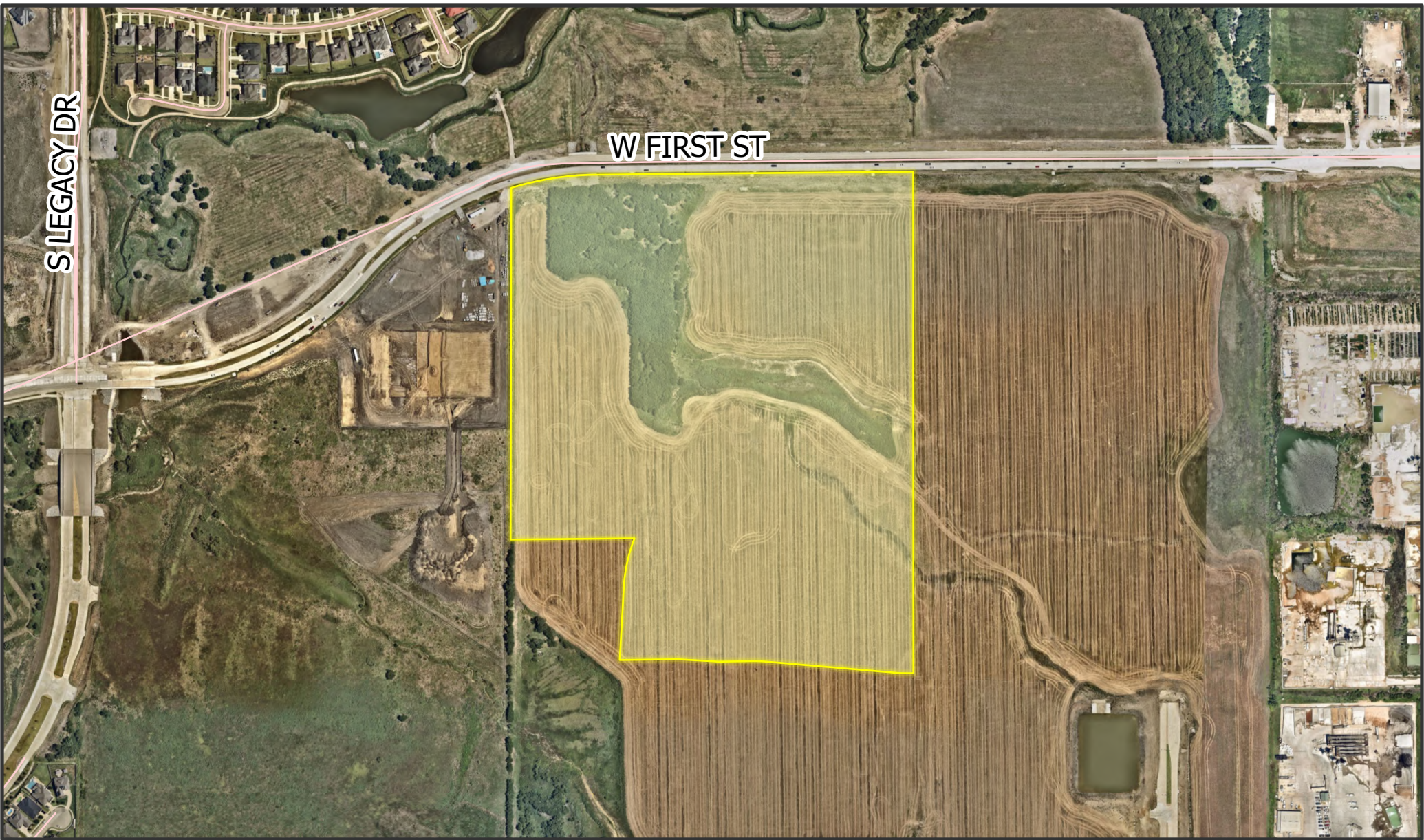
**Town Staff Recommendation:**

The proposed zoning request is compliant with the Future Land Use Plan. Additionally, it is compatible with immediately adjacent properties due to similar zoning districts and Future Land Use designations. For these reasons, Town Staff recommends approval of the request to rezone 61.7± acres from Agricultural and Planned Development-71 to a Planned Development allowing for Mixed-Use Development, located on the south side of First Street and 1,550± feet east of Legacy Drive.

**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 October 14, 2025.





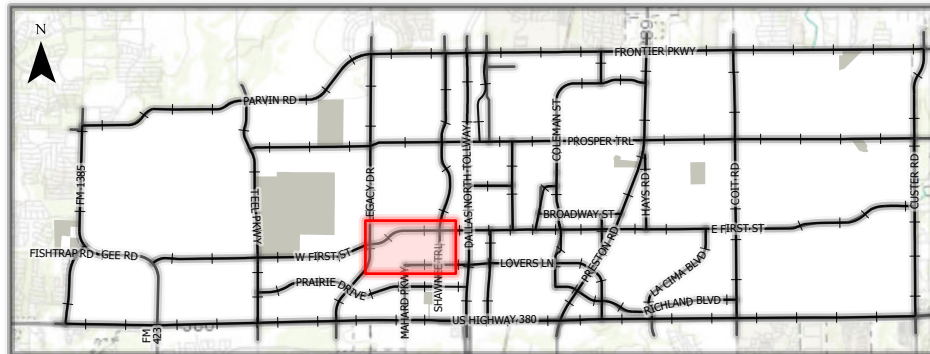
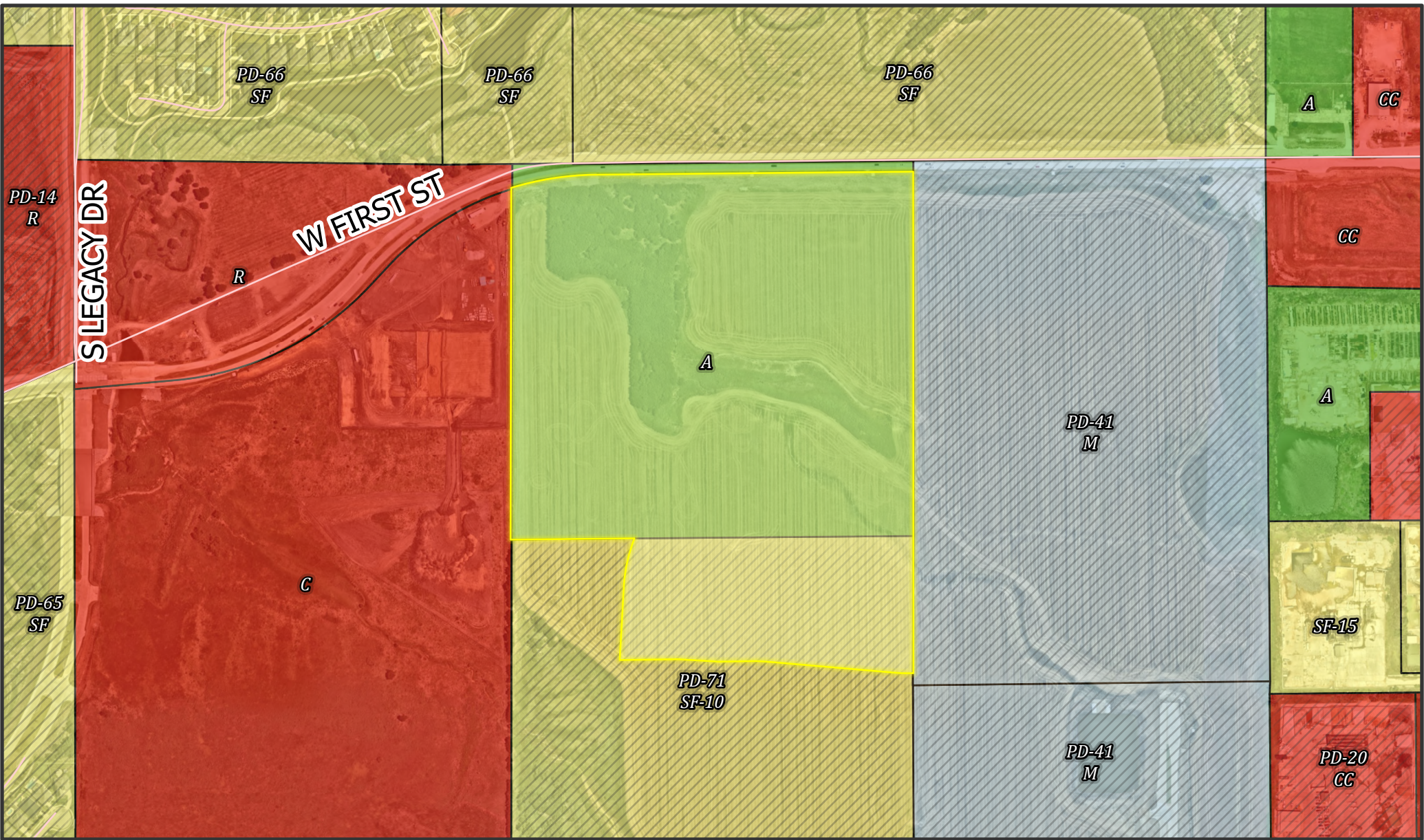
This map for illustration purposes only

ZONE-24-0025

Bella Prosper

Planned Development





**ZONE-24-0025**

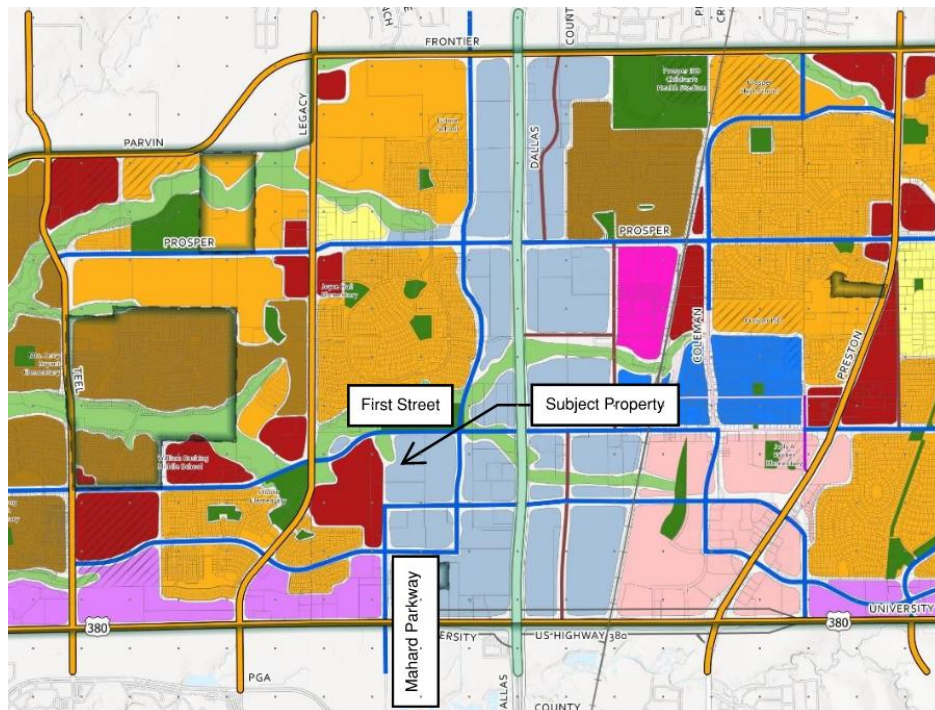
Bella Prosper

Planned Development

This map for illustration purposes only



# Future Land Use Exhibit



## ZONE 24-0025

### EXHIBIT A-1: WRITTEN METES AND BOUNDS

**BEING** a tract of land situated in the Collin County School Land Survey, Abstract No. 147, Town of Prosper, Collin County, Texas, and being all of a called 48.090 acre tract of land described in a Special Warranty Deed with Vendor's Lien to Prosper Prairie LLC, as recorded in Instrument No. 2023000090239 of the Official Public Records of Collin County, Texas, being all of a called 6.217 acre tract of land described as Tract 1 and all of a called 5.875 acre tract of land described as Tract 2 in a Special Warranty Deed with Vendor's Lien to PTP Retail Holdings LLC, as recorded in Instrument No. 2023000113173 of the Official Public Records of Collin County, Texas, and being a portion of a called 1.686-acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, recorded in Instrument No. 20220209000224300, said Official Public Records, same being a portion of First Street (Country Road No. 3), a variable width right of way, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for the southwest corner of said 48.090 acre tract, common to the northwest corner of a called 11.859 acre tract of land as described in a deed to Mahard Resorts LLC, as recorded in Instrument No. 2023000090178 of the Official Public Records of Collin County, Texas, same being on the easterly line of a called 78.483 acre tract of land as described in a Special Warranty Deed with Vendor's Lien to Legacy and First LP, as recorded in Instrument No. 20200618000919920 of the Official Public Records of Collin County, Texas;

**THENCE** North 00°05'43" East, along the westerly line of said 50.02 acre tract and the easterly line of said 78.483 acre tract, passing at a distance of 1331.33 feet the southwest corner of said 1.686 acre tract on the southerly right of way line of said First Street, and continuing along the same course, along the westerly line of said 1.686 acre tract and crossing said First Street, for a total distance of 1378.32 feet to a point for corner in the centerline of said First Street, and at the beginning of a non-tangent curve to the right with a radius of 1,190.00 feet, a central angle of 15°11'21", and a chord bearing and distance of North 81°17'10" East, 314.55 feet, from which, a 1/2 iron rod with busted plastic cap found for the northwest corner of said 1.686 acre tract bears North 00°05'43" East, 44.60 feet;

**THENCE** in an easterly direction departing the westerly line of 1.686 acre tract, along the centerline of said First Street and crossing said 1.686 acre tract, with said non-tangent curve to the right, an arc distance of 315.47 feet to a point for corner on the northerly line of said 1.686 acre tract and the southerly line of a called 1.325 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211228002596420 of the Official Public Records of Collin County, Texas;

**THENCE** North 89°26'15" East, along the northerly line of said 1.686 acre tract and the southerly line of said 1.325 acre tract, and continuing along the centerline of said First Street, a distance of 1210.98 feet to 1/2 inch iron rod found for the northeast corner of said 1.686 acre tract, common to the southeast corner of said 1.325 acre tract, the southwest corner of a called 1.377 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211228002596590 of the Official Public Records of Collin County,

Texas, and the northwest corner of a called 1.377 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211015002111910 of the Official Public Records of Collin County, Texas;

**THENCE** South 00°00'23" East, departing the centerline of said First Street, along the easterly line of said 1.686 acre tract, the easterly line of said 48.090 acre tract, the easterly line of said Tract 2, the westerly line of said 1.377 acre tract and the westerly line of a called 188.635 acre tract of land described in a Trustee's Deed and Bill of Sale to M.A.H.G. Partnership, as recorded in Instrument No. 20100601000545080 of the Official Public Records of Collin County, Texas, a distance of 1943.66 feet to the southeast corner of said Tract 2, from which, a 1/2 inch iron rod with plastic cap stamped "RPLS 6677" found for witness bears South 77°06' East, a distance of 0.24 feet;

**THENCE** South 89°22'36" West, departing the westerly line of said 188.635 acre tract and along the southerly line of said Tract 2, a distance of 19.32 feet to a point at the beginning of a tangent curve to the right with a radius of 505.00 feet, a central angle of 05°32'47", and a chord bearing and distance of North 87°51'01" West, 48.87 feet;

**THENCE** in a westerly direction continuing along the southerly line of said Tract 2, with said tangent curve to the right, an arc distance of 48.89 feet to a point for corner;

**THENCE** North 85°04'37" West, continuing along the southerly line of said Tract 2 and along the southerly line of said Tract 1, a distance of 484.73 feet to a point at the beginning of a tangent curve to the left with a radius of 595.00 feet, a central angle of 05°32'47", and a chord bearing and distance of North 87°51'01" West, 57.58 feet;

**THENCE** in a westerly direction continuing along the southerly line of said Tract 1, with said tangent curve to the left, an arc distance of 57.60 feet to a point for corner;

**THENCE** South 89°22'36" West, continuing along the southerly line of said Tract 1, a distance of 130.29 feet to a point for corner;

**THENCE** North 86°48'19" West, continuing along the southerly line of said Tract 1, a distance of 150.32 feet to a point for corner;

**THENCE** South 89°22'35" West, continuing along the southerly line of said Tract 1, a distance of 222.35 feet to a point for the southwest corner of said Tract 1, being on the easterly line of a called 11.859 acre tract of land described in a deed to Mahard Resorts LLC, as recorded in Instrument No. 2023000090178 of the Official Public Records of Collin County, Texas;

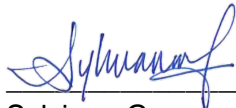
**THENCE** North 03°10'52" East, along the westerly line of said Tract 1 and the easterly line of said 11.859 acre tract, a distance of 287.00 feet to a point at the beginning of a non-tangent curve to the right with a radius of 580.00 feet, a central angle of 17°41'25", and a chord bearing and distance of North 12°54'09" East, 178.37 feet;

**THENCE** in a northerly direction continuing along the westerly line of said Tract 1 and the easterly line of said 11.859 acre tract, with said non-tangent curve to the right, an arc distance

of 179.08 feet to the northwest corner of said Tract 1, common to the northeast corner of said 11.859 acre tract, being on the southerly line of aforesaid 48.090 acre tract;

**THENCE** South 89°26'39" West, along the southerly line of said 48.090 acre tract and the northerly line of said 11.859 acre tract, a distance of 468.79 feet to the **POINT OF BEGINNING** and containing 61.743 acres (2,689,531 square feet) of land, more or less.

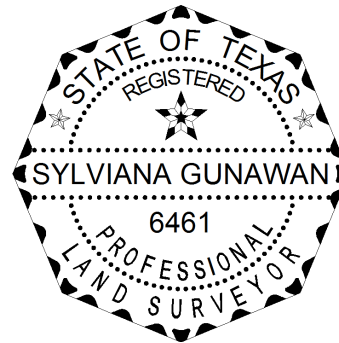
Bearing system based on the south line of Prosper Center Block B, Lot 1R and 2 as recorded in Doc. No. 2016-241 P.R.D.C.T.



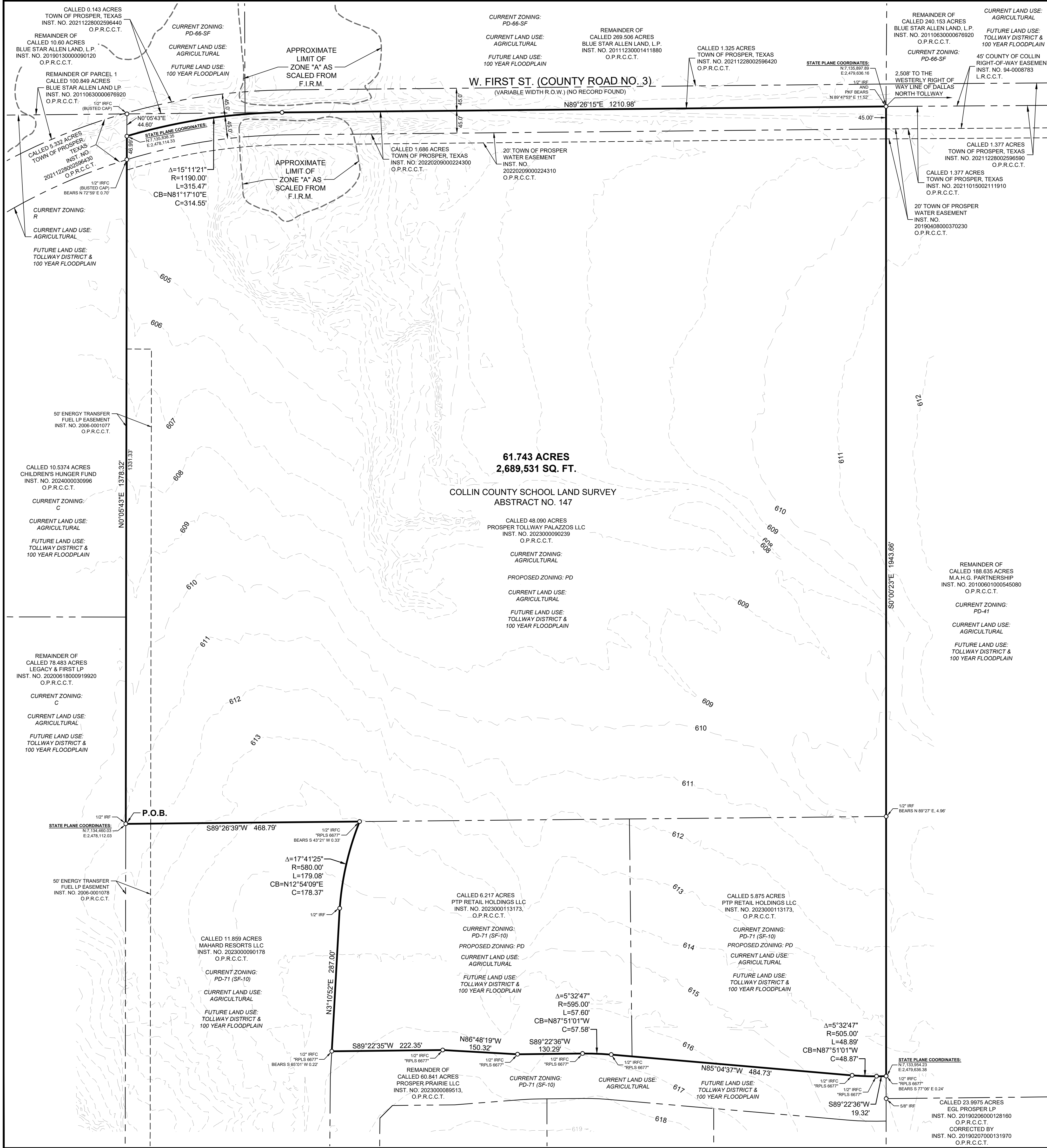
03/04/2025

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Sylviana Gunawan  
Registered Professional Land Surveyor No. 6461  
Kimley-Horn and Associates, Inc.  
6160 Warren Parkway, Suite 210  
Frisco, Texas 75034  
Ph. 972-335-3580  
sylviana.gunawan@kimley-horn.com







DESCRIPTION OF SURVEYED PROPERTY:

**BEING** a tract of land situated in the Collin County School Land Survey, Abstract No. 147, Town of Prosper, Collin County, Texas, and being all of a called 48.090 acre tract of land described in a Special Warranty Deed with Vendor's Lien to Prosper Prairie LLC, as recorded in Instrument No. 2023000090239 of the Official Public Records of Collin County, Texas, being all of a called 6.217 acre tract of land described as Tract 1 and all of a called 5.875 acre tract of land described as Tract 2 in a Special Warranty Deed with Vendor's Lien to PTP Retail Holdings LLC, as recorded in Instrument No. 2023000113173 of the Official Public Records of Collin County, Texas, and being a portion of a called 1.686-acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, recorded in Instrument No. 20220209000224300, said Official Public Records, same being a portion of First Street (Country Road No. 3), a variable width right of way, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for the southwest corner of said 48.090 acre tract, common to the northwest corner of a called 11.859 acre tract of land as described in a deed to Mahard Resorts LLC, as recorded in Instrument No. 2023000090178 of the Official Public Records of Collin County, Texas, same being on the easterly line of a called 78.483 acre tract of landas described in a Special Warranty Deed with Vendor's Lien to Legacy and First LP, as recorded in Instrument No. 20200618000919920 of the Official Public Records of Collin County, Texas;

**THENCE** North 00°05'43" East, along the westerly line of said 50.02 acre tract and the easterly line of said 78.483 acre tract, passing at a distance of 1331.33 feet the southwest corner of said 1.686 acre tract on the southerly right of way line of said First Street, and continuing along the same course, along the westerly line of said 1.686 acre tract and crossing said First Street, for a total distance of 1378.32 feet to a point for corner in the centerline of said First Street, and at the beginning of a non-tangent curve to the right with a radius of 1,180.00 feet, a central angle of 15°11'21", and a chord bearing and distance of North 81°17'10" East, 314.55 feet, from which, a 1/2 inch iron rod with busted plastic cap found for the northwest corner of said 1.686 acre tract bears North 00°05'43" East, 44.60 feet;

**THENCE** in an easterly direction departing the westerly line of 1.686 acre tract, along the centerline of said First Street and crossing said 1.686 acre tract, with said non-tangent curve to the right, an arc distance of 315.47 feet to a point for corner on the northerly line of said 1.686 acre tract and the southerly line of a called 1.325 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211228002596420 of the Official Public Records of Collin County, Texas;

**THENCE** North 89°26'15" East, along the northerly line of said 1.686 acre tract and the southerly line of said 1.325 acre tract, and continuing along the centerline of said First Street, a distance of 1210.98 feet to 1/2 inch iron rod found for the northeast corner of said 1.686 acre tract, common to the southeast corner of said 1.325 acre tract, the southwest corner of a called 1.377 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211228002596590 of the Official Public Records of Collin County, Texas, and the northwest corner of a called 1.377 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211015002111910 of the Official Public Records of Collin County, Texas;

**THENCE** South 00°00'23" East, departing the centerline of said First Street, along the easterly line of said 1.686 acre tract, the easterly line of said 48.090 acre tract, the easterly line of said Tract 2, the westerly line of said 1.377 acre tract and the westerly line of a called 188.635 acre tract of land described in a Trustee's Deed and Bill of Sale to M.A.H.G. Partnership, as recorded in Instrument No. 20100601000545080 of the Official Public Records of Collin County, Texas, a distance of 1943.66 feet to the southeast corner of said Tract 2, from which, a 1/2 inch iron rod with plastic cap stamped "RPLS 6677" found for witness bears South 77°06" East, a distance of 0.24 feet;

**THENCE** South 89°22'36" West, departing the westerly line of said 188.635 acre tract and along the southerly line of said Tract 2, a distance of 19.32 feet to a point at the beginning of a tangent curve to the right with a radius of 505.00 feet, a central angle of 05°32'47", and a chord bearing and distance of North 87°51'01" West, 48.87 feet;

**THENCE** in a westerly direction continuing along the southerly line of said Tract 2, with said tangent curve to the right, an arc distance of 48.89 feet to a point for corner;

**THENCE** North 85°04'37" West, continuing along the southerly line of said Tract 2 and along the southerly line of said Tract 1, a distance of 484.73 feet to a point at the beginning of a tangent curve to the left with a radius of 595.00 feet, a central angle of 05°32'47", and a chord bearing and distance of North 87°51'01" West, 57.58 feet;

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**THENCE** North 86°48'19" West, continuing along the southerly line of said Tract 1, a distance of 150.32 feet to a point for corner;

**THENCE** South 89°22'35" West, continuing along the southerly line of said Tract 1, a distance of 222.35 feet to a point for the southwest corner of said Tract 1, being on the easterly line of a called 11.859 acre tract of land described in a deed to Mahard Resorts LLC, as recorded in Instrument No. 2023000090178 of the Official Public Records of Collin County, Texas;

**THENCE** North 03°10'52" East, along the westerly line of said Tract 1 and the easterly line of said 11.859 acre tract, a distance of 287.00 feet to a point at the beginning of a non-tangent curve to the right with a radius of 580.00 feet, a central angle of 17°41'25", and a chord bearing and distance of North 12°54'09" East, 178.37 feet;

**THENCE** in a northerly direction continuing along the westerly line of said Tract 1 and the easterly line of said 11.859 acre tract, with said non-tangent curve to the right, an arc distance of 179.08 feet to the northwest corner of said Tract 1, common to the northeast corner of said 11.859 acre tract, being on the southerly line of aforesaid 48.090 acre tract;

**THENCE** South 89°26'39" West, along the southerly line of said 48.090 acre tract and the northerly line of said 11.859 acre tract, a distance of 468.79 feet to the **POINT OF BEGINNING** and containing 61.743 acres (2,689,531 square feet) of land, more or less.

Bearing system based on the south line of Prosper Center Block B, Lot 1R and 2 as recorded in Doc. No. 2016-241 P.R.D.C.T.



**SYLVIANA GUNAWAN**  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6461  
6160 WARREN PKWY., SUITE 210  
FRISCO, TEXAS 75034  
PH. 972-335-3580  
sylviana.gunawan@kimley-horn.com



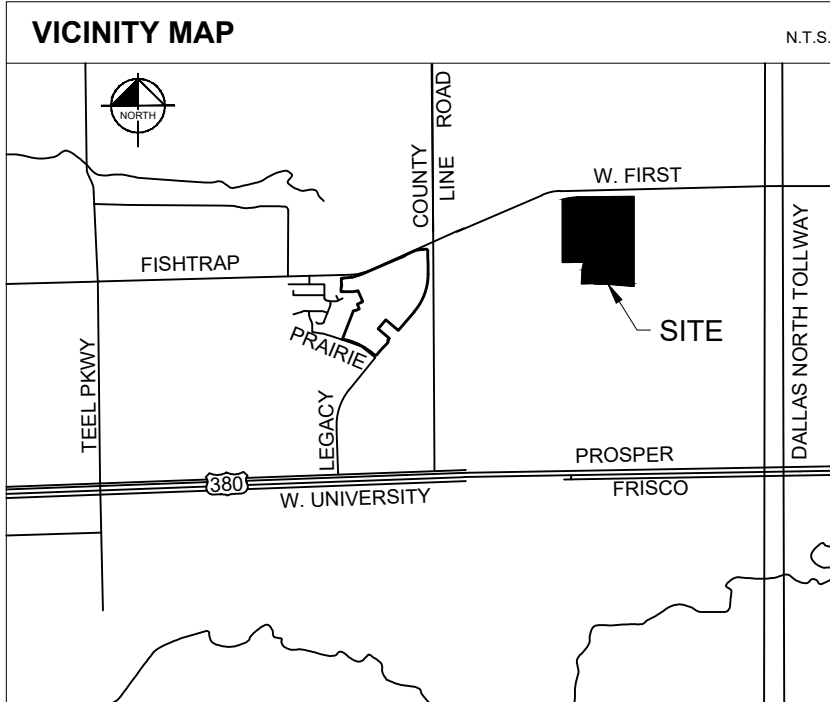
**ENGINEER:**  
Kimley-Horn and Associates, Inc.  
6160 Warren Parkway, Suite 210  
Frisco, Texas 75034  
Contact : David Upton, P.E.

**SURVEYOR:**  
Kimley-Horn and Associates, Inc.  
6160 Warren Parkway, Suite 210  
Frisco, Texas 75035  
Phone 972-335-3580  
Contact: Sylviana Gunawan, RPLS

**OWNER:**  
PROSPER TOLLWAY PALAZZOS LLC  
8105 Razor Blvd., Suite 299  
Plano, Texas 75024  
469-982-4300  
Contact: Naseem Shaik

**OWNER:**  
PTP Retail Holdings LLC  
8105 Razor Blvd., Suite 299  
Plano, Texas 75024  
469-982-4300  
Contact: Naseem Shaik

**VICINITY MAP**




**GRAPHIC SCALE IN FEET**

1" = 100' @ 24X36

**LEGEND**

---	BOUNDARY LINE
---	EASEMENT LINE
---	PROPERTY LINE
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND WITH CAP
IRSC	IRON ROD SET WITH CAP
NTS	NOT TO SCALE
(C.M.)	CONTROLLING MONUMENT
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
M.R.C.C.T.	MAP RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
END	FOUND
R.O.W.	RIGHT OF WAY

**ZONE-24-0025**  
**EXHIBIT A-2: BOUNDARY EXHIBIT**  
61.743 ACRES  
COLLIN COUNTY SCHOOL LAND SURVEY,  
ABSTRACT NO. 147  
TOWN OF PROSPER,  
COLLIN COUNTY, TEXAS



6160 Warren Parkway, Suite 210  
Frisco, Texas 75034

Tel. No. (972) 335-3580  
FIRM # 10193822

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SG	KHA	08/12/2025	068303300	1 OF 1



**ZONE-24-0025**  
**EXHIBIT B**  
**STATEMENT OF INTENT**

Development of Bella Prosper, this Planned Development (PD) District, will follow the regulations outlined within the Development Standards (Exhibit C) and meet the intent of the Concept Plan that is attached as Exhibit D and the permitted uses as noted herein.

The Property is shown on the Town's Future Land Use Map to be within the Dallas North Tollway District and is a proposed, planned development intended to provide for, and encourage development of, a cohesive master planned community that allows for the flexibility of land uses within. The vision for the property is to have a pedestrian oriented community of compatible mix of residential and commercial land uses. The development will utilize the natural drainage way that bisects the Property as an amenity for the community by creating an expanse of open space and water feature for the overall development to use. This will be a development that provides a sense of place to live, work, and play within the Town of Prosper.

The PD is a district that accommodates planned associations of uses developed as integral land use units such as commercial or service centers, shopping centers, residential developments of multiple or mixed housing (townhome, assisted living and multi-family product), or any appropriate combination of uses that may be planned, developed, or operated as integral land use units either by a single owner or a combination of owners.

Additionally, the standards are intended to promote an efficient, pedestrian-access network that connects the residential units to the commercial parcels. The planned development generally addresses the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment. This is accomplished by the following:

- Utilizing the natural drainage-way path that bisects the property as a focal point of open space and water feature in the heart of the development; and
- Ensuring buildings relate appropriately to surrounding developments and streets which create cohesive visual identity and attractive street scenes; and
- Ensuring site design promotes efficient pedestrian and vehicle circulation patterns; and
- Ensuring the creation of high-quality street and sidewalk environments that are supportive of pedestrian mobility and that are appropriate to the roadway context.

The use provisions define land uses and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. These uses may be combined either vertically in the same building, or horizontally in multiple buildings, or through a combination of the two as depicted on the Concept Plan.



**ZONE-24-0025**  
**EXHIBIT C**  
**DEVELOPMENT STANDARDS**

Development within this Planned Development (PD) District will conform to the development standards of the development standards of its specified subdistrict (Neighborhood or Retail) and will follow the additional regulations outlined below and meet the intent of the Concept Plan that is attached as Exhibit D and the permitted uses as noted herein. All proposed land uses are appropriate for the Dallas North Tollway District and comply with the Town's Future Land Use Plan.

These planned development regulations will hold precedence over any conflicting regulations created by any current or future overlay district, design guidelines and/or the Town's Zoning Ordinance.

**Development Plan**

**Concept Plan:**

- A. The Property shall be developed in general accordance with the attached Concept Plan set forth in Exhibit D. However, the Concept Plan is illustrative in nature and does not reflect the exact footprint of proposed buildings nor layout of the associated parking.
- B. Development Triggers:
  - a. The residential portion of the development shall have a maximum of 435 multi-family units, 249 assisted living and 88 townhomes.
  - b. The full length of Mahard Parkway (60' ROW), located on the Property and as shown on the concept plan will be built with the townhome development.
  - c. A minimum of 50,000 sf of commercial development proposed along First Street must have certificate of occupancy prior to the second multi-family building commencing vertical construction.
  - d. Notwithstanding the aforementioned, phases 2 through 4 shown on Exhibit D, are only provided as estimates of development phasing and buildings with associated parking are fungible within these phases. The market will dictate how development will occur in phases 2 – 4.

**Administrative:**

- A. Amendments to the Concept Plan shall be classified as major or minor.
  - a. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement within the respective sub-district, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping and screening, changes to utilities and service locations which do not substantially change the original plan. The Director of Development Services or his/her designee

may approve a minor amendment administratively or if they deem the changes to be a Major Amendment, send to the Planning and Zoning Commission and Town Council for consideration.

- b. Major amendments shall include a change in permitted land uses or any modification to development standards outlined herein. Major amendments will be considered by the Planning & Zoning Commission and Town Council.

## **1 SECTION 1: NEIGHBORHOOD SUB-DISTRICT**

### **1.1 General Description**

The neighborhood sub-district is identified as the core of the development and will provide a mix of residential uses that are consistent with the Town's Future Land Use Plan and the Dallas North Tollway District. This district is meant to provide the residents of Prosper a denser residential product, concentrated in the center of the project along an amenitized open space with neighboring retail zones supported by the thoroughfares.

### **1.2 Permitted Uses**

The following uses are allowed by right with a maximum of 88 townhomes, 249 assisted living units and 435 multi-family units. Other uses may be allowed, as allowed within the specific zoning district of the Zoning Ordinance, or as provided for with the zoning permitted uses of the Planned Development.

#### **1.2.1 TH - Townhome District**

##### **(1) General Description**

- (a) The Townhome District will provide for development of attached residential dwelling units in structures accommodating three to eight units. This district is a high-density district, not to exceed eight units per gross acre (8 UPA). The standards in this district are intended to promote stable, quality multiple occupancy residential development at increased densities. Other uses, such as parks, trails, open spaces or community gather spaces, will be provided to maintain a balanced, orderly, convenient and attractive sense of place for the residents.

##### **(2) Regulations**

- (a) **Maximum Permitted Density:** Eight (8) units per acre.
- (b) **Size of Yards:**
  - (i) **Minimum Front Yard** — 20 feet.
  - (ii) **Minimum Side Yard** — Zero feet for the side of a unit that is attached to another unit.
    - a. Ten feet for the side of a unit at the end of the structure; 15 feet on corner lot adjacent to side street.

- b. Each townhome should be constructed on a single lot. No multiple townhomes on a single lot permitted.
- (iii) **Minimum Rear Yard** — 25 feet.
- (c) **Size of Lots:**
  - a. **Minimum Lot Area** — 2,500 square feet per dwelling unit.
  - b. **Minimum Lot Width** — 20 feet per dwelling unit.
  - c. **Minimum Lot Depth** — 100 feet.
- (d) **Minimum Dwelling Area:** 1,000 square feet.
- (e) **Maximum Height:** Forty-five (45) feet (as measured from the finish floor to the top plate), or three (3) stories.
- (f) **Lot Coverage:** 55 percent.
- (g) **Minimum Open Space:** 20 percent. The open space shall be located on the Townhome development. Open space areas can be less than 20,000 square feet but not less than 10,000 square feet minimum.

### **1.2.2 Multi-Family District (MF)**

#### **(1) General Description**

- (a) The Multi-Family District (MF) will provide for development of high density attached residential dwelling units, not to exceed the total allowable number of 435 multi-family units. The standards in this district are intended to promote stable, quality multiple occupancy residential development at high densities. Other uses, such as religious and educational facilities, parks, and open spaces may be provided for to maintain a balanced, orderly, convenient, and attractive residential area. This zoning district is appropriate for the Dallas North Tollway District as shown on the Town's Future Land Use Plan.
- (b) **First Floor:** The height of the first floor to bottom of the second floor structure shall be a minimum fourteen (14') in height where ground floor retail is provided. The first floor of the building may be used for either residential use or retail.
- (c) Ground floor retail is required in those locations of the multi-family buildings (up to a maximum of 50% of the net rentable ground floor square footage) as shown on the Concept Plan. Retail use for the sake of this subsection may include Leasing Center, Beauty salon, Barber shop, commercial amusement (indoor), furniture / home furnishings store, gymnastics/ dance studio, health / fitness center, museum / art gallery, restaurant (without drive-thru / drive-in service), retail store and shops, retail service incidental use, and theatre.

#### **(2) Regulations**

- (a) **Maximum Number of units:** 435 multi-family units
- (b) **Size of Yards:**

- (i) **Minimum Front Yard** — 50 feet along rights-of-way.
- (ii) **Minimum Side Yard** — 25 feet
- (iii) **Minimum Rear Yard** — 25 feet
- (c) **Size of Lots:**
  - a. **Minimum Lot Area** — one acre.
  - b. **Minimum Lot Width** — 100 feet.
  - c. **Minimum Lot Depth** — 150 feet.
- (d) **Minimum Dwelling Area:**
  - (i) **One or two bedroom** – 850 square feet
  - (ii) **Additional bedrooms** – 150 square feet per additional bedroom.
- (e) **Minimum Height:** Three (3) stories.
- (f) **Maximum Height:** Five (5) stories.
- (g) **Lot Coverage:** 80 percent.
- (h) **Minimum Open Space:** 30 percent. Open space does not need to be located on each multifamily lot and can be consolidated with the overall district.
- (i) **Parking:** minimum 1.7 spaces per unit.

## 2 SECTION 2: RETAIL SUB-DISTRICT

### 2.1 Retail District

#### (1) General Description

- (a) The Retail District is established to provide locations for various types of general retail and service uses for one or more neighborhoods. Developments within a Retail District should utilize established landscape and buffering requirements.

#### (2) Regulations

##### (a) Size of Yards:

- (i) **Minimum Front Yard** — 30 feet.
- (ii) **Minimum Side Yard:**
  - a. Fifteen feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.
  - b. Thirty feet for a one story building adjacent to a residential district and 60 feet for a two-story building adjacent to a residential district.
  - c. Thirty feet adjacent to a street.
- (iii) **Minimum Rear Yard:**
  - a. Fifteen feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.



- b. Thirty feet for a one story building adjacent to a residential district and 60 feet for a two-story building adjacent to a residential district.

**(b) Size of Lots:**

- a. **Minimum Size of Lot Area** — 10,000 square feet.
- b. **Minimum Lot Width** — 100 feet.
- c. **Minimum Lot Depth** — 100 feet.

**(c) Maximum Height:** Two (2) stories.

**(d) Lot Coverage:** 40 percent.

**(e) Floor Area Ratio (FAR):** Maximum 0.8:1.

**(f) Minimum Open Space:** Seven (7) percent and can be consolidated with overall district

**(g) Landscape Buffer**

- Landscape buffer should follow Town Ordinance.

**(3) Hotel Regulations**

**(a) Hotel, Full Service.** Full Service Hotel developments shall be subject to the following development standards:

- (i) External balconies and walkways shall be set back 200 feet from any residential zoning district in place at the time of this ordinance's approval.
- (ii) Shall provide management staff on-site 24 hours a day.
- (iii) Shall provide at least four amenities from the list below:
  - Indoor/outdoor pool
  - Spa/Sauna
  - Weight Room/Fitness Center
  - Playground
  - Sports Court
  - Game Room
  - Jogging Trail
- (iv) Shall provide a full service restaurant offering three meals a day.
- (v) Shall provide a minimum total of 10,000 square feet of meeting/event space.
- (vi) No more than 5% of the total number of guest rooms shall have cooking facilities.
- (vii) All room units must be accessed through an internal hallway, lobby or courtyard.
- (viii) Hotel building height:
  - i. Minimum: four (4) stories
  - ii. Maximum: eight (8) stories

### Permitted Uses on the Property

The following business establishments shall be permitted on the Property: Items listed are allowed by right; Designation by, (S) - permitted by special use permit.

<b>Schedule of Permitted Business Establishments</b>	
<b>Neighborhood District:</b>	
	Townhome
	Multifamily
	Mobile food vendor
	Park or playground
<b>Retail District:</b>	
	<b>Administrative, medical, insurance or professional office</b>
	<b>Alcoholic Beverage Sales</b>
	<b>Antique shop</b>
	<b>Assisted Care or Living Facility</b>
	<b>Automobile paid parking lot/garage</b>
	<b>Automobile parking lot garage</b>
	<b>Bank, savings and loan, or credit union</b>
	<b>Beauty salon / Barber shop as an incidental use</b>
	<b>Big box</b>
	<b>Business service</b>
	<b>Catering business</b>
	<b>Childcare center, incidental (care of children of employees in the building)</b>
	<b>Commercial amusement, indoor (S)</b>
	<b>Farmers Market</b>
	<b>Food truck park (only for special events)</b>
	<b>Furniture, home furnishings and appliance store</b>
	<b>Government office</b>
	<b>Gymnastics /Dance studio</b>
	<b>Health / Fitness center</b>
	<b>Hotel, full service</b>
	<b>House of worship</b>
	<b>Meeting / banquet / reception facility</b>
	<b>Mobile food vendor</b>
	<b>Multifamily</b>
	<b>Museum / art gallery</b>
	<b>Park or playground</b>
	<b>Print shop, minor</b>

<b>Restaurant without drive-thru or drive in service</b>
<b>Restaurant with drive through service (S)</b>
<b>Retail stores and shops</b>
<b>Retail /service incidental use</b>
<b>School, private or parochial</b>
<b>School, public</b>
<b>Theater, neighborhood</b>
<b>Theater, regional</b>
<b>Veterinary clinic and/or kennel, indoor</b>
<b>Wireless communications and support structures (cell tower)</b>

### **3 SECTION 3: BUILDING DESIGN STANDARDS**

The Building Design Standards and Guidelines for the Bella Prosper District shall establish a coherent urban character and encourage enduring and attractive development, ensuring the preservation, sustainability, and visual quality of this unique environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scale spaces. The key design principles are:

- a. New buildings should utilize building elements and details to achieve a pedestrian-oriented public realm.
- b. Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
- c. Building facades should include appropriate architectural details and ornamentation to create variety and interest.
- d. Open space(s) should be incorporated to provide usable public areas integral to the urban environment.

#### **3.1 General to all Sub-Districts or Tracts**

##### **(1) Building Height**

- (a) Maximum Building Height: Varies. See each land use district.
- (b) Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plan is no greater than 20% of the first-floor footprint may exceed the height limits by up to twenty (20) feet.
- (c) Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building

height, provided that: 1.) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2.) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-way, measured at six (6) feet above finish grade at the Fire, Access, Utility, and Drainage Easement Line.

**(2) Minimum Building Height by use type:**

- (a)** Office: two (2) stories.
- (b)** Multifamily: three (3) stories.
- (c)** Townhome: two (2) stories.
- (d)** Hotel: four (4) stories.
- (e)** Retail/Restaurant: one (1) story.

**3.2 Office Design Standards**

- (1)** The ground floor condition for office shall have a minimum of 12 feet ceiling and 14 foot floor to floor.
- (2)** Decorative or enhanced concrete tilt wall shall be a permitted material for up to sixty percent (60%) of any façade.

**3.3 Design of Parking Structures**

- (1)** Above-grade parking structure facades along all rights-of-way shall be designed with both vertical (façade rhythm of 20 feet to 30 feet) and horizontal (aligning with horizontal elements along the block) articulation.
- (2)** Where above-grade structured parking is located at the perimeter of a building with frontage along any right-of-way, openings in their facades shall not exceed 55% of the façade area. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings. Screening may be achieved through the use of louvered, solid or opaque vertical screening elements. Permitted materials shall be metal, glass, pre-cast concrete, masonry or concrete block.
- (3)** When parking structures are located at corners, corner architectural elements shall be incorporated such as corner entrance, signage, glazing and vertical elements that accentuate the parking structure's vertical circulation.
- (4)** Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.
- (5)** Parking structure ramps shall not be directly fronting any right-of-way.
- (6)** Parking Structure Height: No parking structure shall be taller than the primary building it serves.



### **3.4 Roof Form**

- (1) Buildings shall have simple, flat fronts with minimal articulations with flat or low-pitched roofs (2.5:12 or lower) with parapets. Corner hip roof elements and gable accents at the parapet may be permitted. Projecting mansard roofs shall not be permitted.

### **3.5 Façade Composition**

- (1) Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- (2) Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper-level uses may be defined and integrated into the design of the overall building facade.
- (3) Buildings shall generally maintain the alignment of horizontal elements along the block.
- (4) Corner emphasizing architectural features, pedimented parapets, cornices, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.
- (5) Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered as feature buildings. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is offset from the front wall planes and goes above the main building eave or parapet line.

### **3.6 Windows and Doors**

- (3) Windows and doors on right-of-way fronting facades (except alleys) shall be designed to be proportional and appropriate to the architectural style of the building. First floor windows shall NOT be opaque, tinted or mirrored glass.
- (4) All ground floor front facades of buildings along rights-of-way or Open Space shall have transparent storefront windows covering no less than 30% of the façade area.
- (5) Upper floors along rights-of-way shall feature at least 20% transparent windows in each façade. Single tenant retail that are greater than 20,000 sf shall have no less than 20% along their primary front facade.
- (6) Windows and doors may require fire ratings depending upon separation per IBC/IFC.

### **3.7 Building Entries:**

- (1) Main building entries shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.

- (2) Each building and separate lease space at-grade along the street edge shall have a functioning primary entry from the sidewalk. Corner entries may count as a primary entry for both intersecting street fronts.

### **3.8 Awnings, Canopies, Arcades & Overhangs:**

- (1) Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.
- (2) The material of awnings and canopies shall be architectural materials that complement the building.
- (3) Awnings shall not be internally illuminated.
- (4) Canopies should not exceed one hundred (100) linear feet without a break of at least five (5) feet.
- (5) Canopies and awnings shall respect the placement of street trees and lighting.

### **3.9 Building Articulation:**

- (1) That portion of the building where retail or service uses take place on the first floor shall be accentuated by including awnings or canopies, different building materials, or architectural building features.
- (2) Building facades fronting both streets and driveways should have massing changes and architectural articulation to provide visual interest and texture and reduce large areas of undifferentiated building facades. Design articulation should employ changes in volume and plane. Architectural elements and moldings that break up the mass of the building are encouraged.

### **3.10 Building Materials**

- (1) Brick, natural and manufactured stone, curtain wall and window wall glazing, and cementitious panel system shall be considered primary materials. Primary materials shall comprise of at least 75% of each elevation, exclusive of doors and windows. Where cementitious panel is applied, it shall be limited to no more than 50% of a building's material. Non-primary, or secondary materials, may include three-coat system stucco, resin-impregnated wood panel system, clapboard siding and metal panel systems.
- (2) Where multifamily is concerned, primary materials shall be limited to brick, natural and manufactured stone, and cementitious panel system.
- (3) Only primary building materials are allowed on the first floor, with the exception of cementitious panels, plus metal panel systems for non-residential uses. For purposes of this section, the first floor shall be at least fourteen (14) feet high and, at a minimum 90% shall be constructed of masonry cladding.
- (4) All buildings shall be architecturally finished on all sides with articulation, detailing and features.
- (5) Roofing materials visible from any street shall be copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

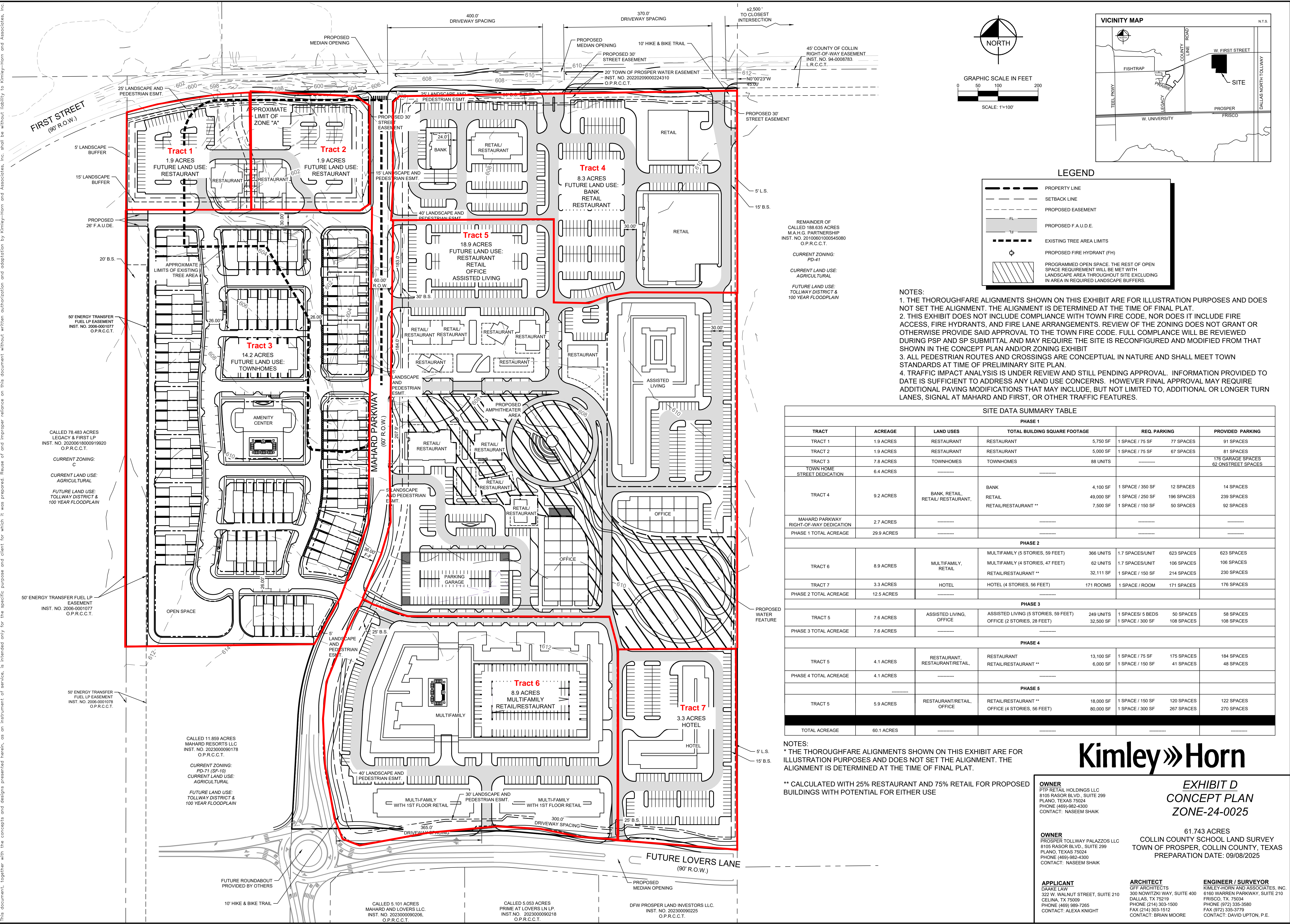
### **3.11 Projections into Setbacks and/or Rights-of-Way:**

The following projections shall be permitted into a Fire, Access, Utility, and Drainage Easement as allowed below, provided that 1.) no projection shall be permitted into a building setback; 2.) such projections do not extend over public rights-of-way; 3.) the property owner has assumed liability related to such projections; 4.) the property owner shall maintain such projection in a safe and non-injurious manner; 5.) no projections allowed over franchise utility corridors unless the projection is thirteen and one half (13.5) feet above finished grade; and 6.) no projections allowed over public utility where located within a fire lane or public utility easement.

- (1)** Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to twenty-four (24) inches beyond a building face or architectural projection into the setback, but not the Fire, Access, Utility, and Drainage Easement.
- (2)** Business signs and roof eaves may project up to ten (10) feet beyond the building face or architectural projection into the setback, but not the Fire, Access, Utility, and Drainage Easement.
- (3)** Architectural projections, including balconies, bays, towers, and oriels; show windows (1<sup>st</sup> floor only); below grade vaults and areaways; and elements of a nature similar to those listed; may project up to ten (10) feet beyond the building face into the setback, but not the Fire, Access, Utility, and Drainage Easement.
- (4)** Canopies and/or awnings may project from the building face over the entire setback. Additionally, they may be extended into the Fire, Access, Utility, and Drainage Easement to be within eight (8) inches of the back of curb if used to provide a covered walkway to a building entrance and as long as any canopy/awning support is no closer than twenty-four (24) inches from the back of curb and does not extend over any fire lane or public utility easement.



Plotted By: Loosley, Ryan Date: September 08, 2025 03:01:13pm File Path: K:\FRL\06\08303300-Prosper 60-Acre Tract\CAD\PlanSheets\VC-PD-Exhibit D.dwg This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SITE DATA SUMMARY TABLE					
PHASE 1					
TRACT	ACREAGE	LAND USES	TOTAL BUILDING SQUARE FOOTAGE	REQ. PARKING	PROVIDED PARKING
TRACT 1	1.9 ACRES	RESTAURANT	RESTAURANT	1 SPACE / 75 SF	77 SPACES
TRACT 2	1.9 ACRES	RESTAURANT	RESTAURANT	1 SPACE / 75 SF	67 SPACES
TRACT 3	7.8 ACRES	TOWNHOMES	TOWNHOMES		176 GARAGE SPACES 62 ONSTREET SPACES
TOWN HOME STREET DEDICATION	6.4 ACRES				
TRACT 4	9.2 ACRES	BANK, RETAIL, RETAIL/ RESTAURANT,	BANK RETAIL RETAIL/RESTAURANT **	1 SPACE / 350 SF 1 SPACE / 250 SF 1 SPACE / 150 SF	12 SPACES 196 SPACES 50 SPACES
MAHARD PARKWAY RIGHT-OF-WAY DEDICATION	2.7 ACRES				
PHASE 1 TOTAL ACREAGE	29.9 ACRES				
PHASE 2					
TRACT 6	8.9 ACRES	MULTIFAMILY, RETAIL	MULTIFAMILY (5 STORIES, 59 FEET) MULTIFAMILY (4 STORIES, 47 FEET) RETAIL/RESTAURANT **	1.7 SPACES/UNIT 1.7 SPACES/UNIT 1 SPACE / 150 SF	623 SPACES 106 SPACES 230 SPACES
TRACT 7	3.3 ACRES	HOTEL	HOTEL (4 STORIES, 56 FEET)	1 SPACE / ROOM	171 SPACES
PHASE 2 TOTAL ACREAGE	12.5 ACRES				
PHASE 3					
TRACT 5	7.6 ACRES	ASSISTED LIVING, OFFICE	ASSISTED LIVING (5 STORIES, 59 FEET) OFFICE (2 STORIES, 28 FEET)	1 SPACES/ 5 BEDS 1 SPACE / 300 SF	50 SPACES 108 SPACES
PHASE 3 TOTAL ACREAGE	7.6 ACRES				
PHASE 4					
TRACT 5	4.1 ACRES	RESTAURANT, RESTAURANT/RETAIL,	RESTAURANT RETAIL/RESTAURANT **	1 SPACE / 75 SF 1 SPACE / 150 SF	175 SPACES 41 SPACES
PHASE 4 TOTAL ACREAGE	4.1 ACRES				
PHASE 5					
TRACT 5	5.9 ACRES	RESTAURANT/RETAIL, OFFICE	RETAIL/RESTAURANT ** OFFICE (4 STORIES, 56 FEET)	1 SPACE / 150 SF 1 SPACE / 300 SF	120 SPACES 267 SPACES
TRACT 5	5.9 ACRES	RESTAURANT/RETAIL, OFFICE	RETAIL/RESTAURANT ** OFFICE (4 STORIES, 56 FEET)	1 SPACE / 150 SF 1 SPACE / 300 SF	120 SPACES 267 SPACES
TOTAL ACREAGE	60.1 ACRES				

**NOTES:**

\* THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF FINAL PLAT.

\*\* CALCULATED WITH 25% RESTAURANT AND 75% RETAIL FOR PROPOSED BUILDINGS WITH POTENTIAL FOR EITHER USE

**OWNER**  
PTP RETAIL HOLDINGS LLC  
8105 RASOR BLVD., SUITE 299  
PLANO, TEXAS 75024  
PHONE: (469) 989-7265  
CONTACT: NASEEM SHAIK

**OWNER**  
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PLANO, TEXAS 75024  
PHONE: (469) 989-7265  
CONTACT: NASEEM SHAIK

**APPLICANT**  
DRAKE LAW  
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CELINA, TX 75009  
PHONE: (214) 303-1500  
CONTACT: ALEXA KNIGHT

**ARCHITECT**  
GFF ARCHITECTS  
300 NOWITZKI WAY, SUITE 400  
DALLAS, TX 75219  
PHONE: (214) 303-1500  
FAX: (214) 303-1512  
CONTACT: BRIAN MOORE

**ENGINEER / SURVEYOR**  
KIMLEY-HORN AND ASSOCIATES, INC.  
6160 WARREN PARKWAY, SUITE 210  
FRISCO, TX 75034  
PHONE: (972) 335-3580  
FAX: (972) 335-3779  
CONTACT: DAVID UPTON, P.E.

**EXHIBIT D**  
**CONCEPT PLAN**  
**ZONE-24-0025**

61.743 ACRES  
COLLIN COUNTY SCHOOL LAND SURVEY  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS  
PREPARATION DATE: 09/08/2025

**Kimley»Horn**  
© 2025, KIMLEY-HORN AND ASSOCIATES, INC.  
6160 WARREN PARKWAY, SUITE 210, FRISCO, TX 75034  
PHONE: 972-335-3580  
WWW.KIMLEY-HORN.COM  
TEXAS REGISTERED ENGINEERING FIRM F-928

**REVISIONS**

No.	REVISIONS	DATE

**EXHIBIT D**  
**CONCEPT PLAN**

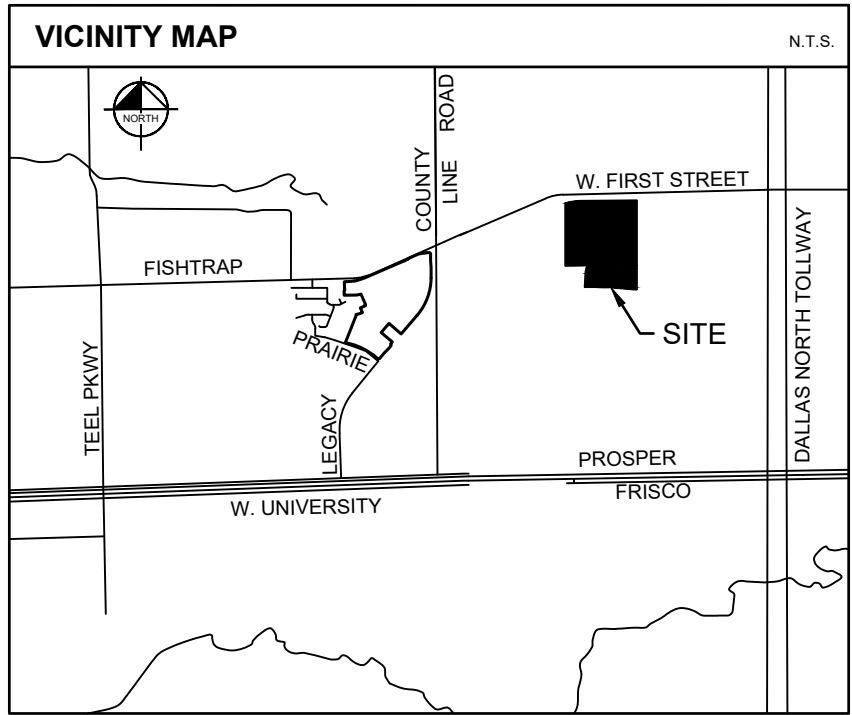
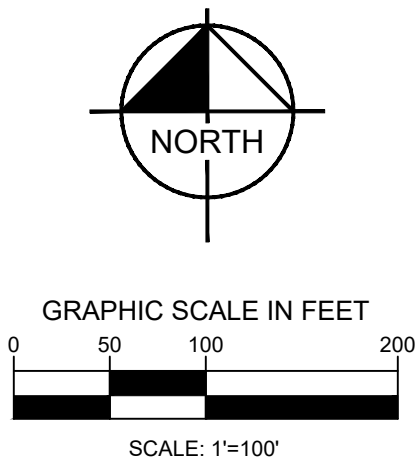
**BELLA PROSPER**  
**TOWN OF PROSPER, TEXAS**

**SCALE**  
AS SHOWN  
DESIGNED BY  
DCU  
DRAWN BY  
DCU  
CHECKED BY  
CAK

**DATE**  
09/08/25  
**PROJECT NO.**  
068303300



**FUTURE LAND USE:  
TOLLWAY DISTRICT &  
100 YEAR FLOODPLAIN**



A rectangle is divided into four congruent right triangles by two parallel diagonal lines. The triangles are arranged such that their hypotenuses form the two parallel lines, and their legs form the sides of the rectangle.

NEIGHBORHOOD  
SUB-DISTRICT

# RETAIL SUB-DISTRICT

# Kimley»»Horn

EXHIBIT D  
CONCEPT PLAN  
ZONE-24-0025

61.743 ACRES  
COLLIN COUNTY SCHOOL LAND SURVEY  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS  
PREPARATION DATE: 09/08/2025

**OWNER**  
PTP RETAIL HOLDINGS LLC  
8105 RASOR BLVD., SUITE 2  
PLANO, TEXAS 75024  
PHONE (469)-982-4300  
CONTACT: NASEEM SHAIK

**OWNER**  
PROSPER TOLLWAY PALAZZOS LLC  
8105 RASOR BLVD., SUITE 299  
PLANO, TEXAS 75024  
PHONE (469)-982-4300  
CONTACT: NASEEM SHAIK

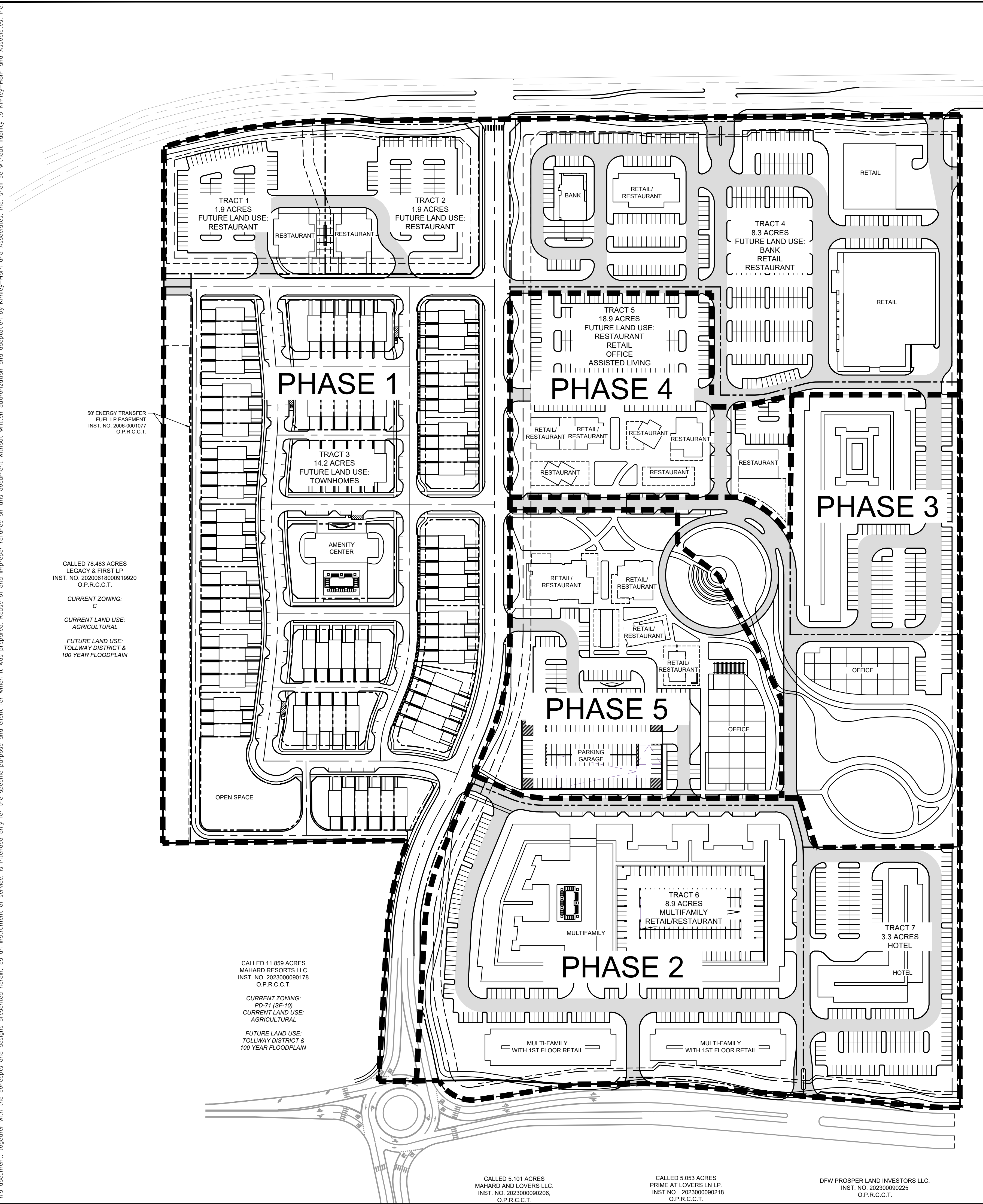
**APPLICANT**  
DAAKE LAW  
322 W. WALNUT STREET, SUITE 210  
CELINA, TX 75009  
PHONE (469) 989-7265  
CONTACT: ALEXA KNIGHT

**ARCHITECT**  
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FRISCO, TX. 75034  
PHONE (972) 335-3580  
FAX (972) 335-3779  
CONTACT: DAVID UPTON, P.E.

[illegible]





REMAINDER OF  
CALLED 188.635 ACRES  
M.A.H.G. PARTNERSHIP  
INST. NO. 20100601000545080  
O.P.R.C.C.T.

**CURRENT ZONING:**  
**PD-41**

CURRENT LAND USE:  
AGRICULTURAL

**FUTURE LAND USE:  
TOLLWAY DISTRICT &  
100 YEAR FLOODPLAIN**

SITE DATA SUMMARY TABLE							
PHASE 1							
TRACT	ACREAGE	LAND USES	TOTAL BUILDING SQUARE FOOTAGE		REQ. PARKING		PROVIDED PARKING
TRACT 1	1.9 ACRES	RESTAURANT	RESTAURANT	5,750 SF	1 SPACE / 75 SF	77 SPACES	91 SPACES
TRACT 2	1.9 ACRES	RESTAURANT	RESTAURANT	5,000 SF	1 SPACE / 75 SF	67 SPACES	81 SPACES
TRACT 3	7.8 ACRES	TOWNHOMES	TOWNHOMES	88 UNITS	-----		176 GARAGE SPACES 62 ONSTREET SPACES
TOWN HOME STREET DEDICATION	6.4 ACRES	-----	-----				
TRACT 4	9.2 ACRES	BANK, RETAIL, RETAIL/ RESTAURANT,	BANK	4,100 SF	1 SPACE / 350 SF	12 SPACES	14 SPACES
			RETAIL	49,000 SF	1 SPACE / 250 SF	196 SPACES	239 SPACES
			RETAIL/RESTAURANT **	7,500 SF	1 SPACE / 150 SF	50 SPACES	92 SPACES
MAHARD PARKWAY RIGHT-OF-WAY DEDICATION	2.7 ACRES	-----	-----				-----
PHASE 1 TOTAL ACREAGE	29.9 ACRES	-----			-----		-----
PHASE 2							
TRACT 6	8.9 ACRES	MULTIFAMILY, RETAIL	MULTIFAMILY (5 STORIES, 59 FEET)	366 UNITS	1.7 SPACES/UNIT	623 SPACES	623 SPACES
			MULTIFAMILY (4 STORIES, 47 FEET)	62 UNITS	1.7 SPACES/UNIT	106 SPACES	106 SPACES
			RETAIL/RESTAURANT **	32,111 SF	1 SPACE / 150 SF	214 SPACES	230 SPACES
TRACT 7	3.3 ACRES	HOTEL	HOTEL (4 STORIES, 56 FEET)	171 ROOMS	1 SPACE / ROOM	171 SPACES	176 SPACES
PHASE 2 TOTAL ACREAGE	12.5 ACRES	-----	-----				
PHASE 3							
TRACT 5	7.6 ACRES	ASSISTED LIVING, OFFICE	ASSISTED LIVING (5 STORIES, 59 FEET) OFFICE (2 STORIES, 28 FEET)	249 UNITS 32,500 SF	1 SPACES/ 5 BEDS 1 SPACE / 300 SF	50 SPACES 108 SPACES	58 SPACES 108 SPACES
PHASE 3 TOTAL ACREAGE	7.6 ACRES	-----	-----				
PHASE 4							
TRACT 5	4.1 ACRES	RESTAURANT, RESTAURANT/RETAIL,	RESTAURANT RETAIL/RESTAURANT **	13,100 SF 6,000 SF	1 SPACE / 75 SF 1 SPACE / 150 SF	175 SPACES 41 SPACES	184 SPACES 48 SPACES
PHASE 4 TOTAL ACREAGE	4.1 ACRES	-----	-----				
PHASE 5							
TRACT 5	5.9 ACRES	RESTAURANT/RETAIL, OFFICE	RETAIL/RESTAURANT ** OFFICE (4 STORIES, 56 FEET)	18,000 SF 80,000 SF	1 SPACE / 150 SF 1 SPACE / 300 SF	120 SPACES 267 SPACES	122 SPACES 270 SPACES
TOTAL ACREAGE	60.1 ACRES	-----	-----		-----		-----

NOTES:  
\* THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF FINAL PLAT.

\*\* CALCULATED WITH 25% RESTAURANT AND 75% RETAIL FOR PROPOSED BUILDINGS WITH POTENTIAL FOR EITHER USE

# Kimley»Horn

## OWNER

PTP RETAIL HOLDINGS LLC  
8105 RASOR BLVD., SUITE 299  
PLANO, TEXAS 75024  
PHONE: (469)-982-4300  
CONTACT: NASEEM SHAIK

## OWNER

PROSPER TOLLWAY PALAZZOS LLC  
8105 RASOR BLVD., SUITE 299  
PLANO, TEXAS 75024  
PHONE: (469)-982-4300  
CONTACT: NASEEM SHAIK

## APPLICANT

DAAKE LAW  
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CELINA, TX 75009  
PHONE: (469) 989-7265  
CONTACT: ALEXA KNIGHT

## ARCHITECT

GFF ARCHITECTS  
300 NOWITZKI WAY, SUITE 400  
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PHONE: (214) 303-1500  
FAX: (214) 303-1512  
CONTACT: BRIAN MOORE

## ENGINEER / SURVEYOR

KIMLEY-HORN AND ASSOCIATES, INC.  
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PHONE: (972) 335-3580  
FAX: (972) 335-3778  
CONTACT: DAVID UFTON, P.E.

## EXHIBIT D CONCEPT PLAN ZONE-24-0025

61.743 ACRES  
COLLIN COUNTY SCHOOL LAND SURVEY  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS  
PREPARATION DATE: 09/08/2025

[illegible]





**ZONE-24-0025**  
**EXHIBIT E**  
**DEVELOPMENT SCHEDULE**

Below is the anticipated project schedule for the proposed Bella Prosper development in accordance with the Town's submittal checklist. This schedule is conceptual and subject to change based on permitting, entitlements, and market conditions.

Zoning approved – May 2025  
Civil design (first phase) – 2025 – 2026  
Civil construction – 2026-2027  
Building design – 2026-2027  
Building construction 2027-2035

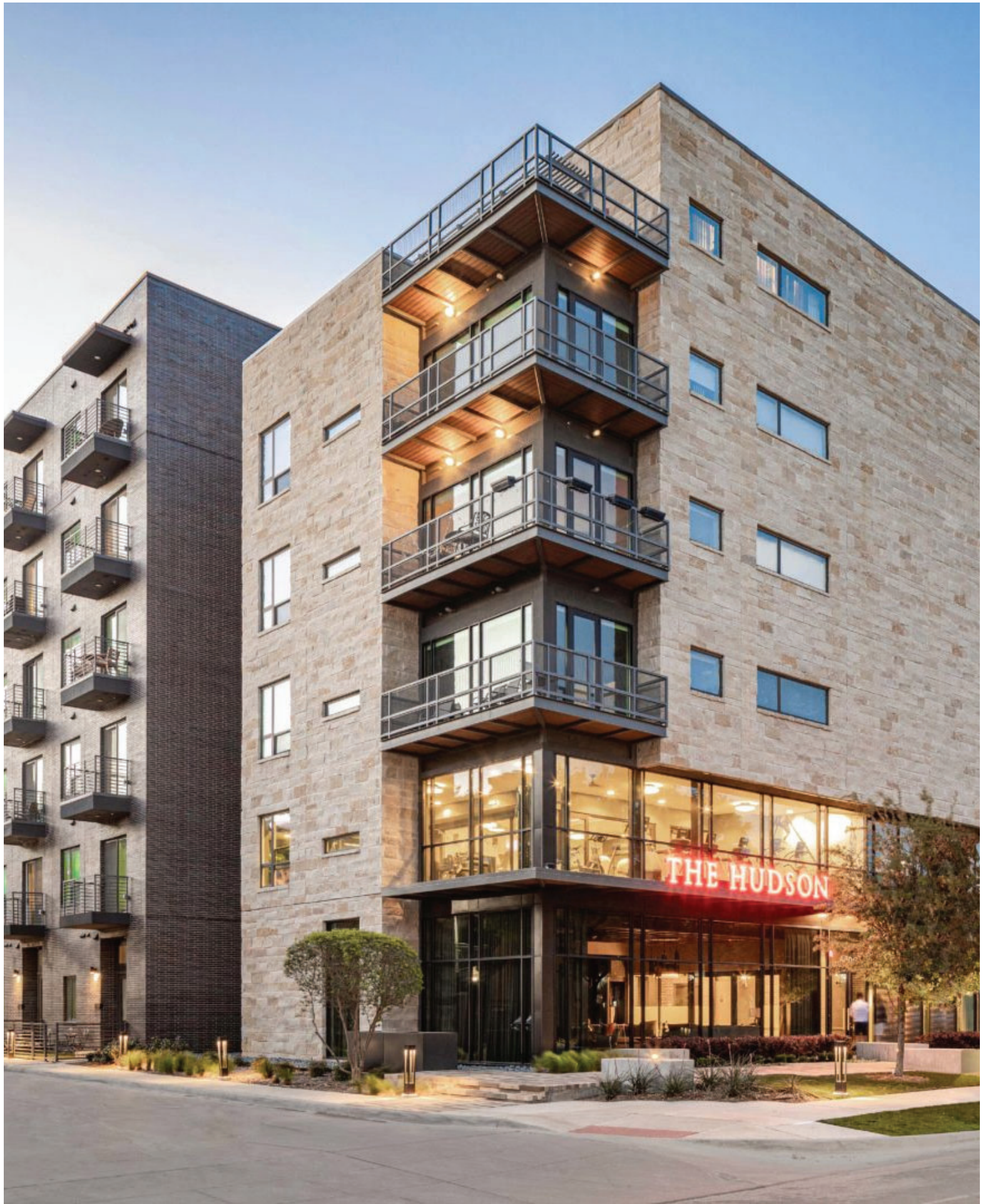


# Zone-24-0025 | Exhibit F: Elevations



































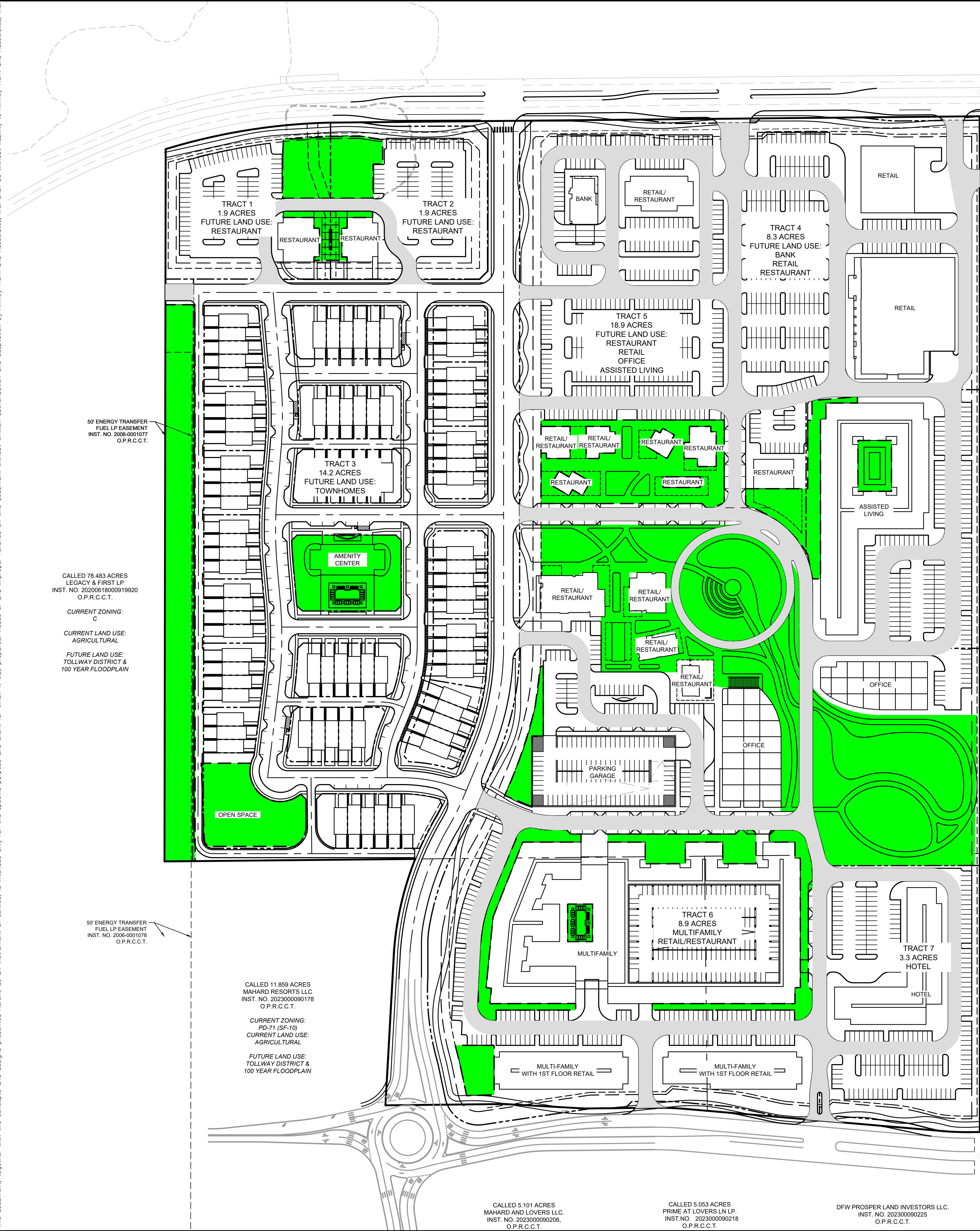




Thank You

Plotted By: Loosley, Ryan Date: September 04, 2025 05:32:23pm File Path: K:\NRI\Civil\N068303300-Prosper 60-Acre Tract\CAD\PlanSheets\G-PD Exhibit D.dwg

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

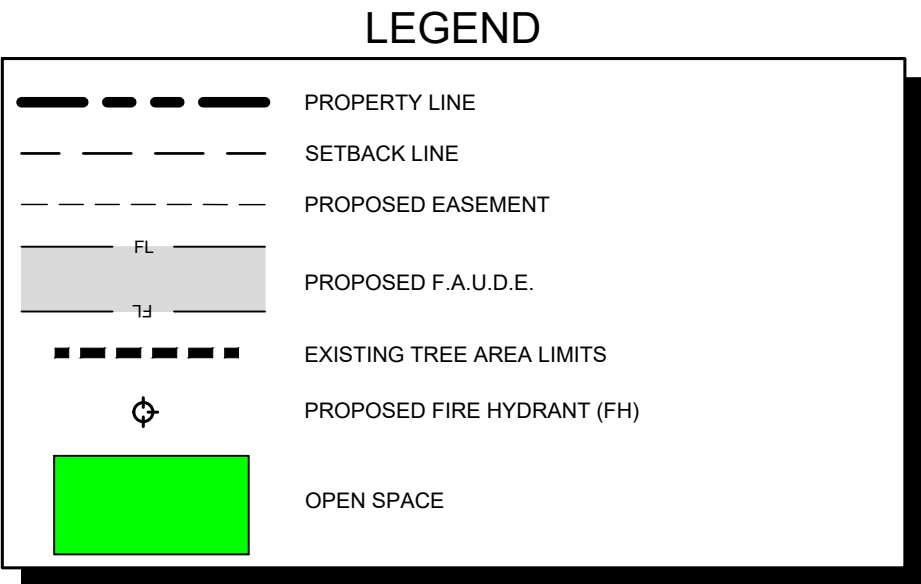
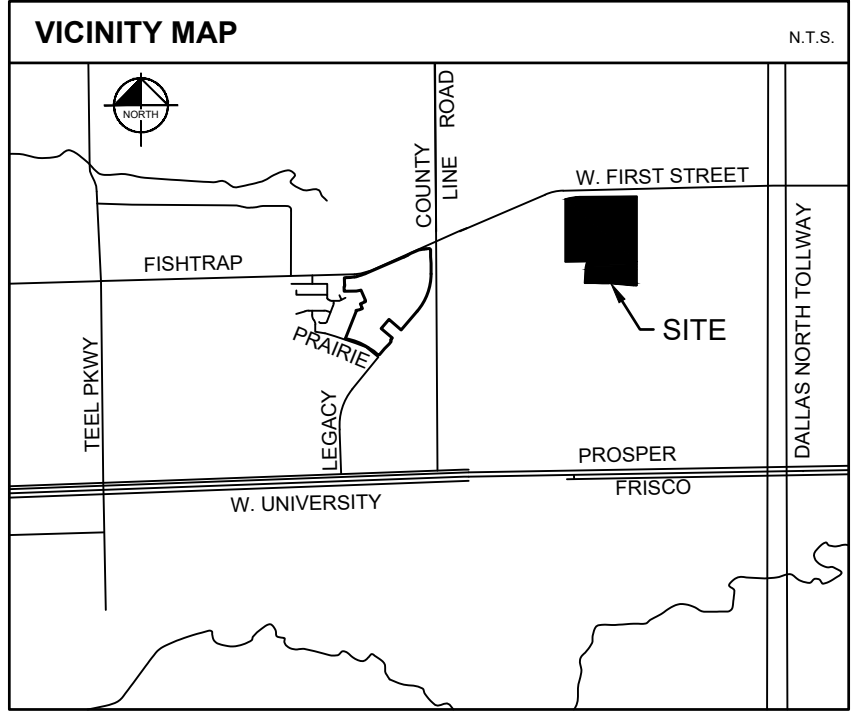
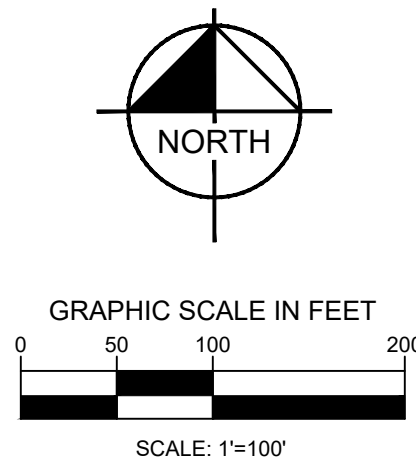


REMAINDER OF  
CALLED 188.635 ACRES  
M.A.H.G. PARTNERSHIP  
INST. NO. 20100601000545080  
O.P.R.C.C.T.

CURRENT ZONING:  
PD-41

CURRENT LAND USE:  
AGRICULTURAL

FUTURE LAND USE:  
TOLLWAY DISTRICT &  
100 YEAR FLOODPLAIN



OPEN SPACE SUMMARY TABLE				
TRACT	LAND AREA (SF)	LAND USES	REQUIRED O.S. (SF%)	PROVIDED O.S. (SF%)
TRACT 1	83,207	RESTAURANT	5,824 / 7%	12,960 / 15%
TRACT 2	82,587	RESTAURANT	5,781 / 7%	12,960 / 15%
TRACT 4	362,805	BANK, RETAIL, RESTAURANT	25,396 / 7%	-----
TRACT 5	642,678	RETAIL, RESTAURANT, OFFICE	44,988 / 7%	250,233 / 39%
TRACT 5	156,714	ASSITED LIVING	47,014 / 30%	14,736 / 9%
TRACT 6	386,544	MULTIFAMILY	115,963 / 30%	40,402 / 30%
TRACT 7	144,852	HOTEL	10,139 / 7%	-----
TOTAL	1,859,387	-----	255,195	331,291 / 18%
TRACT 3	396,378	TOWN HOMES	79,276 / 20%	109,773 / 28%

Kimley»Horn

**OWNER**  
PTP RETAIL HOLDINGS LLC  
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PLANO, TEXAS 75024  
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CONTACT: NASEEM SHAIK

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PHONE: (469) 982-4300  
CONTACT: NASEEM SHAIK

**APPLICANT**  
DRAKE LAW  
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CONTACT: ALEXA KNIGHT

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FAX: (972) 335-3779  
CONTACT: DAVID UPTON, P.E.

Exhibit G  
Open Space Plan  
ZONE-24-0025

61.743 ACRES  
COLLIN COUNTY SCHOOL LAND SURVEY  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS  
PREPARATION DATE: 09/04/2025

**Kimley»Horn**  
© 2025, KIMLEY-HORN AND ASSOCIATES, INC.  
6160 WARREN PARKWAY, SUITE 210, FRISCO, TX 75034  
PHONE: 972-335-3580  
WWW.KIMLEY-HORN.COM  
TEXAS REGISTERED ENGINEERING FIRM F-928

**PROJECT NO.**  
068303300

**REVISIONS**

No.	REVISIONS	DATE

**SCALE**  
AS SHOWN  
DESIGNED BY  
DCU  
DRAWN BY  
DCU  
CHECKED BY  
CAK

**Exhibit G  
OPEN SPACE PLAN**

**BELLA PROSPER  
TOWN OF PROSPER, TEXAS**

DATE  
09/04/25

PROJECT NO.  
068303300



## **BELLA PROSPER DEVELOPMENT AGREEMENT**

**THIS BELLA PROSPER DEVELOPMENT AGREEMENT** (“Agreement”) is entered into by and between the Town of Prosper, Texas (“Town”), and Prosper Tollway Palazzos, LLC and PTP Retail Holdings, LLC (“Developer”), individually, a “Party” and collectively, the “Parties,” to be effective (the “Effective Date”) on the latest date executed by a Party.

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

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

**WHEREAS**, the Property was rezoned by the Town Council on or about \_\_\_\_\_, 2025, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer’s reasonable investment-backed expectations in said development, as may be amended, and as more fully described herein.

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

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

**2. Maintenance of Landscape Areas.**

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

Landscape Areas, where required, and other routine and regular maintenance of plants and other vegetation.

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

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

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

**4. Covenant Running with the Land.** The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall



be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

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

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

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

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

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

If to Developer:       Proper Tollway Palazzos & PTP Retail Holdings  
                                  8105 Rasor Boulevard, Ste. 299  
                                  Plano, Texas 33067  
                                  Attention: Naseem Shaik

**9. Prevailing Party.** In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the



prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

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

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

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

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

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

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

**16. Notification of Sale or Transfer; Assignment of Agreement.** Developer shall notify the Town in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the Town, but upon written notice to the Town) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will



become a Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. A copy of each assignment shall be provided to the Town within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon receipt of the assignment by the Town. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

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

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

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

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

**21. Amendment.** This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

**22. Miscellaneous Drafting Provisions.** This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall



be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

**23. Waiver of Texas Government Code § 3000.001 et seq.** With respect to any and all Structures to be constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

**24. Third-Party Beneficiaries.** Nothing in this Agreement shall be construed to create any right in any Third-Party not a signatory to this Agreement, and the Parties do not intend to create any third-party beneficiaries by entering into this Agreement.

**25. Rough Proportionality.** Developer hereby agrees that any land or property donated and/or dedicated pursuant to this Agreement, whether in fee simple or otherwise, to the Town relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the Town further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of roadway services to the Property.

**26. Exactions/Infrastructure Costs.** Developer has been represented by legal counsel in the negotiation of this Agreement and been advised or has had the opportunity to have legal counsel review this Agreement and advise Developer, regarding Developer's rights under Texas and federal law. Developer hereby waives any requirement that the Town retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions required by the Town are roughly proportional or roughly proportionate to the proposed development's anticipated impact. Developer specifically reserves its right to appeal the apportionment of municipal infrastructure costs in accordance with § 212.904 of the Texas Local Government Code; however, notwithstanding the foregoing, Developer hereby releases the Town from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

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



**TOWN:**

**THE TOWN OF PROSPER, TEXAS**

By: \_\_\_\_\_

Name: Mario Canizares

Title: Town Manager, Town of Prosper

**STATE OF TEXAS            )**

**)**

**COUNTY OF COLLIN        )**

      This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2025, by Mario Canizares, Town Manager of the Town of Prosper, Texas, on behalf of the Town of Prosper, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires:

\_\_\_\_\_



**DEVELOPER:**

**PROSPER TOLLWAY PALAZZOS, LLC  
PTP RETAIL HOLDINGS, LLC**

By: \_\_\_\_\_

Name: Naseem Shaik

Title: \_\_\_\_\_

**STATE OF TEXAS            )**

**)**

**COUNTY OF COLLIN        )**

        This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2025, by Naseem Shaik on behalf of Prosper Tollway Palazzos, LLC and PTP Retail Holdings, LLC, known to be the person whose name is subscribed to the foregoing instrument, and that he executed the same on behalf of and as the act of Developer.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires:

\_\_\_\_\_

**EXHIBIT A**  
**(Property Description & Depiction)**

**ZONE 24-0025**

**EXHIBIT A-1: WRITTEN METES AND BOUNDS**

**BEING** a tract of land situated in the Collin County School Land Survey, Abstract No. 147, Town of Prosper, Collin County, Texas, and being all of a called 48.090 acre tract of land described in a Special Warranty Deed with Vendor's Lien to Prosper Prairie LLC, as recorded in Instrument No. 2023000090239 of the Official Public Records of Collin County, Texas, being all of a called 6.217 acre tract of land described as Tract 1 and all of a called 5.875 acre tract of land described as Tract 2 in a Special Warranty Deed with Vendor's Lien to PTP Retail Holdings LLC, as recorded in Instrument No. 2023000113173 of the Official Public Records of Collin County, Texas, and being a portion of a called 1.686-acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, recorded in Instrument No. 20220209000224300, said Official Public Records, same being a portion of First Street (Country Road No. 3), a variable width right of way, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for the southwest corner of said 48.090 acre tract, common to the northwest corner of a called 11.859 acre tract of land as described in a deed to Mahard Resorts LLC, as recorded in Instrument No. 2023000090178 of the Official Public Records of Collin County, Texas, same being on the easterly line of a called 78.483 acre tract of land as described in a Special Warranty Deed with Vendor's Lien to Legacy and First LP, as recorded in Instrument No. 20200618000919920 of the Official Public Records of Collin County, Texas;

**THENCE** North 00°05'43" East, along the westerly line of said 50.02 acre tract and the easterly line of said 78.483 acre tract, passing at a distance of 1331.33 feet the southwest corner of said 1.686 acre tract on the southerly right of way line of said First Street, and continuing along the same course, along the westerly line of said 1.686 acre tract and crossing said First Street, for a total distance of 1378.32 feet to a point for corner in the centerline of said First Street, and at the beginning of a non-tangent curve to the right with a radius of 1,190.00 feet, a central angle of 15°11'21", and a chord bearing and distance of North 81°17'10" East, 314.55 feet, from which, a 1/2 iron rod with busted plastic cap found for the northwest corner of said 1.686 acre tract bears North 00°05'43" East, 44.60 feet;

**THENCE** in an easterly direction departing the westerly line of 1.686 acre tract, along the centerline of said First Street and crossing said 1.686 acre tract, with said non-tangent curve to the right, an arc distance of 315.47 feet to a point for corner on the northerly line of said 1.686 acre tract and the southerly line of a called 1.325 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211228002596420 of the Official Public Records of Collin County, Texas;

**THENCE** North 89°26'15" East, along the northerly line of said 1.686 acre tract and the southerly line of said 1.325 acre tract, and continuing along the centerline of said First Street, a distance of 1210.98 feet to 1/2 inch iron rod found for the northeast corner of said 1.686 acre tract, common to the southeast corner of said 1.325 acre tract, the southwest corner of a called 1.377 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211228002596590 of the Official Public Records of Collin County,



Texas, and the northwest corner of a called 1.377 acre tract of land described in a Right of Way Deed to Town of Prosper, Texas, as recorded in Instrument No. 20211015002111910 of the Official Public Records of Collin County, Texas;

**THENCE** South 00°00'23" East, departing the centerline of said First Street, along the easterly line of said 1.686 acre tract, the easterly line of said 48.090 acre tract, the easterly line of said Tract 2, the westerly line of said 1.377 acre tract and the westerly line of a called 188.635 acre tract of land described in a Trustee's Deed and Bill of Sale to M.A.H.G. Partnership, as recorded in Instrument No. 20100601000545080 of the Official Public Records of Collin County, Texas, a distance of 1943.66 feet to the southeast corner of said Tract 2, from which, a 1/2 inch iron rod with plastic cap stamped "RPLS 6677" found for witness bears South 77°06' East, a distance of 0.24 feet;

**THENCE** South 89°22'36" West, departing the westerly line of said 188.635 acre tract and along the southerly line of said Tract 2, a distance of 19.32 feet to a point at the beginning of a tangent curve to the right with a radius of 505.00 feet, a central angle of 05°32'47", and a chord bearing and distance of North 87°51'01" West, 48.87 feet;

**THENCE** in a westerly direction continuing along the southerly line of said Tract 2, with said tangent curve to the right, an arc distance of 48.89 feet to a point for corner;

**THENCE** North 85°04'37" West, continuing along the southerly line of said Tract 2 and along the southerly line of said Tract 1, a distance of 484.73 feet to a point at the beginning of a tangent curve to the left with a radius of 595.00 feet, a central angle of 05°32'47", and a chord bearing and distance of North 87°51'01" West, 57.58 feet;

**THENCE** in a westerly direction continuing along the southerly line of said Tract 1, with said tangent curve to the left, an arc distance of 57.60 feet to a point for corner;

**THENCE** South 89°22'36" West, continuing along the southerly line of said Tract 1, a distance of 130.29 feet to a point for corner;

**THENCE** North 86°48'19" West, continuing along the southerly line of said Tract 1, a distance of 150.32 feet to a point for corner;

**THENCE** South 89°22'35" West, continuing along the southerly line of said Tract 1, a distance of 222.35 feet to a point for the southwest corner of said Tract 1, being on the easterly line of a called 11.859 acre tract of land described in a deed to Mahard Resorts LLC, as recorded in Instrument No. 2023000090178 of the Official Public Records of Collin County, Texas;

**THENCE** North 03°10'52" East, along the westerly line of said Tract 1 and the easterly line of said 11.859 acre tract, a distance of 287.00 feet to a point at the beginning of a non-tangent curve to the right with a radius of 580.00 feet, a central angle of 17°41'25", and a chord bearing and distance of North 12°54'09" East, 178.37 feet;

**THENCE** in a northerly direction continuing along the westerly line of said Tract 1 and the easterly line of said 11.859 acre tract, with said non-tangent curve to the right, an arc distance





**EXHIBIT B**  
**(Building Design and Materials)**

Building Design Standards.

- i. The Building Design Standards and Guidelines for the Bella Prosper District shall establish a coherent urban character and encourage enduring and attractive development, ensuring the preservation, sustainability, and visual quality of this unique environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scale spaces. The key design principles are:
  1. The conceptual elevations are intended to evoke a general look and feel of the architecture. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the regulations outlined in the Design Guidelines of this Exhibit B.
  2. New buildings should utilize building elements and details to achieve a pedestrian-oriented public realm.
  3. Building facades should include appropriate architectural details and ornamentation to create variety and interest.
  4. Open space(s) should be incorporated to provide usable public areas integral to the urban environment.
- ii. General to All Subdistricts or Tracts.
  1. Building Height.
    - i. Maximum Building Height: Varies. See each land use district.
    - ii. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plan is no greater than 20% of the first-floor footprint may exceed the height limits by up to twenty (20) feet.
    - iii. Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building height, provided that: 1.) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2.) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-

way, measured at six (6) feet above finish grade at the Fire, Access, Utility, and Drainage Easement Line.

2. Minimum Building Height by Use Type:

- i Office: Two (2) stories.
- ii Multifamily: Three (3) stories.
- iii Townhome: Two (2) stories.
- iv Hotel: Four (4) stories.
- v Retail/Restaurant: One (1) story.

iii. Office Design Standards.

- 1. The ground floor condition for office shall have a minimum of 12 feet ceiling and 14-foot floor to floor.
- 2. Decorative or enhanced concrete tilt wall shall be a permitted material for up to sixty percent (60%) of any façade.

iv. Design of Parking Structures.

- 1. Above-grade parking structure facades along all rights-of-way shall be designed with both vertical (façade rhythm of 20 feet to 30 feet) and horizontal (aligning with horizontal elements along the block) articulation.
- 2. Where above-grade structured parking is located at the perimeter of a building with frontage along any right-of-way, openings in their facades shall not exceed 55% of the façade area. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings. Screening may be achieved through the use of louvered, solid or opaque vertical screening elements. Permitted materials shall be metal, glass, pre-cast concrete, masonry or concrete block.
- 3. When parking structures are located at corners, corner architectural elements shall be incorporated such as corner entrance, signage, glazing and vertical elements that accentuate the parking structure's vertical circulation.
- 4. Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.
- 5. Parking structure ramps shall not be directly fronting any right-of-way.
- 6. Parking Structure Height: No parking structure shall be taller than the primary building it serves.

v. Roof Form.



1. Buildings shall have simple, flat fronts with minimal articulations with flat or low-pitched roofs (2.5:12 or lower) with parapets. Corner hip roof elements and gable accents at the parapet may be permitted. Projecting mansard roofs shall not be permitted.

vi. Façade Composition.

1. Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
2. Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper-level uses may be defined and integrated into the design of the overall building facade.
3. Buildings shall generally maintain the alignment of horizontal elements along the block.
4. Corner emphasizing architectural features, pedimented parapets, cornices, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.
5. Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered as feature buildings. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is offset from the front wall planes and goes above the main building eave or parapet line.

vii. Windows and Doors

1. Windows and doors on right-of-way fronting facades (except alleys) shall be designed to be proportional and appropriate to the architectural style of the building. First floor windows shall NOT be opaque, tinted or mirrored glass.
2. All ground floor front facades of buildings along rights-of-way or Open Space shall have transparent storefront windows covering no less than 30% of the façade area.
3. Upper floors along rights-of-way shall feature at least 20% transparent windows in each façade. Single tenant retail that are greater than 20,000 sf shall have no less than 20% along their primary front facade.
4. Windows and doors may require fire ratings depending upon separation per IBC/IFC.

viii. Building Entries.

1. Main building entries shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.
2. Each building and separate lease space at-grade along the street edge shall have a functioning primary entry from the sidewalk. Corner entries may count as a primary entry for both intersecting street fronts.

ix. Awnings, Canopies, Arcades & Overhangs.

1. Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.
2. The material of awnings and canopies shall be architectural materials that complement the building.
3. Awnings shall not be internally illuminated.
4. Canopies should not exceed one hundred (100) linear feet without a break of at least five (5) feet.
5. Canopies and awnings shall respect the placement of street trees and lighting.

x. Building Articulation.

1. That portion of the building where retail or service uses take place on the first floor shall be accentuated by including awnings or canopies, different building materials, or architectural building features.
2. Building facades fronting both streets and driveways should have massing changes and architectural articulation to provide visual interest and texture and reduce large areas of undifferentiated building facades. Design articulation should employ changes in volume and plane. Architectural elements and moldings that break up the mass of the building are encouraged.

xi. Building Materials.

1. Brick, natural and manufactured stone, curtain wall and window wall glazing, and cementitious panel system shall be considered primary materials. Primary materials shall comprise of at least 75% of each elevation, exclusive of doors and windows. Where cementitious panel is applied, it shall be limited to no more than 50% of a building's material. Non-primary, or secondary materials, may include three-coat system stucco, resin-impregnated wood panel system, clapboard siding and metal panel systems.
2. Where multifamily is concerned, primary materials shall be limited to brick, natural and manufactured stone, and cementitious panel system.



3. Only primary building materials are allowed on the first floor, with the exception of cementitious panels, plus metal panel systems for non-residential uses. For purposes of this section, the first floor shall be at least fourteen (14) feet high and, at a minimum 90% shall be constructed of masonry cladding.
4. All buildings shall be architecturally finished on all sides with articulation, detailing and features.
5. Roofing materials visible from any street shall be copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

xii. Projections into Setbacks and/or Rights-of-Way.

1. The following projections shall be permitted into a Fire, Access, Utility, and Drainage Easement as allowed below, provided that:
  - i No projection shall be permitted into a building setback.
  - ii Such projections do not extend over public rights-of-way.
  - iii The property owner has assumed liability related to such projections.
  - iv The property owner shall maintain such projection in a safe and non-injurious manner.
  - v No projections allowed over franchise utility corridors unless the projection is thirteen and one half (13.5) feet above finished grade.
  - vi No projections allowed over public utility where located within a fire lane or public utility easement.
2. Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to twenty-four (24) inches beyond a building face or architectural projection into the setback, but not the Fire, Access, Utility, and Drainage Easement.
3. Business signs and roof eaves may project up to ten (10) feet beyond the building face or architectural projection into the setback, but not the Fire, Access, Utility, and Drainage Easement.
4. Architectural projections, including balconies, bays, towers, and oriels; show windows (1<sup>st</sup> floor only); below grade vaults and areaways; and elements of a nature similar to those listed; may project up to ten (10) feet beyond the building face into the setback, but not the Fire, Access, Utility, and Drainage Easement.
5. Canopies and/or awnings may project from the building face over the entire setback. Additionally, they may be extended into the Fire, Access, Utility, and Drainage Easement to be within eight (8) inches of the back of curb if used to provide a covered walkway to a building entrance and as long as any canopy/awning support is no closer than twenty-four (24) inches from the back of curb and does not extend over any fire lane or public utility easement.

