



Agenda
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, May 23, 2023
6:15 PM

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link:
<https://prospertx.new.swagit.com/views/378/>

Addressing the Town Council:

Those wishing to address the Town Council 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 Town Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council 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 Town Council during that session. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

Presentations.

1. Administer Oaths of Office to re-elected Councilmembers and present Certificates of Election. (MLS)

CONSENT AGENDA:

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

- [2.](#) Consider and act upon the minutes from the May 9, 2023, Town Council Regular meeting. (MLS)
- [3.](#) Consider and act upon the minutes from the May 16, 2023, Town Council Special meeting. (MLS)
- [4.](#) Consider acceptance of the July, August, and September 2022 monthly financial reports. (CL)
- [5.](#) Consider and act upon approving a contract with Weatherproofing Services utilizing the Interlocal Purchasing System (TIPS) for the renovation of the Town Hall water feature; and authorizing the Town Manager to execute documents for the same. (CE)
- [6.](#) Consider and act upon an ordinance to amend 168± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding building materials, located on the northside of First Street and west of Windsong Parkway. (ZONE-23-0006) (DS)
- [7.](#) Consider and act upon authorizing the Town Manager to execute a Third Amendment to Development Agreement between VP Windsong Operations LLP, VP Windsong Investments LLP and the Town of Prosper relative to Windsong Ranch, as described in Planned Development 40 (PD-40) (DEVAGREE-23-0004) (DS)
- [8.](#) Consider and act upon an ordinance to rezone 13.3± acres from Single Family-15 (SF-15) to Planned Development-Retail (PD-R), generally to allow for an office/retail development, located on the east side of Preston Road, north of St. Peter Lane. (Z21-0003). (DS)
- [9.](#) Consider and act upon authorizing the Town Manager to execute a Development Agreement between MQ Development Partners and the Town of Prosper, related to the MQ Prosper North Development, located on the east side of Preston Road, north of St. Peter Lane. (DEVAGRE-23-0007) (DS)

CITIZEN COMMENTS

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a “Public Comment Request Form” and present it to the Town Secretary prior to the meeting. 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 Council, please fill out a “Public Comment Request Form” and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

Items for Individual Consideration:

- [10.](#) Discuss and consider making appointments to the Council Subcommittees. (MLS)
11. Discuss and consider Town Council Subcommittee reports. (DB)

12. Discussion regarding a review of activities and services of Town Council and staff from May 2022 to May 2023. (DB/MC)

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

EXECUTIVE SESSION:

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

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

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

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

Section 551.074 - To deliberate the appointment of Mayor Pro-Tem and Deputy Mayor Pro-Tem.

Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, Planning & Zoning Commission, Community Engagement Committee, the Comprehensive Plan Advisory Committee, and all matters incident and related thereto.

Section 551.076 – To deliberate the deployment or specific occasions for implementation of security personnel or devices at Town Hall.

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

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, May 19, 2023, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, Town Secretary

Date Notice Removed

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

NOTICE

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

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



MINUTES
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, May 9, 2023

Call to Order/ Roll Call.

The meeting was called to order at 6:15 p.m.

Council Members Present:

- Mayor David F. Bristol
- Mayor Pro-Tem Jeff Hodges
- Councilmember Marcus E. Ray
- Councilmember Amy Bartley
- Councilmember Chris Kern

Council Members Absent:

- Deputy Mayor Pro-Tem Craig Andres
- Councilmember Charles Cotten

Staff Members Present:

- Mario Canizares, Town Manager
- Michelle Lewis Sirianni, Town Secretary
- Terry Welch, Town Attorney
- Robyn Battle, Executive Director of Community Services
- Bob Scott, Executive Director of Administrative Services
- Chuck Ewings, Executive Director of Development and Infrastructure Services
- David Hoover, Development Services Director
- Dan Baker, Parks and Recreation Director
- Todd Rice, Communications Manager
- David Soto, Planning Manager
- Pete Anaya, Assistant Director of Engineering Services
- Dan Heischman, Assistant Director of Engineering Services
- Leigh Johnson, IT Director
- Doug Kowalski, Police Chief
- Scott Brewer, Assistant Police Chief
- Stuart Blasingame, Fire Chief

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

Mayor Bristol read a brief statement and requested a moment of silence in honor of those individuals who lost their lives and the families who lost loved ones on Saturday.

John Fowler with First Presbyterian Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

Councilmember Kern made the following announcements:

Thank you to all who celebrated Cinco de Mayo in Downtown this past weekend. We appreciate all those who supported and volunteered to make it a fun day for everyone in attendance.

The Library's Summer Reading Program kicks off on Wednesday, May 30. Be on the lookout for more information and details coming soon to the Town's website and Library's social media page(s).

Come join the excitement as Prosper gears up for the second annual P-Town Throwdown, a fun-filled family-oriented pickleball tournament to be held at Reynolds Middle School tennis courts on June 3. Registration is now open through May 28 and can be done at ProsperTX.gov/parksandrec.

Presentations.

1. Citizens Academy Graduation. (RB)

Ms. Battle introduced the item with a recap of the 2023 Citizens Academy.

Mayor Bristol followed by presenting certificates and recognizing the graduates of the 2023 Citizen's Academy class.

2. Freedom Fest discussion. (DB)

Mr. Baker introduced the item. He indicated staff has met with Mr. Anderson to discuss the layout of the event and with Public Safety's guidance. Staff are comfortable with the proposed event layout.

Mr. Coffey Anderson and Kari Willis, President of EFactor presented the proposed event consisting of two options. One being a ticketed event with a title sponsorship of \$25,000 and the other being a free event with the Town purchasing for \$65,000. Mr. Anderson and Willis covered the inclusions and differences between each option, the proposed layout of the event, how the ticketing would function for both options, and the sponsorship opportunities available to offset some costs.

The Town Council discussed both options presented along with the location layout, sponsorship and VIP tickets, fencing, and logistics of getting in and out of the event.

CONSENT AGENDA:

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

- 3. Consider and act upon the minutes from the April 25, 2023, Town Council Work Session meeting. (MLS)**
- 4. Consider and act upon the minutes from the April 25, 2023, Town Council Regular meeting. (MLS)**
- 5. Consider and act upon whether to direct staff to submit a written notice of appeals on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan, including Gates of Prosper, Phase 2, Lot 5R. (DS)**

Mayor Pro-Tem Hodges made a motion to approve items 3 through 5. Councilmember Ray seconded that motion, and the motion was unanimously approved.

CITIZEN COMMENTS

No comments were made.

Items for Individual Consideration:

- 6. Conduct a public hearing and consider and act upon a request to amend 166± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding building materials, located on the northside of First Street and west of Windsong Parkway. (ZONE-23-0006) (DS)**

Mr. Soto introduced the item providing an overview of the request. If approved by the Town Council, a revised Development Agreement would be brought back for approval. Staff have received no responses in opposition to the request. The Planning and Zoning Commission approved the request by a 6-0 vote at their April 18 meeting. Staff is recommending approval.

David Blom, Tellus Group, noted that this request is like previous requests brought forward regarding building materials within the Windsong Ranch development. Mr. Blom spoke about the quality of the development and the homes already built and indicated these would be no different. He respectively requested approval.

Zach Snyder, President, and CEO of Tradition Homes spoke to the exterior façade materials and the architectural diversity of the homes.

Mayor Bristol opened the public hearing.

No comments were made.

Mayor Bristol closed the public hearing.

Councilmember Ray made a motion to approve a request to amend 166± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding building materials, located on the northside of First Street and west of Windsong Parkway. Mayor Pro-Tem Hodges seconded that motion. Motion carried with a 5-0 vote.

- 7. Discuss and consider Town Council Subcommittee reports. (DB)**

Mayor Bristol stated he requested this item to be brought forward, which will become a standing item to allow the Council Subcommittee's to report on meetings that were held.

Councilmember Bartley reported on the Capital Improvement Projects Subcommittee meetings held. She noted the subcommittee is reviewing projects to accelerate, which will be presented to the Finance Subcommittee.

Councilmember Bartley reported on the Comprehensive Plan Advisory Committee (CPAC) meeting. The committee is reviewing portions of the draft put together by the consultant. The committee has requested the consultant to provide some additional detailed outlines on some items that are frequently discussed by the Council.

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

Councilmember Bartley requested staff to touch base with Cockrell Elementary PTO regarding a cover for their playground area and an update to the Landscape Ordinance including enforcement thereof.

Councilmember Ray requested staff to research how to have alcohol at events and/or to also address golf carts at Town events.

EXECUTIVE SESSION:

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

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

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

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

Section 551.071 - To consult with the Town Attorney regarding legal issues associated with nonconforming uses, and all matters incident and related thereto.

The Town Council recessed into Executive Session at 7:34 p.m.

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

The Town Council reconvened into Regular Session at 8:33 p.m.

No action was taken.

Adjourn.

The meeting was adjourned at 8:33 p.m.

These minutes were approved on the 23rd day of May 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary



MINUTES
Prosper Town Council Special
 Prosper Town Hall – Council Chambers
 250 W. First Street, Prosper, Texas
 Tuesday, May 16, 2023

Call to Order/ Roll Call.

The meeting was called to order at 7:30 a.m.

Council Members Present:

- Mayor David F. Bristol
- Mayor Pro-Tem Jeff Hodges
- Councilmember Amy Bartley
- Councilmember Chris Kern
- Councilmember Charles Cotten

Council Members Absent:

- Deputy Mayor Pro-Tem Craig Andres
- Councilmember Marcus E. Ray

Staff Members Present:

- Mario Canizares, Town Manager
- Michelle Lewis Sirianni, Town Secretary
- Bob Scott, Executive Director of Administrative Services

Items for Individual Consideration

1. **Consider and act upon Ordinance 2023-36 canvassing the returns and declaring the results of the May 6, 2023, Special Election. (MLS)**

Ms. Lewis Sirianni presented the Town Council with the following results to be declared official with Proposition A and Proposition B being approved by the voters.

Proposition A - Crime Control & Prevention District						
Combined Totals	Early Voting	Early Voting	Election Day	Provisional	Total	Vote %
	In-Person	Mail	In-Person	Ballots		
In Favor	2,328	10	625	0	2,963	90.56%
Against	224	0	85	0	309	9.44%
Totals	2,552	10	710	0	3,272	100.00%
Overvotes	0	0	0	0	0	
Undervotes	158	1	41	0	200	
Proposition B - Fire Control, Prevention & Emergency Medical Services District						
Combined Totals	Early Voting	Early Voting	Election Day	Provisional	Total	Vote %
	In-Person	Mail	In-Person	Ballots		
In Favor	2,373	10	642	0	3,025	92.06%
Against	194	0	67	0	261	7.94%
Totals	2,567	10	709	0	3,286	100.00%
Overvotes	0	0	0	0	0	
Undervotes	143	1	42	0	186	

Upon approval, staff will notify the counties and the Texas Comptroller with the results.

Councilmember Cotten made a motion to approve Ordinance 2023-36 canvassing the returns and declaring the results of the May 6, 2023, Special Election as presented. Mayor Pro-Tem Hodges seconded that motion. Motion carried with a 5-0 vote.

EXECUTIVE SESSION:

The Town Council did not recess into Executive Session. No action was taken.

Adjourn.

The meeting was adjourned at 7:35 a.m.

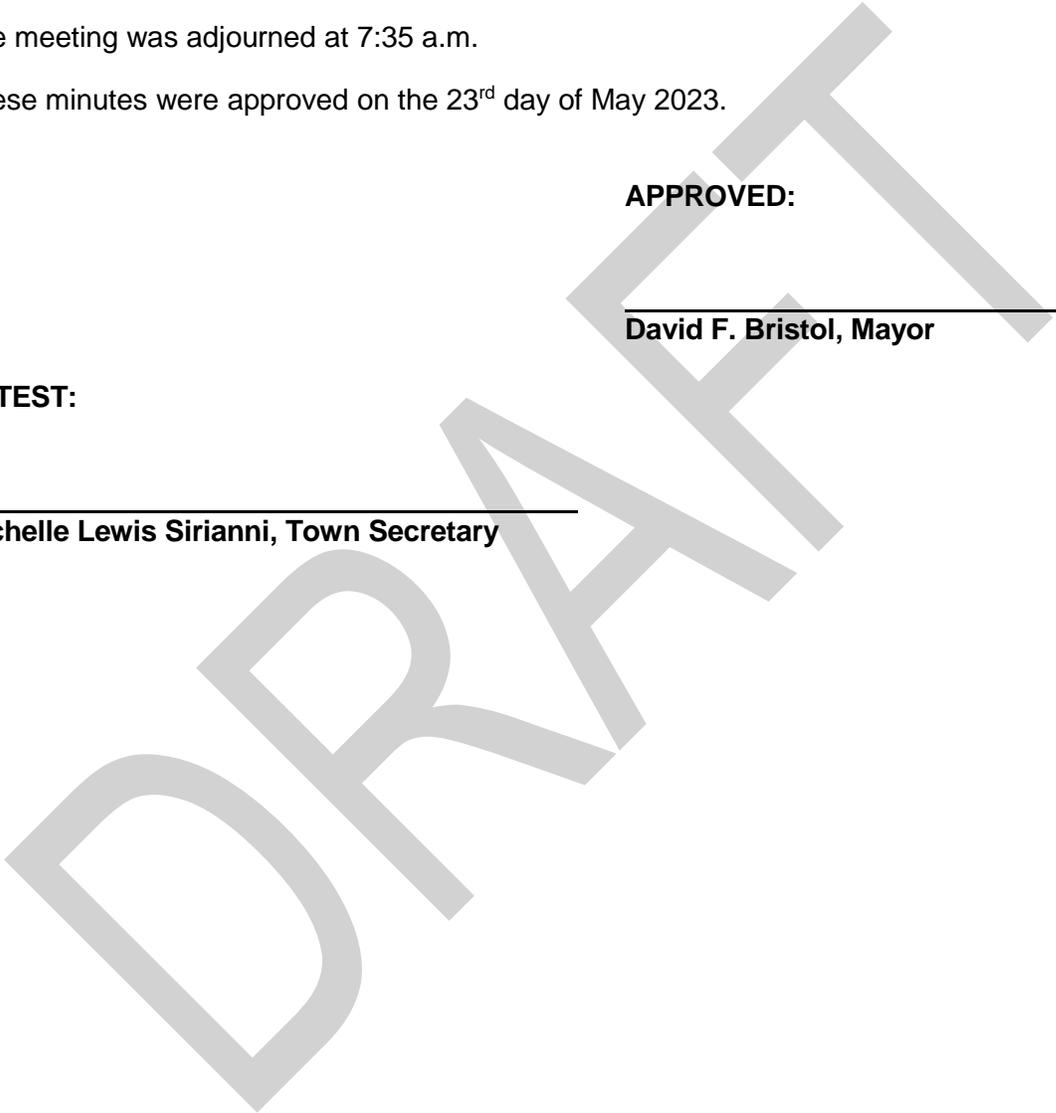
These minutes were approved on the 23rd day of May 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary





FINANCE

To: Mayor and Town Council

From: Chris Landrum, Finance Director

**Through: Bob Scott, Executive Director of Administrative Services
Mario Canizares, Town Manager**

Re: Monthly Financial Reports

Town Council Meeting – May 23, 2023

Agenda Item:

Consider acceptance of the July, August, and September 2022 monthly financial reports.

Description of Agenda Item:

The Town Charter requires the submission of monthly financial reports to the Town Council. With the departure of the previous Finance Director and Accounting Manager at the beginning of September, the Finance Department experienced 100% turnover of staff. To ensure completion of the budget, issuance of debt to continue the capital program without interruption and to be able to issue the audited financial statements within six months of year-end as required by the Town's debt covenants a plan to prioritize tasks and bring in additional temporary resources was discussed with the Finance Subcommittee and Council. The issuance of monthly financial statements was one of the tasks that was deemed a lower priority.

With the issuance of the September 30, 2022, Annual Comprehensive Financial Report (ACFR) now complete and Finance Department staffing levels restored, staff continues to catch up on required items. The attached financial statements for July-September 2022 were prepared in the old format. This format is not particularly "user friendly" and staff is working to reformat the monthly financial statements for 2023.

Budget Impact:

There is no budgetary impact affiliated with this item.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

Attached Documents:

1. Monthly Financial Statement - July 31, 2022
2. Monthly Financial Statement - August 31, 2022
3. Monthly Financial Statement - September 30, 2022

Town Staff Recommendation:

Town staff recommends accept the July, August, and September 2022 monthly financial reports.

Item 4.

Proposed Motion:

I move to accept the July, August, and September 2022 monthly financial reports.



MONTHLY FINANCIAL REPORT

as of July 31, 2022

Budgetary Basis

Prepared by
Finance Department

May 23, 2023

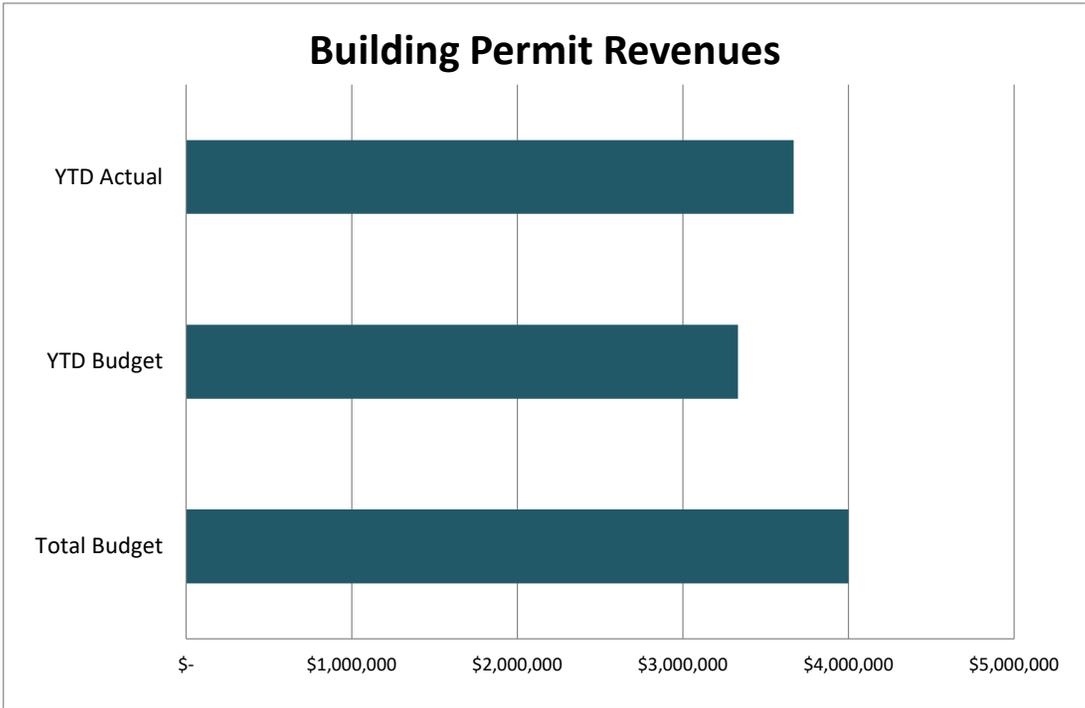
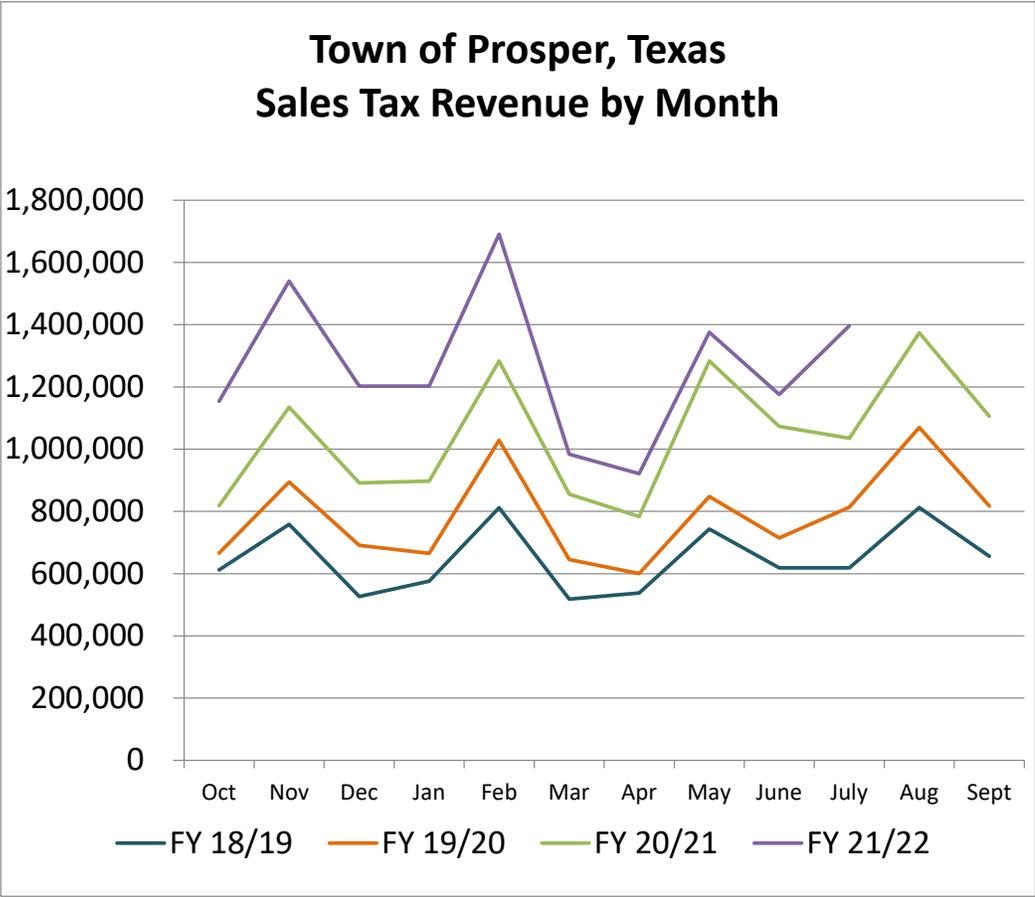
TOWN OF PROSPER, TEXAS

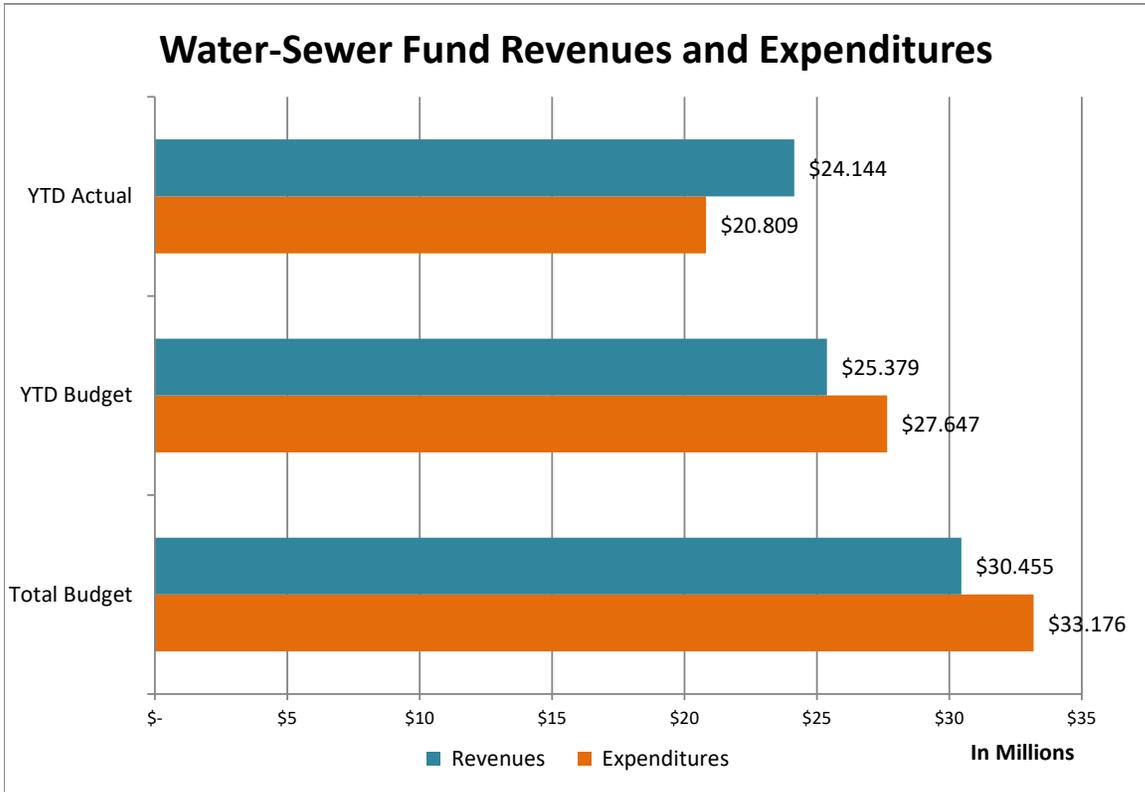
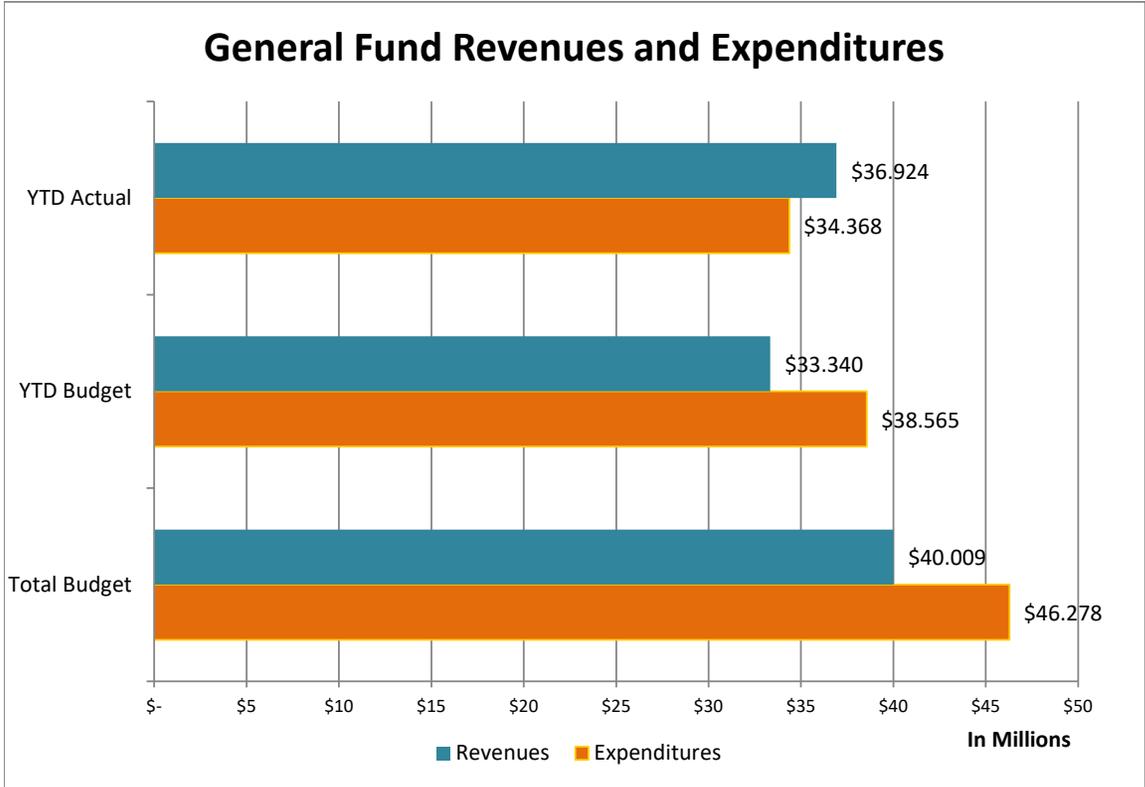
MONTHLY FINANCIAL REPORT

JULY 2022

Table of Contents

Dashboard Charts	3 - 4
General Fund	5
Water-Sewer Fund	6 - 7
Debt Service Fund	8
Crime Control and Prevention Special Purpose District	9
Fire Control, Prevention, and Emergency Medical Services Special Purpose District	10
Vehicle and Equipment Replacement Fund	11
Storm Drainage Utility Fund	12
Park Dedication and Improvement Fund	13
TIRZ #1 - Blue Star	14
TIRZ #2	15
Water Impact Fees Fund	16
Wastewater Impact Fees Fund	17
Thoroughfare Impact Fees Fund	18
Special Revenue Fund	19
Capital Projects Fund-General	20
Capital Projects Fund-Water/Sewer	22





TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

GENERAL FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actuals	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actuals	Change from Prior Year
REVENUES										
Property Taxes	\$ 19,256,473	\$ 60,000	\$ 19,316,473	\$ 19,012,693	\$ -	\$ 303,780	98%	1	\$ 18,557,346	2%
Sales Taxes	7,972,237	1,147,446	9,119,683	7,871,249	-	1,248,434	86%		6,216,801	27%
Franchise Fees	1,997,889	(292,095)	2,289,984	1,423,619	-	866,365	62%	2	1,273,024	12%
Building Permits	3,751,000	249,000	4,000,000	3,669,264	-	330,736	92%		4,806,930	-24%
Other Licenses, Fees & Permits	1,307,700	(389,550)	1,697,250	1,842,986	-	(145,736)	109%		1,972,059	-7%
Charges for Services	576,873	(325,600)	902,473	759,290	-	143,183	84%		479,000	59%
Fines & Warrants	325,000	75,000	250,000	199,434	-	50,566	80%		233,877	-15%
Intergovernmental Revenue (Grants)	232,914	(16,495)	216,419	307,760	-	(91,341)	142%		349,986	-12%
Interest Income	70,000	(20,000)	90,000	81,438	-	8,562	90%		116,065	-30%
Transfers In	1,100,514	-	1,100,514	917,095	-	183,419	83%		893,183	3%
Miscellaneous	329,481	2,144,006	568,997	592,120	-	(23,123)	104%		262,150	126%
Park Fees	377,000	79,750	456,750	246,613	-	210,137	54%		321,036	-23%
Total Revenues	\$ 37,297,081	\$ 2,711,462	\$ 40,008,543	\$ 36,923,561	\$ -	\$ 3,084,982	92%		\$ 35,481,455	4%
EXPENDITURES										
Administration	\$ 7,222,692	\$ 1,397,703	\$ 8,620,395	\$ 6,400,283	\$ 333,850	\$ 1,886,262	78%		\$ 5,257,888	22%
Police	6,520,223	268,926	6,789,149	4,789,008	262,781	1,737,360	74%		4,177,397	15%
Fire/EMS	8,738,347	2,062,727	10,801,074	9,495,991	642	1,304,441	88%		7,639,528	24%
Public Works	3,697,980	589,669	4,287,649	2,363,531	365,519	1,558,599	64%		1,672,349	41%
Community Services	6,575,735	377,361	6,953,096	5,439,448	51,646	1,462,002	79%		3,433,743	58%
Development Services	4,211,352	378,303	4,589,655	2,784,285	18,101	1,787,269	61%		2,652,179	5%
Engineering	4,175,692	60,881	4,236,573	3,095,370	95,615	1,045,588	75%		1,547,662	100%
Total Expenses	\$ 41,142,021	\$ 5,135,569	\$ 46,277,590	\$ 34,367,916	\$ 1,128,154	\$ 10,781,520	77%		\$ 26,380,746	30%
REVENUE OVER (UNDER) EXPENDITURES	\$ (3,844,940)	\$ (2,424,107)	\$ (6,269,047)	\$ 2,555,645					\$ 9,100,710	
Beginning Fund Balance October 1-Unassigned/Unrestricted			20,242,707	20,242,707					13,923,232	
Ending Fund Balance			<u>\$ 13,973,660</u>	<u>\$ 22,798,352</u>					<u>\$ 23,023,942</u>	

Notes

- 1 Property taxes are billed in October and the majority of collections occur December through February.
- 2 Franchise fees and other various license and fees are paid quarterly or annually.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

WATER-SEWER FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Water Charges for Services	\$ 15,179,476	\$ -	\$ 15,179,476	\$ 13,681,895	\$ -	\$ 1,497,581	90%		\$ 10,839,280	26%
Sewer Charges for Services	8,972,771	-	8,972,771	7,924,124	-	1,048,647	88%		6,152,584	29%
Sanitation Charges for Services	1,779,679	-	1,779,679	1,611,023	-	168,656	91%		1,432,515	12%
Licenses, Fees & Permits	214,370	-	214,370	216,852	-	(2,482)	101%		181,869	19%
Utility Billing Penalties	142,000	-	142,000	147,039	-	(5,039)	104%		42,034	
Interest Income	40,000	-	40,000	33,954	-	6,046	85%		43,062	-21%
Other	4,126,549	-	4,126,549	528,658	-	3,597,891	13%	1	1,344,826	-61%
Transfer In	-	-	-	-	-	-			-	
Total Revenues	\$ 30,454,845	\$ -	\$ 30,454,845	\$ 24,143,545	\$ -	\$ 6,311,300	79%		\$ 20,036,171	20%
EXPENDITURES										
Administration	\$ 3,091,532	\$ 21,449	\$ 3,112,981	\$ 2,493,325	\$ 29,300	590,356	81%		\$ 2,960,863	-16%
Debt Service	3,713,517	2,618,251	6,331,768	4,463,060	-	1,868,708	70%	2	1,073,093	316%
Water Purchases	7,701,317	-	7,691,497	5,367,950	-	2,323,547	70%		5,641,538	-5%
Public Works	15,694,874	335,317	16,040,011	8,484,347	(122,472)	7,678,136	52%		7,564,234	12%
Total Expenses	\$ 30,201,240	\$ 2,975,017	\$ 33,176,257	\$ 20,808,682	\$ (93,172)	\$ 12,460,747	62%		\$ 17,239,727	21%
REVENUE OVER (UNDER) EXPENDITURES	\$ 253,605	\$ (2,975,017)	\$ (2,721,412)	\$ 3,334,864					\$ 2,796,444	
Beginning Working Capital October 1			10,914,365	10,914,365					6,867,399	
Ending Working Capital			<u>\$ 8,192,953</u>	<u>\$ 14,249,229</u>					<u>\$ 9,663,843</u>	

Notes

- 1 Largest portion of this (\$3.89M) is TxDOT reimbursement for Custer Water Line relocation.
- 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

WATER-SEWER FUND

	Jul-22		Jul-21		Growth %
	WATER	SEWER	WATER	SEWER	Change
# of Accts Residential	11,713	10,979	10,650	9,957	10.12%
# of Accts Commercial	412	367	390	348	5.56%
Consumption-Residential	268,583,920	78,349,803	156,544,610	63,549,140	57.63%
Consumption-Commercial	81,873,310	15,067,690	46,447,880	12,639,220	64.06%
Average Residential Water Consumption	22,930		14,699		56.00%
Billed (\$) Residential	1,852,408.81	693,244.75	1,057,646.95	591,831.28	75.14%
Billed (\$) Commercial	756,072.02	124,166.71	427,551.85	109,086.46	76.84%
Total Billed (\$)	\$ 2,608,480.83	\$ 817,411.46	\$ 1,485,198.80	\$ 700,917.74	56.71%

	Average Monthly	Average Cumulative
October	10.1%	10.1%
November	7.1%	17.2%
December	5.6%	22.8%
January	4.5%	27.2%
February	4.6%	31.8%
March	4.5%	36.3%
April	6.2%	42.5%
May	7.4%	50.0%
June	9.2%	59.2%
July	12.9%	72.1%
August	14.9%	86.9%
September	13.1%	100.0%

Rainfall	Average rainfall for July is 2.27			
	Aug-21	4.82	Aug-20	1.28
	Sep-21	0.25	Sep-20	3.87
	Oct-21	2.96	Oct-20	1.74
	Nov-21	3.11	Nov-20	1.08
	Dec-21	0.43	Dec-20	3.00
	Jan-22	0.08	Jan-21	0.85
	Feb-22	2.03	Feb-21	2.22
	Mar-22	2.12	Mar-21	3.03
	Apr-22	2.54	Apr-21	4.50
	May-22	3.00	May-21	7.77
	Jun-22	2.64	Jun-21	2.15
	Jul-22	0.41	Jul-21	2.98

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

DEBT SERVICE FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year	
REVENUES											
Property Taxes-Delinquent	\$ 75,000	\$ -	\$ 75,000	\$ 67,071	\$ -	\$ 7,929	89%	1	\$ 76,970	-13%	
Property Taxes-Current	10,545,466	-	10,545,466	10,414,651	-	130,815	99%		7,586,040	37%	
Taxes-Penalties	-	-	-	35,932	-	(35,932)			32,535	10%	
Transfer In	-	428,581	428,581	428,581	-	-	100%		-		
Interest Income	45,000	-	45,000	14,330	-	30,670	32%		26,491	-46%	
Total Revenues	\$ 10,665,466	\$ 428,581	\$ 11,094,047	\$ 10,960,565	\$ -	\$ 133,482	99%		\$ 7,722,036	42%	
EXPENDITURES											
Professional Services	\$ -	\$ -	\$ -	\$ 9,500	\$ -	\$ (9,500)		2	\$ 8,030		
2012 GO Bond Payment	2,200,000	428,581	2,628,581	2,590,000	-	38,581	99%		195,000	1228%	
2013 GO Refunding Bond	175,000	-	175,000	-	-	175,000	0%		-		
Bond Administrative Fees	20,000	-	20,000	1,040	-	18,960	5%		440		
2014 GO Bond Payment	305,000	-	305,000	-	-	305,000	0%		-		
2015 GO Bond Payment	1,220,300	-	1,220,300	1,220,300	-	-	100%		463,700	163%	
2015 CO Bond Payment	445,000	-	445,000	445,000	-	-	100%		440,000	1%	
2016 GO Debt Payment	-	-	-	-	-	-			625,500	-100%	
2016 CO Debt Payment	70,000	-	70,000	70,000	-	-	100%		55,000	27%	
2017 CO Debt Payment	70,000	-	70,000	70,000	-	-	100%		410,000	-83%	
2018 GO Debt Payment	145,000	-	145,000	145,000	-	-	100%		135,000	7%	
2018 CO Debt Payment	455,000	-	455,000	455,000	-	-	100%		175,000	160%	
2019 CO Debt Payment	381,123	-	381,123	381,123	-	-	100%		366,177	4%	
2019 GO Debt Payment	155,000	-	155,000	155,000	-	-	100%		150,000	3%	
2020 CO Debt Payment	245,000	-	245,000	245,000	-	-	100%		805,000	-70%	
2021 CO Debt Payment	255,000	-	255,000	310,000	-	(55,000)	122%		-		
2021 GO Debt Payment	1,770,000	-	1,770,000	1,925,000	-	(155,000)	109%		-		
Bond Interest Expense	4,741,048	-	4,741,048	2,238,972	-	2,502,076	47%		1,717,248	30%	
Total Expenditures	\$ 12,652,471	\$ 428,581	\$ 13,081,052	\$ 10,260,935	\$ -	\$ 2,820,117	78%			\$ 5,546,095	85%
REVENUE OVER (UNDER) EXPENDITURES	\$ (1,987,005)	\$ -	\$ (1,987,005)	\$ 699,631						\$ 2,175,942	
Beginning Fund Balance October 1			2,640,088	2,640,088					2,619,367		
Ending Fund Balance Current Month			<u>\$ 653,083</u>	<u>\$ 3,339,719</u>					<u>\$ 4,795,309</u>		

Notes

- 1 Property taxes are billed in October and the majority of collections occur December through February.
- 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

CRIME CONTROL AND PREVENTION SPECIAL PURPOSE DISTRICT

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Sales Tax - Town	\$ 2,102,918	\$ -	\$ 2,102,918	\$ 2,087,537	\$ -	\$ 15,381	99%		\$ 1,657,910	26%
Interest Income	300	-	300	919	-	(619)	306%		1,102	-17%
Other	-	-	-	-	-	-			-	
Total Revenue	\$ 2,103,218	\$ -	\$ 2,103,218	\$ 2,088,455	\$ -	\$ 14,763	99%		\$ 1,659,012	26%
EXPENDITURES										
Personnel	\$ 2,078,008	\$ -	\$ 2,078,008	\$ 1,740,845	\$ -	\$ 337,163	84%		\$ 1,212,424	44%
Other	350	-	350	520	-	(170)			278	87%
Total Expenditures	\$ 2,078,358	\$ -	\$ 2,078,358	\$ 1,741,365	\$ -	\$ 336,993	84%		\$ 1,212,702	44%
REVENUE OVER (UNDER) EXPENDITURES	\$ 24,860	\$ -	\$ 24,860	\$ 347,090					\$ 446,310	
Beginning Fund Balance October 1			430,669	430,669					302,439	
Ending Fund Balance Current Month			<u>\$ 455,529</u>	<u>\$ 777,759</u>					<u>\$ 748,749</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES SEPCIAL PURPOSE DISTRICT

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Sales Tax - Town	\$ 2,102,918	\$ -	\$ 2,102,918	\$ 2,083,116	\$ -	\$ 19,802	99%		\$ 1,654,277	26%
Interest Income	300	-	300	571	-	(271)	190%		322	77%
Other	-	-	-	-	-	-			-	
Total Revenue	\$ 2,103,218	\$ -	\$ 2,103,218	\$ 2,083,687	\$ -	\$ 19,531	99%		\$ 1,654,599	26%
EXPENDITURES										
Personnel	\$ 2,098,745	\$ -	\$ 2,098,745	\$ 1,851,716	\$ -	\$ 247,029	88%		\$ 1,332,094	39%
Other	350	-	350	512	-	(162)			278	84%
Total Expenditures	\$ 2,099,095	\$ -	\$ 2,099,095	\$ 1,852,229	\$ -	\$ 246,866	88%		\$ 1,332,373	39%
REVENUE OVER (UNDER) EXPENDITURES	\$ 4,123	\$ -	\$ 4,123	\$ 231,459					\$ 322,227	
Beginning Fund Balance October 1			413,785	413,785					203,982	
Ending Fund Balance Current Month			<u>\$ 417,908</u>	<u>\$ 645,244</u>					<u>\$ 526,209</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

VEHICLE AND EQUIPMENT REPLACEMENT FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Grant Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-		\$ -	
Other Reimbursements	136,500	-	136,500	-	-	136,500	0%	3	225,360	-100%
Interest Income	20,000	-	20,000	13,293	-	6,707	66%		21,965	-39%
Charges for Services	1,170,198	-	1,170,198	975,165	-	195,033	83%		811,259	20%
Total Revenue	\$ 1,326,698	\$ -	\$ 1,326,698	\$ 988,458	\$ -	\$ 338,240	75%		\$ 1,058,584	-7%
EXPENDITURES										
Vehicle Replacement	\$ 352,148	\$ 394,393	\$ 746,541	\$ 557,530	\$ 34,880	\$ 154,131	79%	1,2	\$ 471,361	18%
Equipment Replacement	33,300	-	33,300	-	-	33,300	0%	1,2	195,259	-100%
Technology Replacement	255,700	-	255,700	199,390	-	56,310	78%	2	36,143	452%
Total Expenditures	\$ 641,148	\$ 394,393	\$ 1,035,541	\$ 756,920	\$ 34,880	\$ 243,740	76%		\$ 702,763	8%
REVENUE OVER (UNDER) EXPENDITURES	\$ 685,550	\$ (394,393)	\$ 291,157	\$ 231,538					\$ 355,821	
Beginning Fund Balance October 1			3,957,862	3,957,862					3,741,880	
Ending Fund Balance Current Month			<u>\$ 4,249,019</u>	<u>\$ 4,189,400</u>					<u>\$ 4,097,701</u>	

Notes

- 1 Replacement vehicle or technology purchases have been encumbered.
- 2 Replacement vehicle or technology prices slightly higher due to manufacturer price increases.
- 3 Includes auction proceeds. Auction of vehicles will depend on receipt of replacement vehicles.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

STORM DRAINAGE UTILITY FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Storm Drainage Utility Fee	\$ 758,100	\$ -	\$ 758,100	\$ 664,232	\$ -	\$ 93,868	88%		\$ 607,865	9%
Drainage Review Fee	3,000	-	3,000	3,628	-	(628)	121%		2,395	51%
Interest Income	2,200	-	2,200	1,585	-	615	72%		3,378	-53%
Transfer In	-	531,449	531,449	531,449	-	-	100%		-	-
Other Revenue	-	-	-	-	-	-	-		-	-
Total Revenue	\$ 763,300	\$ 531,449	\$ 1,294,749	\$ 1,200,894	\$ -	\$ 93,855	93%		\$ 613,638	96%
EXPENDITURES										
Personnel Services	\$ 172,445	\$ 745	\$ 173,190	\$ 121,430	\$ -	\$ 51,760	70%		\$ 132,064	-8%
Debt Service	253,142	531,449	784,591	736,206	-	48,386	94%	2	201,761	265%
Operating Expenditures	278,595	63,490	342,085	58,606	112,527	170,953	50%		45,314	29%
Transfers Out	663,157	-	663,157	726,757	-	(63,600)	110%	1	82,369	782%
Total Expenses	\$ 1,367,339	\$ 595,684	\$ 1,963,023	\$ 1,642,999	\$ 112,527	\$ 207,498	89%		\$ 461,508	256%
REVENUE OVER (UNDER) EXPENDITURES	\$ (604,039)	\$ (64,235)	\$ (668,274)	\$ (442,104)					\$ 152,130	
Beginning Working Capital October 1			816,012	816,012					632,579	
Ending Working Capital Current Month			<u>\$ 147,738</u>	<u>\$ 373,908</u>					<u>\$ 784,709</u>	

Notes

- 1 Capital project funds are transferred as needed; General fund transfers are made monthly.
- 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

PARK DEDICATION AND IMPROVEMENT FUNDS

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Park Dedication-Fees	\$ 430,000	\$ -	\$ 430,000	\$ 755,378	\$ -	\$ (325,378)	176%		\$ 19,946	
Park Dedication - Transfers In	-	-	-	-	-	-			392,217	-100%
Park Improvements	280,500	-	280,500	299,766	-	(19,266)	107%		123,370	143%
Contributions/Grants	-	200,550	200,550	-	-	200,550	0%	2	500,000	-100%
Interest-Park Dedication	6,000	-	6,000	4,478	-	1,522	75%		9,745	-54%
Interest-Park Improvements	5,000	-	5,000	3,592	-	1,408	72%		6,341	-43%
Total Revenue	\$ 721,500	\$ 200,550	\$ 922,050	\$ 1,063,214	\$ -	\$ (141,164)	115%		\$ 1,051,618	1%
EXPENDITURES										
Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			\$ -	
Cockrell Park Trail Connection	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			\$ 421,551	-100%
Park Dedication Land Acquisition	-	1,913,800	1,913,800	1,914,647	-	(847)	100%		-	
Hike & Bike Master Plan	-	-	-	-	-	-			2,594	
Hays Park	-	31,952	31,952	35,560	-	(3,607)	111%	1	172,317	-79%
Pecan Grove H&B Trail	30,000	-	30,000	-	-	30,000	0%		-	
Pecan Grove Park	575,000	150,000	725,000	-	-	725,000	0%		-	
Windsong Neighborhood Park	-	100,000	100,000	-	-	100,000	0%		-	
Capital (Misc. small projects)	61,750	-	61,750	12,362	-	49,388	20%		-	
Total Expenses	\$ 666,750	\$ 2,195,752	\$ 2,862,502	\$ 1,962,569	\$ -	\$ 899,934	69%		\$ 596,462	229%
REVENUE OVER (UNDER) EXPENDITURES	\$ 54,750	\$ (1,995,202)	\$ (1,940,452)	\$ (899,355)					\$ 455,156	
Beginning Fund Balance October 1			2,894,711	2,894,711					2,660,035	
Ending Fund Balance Current Month			<u>\$ 954,259</u>	<u>\$ 1,995,356</u>					<u>\$ 3,115,191</u>	

- Notes
- 1 Purchase order rolled forward from prior year to pay final invoices and close out capital project. Also includes internal water billing of hydrant meter to capital project.
 - 2 These grant proceeds are based on expenditures. Once the project is awarded and funds expended we will begin requesting reimbursement.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

TIRZ #1 - BLUE STAR

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES									
Impact Fee Revenue:									
Water Impact Fees	\$ -	\$ -	\$ -	\$ 259,800	\$ (259,800)			\$ 34,916	644%
Wastewater Impact Fees	-	-	-	586,197	(586,197)			25,702	2181%
East Thoroughfare Impact Fees	200,000	-	200,000	1,323,566	(1,123,566)	662%		155,963	749%
Property Taxes - Town (Current)	627,221	-	627,221	612,991	14,230	98%		492,446	24%
Property Taxes - Town (Rollback)	-	-	-	-	-			-	
Property Taxes - County (Current)	148,647	-	148,647	144,308	4,339	97%		116,706	24%
Sales Taxes - Town	761,000	-	761,000	697,810	63,190	92%		528,222	32%
Sales Taxes - EDC	637,500	-	637,500	584,416	53,084	92%		442,386	32%
Interest Income	2,000	-	2,000	5,616	(3,616)	281%		4,082	38%
Transfer In	-	-	-	-	-			-	
Total Revenue	\$ 2,376,368	\$ -	\$ 2,376,368	\$ 4,214,704	\$ (1,838,336)	177%		\$ 1,800,423	134%
EXPENDITURES									
Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -			-	
Developer Rebate	2,376,368	-	2,376,368	5,229,934	(2,853,566)	220%		1,691,790	
Transfers Out	-	-	-	-	-			-	
Total Expenses	\$ 2,376,368	\$ -	\$ 2,376,368	\$ 5,229,934	\$ (2,853,566)	220%		\$ 1,691,790	
REVENUE OVER (UNDER) EXPENDITURES			\$ -	\$ (1,015,229)				\$ 108,633	
Beginning Fund Balance October 1			1,470,609	1,470,609				301,260	
Ending Fund Balance Current Month			<u>\$ 1,470,609</u>	<u>\$ 455,380</u>				<u>\$ 409,893</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

TIRZ #2

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES									
Property Taxes - Town (Current)	\$ 131,145	\$ -	\$ 131,145	\$ 154,136	\$ (22,991)	118%		\$ 10,901	1314%
Property Taxes - Town (Rollback)	-	-	-	-	-	0%		-	
Property Taxes - County (Current)	31,081	-	31,081	30,280	801	97%		2,583	1072%
Sales Taxes - Town	-	-	-	-	-			-	
Sales Taxes - EDC	-	-	-	-	-			-	
Interest Income	150	-	150	134	16	89%		176	-24%
Total Revenue	\$ 162,376	\$ -	\$ 162,376	\$ 184,551	\$ (22,175)	114%		\$ 13,660	1251%
EXPENDITURES									
Professional Services	\$ -	\$ -	\$ -	\$ -	-			\$ -	
Developer Rebate	162,428	-	162,428	184,549	(22,121)	114%		13,771	
Transfers Out	-	-	-	-	-			-	
Total Expenditures	\$ 162,428	\$ -	\$ 162,428	\$ 184,549	\$ (22,121)	114%		\$ 13,771	
REVENUE OVER (UNDER) EXPENDITURES			\$ (52)	\$ 2				\$ (111)	
Beginning Fund Balance October 1			25,058	25,058				25,189	
Ending Fund Balance Current Month			<u>\$ 25,006</u>	<u>\$ 25,060</u>				<u>\$ 25,078</u>	

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 July 31, 2022

WATER IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
Impact Fees Water	\$ 3,500,000	\$ -	\$ 3,500,000	\$ 3,677,351				
Interest Income	20,000	-	20,000	32,902				
Total Revenues	<u>\$ 3,520,000</u>	<u>\$ -</u>	<u>\$ 3,520,000</u>	<u>\$ 3,710,253</u>				
EXPENDITURES								
Developer Reimbursements								
Parks at Legacy Developer Reimb	400,000	400,000	-	400,000	-	-	400,000	-
Star Trail Developer Reimb	400,000	400,000	-	400,000	-	-	400,000	-
Victory at Frontier Developer Reimb	60,000	60,000	-	60,000	-	-	60,000	-
Westside Developer Reimb	100,000	100,000	-	100,000	-	-	100,000	-
TVG Windsong Developer Reimb	350,000	350,000	-	350,000	-	-	350,000	-
Total Developer Reimbursements	<u>\$ 1,310,000</u>	<u>\$ 1,310,000</u>	<u>\$ -</u>	<u>\$ 1,310,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,310,000</u>	<u>\$ -</u>
Capital Expenditures								
12" Water Line - DNT	200,000	-	200,000	200,000	65,406	25,302	109,292	-
Lower Pressure Plane Easements	1,000,000	900,000	-	900,000	-	-	900,000	-
Total Projects	<u>\$ 1,200,000</u>	<u>\$ 900,000</u>	<u>\$ 200,000</u>	<u>\$ 1,100,000</u>	<u>\$ 65,406</u>	<u>\$ 25,302</u>	<u>\$ 1,009,292</u>	<u>\$ -</u>
Transfer to CIP Fund	-	9,000,000	-	9,000,000	9,000,000	-	-	-
Total Transfers Out	<u>\$ -</u>	<u>\$ 9,000,000</u>	<u>\$ -</u>	<u>\$ 9,000,000</u>	<u>\$ 9,000,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Expenditures	<u>\$ 2,510,000</u>	<u>\$ 11,210,000</u>	<u>\$ 200,000</u>	<u>\$ 11,410,000</u>	<u>\$ 9,065,406</u>	<u>\$ 25,302</u>	<u>\$ 2,319,292</u>	<u>\$ -</u>
REVENUE OVER (UNDER) EXPENDITURES			\$ (7,890,000)	\$ (5,355,154)				
Beginning Fund Balance October 1			9,691,322	9,691,322				
Ending Fund Balance Current Month			<u>\$ 1,801,322</u>	<u>\$ 4,336,168</u>				

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 July 31, 2022

WASTEWATER IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
Impact Fees Wastewater	\$ 2,000,000	\$ -	\$ 2,000,000	\$ 1,719,508				
Interest Income	16,000	-	16,000	12,163				
Upper Trinity Equity Fee	300,000	-	300,000	357,500				
Total Revenues	<u>\$ 2,316,000</u>	<u>\$ -</u>	<u>\$ 2,316,000</u>	<u>\$ 2,089,171</u>				
EXPENDITURES								
Developer Reimbursements								
TVG Westside Utility Developer Reimb	275,000	275,000	-	275,000	189,757	-	85,243	-
Prosper Partners Utility Developer Reimb	-	-	-	-	20,440	-	(20,440)	-
Frontier Estates Developer Reimb	25,000	25,000	-	25,000	1,366	-	23,634	-
LaCima Developer Reimb	50,000	50,000	-	50,000	3,386	-	46,614	-
Brookhollow Developer Reimb	220,000	220,000	-	220,000	45,152	-	174,848	-
TVG Windsong Developer Reimb	600,000	600,000	-	600,000	409,873	-	190,127	-
All Storage Developer Reimb	50,000	50,000	-	50,000	-	-	50,000	-
Legacy Garden Developer Reimb	75,000	75,000	-	75,000	50,669	-	24,331	-
Total Developer Reimbursements	<u>\$ 1,295,000</u>	<u>\$ 1,295,000</u>	<u>\$ -</u>	<u>\$ 1,295,000</u>	<u>\$ 720,643</u>	<u>\$ -</u>	<u>\$ 574,357</u>	<u>\$ -</u>
Capital Expenditures								
Doe Branch Wastewater Lines	-	-	475,000	475,000	-	48,600	426,400	426,400
Total Projects	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 475,000</u>	<u>\$ 475,000</u>	<u>\$ -</u>	<u>\$ 48,600</u>	<u>\$ 426,400</u>	<u>\$ -</u>
Transfer to CIP Fund	1,500,000	1,500,000	-	1,500,000	1,500,000	-	-	-
Total Transfers Out	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ -</u>	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Expenditures	<u>\$ 2,795,000</u>	<u>\$ 2,795,000</u>	<u>\$ 475,000</u>	<u>\$ 3,270,000</u>	<u>\$ 2,220,643</u>	<u>\$ 48,600</u>	<u>\$ 1,000,757</u>	<u>\$ -</u>
REVENUE OVER (UNDER) EXPENDITURES			\$ (954,000)	\$ (131,472)				
Beginning Fund Balance October 1			2,733,394	2,733,394				
Ending Fund Balance Current Month			<u>\$ 1,779,394</u>	<u>\$ 2,601,922</u>				

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022

THOROUGHFARE IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
REVENUES									
East Thoroughfare Impact Fees	\$ 1,200,000	\$ -	\$ 1,200,000	\$ 1,069,583					
East Thoroughfare Other Revenue	-	-	-	-					
West Thoroughfare Impact Fees	4,000,000	-	4,000,000	4,413,285					
West Thoroughfare Other Revenue	-	-	-	-					
Interest-East Thoroughfare Impact Fees	9,000	-	9,000	10,028					
Interest-West Thoroughfare Impact Fees	15,000	-	15,000	29,471					
Total Revenues	<u>\$ 5,224,000</u>	<u>\$ -</u>	<u>\$ 5,224,000</u>	<u>\$ 5,522,367</u>					
EXPENDITURES									
East									
FM 1461 (SH289-CR 165)	175,000	175,000	-	175,000	77,074	-	97,927	-	
Coleman Median Landscape (Talon-Victory)	30,000	-	7,750	7,750	2,750	-	5,000	22,225	
Coit Road (First - Frontier)	1,289,900	-	364,755	364,755	-	-	364,755	922,775	
Traffic Signal - Coit & Richland	56,800	56,800	-	56,800	-	-	56,800	50,795	
Transfer to Capital Project Fund	2,180,000	2,180,000	-	2,180,000	2,180,000	-	-	-	
Total East	<u>\$ 3,731,700</u>	<u>\$ 2,411,800</u>	<u>\$ 372,505</u>	<u>\$ 2,784,305</u>	<u>\$ 2,259,824</u>	<u>\$ -</u>	<u>\$ 524,481</u>	<u>\$ 995,795</u>	<u>\$ 476,082</u>
West									
Teel 380 Intersection Improvements	100,000	-	22,125	22,125	24,125	3,000	(5,000)	73,861	
Traffic Signal	-	-	2,185	2,185	13,380	-	(11,195)	256,112	
Parks at Legacy Developer Reimb	600,000	600,000	-	600,000	181,590	-	418,410	-	
Star Trail Developer Reimb	1,000,000	1,000,000	-	1,000,000	-	-	1,000,000	-	
Tellus Windsong Developer Reimb	3,500,000	3,500,000	-	3,500,000	5,513,473	-	(2,013,473)	-	
Legacy Garden Developer Reimb	200,000	200,000	-	200,000	98,040	-	101,960	-	
Total West	<u>\$ 5,400,000</u>	<u>\$ 5,300,000</u>	<u>\$ 24,310</u>	<u>\$ 5,324,310</u>	<u>\$ 5,830,607</u>	<u>\$ 3,000</u>	<u>\$ (509,297)</u>	<u>\$ 329,973</u>	<u>\$ (493,102)</u>
Total Expenditures	<u>\$ 9,131,700</u>	<u>\$ 7,711,800</u>	<u>\$ 396,814</u>	<u>\$ 8,108,615</u>	<u>\$ 8,090,430</u>	<u>\$ 3,000</u>	<u>\$ 15,184</u>	<u>\$ 1,325,768</u>	<u>\$ (17,021)</u>
REVENUE OVER (UNDER) EXPENDITURES				\$ (2,884,615)	\$ (2,568,064)				
Beginning Fund Balance October 1				10,678,812	10,678,812				
Ending Fund Balance Current Month				<u>\$ 7,794,198</u>	<u>\$ 8,110,748</u>				

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022
Expected Year to Date Percent 83.33%

SPECIAL REVENUE FUNDS

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
Police Donation Revenue	\$ 14,000	\$ -	\$ 14,000	\$ 12,632	\$ -	\$ 1,368	90%		\$ 10,638	19%
Fire Donation Revenue	13,500	-	13,500	12,456	-	1,044	92%		11,709	6%
Child Safety Revenue	12,000	-	12,000	14,187	-	(2,187)	118%		6,739	111%
Court Security Revenue	8,000	-	8,000	6,038	-	1,962	75%		6,960	-13%
Court Technology Revenue	7,000	-	7,000	5,072	-	1,928	72%		5,284	-4%
Municipal Jury revenue	150	-	150	118	-	32	78%		131	-10%
Interest Income	1,425	-	1,425	2,340	-	(915)	164%		3,006	-22%
Interest Income CARES/ARPA Funds	-	-	-	10,139	-	(10,139)			(295)	-3536%
Tree Mitigation	-	-	-	22,400	-	(22,400)			221,875	-90%
Miscellaneous	-	-	-	2,997	-	(2,997)			3,111	-4%
CARES Act/ARPA Funding	3,045,165	-	3,045,165	6,018	-	3,039,147	0%		1,419,369	-100%
Transfer In	-	-	-	-	-	-			-	
Total Revenue	\$ 3,101,240	\$ -	\$ 3,101,240	\$ 94,398	\$ -	\$ 3,006,842	3%		\$ 1,688,527	-94%
EXPENDITURES										
LEOSE Expenditure	\$ 6,500	\$ -	\$ 6,500	\$ -	\$ -	\$ 6,500	0%		\$ 2,500	-100%
Court Technology Expense	-	14,664	14,664	10,688	-	3,976	73%		-	
Court Security Expense	16,936	-	16,936	360	-	16,576	2%		4,235	-91%
Police Donation Expense	26,204	-	26,204	24,425	-	1,779	93%		8,588	184%
Fire Donation Expense	5,000	-	5,000	-	-	5,000	0%		4,693	-100%
Child Safety Expense	39,698	-	39,698	2,706	20,780	16,211	59%		-	
Tree Mitigation Expense	400,000	(366,400)	33,600	33,600	-	-	100%	2	-	
Police Seizure Expense	8,227	-	8,227	-	-	8,227	0%		4,250	-100%
CARES Act/ARPA Funding	-	-	-	-	-	-			1,420,316	-100%
Transfer Out (Tree Mitigation funds)	-	366,400	366,400	366,400	-	-	100%	3	-	
Total Expenses	\$ 502,565	\$ 14,664	\$ 517,229	\$ 438,179	\$ 20,780	\$ 58,269	85%		\$ 1,444,582	-70%
REVENUE OVER (UNDER) EXPENDITURES	\$ 2,598,675	\$ (14,664)	\$ 2,584,011	\$ (343,782)					\$ 243,945	
Beginning Fund Balance October 1			848,389	848,389					567,535	
Ending Fund Balance Current Month			<u>\$ 3,432,400</u>	<u>\$ 504,607</u>					<u>\$ 811,480</u>	

Notes

2,3 Funds have been spent/transferred to capital to be used for projects.

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 July 31, 2022

CAPITAL PROJECTS FUND - GENERAL

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
REVENUES									
Grants	\$ -	\$ -	\$ -	\$ -					
Bond Proceeds	34,688,033	-	34,688,033						
Interest Income	-	-	-	128,722					
Other Revenue	-	-	-	-					
Transfers In - General Fund	4,295,000	2,348,400	6,643,400	5,927,567					
Transfers In - Impact Fee Funds	2,180,000	-	2,180,000	2,180,000					
Transfers In - Bond Funds	-	-	-	8,279,068					
Total Revenues	\$ 41,163,033	\$ 2,348,400	\$ 43,511,433	\$ 16,515,357					
EXPENDITURES									
Frontier Parkway BNSF Overpass	9,143,771	287,783	-	287,783	103,177	-	184,606	8,855,826	
West Prosper Roads	14,168,828	518,952	-	518,952	586	-	518,366	14,016,735	
Traffic Signal (Coit & First)	306,300	-	19,500	19,500	-	-	19,500	286,799	
BNSF Quiet Zone First/Fifth	145,000	127,186	-	127,186	-	-	127,186	17,146	
Prosper Trail (Coit-Custer) 2 Lanes	6,422,068	1,006,205	700,868	1,707,073	1,053,978	-	653,095	4,715,110	
Cook Lane (First-End)	20,799	-	20,799	20,799	-	-	-	-	
Preston/First Turn Lane	100,000	100,000	-	100,000	-	-	100,000	-	
First St (DNT to Coleman)	4,011,567	2,293,095	310,941	2,604,036	100,175	(163,181)	2,667,042	1,407,531	
Fishtrap (Elem-DNT) 4 Lanes	20,754,430	19,689,411	138,563	19,827,974	1,438,558	26,821,712	(8,432,296)	873,947	
First St (Coit-Custer) 4 Lanes	22,085,000	21,012,639	175,800	21,188,439	1,021,011	(22,405,659)	42,573,088	921,427	
Fishtrap, Segment 4 (Middle-Elem)	2,944,190	205,011	1,714,417	1,919,428	1,757,546	-	161,883	1,085,647	
Preston/Prosper Trail Turn Lane	100,000	100,000	-	100,000	-	-	100,000	-	
Victory Way (Coleman-Frontier)	2,500,000	-	-	-	-	-	-	2,284,783	
Craig Street (Preston-Fifth)	450,000	450,000	-	450,000	76,220	99,375	274,405	-	
Prosper Trail/DNT Intersection Improvements	2,113,000	-	78,645	78,645	61,059	(0)	17,586	2,034,355	
Fishtrap Section 1 & 4	778,900	19,200	6,500	25,700	-	1,500	24,200	727,808	
Fishtrap Segment 2 (PISD reimbursement)	1,063,033	1,063,033	-	1,063,033	938,997	-	133,773	-	
Fishtrap (Teel - Gee Road)	6,025,000	6,025,000	-	6,025,000	-	(6,025,000)	12,050,000	-	
Gee Road (Fishtrap - Windsong)	3,520,000	3,520,000	-	3,520,000	-	(4,169,579)	7,689,579	-	
Teel (US 380 Intersection Improvements)	1,280,000	1,180,000	-	1,180,000	-	-	1,180,000	-	
Coleman (Gorgeous - Prosper Trail)	5,500,000	700,000	450,000	1,150,000	68,834	230,318	850,849	-	
Coleman (Prosper Trail - PHS)	3,000,000	675,000	(300,000)	375,000	-	-	375,000	-	
Legacy (Prairie - Fishtrap)	8,225,000	850,000	-	850,000	122,318	113,376	614,307	-	
Teel Parkway (US 380 - Fishtrap Rd) NB 2 Lanes (Design)	900,000	-	750,000	750,000	52,500	30,000	667,500	-	
Total Street Projects	\$ 115,556,886	\$ 59,822,515	\$ 4,066,034	\$ 63,888,549	\$ 6,815,757	\$ (5,467,139)	\$ 62,549,668	\$ 37,227,114	\$ 76,981,154

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
July 31, 2022

CAPITAL PROJECTS FUND - GENERAL

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
Downtown Monument	455,000	204,257	43,546	247,803	37,296	-	210,507	210,293	
Turf Irrigation SH289	68,000	19,065	-	19,065	-	-	19,065	19,065	
US 380 Median Design (Green Ribbon)	821,250	751,550	-	751,550	-	-	751,550	755,450	
Whitley Place H&B Trail Extension	750,000	1,621	-	1,621	-	-	1,621	15,791	
Whitley Place H&B Trail Extension (Pwr line Esmnt)	280,000	44,797	-	44,797	-	-	44,797	44,798	
Tanner's Mill Phase 2 Design	1,030,000	951,700	433,621	1,385,321	56,739	625,252	703,330	333,929	
Lakewood Preserve, Phase 2	3,845,000	3,845,000	-	3,845,000	-	-	3,845,000	3,845,000	
Pecan Grove Ph II	67,500	7,606	35,959	43,565	36,630	3,040	29,248	1,395	
Downtown Pond Improvements	120,000	120,000	-	120,000	11,760	-	108,240	108,240	
Sexton Park Phase I	1,200,000	1,200,000	-	1,200,000	72,896	81,718	1,045,386	1,045,386	
Gee Road Trail Connection	700,000	700,000	-	700,000	-	-	700,000	700,000	
Coleman Median Landscape (Victory-Preston)	650,000	650,000	-	650,000	19,783	(423,469)	1,053,686	1,053,686	
Prosper Trail Median Landscape	275,000	275,000	-	275,000	7,352	(141,470)	409,118	409,118	
Coleman Median Landscape (Talon-Victory)	454,025	424,050	-	424,050	342,713	-	81,337	111,312	
Total Park Projects	\$ 10,715,775	\$ 9,194,646	\$ 513,125	\$ 9,707,771	\$ 585,169	\$ 145,070	\$ 9,002,886	\$ 1,332,072	\$ 8,653,464
PD Car Camera and Body worn Camera System	387,225	387,225	-	387,225	-	17,000	370,225	370,225	
Station #3 Quint Engine	1,350,000	1,350,000	145,000	1,495,000	1,194,041	(5,669)	306,628	161,628	
Station #3 Ambulance	460,000	460,000	35,000	495,000	-	-	495,000	460,000	
Street Broom	36,900	-	43,960	43,960	43,960	-	-	(7,060)	
Storm Siren	33,860	294	33,566	33,860	33,566	-	294	294	
Scag Wind Storm Blower	9,300	183	-	183	-	-	183	9,300	
Heavy Duty Trailer	18,250	-	26,626	26,626	26,626	-	-	(8,376)	
Verti-Cutter	12,000	-	19,908	19,908	19,908	-	-	(7,908)	
Skid Steer	81,013	-	81,013	81,013	81,013	-	-	-	
Z-Max Spreader/Sprayer	12,000	-	12,590	12,590	12,590	-	-	(590)	
Park Ops Vehicle	25,889	-	27,035	27,035	-	-	27,035	25,889	
Bucket Truck	117,261	-	126,757	126,757	126,757	-	-	(9,496)	
Awnings for Storage	19,800	19,800	-	19,800	1,500	9,600	8,700	8,700	
Engineering Vehicle	35,998	35,998	-	35,998	-	40,226	(4,228)	(4,228)	
Public Safety Complex FFE	-	4,000	4,000	4,000	-	-	4,000	-	
Public Safety Complex, Phase 2-Design	1,555,615	-	676,700	676,700	415,425	55,894	261,275	1,084,296	
Public Safety Complex, Phase 2-Dev Costs	670,000	661,750	(22,675)	639,075	55,229	25,238	558,608	589,533	
Public Safety Complex, Phase 2-Construction	14,500,000	14,499,671	-	14,499,671	2,538,516	3,057,579	8,903,575	8,903,904	
Public Safety Complex, Phase 2-FFE	1,274,385	1,274,385	-	1,274,385	-	(72,538)	1,346,923	1,346,923	
Fire Engine Station 4 - FUNDS REALLOCATED	1,100,000	1,100,000	(900,000)	200,000	-	-	200,000	200,000	
Fire Station #4 - Design	600,000	600,000	-	600,000	110,618	227,221	270,541	262,161	
Fire Station #4 - Engine	1,250,000	-	1,250,000	1,250,000	949,757	151,951	148,292	148,292	
Fire Station #4 - Ambulance	552,000	-	552,000	552,000	-	-	552,000	552,000	
Fire Station #4 - Other Costs	8,250	-	-	-	8,250	-	(8,250)	-	
Total Facility Projects	\$ 24,109,746	\$ 20,393,306	\$ 2,111,480	\$ 22,500,786	\$ 5,617,757	\$ 3,506,502	\$ 13,440,802	\$ -	\$ 14,085,487
Transfer Out	-	-	-	-	-	-	-	-	
Total Expenditures	\$ 150,382,407	\$ 89,410,467	\$ 6,690,639	\$ 96,097,107	\$ 13,018,682	\$ (1,815,566)	\$ 84,993,355	\$ 38,559,186	\$ 99,720,105
REVENUE OVER (UNDER) EXPENDITURES			\$ (52,585,674)	\$ 3,496,674					
Beginning Fund Balance (Restricted for Capital Projects) October 1			55,411,735	55,411,735					
Ending Fund Balance (Restricted for Capital Projects) Current Month			<u>\$ 2,826,061</u>	<u>\$ 58,908,409</u>					

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 July 31, 2022

CAPITAL PROJECTS FUND-WATER/SEWER

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Year Expenditure	Project Budget Balance	
REVENUES									
Interest Income	\$ -	\$ -	\$ -	\$ 17,433					
Bond Proceeds	14,931,000	-	14,931,000	-					
Transfers In	563,323	-	563,323	643,562					
Transfers In - Impact Fee Funds	10,500,000	-	10,500,000	10,500,000					
Transfers In - Bond Funds	-	-	-	75,396					
Total Revenues	<u>\$ 25,994,323</u>	<u>\$ -</u>	<u>\$ 25,994,323</u>	<u>\$ 11,236,391</u>					
EXPENDITURES									
Lower Pressure Plane Pump Station Design	24,331,100	22,746,000	432,371	23,178,371	34,951	471,692	22,671,729	1,148,013	22,676,445
Fishtrap EST (South)	6,433,700	6,000	187,924	193,924	-	-	193,924	6,239,583	194,117
Water Supply Line Phase I	13,181,703	133,230	37,227	170,457	-	-	170,457	12,956,822	224,881
Custer Rd Meter Station/Water Line Relocation	3,866,832	32,598	49,421	82,019	590	73,003	8,426	3,795,144	(1,905)
E-W Collector (Cook-DNT)	680,775	128,000	5,400	133,400	-	-	133,400	547,223	133,552
Doe Branch Parallel Interceptor	-	-	4,500	4,500	4,500	-	-	-	(4,500)
Fishtrap (Elem-DNT) Water Line	5,000,000	5,000,000	-	5,000,000	-	-	5,000,000	-	5,000,000
Total Water & Wastewater Projects	<u>\$ 53,494,110</u>	<u>\$ 28,045,828</u>	<u>\$ 716,843</u>	<u>\$ 28,762,671</u>	<u>\$ 40,041</u>	<u>\$ 544,695</u>	<u>\$ 28,177,936</u>	<u>\$ 24,686,785</u>	<u>\$ 28,222,590</u>
Old Town Drainage	665,000	50,000	-	50,000	-	-	50,000	603,142	61,858
Frontier Park/Preston Lakes Drainage	1,085,000	985,000	-	985,000	459	558,414	426,127	36,510	489,617
Old Town Regional Pond #2	385,000	-	45,751	45,751	28,638	-	17,114	2,572	353,790
Old Town Drainage Broadway Design & Construction	691,686	60,240	6,398	66,638	3,220	6,398	57,020	318,568	363,500
Total Drainage Projects	<u>\$ 2,826,686</u>	<u>\$ 1,095,240</u>	<u>\$ 52,149</u>	<u>\$ 1,147,389</u>	<u>\$ 32,317</u>	<u>\$ 564,812</u>	<u>\$ 550,260</u>	<u>\$ 960,792</u>	<u>\$ 1,268,765</u>
Transfer out	-	-	-	-	-	-	-	-	-
Total Expenses	<u>\$ 56,320,796</u>	<u>\$ 29,141,068</u>	<u>\$ 768,992</u>	<u>\$ 29,910,060</u>	<u>\$ 72,358</u>	<u>\$ 1,109,507</u>	<u>\$ 28,728,196</u>	<u>\$ 25,647,577</u>	<u>\$ 29,491,355</u>
				\$ (3,915,737)	\$ 11,164,033				
Beginning Fund Balance (Restricted for Capital Projects) October 1				5,258,203	5,258,203				
Ending Fund Balance (Restricted for Capital Projects) Current Month				<u>\$ 1,342,466</u>	<u>\$ 16,422,236</u>				



MONTHLY FINANCIAL REPORT as of August 31, 2022 Budgetary Basis

Prepared by
Finance Department

May 23, 2023

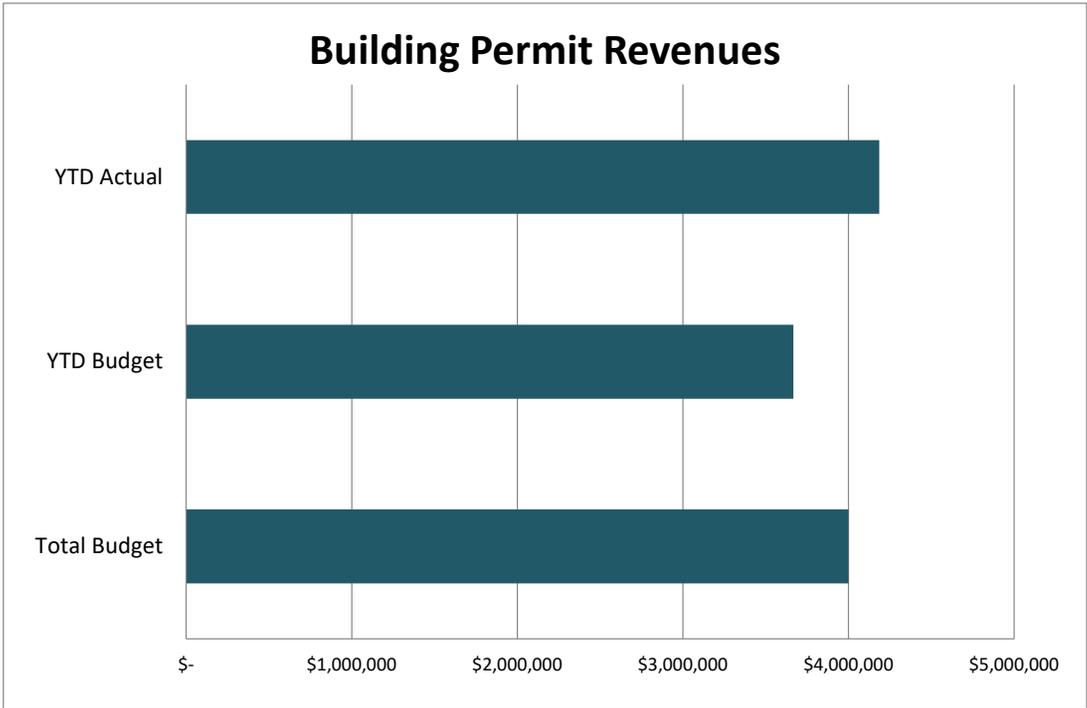
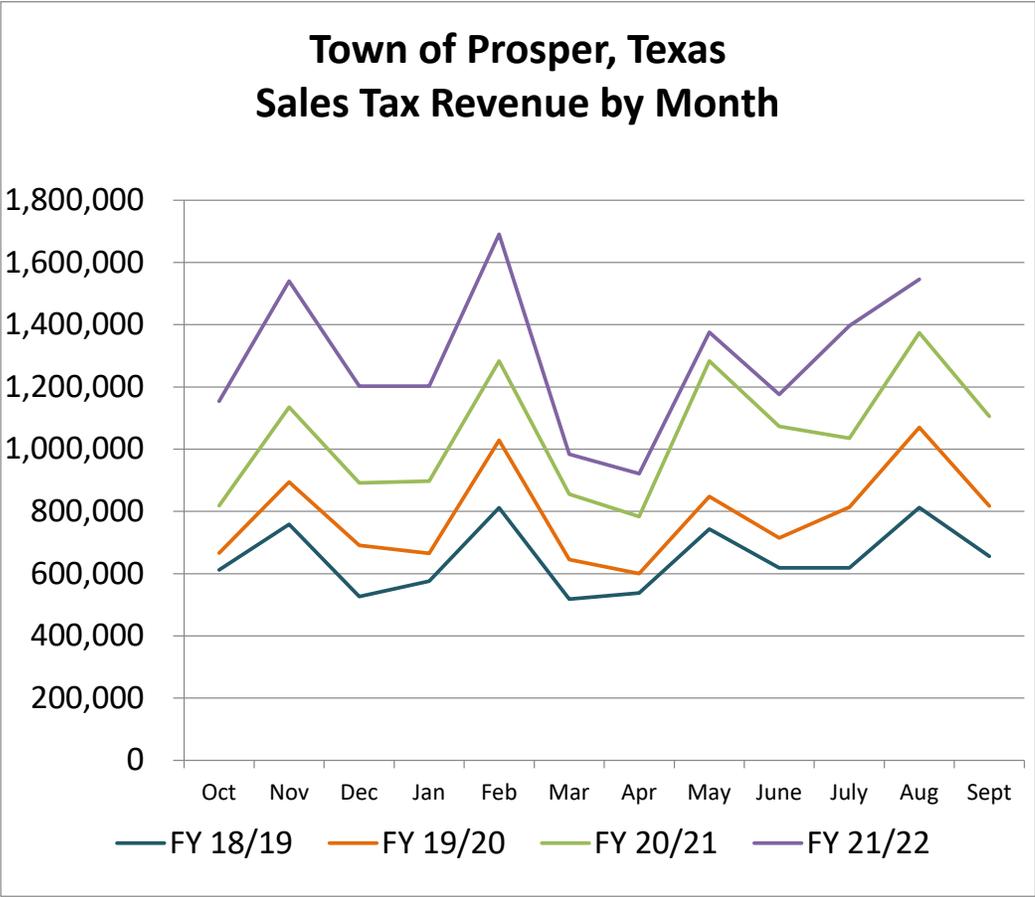
TOWN OF PROSPER, TEXAS

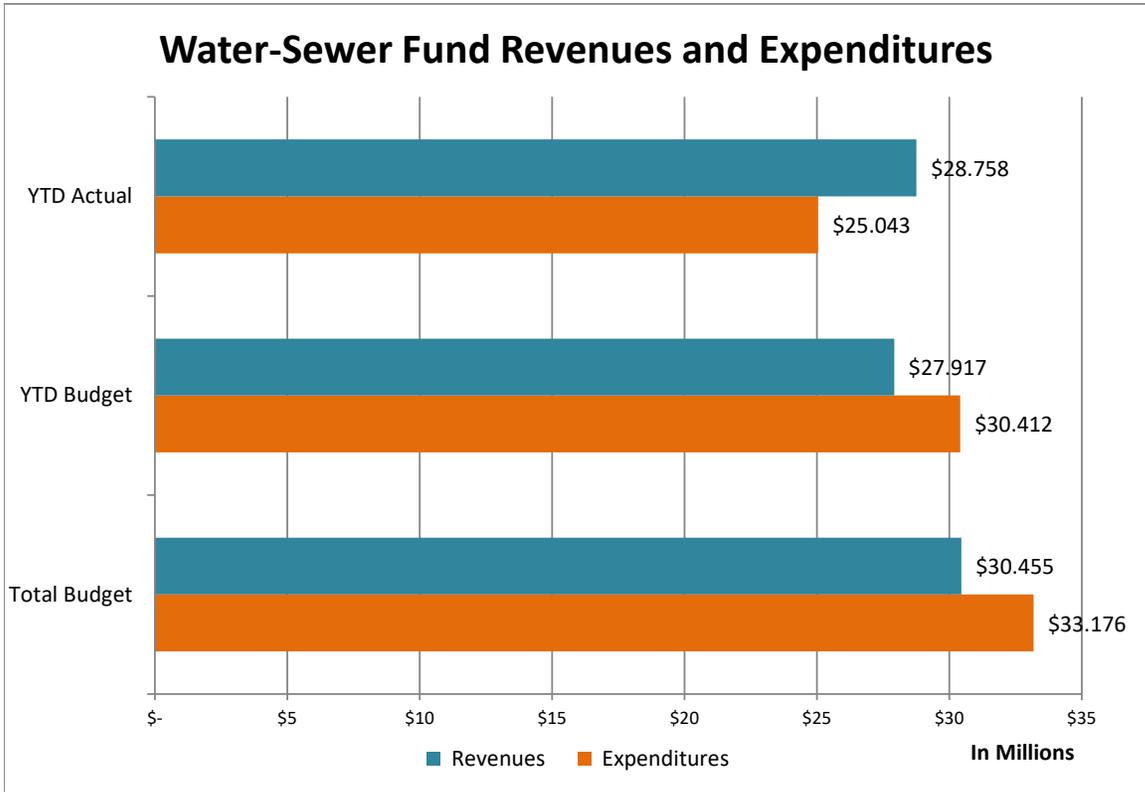
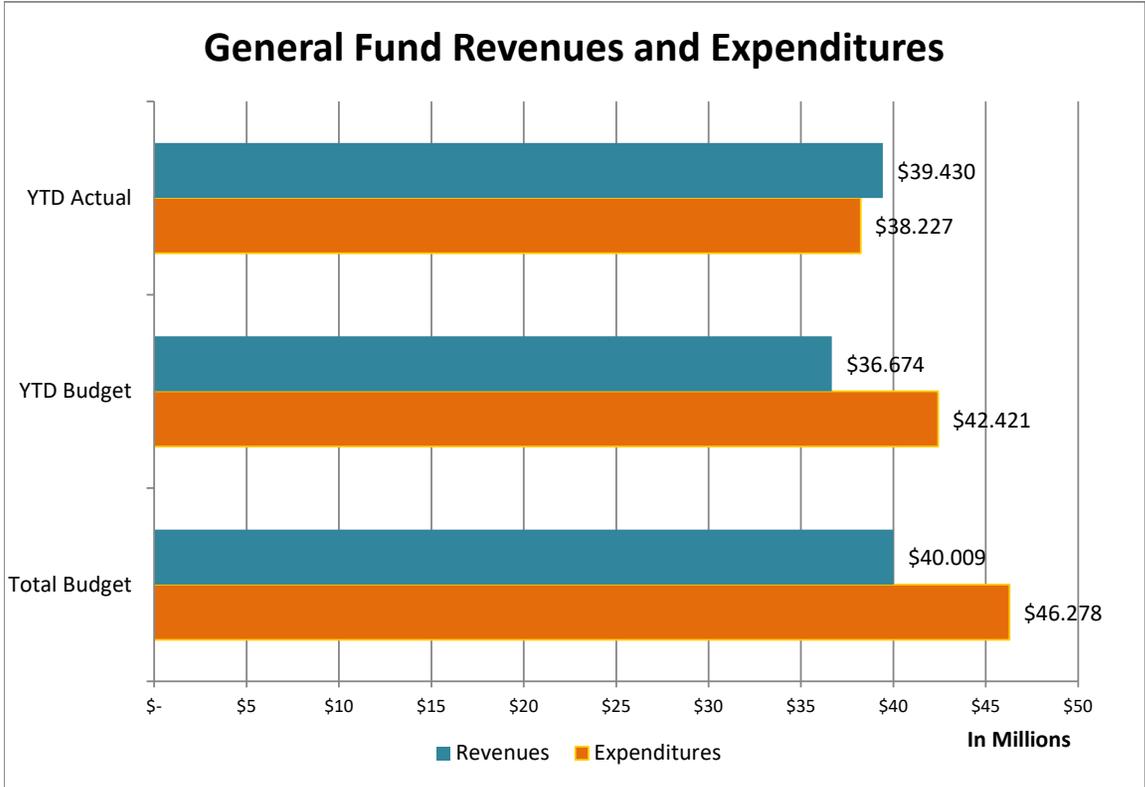
MONTHLY FINANCIAL REPORT

AUGUST 2022

Table of Contents

Dashboard Charts	3 - 4
General Fund	5
Water-Sewer Fund	6 - 7
Debt Service Fund	8
Crime Control and Prevention Special Purpose District	9
Fire Control, Prevention, and Emergency Medical Services Special Purpose District	10
Vehicle and Equipment Replacement Fund	11
Storm Drainage Utility Fund	12
Park Dedication and Improvement Fund	13
TIRZ #1 - Blue Star	14
TIRZ #2	15
Water Impact Fees Fund	16
Wastewater Impact Fees Fund	17
Thoroughfare Impact Fees Fund	18
Special Revenue Fund	19
Capital Projects Fund-General	20
Capital Projects Fund-Water/Sewer	22





TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

GENERAL FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actuals	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actuals	Change from Prior Year
REVENUES										
Property Taxes	\$ 19,256,473	\$ 60,000	\$ 19,316,473	\$ 19,039,403	\$ -	\$ 277,070	99%	1	\$ 18,573,983	3%
Sales Taxes	7,972,237	1,147,446	9,119,683	8,832,389	-	287,294	97%		7,151,751	23%
Franchise Fees	1,997,889	(292,095)	2,289,984	1,800,500	-	489,484	79%	2	1,330,113	35%
Building Permits	3,751,000	249,000	4,000,000	4,185,824	-	(185,824)	105%		5,719,685	-27%
Other Licenses, Fees & Permits	1,307,700	(389,550)	1,697,250	2,039,798	-	(342,548)	120%		2,081,676	-2%
Charges for Services	576,873	(325,600)	902,473	901,291	-	1,182	100%		559,198	61%
Fines & Warrants	325,000	75,000	250,000	224,361	-	25,639	90%		256,871	-13%
Intergovernmental Revenue (Grants)	232,914	(16,495)	216,419	329,434	-	(113,015)	152%		553,327	-40%
Interest Income	70,000	(20,000)	90,000	93,301	-	(3,301)	104%		132,246	-29%
Transfers In	1,100,514	-	1,100,514	1,008,805	-	91,709	92%		982,502	3%
Miscellaneous	329,481	2,144,006	568,997	665,863	-	(96,866)	117%		196,429	239%
Park Fees	377,000	79,750	456,750	309,420	-	147,330	68%		354,915	-13%
Total Revenues	\$ 37,297,081	\$ 2,711,462	\$ 40,008,543	\$ 39,430,389	\$ -	\$ 578,154	99%		\$ 37,892,696	4%
EXPENDITURES										
Administration	\$ 7,222,692	\$ 1,397,703	\$ 8,620,395	\$ 7,308,519	\$ 286,684	\$ 1,025,192	88%		\$ 5,846,790	25%
Police	6,520,223	268,926	6,789,149	5,490,742	99,445	1,198,962	82%		4,810,481	14%
Fire/EMS	8,738,347	2,062,727	10,801,074	10,260,668	642	539,763	95%		8,413,325	22%
Public Works	3,697,980	589,669	4,287,649	2,628,116	307,962	1,351,571	68%		1,832,435	43%
Community Services	6,575,735	377,361	6,953,096	6,056,521	45,948	850,628	88%		3,898,775	55%
Development Services	4,211,352	378,303	4,589,655	3,103,613	18,120	1,467,921	68%		2,997,723	4%
Engineering	4,175,692	60,881	4,236,573	3,378,953	-	857,619	80%		1,723,018	96%
Total Expenses	\$ 41,142,021	\$ 5,135,569	\$ 46,277,590	\$ 38,227,133	\$ 758,800	\$ 7,291,656	84%		\$ 29,522,547	29%
REVENUE OVER (UNDER) EXPENDITURES	\$ (3,844,940)	\$ (2,424,107)	\$ (6,269,047)	\$ 1,203,256					\$ 8,370,149	
Beginning Fund Balance October 1-Unassigned/Unrestricted			20,242,707	20,242,707					13,923,232	
Ending Fund Balance			<u>\$ 13,973,660</u>	<u>\$ 21,445,963</u>					<u>\$ 22,293,381</u>	

Notes

- 1 Property taxes are billed in October and the majority of collections occur December through February.
- 2 Franchise fees and other various license and fees are paid quarterly or annually.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

WATER-SEWER FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Water Charges for Services	\$ 15,179,476	\$ -	\$ 15,179,476	\$ 17,127,739	\$ -	\$ (1,948,263)	113%		\$ 13,084,063	31%
Sewer Charges for Services	8,972,771	-	8,972,771	8,796,731	-	176,040	98%		7,687,123	14%
Sanitation Charges for Services	1,779,679	-	1,779,679	1,792,252	-	(12,573)	101%		1,479,650	21%
Licenses, Fees & Permits	214,370	-	214,370	249,369	-	(34,999)	116%		207,588	20%
Utility Billing Penalties	142,000	-	142,000	176,372	-	(34,372)	124%		58,863	
Interest Income	40,000	-	40,000	40,637	-	(637)	102%		49,192	-17%
Other	4,126,549	-	4,126,549	575,069	-	3,551,480	14%	1	744,088	-23%
Transfer In	-	-	-	-	-	-			-	
Total Revenues	\$ 30,454,845	\$ -	\$ 30,454,845	\$ 28,758,170	\$ -	\$ 1,696,675	94%		\$ 23,310,567	23%
EXPENDITURES										
Administration	\$ 3,091,532	\$ 21,449	\$ 3,112,981	\$ 2,753,695	\$ 29,300	329,986	89%		\$ 2,384,080	16%
Debt Service	3,713,517	2,618,251	6,331,768	6,244,386	-	87,382	99%	2	3,702,020	69%
Water Purchases	7,701,317	-	7,691,497	6,560,828	-	1,130,669	85%		6,205,692	6%
Public Works	15,694,874	335,317	16,040,011	9,484,387	188,432	6,367,192	60%		8,211,711	15%
Total Expenses	\$ 30,201,240	\$ 2,975,017	\$ 33,176,257	\$ 25,043,296	\$ 217,732	\$ 7,915,229	76%		\$ 20,503,503	22%
REVENUE OVER (UNDER) EXPENDITURES	\$ 253,605	\$ (2,975,017)	\$ (2,721,412)	\$ 3,714,874					\$ 2,807,064	
Beginning Working Capital October 1			10,914,365	10,914,365					6,867,399	
Ending Working Capital			<u>\$ 8,192,953</u>	<u>\$ 14,629,239</u>					<u>\$ 9,674,463</u>	

- Notes
- 1 Largest portion of this (\$3.89M) is TxDOT reimbursement for Custer Water Line relocation.
 - 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

WATER-SEWER FUND

	Aug-22		Aug-21		Growth % Change
	WATER	SEWER	WATER	SEWER	
# of Accts Residential	11,790	11,053	10,795	10,102	9.31%
# of Accts Commercial	497	369	473	351	5.10%
Consumption-Residential	328,868,270	79,991,923	216,959,530	65,994,730	44.50%
Consumption-Commercial	111,391,700	16,837,820	68,106,020	14,484,840	55.26%
Average Residential Water Consumption	27,840		20,047		38.87%
Billed (\$) Residential	\$ 2,335,858	\$ 703,705	\$ 1,479,872	\$ 608,029	57.84%
Billed (\$) Commercial	1,039,963	134,089	624,178	119,473	66.61%
Total Billed (\$)	\$ 3,375,821	\$ 837,794	\$ 2,104,050	\$ 727,502	48.81%

	Average Monthly	Average Cumulative
October	9.9%	9.9%
November	6.9%	16.8%
December	5.4%	22.2%
January	4.3%	26.6%
February	4.5%	31.1%
March	4.4%	35.5%
April	6.0%	41.5%
May	7.3%	48.8%
June	9.0%	57.8%
July	12.6%	70.4%
August	16.6%	87.0%
September	13.0%	100.0%

Rainfall	Average rainfall for August is 2.18			
	Sep-21	0.25	Sep-20	3.87
	Oct-21	2.96	Oct-20	1.74
	Nov-21	3.11	Nov-20	1.08
	Dec-21	0.43	Dec-20	3.00
	Jan-22	0.08	Jan-21	0.85
	Feb-22	2.03	Feb-21	2.22
	Mar-22	2.12	Mar-21	3.03
	Apr-22	2.54	Apr-21	4.50
	May-22	3.00	May-21	7.77
	Jun-22	2.64	Jun-21	2.15
	Jul-22	0.41	Jul-21	2.98
	Aug-22	10.68	Aug-21	4.82

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

DEBT SERVICE FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year	
REVENUES											
Property Taxes-Delinquent	\$ 75,000	\$ -	\$ 75,000	\$ 64,800	\$ -	\$ 10,200	86%	1	\$ 76,268	-15%	
Property Taxes-Current	10,545,466	-	10,545,466	10,430,190	-	115,276	99%		7,590,065	37%	
Taxes-Penalties	-	-	-	38,186	-	(38,186)			32,764	17%	
Transfer In	-	428,581	428,581	428,581	-	-	100%		-		
Interest Income	45,000	-	45,000	14,429	-	30,571	32%		28,446	-49%	
Total Revenues	\$ 10,665,466	\$ 428,581	\$ 11,094,047	\$ 10,976,186	\$ -	\$ 117,861	99%		\$ 7,727,543	42%	
EXPENDITURES											
Professional Services	\$ -	\$ -	\$ -	\$ 9,500	\$ -	\$ (9,500)		2	\$ 8,030		
2012 GO Bond Payment	2,200,000	428,581	2,628,581	2,590,000	-	38,581	99%		195,000	1228%	
2013 GO Refunding Bond	175,000	-	175,000	175,000	-	-	100%		170,000		
Bond Administrative Fees	20,000	-	20,000	2,805	-	17,195	14%		1,930		
2014 GO Bond Payment	305,000	-	305,000	305,000	-	-	100%		285,000		
2015 GO Bond Payment	1,220,300	-	1,220,300	1,220,300	-	-	100%		463,700	163%	
2015 CO Bond Payment	445,000	-	445,000	445,000	-	-	100%		440,000	1%	
2016 GO Debt Payment	-	-	-	-	-	-			625,500	-100%	
2016 CO Debt Payment	70,000	-	70,000	70,000	-	-	100%		55,000	27%	
2017 CO Debt Payment	70,000	-	70,000	70,000	-	-	100%		410,000	-83%	
2018 GO Debt Payment	145,000	-	145,000	145,000	-	-	100%		135,000	7%	
2018 CO Debt Payment	455,000	-	455,000	455,000	-	-	100%		175,000	160%	
2019 CO Debt Payment	381,123	-	381,123	381,123	-	-	100%		366,177	4%	
2019 GO Debt Payment	155,000	-	155,000	155,000	-	-	100%		150,000	3%	
2020 CO Debt Payment	245,000	-	245,000	245,000	-	-	100%		805,000	-70%	
2021 CO Debt Payment	255,000	-	255,000	310,000	-	(55,000)	122%		-		
2021 GO Debt Payment	1,770,000	-	1,770,000	1,925,000	-	(155,000)	109%		-		
Bond Interest Expense	4,741,048	-	4,741,048	4,493,389	-	247,659	95%		3,404,363	32%	
Total Expenditures	\$ 12,652,471	\$ 428,581	\$ 13,081,052	\$ 12,997,117	\$ -	\$ 83,935	99%			\$ 7,689,700	69%
REVENUE OVER (UNDER) EXPENDITURES	\$ (1,987,005)	\$ -	\$ (1,987,005)	\$ (2,020,931)						\$ 37,843	
Beginning Fund Balance October 1			2,640,088	2,640,088					2,619,367		
Ending Fund Balance Current Month			<u>\$ 653,083</u>	<u>\$ 619,157</u>					<u>\$ 2,657,210</u>		

Notes

- 1 Property taxes are billed in October and the majority of collections occur December through February.
- 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

CRIME CONTROL AND PREVENTION SPECIAL PURPOSE DISTRICT

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Sales Tax - Town	\$ 2,102,918	\$ -	\$ 2,102,918	\$ 2,343,292	\$ -	\$ (240,374)	111%		\$ 1,885,621	24%
Interest Income	300	-	300	1,199	-	(899)	400%		1,502	-20%
Other	-	-	-	-	-	-			-	
Total Revenue	\$ 2,103,218	\$ -	\$ 2,103,218	\$ 2,344,491	\$ -	\$ (241,273)	111%		\$ 1,887,123	24%
EXPENDITURES										
Personnel	\$ 2,078,008	\$ -	\$ 2,078,008	\$ 1,912,002	\$ -	\$ 166,006	92%		\$ 1,325,169	44%
Other	350	-	350	520	-	(170)			278	87%
Total Expenditures	\$ 2,078,358	\$ -	\$ 2,078,358	\$ 1,912,522	\$ -	\$ 165,836	92%		\$ 1,325,448	44%
REVENUE OVER (UNDER) EXPENDITURES	\$ 24,860	\$ -	\$ 24,860	\$ 431,969					\$ 561,675	
Beginning Fund Balance October 1			430,669	430,669					302,439	
Ending Fund Balance Current Month			<u>\$ 455,529</u>	<u>\$ 862,638</u>					<u>\$ 864,114</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES SEPCIAL PURPOSE DISTRICT

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Sales Tax - Town	\$ 2,102,918	\$ -	\$ 2,102,918	\$ 2,338,686	\$ -	\$ (235,768)	111%		\$ 1,879,724	24%
Interest Income	300	-	300	797	-	(497)	266%		548	46%
Other	-	-	-	-	-	-			-	
Total Revenue	\$ 2,103,218	\$ -	\$ 2,103,218	\$ 2,339,484	\$ -	\$ (236,266)	111%		\$ 1,880,272	24%
EXPENDITURES										
Personnel	\$ 2,098,745	\$ -	\$ 2,098,745	\$ 2,003,593	\$ -	\$ 95,152	95%		\$ 1,458,281	37%
Other	350	-	350	512	-	(162)			278	84%
Total Expenditures	\$ 2,099,095	\$ -	\$ 2,099,095	\$ 2,004,105	\$ -	\$ 94,990	95%		\$ 1,458,560	37%
REVENUE OVER (UNDER) EXPENDITURES	\$ 4,123	\$ -	\$ 4,123	\$ 335,378					\$ 421,712	
Beginning Fund Balance October 1			413,785	413,785					203,982	
Ending Fund Balance Current Month			<u>\$ 417,908</u>	<u>\$ 749,163</u>					<u>\$ 625,694</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

VEHICLE AND EQUIPMENT REPLACEMENT FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Grant Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-		\$ -	
Other Reimbursements	136,500	-	136,500	6,692	-	136,500	5%	3	308,637	-98%
Interest Income	20,000	-	20,000	15,769	-	6,707	79%		25,029	-37%
Charges for Services	1,170,198	-	1,170,198	1,072,681	-	195,033	92%		811,766	32%
Total Revenue	\$ 1,326,698	\$ -	\$ 1,326,698	\$ 1,095,142	\$ -	\$ 338,240	83%		\$ 1,145,432	-4%
EXPENDITURES										
Vehicle Replacement	\$ 352,148	\$ 394,393	\$ 746,541	\$ 681,033	\$ 123,503	\$ 154,131	108%	1,2	\$ 471,361	44%
Equipment Replacement	33,300	-	33,300	-	-	33,300	0%	1,2	223,517	-100%
Technology Replacement	255,700	-	255,700	199,390	-	56,310	78%	2	36,379	448%
Total Expenditures	\$ 641,148	\$ 394,393	\$ 1,035,541	\$ 880,423	\$ 123,503	\$ 243,740	97%		\$ 731,257	20%
REVENUE OVER (UNDER) EXPENDITURES	\$ 685,550	\$ (394,393)	\$ 291,157	\$ 214,719					\$ 414,174	
Beginning Fund Balance October 1			3,957,862	3,957,862					3,741,880	
Ending Fund Balance Current Month			<u>\$ 4,249,019</u>	<u>\$ 4,172,581</u>					<u>\$ 4,156,054</u>	

Notes

- 1 Replacement vehicle or technology purchases have been encumbered.
- 2 Replacement vehicle or technology prices slightly higher due to manufacturer price increases.
- 3 Includes auction proceeds. Auction of vehicles will depend on receipt of replacement vehicles.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

STORM DRAINAGE UTILITY FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Storm Drainage Utility Fee	\$ 758,100	\$ -	\$ 758,100	\$ 733,298	\$ -	\$ 93,868	97%		\$ 671,952	9%
Drainage Review Fee	3,000	-	3,000	7,978	-	(628)	266%		6,370	25%
Interest Income	2,200	-	2,200	1,473	-	615	67%		3,875	-62%
Transfer In	-	531,449	531,449	531,449	-	-	100%		-	-
Other Revenue	-	-	-	-	-	-	-		-	-
Total Revenue	\$ 763,300	\$ 531,449	\$ 1,294,749	\$ 1,274,199	\$ -	\$ 93,855	98%		\$ 682,197	87%
EXPENDITURES										
Personnel Services	\$ 172,445	\$ 745	\$ 173,190	\$ 134,188	\$ -	\$ 39,002	77%		\$ 145,921	-8%
Debt Service	253,142	531,449	784,591	771,693	-	12,898	98%	2	245,592	214%
Operating Expenditures	278,595	63,490	342,085	70,839	103,243	168,003	51%		53,016	34%
Transfers Out	663,157	-	663,157	1,123,394	-	(460,237)	169%	1	90,606	1140%
Total Expenses	\$ 1,367,339	\$ 595,684	\$ 1,963,023	\$ 2,100,113	\$ 103,243	\$ (240,333)	112%		\$ 535,135	292%
REVENUE OVER (UNDER) EXPENDITURES	\$ (604,039)	\$ (64,235)	\$ (668,274)	\$ (825,915)					\$ 147,061	
Beginning Working Capital October 1			816,012	816,012					632,579	
Ending Working Capital Current Month			<u>\$ 147,738</u>	<u>\$ (9,903)</u>					<u>\$ 779,640</u>	

Notes

- 1 Capital project funds are transferred as needed; General fund transfers are made monthly.
- 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

PARK DEDICATION AND IMPROVEMENT FUNDS

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Park Dedication-Fees	\$ 430,000	\$ -	\$ 430,000	\$ 755,378	\$ -	\$ (325,378)	176%		\$ 19,946	
Park Dedication - Transfers In	-	-	-	-	-	-			392,217	-100%
Park Improvements	280,500	-	280,500	299,766	-	(19,266)	107%		123,370	143%
Contributions/Grants	-	200,550	200,550	-	-	200,550	0%	2	500,000	-100%
Interest-Park Dedication	6,000	-	6,000	4,992	-	1,009	83%		11,155	-55%
Interest-Park Improvements	5,000	-	5,000	4,322	-	679	86%		7,229	-40%
Total Revenue	\$ 721,500	\$ 200,550	\$ 922,050	\$ 1,064,458	\$ -	\$ (142,408)	115%		\$ 1,053,917	1%
EXPENDITURES										
Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			\$ -	
Cockrell Park Trail Connection	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			\$ 421,551	-100%
Park Dedication Land Acquisition	-	1,913,800	1,913,800	1,914,647	-	(847)	100%		-	
Hike & Bike Master Plan	-	-	-	-	-	-			2,594	
Hays Park	-	31,952	31,952	35,560	-	(3,607)	111%	1	172,317	-79%
Pecan Grove H&B Trail	30,000	-	30,000	-	-	30,000	0%		-	
Pecan Grove Park	575,000	150,000	725,000	-	-	725,000	0%		-	
Windsong Neighborhood Park	-	100,000	100,000	-	-	100,000	0%		-	
Capital (Misc. small projects)	61,750	-	61,750	12,396	23,797	25,557	59%		-	
Total Expenses	\$ 666,750	\$ 2,195,752	\$ 2,862,502	\$ 1,962,603	\$ 23,797	\$ 876,102	69%		\$ 596,462	229%
REVENUE OVER (UNDER) EXPENDITURES	\$ 54,750	\$ (1,995,202)	\$ (1,940,452)	\$ (898,145)					\$ 457,455	
Beginning Fund Balance October 1			2,894,711	2,894,711					2,660,035	
Ending Fund Balance Current Month			<u>\$ 954,259</u>	<u>\$ 1,996,566</u>					<u>\$ 3,117,490</u>	

Notes

- 1 Purchase order rolled forward from prior year to pay final invoices and close out capital project. Also includes internal water billing of hydrant meter to capital project.
- 2 These grant proceeds are based on expenditures. Once the project is awarded and funds expended we will begin requesting reimbursement.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

TIRZ #1 - BLUE STAR

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES									
Impact Fee Revenue:									
Water Impact Fees	\$ -	\$ -	\$ -	\$ 308,704	\$ (308,704)			\$ 34,916	784%
Wastewater Impact Fees	-	-	-	610,020	(610,020)			25,702	2273%
East Thoroughfare Impact Fees	200,000	-	200,000	1,826,931	(1,626,931)	913%		155,963	1071%
Property Taxes - Town (Current)	627,221	-	627,221	612,991	14,230	98%		492,446	24%
Property Taxes - Town (Rollback)	-	-	-	-	-			-	
Property Taxes - County (Current)	148,647	-	148,647	144,308	4,339	97%		116,706	24%
Sales Taxes - Town	761,000	-	761,000	783,172	(22,172)	103%		598,288	31%
Sales Taxes - EDC	637,500	-	637,500	655,906	(18,406)	103%		501,066	31%
Interest Income	2,000	-	2,000	5,892	(3,892)	295%		4,348	36%
Transfer In	-	-	-	-	-			-	
Total Revenue	\$ 2,376,368	\$ -	\$ 2,376,368	\$ 4,947,925	\$ (2,571,557)	208%		\$ 1,929,436	156%
EXPENDITURES									
Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -			-	
Developer Rebate	2,376,368	-	2,376,368	5,229,934	(2,853,566)	220%		1,691,790	
Transfers Out	-	-	-	-	-			-	
Total Expenses	\$ 2,376,368	\$ -	\$ 2,376,368	\$ 5,229,934	\$ (2,853,566)	220%		\$ 1,691,790	
REVENUE OVER (UNDER) EXPENDITURES			\$ -	\$ (282,009)				\$ 237,646	
Beginning Fund Balance October 1			1,470,609	1,470,609				301,260	
Ending Fund Balance Current Month			<u>\$ 1,470,609</u>	<u>\$ 1,188,600</u>				<u>\$ 538,906</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

TIRZ #2

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES									
Property Taxes - Town (Current)	\$ 131,145	\$ -	\$ 131,145	\$ 154,136	\$ (22,991)	118%		\$ 10,901	1314%
Property Taxes - Town (Rollback)	-	-	-	-	-	0%		-	
Property Taxes - County (Current)	31,081	-	31,081	30,280	801	97%		2,583	1072%
Sales Taxes - Town	-	-	-	-	-			-	
Sales Taxes - EDC	-	-	-	-	-			-	
Interest Income	150	-	150	131	19	87%		194	-33%
Total Revenue	\$ 162,376	\$ -	\$ 162,376	\$ 184,548	\$ (22,172)	114%		\$ 13,678	1249%
EXPENDITURES									
Professional Services	\$ -	\$ -	\$ -	\$ -	-			\$ -	
Developer Rebate	162,428	-	162,428	184,549	(22,121)	114%		13,585	
Transfers Out	-	-	-	-	-			-	
Total Expenditures	\$ 162,428	\$ -	\$ 162,428	\$ 184,549	\$ (22,121)	114%		\$ 13,585	
REVENUE OVER (UNDER) EXPENDITURES			\$ (52)	\$ (1)				\$ 93	
Beginning Fund Balance October 1			25,058	25,058				25,189	
Ending Fund Balance Current Month			<u>\$ 25,006</u>	<u>\$ 25,057</u>				<u>\$ 25,282</u>	

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 August 31, 2022

WATER IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
Impact Fees Water	\$ 3,500,000	\$ -	\$ 3,500,000	\$ 4,119,308				
Interest Income	20,000	-	20,000	34,970				
Total Revenues	\$ 3,520,000	\$ -	\$ 3,520,000	\$ 4,154,278				
EXPENDITURES								
Developer Reimbursements								
Parks at Legacy Developer Reimb	400,000	400,000	-	400,000	-	-	400,000	-
Star Trail Developer Reimb	400,000	400,000	-	400,000	-	-	400,000	-
Victory at Frontier Developer Reimb	60,000	60,000	-	60,000	-	-	60,000	-
Westside Developer Reimb	100,000	100,000	-	100,000	-	-	100,000	-
TVG Windsong Developer Reimb	350,000	350,000	-	350,000	-	-	350,000	-
Total Developer Reimbursements	\$ 1,310,000	\$ 1,310,000	\$ -	\$ 1,310,000	\$ -	\$ -	\$ 1,310,000	\$ -
Capital Expenditures								
12" Water Line - DNT	200,000	-	200,000	200,000	74,088	16,620	109,292	-
Lower Pressure Plane Easements	1,000,000	900,000	-	900,000	-	-	900,000	-
Total Projects	\$ 1,200,000	\$ 900,000	\$ 200,000	\$ 1,100,000	\$ 74,088	\$ 16,620	\$ 1,009,292	\$ -
Transfer to CIP Fund	-	9,000,000	-	9,000,000	9,000,000	-	-	-
Total Transfers Out	\$ -	\$ 9,000,000	\$ -	\$ 9,000,000	\$ 9,000,000	\$ -	\$ -	\$ -
Total Expenditures	\$ 2,510,000	\$ 11,210,000	\$ 200,000	\$ 11,410,000	\$ 9,074,088	\$ 16,620	\$ 2,319,292	\$ -
REVENUE OVER (UNDER) EXPENDITURES			\$ (7,890,000)	\$ (4,919,810)				
Beginning Fund Balance October 1			9,691,322	9,691,322				
Ending Fund Balance Current Month			\$ 1,801,322	\$ 4,771,512				

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 August 31, 2022

WASTEWATER IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
Impact Fees Wastewater	\$ 2,000,000	\$ -	\$ 2,000,000	\$ 1,966,952				
Interest Income	16,000	-	16,000	13,389				
Upper Trinity Equity Fee	300,000	-	300,000	392,500				
Total Revenues	<u>\$ 2,316,000</u>	<u>\$ -</u>	<u>\$ 2,316,000</u>	<u>\$ 2,372,840</u>				
EXPENDITURES								
Developer Reimbursements								
TVG Westside Utility Developer Reimb	275,000	275,000	-	275,000	410,437	-	(135,437)	-
Prosper Partners Utility Developer Reimb	-	-	-	-	20,440	-	(20,440)	-
Frontier Estates Developer Reimb	25,000	25,000	-	25,000	7,693	-	17,307	-
LaCima Developer Reimb	50,000	50,000	-	50,000	3,386	-	46,614	-
Brookhollow Developer Reimb	220,000	220,000	-	220,000	45,152	-	174,848	-
TVG Windsong Developer Reimb	600,000	600,000	-	600,000	714,649	-	(114,649)	-
All Storage Developer Reimb	50,000	50,000	-	50,000	-	-	50,000	-
Legacy Garden Developer Reimb	75,000	75,000	-	75,000	68,877	-	6,123	-
Total Developer Reimbursements	<u>\$ 1,295,000</u>	<u>\$ 1,295,000</u>	<u>\$ -</u>	<u>\$ 1,295,000</u>	<u>\$ 1,270,634</u>	<u>\$ -</u>	<u>\$ 24,366</u>	<u>\$ -</u>
Capital Expenditures								
Doe Branch Wastewater Lines	-	-	475,000	475,000	-	48,600	426,400	426,400
Total Projects	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 475,000</u>	<u>\$ 475,000</u>	<u>\$ -</u>	<u>\$ 48,600</u>	<u>\$ 426,400</u>	<u>\$ -</u>
Transfer to CIP Fund	1,500,000	1,500,000	-	1,500,000	1,500,000	-	-	-
Total Transfers Out	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ -</u>	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Expenditures	<u>\$ 2,795,000</u>	<u>\$ 2,795,000</u>	<u>\$ 475,000</u>	<u>\$ 3,270,000</u>	<u>\$ 2,770,634</u>	<u>\$ 48,600</u>	<u>\$ 450,766</u>	<u>\$ -</u>
REVENUE OVER (UNDER) EXPENDITURES			\$ (954,000)	\$ (397,794)				
Beginning Fund Balance October 1			2,733,394	2,733,394				
Ending Fund Balance Current Month			<u>\$ 1,779,394</u>	<u>\$ 2,335,600</u>				

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
 August 31, 2022

THOROUGHFARE IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
East Thoroughfare Impact Fees	\$ 1,200,000	\$ -	\$ 1,200,000	\$ 1,168,520				
East Thoroughfare Other Revenue	-	-	-	-				
West Thoroughfare Impact Fees	4,000,000	-	4,000,000	5,328,261				
West Thoroughfare Other Revenue	-	-	-	-				
Interest-East Thoroughfare Impact Fees	9,000	-	9,000	10,857				
Interest-West Thoroughfare Impact Fees	15,000	-	15,000	33,253				
Total Revenues	<u>\$ 5,224,000</u>	<u>\$ -</u>	<u>\$ 5,224,000</u>	<u>\$ 6,540,890</u>				
EXPENDITURES								
East								
FM 1461 (SH289-CR 165)	175,000	175,000	-	175,000	77,074	-	97,927	-
Coleman Median Landscape (Talon-Victory)	30,000	-	7,750	7,750	2,975	-	4,775	22,225
Coit Road (First - Frontier)	1,289,900	-	364,755	364,755	-	-	364,755	922,775
Traffic Signal - Coit & Richland	56,800	56,800	-	56,800	-	-	56,800	50,795
Transfer to Capital Project Fund	2,180,000	2,180,000	-	2,180,000	2,180,000	-	-	-
Total East	<u>\$ 3,731,700</u>	<u>\$ 2,411,800</u>	<u>\$ 372,505</u>	<u>\$ 2,784,305</u>	<u>\$ 2,260,049</u>	<u>\$ -</u>	<u>\$ 524,256</u>	<u>\$ 995,795</u>
West								
Teel 380 Intersection Improvements	100,000	-	22,125	22,125	24,125	3,000	(5,000)	73,861
Traffic Signal	-	-	2,185	2,185	13,380	-	(11,195)	256,112
Parks at Legacy Developer Reimb	600,000	600,000	-	600,000	181,590	-	418,410	-
Star Trail Developer Reimb	1,000,000	1,000,000	-	1,000,000	-	-	1,000,000	-
Tellus Windsong Developer Reimb	3,500,000	3,500,000	-	3,500,000	5,906,259	-	(2,406,259)	-
Legacy Garden Developer Reimb	200,000	200,000	-	200,000	98,040	-	101,960	-
Total West	<u>\$ 5,400,000</u>	<u>\$ 5,300,000</u>	<u>\$ 24,310</u>	<u>\$ 5,324,310</u>	<u>\$ 6,223,393</u>	<u>\$ 3,000</u>	<u>\$ (902,083)</u>	<u>\$ 329,973</u>
Total Expenditures	<u>\$ 9,131,700</u>	<u>\$ 7,711,800</u>	<u>\$ 396,814</u>	<u>\$ 8,108,615</u>	<u>\$ 8,483,442</u>	<u>\$ 3,000</u>	<u>\$ (377,827)</u>	<u>\$ 1,325,768</u>
REVENUE OVER (UNDER) EXPENDITURES				<u>\$ (2,884,615)</u>	<u>\$ (1,942,551)</u>			
Beginning Fund Balance October 1				<u>10,678,812</u>	<u>10,678,812</u>			
Ending Fund Balance Current Month				<u>\$ 7,794,198</u>	<u>\$ 8,736,261</u>			

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022
Expected Year to Date Percent 91.67%

SPECIAL REVENUE FUNDS

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
Police Donation Revenue	\$ 14,000	\$ -	\$ 14,000	\$ 16,406	\$ -	\$ (2,406)	117%		\$ 13,000	26%
Fire Donation Revenue	13,500	-	13,500	16,231	-	(2,731)	120%		13,410	21%
Child Safety Revenue	12,000	-	12,000	21,614	-	(9,614)	180%		10,623	103%
Court Security Revenue	8,000	-	8,000	6,794	-	1,206	85%		7,755	-12%
Court Technology Revenue	7,000	-	7,000	5,704	-	1,296	81%		6,637	-14%
Municipal Jury revenue	150	-	150	132	-	18	88%		146	-9%
Interest Income	1,425	-	1,425	2,621	-	(1,196)	184%		3,632	-28%
Interest Income CARES/ARPA Funds	-	-	-	11,950	-	(11,950)			1,950	513%
Tree Mitigation	-	-	-	22,400	-	(22,400)			339,213	-93%
Miscellaneous	-	-	-	2,997	-	(2,997)			3,111	-4%
CARES Act/ARPA Funding	3,045,165	-	3,045,165	6,018	-	3,039,147	0%		4,464,534	-100%
Transfer In	-	-	-	-	-	-			-	
Total Revenue	\$ 3,101,240	\$ -	\$ 3,101,240	\$ 112,867	\$ -	\$ 2,988,373	4%		\$ 4,864,011	-98%
EXPENDITURES										
LEOSE Expenditure	\$ 6,500	\$ -	\$ 6,500	\$ -	\$ -	\$ 6,500	0%		\$ 2,500	-100%
Court Technology Expense	-	14,664	14,664	10,688	-	3,976	73%		1,560	
Court Security Expense	16,936	-	16,936	1,068	-	15,868	6%		4,235	-75%
Police Donation Expense	26,204	-	26,204	24,425	-	1,779	93%		10,318	137%
Fire Donation Expense	5,000	-	5,000	-	-	5,000	0%		7,446	-100%
Child Safety Expense	39,698	-	39,698	23,486	-	16,212	59%		-	
Tree Mitigation Expense	400,000	(366,400)	33,600	33,600	-	-	100%	2	-	
Police Seizure Expense	8,227	-	8,227	-	-	8,227	0%		4,250	-100%
CARES Act/ARPA Funding	-	-	-	-	-	-			1,420,316	-100%
Transfer Out (Tree Mitigation funds)	-	366,400	366,400	366,400	-	-	100%	3	-	
Total Expenses	\$ 502,565	\$ 14,664	\$ 517,229	\$ 459,667	\$ -	\$ 57,562	89%		\$ 1,450,625	-68%
REVENUE OVER (UNDER) EXPENDITURES	\$ 2,598,675	\$ (14,664)	\$ 2,584,011	\$ (346,800)					\$ 3,413,386	
Beginning Fund Balance October 1			848,389	848,389					567,535	
Ending Fund Balance Current Month			<u>\$ 3,432,400</u>	<u>\$ 501,589</u>					<u>\$ 3,980,921</u>	

Notes

2,3 Funds have been spent/transferred to capital to be used for projects.

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 August 31, 2022

CAPITAL PROJECTS FUND - GENERAL

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
REVENUES									
Grants	\$ -	\$ -	\$ -	\$ -					
Bond Proceeds	34,688,033	-	34,688,033						
Interest Income	-	-	-	164,904					
Other Revenue	-	-	-	-					
Transfers In - General Fund	4,295,000	2,348,400	6,643,400	6,285,483					
Transfers In - Impact Fee Funds	2,180,000	-	2,180,000	2,180,000					
Transfers In - Bond Funds	-	-	-	12,954,985					
Total Revenues	\$ 41,163,033	\$ 2,348,400	\$ 43,511,433	\$ 21,585,372					
EXPENDITURES									
Frontier Parkway BNSF Overpass	9,143,771	287,783	-	287,783	103,177	-	184,606	8,855,826	
West Prosper Roads	14,168,828	518,952	-	518,952	586	-	518,366	14,016,735	
Traffic Signal (Coit & First)	306,300	-	19,500	19,500	-	-	19,500	286,799	
BNSF Quiet Zone First/Fifth	145,000	127,186	-	127,186	-	-	127,186	17,146	
Prosper Trail (Coit-Custer) 2 Lanes	6,422,068	1,006,205	700,868	1,707,073	1,053,978	-	653,095	4,715,110	
Cook Lane (First-End)	20,799	-	20,799	20,799	-	-	-	-	
Preston/First Turn Lane	100,000	100,000	-	100,000	-	-	100,000	-	
First St (DNT to Coleman)	4,011,567	2,293,095	310,941	2,604,036	100,365	32,849	2,470,822	1,407,531	
Fishtrap (Elem-DNT) 4 Lanes	20,754,430	19,689,411	138,563	19,827,974	2,192,874	(6,806,102)	24,441,202	873,947	
First St (Coit-Custer) 4 Lanes	22,085,000	21,012,639	175,800	21,188,439	1,805,766	(2,406,879)	(2,406,879)	921,427	
Fishtrap, Segment 4 (Middle-Elem)	2,944,190	205,011	1,714,417	1,919,428	1,757,546	-	161,883	1,085,647	
Preston/Prosper Trail Turn Lane	100,000	100,000	-	100,000	-	-	100,000	-	
Victory Way (Coleman-Frontier)	2,500,000	-	-	-	-	-	-	2,284,783	
Craig Street (Preston-Fifth)	450,000	450,000	-	450,000	141,845	33,750	274,405	-	
Prosper Trail/DNT Intersection Improvements	2,113,000	-	78,645	78,645	61,059	(0)	17,586	2,034,355	
Fishtrap Section 1 & 4	778,900	19,200	6,500	25,700	-	1,500	24,200	727,808	
Fishtrap Segment 2 (PISD reimbursement)	1,063,033	1,063,033	-	1,063,033	938,997	-	133,773	-	
Fishtrap (Teel - Gee Road)	6,025,000	6,025,000	-	6,025,000	-	(6,025,000)	12,050,000	-	
Gee Road (Fishtrap - Windsong)	3,520,000	3,520,000	-	3,520,000	-	(4,169,579)	7,689,579	-	
Teel (US 380 Intersection Improvements)	1,280,000	1,180,000	-	1,180,000	-	-	1,180,000	-	
Coleman (Gorgeous - Prosper Trail)	5,500,000	700,000	450,000	1,150,000	68,834	230,318	850,849	-	
Coleman (Prosper Trail - PHS)	3,000,000	675,000	(300,000)	375,000	-	-	375,000	-	
Legacy (Prairie - Fishtrap)	8,225,000	850,000	-	850,000	182,038	53,656	614,307	-	
Teel Parkway (US 380 - Fishtrap Rd) NB 2 Lanes (Design)	900,000	-	750,000	750,000	82,500	-	667,500	-	
Total Street Projects	\$ 115,556,886	\$ 59,822,515	\$ 4,066,034	\$ 63,888,549	\$ 8,510,363	\$ (19,055,488)	\$ 50,246,979	\$ 37,227,114	\$ 88,874,896

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022

CAPITAL PROJECTS FUND - GENERAL

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
Downtown Monument	455,000	204,257	43,546	247,803	37,296	-	210,507	210,293	
Turf Irrigation SH289	68,000	19,065	-	19,065	-	-	48,935	19,065	
US 380 Median Design (Green Ribbon)	821,250	751,550	-	751,550	-	-	65,800	755,450	
Whitley Place H&B Trail Extension	750,000	1,621	-	1,621	-	-	734,209	15,791	
Whitley Place H&B Trail Extension (Pwr line Esmnt)	280,000	44,797	-	44,797	-	-	235,202	44,798	
Tanner's Mill Phase 2 Design	1,030,000	951,700	433,621	1,385,321	369,165	312,826	703,330	333,929	
Lakewood Preserve, Phase 2	3,845,000	3,845,000	-	3,845,000	-	-	3,845,000	3,845,000	
Pecan Grove Ph II	67,500	7,606	35,959	43,565	37,330	2,340	29,248	1,395	
Downtown Pond Improvements	120,000	120,000	-	120,000	11,760	-	108,240	108,240	
Sexton Park Phase I	1,200,000	1,200,000	-	1,200,000	128,069	26,545	1,045,386	1,045,386	
Gee Road Trail Connection	700,000	700,000	-	700,000	-	-	700,000	700,000	
Coleman Median Landscape (Victory-Preston)	650,000	650,000	-	650,000	19,783	(423,469)	1,053,686	1,053,686	
Prosper Trail Median Landscape	275,000	275,000	-	275,000	7,352	(141,470)	409,118	409,118	
Coleman Median Landscape (Talon-Victory)	454,025	424,050	-	424,050	342,713	-	81,337	111,312	
Total Park Projects	\$ 10,715,775	\$ 9,194,646	\$ 513,125	\$ 9,707,771	\$ 953,467	\$ (223,228)	\$ 9,002,886	\$ 1,332,072	\$ 8,653,464
PD Car Camera and Body worn Camera System	387,225	387,225	-	387,225	-	17,000	370,225	370,225	
Station #3 Quint Engine	1,350,000	1,350,000	145,000	1,495,000	1,195,125	(6,815)	306,689	161,689	
Station #3 Ambulance	460,000	460,000	35,000	495,000	3,260	(1,200)	492,940	457,940	
Street Broom	36,900	-	43,960	43,960	43,960	-	-	(7,060)	
Storm Siren	33,860	294	33,566	33,860	33,566	-	294	294	
Scag Wind Storm Blower	9,300	183	-	183	-	-	183	9,300	
Heavy Duty Trailer	18,250	-	26,626	26,626	26,626	-	-	(8,376)	
Verti-Cutter	12,000	-	19,908	19,908	19,908	-	-	(7,908)	
Skid Steer	81,013	-	81,013	81,013	81,013	-	-	-	
Z-Max Spreader/Sprayer	12,000	-	12,590	12,590	12,590	-	-	(590)	
Park Ops Vehicle	25,889	-	27,035	27,035	-	-	27,035	25,889	
Bucket Truck	117,261	-	126,757	126,757	126,757	-	-	(9,496)	
Awnings for Storage	19,800	19,800	-	19,800	11,100	9,600	(900)	(900)	
Engineering Vehicle	35,998	35,998	-	35,998	-	40,226	(4,228)	(4,228)	
Public Safety Complex FFE	-	4,000	4,000	4,000	-	-	4,000	-	
Public Safety Complex, Phase 2-Design	1,555,615	-	676,700	676,700	440,816	30,503	235,884	1,084,296	
Public Safety Complex, Phase 2-Dev Costs	670,000	661,750	(22,675)	639,075	62,883	17,585	558,608	589,533	
Public Safety Complex, Phase 2-Construction	14,500,000	14,499,671	-	14,499,671	4,020,380	1,575,716	8,903,575	8,903,904	
Public Safety Complex, Phase 2-FFE	1,274,385	1,274,385	-	1,274,385	13,065	(23,642)	1,284,962	1,284,962	
Fire Engine Station 4 - FUNDS REALLOCATED	1,100,000	1,100,000	(900,000)	200,000	-	-	200,000	200,000	
Fire Station #4 - Design	600,000	600,000	-	600,000	228,457	109,382	270,541	262,161	
Fire Station #4 - Engine	1,250,000	-	1,250,000	1,250,000	950,841	180,920	118,239	118,239	
Fire Station #4 - Ambulance	552,000	-	552,000	552,000	463	(1,200)	552,737	552,737	
Fire Station #4 - Other Costs	8,250	-	-	-	8,250	-	(8,250)	-	
Total Facility Projects	\$ 24,109,746	\$ 20,393,306	\$ 2,111,480	\$ 22,500,786	\$ 7,279,060	\$ 1,948,075	\$ 13,312,535	\$ -	\$ 13,982,611
Transfer Out	-	-	-	-	-	-	-	-	
Total Expenditures	\$ 150,382,407	\$ 89,410,467	\$ 6,690,639	\$ 96,097,107	\$ 16,742,891	\$ (17,330,641)	\$ 72,562,399	\$ 38,559,186	\$ 111,510,972
REVENUE OVER (UNDER) EXPENDITURES				\$ (52,585,674)	\$ 4,842,482				
Beginning Fund Balance (Restricted for Capital Projects) October 1				55,411,735	55,411,735				
Ending Fund Balance (Restricted for Capital Projects) Current Month				<u>\$ 2,826,061</u>	<u>\$ 60,254,217</u>				

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
August 31, 2022

CAPITAL PROJECTS FUND-WATER/SEWER

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Year Expenditure	Project Budget Balance	
REVENUES									
Interest Income	\$ -	\$ -	\$ -	\$ 28,393					
Bond Proceeds	14,931,000	-	14,931,000	-					
Transfers In	563,323	-	563,323	1,031,879					
Transfers In - Impact Fee Funds	10,500,000	-	10,500,000	10,500,000					
Transfers In - Bond Funds	-	-	-	134,715					
Total Revenues	\$ 25,994,323	\$ -	\$ 25,994,323	\$ 11,694,987					
EXPENDITURES									
Lower Pressure Plane Pump Station Design	24,331,100	22,746,000	432,371	23,178,371	71,735	434,907	22,671,729	1,148,013	22,676,445
Fishtrap EST (South)	6,433,700	6,000	187,924	193,924	-	-	193,924	6,239,583	194,117
Water Supply Line Phase I	13,181,703	133,230	37,227	170,457	-	-	170,457	12,956,822	224,881
Custer Rd Meter Station/Water Line Relocation	3,866,832	32,598	49,421	82,019	590	73,003	8,426	3,795,144	(1,905)
E-W Collector (Cook-DNT)	680,775	128,000	5,400	133,400	-	-	133,400	547,223	133,552
Doe Branch Parallel Interceptor	-	-	4,500	4,500	4,500	-	-	-	(4,500)
Frontier Water Line	-	-	-	-	-	1,660	(1,660)	-	(1,660)
Fishtrap (Elem-DNT) Water Line	5,000,000	5,000,000	-	5,000,000	-	-	5,000,000	-	5,000,000
Total Water & Wastewater Projects	\$ 53,494,110	\$ 28,045,828	\$ 716,843	\$ 28,762,671	\$ 76,825	\$ 509,570	\$ 28,176,277	\$ 24,686,785	\$ 28,220,931
Old Town Drainage	665,000	50,000	-	50,000	-	-	50,000	603,142	61,858
Frontier Park/Preston Lakes Drainage	1,085,000	985,000	-	985,000	359,800	199,073	426,127	36,510	489,617
Old Town Regional Pond #2	385,000	-	45,751	45,751	28,638	-	17,114	2,572	353,790
Old Town Drainage Broadway Design & Construction	691,686	60,240	6,398	66,638	10,098	-	56,540	318,568	363,020
Total Drainage Projects	\$ 2,826,686	\$ 1,095,240	\$ 52,149	\$ 1,147,389	\$ 398,536	\$ 199,073	\$ 549,780	\$ 960,792	\$ 1,268,285
Transfer out	-	-	-	-	-	-	-	-	-
Total Expenses	\$ 56,320,796	\$ 29,141,068	\$ 768,992	\$ 29,910,060	\$ 475,360	\$ 708,643	\$ 28,726,057	\$ 25,647,577	\$ 29,489,216
			\$ (3,915,737)	\$ 11,219,626					
Beginning Fund Balance (Restricted for Capital Projects) October 1				5,258,203	5,258,203				
Ending Fund Balance (Restricted for Capital Projects) Current Month			\$ 1,342,466	\$ 16,477,829					



MONTHLY FINANCIAL REPORT as of September 30, 2022 Budgetary Basis

Prepared by
Finance Department

May 23, 2023

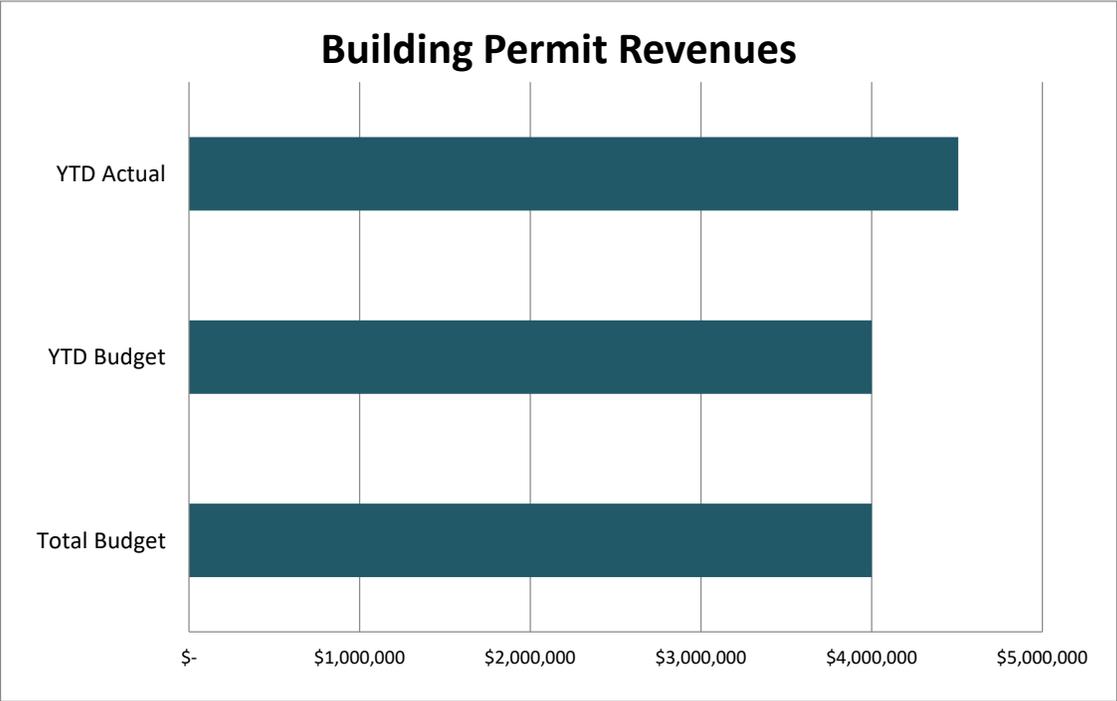
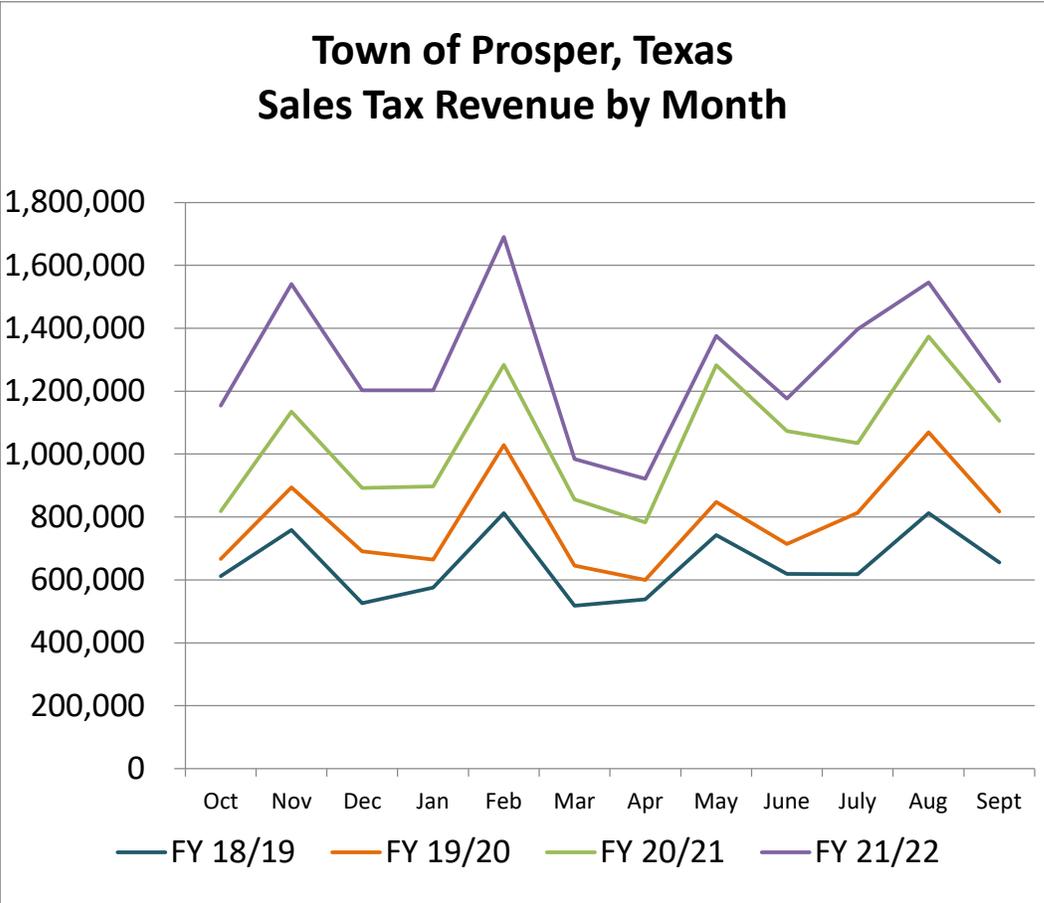
TOWN OF PROSPER, TEXAS

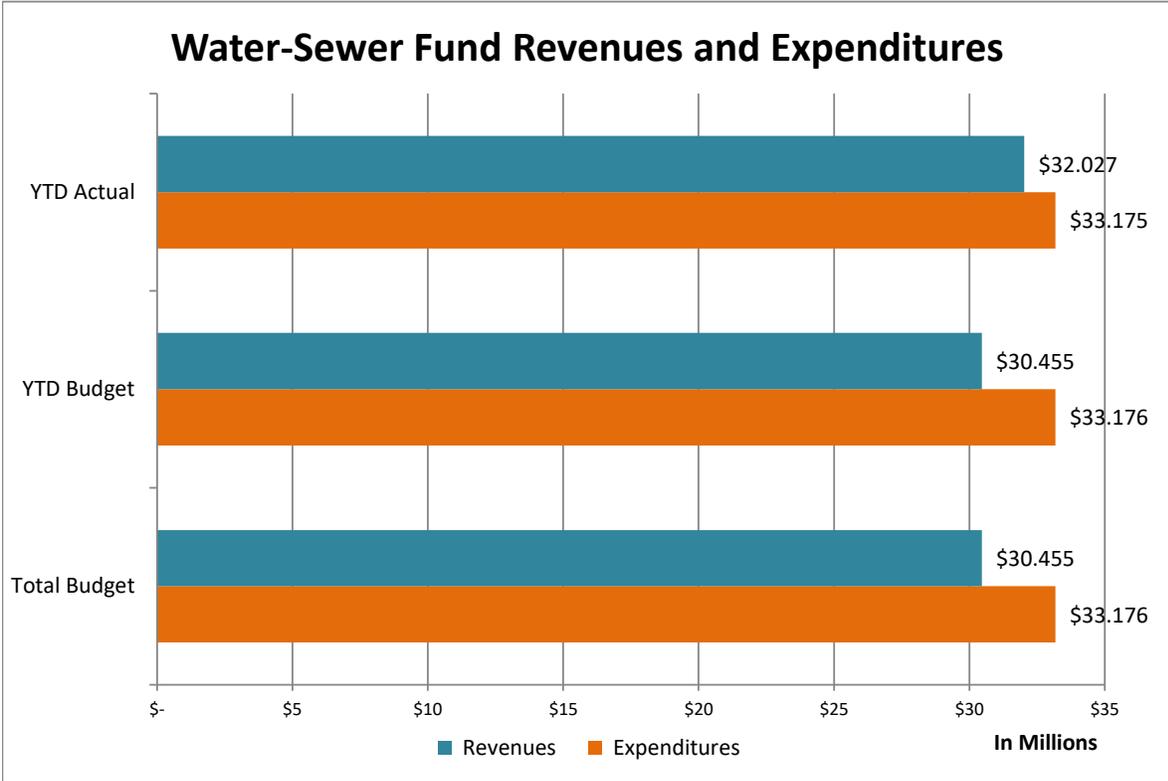
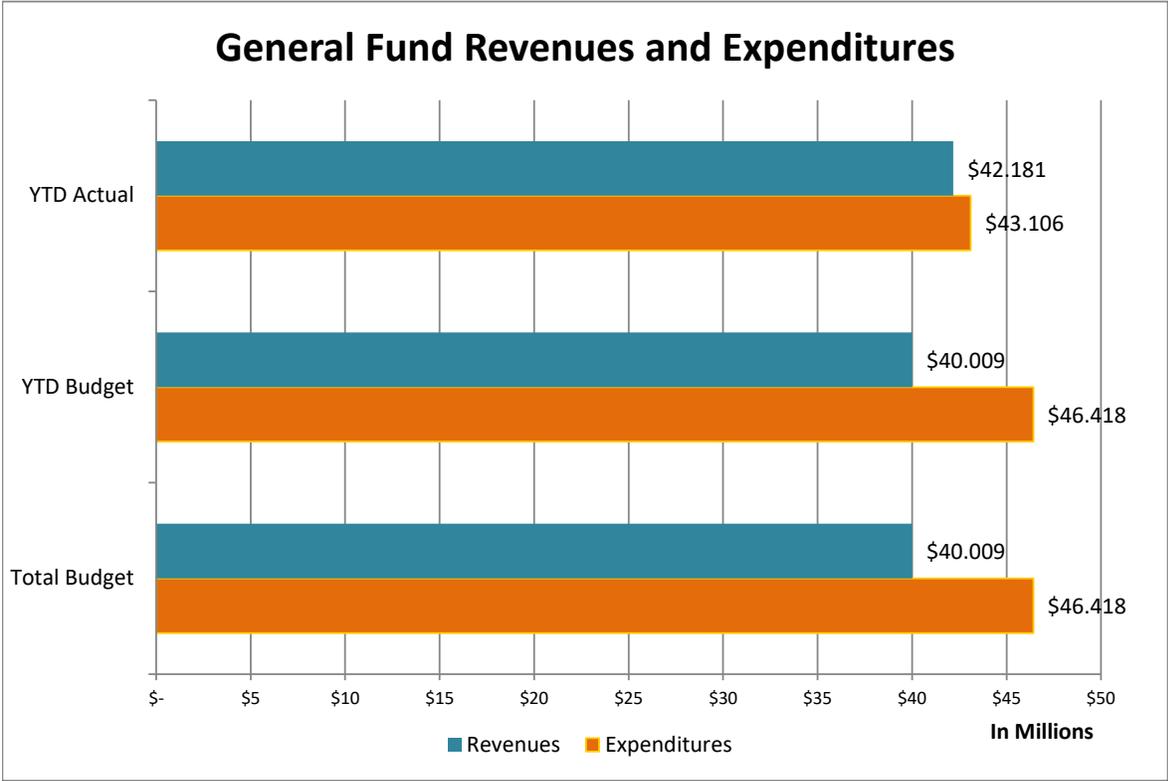
MONTHLY FINANCIAL REPORT

September 2022

Table of Contents

Dashboard Charts	3 - 4
General Fund	5
Water-Sewer Fund	6 - 7
Debt Service Fund	8
Crime Control and Prevention Special Purpose District	9
Fire Control, Prevention, and Emergency Medical Services Special Purpose District	10
Vehicle and Equipment Replacement Fund	11
Storm Drainage Utility Fund	12
Park Dedication and Improvement Fund	13
TIRZ #1 - Blue Star	14
TIRZ #2	15
Water Impact Fees Fund	16
Wastewater Impact Fees Fund	17
Thoroughfare Impact Fees Fund	18
Special Revenue Fund	19
Capital Projects Fund-General	20
Capital Projects Fund-Water/Sewer	22





TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100%

GENERAL FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actuals	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actuals	Change from Prior Year
REVENUES										
Property Taxes	\$ 19,256,473	\$ 60,000	\$ 19,316,473	\$ 19,197,205	\$ -	\$ 119,268	99%	1	\$ 18,545,830	4%
Sales Taxes	7,972,237	1,147,446	9,119,683	9,614,772	-	(495,089)	105%		7,750,263	24%
Franchise Fees	1,997,889	(292,095)	2,289,984	2,426,659	-	(136,675)	106%	2	1,961,513	24%
Building Permits	3,751,000	249,000	4,000,000	4,508,584	-	(508,584)	113%		5,970,821	-24%
Other Licenses, Fees & Permits	1,307,700	(389,550)	1,697,250	2,175,327	-	(478,077)	128%		2,151,355	1%
Charges for Services	576,873	(325,600)	902,473	1,079,429	-	(176,956)	120%		1,179,221	-8%
Fines & Warrants	325,000	75,000	250,000	254,491	-	(4,491)	102%		279,543	-9%
Intergovernmental Revenue (Grants)	232,914	(16,495)	216,419	436,375	-	(219,956)	202%		676,169	-35%
Interest Income	70,000	(20,000)	90,000	(63,870)	-	153,870	-71%		130,436	-149%
Transfers In	1,100,514	-	1,100,514	1,000,680	-	99,834	91%		1,071,820	-7%
Miscellaneous	329,481	2,144,006	568,997	1,234,315	-	(665,318)	217%		315,561	291%
Park Fees	377,000	79,750	456,750	317,453	-	139,297	70%		409,583	-22%
Total Revenues	\$ 37,297,081	\$ 2,711,462	\$ 40,008,543	\$ 42,181,420	\$ -	\$ (2,172,877)	105%		\$ 40,442,115	4%
EXPENDITURES										
Administration	\$ 7,222,692	\$ 1,397,703	\$ 8,620,395	\$ 8,492,960	\$ -	\$ 127,435	99%		\$ 6,484,371	31%
Police	6,520,223	268,926	6,789,149	5,884,203	-	904,947	87%		5,134,506	15%
Fire/EMS	8,738,347	2,062,727	10,801,074	11,159,706	128	(358,760)	103%		8,951,505	25%
Public Works	3,697,980	729,669	4,427,649	3,376,910	8,097	1,042,642	76%		2,794,930	21%
Community Services	6,575,735	377,361	6,953,096	6,862,883	-	90,213	99%		4,852,844	41%
Development Services	4,211,352	378,303	4,589,655	3,584,611	-	1,005,043	78%		3,580,063	0%
Engineering	4,175,692	60,881	4,236,573	3,744,635	-	491,937	88%		2,843,204	32%
Total Expenses	\$ 41,142,021	\$ 5,275,569	\$ 46,417,590	\$ 43,105,909	\$ 8,225	\$ 3,303,456	93%		\$ 34,641,423	24%
REVENUE OVER (UNDER) EXPENDITURES	\$ (3,844,940)	\$ (2,564,107)	\$ (6,409,047)	\$ (924,488)					\$ 5,800,692	
Beginning Fund Balance October 1-Unassigned/Unrestricted			20,242,707	20,242,707					13,923,232	
Ending Fund Balance			<u>\$ 13,833,660</u>	<u>\$ 19,318,219</u>					<u>\$ 19,723,924</u>	

Notes

- 1 Property taxes are billed in October and the majority of collections occur December through February.
- 2 Franchise fees and other various license and fees are paid quarterly or annually.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.%

WATER-SEWER FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Water Charges for Services	\$ 15,179,476	\$ -	\$ 15,179,476	\$ 19,296,213	\$ -	\$ (4,116,737)	127%		\$ 15,198,610	27%
Sewer Charges for Services	8,972,771	-	8,972,771	9,695,696	-	(722,925)	108%		8,513,816	14%
Sanitation Charges for Services	1,779,679	-	1,779,679	1,974,453	-	(194,774)	111%		1,742,306	13%
Licenses, Fees & Permits	214,370	-	214,370	290,266	-	(75,896)	135%		235,566	23%
Utility Billing Penalties	142,000	-	142,000	203,905	-	(61,905)	144%		79,409	
Interest Income	40,000	-	40,000	(50,932)	-	90,932	-127%		27,618	-284%
Other	4,126,549	-	4,126,549	617,151	-	3,509,398	15%	1	679,038	-9%
Transfer In	-	-	-	-	-	-			-	
Total Revenues	\$ 30,454,845	\$ -	\$ 30,454,845	\$ 32,026,752	\$ -	\$ (1,571,907)	105%		\$ 26,476,363	21%
EXPENDITURES										
Administration	\$ 3,091,532	\$ 21,449	\$ 3,112,981	\$ 2,980,543	\$ 29,300	103,138	97%		\$ 1,099,257	171%
Debt Service	3,713,517	2,618,251	6,331,768	6,352,725	-	(20,957)	100%	2	2,896,147	119%
Water Purchases	7,701,317	-	7,691,497	9,379,652	-	(1,688,156)	122%		7,157,267	31%
Public Works	15,694,874	335,317	16,040,011	14,462,226	188,432	1,389,353	91%		9,828,119	47%
Total Expenses	\$ 30,201,240	\$ 2,975,017	\$ 33,176,257	\$ 33,175,146	\$ 217,732	\$ (216,622)	101%		\$ 20,980,790	58%
REVENUE OVER (UNDER) EXPENDITURES	\$ 253,605	\$ (2,975,017)	\$ (2,721,412)	\$ (1,148,394)					\$ 5,495,573	
Beginning Working Capital October 1			10,914,365	10,914,365					6,867,399	
Ending Working Capital			<u>\$ 8,192,953</u>	<u>\$ 9,765,971</u>					<u>\$ 12,362,972</u>	

- Notes
- 1 Largest portion of this (\$3.89M) is TxDOT reimbursement for Custer Water Line relocation.
 - 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 September 30, 2022
 Expected Year to Date Percent 100.0%

WATER-SEWER FUND

	Sep-22		Sep-21		Growth %
	WATER	SEWER	WATER	SEWER	Change
# of Accts Residential	11,821	11,084	10,870	10,172	8.85%
# of Accts Commercial	501	374	470	349	6.84%
Consumption-Residential	182,618,260	76,211,333	182,160,590	66,115,285	4.25%
Consumption-Commercial	72,166,170	13,383,630	62,189,860	14,621,800	11.38%
Average Residential Water Consumption	15,450		16,690		-7.43%
Billed (\$) Residential	\$ 1,232,042	\$ 703,539	\$ 1,228,428	\$ 611,026	0.29%
Billed (\$) Commercial	664,536	120,429	571,268	120,640	16.33%
Total Billed (\$)	\$ 1,896,578	\$ 823,968	\$ 1,799,696	\$ 731,666	7.47%

	Average Monthly	Average Cumulative
October	9.9%	9.9%
November	6.9%	16.8%
December	5.4%	22.2%
January	4.3%	26.6%
February	4.5%	31.1%
March	4.4%	35.5%
April	6.0%	41.5%
May	7.3%	48.8%
June	9.0%	57.8%
July	12.6%	70.4%
August	16.6%	87.0%
September	13.0%	100.0%

Rainfall	Average rainfall for September is 2.92			
	Oct-21	2.96	Oct-20	1.74
	Nov-21	3.11	Nov-20	1.08
	Dec-21	0.43	Dec-20	3
	Jan-22	0.08	Jan-21	0.85
	Feb-22	2.03	Feb-21	2.22
	Mar-22	2.12	Mar-21	3.03
	Apr-22	2.54	Apr-21	4.5
	May-22	3	May-21	7.77
	Jun-22	2.64	Jun-21	2.15
	Jul-22	0.41	Jul-21	2.98
	Aug-22	10.68	Aug-21	4.82
	Sep-22	2.64	Sep-21	0.14

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.0%

DEBT SERVICE FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Property Taxes-Delinquent	\$ 75,000	\$ -	\$ 75,000	\$ 116,626	\$ -	\$ (41,626)	156%		\$ 72,986	60%
Property Taxes-Current	10,545,466	-	10,545,466	10,448,410	-	97,056	99%	1	7,584,297	38%
Taxes-Penalties	-	-	-	43,165	-	(43,165)			33,467	29%
Transfer In	-	428,581	428,581	428,581	-	-	100%		-	
Interest Income	45,000	-	45,000	8,605	-	36,395	19%		26,490	-68%
Total Revenues	\$ 10,665,466	\$ 428,581	\$ 11,094,047	\$ 11,045,387	\$ -	\$ 48,660	100%		\$ 7,717,240	43%
EXPENDITURES										
Professional Services	\$ -	\$ -	\$ -	\$ 9,500	\$ -	\$ (9,500)			\$ 8,030	
2012 GO Bond Payment	2,200,000	428,581	2,628,581	2,590,000	-	38,581	99%		195,000	1228%
2013 GO Refunding Bond	175,000	-	175,000	175,000	-	-	100%		170,000	
Bond Administrative Fees	20,000	-	20,000	7,805	-	12,195	39%		6,640	
2014 GO Bond Payment	305,000	-	305,000	305,000	-	-	100%		285,000	
2015 GO Bond Payment	1,220,300	-	1,220,300	1,220,300	-	-	100%		463,700	163%
2015 CO Bond Payment	445,000	-	445,000	445,000	-	-	100%		440,000	1%
2016 GO Debt Payment	-	-	-	-	-	-			625,500	-100%
2016 CO Debt Payment	70,000	-	70,000	70,000	-	-	100%		55,000	27%
2017 CO Debt Payment	70,000	-	70,000	70,000	-	-	100%	2	410,000	-83%
2018 GO Debt Payment	145,000	-	145,000	145,000	-	-	100%		135,000	7%
2018 CO Debt Payment	455,000	-	455,000	455,000	-	-	100%		175,000	160%
2019 CO Debt Payment	381,123	-	381,123	381,123	-	-	100%		366,177	4%
2019 GO Debt Payment	155,000	-	155,000	155,000	-	-	100%		150,000	3%
2020 CO Debt Payment	245,000	-	245,000	245,000	-	-	100%		805,000	-70%
2021 CO Debt Payment	255,000	-	255,000	310,000	-	(55,000)	122%		-	
2021 GO Debt Payment	1,770,000	-	1,770,000	1,925,000	-	(155,000)	109%		-	
Bond Interest Expense	4,741,048	-	4,741,048	4,493,389	-	247,659	95%		3,404,363	32%
Total Expenditures	\$ 12,652,471	\$ 428,581	\$ 13,081,052	\$ 13,002,117	\$ -	\$ 78,935	99%		\$ 7,694,410	69%
REVENUE OVER (UNDER) EXPENDITURES	\$ (1,987,005)	\$ -	\$ (1,987,005)	\$ (1,956,731)					\$ 22,830	
Beginning Fund Balance October 1			2,640,088	2,640,088					2,619,367	
Ending Fund Balance Current Month			<u>\$ 653,083</u>	<u>\$ 683,357</u>					<u>\$ 2,642,197</u>	

- Notes
- Property taxes are billed in October and the majority of collections occur December through February.
 - Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 September 30, 2022
 Expected Year to Date Percent 100.0%

CRIME CONTROL AND PREVENTION SPECIAL PURPOSE DISTRICT

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Sales Tax - Town	\$ 2,102,918	\$ 443,206	\$ 2,546,124	\$ 2,548,594	\$ -	\$ (2,470)	100%		\$ 2,068,568	23%
Interest Income	300	-	300	103	-	197	34%		1,669	-94%
Other	-	-	-	-	-	-	-		-	-
Total Revenue	\$ 2,103,218	\$ 443,206	\$ 2,546,424	\$ 2,548,697	\$ -	\$ (2,273)	100%		\$ 2,070,237	23%
EXPENDITURES										
Personnel	\$ 2,078,008	\$ 430,217	\$ 2,508,225	\$ 2,504,917	\$ -	\$ 3,308	100%		\$ 2,064,056	21%
Other	350	20,389	20,739	20,739	-	0	-		1,378	1405%
Total Expenditures	\$ 2,078,358	\$ 450,606	\$ 2,528,964	\$ 2,525,655	\$ -	\$ 3,309	100%		\$ 2,065,434	22%
REVENUE OVER (UNDER) EXPENDITURES	\$ 24,860	\$ (7,400)	\$ 17,460	\$ 23,042					\$ 4,803	
Beginning Fund Balance October 1			430,669	430,669					302,439	
Ending Fund Balance Current Month			<u>\$ 448,129</u>	<u>\$ 453,711</u>					<u>\$ 307,242</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.0%

FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES SEPCIAL PURPOSE DISTRICT

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Sales Tax - Town	\$ 2,102,918	\$ 438,473	\$ 2,541,391	\$ 2,545,620	\$ -	\$ (4,229)	100%		\$ 2,061,848	23%
Interest Income	300	-	300	(242)	-	542	-81%		687	-135%
Other	-	-	-	5,415	-	(5,415)			-	
Total Revenue	\$ 2,103,218	\$ 438,473	\$ 2,541,691	\$ 2,550,793	\$ -	\$ (9,102)	100%		\$ 2,062,535	24%
EXPENDITURES										
Personnel	\$ 2,098,745	\$ 406,381	\$ 2,505,126	\$ 2,486,439	\$ -	\$ 18,687	99%		\$ 1,974,055	26%
Other	350	-	350	20,731	-	(20,381)			278	7352%
Total Expenditures	\$ 2,099,095	\$ 406,381	\$ 2,505,476	\$ 2,507,170	\$ -	\$ (1,694)	100%		\$ 1,974,333	27%
REVENUE OVER (UNDER) EXPENDITURES	\$ 4,123	\$ 32,092	\$ 36,215	\$ 43,623					\$ 88,202	
Beginning Fund Balance October 1			413,785	413,785					203,982	
Ending Fund Balance Current Month			<u>\$ 450,000</u>	<u>\$ 457,408</u>					<u>\$ 292,184</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.%

VEHICLE AND EQUIPMENT REPLACEMENT FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Grant Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-		\$ -	
Other Reimbursements	136,500	-	136,500	6,692	-	136,500	5%	3	308,637	-98%
Interest Income	20,000	-	20,000	23,616	-	6,707	118%		13,805	71%
Charges for Services	1,170,198	-	1,170,198	1,170,198	-	195,033	100%		812,273	44%
Total Revenue	\$ 1,326,698	\$ -	\$ 1,326,698	\$ 1,200,506	\$ -	\$ 338,240	90%		\$ 1,134,715	6%
EXPENDITURES										
Vehicle Replacement	\$ 352,148	\$ 394,393	\$ 746,541	\$ 717,313	\$ 123,503	\$ 154,131	113%	1,2	\$ 471,456	52%
Equipment Replacement	33,300	-	33,300	21,994	-	33,300	66%	1,2	419,920	-95%
Technology Replacement	255,700	-	255,700	199,390	-	56,310	78%	2	36,379	448%
Total Expenditures	\$ 641,148	\$ 394,393	\$ 1,035,541	\$ 938,697	\$ 123,503	\$ 243,740	103%		\$ 927,755	1%
REVENUE OVER (UNDER) EXPENDITURES	\$ 685,550	\$ (394,393)	\$ 291,157	\$ 261,809					\$ 206,960	
Beginning Fund Balance October 1			3,957,862	3,957,862					3,741,880	
Ending Fund Balance Current Month			<u>\$ 4,249,019</u>	<u>\$ 4,219,671</u>					<u>\$ 3,948,840</u>	

Notes

- 1 Replacement vehicle or technology purchases have been encumbered.
- 2 Replacement vehicle or technology prices slightly higher due to manufacturer price increases.
- 3 Includes auction proceeds. Auction of vehicles will depend on receipt of replacement vehicles.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.%

STORM DRAINAGE UTILITY FUND

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Storm Drainage Utility Fee	\$ 758,100	\$ -	\$ 758,100	\$ 802,435	\$ -	\$ 93,868	106%		\$ 739,641	8%
Drainage Review Fee	3,000	-	3,000	9,178	-	(628)	306%		6,370	44%
Interest Income	2,200	-	2,200	1,175	-	615	53%		2,476	-53%
Transfer In	-	671,449	671,449	531,449	-	-	79%		-	-
Other Revenue	-	-	-	-	-	-	-		-	-
Total Revenue	\$ 763,300	\$ 671,449	\$ 1,434,749	\$ 1,344,237	\$ -	\$ 93,855	94%		\$ 748,487	80%
EXPENDITURES										
Personnel Services	\$ 172,445	\$ 745	\$ 173,190	\$ 153,457	\$ -	\$ 19,733	89%		\$ 156,842	-2%
Debt Service	253,142	531,449	784,591	771,693	-	12,898	98%	2	245,592	214%
Operating Expenditures	278,595	63,490	342,085	178,075	103,243	60,767	82%		(96,094)	-285%
Transfers Out	663,157	383,197	1,046,354	1,178,657	-	(132,303)	113%	1	98,843	1092%
Total Expenses	\$ 1,367,339	\$ 978,881	\$ 2,346,220	\$ 2,281,882	\$ 103,243	\$ (38,904)	102%		\$ 405,183	463%
REVENUE OVER (UNDER) EXPENDITURES	\$ (604,039)	\$ (307,432)	\$ (911,471)	\$ (937,645)					\$ 343,304	
Beginning Working Capital October 1			816,012	816,012					632,579	
Ending Working Capital Current Month			<u>\$ (95,459)</u>	<u>\$ (121,633)</u>					<u>\$ 975,883</u>	

Notes

- 1 Capital project funds are transferred as needed; General fund transfers are made monthly.
- 2 Annual debt service payments are made in February and August.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.0%

PARK DEDICATION AND IMPROVEMENT FUNDS

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES										
Park Dedication-Fees	\$ 430,000	\$ -	\$ 430,000	\$ 937,660	\$ -	\$ (507,660)	218%		\$ 19,946	
Park Dedication - Transfers In	-	-	-	-	-	-			392,217	-100%
Park Improvements	280,500	-	280,500	272,401	-	8,099	97%		123,370	121%
Contributions/Grants	-	200,550	200,550	-	-	200,550	0%	2	500,000	-100%
Interest-Park Dedication	6,000	-	6,000	6,801	-	(801)	113%		10,596	-36%
Interest-Park Improvements	5,000	-	5,000	6,490	-	(1,490)	130%		6,135	6%
Total Revenue	\$ 721,500	\$ 200,550	\$ 922,050	\$ 1,223,351	\$ -	\$ (301,301)	133%		\$ 1,052,264	16%
EXPENDITURES										
Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			\$ -	
Cockrell Park Trail Connection	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			\$ 424,301	-100%
Park Dedication Land Acquisition	-	1,913,800	1,913,800	1,914,647	-	(847)	100%		-	
Hike & Bike Master Plan	-	-	-	-	-	-			2,594	
Hays Park	-	31,952	31,952	35,560	-	(3,607)	111%	1	388,172	-91%
Pecan Grove H&B Trail	30,000	-	30,000	-	-	30,000	0%		-	
Pecan Grove Park	575,000	150,000	725,000	-	-	725,000	0%		-	
Windsong Neighborhood Park	-	100,000	100,000	-	-	100,000	0%		-	
Capital (Misc. small projects)	61,750	-	61,750	5,456	-	56,294	9%		-	
Total Expenses	\$ 666,750	\$ 2,195,752	\$ 2,862,502	\$ 1,955,663	\$ -	\$ 906,839	68%		\$ 815,067	140%
REVENUE OVER (UNDER) EXPENDITURES	\$ 54,750	\$ (1,995,202)	\$ (1,940,452)	\$ (732,312)					\$ 237,197	
Beginning Fund Balance October 1			2,894,711	2,894,711					2,660,035	
Ending Fund Balance Current Month			<u>\$ 954,259</u>	<u>\$ 2,162,399</u>					<u>\$ 2,897,232</u>	

- Notes
- 1 Purchase order rolled forward from prior year to pay final invoices and close out capital project. Also includes internal water billing of hydrant meter to capital project.
 - 2 These grant proceeds are based on expenditures. Once the project is awarded and funds expended we will begin requesting reimbursement.

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.0%

TIRZ #1 - BLUE STAR

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES									
Impact Fee Revenue:									
Water Impact Fees	\$ -	\$ -	\$ -	\$ 308,704	\$ (308,704)			\$ 34,916	784%
Wastewater Impact Fees	-	-	-	629,774	(629,774)			25,702	2350%
East Thoroughfare Impact Fees	200,000	-	200,000	1,845,901	(1,645,901)	923%		155,963	1084%
Property Taxes - Town (Current)	627,221	-	627,221	612,991	14,230	98%		492,446	24%
Property Taxes - Town (Rollback)	-	-	-	-	-			-	
Property Taxes - County (Current)	148,647	-	148,647	144,308	4,339	97%		116,706	24%
Sales Taxes - Town	761,000	-	761,000	854,284	(93,284)	112%		598,288	43%
Sales Taxes - EDC	637,500	-	637,500	715,463	(77,963)	112%		501,066	43%
Interest Income	2,000	-	2,000	7,689	(5,689)	384%		4,348	77%
Transfer In	-	-	-	-	-			-	
Total Revenue	\$ 2,376,368	\$ -	\$ 2,376,368	\$ 5,119,115	\$ (2,742,747)	215%		\$ 1,929,436	165%
EXPENDITURES									
Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -			-	
Developer Rebate	2,376,368	-	2,376,368	5,229,934	(2,853,566)	220%		1,691,790	
Transfers Out	-	-	-	-	-			-	
Total Expenses	\$ 2,376,368	\$ -	\$ 2,376,368	\$ 5,229,934	\$ (2,853,566)	220%		\$ 1,691,790	
REVENUE OVER (UNDER) EXPENDITURES			\$ -	\$ (110,819)				\$ 237,646	
Beginning Fund Balance October 1			1,470,609	1,470,609				301,260	
Ending Fund Balance Current Month			<u>\$ 1,470,609</u>	<u>\$ 1,359,790</u>				<u>\$ 538,906</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.0%

TIRZ #2

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
REVENUES									
Property Taxes - Town (Current)	\$ 131,145	\$ 22,195	\$ 153,340	\$ 154,136	\$ (796)	101%		\$ 10,901	1314%
Property Taxes - Town (Rollback)	-	-	\$ -	-	-	0%		-	
Property Taxes - County (Current)	31,081	-	\$ 31,081	30,280	801	97%		2,583	1072%
Sales Taxes - Town	-	-	\$ -	-	-			-	
Sales Taxes - EDC	-	-	\$ -	-	-			-	
Interest Income	150	-	\$ 150	160	(10)	107%		175	-9%
Total Revenue	\$ 162,376	\$ 22,195	\$ 184,571	\$ 184,577	\$ (6)	100%		\$ 13,659	1251%
EXPENDITURES									
Professional Services	\$ -	\$ -	\$ -	\$ -	-			\$ -	
Developer Rebate	184,549	-	\$ 184,549	154,246	30,303	84%		13,771	
Transfers Out	-	-	\$ -	30,302	(30,302)			-	
Total Expenditures	\$ 184,549	\$ -	\$ 184,549	\$ 184,549	\$ 0	100%		\$ 13,771	
REVENUE OVER (UNDER) EXPENDITURES			\$ 22	\$ 28				\$ (112)	
Beginning Fund Balance October 1			25,058	25,058				25,189	
Ending Fund Balance Current Month			<u>\$ 25,080</u>	<u>\$ 25,086</u>				<u>\$ 25,077</u>	

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022

WATER IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
Impact Fees Water	\$ 3,500,000	\$ -	\$ 3,500,000	\$ 4,366,761				
Interest Income	20,000	-	20,000	43,607				
Total Revenues	<u>\$ 3,520,000</u>	<u>\$ -</u>	<u>\$ 3,520,000</u>	<u>\$ 4,410,368</u>				
EXPENDITURES								
Developer Reimbursements								
Parks at Legacy Developer Reimb	400,000	400,000	-	400,000	-	-	400,000	-
Star Trail Developer Reimb	400,000	400,000	-	400,000	-	-	400,000	-
Victory at Frontier Developer Reimb	60,000	60,000	-	60,000	-	-	60,000	-
Westside Developer Reimb	100,000	100,000	-	100,000	-	-	100,000	-
TVG Windsong Developer Reimb	350,000	350,000	-	350,000	-	-	350,000	-
Total Developer Reimbursements	<u>\$ 1,310,000</u>	<u>\$ 1,310,000</u>	<u>\$ -</u>	<u>\$ 1,310,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,310,000</u>	<u>\$ -</u>
Capital Expenditures								
12" Water Line - DNT	200,000	-	200,000	200,000	90,708	16,620	92,672	-
Lower Pressure Plane Easements	1,000,000	900,000	-	900,000	-	-	900,000	-
Total Projects	<u>\$ 1,200,000</u>	<u>\$ 900,000</u>	<u>\$ 200,000</u>	<u>\$ 1,100,000</u>	<u>\$ 90,708</u>	<u>\$ 16,620</u>	<u>\$ 992,672</u>	<u>\$ -</u>
Transfer to CIP Fund	-	9,000,000	-	9,000,000	9,000,000	-	-	-
Total Transfers Out	<u>\$ -</u>	<u>\$ 9,000,000</u>	<u>\$ -</u>	<u>\$ 9,000,000</u>	<u>\$ 9,000,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Expenditures	<u>\$ 2,510,000</u>	<u>\$ 11,210,000</u>	<u>\$ 200,000</u>	<u>\$ 11,410,000</u>	<u>\$ 9,090,708</u>	<u>\$ 16,620</u>	<u>\$ 2,302,672</u>	<u>\$ -</u>
REVENUE OVER (UNDER) EXPENDITURES				<u>\$ (7,890,000)</u>	<u>\$ (4,680,340)</u>			
Beginning Fund Balance October 1				9,691,322	9,691,322			
Ending Fund Balance Current Month				<u>\$ 1,801,322</u>	<u>\$ 5,010,982</u>			

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022

WASTEWATER IMPACT FEES FUND

Project	Current Year	Current Year	Current Remaining	Prior Years	Project				
Budget	Original	Budget	Amended	Actual	Encumbrances	Budget Balance	Expenditure	Budget	
Budget	Budget	Adjustment	Budget	Actual	Encumbrances	Budget Balance	Expenditure	Budget	
REVENUES									
Impact Fees Wastewater	\$ 2,000,000	\$ 151,987	\$ 2,151,987	\$ 2,151,987					
Interest Income	16,000	-	16,000	18,027					
Upper Trinity Equity Fee	300,000	128,000	428,000	428,000					
Total Revenues	<u>\$ 2,316,000</u>	<u>\$ 151,987</u>	<u>\$ 2,595,987</u>	<u>\$ 2,598,013</u>					
EXPENDITURES									
Developer Reimbursements									
TVG Westside Utility Developer Reimb	275,000	275,000	32,476	307,476	581,928	-	(274,452)	-	(274,452)
Prosper Partners Utility Developer Reimb	-	-	-	-	20,440	-	(20,440)	-	(20,440)
Frontier Estates Developer Reimb	25,000	25,000	-	25,000	8,376	-	16,624	-	16,624
LaCima Developer Reimb	50,000	50,000	-	50,000	3,386	-	46,614	-	46,614
Brookhollow Developer Reimb	220,000	220,000	-	220,000	45,152	-	174,848	-	174,848
TVG Windsong Developer Reimb	600,000	600,000	558,267	1,158,267	1,158,267	-	-	-	-
All Storage Developer Reimb	50,000	50,000	-	50,000	18,060	-	31,940	-	31,940
Legacy Garden Developer Reimb	75,000	75,000	-	75,000	68,877	-	6,123	-	6,123
Total Developer Reimbursements	<u>\$ 1,295,000</u>	<u>\$ 1,295,000</u>	<u>\$ 590,743</u>	<u>\$ 1,885,743</u>	<u>\$ 1,904,486</u>	<u>\$ -</u>	<u>\$ (18,743)</u>	<u>\$ -</u>	<u>\$ (18,743)</u>
Capital Expenditures									
Doe Branch Wastewater Lines	-	-	475,000	475,000	48,600	48,600	377,800	-	377,800
Total Projects	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 475,000</u>	<u>\$ 475,000</u>	<u>\$ 48,600</u>	<u>\$ 48,600</u>	<u>\$ 377,800</u>	<u>\$ -</u>	<u>\$ 377,800</u>
Transfer to CIP Fund	1,500,000	1,500,000	-	1,500,000	1,500,000	-	-	-	-
Total Transfers Out	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ -</u>	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Expenditures	<u>\$ 2,795,000</u>	<u>\$ 2,795,000</u>	<u>\$ 1,065,743</u>	<u>\$ 3,860,743</u>	<u>\$ 3,453,086</u>	<u>\$ 48,600</u>	<u>\$ 359,057</u>	<u>\$ -</u>	<u>\$ 359,057</u>
REVENUE OVER (UNDER) EXPENDITURES			\$ (1,264,756)	\$ (855,073)					
Beginning Fund Balance October 1				2,733,394	2,733,394				
Ending Fund Balance Current Month			<u>\$ 1,468,638</u>	<u>\$ 1,878,321</u>					

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022

THOROUGHFARE IMPACT FEES FUND

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance
REVENUES								
East Thoroughfare Impact Fees	\$ 1,200,000	\$ -	\$ 1,200,000	\$ 1,250,008				
East Thoroughfare Other Revenue	-	-	-	-				
West Thoroughfare Impact Fees	4,000,000	-	4,000,000	5,973,672				
West Thoroughfare Other Revenue	-	-	-	-				
Interest-East Thoroughfare Impact Fees	9,000	-	9,000	13,981				
Interest-West Thoroughfare Impact Fees	15,000	-	15,000	47,033				
Total Revenues	\$ 5,224,000	\$ -	\$ 5,224,000	\$ 7,284,694				
EXPENDITURES								
East								
FM 1461 (SH289-CR 165)	175,000	175,000	-	175,000	77,074	-	97,927	97,927
Coleman Median Landscape (Talon-Victory)	30,000	-	7,750	7,750	2,975	-	4,775	4,800
Coit Road (First - Frontier)	1,289,900	-	364,755	364,755	-	-	364,755	367,125
Traffic Signal - Coit & Richland	56,800	56,800	-	56,800	-	-	56,800	6,005
Transfer to Capital Project Fund	2,180,000	2,180,000	-	2,180,000	-	-	-	-
Total East	\$ 3,731,700	\$ 2,411,800	\$ 372,505	\$ 2,784,305	\$ 2,260,049	\$ -	\$ 524,256	\$ 995,795
West								
Teel 380 Intersection Improvements	100,000	-	22,125	22,125	27,125	-	(5,000)	73,861
Traffic Signal		-	2,185	2,185	13,380	-	(11,195)	256,112
Parks at Legacy Developer Reimb	600,000	600,000	-	600,000	2,687,147	-	(2,087,147)	(2,087,147)
Star Trail Developer Reimb	1,000,000	1,000,000	-	1,000,000	-	-	1,000,000	1,000,000
Tellus Windsong Developer Reimb	3,500,000	3,500,000	-	3,500,000	6,288,751	-	(2,788,751)	(2,788,751)
Legacy Garden Developer Reimb	200,000	200,000	-	200,000	98,040	-	101,960	101,960
Total West	\$ 5,400,000	\$ 5,300,000	\$ 24,310	\$ 5,324,310	\$ 9,114,443	\$ -	\$ (3,790,133)	\$ 329,973
Total Expenditures	\$ 9,131,700	\$ 7,711,800	\$ 396,814	\$ 8,108,615	\$ 11,374,492	\$ -	\$ (3,265,877)	\$ 1,325,768
REVENUE OVER (UNDER) EXPENDITURES			\$ (2,884,615)	\$ (4,089,797)				
Beginning Fund Balance October 1			10,678,812	10,678,812				
Ending Fund Balance Current Month			\$ 7,794,198	\$ 6,589,015				

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022
Expected Year to Date Percent 100.0%

SPECIAL REVENUE FUNDS

	Original Budget	Budget Adjustment	Amended Budget	Current Year YTD Actual	Current Year Encumbrances	Current Remaining Budget Balance	YTD Percent	Note	Prior Year YTD Actual	Change from Prior Year
Police Donation Revenue	\$ 14,000	\$ -	\$ 14,000	\$ 17,668	\$ -	\$ (3,668)	126%		\$ 14,188	25%
Fire Donation Revenue	13,500	-	13,500	17,504	-	(4,004)	130%		14,610	20%
Child Safety Revenue	12,000	-	12,000	30,599	-	(18,599)	255%		14,358	113%
Court Security Revenue	8,000	-	8,000	7,704	-	296	96%		8,321	-7%
Court Technology Revenue	7,000	-	7,000	6,464	-	536	92%		7,117	-9%
Municipal Jury revenue	150	-	150	150	-	(0)	100%		157	-4%
Interest Income	1,425	-	1,425	3,519	-	(2,094)	247%		3,002	17%
Interest Income CARES/ARPA Funds	-	-	-	23,469	-	(23,469)			2,849	724%
Tree Mitigation	-	-	-	22,400	-	(22,400)			339,213	-93%
Miscellaneous	-	-	-	2,997	-	(2,997)			8,686	-65%
CARES Act/ARPA Funding	3,045,165	-	3,045,165	3,057,202	-	(12,037)	100%		1,419,369	115%
Transfer In	-	-	-	-	-	-			-	
Total Revenue	\$ 3,101,240	\$ -	\$ 3,101,240	\$ 3,189,676	\$ -	\$ (88,436)	103%		\$ 1,831,870	74%
EXPENDITURES										
LEOSE Expenditure	\$ 6,500	\$ -	\$ 6,500	\$ -	\$ -	\$ 6,500	0%		\$ 2,500	-100%
Court Technology Expense	-	14,664	14,664	10,688	-	3,976	73%		9,051	
Court Security Expense	16,936	-	16,936	1,397	-	15,539	8%		11,635	-88%
Police Donation Expense	26,204	-	26,204	24,425	-	1,779	93%		10,318	137%
Fire Donation Expense	5,000	-	5,000	-	-	5,000	0%		8,364	-100%
Child Safety Expense	39,698	-	39,698	24,381	-	15,317	61%		-	
Tree Mitigation Expense	400,000	(366,400)	33,600	33,600	-	-	100%	2	-	
Police Seizure Expense	8,227	-	8,227	-	-	8,227	0%		4,250	-100%
CARES Act/ARPA Funding	-	-	-	-	-	-			1,420,316	-100%
Transfer Out (Tree Mitigation funds)	-	366,400	366,400	366,400	-	-	100%	3	-	
Total Expenses	\$ 502,565	\$ 14,664	\$ 517,229	\$ 460,892	\$ -	\$ 56,337	89%		\$ 1,466,433	-69%
REVENUE OVER (UNDER) EXPENDITURES	\$ 2,598,675	\$ (14,664)	\$ 2,584,011	\$ 2,728,784					\$ 365,436	
Beginning Fund Balance October 1			848,389	848,389					567,535	
Ending Fund Balance Current Month			<u>\$ 3,432,400</u>	<u>\$ 3,577,173</u>					<u>\$ 932,971</u>	

Notes

2,3 Funds have been spent/transferred to capital to be used for projects.

TOWN OF PROSPER, TEXAS
 MONTHLY FINANCIAL REPORT
 September 30, 2022

CAPITAL PROJECTS FUND - GENERAL

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
REVENUES									
Grants	\$ -	\$ -	\$ -	\$ -	-	-	-	-	
Bond Proceeds	34,688,033	-	34,688,033	-	-	-	-	-	
Interest Income	-	-	-	218,023	-	-	-	-	
Other Revenue	-	-	-	-	-	-	-	-	
Transfers In - General Fund	4,295,000	2,348,400	6,643,400	6,643,400	-	-	-	-	
Transfers In - Impact Fee Funds	2,180,000	-	2,180,000	2,180,000	-	-	-	-	
Transfers In - Bond Funds	-	-	-	12,954,985	-	-	-	-	
Total Revenues	\$ 41,163,033	\$ 2,348,400	\$ 43,511,433	\$ 21,996,407	-	-	-	-	
EXPENDITURES									
Frontier Parkway BNSF Overpass	9,143,771	287,783	-	287,783	488,938	-	(201,155)	8,855,826	(200,993)
West Prosper Roads	14,168,828	518,952	-	518,952	586	-	518,366	14,016,735	151,507
Traffic Signal (Coit & First)	306,300	-	19,500	19,500	-	-	19,500	286,799	19,501
BNSF Quiet Zone First/Fifth	145,000	127,186	-	127,186	-	-	127,186	17,146	127,854
Prosper Trail (Coit-Custer) 2 Lanes	6,422,068	1,006,205	700,868	1,707,073	1,053,978	-	653,095	4,715,110	652,980
Cook Lane (First-End)	20,799	-	20,799	20,799	-	-	-	-	(0)
Preston/First Turn Lane	100,000	100,000	-	100,000	-	-	100,000	-	100,000
First St (DNT to Coleman)	4,011,567	2,293,095	310,941	2,604,036	133,214	-	2,470,822	1,407,531	2,470,822
Fishtrap (Elem-DNT) 4 Lanes	20,754,430	19,689,411	138,563	19,827,974	2,198,374	-	17,629,600	873,947	17,682,109
First St (Coit-Custer) 4 Lanes	22,085,000	21,012,639	175,800	21,188,439	1,819,148	-	(2,406,879)	921,427	19,344,425
Fishtrap, Segment 4 (Middle-Elem)	2,944,190	205,011	1,714,417	1,919,428	1,757,546	-	161,883	1,085,647	100,997
Preston/Prosper Trail Turn Lane	100,000	100,000	-	100,000	-	-	100,000	-	100,000
Victory Way (Coleman-Frontier)	2,500,000	-	-	-	-	-	-	2,284,783	215,217
Craig Street (Preston-Fifth)	450,000	450,000	-	450,000	175,595	-	274,405	-	274,405
Prosper Trail/DNT Intersection Improvements	2,113,000	-	78,645	78,645	61,059	-	17,586	2,034,355	17,586
Fishtrap Section 1 & 4	778,900	19,200	6,500	25,700	1,500	-	24,200	727,808	49,592
Fishtrap Segment 2 (PISD reimbursement)	1,063,033	1,063,033	-	1,063,033	938,997	-	133,773	-	124,036
Fishtrap (Teel - Gee Road)	6,025,000	6,025,000	-	6,025,000	247	-	6,024,753	-	6,024,753
Gee Road (Fishtrap - Windsong)	3,520,000	3,520,000	-	3,520,000	4,052	-	3,515,948	-	3,515,948
Teel (US 380 Intersection Improvements)	1,280,000	1,180,000	-	1,180,000	5,213	-	1,174,787	-	1,274,787
Coleman (Gorgeous - Prosper Trail)	5,500,000	700,000	450,000	1,150,000	120,534	178,618	850,849	-	5,200,849
Coleman (Prosper Trail - PHS)	3,000,000	675,000	(300,000)	375,000	-	-	375,000	-	3,000,000
Legacy (Prairie - Fishtrap)	8,225,000	850,000	-	850,000	235,694	-	614,307	-	7,989,307
Teel Parkway (US 380 - Fishtrap Rd) NB 2 Lanes (Design)	900,000	-	750,000	750,000	82,943	-	667,057	-	817,057
Total Street Projects	\$ 115,556,886	\$ 59,822,515	\$ 4,066,034	\$ 63,888,549	\$ 9,098,416	\$ 178,618	\$ 32,845,081	\$ 37,227,114	\$ 69,052,738

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022

CAPITAL PROJECTS FUND - GENERAL

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Years Expenditure	Project Budget Balance	
Downtown Monument	455,000	204,257	43,546	247,803	37,296	-	210,507	207,411	210,293
Turf Irrigation SH289	68,000	19,065	-	19,065	-	-	19,065	48,935	19,065
US 380 Median Design (Green Ribbon)	821,250	751,550	-	751,550	-	-	751,550	65,800	755,450
Whitley Place H&B Trail Extension	750,000	1,621	-	1,621	-	-	1,621	734,209	15,791
Whitley Place H&B Trail Extension (Pwr line Esmnt)	280,000	44,797	-	44,797	-	-	44,797	235,202	44,798
Tanner's Mill Phase 2 Design	1,030,000	951,700	433,621	1,385,321	681,991	-	703,330	14,080	333,929
Lakewood Preserve, Phase 2	3,845,000	3,845,000	-	3,845,000	-	-	3,845,000	-	3,845,000
Pecan Grove Ph II	67,500	7,606	35,959	43,565	39,670	-	29,248	26,435	1,395
Downtown Pond Improvements	120,000	120,000	-	120,000	11,760	-	108,240	-	108,240
Sexton Park Phase I	1,200,000	1,200,000	-	1,200,000	154,672	-	1,045,328	-	1,045,328
Gee Road Trail Connection	700,000	700,000	-	700,000	-	-	700,000	-	700,000
Coleman Median Landscape (Victory-Preston)	650,000	650,000	-	650,000	19,783	-	630,217	-	630,217
Prosper Trail Median Landscape	275,000	275,000	-	275,000	7,352	-	267,648	-	267,648
Coleman Median Landscape (Talon-Victory)	454,025	424,050	-	424,050	342,713	-	81,337	-	111,312
Total Park Projects	\$ 10,715,775	\$ 9,194,646	\$ 513,125	\$ 9,707,771	\$ 1,295,236	\$ -	\$ 8,437,889	\$ 1,332,072	\$ 8,088,467
PD Car Camera and Body worn Camera System	387,225	387,225	-	387,225	-	17,000	370,225	-	370,225
Station #3 Quint Engine	1,350,000	1,350,000	145,000	1,495,000	1,376,727	(6,815)	125,088	-	(19,912)
Station #3 Ambulance	460,000	460,000	35,000	495,000	415,749	(1,200)	80,451	-	45,451
Street Broom	36,900	-	43,960	43,960	43,960	-	-	-	(7,060)
Storm Siren	33,860	294	33,566	33,860	33,566	-	294	-	294
Scag Wind Storm Blower	9,300	183	-	183	-	-	183	-	9,300
Heavy Duty Trailer	18,250	-	26,626	26,626	26,626	-	-	-	(8,376)
Verti-Cutter	12,000	-	19,908	19,908	19,908	-	-	-	(7,908)
Skid Steer	81,013	-	81,013	81,013	81,013	-	-	-	-
Z-Max Spreader/Sprayer	12,000	-	12,590	12,590	12,590	-	-	-	(590)
Park Ops Vehicle	25,889	-	27,035	27,035	-	-	27,035	-	25,889
Bucket Truck	117,261	-	126,757	126,757	126,757	-	-	-	(9,496)
Awnings for Storage	19,800	19,800	-	19,800	11,100	-	8,700	-	8,700
Engineering Vehicle	35,998	35,998	-	35,998	40,226	-	(4,228)	-	(4,228)
Public Safety Complex FFE	-	4,000	4,000	4,000	-	-	4,000	-	-
Public Safety Complex, Phase 2-Design	1,555,615	-	676,700	676,700	471,319	-	205,380	-	1,084,296
Public Safety Complex, Phase 2-Dev Costs	670,000	661,750	(22,675)	639,075	83,257	-	555,818	-	586,743
Public Safety Complex, Phase 2-Construction	14,500,000	14,499,671	-	14,499,671	5,596,096	-	8,903,575	-	8,903,904
Public Safety Complex, Phase 2-FFE	1,274,385	1,274,385	-	1,274,385	50,161	-	1,224,224	-	1,224,224
Fire Engine Station 4 - FUNDS REALLOCATED	1,100,000	1,100,000	(900,000)	200,000	-	-	200,000	-	200,000
Fire Station #4 - Design	600,000	600,000	-	600,000	337,839	-	270,541	-	262,161
Fire Station #4 - Engine	1,250,000	-	1,250,000	1,250,000	1,132,443	-	117,557	-	117,557
Fire Station #4 - Ambulance	552,000	-	552,000	552,000	42,555	(1,200)	510,644	-	510,644
Fire Station #4 - Other Costs	8,250	-	-	-	8,250	-	(8,250)	-	-
Total Facility Projects	\$ 24,109,746	\$ 20,393,306	\$ 2,111,480	\$ 22,500,786	\$ 9,910,142	\$ 7,786	\$ 12,591,238	\$ -	\$ 13,291,818
Transfer Out	-	-	-	-	-	-	-	-	-
Total Expenditures	\$ 150,382,407	\$ 89,410,467	\$ 6,690,639	\$ 96,097,107	\$ 20,303,794	\$ 186,404	\$ 53,874,208	\$ 38,559,186	\$ 90,433,023
REVENUE OVER (UNDER) EXPENDITURES				\$ (52,585,674)	\$ 1,692,613				
Beginning Fund Balance (Restricted for Capital Projects) October 1				55,411,735	55,411,735				
Ending Fund Balance (Restricted for Capital Projects) Current Month				\$ 2,826,061	\$ 57,104,348				

TOWN OF PROSPER, TEXAS
MONTHLY FINANCIAL REPORT
September 30, 2022

CAPITAL PROJECTS FUND-WATER/SEWER

Project	Current Year Original Budget	Current Year Budget Adjustment	Current Year Amended Budget	Current Year Actual	Current Year Encumbrances	Current Remaining Budget Balance	Prior Year Expenditure	Project Budget Balance	
REVENUES									
Interest Income	\$ -	\$ -	\$ -	\$ 53,915					
Bond Proceeds	14,931,000	-	14,931,000	-					
Transfers In	563,323	-	563,323	1,078,823					
Transfers In - Impact Fee Funds	10,500,000	-	10,500,000	10,500,000					
Transfers In - Bond Funds	-	-	-	134,715					
Total Revenues	\$ 25,994,323	\$ -	\$ 25,994,323	\$ 11,767,453					
EXPENDITURES									
Lower Pressure Plane Pump Station Design	24,331,100	22,746,000	432,371	23,178,371	507,144	-	22,671,227	1,148,013	22,675,943
Fishtrap EST (South)	6,433,700	6,000	187,924	193,924	118,333	-	75,591	6,239,583	75,784
Water Supply Line Phase I	13,181,703	133,230	37,227	170,457	-	-	170,457	12,956,822	224,881
Custer Rd Meter Station/Water Line Relocation	3,866,832	32,598	49,421	82,019	35,920	-	46,099	3,795,144	35,768
E-W Collector (Cook-DNT)	680,775	128,000	5,400	133,400	-	-	133,400	547,223	133,552
Doe Branch Parallel Interceptor	-	-	4,500	4,500	4,500	-	-	-	(4,500)
Frontier Water Line	-	-	-	-	2,041	-	(2,041)	-	(2,041)
Fishtrap (Elem-DNT) Water Line	5,000,000	5,000,000	-	5,000,000	-	-	5,000,000	-	5,000,000
Total Water & Wastewater Projects	\$ 53,494,110	\$ 28,045,828	\$ 716,843	\$ 28,762,671	\$ 667,937	\$ -	\$ 28,094,734	\$ 24,686,785	\$ 28,139,388
Old Town Drainage	665,000	50,000	-	50,000	-	-	50,000	603,142	61,858
Frontier Park/Preston Lakes Drainage	1,085,000	985,000	-	985,000	558,873	-	426,127	36,510	489,617
Old Town Regional Pond #2	385,000	-	45,751	45,751	28,638	-	17,114	2,572	353,790
Old Town Drainage Broadway Design & Construction	691,686	60,240	6,398	66,638	10,098	-	56,540	318,568	363,020
Total Drainage Projects	\$ 2,826,686	\$ 1,095,240	\$ 52,149	\$ 1,147,389	\$ 597,609	\$ -	\$ 549,780	\$ 960,792	\$ 1,268,285
Transfer out	-	-	-	-	-	-	-	-	-
Total Expenses	\$ 56,320,796	\$ 29,141,068	\$ 768,992	\$ 29,910,060	\$ 1,265,546	\$ -	\$ 28,644,514	\$ 25,647,577	\$ 29,407,673
			\$ (3,915,737)	\$ 10,501,906					
Beginning Fund Balance (Restricted for Capital Projects) October 1				5,258,203	5,258,203				
Ending Fund Balance (Restricted for Capital Projects) Current Month			\$ 1,342,466	\$ 15,760,109					



FACILITIES

To: Mayor and Town Council

From: Chuck Ewings, Executive Director of Development and Infrastructure Services

Through: Mario Canizares, Town Manager

Re: Weatherproofing Services Contract

Town Council Meeting – May 23, 2023

Agenda Item:

Consider and act upon approving a contract with Weatherproofing Services utilizing the Interlocal Purchasing System (TIPS) for the renovation of the Town Hall water feature; and authorizing the Town Manager to execute documents for the same.

Description of Agenda Item:

The water feature located on the north side of Prosper Town Hall has needed repairs over the last two years. It has experienced leaks that have led to crumbling of the exterior finishes when water freezes behind the material. Additionally, the stainless steel that is located at the spillways of the feature has begun to rust and deteriorate.

This proposal is to replace the stainless steel with stone material, line the interior of the feature with pool tile and seal accordingly, provide new lighting, and replace and seal the exterior finish to protect it from water penetration.

This Town is a member of The Interlocal Purchasing System (TIPS) cooperative purchasing system, and this project has been competitively priced by TIPS.

Budget Impact:

This work was not budgeted due to the original estimates provided by staff. Cost estimates in the past were up to \$250,000 to reconstruct the entire water feature. The proposed repairs may cause expenses to exceed the total facilities budget due to this proposed expense and other unplanned security projects, such as securing the library doors. This may require a budget amendment in the facilities management budget at the end of the year depending on final expenses. Savings in other areas are expected to be adequate to cover these additional expenses.

The damage occurred after the expiration of the warranty period and the Town has made several insurance claims that have been denied each time.

Attached Documents:

1. Quote from Weatherproofing Services

Town Staff Recommendation:

Town Staff recommends the Town Council approve a contract with Weatherproofing Services utilizing the Interlocal Purchasing System (TIPS) for the renovation of the Town Hall water feature; and authorizing the Town Manager to execute documents for the same.

Proposed Motion:

I move to approve a contract with Weatherproofing Services utilizing the Interlocal Purchasing System (TIPS) for the renovation of the Town Hall water feature; and authorizing the Town Manager to execute documents for the same.



PROPOSAL NUMBER: 231505-104-01

DATE: 05/15/2023

TO:
Town of Prosper

JOB SITE:
Town Hall
250 W First St.
Prosper, TX 75078

ATTENTION: Robert Cook

RE: Fountain Restoration

We propose to furnish equipment, labor and materials to complete the following scope:

Scope of Work - North Fountain

- Install temporary fence around work area.
- Drain, prep & re-plaster fountains - 129' Quartzbrite Aruba Sky
- Remove and replace waterline tile - Glass Tile TBD 200'
- Demo limestone coping, haul off and Install Lueders limestone coping. 194sq ft
- Demo fountain veneer, haul off an install 4' rough back stone. 258sqft
- Core in (4) holes for new jandy nichless pool lights being install at fountains facing the parking lot.
- Remove and replace mastic. 129'
- At spill ways, matching limestone with coping, 4"-6" lips will be installed. (4)
- Apply stone sealer to rough back veneer. 258sqftg
- Note - Walkway has current hairline crack along west side running north and south. It is possible that the sidewalk becomes damaged in the removal of the stone around the fountain. If the sidewalk breaks or spalls additional charges will be applied to be repair with approved changed order.
- Working hours are from 8am-5pm - Monday-Friday

Price **\$83,077.20**

TIPS Contract # 23010402
Texas HUB #: 1743139271500
WBENC #: 2005115574

Approved by: (Signature)

Date

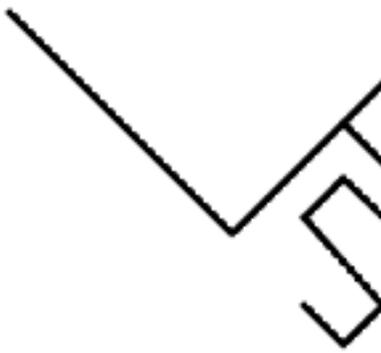
Estimated By: Ricky Whitfield

(Print Name)

Terms of Payment: We will invoice 100% upon completion, due upon receipt.

Weatherproofing Services LLC **will NOT be responsible** for the possibility of nor the presence of mold and/or mildew resulting from water and/or other sources. This includes any contamination prior to or after work was completed by Weatherproofing Services LLC. This exclusion also pertains to microorganisms, biological organisms and/or organic contamination.





WEATHERPROOFING SERVICES



Page 2 of 3



2336 Oak Grove Lane, Crossroads, Texas 76227 * 972-731-8222 * 972-731-8225 FAX

Website: www.WsTexas.com * Email: Service@WsTexas.com

WEATHERPROOFING SERVICES



Image © 2023 Albus





RCC Services, LLC

Construction Consulting and Estimating

05/13/2023

To Whom it May Concern:

RE: Independent Cost Estimate
Contractor Name: Weatherproofing Services
RCC Services Estimate Number: TX3500029
Project Name: TIPS #23010402 Town of
Prosper Town Hall Water Feature Renovation

RCC Services was retained by Weatherproofing Services to provide an independent review of their proposal for the above referenced project for pricing validation purposes. The attached Independent Cost Estimate (I.C.E.) was derived from the Material Takeoffs, Scope of Work documents, Site Inspection Documentation, and project photos provided by the contractor. The attached report will provide you with our findings.

The I.C.E. was created using RS Means on-line estimating software which utilizes the most current version of RS Means Cost Data. The construction means and methods for this I.C.E. were based upon our estimator's professional experience in line item estimating and construction standard practices.

The Cost data is based on a national average for line item pricing. The I.C.E. has been adjusted utilizing the most current RS Means Data QTR 1, 2023 and was further adjusted by the RS Means City Cost Index (CCI) for McKinney, Texas as well as the TIPS #23010402 Contract Co-Efficient.

As a result of our efforts we have determined that the proposal from Weatherproofing Services is consistent within the industry standard of our I.C.E. If you have any questions regarding the attached documents please feel free to contact us.

Sincerely,

Jeremy Rotondo

Jeremy Rotondo
Vice President
RCC Services, LLC
jeremy@rccservices.net

Division Totals

Division 01 - General Requirements	\$	33,501.60
Division 02 - Existing Conditions	\$	1,060.00
Division 03 - Concrete	\$	221.40
Division 04 - Masonry	\$	34,402.61
Division 05 - Metals	\$	5,225.24
Division 06 - Wood, Plastics, and Composites	\$	-
Division 07 - Thermal and Moisture Protection	\$	442.72
Division 08 - Openings	\$	-
Division 09 - Finishes	\$	8,067.04
Division 10 - Specialties	\$	-
Division 11 - Equipment	\$	-
Division 12 - Furnishings	\$	-
Division 13 - Special Construction	\$	12,196.96
Division 14 - Conveying Equipment	\$	-
Division 21 - Fire Suppression	\$	-
Division 22 - Plumbing	\$	-
Division 23 - Heating, Ventilating, and Air Conditioning (HVAC)	\$	-
Division 26 - Electrical	\$	466.01
Division 27 - Communications	\$	-
Division 28 - Electronic Safety and Security	\$	-
Division 31 - Earthwork	\$	-
Division 32 - Exterior Improvements	\$	-
Division 33 - Utilities	\$	-
Division 34 - Transportation	\$	-
RS MEANS PRICING TOTAL (MODIFIED BY CITY COST INDEX)	\$	101,729.69
TIPS CONTRACT COEFFICIENT (MEANS BASED PRICING ONLY)	\$	8,138.38
SUBTOTAL	\$	93,591.31
NON PREPRICED LINE ITEM TOTAL	\$	-
NON PRICED ITEM COEFFICIENT	\$	-
NON PRICED ITEM TOTAL	\$	-
SUBTOTAL	\$	-
P&P BOND @ 1.2%	\$	-
TOTAL PRICE	\$	93,591.31
PROPOSED PRICE	\$	83,077.20
DISCOUNT TO MEMBER		1.126558367

Cost Estimate Report

Item 5.

Date: 05/13/2023

205 West First Street
Prosper, Texas, 75078

Town of Prosper Water Feature Renovation

Year 2023 Quarter 1

Unit Summary Report

Prepared By: Jeremy Rotondo

RCC Services, LLC.

Division	Description	Total
Division 01	General Requirements	\$33,501.60
Division 02	Existing Conditions	\$1,060.00
Division 03	Concrete	\$221.40
Division 04	Masonry	\$34,402.61
Division 07	Thermal and Moisture Protection	\$442.72
Division 09	Finishes	\$8,067.04
Division 13	Special Construction	\$12,196.96
Division 26	Electrical	\$466.01
Subtotal		\$90,358.34
General Contractor's Markup on Subs	20.00%	\$11,371.35
Subtotal		\$101,729.69
General Conditions	0.00%	\$0.00
Subtotal		\$101,729.69
TIPS #200201 Contract Co-efficient	0.92	-\$8,138.38
Grand Total		\$93,591.31

LineNumber	Description	Quantity	Unit	Total Incl. O&P	Ext. Total Incl. O&P
Division 03 Concrete					<i>Item 5.</i>
038213100200	Concrete core drilling, core, reinforced concrete slab, 2" diameter, up to 6" thick slab, includes bit cost, layout and set up time	4.00	Ea.	\$52.19	\$208.76
038213100200	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$3.16	\$12.64
Division 03 Concrete Subtotal					\$221.40
<hr/>					
Division 04 Masonry					
040505103040	Selective demolition, masonry, copings, precast or masonry, hard mortar, to 8" wide, remove	140.00	L.F.	\$2.45	\$343.00
040505103040	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$0.17	\$24.01
040505105140	Selective demolition, masonry, veneers, stone, 4" thick	258.00	S.F.	\$2.18	\$562.44
040505105140	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$0.15	\$39.37
044310551200	Limestone veneer facing panel, sugarcube finish, 4" thick, 5' x 11'	258.00	S.F.	\$97.65	\$25,193.70
044310551200	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$4.90	\$1,264.12
047210100300	Limestone coping, stock units, 12" wall, 4" thick, includes mortar, excludes scaffolding	146.00	L.F.	\$45.62	\$6,660.52
047210100300	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$2.16	\$315.45
Division 04 Masonry Subtotal					\$34,402.61
<hr/>					
Division 07 Thermal and Moisture Protection					
071353102100	Elastomeric sheet waterproofing, for application to horizontal surfaces, fiberglass reinforced, 1/8" thick, fluid applied	129.00	S.F.	\$3.24	\$417.96
071353102100	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$0.19	\$24.76
Division 07 Thermal and Moisture Protection Subtotal					\$442.72
<hr/>					
Division 09 Finishes					
090505202020	Flooring demolition, tile, ceramic, mud set	200.00	S.F.	\$0.98	\$196.00
090505202020	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$0.07	\$13.72
090505208150	Remove mastic only	129.00	S.F.	\$1.06	\$136.74
093013201200	Ceramic tile, seal tile and grout with penetrating sealer	258.00	S.F.	\$0.96	\$247.68
093013201200	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$0.07	\$17.34

LineNumber	Description	Quantity	Unit	Total Incl. O&P	Ext. Total Incl. O&P
093223101060	Glass mosaics, blend, 2" tile on 12" sheet	200.00	S.F.	\$35.34	\$7,100.00 Item 5.
093223101060	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$1.94	\$387.56
Division 09 Finishes Subtotal					\$8,067.04
Division 13 Special Construction					
131113504000	Swimming pool, replaster, 2 coats portland cement, 1/2" thick	500.00	SF Surf	\$15.06	\$7,530.00
131113504000	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$1.04	\$518.20
131146502100	Swimming pool equipment, lights, underwater, with transformer, 12 volt, 300 watt	4.00	Ea.	\$975.39	\$3,901.56
131146502100	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$61.80	\$247.20
Division 13 Special Construction Subtotal					\$12,196.96
Division 26 Electrical					
260519909000	Wire, minimum labor/equipment charge	4.00	Job	\$108.88	\$435.52
260519909000	Cost adjustment factors, protection of existing work, add to construction costs for particular job requirements, maximum	1.00	Costs	\$7.62	\$30.49
Division 26 Electrical Subtotal					\$466.01
Subtotal					\$90,358.34
General Contractor's Markup on Subs				20.00%	\$11,371.35
Subtotal					\$101,729.69
General Conditions				0.00%	\$0.00
Subtotal					\$101,729.69
TIPS #200201 Contract Co-Efficient				0.92	-\$8,138.38
Grand Total					\$93,591.31



PLANNING

To: Mayor and Town Council

From: David Soto, Planning Manager

Through: Mario Canizares, Town Manager
Chuck Ewings, Executive Director of Development and Infrastructure Services
David Hoover, Director of Development Services

Re: Planned Development Ordinance Windsong Ranch

Town Council Meeting – May 23, 2023

Agenda Item:

Consider and act upon an ordinance to amend 168± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding building materials, located on the northside of First Street and west of Windsong Parkway. (ZONE-23-0006)

Description of Agenda Item:

On May 09, 2023, the Town Council approved the proposed rezoning request, by a vote of 5-0.

An ordinance has been prepared accordingly. The Development Agreement between the Town of Prosper and VP Windsong Operations, LLC, is also on the May 23, 2023, Town Council agenda for consideration.

Legal Obligations and Review:

Town Attorney, Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

- 1. Ordinance
- 2. Ordinance Exhibits

Staff Recommendation:

Staff recommends approval of an ordinance to amend to amend 168± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding building materials, located on the northside of First Street and west of Windsong Parkway.

Proposed Motion:

I move to approve an ordinance to amend 168± acres Planned Development-40 (PD-40) for Residential Use (Phases 7F and 7G) regarding building materials, located on the northside of First Street and west of Windsong Parkway.

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A TRACT OF LAND CONSISTING OF 168.550 ACRES, MORE OR LESS, SITUATED IN THE L. RUE SURVEY, ABSTRACT NO. 1110, THE J. TEETER SURVEY, ABSTRACT NO. 1262, THE P.R. RUE SURVEY, ABSTRACT NO. 1555, THE J. MORTON SURVEY, ABSTRACT NO. 793, THE A. JAMISON SURVEY, ABSTRACT NO. 672, THE B. WEEDIN SURVEY, ABSTRACT NO. 1369, THE R. YATES SURVEY, ABSTRACT NO. 1538, AND THE M.E.P. & P.R.R. SURVEY, ABSTRACT NO. 1476, TOWN OF PROSPER, DENTON COUNTY, TEXAS, FROM PLANNED DEVELOPMENT-40 (PD-40) TO PLANNED DEVELOPMENT-40, AS AMENDED; DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Prosper, Texas (the "Town Council"), has investigated and determined that the Zoning Ordinance should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request (Case Zone-23-0006) from VP Windsong Operations, LLC, ("Applicants"), to rezone 168.550 acres of land, more or less, in the L. Rue Survey, Abstract No. 1110, the J. Teeter Survey, Abstract No. 1262, the P.R. Rue Survey, Abstract No. 1555, the J. Morton Survey, Abstract No. 793, the A. Jamison Survey, Abstract No. 672, the B. Weedon Survey, Abstract No. 1369, the R. Yates Survey, Abstract No. 1538, and the M.E.P. & P.R.R. Survey, Abstract No. 1476, Town of Prosper, Denton County, Texas, from Planned Development-40 to Planned Development-40, As Amended (PD-40) and being more particularly described in Exhibit A-3 and Exhibit A-4, attached hereto and incorporated herein for all purposes; and

WHEREAS, the Town Council has investigated and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, Public Hearings have been held, and all other requirements of notice and completion of such procedures have been fulfilled; and

WHEREAS, the Town Council has further investigated into and determined that it will be advantageous and beneficial to Prosper and its inhabitants to rezone this property as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1

Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Amendment to the Town's Zoning Ordinance. The Town's Zoning Ordinance, as amended, is hereby amended as follows: The zoning designation of the below described property containing 168.550 acres of land, more or less, in the L. Rue Survey, Abstract No. 1110, the J. Teeter Survey, Abstract No. 1262, the P.R. Rue Survey, Abstract No. 1555, the J. Morton Survey, Abstract No. 793, the A. Jamison Survey, Abstract No. 672, the B. Weedin Survey, Abstract No. 1369, the R. Yates Survey, Abstract No. 1538, and the M.E.P. & P.R.R. Survey, Abstract No. 1476, Town of Prosper, Denton County, and all streets, roads, and alleyways contiguous and/or adjacent thereto are hereby zoned as Planned Development-40 As Amended and being more particularly described in Exhibit A-3 and Exhibit A-4, attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with (1) the Statement of Intent and Purpose, attached hereto as Exhibit B; (2) the Development Standards, attached hereto as Exhibit C, all of which are incorporated herein for all purposes as if set forth verbatim, subject to the following conditions of approval by the Town Council:

Two (2) original, official, and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. One (1) copy shall be filed with the Town Secretary and retained as an original record and shall not be changed in any manner.
- b. One (1) copy shall be filed with the Building Official and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy, and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

SECTION 3

No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 4

Unlawful Use of Premises. It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5

Penalty. Any person, firm, corporation, or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance, as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Prosper from

filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6

Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7

Savings/Repealing Clause. Prosper's Zoning Ordinance, as amended, shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8

Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 23RD DAY OF MAY, 2023.

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney

Exhibit A-4

WHEREAS VP Windsong Operations LLC and VP Windsong Investments LLC are the owners of a tract of land situated in the L. Rue Survey, Abstract No. 1110, the J. Teeter Survey, Abstract No. 1262, the P.R. Rue Survey, Abstract No. 1555, the J. Morton Survey, Abstract No. 793, the A. Jamison Survey, Abstract No. 672, the B. Weedin Survey, Abstract No. 1369, the R. Yates Survey, Abstract No. 1538, and the M.E.P. & P.R.R. Survey, Abstract No. 1476, Town of Prosper, Denton County, Texas, being all of Windsong Ranch Phases 7F and a portion of tracts conveyed by deeds recorded in Document No. 2020-191377, Document No. 2021-53914, Document No. 2018-84666 and the Document No. 2018-142926 of the Official Public Records, Denton County, Texas (OPRDCT), with the subject tract being more particularly described as follows:

Beginning at a 1/2" iron rod with plastic cap stamped "SPIARSENG" found for the northwest corner of Windsong Ranch Phase 7F and the southwest corner of Windsong Ranch Phase 7D;

THENCE, S 77°48'15" E, 71.33 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE, S 35°52'41" E, 13.49 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE around a non-tangent curve to the left having a central angle of 05°29'01", a radius of 725.00 feet, a chord of S 86°36'54" E - 69.36 feet, an arc length of 69.39 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE, S 89°21'25" E, 606.05 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE, S 00°38'35" W, 50.00 feet to the south line of existing Old Red Lane, a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE N 89°21'25" W, 77.39 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S 46°16'34" W, 14.30 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S 01°54'33" W, 67.94 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE around a tangent curve to the right having a central angle of 03°42'00", a radius of 210.00 feet, a chord of S 03°45'34" W - 13.56 feet, an arc length of 13.56 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S 88°05'27" E, 120.41 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE around a non-tangent curve to the right having a central angle of 00°19'27", a radius of 1565.00 feet, a chord of S 01°44'50" W - 8.86 feet, an arc length of 8.86 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S 01°54'33" W, 179.18 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE around a tangent curve to the left having a central angle of $39^{\circ}31'19''$, a radius of 645.00 feet, a chord of S $17^{\circ}51'06''$ E - 436.14 feet, an arc length of 444.91 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S $37^{\circ}36'45''$ E, 130.71 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S $37^{\circ}36'45''$ E, 252.00 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found;

THENCE S $49^{\circ}55'58''$ E, 148.30 feet;

THENCE S $61^{\circ}03'55''$ E, 198.34 feet;

THENCE S $18^{\circ}24'30''$ W, 210.94 feet;

THENCE S $65^{\circ}01'53''$ W, 396.79 feet;

THENCE S $57^{\circ}30'57''$ W, 254.58 feet;

THENCE S $51^{\circ}39'13''$ W, 208.16 feet;

THENCE S $78^{\circ}30'31''$ W, 306.95 feet;

THENCE N $71^{\circ}24'03''$ W, 89.16 feet;

THENCE S $84^{\circ}10'09''$ W, 147.00 feet;

THENCE S $71^{\circ}30'22''$ W, 154.91 feet;

THENCE S $02^{\circ}46'44''$ E, 78.96 feet;

THENCE S $49^{\circ}09'59''$ E, 183.24 feet;

THENCE S $26^{\circ}45'00''$ W, 245.19 feet;

THENCE S $58^{\circ}39'48''$ W, 136.20 feet;

THENCE N $45^{\circ}34'25''$ W, 76.11 feet;

THENCE S $56^{\circ}39'24''$ W, 205.92 feet;

THENCE S $26^{\circ}10'06''$ W, 142.86 feet;

THENCE S $44^{\circ}45'17''$ W, 305.47 feet;

THENCE S $14^{\circ}03'28''$ W, 103.32 feet;

THENCE S $60^{\circ}55'18''$ E, 96.96 feet;

THENCE N 75°43'21" E, 119.82 feet;
THENCE S 66°25'13" E, 86.79 feet;

THENCE S 24°51'53" W, 100.94 feet;

THENCE S 55°51'44" W, 188.78 feet;

THENCE S 01°29'53" W, 244.44 feet;

THENCE S 31°01'55" E, 234.59 feet;

THENCE S 05°42'25" W, 158.94 feet;

THENCE N 70°01'22" E, 60.63 feet;

THENCE N 81°42'26" E, 132.05 feet;

THENCE N 24°21'23" E, 129.80 feet;

THENCE N 89°15'23" E, 132.98 feet;

THENCE S 86°29'05" E, 154.84 feet;

THENCE N 58°58'59" E, 131.12 feet;

THENCE N 02°00'36" E, 77.61 feet;

THENCE N 21°17'34" E, 112.45 feet;

THENCE N 69°06'36" E, 134.32 feet;

THENCE S 63°07'16" E, 216.70 feet;

THENCE N 36°51'32" E, 70.61 feet;

THENCE N 13°15'38" W, 113.40 feet;

THENCE N 77°28'31" E, 141.93 feet;

THENCE S 84°20'13" E, 112.22 feet;

THENCE S 28°02'08" E, 506.00 feet;

THENCE, around a non-tangent curve to the left having a central angle of 100°45'58", a radius of 50.00 feet, a chord of N 71°56'11" W - 77.03 feet, an arc length of 87.93 feet;

THENCE S 85°26'58" E, 135.10 feet;

THENCE S 04°33'02" W, 210.64 feet;

THENCE S 80°15'18" E, 70.29 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found on the north line of First Street, a public right-of-way;

THENCE N 85°26'58" W, 596.54 feet along the north line of said First Street;

THENCE, around a tangent curve to the left along the north line of said First Street, having a central angle of 18°06'28", a radius of 945.00 feet, a chord of S 85°29'48" W - 297.42 feet, an arc length of 298.66 feet;

THENCE departing the north line of First Street N 85°52'00" W, 940.26 feet;

THENCE, around a non-tangent curve to the right having a central angle of 17°53'24", a radius of 1460.00 feet, a chord of N 77°33'16" W - 454.02 feet, an arc length of 455.87 feet;

THENCE N 86°59'52" W, 401.85 feet;

THENCE N 55°00'39" E, 119.81 feet;

THENCE N 30°55'58" E, 106.08 feet;

THENCE N 08°13'30" E, 50.53 feet;

THENCE N 25°06'31" E, 589.17 feet;

THENCE N 04°22'38" W, 62.21 feet;

THENCE N 34°34'46" W, 115.39 feet;

THENCE N 21°29'19" W, 181.60 feet;

THENCE N 03°44'11" W, 76.15 feet;

THENCE N 09°24'27" E, 426.73 feet;

THENCE N 02°36'54" W, 198.25 feet;

THENCE N 10°55'56" W, 296.33 feet;

THENCE N 33°40'39" E, 147.82 feet;

THENCE N 10°53'11" E, 59.56 feet;

THENCE N 15°11'02" W, 113.48 feet;

THENCE N 03°08'35" W, 96.14 feet;

THENCE N 28°25'50" W, 164.34 feet;

THENCE N 09°41'12" E, 65.39 feet;

THENCE N 55°34'32" E, 144.27 feet;

THENCE N 81°45'35" E, 62.38 feet;
THENCE S 67°52'21" E, 112.82 feet;
THENCE N 68°45'34" E, 85.56 feet;
THENCE N 08°25'57" E, 61.20 feet;
THENCE S 89°17'21" W, 164.34 feet;
THENCE N 03°32'47" W, 929.90 feet;
THENCE S 85°47'35" W, 228.77 feet;
THENCE N 02°06'10" E, 1767.38 feet;
THENCE S 88°23'11" E, 1111.78 feet;
THENCE S 00°10'32" W, 125.32 feet;
THENCE N 88°59'25" E, 713.52 feet;

THENCE along the west line of Windsong Ranch Phases 7D & 7H, an addition to the Town of Prosper as recorded in Document 2022-232 OPRDCT, the following:

THENCE S 22°48'49" E, 112.94 feet;
THENCE S 22°37'49" W, 91.00 feet;
THENCE N 88°49'33" W, 55.12 feet;
THENCE N 73°12'32" W, 168.99 feet;
THENCE S 85°30'14" W, 80.30 feet;
THENCE S 48°54'35" W, 53.93 feet;
THENCE S 03°05'01" W, 81.40 feet;
THENCE S 15°35'39" W, 90.38 feet;
THENCE S 88°02'05" W, 68.80 feet;
THENCE N 62°59'32" W, 118.27 feet;
THENCE N 83°57'10" W, 178.07 feet;
THENCE S 70°59'05" W, 363.17 feet;
THENCE S 16°43'56" W, 95.66 feet;

THENCE S 25°09'48" E, 181.04 feet;

THENCE S 59°44'46" W, 52.17 feet;

THENCE N 86°18'18" W, 260.23 feet;

THENCE S 63°08'43" W, 102.33 feet;

THENCE S 14°42'04" W, 100.91 feet;

THENCE S 36°44'09" E, 241.21 feet;

THENCE S 06°16'07" W, 65.76 feet;

THENCE S 25°44'58" W, 336.71 feet;

THENCE S 79°11'44" E, 761.64 feet to the POINT OF BEGINNING with the subject tract containing 7,342,047 square feet or 168.550 acres of land.



Exhibit B

TO: Mr. David Soto, Town of Prosper

FROM: Tradition Homes - Zach Schneider (President/CEO) & Bill Darling (Chairman)

DATE: March 1, 2023

SUBJECT: Windsong Ranch Phase 7F/7G – Modern Farmhouse (Type A & B Courtyard Lots)

Purpose

The purpose of this memorandum is to request the Town of Prosper’s support regarding exterior building materials for Type A and Type B Courtyard Lots in Phases 7F and 7G of Windsong Ranch. This request is regarding Phases 7F and 7G only.

More specifically, Tellus and Tradition both desire to build Modern Farmhouse elevations in this highly desirable section of Windsong Ranch with the goal of adding architectural diversity to the community.

Overview

Tradition Homes was founded in 2019 by Zach Schneider and father-in-law Bill Darling. Tradition is a luxury homebuilder operating in several locations within Prosper and Prosper ISD. Tradition’s current average home price is approximately \$1.1M. Tellus and Tradition Homes are working together on Phases 7F and 7G of Windsong Ranch. Tradition Homes is the only builder in Phase 7F and 7G.

- Phase 7F. This phase was developed in 2022. Tradition Homes is actively building luxury patio homes in Phase 7F.
- Phase 7G. Development activities in Phase 7G will commence soon. Phase 7G lots are anticipated to be delivered in late 2023.



Crop of Windsong Ranch Phase 7F/7G



PD-40 & Development Agreement

Phases 7F and 7G of Windsong Ranch include Type A and Type B lots. This section of Windsong Ranch is being constructed under the Courtyard Home Option. Tellus and Tradition Homes would like to amend PD-40 and amend the Development Agreement to allow Tradition Homes to build their Modern Farmhouse (“E” Elevations) in Phases 7F and 7G.

PD-40 currently includes language that allows Modern Farmhouse elevations to be constructed on Type C, Type D, and Type F lots. We are requesting this language applied to Type A and Type B Courtyard Homes.

Tradition Homes – Luxury Patio Homes

Tradition Homes is currently building their Luxury Patio Homes in Windsong Ranch (Prosper, TX) and Mustang Lakes (Celina, TX). This product is very similar to the product our family has designed and built over the years in the Dallas and Houston markets. A very important distinction for our Luxury Patios compared to other builders is we serve a very affluent buyer.

Luxury Patio Homes – Buyer Profile

Below are things this Buyer desires in a Luxury Patio Home:

- They want a minimum 2,600 SF - 3,300 SF on one floor.
- They want their home to be highly amenitized, resembling what they have become accustomed to in their existing home.
- They want an enclave of +/-100 homes with no through streets. This allows them the community they want with their peers and does not allow for teenage or family drivers through their neighborhood.
- They have shown that they want high end MPC’s like Windsong Ranch. There is no need for additional amenities because they like interacting with the overall community which often includes their children and grandchildren.
- They can lock up and go out of town (“lock and leave”) due to smaller yards and minimal maintenance.

Conclusion

Tradition Homes is focused to building distinctive homes in distinctive master planned communities. We are grateful to be a builder in Windsong Ranch and a builder in the Town of Prosper. We believe these Modern Farmhouse Elevations will add architectural diversity to the streetscape and enhance this area of the community. Tradition Homes is willing to provide physical addresses to actual homes that represent this architectural style upon request (addresses are not included in this memorandum for the safety and privacy of our customers). Attached to this memorandum are several architectural renderings of our Modern Farmhouse Elevations.

EXHIBIT “C”

Development Standards for Windsong Ranch, Town of Prosper, Texas

Conformance with the Town’s Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town’s Zoning Ordinance (Ordinance No. 05-20 as it currently exists or may be amended) and Subdivision Ordinance (as it currently exists or may be amended) shall apply.

1. **Amenity Program**

- a. **General.** As a master planned community, Windsong Ranch will have a programmed and qualitatively controlled system of amenities throughout. These amenities combine to create an overall sense of place that would be difficult to achieve when considered as independent elements within smaller developments. The community amenities that are addressed within these Development Standards are:

- Primary Community Entries
- Secondary Community Entries
- Neighborhood Entries
- Thoroughfare Landscape Buffers
- Community Park
- Community Amenity Center
- Floodplain / Greenway Parks
- Neighborhood Parks
- Pocket Parks

b. **Primary Community Entries**

- a. Major points of entry into Windsong Ranch (minimum two locations, including at least one entry along U.S. 380) will be defined with a combination of monument signage, landscape and lighting to create a sense of arrival commensurate in scale and character with a 2,120.54 acre master planned community (see representative examples below). These entries will include:

- Community name / logo incorporated into monument signage element, to be constructed of masonry or similar material;
- Enhanced landscape, including seasonal color, shrubs, groundcover, perennials and unique combinations of both canopy and ornamental trees;
- Enhanced lighting on the monument / signage and the unique aspects of the landscape;
- Water will be considered as an accent feature if land and topography permit, and if compatible with the overall physical design theme for the community.

- b. Primary entries will be developed to incorporate both sides of the entry roadway when both are contained within Windsong Ranch, and will also include enhancements to the median in the immediate area (where / if applicable). Landscape easements will be provided to ensure adequate space to provide for visibility triangle(s) and adequate development of entry design.



c. **Secondary Community Entries**

- a. **Secondary community entries** will be similar to primary community entries in their use of compatible building and landscape materials, but will be smaller in scale and land area. They will occur at the outside edges of Windsong Ranch, at the entries for either arterials or collectors into the community. It is anticipated that a minimum of three secondary entries will be provided for the community, primarily along Teel Parkway (see representative examples below). Secondary community entries will include the following elements, scaled slightly smaller than the primary entries:

- Community name / logo incorporated into monument signage element, to be constructed of masonry or similar material;
- Enhanced landscape, including seasonal color, shrubs, groundcover, perennials and unique combinations of both canopy and ornamental trees;
- Enhanced lighting on the monument / signage and the unique aspects of the landscape;
- Center median to allow for more landscape density and also provide alternative location for neighborhood identification and way-finding graphics;
- Landscape easements where required to accommodate enhanced landscape and monument construction.



- b. **Neighborhood Entries**. Internal to Windsong Ranch and along both arterials and collectors, points of intersection will be enhanced to denote entries into individual 'villages' or neighborhoods. These entries will resemble primary and secondary entries in their use of materials and

landscape, but will also incorporate village or neighborhood names and will contribute to a unique, community-wide system of visual way finding.

d. **Thoroughfare Landscape Buffers (Arterial and Collector Roads) - 25' Min.**

Thoroughfares will provide a continuity of design from primary and secondary points of community entry throughout the entirety of Windsong Ranch. These thoroughfares and the adjacent landscape buffers are intended to include the following:

- Screen walls composed primarily of ornamental metal fence with living screen or stone or stone veneer (allowing brick accent), ONLY if the Town determines that mitigating circumstances (land area / depth, topography, etc) will not allow natural landscape to buffer adjacent land uses (no builder fencing allowed);
- Enhanced grading / berms combined with landscape (grass, trees, accent shrubs and groundcover at entry points) to provide design continuity and buffer adjacent land uses;
- Street tree system throughout (formal and/or informal in arrangement – design to be determined), to visually identify the hierarchy of streets and neighborhoods. A variety of tree species will be provided, including canopy / shade and smaller flowering, ornamentals of a minimum 3 inch caliper for every 30 lineal feet which with requested approval by the Town at the time of submission of a preliminary plat may be grouped and in no case shall there be less than the total number of street trees as required by this subsection;
- Continuous 6' sidewalks on both sides of the thoroughfare (sidewalks interior to Residential may be 5');
- Integrated neighborhood / 'village' entries at points of intersection.

e. **Community Park** Windsong Ranch will include one community park (of approximately 50 acres) that shall be dedicated to the Town in accordance with the Preannexation Agreement. Schedule for improvements and requirements for maintenance are described in Section 4 of the Development Standards. It is intended that this park include sports and athletic facilities, passive and natural spaces and associated parking - all of a scope and type to be determined in coordination with Town staff. Following are parameters of design intended for this facility:

- Location will be along one of the open space / greenway parks in order to facilitate pedestrian connectivity to the neighborhoods;
- Facility design will utilize materials (masonry, pavements, landscape, lighting) that are compatible with other common area improvements within the Windsong Ranch community;
- Specific facilities to be determined in coordination with Town staff, but may include some combination of the following:
 - ✓ 8' wide hike and bike trails
 - ✓ Softball / Baseball field(s) (lighted);
 - ✓ Soccer field(s) (lighted);

- ✓ Football field(s)
- ✓ Multipurpose field(s)
- ✓ Shade pavilion(s);
- ✓ Parking;
- ✓ Trailhead connections to adjacent floodplain / greenway parks;
- ✓ Site furnishings, including benches, water fountains, trash receptacles;
- ✓ Enhanced landscape at entries, and irrigated turf in all maintained (developed) areas.

f. **Community Amenity Center**

- a. At least one Community Amenity Center shall be developed within Windsong Ranch, providing a range of more active, family oriented activities in a 'resort' style environment (see representative examples above). This facility will be HOA maintained and provide the "centerpiece" recreational amenity for the entire community. Like the community park, this facility is intended to be located along the floodplain / greenway parks system to accommodate pedestrian and bicycle access from the neighborhoods of Windsong Ranch.
- A. A Community Amenity Center will be completed along with the initial phase of residential development, within the Single-Family Residential Tract.
- B. Three (3) additional Neighborhood Amenity Centers will be built upon completion of each successive phase of residential development, each phase to include approximately 750 homes, within the Single-Family Residential tract.
- b. The intended program for the Community Amenity Center facility shall include multiple elements from the following list:
- Active adult and children's pools;
 - Water slides and water play features;
 - Paved and turf chaise areas;
 - Community building, with interior and exterior spaces programmed for resident and HOA uses, including possible inclusion of a kitchen, community room, meeting room(s), fitness room, and storage area(s);
 - Restrooms (in the community building and possibly additionally at the pool area(s));
 - Convenience parking (quantity to be determined based upon code compliance);
 - Children's playground facility(s);
 - Sport court(s);
 - Trailhead linkages to the floodplain / greenway parks.



c. **Floodplain / Greenway Parks**

A. Windsong Ranch includes over 550 acres of flood plain corridors through the property. Significant portions of these corridors are rich in native flora and fauna, and are intended to be preserved in a natural condition, with only minimal impact to allow hike / bike trail linkages. Other areas are more open and less valuable as a native resource, and these areas may be developed to include a golf course or ponds and fountains that contribute to the overall storm drainage system and provide enhanced value to the community. All of these corridors shall be interconnected with a series of paths and trails, with an overall hike / bike trail system throughout. Following are the key components of this system of open space through the community:

- Master hike / bike trail – minimum 8' in width – concrete or other material approved by the Town – linking all neighborhoods, schools and amenities;
- Secondary paths and trails – minimum 8' in width – concrete or 'soft' surface (decomposed granite, crushed fines) is permitted for HOA maintained trails– providing secondary linkages and 'spur' connections to the hike / bike trail system;
- Native preservation areas in locations of most desirable existing vegetation, including wetland, upland and forested environments;
- Trailhead locations at community amenity sites and at schools, to include trail maps, bike racks, and site furnishings (trash, seating);
- Ponds and water features in open areas where impacts to existing vegetation will not be an issue and storm drainage requirements can be enhanced – ponds to include predominantly native, soft edges, safety shelves, water circulation / aeration to ensure water quality.



d. **Neighborhood Parks**

- A. Windsong Ranch will include a minimum of three, 7.5 acre (each) neighborhood parks, distributed throughout the community in areas that are linked by the floodplain / greenway parks system and that contribute to ensuring a maximum ¼ mile walk from any neighborhood to a park or open space amenity. Additional requirements for schedule of completion for these facilities, as well as maintenance, can be found in Section 4 of the Development Standards.
- B. Neighborhood parks shall be designed as a complementary component of the Windsong Ranch amenities program, including consideration of alternative uses, and the use of compatible materials (hardscape, landscape and, if included, lighting). These parks are to be integrated within the open space system as well as the neighborhoods that they serve. Neighborhood parks may include features and elements from the following list of amenities;
- Open play fields (non-lit);
 - Sport courts;
 - Covered pavilion or shade structure;
 - Children's playgrounds segregated by age groups (i.e. 2-5 and 5-12);
 - Parking for +/- 10 spaces;
 - Grading around perimeter to provide safety for playfields and street frontages;
 - 8' sidewalks around site linking facilities and providing connections to adjacent floodplain / greenway parks;
 - Town's Park signage approved by the Parks Board consistent with community theme.



- e. **Pocket Parks** Additional components of the Windsong Ranch amenities program are smaller pocket parks within individual neighborhoods. These parks will be an HOA maintained component of the open space system, and allow for:
- Providing valuable open space in adjacency to smaller homes;
 - integration of existing tree rows and other natural features that warrant preservation;
 - ensuring one-quarter mile resident walks to a component of the open space system;
 - additional passive and moderately active recreational opportunities, including:
 - ✓ open play areas;
 - ✓ natural interpretive areas;
 - ✓ neighborhood playgrounds;
 - ✓ children's water play area;
 - ✓ small neighborhood gathering spaces.

2. **Single-Family Residential Tract**

- a. **General Description:** Residential uses shall be permitted throughout the Property as set forth herein.
- b. **Allowed Uses:** Land uses allowed within the Single-Family Residential Tract are as follows: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town's Zoning Ordinance.
- Accessory buildings incidental to the allowed use and constructed of the same materials as the main structure.
 - Churches / rectories
 - Civic facilities
 - Community Landscape Maintenance Facility (as outlined in Section 2.g.)
 - Electronic security facilities, including gatehouses and control counter
 - Fire stations and public safety facilities
 - Guest House
 - Home Occupation **C**
 - Model Home
 - Park or Playground
 - Private Recreation Center
 - Private Street Development and gated communities **S**

- Public or Private Parks, playgrounds and neighborhood recreation facilities including, but not limited to, swimming pools, clubhouse facilities and tennis courts, to be stated on plat
 - Single family residential uses as described herein
 - Schools – public or private
 - Golf Course for Country Club (including clubhouse, maintenance facilities, on-course food and beverage structure, and on course restroom facilities.)
 - Temporary real estate sales offices for each builder during the development and marketing of the Planned Development which shall be removed no later than 30 days following the final issuance of the last Certificate of Occupancy (CO) on the last lot owned by that builder.
 - Temporary buildings of the builders and uses incidental to construction work on the premises, which shall be removed upon completion of such work.
 - Townhouses (only as a buffer use as set forth herein)
 - Utility distribution lines and facilities. Electric substations shall be allowed at the sole discretion of the Developer.
- c. **Density:** The maximum number of single family detached units for the Properties is 3,324, of which 1,758 lots shall be in Phases 6 through 9 (as depicted on Exhibits A-3 and A-4).
- d. **Lot Types:** The single family detached lots developed within the Properties shall be in accordance with the following Lot Types:
- Type A Lots: Minimum 8,000 square foot lots
 - Type B Lots: Minimum 9,000 square foot lots
 - Type C Lots: Minimum 10,500 square foot lots
 - Type D Lots: Minimum 12,500 square foot lots
 - Type E Lots: Minimum 6,000 square foot lots
 - Type F Lots: Minimum 20,000 square foot lots
- e. **Lot Type Development Threshold:**
- A. Planning and Zoning Commission can approve up to three hundred (300) Type E final platted Lots prior to the final acceptance by Town of twenty (20) Type F Lots.
- f. **Area and building regulations:**
- a. **Type A Lots:** The area and building standards for Type A Lots are as follows and as set forth in Table 1:
- A. **Minimum Lot Size.** The minimum lot size for Type A Lots shall be 8,000 square feet. A typical lot will be 60' x 133', but may vary as long as requirements in Table 1 are accommodated.
- B. **Minimum Lot Width.** The minimum lot width for Type A Lots shall be sixty (60) feet.

- C. **Minimum Yard Setbacks.**
- i. **Minimum Front yard Setback:** The minimum Front yard setback for Type A Lots shall be twenty-five (25) feet. The minimum front yard and rear yard requirements for staggering the front yards, as set forth in Section 9.3.F of the Town's Zoning Ordinance, as amended shall apply to Type A Lots.
 - ii. **Minimum Side yard Setback:**
 - (a) The minimum Side yard setback for Type A Lots shall be eight (8) feet.
 - (b) For courtyard homes, as defined herein, the minimum side yard setback shall be either fourteen (14) feet for one side and two (2) feet for the other side yard or thirteen (13) feet for one side and three (3) feet for the other side yard. Windows on the 2' or 3' side of the courtyard home will not be allowed unless they are opaque or consist of glass block.
 - (c) For corner lots, the minimum Side yard setback shall be fifteen (15) feet.
 - iii. **Minimum Rear yard Setback:**
 - (a) The minimum Rear yard setback shall be twenty-five (25) feet.
 - (b) For Courtyard Homes, as defined herein, the minimum Rear yard setback is ten (10) feet for a maximum number of lots not to exceed one hundred and forty (140) Type A lots.
 - iv. **Permitted Encroachment.** Architectural features and porches may encroach into required front and rear yards up to five (5) feet. Swing-in garages may encroach into required front yards up to ten (10) feet. Front facing garages are permitted to extend to the front façade of the main structure, but may not encroach into the required front yard.
- D. **Minimum Floor Space.** Each dwelling constructed on a Type A Lot shall contain a minimum of one thousand, nine hundred (1,900) square feet of floor space. Floor space shall include air-

conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.

- E. **Height.** The maximum height for structures on Type A Lots shall be forty (40) feet.
- F. **Courtyard Home Option.** Courtyard Homes, which are defined as homes having an open-air courtyard surrounded on three sides by the home, are permitted.
- G. **Driveways.** Driveways fronting on a street on Type A Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- H. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board is considered masonry, but may only constitute fifty (50) percent of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Building Official. For Courtyard Homes, exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of Courtyard Homes in Phases 7F and 7G, with such limitation being thirty percent (30%) of the number of platted lots in Phases 7F and 7G.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.

- iii. **Address Plaque.** An address plaque or numbers made of cast stone, metal or other materials used on the exterior of the home of a size that meets Town fire code is required for each Type A Lot.
 - iv. **Chimneys.** On Type A Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
 - v. **Stucco.** Stucco on structures on Type A Lots shall be traditional 3-coat process cement plaster stucco.
 - vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type A Lots.
- I. **Windows.** All window framing on structures on Type A Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type A Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- J. **Roofing.**
- i. Structures constructed on the Type A Lots shall have a composition, slate, clay tile or cement/concrete tile roof.
 - ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
 - iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
 - iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.
- K. **Garages.**

- i. Homes shall have a minimum of two (2) car garages but no more than three (3). No carports shall be permitted.
 - ii. Homes with three (3) garages shall not have more than two (2) garage doors facing the street.
 - iii. Garage doors shall be constructed of either metal or wood.
- L. **Plate Height.** Each structure on a Type A Lot shall have a minimum principal plate height of 9' on the first floor.
- M. **Fencing.** No fence, wall or hedge on a Type A Lot shall exceed eight (8) feet in height or be less than four (4) feet in height unless otherwise specifically required by the Town of Prosper.
- i. All Type A Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
 - ii. All other fencing shall be constructed of cedar, board on board with a top rail, and shall be supported with galvanized steel posts. A common fence stain color as well as fence detail shall be established for the community by the developer.
 - iii. No fencing shall extend beyond a point ten feet (10') behind the front wall plane of the structure into the front yard.
- N. **Landscaping.**
- i. A minimum of six (6) caliper inches of trees shall be planted on all Type A Lots.
 - ii. A minimum of one (1) tree shall be located in the front yard.
 - iii. Corner lots adjacent to a street shall plant (1) additional tree in the side yard.
 - iv. Trees shall be a minimum of three caliper inches (3") as measured at 1 foot above grade.
 - v. The front, side and rear yard must be irrigated by a programmable irrigation system and sodded with grass.

- O. **Mailboxes.** Mailboxes on a Type A Lot shall be consistent with the theme for the street and with the materials of the home on the respective lot, unless otherwise required by USPS (United States Postal Service).
- P. **Satellite Dishes.** Satellite dishes, limited to eighteen inches (18") in diameter or smaller, mounted below the ridgeline on the roof, and not in public view from the front of the home are permitted on Type A Lots.
- Q. **Air Conditioners.** No window or wall air conditioning units will be permitted on structures on Type A Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.
- R. **Plan Elevations.** On Type A Lots, plan elevations shall alternate every four (4) homes on the same side of a street and every three (3) homes on opposite sides of the street. Illustrative examples of the elevations and floor plans for Type A Lots are attached hereto as Exhibit "F-1".
- S. **Accessory Structures.** Accessory structures used as a garage, a garage apartment, or guest house, will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum Rear yard setback of ten (10) feet, and a minimum Side yard setback of eight (8) feet.
- b. **Type B Lots:** The area and building standards for Type B Lots are as follows and as set forth in Table 1:
- A. **Minimum Lot Size.** The minimum lot size for Type B Lots shall be nine thousand (9,000) square feet. A typical lot will be 70' x 128', but may vary as long as requirements in Table 1 are accommodated.
 - B. **Minimum Lot Width.** The minimum lot width for Type B Lots shall be seventy (70) feet.
 - C. **Minimum Yard Setbacks.**
 - i. **Minimum Front yard Setback:** The minimum Front yard setback for Type B Lots shall be

twenty-five (25) feet. The minimum front yard and rear yard requirements for staggering the front yards, as set forth in Section 9.3.F of the Town's Zoning Ordinance, as amended shall apply to Type B Lots.

ii. **Minimum Side yard Setback:**

- (a) The minimum Side yard setback for Type B Lots shall be eight (8) feet.
- (b) For courtyard homes, as defined herein, the minimum side yard setback shall be either fourteen (14) feet for one side and two (2) feet for the other side yard or thirteen (13) feet for one side and three (3) feet for the other side yard. Windows on the 2' or 3' side of the courtyard home will not be allowed unless they are opaque or consist of glass block.
- (c) For corner lots, the minimum Side yard setback shall be fifteen (15) feet.

iii. **Minimum Rear yard Setback:**

- (a) The minimum Rear yard setback shall be twenty-five (25) feet.
- (b) For Courtyard Homes, as defined herein, the minimum Rear yard setback is ten (10) feet for a maximum number of lots not to exceed one hundred and ten (110) Type B lots.

- iv. **Permitted Encroachment.** Architectural features and porches may encroach into required front and rear yards up to five (5) feet. Swing-in garages may encroach into required front yards up to ten (10) feet. Front facing garages are permitted to extend to the front façade of the main structure, but may not encroach into the required front yard.

- D. **Minimum Floor Space.** Each dwelling constructed on a Type B Lot shall contain a minimum of two thousand, one hundred (2,100) square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling

- E. **Height.** The maximum height for structures on Type B Lots shall be forty (40) feet.
- F. **Courtyard Home Option.** Courtyard Homes, which are defined as homes having an open-air courtyard surrounded on three sides by the home, are permitted.
- G. **Driveways.** Driveways fronting on a street on Type B Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- H. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board is considered masonry, but may only constitute fifty (50) percent of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services. For Courtyard Homes, exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of Courtyard Homes in Phases 7F and 7G, with such limitation being thirty percent (30%) of the number of platted lots in Phases 7F and 7G.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** An address plaque or numbers made of cast stone, metal or other materials used on the exterior of the home of a

size that meets Town fire code is required for each Type B Lot.

- iv. **Chimneys.** On Type B Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
 - v. **Stucco.** Stucco on structures on Type B Lots shall be traditional 3-coat process cement plaster stucco.
 - vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type B Lots.
- I. **Windows.** All window framing on structures on Type B Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type B Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- J. **Roofing.**
- i. Structures constructed on the Type B Lots shall have a composition, slate, clay tile or cement/concrete tile roof.
 - ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
 - iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
 - iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.
- K. **Garages.**

- i. Homes shall have a minimum of two (2) car garages but no more than four (4). No carports shall be permitted.
- ii. Homes with three (3) or four (4) garages shall not have more than two (2) garage doors facing the street.
- iii. Garage doors shall be constructed of either metal or wood.

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

M. **Fencing.** No fence, wall or hedge on a Type B Lot shall exceed eight (8) feet in height or be less than four (4) feet in height unless otherwise specifically required by the Town of Prosper.

- i. All Type B Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
- ii. All other fencing shall be constructed of cedar, board on board with a top rail, and shall be supported with galvanized steel posts. A common fence stain color as well as fence detail shall be established for the community by the developer.
- iii. No fencing shall extend beyond a point ten feet (10') behind the front wall plane of the structure into the front yard.

N. **Landscaping.**

- i. A minimum of nine (9) caliper inches of trees shall be planted on all Type B Lots.
- ii. A minimum of two (2) three inch (3") caliper trees shall be located in the front yard.
- iii. Corner lots adjacent to a street shall plant (1) additional tree in the side yard.
- iv. Trees shall be a minimum of three caliper inches (3") as measured at 1 foot above grade.
- v. The front, side and rear yard must be irrigated by a programmable irrigation system and sodded with grass.

- O. **Mailboxes.** Mailboxes on a Type B Lot shall be consistent with the theme for the street and with the materials of the home on the respective lot, unless otherwise required by USPS (United States Postal Service).
- P. **Satellite Dishes.** Satellite dishes, limited to eighteen inches (18") in diameter or smaller, mounted below the ridgeline on the roof, and not in public view from the front of the home are permitted on Type B Lots.
- Q. **Air Conditioners.** No window or wall air conditioning units will be permitted on structures on Type B Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.
- R. **Plan Elevations.** On Type B Lots, plan elevations shall alternate every four (4) homes on the same side of a street and every three (3) homes on opposite sides of the street. Illustrative examples of the elevations and floor plans for Type B Lots are attached hereto as Exhibit "F-2".
- S. **Accessory Structures.** Accessory structures used as a garage, a garage apartment, or guest house, will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum Rear yard setback of ten (10) feet, and a minimum Side yard setback of eight (8) feet.
- c. **Type C Lots:** The area and building standards for Type C Lots are as follows and as set forth in Table 1:
- A. **Minimum Lot Size.** The minimum lot size for Type C Lots shall be ten thousand, five hundred (10,500) square feet. A typical lot will be 80' x 131', but may vary as long as the requirements of Table 1 are accommodated.
 - B. **Minimum Lot Width.** The minimum lot width for Type C Lots shall be eighty (80) feet.
 - C. **Minimum Yard Setbacks.**
 - i. **Minimum Front yard Setback:** The minimum Front yard setback for Type C Lots shall be

twenty-five (25) feet. The minimum front yard and rear yard requirements for staggering the front yards, as set forth in Section 9.3.F of the Town's Zoning Ordinance, as amended shall apply to Type C Lots.

ii. **Minimum Side yard Setback:**

- (a) The minimum Side yard setback for Type C Lots shall be eight (8) feet.
- (b) For courtyard homes, as defined herein, the minimum side yard setback shall be either fourteen (14) feet for one side and two (2) feet for the other side yard or thirteen (13) feet for one side and three (3) feet for the other side yard. Windows on the 2' or 3' side of the courtyard home will not be allowed unless they are opaque or consist of glass block.
- (c) For corner lots, the minimum Side yard setback shall be fifteen (15) feet.

iii. **Minimum Rear yard Setback:**

- (a) The minimum Rear yard setback shall be twenty-five (25) feet.
- (b) For Courtyard Homes, as defined herein, the minimum Rear yard setback is ten (10) feet for a maximum number of lots not to exceed forty five (45) Type C lots.

- iv. **Permitted Encroachment.** Architectural features and porches may encroach into required front and rear yards up to five (5) feet. On corner lots, architectural features and porches may encroach into required side yards up to five (5) feet on the road side. Swing-in garages may encroach into required front yards up to ten (10) feet. Front facing garages are permitted to extend to the front façade of the main structure, but may not encroach into the required front yard.

- D. **Minimum Floor Space.** Each dwelling constructed on a Type C Lot shall contain a minimum of two thousand, three hundred (2,300) square feet of floor space. Floor space shall include air-

conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling

- E. **Height.** The maximum height for structures on Type C Lots shall be forty-five (45) feet.
- F. **Courtyard Home Option.** Courtyard Homes, which are defined as homes having an open-air courtyard surrounded on three sides by the home, are permitted.
- G. **Driveways.** Driveways fronting on a street on Type C Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- H. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of homes as specified in Table 1.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** An address plaque or numbers made of cast stone, metal or other materials used on the exterior of the home of a size that meets Town fire code is required for each Type C Lot.
 - iv. **Chimneys.** On Type C Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
 - v. **Stucco.** Stucco on structures on Type C Lots shall be traditional 3-coat process cement plaster stucco.
 - vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type C Lots.

- I. **Windows.** All window framing on structures on Type C Lots shall be bronzed, cream, sand, white or other commercially available colors in anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type C Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- J. **Roofing.**
- i. Structures constructed on the Type C Lots shall have a composition, slate, synthetic slate, standing seam metal, clay tile or cement/concrete tile roof.
 - ii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
 - iii. The main roof pitch of any structure shall have a minimum slope of 8" in 12" for at least 75% of all Type C Lots. Up to 25% of Type C Lots may have roof pitches anywhere in the range between 3" in 12" and 8" in 12". Pitch ends shall be 100% guttered.
- K. **Garages.**
- i. Homes shall have a minimum of two (2) car garages but no more than four (4). No carports shall be permitted.
 - ii. Homes with three (3) or four (4) garages shall not have more than two (2) garage doors facing the street.
 - iii. Garage doors shall be constructed of metal or wood.
- L. **Plate Height.** Each structure on a Type C Lot shall have a minimum principal plate height of 10' on the first floor.
- M. **Fencing.** No fence, wall or hedge on a Type C Lot shall exceed eight (8) feet in height or be less than four (4) feet in height unless otherwise specifically required by the Town of Prosper.
- i. All Type C Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.

- ii. All other fencing shall be constructed of cedar, board on board with a top rail, and shall be supported with galvanized steel posts. A common fence stain color as well as fence detail shall be established for the community by the developer.
- iii. No fencing shall extend beyond a point ten feet (10') behind the front wall plane of the structure into the front yard.

N. **Landscaping.**

- i. A minimum of nine (9) caliper inches of trees shall be planted on all Type C Lots.
- ii. A minimum of two (2) three inch (3") caliper trees shall be located in the front yard.
- iii. Corner lots adjacent to a street shall plant (1) additional tree in the side yard.
- iv. Trees shall be a minimum of three caliper inches (3") as measured at 1 foot above grade.
- v. The front, side and rear yard must be irrigated by a programmable irrigation system and sodded with grass.

O. **Mailboxes.** Mailboxes on a Type C Lot shall be consistent with the theme for the street and with the materials of the home on the respective lot, unless otherwise required by USPS (United States Postal Service).

P. **Satellite Dishes.** Satellite dishes, limited to eighteen inches (18") in diameter or smaller, mounted below the ridgeline on the roof, and not in public view from the front of the home are permitted on Type C Lots.

Q. **Air Conditioners.** No window or wall air conditioning units will be permitted on structures on Type C Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.

R. **Plan Elevations.** On Type C Lots, plan elevations shall alternate every four (4) homes on the same side of a street and every three (3) homes on opposite sides of the street. Illustrative examples of the elevations and floor plans for Type C Lots are attached hereto as Exhibit "F-3".

- S. **Accessory Structures.** Accessory structures used as a garage, a garage apartment, or guest house, will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum Rear yard setback of ten (10) feet, and a minimum Side yard setback of eight (8) feet.
- d. **Type D Lots:** The area and building standards for Type D Lots are as follows and as set forth in Table 1:
- A. **Minimum Lot Size.** The minimum lot size for Type D Lots shall be twelve thousand, five hundred (12,500) square feet. A typical lot will be 90' x 138', but may vary as long as requirements Table 1 are accommodated.
 - B. **Minimum Lot Width.** The minimum lot width for Type D Lots shall be ninety (90) feet.
 - C. **Minimum Yard Setbacks.**
 - i. **Minimum Front yard Setback:** The minimum Front yard setback for Type D Lots shall be twenty-five (25) feet. The minimum front yard and rear yard requirements for staggering the front yards, as set forth in Section 9.3.F of the Town's Zoning Ordinance, as amended shall apply to Type D Lots.
 - ii. **Minimum Side yard Setback:**
 - (a) The minimum Side yard setback for Type D Lots shall be eight (8) feet.
 - (b) For corner lots, the minimum Side yard setback shall be fifteen (15) feet.
 - iii. **Minimum Rear yard Setback:** The minimum Rear yard setback shall be twenty-five (25) feet.
 - iv. **Permitted Encroachment.** Architectural features and porches may encroach into required front and rear yards up to five (5) feet. On corner lots, architectural features and porches may encroach into required side yards up to five (5) feet on the road side. Swing-in

garages may encroach into required front yards up to ten (10) feet. Front facing garages are permitted to extend to the front façade of the main structure, but may not encroach into the required front yard.

- D. **Minimum Floor Space.** Each dwelling constructed on a Type D Lot shall contain a minimum of two thousand, six hundred (2,600) square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling
- E. **Height.** The maximum height for structures on Type D Lots shall be forty-five (45) feet.
- F. **Driveways.** Driveways fronting on a street on Type D Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- G. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of homes as specified in Table 1.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** An address plaque or numbers made of cast stone, metal or other materials used on the exterior of the home of a size that meets Town fire code is required for each Type D Lot.
 - iv. **Chimneys.** On Type D Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
 - v. **Stucco.** Stucco on structures on Type D Lots shall be traditional 3-coat process cement plaster stucco.

- vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type D Lots.
- H. **Windows.** All window framing on structures on Type D Lots shall be bronzed, cream, sand, white or other commercially available colors in anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type D Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- I. **Roofing.**
- i. Structures constructed on the Type D Lots shall have a composition, slate, synthetic slate, standing seam metal, clay tile or cement/concrete tile roof.
 - ii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
 - iii. The main roof pitch of any structure shall have a minimum slope of 8" in 12" for at least 50% of all Type D Lots. Up to 50% of Type D Lots may have roof pitches anywhere in the range between 3" in 12" and 8" in 12". Pitch ends shall be 100% guttered.
- J. **Garages.**
- i. Homes shall have a minimum of two (2) car garages but no more than four (4). No carports shall be permitted.
 - ii. Homes with three (3) or four (4) garages shall not have more than two (2) garage doors facing the street.
 - iii. Garage doors shall be constructed of metal or wood.
- K. **Plate Height.** Each structure on a Type D Lot shall have a minimum principal plate height of 10' on the first floor.
- L. **Fencing.** No fence, wall or hedge on a Type D Lot shall exceed eight (8) feet in height or be less than four (4) feet in height unless otherwise specifically required by the Town of Prosper.

- i. All Type D Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
- ii. All other fencing shall be constructed of cedar, board on board with a top rail, and shall be supported with galvanized steel posts. A common fence stain color as well as fence detail shall be established for the community by the developer.
- iii. No fencing shall extend beyond a point ten feet (10') behind the front wall plane of the structure into the front yard.

M. **Landscaping.**

- i. A minimum of nine (9) caliper inches of trees shall be planted on all Type D Lots.
- ii. A minimum of two (2) three inch (3") caliper trees shall be located in the front yard.
- iii. Corner lots adjacent to a street shall plant (1) additional tree in the side yard.
- iv. Trees shall be a minimum of three caliper inches (3") as measured at 1 foot above grade.
- v. The front, side and rear yard must be irrigated by a programmable irrigation system and sodded with grass.

N. **Mailboxes.** Mailboxes on a Type D Lot shall be consistent with the theme for the street and with the materials of the home on the respective lot, unless otherwise required by USPS (United States Postal Service).

O. **Satellite Dishes.** Satellite dishes, limited to eighteen inches (18") in diameter or smaller, mounted below the ridgeline on the roof, and not in public view from the front of the home are permitted on Type D Lots.

P. **Air Conditioners.** No window or wall air conditioning units will be permitted on structures on Type D Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.

- Q. **Plan Elevations.** On Type D Lots, plan elevations shall alternate every four (4) homes on the same side of a street and every three (3) homes on opposite sides of the street. Illustrative examples of the elevations and floor plans for Type D. Lots are attached hereto as Exhibit "F-4".
- R. **Accessory Structures.** Accessory structures used as a garage, a garage apartment, or guest house, will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten (10) feet, have a minimum Rear yard setback of ten (10) feet, and a minimum Side yard setback of eight (8) feet.
- e. **Type E Lots:** The area and building standards for Type E Lots are as follows and as set forth in Table 1:
- A. **Minimum Lot Size.** The minimum lot size for Type E Lots shall be 6,000 square feet. A typical lot will be 50' x 130', but may vary as long as requirements in Table 1 are accommodated.
 - B. **Minimum Lot Width.** The minimum lot width for Type E Lots shall be fifty feet (50').
 - C. **Minimum Yard Setbacks.**
 - i. **Minimum Front yard Setback:** The minimum Front yard setback for Type E Lots shall be twenty-five feet (25'). The minimum front yard and rear yard requirements for staggering the front yards, as set forth in Section 9.3.F of the Town's Zoning Ordinance, as it currently exists, shall apply to Type E Lots.
 - ii. **Minimum Side yard Setback:**
 - (a) The minimum Side yard setback for Type E Lots shall be five feet (5').
 - (b) For corner lots, the minimum Side yard setback shall be fifteen feet (15').
 - iii. **Minimum Rear yard Setback:**
 - (a) The minimum Rear yard setback shall be twenty-five feet (25'), with a twenty-foot

(20') Rear yard setback allowed on lots that have a thirty foot (30') Front yard setback.

- iv. **Permitted Encroachment.** Architectural features and porches may encroach into required front and rear yards up to ten feet (10'). Swing-in garages may encroach into required front yards up to ten feet (10'). Front facing garages are permitted to extend to the front façade of the main structure, but may not encroach into the required front yard.
- D. **Minimum Floor Space.** Each dwelling constructed on a Type E Lot shall contain a minimum of one thousand seven hundred (1,700) square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling
- E. **Height.** The maximum height for structures on Type E Lots shall be forty feet (40').
- F. **Courtyard Home Option.** Courtyard Homes, which are defined as homes having an open-air courtyard surrounded on three sides by the home, are not permitted.
- G. **Driveways.** Driveways fronting on a street on Type E Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- H. **Exterior Surfaces.**
 - i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board may be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** An address plaque or numbers made of cast stone, metal or other

materials used on the exterior of the home of a size that meets Town fire code is required for each Type E Lot.

- iv. **Chimneys.** On Type E Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be one hundred percent (100%) brick or stone.
 - v. **Stucco.** Stucco on structures on Type E Lots shall be traditional 3-coat process cement plaster stucco.
 - vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type E Lots.
- I. **Windows.** All window framing on structures on Type E Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type E Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- J. **Roofing.**
- i. Structures constructed on the Type E Lots shall have a composition, slate clay tile or cement/concrete tile roof.
 - ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
 - iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
 - iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile roofs and cement/concrete tile shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

- v. A minimum of twenty-five percent (25%) of Type E Lots, shall have a main roof pitch greater than 8:12.

K. **Garages.**

- i. Homes shall have a garage sized for a maximum of two (2) cars in width. Three (3) car garages are acceptable by incorporating a tandem spot. Carports or three (3) car front facing garages shall not be permitted.
- ii. Homes with two (2) single car width garage doors facing the street shall have such garage doors separated by a masonry column of no less than twelve inches (12') in width.
- iii. Garage doors shall have a minimum Front yard setback of twenty-five feet (25').
- iv. A minimum of fifty percent (50%) shall have two (2) single garage doors split by a masonry column.
- v. A maximum two (2) garage spaces shall face the street.
- vi. Garage doors shall be constructed of wood, or a material that gives the appearance of a real wood door. Materials may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.) or other material, including fiberglass or steel, that when stained or painted gives the appearance of a real wood door.
- vii. Two of the following garage door upgrades shall be incorporated:
 - (a) Carriage style door designs giving the appearance of a classic swing-open design with the flexibility of an overhead door operation
 - (b) Doors incorporating decorative hardware
 - (c) Doors with windows

- L. **Plate Height.** Each structure on a Type E Lot shall have a minimum principal plate height of nine feet (9') on the first floor.

- M. **Fencing.** No fence, wall or hedge on a Type E Lot shall exceed eight feet (8') in height or be less than four feet (4') in height unless otherwise specifically required by the Town of Prosper.
- i. All Type E Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
 - ii. All other fencing shall be constructed of cedar, board on board with a top rail, and shall be supported with galvanized steel posts. A common fence stain color as well as fence detail shall be established for the community by the developer.
 - iii. No fencing shall extend beyond a point ten feet (10') behind the front wall plane of the structure into the front yard.
- N. **Landscaping.**
- i. A minimum of six caliper inches (6") of trees shall be planted on all Type E Lots (inclusive of street trees).
 - ii. Corner lots adjacent to a street shall plant (1) additional tree in the side yard.
 - iii. Trees shall be a minimum of three caliper inches (3") as measured at 1 foot above grade.
 - iv. The front, side and rear yard must be irrigated by a programmable irrigation system and sodded with grass.
 - v. A minimum of one (1) tree shall be located in the front yard.
- O. **Mailboxes.** Mailboxes on a Type E Lot shall be consistent with the theme for the street and with the materials of the home on the respective lot, unless otherwise required by USPS (United States Postal Service).
- P. **Satellite Dishes.** Satellite dishes, limited to eighteen inches (18") in diameter or smaller, mounted below the ridgeline on the roof, and not in public view from the front of the home are permitted on Type E Lots.
- Q. **Air Conditioners.** No window or wall air conditioning units will be permitted on structures on Type E Lots. Outside condensing units (compressors) which are not located within a privacy

fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.

- R. **Plan Elevations.** On Type E Lots, plan elevations shall alternate every fourth (4th) homes on the same side of a street and every third (3rd) homes on opposite sides of the street. Illustrative examples of the elevations and floor plans for Type G Lots are attached hereto as Exhibit "F-5".
- S. **Accessory Structures.** Accessory structures used as a garage, a garage apartment, or guest house, will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten feet (10'), have a minimum Rear yard setback of ten feet (10'), and a minimum Side yard setback of eight feet (8').
- T. **Porches.** A minimum of twenty-five percent (25%) of Type E Lots shall have a front porch, subject to the following regulations.
- i. A minimum of fifteen percent (15%) of homes along a block face shall have a porch.
 - ii. The minimum porch depth shall be seven feet (7').
 - iii. The minimum porch width for a house with a split garage door shall be seven feet (7').
 - iv. The minimum porch width for a house without a split garage door shall be ten feet (10').
- U. **House Pad Width.** Type E lots shall have a minimum pad width of thirty-nine feet, six inches (39' 6").
- f. **Type F Lots:** The area and building standards for Type F Lots are as follows and as set forth in Table 1:
- A. **Minimum Lot Size.** The minimum lot size for Type F Lots shall be 20,000 square feet. A typical lot will be 120' x 170', but may vary as long as requirements in Table 1 are accommodated.
 - B. **Minimum Lot Width.** The minimum lot width for Type F Lots shall be one hundred twenty feet (120').

- C. **Minimum Yard Setbacks.**
- i. **Minimum Front yard Setback:** The minimum Front yard setback for Type F Lots shall be thirty feet (30'). The minimum front yard and rear yard requirements for staggering the front yards, as set forth in Section 9.3.F of the Town's Zoning Ordinance, as amended shall apply to Type F Lots.
 - ii. **Minimum Side yard Setback:**
 - (a) The minimum Side yard setback for Type F Lots shall be twenty feet (20').
 - (b) For courtyard homes, as defined herein, the minimum Side yard setback shall be twenty-six feet (26') for one side and fourteen feet (14') for the other side yard. Windows on the 14' side of the courtyard home will not be allowed unless they are opaque or consist of glass block.
 - (c) For corner lots, the minimum Side yard setback shall be twenty-five feet (25').
 - iii. **Minimum Rear yard Setback:**
 - (a) The minimum Rear yard setback shall be thirty feet (30').
 - (b) For Courtyard Homes, as defined herein, the minimum Rear yard setback is twenty feet (20').
 - iv. **Permitted Encroachment.** Architectural features and porches may encroach into required front and rear yards up to ten feet (10'). On corner lots, architectural features and porches may encroach into required side yards up to ten (10) feet on the road side. Swing-in garages may encroach into required front yards up to fifteen feet (15'). Front facing garages are permitted to extend to the front façade of the main structure, but may not encroach into the required front yard.
- D. **Minimum Floor Space.** Each dwelling constructed on a Type F Lot shall contain a minimum of three thousand (3,000) square feet of floor space if constructed as a single story structure and three thousand five hundred (3,500) if constructed as a two

story structure. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling

- E. **Height.** The maximum height for structures on Type F Lots shall be forty-five feet (45').
- F. **Courtyard Home Option.** Courtyard Homes, which are defined as homes having an open-air courtyard surrounded on three sides by the home, are permitted.
- G. **Driveways.** Driveways fronting on a street on Type F Lots shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
- H. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of homes as specified in Table 1.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** An address plaque or numbers made of cast stone, metal or other materials used on the exterior of the home of a size that meets Town fire code is required for each Type F Lot.
 - iv. **Chimneys.** On Type F Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be one hundred percent (100%) brick or stone.
 - v. **Stucco.** Stucco on structures on Type F Lots shall be traditional 3-coat process cement plaster stucco.

- vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type F Lots.
- I. **Windows.** All window framing on structures on Type F Lots shall be bronzed, cream, sand, white or other commercially available colors in anodized aluminum, vinyl or wood.
 - i. Window shutters may be used on structures on Type F Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- J. **Roofing.**
 - i. Structures constructed on the Type F Lots shall have a composition, metal, slate, synthetic slate, standing seam metal, or tile roof.
 - ii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
 - iii. The main roof pitch of any structure shall have a minimum slope of 8" in 12" for at least 25% of all Type F Lots. Up to 75% of Type F Lots may have roof pitches anywhere in the range between 3" in 12" and 8" in 12". Pitch ends shall be 100% guttered.
- K. **Garages.**
 - i. Homes shall have a minimum of two (2) car garages but no more than five (5). Rear located carports shall be permitted.
 - ii. The maximum width of garage doors allowed to face the street shall be limited to three (3) car widths.
 - iii. Garage doors shall be constructed of either metal or wood.
- L. **Plate Height.** Each structure on a Type F Lot shall have a minimum principal plate height of ten feet (10') on the first floor.
- M. **Fencing.** No fence, wall or hedge on a Type F Lot shall exceed eight feet (8') in height or be less than four feet (4') in height unless otherwise specifically required by the Town of Prosper.

- i. All Type F Lots backing or siding to Open Space shall have a decorative metal fence abutting to said open space.
- ii. All other fencing shall be constructed of cedar, board on board with a top rail, and shall be supported with galvanized steel posts. A common fence stain color as well as fence detail shall be established for the community by the developer.
- iii. No fencing shall extend beyond a point ten feet (10') behind the front wall plane of the structure into the front yard.

N. **Landscaping.**

- i. A minimum of twelve caliper inches (12") of trees shall be planted on all Type F Lots (inclusive of street trees).
- ii. A minimum of one (1) tree shall be located in the front yard.
- iii. Corner lots adjacent to a street shall plant (1) additional tree in the side yard.
- iv. Trees shall be a minimum of three caliper inches (3") as measured at 1 foot above grade.
- v. The front, side and rear yard must be irrigated by a programmable irrigation system and sodded with grass.

O. **Mailboxes.** Mailboxes on a Type F Lot shall be consistent with the theme for the street and with the materials of the home on the respective lot, unless otherwise required by USPS (United States Postal Service).

P. **Satellite Dishes.** Satellite dishes, limited to eighteen inches (18") in diameter or smaller, mounted below the ridgeline on the roof, and not in public view from the front of the home are permitted on Type F Lots.

Q. **Air Conditioners.** No window or wall air conditioning units will be permitted on structures on Type F Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by shrubbery save and except access and service space to the condensing units which may not be visible from the street.

- R. **Plan Elevations.** On Type F Lots, specific plan elevations shall not be repeated within a given platted phase.
- S. **Accessory Structures.** Accessory structures used as a garage, a garage apartment, or guest house, will be allowed.
- i. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
 - ii. Accessory structures shall be separate from the main dwelling by a minimum of ten feet (10'), have a minimum Rear yard setback of ten feet (10'), and a minimum Side yard setback of eight feet (8').

g. **Community Landscape Maintenance Facility:**

- A. **Permitted Use.** A Community Landscape Maintenance Facility shall be a permitted primary use and may consist of equipment maintenance, open storage, and associated management offices, providing for the establishment and maintenance of landscaping and related services for common areas and open spaces.
- B. **Location.** A Landscape Maintenance Facility shall be permitted in a location as identified on Exhibit D-2.
- C. **Development Standards.** A Landscape Maintenance Facility shall develop in accordance with Mixed-Use Development Standards (Traditional Retail), as outlined in Section 3., d., except as follows:
- i. Minimum Front Yard: Sixty Feet (60')
 - ii. Front Façade: Shall consist of a minimum of ninety percent (90%) brick and/or stone exterior building material.
 - iii. Side and Rear Facades: Shall consist of a minimum of ten percent (10%) brick and/or stone, and the use of metal as an exterior building material shall be permitted.
 - iv. Bay Doors: Shall not be permitted to directly face right-of-way.
 - v. Perimeter landscaping shall consist of the following:

- (a) Large trees (as defined by the Zoning Ordinance), a minimum 3-inch caliper at the time of planting, planted 30-foot on center, in addition to evergreen shrubs, a minimum 45-gallon and eight-feet in height at the time of planting, planted 6-foot on center.

TABLE 1

	Lot Type A	Lot Type B	Lot Type C	Lot Type D	Lot Type E	Lot Type F
Min. permitted lot sizes	8,000 sq. ft	9,000 sq. ft.	10,500 sq. ft	12,500 sq. ft.	6,000 sq.ft	20,000 sq.ft.
Max. permitted number of lots ¹	950 (maximum of 361 lot permitted in Phases 6 through 9 as indicated on Exhibit A-1)	1,074 (maximum of 511 lots permitted in Phases 6 through 9 as indicated on Exhibit A-1)	600 (maximum of 344 lots permitted in Phases 6 through 9 as indicated on Exhibit A-1)	160 (maximum of 2 lots permitted in Phases 6 through 9 as indicated on Exhibit A-1)	500 (shall be permitted in Phases 6 through 9 as indicated on Exhibit A-1)	40 ²
Max. percentage of lots with 100% Cementitious Fiber Board and Siding	0% (exception: Courtyard Homes allowed 30% for only Phases 7F and 7G)	0% (exception: Courtyard Homes allowed 30% for only Phases 7F and 7G)	30%	30%	0%	30%
¹ Max. permitted number of lots are transferrable from smaller Lot Type classifications to larger Lot Type classifications						
² 40 lots is also the minimum number of Type F lots required						
Min. Front Yard	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	30 ft.

Min. Side Yard	8 ft. (14'/2' or 13'/3' on courtyard option)	8 ft. (14'/2' or 13'/3' on courtyard option)	8 ft. (14'/2' or 13'/3' on courtyard option)	8 ft.	5 ft.	20 ft. (26'/14' on courtyard option)
Corner Lot	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	25 ft.
Min. Rear Yard	25 ft. (10' on courtyard option for no more than 140 Type A lots)	25 ft. (10' on courtyard option for no more than 110 Type B lots)	25 ft. (10' on courtyard option for no more than 45 Type C lots)	25 ft.	25 ft. (Thirty-foot (30') front setback, where a twenty-foot (20') rear setback is allowed)	30 ft.
Max. Building Height	40 ft.	40 ft.	45 ft.	45 ft.	40 ft.	45 ft.
Max. Lot Coverage	55%	50%	60%	55%	60%	50%
Min. Lot Width	60 ft.	70 ft.	80 ft.	90 ft.	50 ft.	120 ft.
Min. Lot Depth	100 ft.	100 ft.	110 ft.	125 ft.	100 ft.	150 ft.
Min. Dwelling Area	1,900 sq. ft.	2,100 sq. ft.	2,300 sq. ft.	2,600 sq. ft.	1,700 sq. ft.	3,000 sq. ft. (Single Story) 3,500 sq. ft. (Two Story)
Min. Pad Width	N/A	N/A	N/A	N/A	39 ft., 6 in.	N/A

3. **Mixed-Use Tract**

- a. **Definition:** The term 'Mixed-Use' as applied to the Windsong Ranch Development shall include residential and non-residential land uses integrated vertically or horizontally along the property facing U.S. Highway 380 in a walkable, vibrant market driven neighborhood, giving residents the opportunity to live, work and shop in the same community. The architecture of the mixed-use portion of the development will blend with the surrounding residential neighborhood's style. Non-residential uses include retail, restaurants and office. Retail uses are primarily intended to supply the community with everyday convenience goods and services and shall occur on the ground level of stand alone or integrated buildings. Office shall include neighborhood service oriented professional, financial, and medical uses and may occupy ground and/ or upper level building space. Residential land uses are intended to supply attached housing product helping act as a buffer between the more intense retail and office uses along U.S. Highway 380 and the less intense suburban single-family residential product to the north. Principal uses may include town homes and multi-family (condominiums, live/ work loft residential, and luxury apartments). However, it is acknowledged that all or a portion designated as the Mixed Use Tract may develop solely for retail or office uses. It is intended in these standards to provide the flexibility to develop either a multiple use project or traditional retail development.

- b. **Alternative Development Standards.** Property within the Mixed Use Tract may be developed solely for retail uses. The Mixed Use Tract development standards provide two sets of standards that allow for a pedestrian-oriented multiple use development (Section 3.c.) or, in the alternative, traditional retail development (Section 3.d.).
- c. **Mixed-Use Development Standards (pedestrian-oriented):** A maximum of 250 acres of mixed-use development is permitted on the Properties generally located between U.S. Highway 380 and the collector street (see Exhibit "D"). Development standards for a mixed-use development for this area within the development are described below.
- a. **Permitted Uses.** The following uses are permitted within the "Mixed Use" area: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town's Zoning Ordinance.
- Accessory Building
 - Administrative, Medical, or Professional Office
 - Antenna and/or Antenna Support Structure, Commercial **S**
 - Antenna and/or Antenna Non-Commercial, attached to buildings or water towers (stand-above towers are prohibited) **C**
 - Antique Shop and Used Furniture
 - Artisan's Workshop
 - Assisted Care or Living Facility **S**
 - Athletic Stadium or Field, Private **S**
 - Athletic Stadium or Field, Public
 - Bank, Savings and Loan, or Credit Union
 - Beauty Salon/Barber Shop
 - Bed and Breakfast Inn
 - Beer & Wine Package Sales **C**
 - Building Material and Hardware Sales, Minor
 - Building Material and Hardware Sales, Major
 - Business Service
 - Caretaker's/Guard's Residence
 - Civic/Convention Center
 - Commercial Amusement, Indoor
 - Community Center
 - Convenience Store with Gas Pump **C**
 - Convenience Store without Gas Pump
 - Day Care Center, Adult **S**
 - Day Care Center, Child **S**
 - Drug Stores/Pharmacies
 - Duplicating Centers, Mailing Services, Etc
 - Dry Cleaning, Minor
 - Farmer's Market
 - Financial Institutions

- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture, Home Furnishings and Appliance Store
- Garage Apartment
- Gas Pumps **C**
- Golf Course and/or Country Club
- Governmental Office
- Gymnastics/Dance Studio
- Health/Fitness Center
- Helistop **S**
- Home Occupation **C**
- Homebuilder Marketing Center
- Hospital
- Hotel **C**
- House of Worship
- Independent Living Facilities
- Laboratory, Medical and Dental.
- Insurance Office
- Locksmith/Security System Company
- Massage Therapy, Licensed
- Mini-Warehouse/Public Storage **S**
- Motel **S**
- Multifamily Dwelling (only within the Mixed Use pedestrian alternative)
- Municipal Uses
- Museum/Art Gallery
- Nursery, Major **S**
- Nursery, Minor
- Optical Stores – Sales and Services
- Office/Showroom
- Park or Playground
- Pet Day Care
- Post Office Facilities
- Print Shop, Minor
- Private Club **S**
- Private Recreation Center
- Private Street Development **S**
- Private Utility, Other Than Listed
- Retirement Housing
- Research and Development Center
- Recycling Collection Point
- Residence Hotel **C**
- Restaurant or Cafeteria **C**
- Restaurant, Drive In/ Drive-Thru
- Retail Stores and Shops
- Retail/Service Incidental Use
- Retirement Housing
- School, Private or Parochial

- School, Public
- Single Family Dwelling, Attached(Townhome)
- Stealth Antenna, Commercial
- Studio Dwelling
- Temporary Building **C**
- Theater, Neighborhood
- Theater, Regional
- Veterinarian Clinic and/or Kennel, Indoor
- Winery

- b. **Multifamily Uses:** Multi-family units shall be allowed within the mixed use area. A maximum of three hundred, (300) multifamily units shall be allowed within the Mixed Use Tract. If portions of the designated Mixed Use Tract are developed with multi-family residential housing types, they shall be developed in accordance with the following criteria:
- A. **Required Parking:** Parking requirements for multi-family development shall be two spaces per one-bedroom unit, two spaces per two-bedroom unit, two and one-half spaces per three-bedroom unit and one-half space per each additional bedroom per unit. One (1) enclosed parking space per unit will be provided as part of the multi-family unit configuration. Enclosed parking will consist of an attached or detached garage or parking structure screened from public view.
- B. **Exterior Facade Building Materials:** All buildings within a multifamily development shall have an exterior finish of stone, stucco, brick, tile, concrete, glass or similar materials or any combination thereof. The use of cementitious fiber board as a primary exterior building material shall be limited to a maximum of fifteen percent of the total exterior wall surfaces. All exterior finishes of buildings within a multifamily development shall have a minimum of ten percent (10%) stone accents.
- C. **Controlled Access:** All multi-family developments that contain limited gated access shall locate all gate controls, card pads and intercom boxes in driveway islands in a manner that provides a minimum of one hundred (100) feet of stacking distance from the gate. Such driveway islands shall also contain a break that allows for vehicular u-turn movements back onto a public street.
- c. **Townhouse Uses:** Townhouse units shall be allowed within the mixed use area or single family area as a buffer between non-residential and single family development. A maximum of three hundred (300) townhouse units shall be allowed. Townhouse units constructed in Single Family Residential Tract do not count against the maximum lot count of 3,500 single family lots. If portions of the designated mixed-use area are developed with townhouse residential housing types, they shall be developed in accordance with the following criteria:

- A. Required Parking: Parking requirements for townhouse development shall be two spaces per one-bedroom unit, two spaces per two-bedroom unit, two and one-half spaces per three-bedroom unit and one-half space per each additional bedroom per unit. Two (2) enclosed parking spaces per unit will be provided as part of the townhouse unit configuration. Enclosed parking will consist of an attached or detached garage or parking structure screened from public view.
- B. Exterior Facade Building Materials: All buildings within a townhouse development shall have an exterior finish of stone, stucco, brick, tile, concrete, glass or similar materials or any combination thereof. The use of cementitious fiber board as a primary exterior building material shall be limited to a maximum of fifteen percent of the total exterior wall surfaces. All exterior finishes of buildings within a townhouse development shall have a minimum of ten percent (10%) stone accents.
- C. Controlled Access: All townhouse developments that contain limited gated access shall locate all gate controls, card pads and intercom boxes in driveway islands in a manner that provides a minimum of one hundred (100) feet of stacking distance from the gate. Such driveway islands shall also contain a break that allows for vehicular u-turn movements back onto a public street.
- d. Residential development standards: Development shall be in accordance with the following table:

Development Requirement	Residential Product Type	
	Townhouse	Multi-family not on the second story of other uses
Max. Gross Density	10.0 du/ac	15.0 du/ac
Min. Lot Area	1,000 sq. ft.	1 acre.
Min. Lot Width	20'	100'
Min. Lot Depth	50'	150'
Min. Front Setback	0'	20' ¹
Min. Rear Setback	20'	20' ¹
Min. Side Setback (interior lot)	0'	20' ¹
Min. Side Setback (corner lot)	15'	25' ¹
Max. Lot Coverage	80%	70%
Min. Floor Area / Dwelling Unit	1,200 sq. ft.	650 sq. ft.
Max. Building Height / No. of stories ²	48' / 3 ²	48' / 3
Min. Open Space	20%	30%

¹ Multifamily setbacks include:

- a. Fifty (50) feet for one (1) or two (2) story structures adjacent to property lines with a single family residential use.
- b. One hundred and fifty (150) feet for three (3) story structures adjacent to property lines with a single family residential use.

² The maximum height of any building within 60 feet of a property line with a single family residential use shall be 36 feet or 2 stories.

e. **Non-residential uses**

- A. **Required Parking:** The total parking required shall be the sum of the specific parking space requirement for each use included within the Mixed Use Tract as required by Zoning Ordinance No. 05-20 as it currently exists or as amended.
- B. **Exterior Facade Building Materials:** All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass or similar materials or any combination thereof. Cementitious fiber board may only be used as an accent material subject to 10% of a façade.
- C. **Commercial and Retail Development Standards:** Development regulations for development within the Mixed Use Tract are intended to allow mixed use development consisting of vertically and horizontally integrated retail, office, service and residential uses. Typically referred to as “new urbanism”-style development, this type of development is characterized by pedestrian-scaled development offering multiple services and amenities with unique landscape and streetscape design. Development for non-residential land uses shall conform to the following:

- i. Floor Area: The allowable floor area of buildings within the mixed-use area shall be unlimited, provided that all conditions described herein are met.
- ii. Lot Area: There is no minimum lot area.
- iii. Lot Coverage: In no case shall the combined areas of the main buildings and accessory buildings cover more than 90% of the total lot area. Parking facilities shall be excluded from lot coverage computation.
- iv. Lot Width: There is no minimum lot width.
- v. Lot Depth: There is no minimum lot depth.
- vi. Front Yard: The minimum depth of the front yard shall be ten (10) feet
- vii. Side Yard: No side yard is required unless vehicular access is provided/required, in which case the side yard shall have a depth of not less than twelve feet.

A twenty-four-foot minimum side yard shall be provided where fire lane access is required and wherever a vehicular access/fire lane easement is not available on the adjoining property.
- viii. Rear Yard: No rear yard is required unless vehicular access is provided/required, in which case the rear yard shall have a depth of not less than twelve feet.

A twenty-four-foot minimum rear yard shall be provided where fire lane access is required and wherever a vehicular access/fire lane easement is not available on the adjoining property.
- ix. Building Height: Buildings shall be a maximum of five (5) stories, not to exceed seventy (70) feet in height. Architectural features, parapets, mechanical equipment, chimneys, antennas and other such architectural projections may extend above this height limit.
- x. Pad Sites. There is no limit on the number of pad sites within the Mixed Use Tract for retail uses provided each pad site must satisfy the Area Requirements.

f. **Architectural.**

- A. **Maximum Building Length** -- Buildings shall not be longer than 550 feet without an unconnected physical separation of 25 feet between another building.
- B. **Building Articulation** -- All buildings should be designed to emphasize a “base, mid-section, and top.” Facades facing public and private streets and extending greater than one hundred (100) feet in length shall incorporate wall plane recesses having a minimum depth of at least three (3) percent of the length of the façade. Recesses shall comprise at least twenty-five percent (25%) of the length of the facade. No uninterrupted length of a façade shall exceed fifty (50) feet in length.
- C. **Roof Line Articulation** -- Variations in roof lines shall be used to add interest and reduce the scale of large buildings. Roof features shall complement the character of the overall development and shall have at least one of the following features:
- Parapets concealing flat roofs and rooftop equipment from public view. The average height shall not exceed 15% of the height of the supporting wall. Parapets shall feature three dimensional cornice treatment.
 - Overhanging eaves, extending no less than three (3) feet past the supporting walls
 - Supporting roofs that do not exceed the average height of the supporting walls with an average slope no greater than 3:1 slope.
 - Roof dormers interrupting the eave line.
- D. **Exterior of Buildings**
- i. **Façades** -- All façades oriented toward rights-of-ways, drives or public spaces shall have no less than three of the following elements:
- Overhangs
 - Canopies or Porticos
 - Recesses/Projections
 - Arcades
 - Raised corniced parapets over the entrance
 - Peaked roof forms
 - Arches
 - Outdoor patios
 - Display windows
 - Integral planters that incorporate landscaped areas or seating areas

g. **Parking Areas**

- A. Surface parking lots shall be screened from streets through the use of screening or liner development such as townhome, live-work, and loft office units. Parking garages may not be visible from streets on more than 2 sides of each block. Beyond these two sides, a development liner (such as loft residential, office, etc.) shall be constructed to shield the garage from view.
- B. Surface Parking Perimeter Screening – All surface parking lots shall be screened from street view. Such screening shall take the form of 3 foot, 7-gallon plantings of dense evergreen hedge at time of installation measured above the grade of the parking lot.
- C. Landscape Medians – All surface parking lots shall have a landscape median strip with a minimum width of 6 feet incorporated into the parking lot design to separate the parking area and drive aisle with direct connection to the street. 1 tree shall be planted for every 35 linear feet of median.

h. **Service and Equipment Areas.** Service areas are zones and loading docks where servicing of the site takes place and include wall-, ground- or roof-mounted mechanical or equipment areas.

- A. Placement of Service Areas – Service areas shall (i) not front or be visible from a street, and shall be placed within the building envelope they serve; or (ii) follow the screening requirements below. Dumpsters and trash enclosures be placed within a building's envelope, and no service areas be placed where they are visible from US Highway 380, Gee Road or Fields Road. Loading areas must not be located closer than fifty (50) feet to any single-family lot or public right-of-way, unless wholly within an enclosed building.
- B. Service Area Screening – Off-street loading and service areas must be placed at the side or rear of buildings and shall be screened in conformity with the requirements of the Zoning Ordinance.
- C. Service Area Screening Design – In general, the design of all service area screening shall be complementary to the design of the building it serves in terms of its material and color.
- D. Roof-Mounted Equipment Screening – All roof-mounted equipment shall be screened from public view through the use of design features that complement the building they serve in terms of material and color.

i. **Fencing**

- A. Fencing Length and Height – The maximum length of a fence shall be fifty (50) feet without a break of thirty (30) feet. No fencing shall be above three (3) feet in height.
- B. Fencing Material – All fencing must be wrought iron or decorative steel.

j. **Site Landscaping**

- A. Street Trees – Street trees shall be planted at an average of thirty (30) feet on-center across each block face and three and one-half (3 ½) feet from the back of curb. These trees shall have a minimum caliper of four (4) inches at installation, and shall not be closer than ten (10) feet from a street lamppost. Street tree material shall follow the recommendation of the Director of Development Services, and shall generally follow the type of canopy line created by red oak, live oak, etc. Street trees shall use a consistent species along both sides of each block.
- B. Tree Planters – Street trees shall be centered within five (5) foot by ten (10) foot planters as leave-outs within the sidewalk and screened with either a twelve (12) inch high ornamental steel fence or brick turn-up edge. Planters shall also consist of evergreen ground cover and perennial plantings. The street-facing leading edge of all planters shall be placed one foot, six inches (1.5 feet) from the face of the curb to allow clearance for passenger car doors to open.
- C. Prior to the issuance of a Certificate of Occupancy for any building, structure or improvement, all landscaping must be installed in accordance with the approved corresponding landscaping plan.
- D. Street Lights – Street lights shall be located four (4) feet from face of curb on average intervals of seventy-five (75) feet along all block faces. The light fixtures shall be mounted ten (10) to twelve (12) feet from the finished grade of the sidewalk and shall be of metal halide type.
- E. Bicycle Racks – Bicycle racks shall be provided on 150 foot intervals of all block faces, clustering at street lamp or building entry locations.
- F. Litter Containers and Benches – Litter containers and benches shall be provided on 150 foot intervals along all block faces and clustered at street lamp or building entry locations.

- d. **Mixed-Use Development Standards (Traditional Retail)**. Retail development within the Mixed Use Tract is intended predominately for heavy retail, service, light intensity wholesale and commercial uses, but excluding warehousing uses. The

nature of uses in this District has operating characteristics and traffic service requirements generally compatible with typical office, retail, and some residential environments. Uses in this District may require open, but screened, storage areas for materials. In the event all or a portion of the Mixed Use Tract is developed solely for retail uses (i.e. not a mixed use development) then the development for retail uses shall conform to the following standards:

a. Size of Yards:

1. Minimum Front Yard: thirty (30) feet.
2. Minimum Side Yard:
 - a. Fifteen (15) 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 (30) feet for a one (1) story building adjacent to a residential district and sixty (60) feet for a two (2) story building adjacent to a residential district.
 - c. Thirty (30) feet adjacent to a street.
3. Minimum Rear Yard:
 - a. Fifteen (15) 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 (30) feet for a one (1) story building adjacent to a residential district and sixty (60) feet for a two (2) story building adjacent to a residential district.

b. Size of Lots:

1. Minimum Size of Lot Area: Ten thousand (10,000) square feet.
2. Minimum Lot Width: One hundred (100) feet.
3. Minimum Lot Depth: One hundred (100) feet.

c. Maximum Height: Two (2) stories, no greater than forty (40) feet.

d. Lot Coverage: Fifty (50) percent.

e. Floor Area Ratio: Maximum 0.5:1.

f. Permitted Uses: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town's Zoning Ordinance:

- Accessory Building
- Administrative, Medical, or Professional Office
- Antenna and/or Antenna Support Structure, Commercial **C**
- Antenna and/or Antenna Support Structure, Non-Commercial **C**
- Antique Shop and Used Furniture
- Artisan's Workshop
- Assisted Care or Living Facility **S**

- Athletic Stadium or Field, Private **S**
- Athletic Stadium or Field, Public
- Auto Parts Sales, Inside
- Automobile Paid Parking Lot/Garage
- Automobile Parking Lot/Garage
- Automobile Repair, Major **S**
- Automobile Repair, Minor
- Automobile Sales, Used **S**
- Automobile Sales/Leasing, New **S**
- Bank, Savings and Loan, or Credit Union
- Beauty Salon/Barber Shop
- Bed and Breakfast Inn
- Beer & Wine Package Sales **C**
- Bottling Works
- Building Material and Hardware Sales, Major
- Building Material and Hardware Sales, Minor
- Bus Terminal **C**
- Business Service
- Cabinet/Upholstery Shop
- Caretaker's/Guard's Residence
- Cemetery or Mausoleum **S**
- Civic/Convention Center
- College, University, Trade, or Private Boarding School
- Commercial Amusement, Indoor
- Commercial Amusement, Outdoor **S**
- Community Center
- Convenience Store with Gas Pumps **C**
- Convenience Store without Gas Pumps
- Dance Hall **S**
- Day Care Center, Adult **S**
- Day Care Center, Child **C**
- Day Care Center, Incidental **S**
- Dry Cleaning, Minor
- Equipment and Machinery Sales and Rental, Minor
- Fairgrounds/Exhibition Area **S**
- Farm, Ranch, Stable, Garden, or Orchard
- Farmer's Market
- Feed Store
- Flea Market, Inside
- Flea Market, Outside **S**
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture Restoration
- Furniture, Home Furnishings and Appliance Store
- Gas Pumps **C**
- General Manufacturing/Industrial Use Complying with Performance Standards **S**
- Golf Course and/or Country Club
- Governmental Office
- Gunsmith
- Gymnastics/Dance Studio
- Health/Fitness Center

- Homebuilder Marketing Center
- Hospital
- Hotel **C**
- House of Worship
- Indoor Gun Range **S**
- Insurance Office
- Limited Assembly and Manufacturing Use Complying with Performance Standards
- Locksmith/Security System Company
- Machine Shop
- Massage Therapy, Licensed
- Mini-Warehouse/Public Storage **S**
- Mobile Food Vendor **C**
- Mortuary/Funeral Parlor
- Motel **C**
- Motorcycle Sales/Service **S**
- Municipal Uses Operated by the Town of Prosper
- Museum/Art Gallery
- Nursery, Major **S**
- Nursery, Minor
- Office and Storage Area for Public/Private Utility
- Office/Showroom
- Office/Warehouse/Distribution Center
- Open Storage (subject to Chapter 4, Section 5 of the Zoning Ordinance)
- Park or Playground
- Pawn Shop
- Pet Day Care **C**
- Print Shop, Major **S**
- Print Shop, Minor
- Private Club
- Private Recreation Center
- Private Utility, Other Than Listed
- Recreational Vehicle Sales and Service, New/Used **S**
- Recreational Vehicle/Truck Parking Lot or Garage **S**
- Recycling Collection Point
- Rehabilitation Care Institution **S**
- Research and Development Center **C**
- Residence Hotel **C**
- Restaurant or Cafeteria
- Restaurant, Drive In
- Retail Stores and Shops
- Retail/Service Incidental Use
- School District Bus Yard **C**
- School, Private or Parochial
- School, Public
- Sewage Treatment Plant/Pumping Station **S**
- Small Engine Repair Shop
- Stealth Antenna, Commercial **C**
- Storage or Wholesale Warehouse **S**
- Taxidermist
- Telephone Exchange

- Temporary Building **C**
- Theater, Neighborhood
- Theater, Regional
- Trailer Rental **S**
- Transit Center **S**
- Truck Sales, Heavy Trucks **S**
- Utility Distribution/Transmission Facility **S**
- Veterinarian Clinic and/or Kennel, Indoor
- Veterinarian Clinic and/or Kennel, Outdoor
- Water Treatment Plant **S**
- Winery

4. **Parkland**

- a. Parkland shall consist of the following types:
- i. Neighborhood Park,
 - ii. Open space,
 - iii. Community Park containing a minimum of fifty (50) acres, and
- b. The schedule for providing Parkland shall be as follows:
- i. Neighborhood Park: The Neighborhood Parks shall be dedicated to the Town for public use and constructed simultaneously with the construction of the Public Improvements contained within the platted area in which the Neighborhood Parks is/are located. Developer shall, after consultation with the Town, use reasonable efforts to situate Neighborhood Parks adjacent to School Areas, with the specific location being subject to approval by the Town, which may not be unreasonably withheld, delayed, condition or denied.
 - ii. Open Space: Open Space identified on a General Development Plan shall be dedicated to the Town for public use, or reserved for private use by Developer, upon the earlier of: (A) within a reasonable period of time after receiving a written request by the Town for such dedication or reservation, such request being based upon the Park Plan in accordance with the General Development Plan wherein such Open Space is located; or (B) upon recordation of a final plat in which such Open Space is located, provided Developer owns the Open Space to be dedicated or reserved. If Developer is not the owner of the Open Space to be dedicated or reserved, the Owners shall, unless otherwise required herein, be required to comply with such requirements as set forth in the Subdivision Ordinance when the Properties, or portions thereof, develop.
 - iii. Community Park: Within three (3) years from the Effective Date of the Preannexation Agreement, the Community Park shall be

dedicated to the Town upon the earlier of: (A) within ninety (90) days of receiving a written request by the Town for such dedication; or (B) at the time the adjacent streets are dedicated to the Town provided Developer owns the land identified as the Community Park; provided, however, the Parties agree that the Community Park dedication shall be in cooperation with and furtherance of the Town's overall park grant efforts. Notwithstanding anything to the contrary herein, if the Developer has not dedicated the Community Park by the time prescribed in the preceding sentence, Owners as applicable, shall dedicate, at absolutely no cost to the Town, the Community Park within three (3) months of a written request by the Town for such dedication. Town shall be fully responsible for Maintenance Obligations of the Community Park upon the Town's acceptance of the dedication. The Town will, within a reasonable time, after receiving the proposed conveyance instrument, provide the Developer and/or Owner, as applicable, written notice of the Town's acceptance of the dedicated Community Park.

- c. Parkland reserved for private use shall be owned and maintained by a homeowners association, or other entity, and made available to owners, tenants, residents, occupants and members within the Properties and to their guests and invitees.
- d. Permitted uses within the Parkland are active and passive recreation uses including, but not limited to the following:
 - trails,
 - playfields,
 - game courts,
 - golf courses,
 - nature centers,
 - outdoor education centers,
 - community gardens, and
 - trail amenities.

5. **General Requirements for the Windsong Ranch.**

- a. **Amenities:** The intent of these development standards regarding the provision of amenities is for an integration of built and natural elements working together as a system that provides for the active and passive recreational needs of the Windsong Ranch community specifically and of the Town of Prosper generally. The distribution of natural beauty throughout the development, exemplified by mature trees and areas of rolling topography, provides the opportunity for a community-wide trail punctuated with nodes of built improvements such as pocket parks. In this way, neighborhood is linked to neighborhood and the Windsong Ranch community is linked to the Town.

To help preserve the open character of the Town of Prosper, it is the intent of these development standards that a significant amount of natural open space, particularly amid the floodplain and other sensitive land, be set aside to provide

additional open space for Windsong Ranch and for the Town. Design elements in these areas should support non-programmed passive recreational activities such as walking and picnicking.

- b. **Development Plan:** A Conceptual Development Plan is hereby attached (Exhibit "D") and made a part of these development standards. It establishes the most general guidelines for the district by identifying the project boundaries, land use types, approximate thoroughfare locations, R.O.W. dedication, roads and illustrates the integration of these elements into a master plan for the whole district.
- c. **Maintenance of Facilities:** The Developers shall establish a Homeowner's Association ("HOA") for single family residential areas and a Property Owner's Association ("POA") for mixed use areas, in which membership is mandatory for each lot, and that will be responsible for operation and maintenance of all common areas and/or common facilities contained within the area of the respective residential or mixed use development or adjacent Right-of-Way ("ROW"). The HOA or POA will be created with Phase 1 and each subsequent phase shall be annexed into the association or a separate HOA/POA may be created for each respective phase at the Developer's discretion. Upon completion of fifty percent (50%) buildout of any phase of residential development and creation of the corresponding HOA, the Developer shall provide that all HOA Boards have an advisory position to be filled by individual homeowners residing within the corresponding phase. Prior to transfer of the ownership to the HOA or POA, all specified facilities shall be constructed by the Developer and approved by the Town. The Developer shall provide the Town a mandatory HOA/POA agreement that will be recorded in the deed records of Denton County, Texas. In lieu of the HOA and POA, the Town and Developer may elect to create another entity to undertake the same responsibilities of the HOA or POA.
6. **Definitions.** The definitions of the Town's Zoning Ordinance (as it currently exists or may be amended) shall apply to these regulations except as otherwise amended herein. For purposes of these Development Standards, the following terms shall have the following meaning:

"Masonry" shall mean stone, stucco, brick, tile, concrete, glass or similar materials or any similar material approved by the Town's Director of Development Services.

"Independent Living Facilities" means a facility containing dwelling units, accessory uses and support services specifically designated for occupancy by persons 55 years of age or older, in accordance with the housing for older persons provisions of the Federal Fair Housing Act of 1988 (42 U.S.C. section 3607 et seq.), as amended, who are fully ambulatory or who require no medical or personal assistance or supervision. The dwelling units may consist of either multifamily, single-family detached or attached residences, or a combination of such uses.

PLANNING

To: Mayor and Town Council

From: David Soto, Planning Manager

Through: Mario Canizares, Town Manager
Chuck Ewings, Executive Director of Development and Infrastructure Services
David Hoover, Director of Development Services

Re: Development Agreement Windsong Ranch
Town Council Meeting – May 23, 2023

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Third Amendment to Development Agreement between VP Windsong Operations LLP, VP Windsong Investments LLP and the Town of Prosper relative to Windsong Ranch, as described in Planned Development 40 (PD-40) (DEVAGREE-23-0004)

Description of Agenda Item:

On May 09, 2023, the Town Council approved the proposed zoning request, by a vote of 5-0.

A Development Agreement has been prepared accordingly. The ordinance for the zoning request, is also on the May 23, 2023, Town Council agenda for consideration.

Legal Obligations and Review:

Town Attorney, Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the agreement as to form and legality.

Attachments:

1. Development Agreement
2. Exhibits

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Town Manager to execute a Third Amendment to Development Agreement between VP Windsong Operations LLP, VP Windsong Investments LLP and the Town of Prosper relative to Windsong Ranch, as described in Planned Development 40 (PD-40) (DEVAGREE-23-00004).

Proposed Motion:

I move to authorize the Town Manager to execute a a Third Amendment to Development Agreement between VP Windsong Operations LLP, VP Windsong Investments LLP and the Town of Prosper relative to Windsong Ranch, as described in Planned Development 40 (PD-40) (DEVAGREE-23-00004).

THIRD AMENDMENT TO DEVELOPMENT AGREEMENT

THIS THIRD AMENDMENT TO DEVELOPMENT AGREEMENT (“Third Amendment to Development Agreement”) is entered into by and between the Town of Prosper, Texas (“Town”), VP Windsong Operations LLC, and VP Windsong Investments LLC (collectively, “Owners”) (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, Owners are Delaware limited liability companies qualified to do business in the State of Texas; and

WHEREAS, Owners have developed Windsong Ranch located in Denton County in the Town, more particularly described in an Exhibit attached to the Planned Development 40 (“PD-40”) zoning ordinance, and which real property is more-specifically defined in the Development Agreement, with the addition of property subsequently added to Windsong Ranch by ordinance (hereinafter defined) (the “Property”); and

WHEREAS, in 2008 the Town approved PD-40 relative to the development of the Property as a master-planned community, and has approved certain amendments to PD-40 subsequent thereto; and

WHEREAS, on or about January 14, 2020, the Town approved certain amendments to PD-40, as more fully described in the applicable zoning ordinance, and further, the Parties agreed to certain other matters, including architectural features and building materials to be utilized on the Property; and

WHEREAS, the foregoing were memorialized in a Development Agreement (“Development Agreement”) approved by the Town Council on or about January 14, 2020, and subsequently filed in the Denton County Real Property Records on or about January 15, 2020, as Document # 6140; and

WHEREAS, on or about August 11, 2020, the Town Council considered and approved other amendments to PD-40, and authorized the execution of a First Amendment to Development Agreement on or about September 8, 2020, and subsequently filed in the Denton County Real Property Records on or about September 30, 2020, as Document # 154628 (together with the Development Agreement, the “Development Agreement”);

WHEREAS, on or about December 18, 2020, Owners conveyed a portion of the Property to GRBK Edgewood LLC, and in connection with such conveyance, partially assigned its rights pursuant to the Development Agreement pursuant to that certain Partial Assignment and Assumption of Development Agreement filed in the Denton County Real Property Records on or about December 21, 2020, as Document # 208279; and

WHEREAS, on or about March 22, 2021, Owners and the Town entered into a Second Amendment to Development Agreement, and said Second Amendment to Development Agreement was filed in the Denton County Real Property Records on or about March 23, 2021, as Document # 50781, and Second Amendment to Development Agreement incorporated, in part,

the negotiated and agreed upon development standards contained in PD-40, as amended, and recognized Owners’ reasonable investment-backed expectations in PD-40, as amended; and

WHEREAS, subject to the terms of the Second Amendment to Development Agreement, Owners and the Town added an approximate 5.433-acre tract of land, depicted and described in the Second Amendment to Development Agreement, to the property more fully described in PD-40 (Windsong Ranch), in accordance with the zoning case approved by the Town Council on or about January 26, 2021, and as memorialized in an ordinance regarding same;

WHEREAS, subject to the terms of the Second Amendment to Development Agreement, the Town also added an approximate 50.23-acre tract of land, depicted and described in the Second Amendment to Development Agreement, to the property more fully described in PD-40 (Windsong Ranch), in accordance with the zoning case approved by the Town Council on or about January 26, 2021, and as memorialized in an ordinance regarding same; and

WHEREAS, Owners now wish to amend certain provisions regarding architectural standards and building materials previously approved by the Town in Windsong Ranch, and this Third Amendment to Development Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in PD-40, as amended, and to recognize Owners’ reasonable investment-backed expectations in PD-40, as amended, as recognized in Ordinance No. 2023-37, approved by the Town on or about May 9, 2023.

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 Third Amendment to Development Agreement agree as follows:

1. **Architectural Standards and Building Materials**. For any structure built in on the Property after the Effective Date of tis Third Amendment to Development Agreement, it shall comply with the applicable requirements contained in Exhibit B, “Architectural Standards and Building Materials,” attached hereto and incorporated by reference, and Owners agree to construct those structures in compliance therewith. 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. The architectural standards and building materials referenced in Exhibit B supersede any architectural standards and building materials previously approved by the Town and Owners.

2. **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
P.O. Box 307
Prosper, Texas 75078
Attention: Town Manager

If to Owners: VP Windsong Operations LLC
130 North Preston Road, Suite 130
Prosper, Texas 75078
Attention: David R. Blom

VP Windsong Investments LLC
130 North Preston Road, Suite 130
Prosper, Texas 75078
Attention: David R. Blom

With a copy to: Jackson Walker LLP
2323 Ross Avenue, Suite 600
Dallas, Texas 75201
Attention: George C. Dunlap

3. Effect of Prior Development Agreements. Except to the extent referenced in Exhibit B, attached hereto and incorporated by reference, all other terms and conditions contained in the Development Agreement executed on or about January 14, 2020, the First Amendment to Development Agreement executed on or about September 29, 2020, and the Second Amendment to Development Agreement executed on or about March 22, 2021, shall remain in full force and effect and apply to this Third Amendment to Development Agreement unless specifically otherwise provided herein.

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 May, 2023, by Mario Cnaizares, Town Manager of the Town of Prosper, Texas, on behalf of the Town of Prosper, Texas.

Notary Public, State of Texas
My Commission Expires: _____

OWNERS:

VP Windsong Operations LLC,
a Delaware limited liability company

By: _____
Name: David R. Blom
Title: Vice President

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the ____ day of May, 2023, by David R. Blom, in his capacity as Vice President of VP Windsong Operations LLC, a Texas limited liability company, 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 Owner.

Notary Public, State of Texas
My Commission Expires: _____

VP Windsong Investments LLC,
a Delaware limited liability company

By: _____
Name: David R. Blom
Title: Vice President

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the ____ day of May, 2023, by David R. Blom, in his capacity as Vice President of VP Windsong Investments LLC, a Texas limited liability company, 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 Owner.

Notary Public, State of Texas
My Commission Expires: _____

EXHIBIT A

(Property Description)

All property depicted and described in Exhibit A to Planned Development 40 (PD-40), Town of Prosper Ordinance No. 08-030, as amended.

EXHIBIT B

ARCHITECTURAL STANDARDS AND BUILDING MATERIALS

1. **Type A Lots:** The architectural and building materials standards for Type A Lots are as follows:

A. Exterior Surfaces.

- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board is considered masonry, but may only constitute fifty percent (50%) of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services. For Courtyard Homes, exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of Courtyard Homes in Phases 7F and 7G, with such limitation being thirty percent (30%) of the number of platted lots in Phases 7F and 7G.
- ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
- iii. **Address Plaque.** A cast stone address plaque is required for each Type A Lot. The style of the cast stone address plaque shall be uniform throughout each section of development.
- iv. **Chimneys.** On Type A Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
- v. **Stucco.** Stucco on structures on Type A Lots shall be traditional 3-coat process cement plaster stucco.
- vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type A Lots.

B. Windows. All window framing on structures on Type A Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.

- i. Window shutters may be used on structures on Type A Lots. Window shutters shall be painted, stained wood, or fiberglass.

- ii. No reflective window coverings or treatments shall be permitted.

C. Roofing.

- i. Structures constructed on the Type A Lots shall have a composition, slate, clay tile or cement/concrete tile roof.
- ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
- iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
- iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

D. Garage Doors. Garage doors shall be constructed of either metal or wood.

E. Accessory Structures. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.

2. Type B Lots: The architectural and building materials standards for Type B Lots are as follows:

A. Exterior Surfaces.

- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board is considered masonry, but may only constitute fifty percent (50%) of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services. For Courtyard Homes, exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board and siding is considered masonry. However, cementitious fiber board and siding may only be used as the primary exterior façade material in a limited number of Courtyard Homes in Phases 7F and 7G, with such limitation being thirty percent (30%) of the number of platted lots in Phases 7F and 7G.
- ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.

- iii. **Address Plaque.** A cast stone address plaque is required for each Type B Lot. The style of the cast stone address plaque shall be uniform throughout each section of development.
- iv. **Chimneys.** On Type B Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
- v. **Stucco.** Stucco on structures on Type B Lots shall be traditional 3-coat process cement plaster stucco.
- vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type B Lots.

B. Windows. All window framing on structures on Type B Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.

- i. Window shutters may be used on structures on Type B Lots. Window shutters shall be painted, stained wood, or fiberglass.
- ii. No reflective window coverings or treatments shall be permitted.

C. Roofing.

- i. Structures constructed on the Type B Lots shall have a composition, slate, clay tile or cement/concrete tile roof.
- ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
- iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
- iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

D. Garage Doors. Garage doors shall be constructed of either metal or wood.

E. Accessory Structures. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.

3. Type C Lots: The architectural and building materials standards for Type C Lots are as follows:

A. Exterior Surfaces.

- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board is considered masonry, but may only

constitute fifty percent (50%) of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.

- ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
- iii. **Address Plaque.** A cast stone address plaque is required for each Type C Lot. The style of the cast stone address plaque shall be uniform throughout each section of development.
- iv. **Chimneys.** On Type C Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
- v. **Stucco.** Stucco on structures on Type C Lots shall be traditional 3-coat process cement plaster stucco.
- vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type C Lots.

B. Windows. All window framing on structures on Type C Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.

- i. Window shutters may be used on structures on Type C Lots. Window shutters shall be painted, stained wood, or fiberglass.
- ii. No reflective window coverings or treatments shall be permitted.

C. Roofing.

- i. Structures constructed on the Type C Lots shall have a composition, slate, clay tile, standing seam metal roof with a rating of at least 30 years, or cement/concrete tile roof.
- ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
- iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
- iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

- D. **Garage Doors.** Garage doors shall be constructed of either metal or wood.
- E. **Accessory Structures.** Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
4. **Type D Lots:** The architectural and building materials standards for Type D Lots are as follows:
- A. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board is considered masonry, but may only constitute fifty percent (50%) of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** A cast stone address plaque is required for each Type D Lot. The style of the cast stone address plaque shall be uniform throughout each section of development.
 - iv. **Chimneys.** On Type D Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
 - v. **Stucco.** Stucco on structures on Type D Lots shall be traditional 3-coat process cement plaster stucco.
 - vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type D Lots.
- B. **Windows.** All window framing on structures on Type D Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type D Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.

C. Roofing.

- i. Structures constructed on the Type D Lots shall have a composition, slate, clay tile, standing seam metal roof with a rating of at least 30 years or cement/concrete tile roof.
- ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
- iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
- iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

D. Garage Doors. Garage doors shall be constructed of either metal or wood.

E. Accessory Structures. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.

5. Type E Lots: The architectural and building materials standards for Type E Lots are as follows:

A. Exterior Surfaces.

- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.
- ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
- iii. **Address Plaque.** A cast stone address plaque is required for each Type E Lot. The style of the cast stone address plaque shall be uniform throughout each section of development.
- iv. **Chimneys.** On Type E Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
- v. **Stucco.** Stucco on structures on Type E Lots shall be traditional 3-coat process cement plaster stucco.
- vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type E Lots.

B. Windows. All window framing on structures on Type E Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.

- i. Window shutters may be used on structures on Type E Lots. Window shutters shall be painted, stained wood, or fiberglass.
- ii. No reflective window coverings or treatments shall be permitted.

C. Roofing.

- i. Structures constructed on the Type E Lots shall have a composition, slate, or tile roof.
- ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
- iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
- iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.
- v. A minimum of twenty-five percent (25%) of Type E Lots shall have a main roof pitch greater than 8:12.

D. Garages.

- i. Homes with two (2) single car width garage doors facing the street shall have such garage doors separated by a masonry column of no less than twelve inches (12") in width.
- ii. A minimum of fifty percent (50%) shall have two (2) single garage doors split by a masonry column.
- iii. Garage doors shall be constructed of wood, or a material that gives the appearance of a real wood door. Materials may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.) or other material, including fiberglass or steel, that when stained or painted gives the appearance of a real wood door.
- iv. Two of the following garage door upgrades shall be incorporated:
 - (a) Carriage style door designs giving the appearance of a classic swing-open design with the flexibility of an overhead door operation
 - (b) Doors incorporating decorative hardware.
 - (c) Doors with windows.

- E. **Accessory Structures.** Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.
6. **Type F Lots:** The architectural and building materials standards for Type F Lots are as follows:
- A. **Exterior Surfaces.**
- i. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry. Cementitious fiber board is considered masonry, but may only constitute fifty percent (50%) of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Director of Development Services.
 - ii. The surface area of windows surrounded completely by brick may be included within the computation of the exterior brick, brick veneer, stone, or stone veneer wall area of a residence.
 - iii. **Address Plaque.** A cast stone address plaque is required for each Type F Lot. The style of the cast stone address plaque shall be uniform throughout each section of development.
 - iv. **Chimneys.** On Type F Lots, all exposed portions of the fire breast, flu and chimney shall be clad in cementitious lap siding, brick, stone or stucco. Chimneys located on an exterior wall must be 100% brick or stone.
 - v. **Stucco.** Stucco on structures on Type F Lots shall be traditional 3-coat process cement plaster stucco.
 - vi. **EIFS.** EIFS (Exterior Insulating and Finish Process) is not allowed on structures on Type F Lots.
- B. **Windows.** All window framing on structures on Type F Lots shall be bronzed, cream, sand or white anodized aluminum, vinyl or wood.
- i. Window shutters may be used on structures on Type F Lots. Window shutters shall be painted, stained wood, or fiberglass.
 - ii. No reflective window coverings or treatments shall be permitted.
- C. **Roofing.**
- i. Structures constructed on the Type F Lots shall have a composition, slate, clay tile, standing seam metal roof with a rating of at least 30 years or cement/concrete tile roof.

- ii. The color of the composition roof must appear to be weathered wood shingles, black or slate, unless such other color is approved by the Director of Development Services.
- iii. Composition roof shingles must be laminated and have a minimum warranty of 30 years.
- iv. The main roof pitch of any structure shall have a minimum slope of 8" in 12". Clay tile and cement/concrete tile roofs shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

D. Garage Doors. Garage doors shall be constructed of either metal or wood.

E. Accessory Structures. Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling.

7. Exterior Façade Building Materials for Multifamily Uses. All buildings within a multifamily development shall have an exterior finish of stone, stucco, brick, tile, concrete, glass or similar materials or any combination thereof. The use of cementitious fiber board as a primary exterior building material shall be limited to a maximum of fifteen percent (15%) of the total exterior wall surfaces. All exterior finishes of buildings within a multifamily development shall have a minimum of ten percent (10%) stone accents.

8. Exterior Façade Building Materials for Townhome Uses. All buildings within a townhouse development shall have an exterior finish of stone, stucco, brick, tile, concrete, glass or similar materials or any combination thereof. The use of cementitious fiber board as a primary exterior building material shall be limited to a maximum of fifteen percent of the total exterior wall surfaces. All exterior finishes of buildings within a townhouse development shall have a minimum of ten percent (10%) stone accents.

9. Exterior Façade Building Materials for Non-Residential Uses. All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass or similar materials or any combination thereof. Cementitious fiber board may only be used as an accent material subject to 10% of a façade.

NOTE: For purposes of this Agreement, "masonry" shall mean stone, stucco, brick, tile, concrete, glass or similar materials of any similar material approved by the Town's Director of Development Services.



PLANNING

To: Mayor and Town Council

From: David Soto, Planning Manager

Through: Mario Canizares, Town Manager
Chuck Ewings, Executive Director of Development and Infrastructure Services
David Hoover, Director of Development Services

Re: Planned Development Ordinance MQ Prosper North

Town Council Meeting – May 23, 2023

Agenda Item:

Consider and act upon an ordinance to rezone 13.3± acres from Single Family-15 (SF-15) to Planned Development-Retail (PD-R), generally to allow for an office/retail development, located on the east side of Preston Road, north of St. Peter Lane. (Z21-0003).

Description of Agenda Item:

On April 25, 2023, the Town Council approved the proposed rezoning request, by a vote of 6-0 subject to:

1. A specific use permit (SUP) is required for any business that sells alcoholic beverages for off-premise consumption;
2. Alcohol sales are only authorized in Buildings 1 and 5, as reflected on the Concept Plan;
3. For any bank that is located on the Property, a specific use permit (SUP) will be required if the bank utilizes a drive-thru;
4. A specific use permit (SUP) is required for any drive-thru restaurant on the Property.

The applicant has revised the ordinance to address the motion mentioned above.

An ordinance has been prepared accordingly. The Development Agreement between the Town of Prosper and MQ Development Partners, is also on the May 23, 2023, Town Council agenda for consideration.

Legal Obligations and Review:

Town Attorney, Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

1. Ordinance
2. Ordinance Exhibits

Staff Recommendation:

Staff recommends approval of an ordinance to rezone 13.3± acres from Single Family-15 (SF-15) to Planned Development-Retail (PD-R), generally to allow for an office/retail development, located on the east side of Preston Road, north of St. Peter Lane.

Proposed Motion:

I move to approve an ordinance to rezone 13.3± acres from Single Family-15 (SF-15) to Planned Development-Retail (PD-R), generally to allow for an office/retail development, located on the east side of Preston Road, north of St. Peter Lane.

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A TRACT OF LAND CONSISTING OF 13.3 ACRES, MORE OR LESS, SITUATED IN COLLIN COUNTY SCHOOL SURVEY, ABSTRACT NO. 172, TOWN OF PROSPER, COLLIN COUNTY, TEXAS, FROM SINGLE FAMILY-15 (SF-15) TO A NEW PLANNED DEVELOPMENT-120, DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Prosper, Texas (the "Town Council"), has investigated and determined that the Zoning Ordinance should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request (Case Z21-0003) from MQ Development Partners (collectively, "Applicants"), to rezone 13.3 acres of land, more or less, in the Collin County School Survey, Abstract No. 172, Town of Prosper, Collin County, Texas, from Single Family-15 (SF-15) to Planned Development-120, (PD-120) and being more particularly described in Exhibit A, attached hereto and incorporated herein for all purposes; and

WHEREAS, the Town Council has investigated and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, Public Hearings have been held, and all other requirements of notice and completion of such procedures have been fulfilled; and

WHEREAS, the Town Council has further investigated into and determined that it will be advantageous and beneficial to Prosper and its inhabitants to rezone this property as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1

Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Amendment to the Town's Zoning Ordinance. The Town's Zoning Ordinance, as amended, is hereby amended as follows: The zoning designation of the below described property containing 13.3 acres of land, more or less, in the Collin County School Survey, Abstract No. 172, Town of Prosper, Collin County, Texas, and all streets, roads, and alleyways contiguous and/or adjacent thereto are hereby zoned as Planned Development-120 and being more particularly

described in Exhibit A, attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with (1) the Statement of Intent and Purpose, attached hereto as Exhibit B; (2) the Development Standards, attached hereto as Exhibit C; (3) the Site Plan, attached hereto as Exhibit D; (4) the Landscape Plan, attached hereto as Exhibit E-1; (5) the Façade Plans, attached hereto as Exhibit F-1, F-2, and F-3; and (6) the Screening Plan, attached hereto as Exhibit G, all of which are incorporated herein for all purposes as if set forth verbatim, subject to the following conditions of approval by the Town Council:

Two (2) original, official, and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. One (1) copy shall be filed with the Town Secretary and retained as an original record and shall not be changed in any manner.
- b. One (1) copy shall be filed with the Building Official and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy, and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

SECTION 3

No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 4

Unlawful Use of Premises. It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5

Penalty. Any person, firm, corporation, or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance, as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Prosper from filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6

Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force

and effect. Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7

Savings/Repealing Clause. Prosper's Zoning Ordinance, as amended, shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8

Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 23RD DAY OF MAY, 2023.

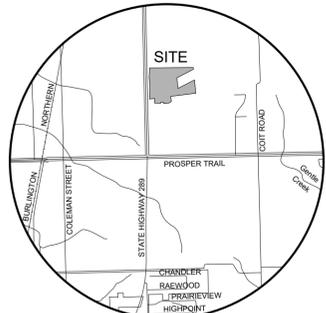
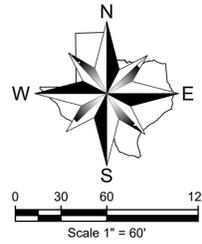
David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney



CURVE TABLE				
NO.	DELTA	RADIUS	LENGTH	CH. L. CH. B.

LINE TABLE		
LINE #	BEARING	DISTANCE

MC	RESUBMITTAL	DATE	APPROV.
3.	08/01/2022		
2.	05/18/2022		
1.	05/09/2022		



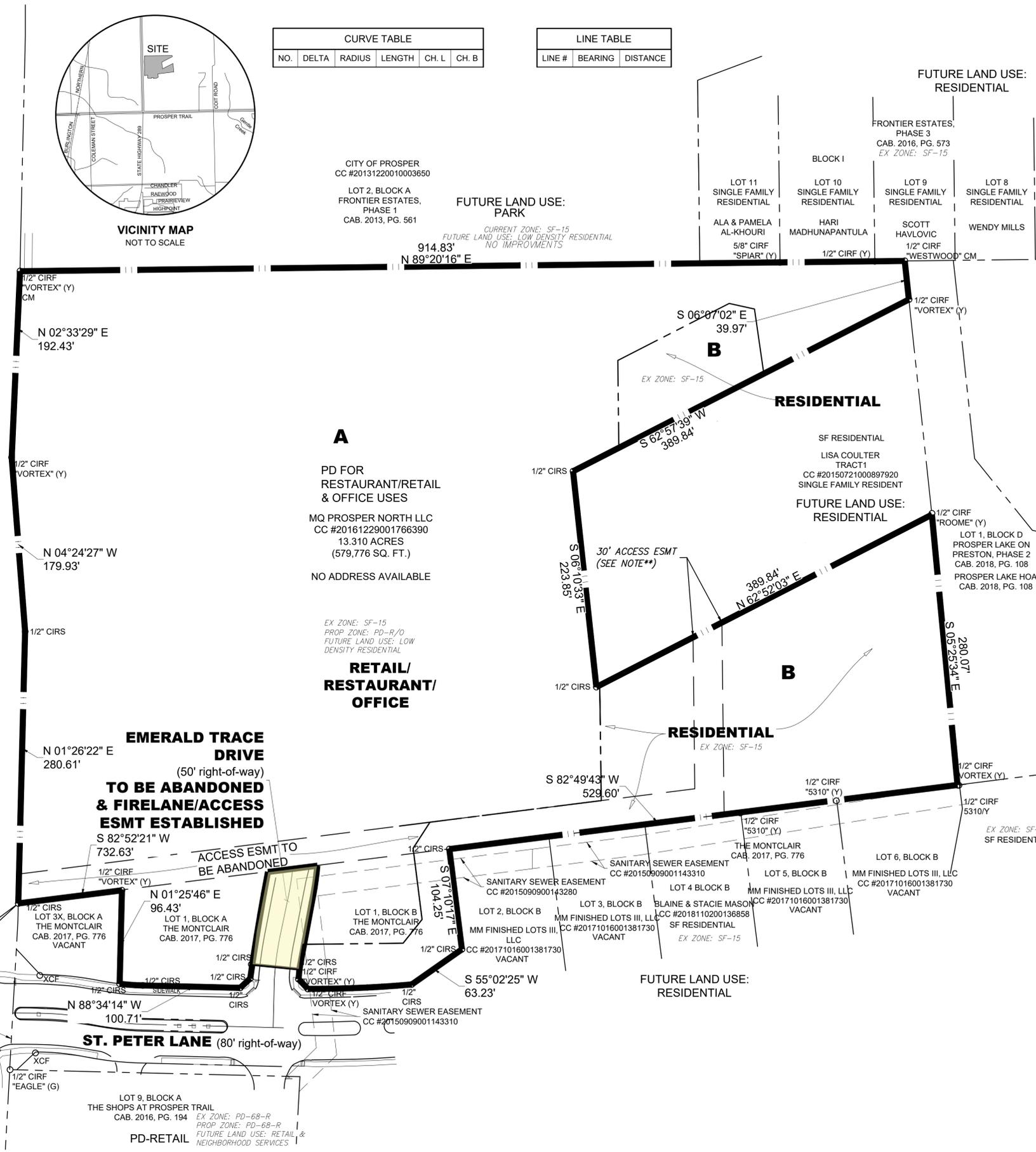
EX. ZONE: SF-12.5
 PROP. ZONE: SF-12.5
 FUTURE LAND USE: MEDIUM DENSITY RESIDENTIAL

STATE HIGHWAY 289 (PRESTON ROAD)
 (variable width right-of-way)

AMON O

POINT OF BEGINNING

RIGHT-OF-WAY DEDICATION
 PARCEL 8, PART 1
 CC #20110802000807680



NOTE:
 A - LOTS 1-9 "RETAIL, RESTAURANT/OFFICE"
 B - LOTS 10-11 "RESIDENTIAL"

*IN A RECENT PROCEEDING IN COLLIN COUNTY DISTRICT COURT, ENTITLED MQ PROSPER NORTH, LLC v. LISA COULTER AND SUMMIT PAVING, LLC CAUSE NO. 366-03077-2018, A FINAL JUDGMENT WAS ENTERED ON OR ABOUT JUNE 18, 2020, AGAINST MQ PROSPER NORTH, LLC ("MQ"), IN PART, THE FINAL JUDGMENT REFERENCED MS. COULTER'S EXISTING 30-FOOT ACCESS EASEMENT FROM PRESTON ROAD TO HER RESIDENTIAL TRACT. THE FINAL JUDGMENT INCLUDED A PERMANENT INJUNCTION AGAINST MQ, PROHIBITING IT FROM (1) RESTRICTING MS. COULTER'S ACCESS TO HER 30-FOOT ACCESS EASEMENT; (2) BLOCKING PORTIONS OF THE EASEMENT, INCLUDING BY INSTALLING AND MAINTAINING ITEMS IN THE EASEMENT SUCH AS FENCES OF FENCE POSTS, PILES OF ROCKS, PORTABLE TOILETS, AND SILT FENCES; OR (3) CUTTING THE COSEV ELECTRIC LINE THAT SERVES THE COULTER RESIDENTIAL TRACT.

COLLIN COUNTY SCHOOL SURVEY, ABSTRACT NO. 172
 TOWN OF PROSPER
 COLLIN COUNTY, TEXAS
 MQ DEVELOPMENT COMPANY
 4622 MAPLE AVENUE SUITE 200
 DALLAS, TEXAS 75219

ZONING EXHIBIT
13.310 ACRES

Date: 08/01/2022
 Scale: 1" = 60'
 File: 34271-Zoning
 Project No.: 34271-00

ZC 21-003 EXHIBIT A

SHEET 1 OF 1

PROPERTY DESCRIPTION

STATE OF TEXAS §
COUNTY OF COLLIN §

BEING a tract of land situated in the COLLIN COUNTY SCHOOL SURVEY, ABSTRACT NO. 172, City of Prosper, Collin County, Texas and being all of the same tract of land as described in deed to MQ Prosper North LLC, recorded in County Clerk's File No. 20161229001766390, Official Public Records, Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being situated in the Easterly right-of-way line of State Highway 289 (Preston Road, variable width right-of-way) and being the Northwest corner of Lot 3X, Block A, The Montclair, an addition to the Town of Prosper, Collin County, Texas, according to the plat thereof recorded in County Clerk's File No. 20170925010004560, O.P.R.C.C.T.;

THENCE North 88 deg 39 min 55 sec West, a distance of 93.55 feet to the centerline said State Highway 289 to a point for corner;

THENCE North 01 deg 20 min 05 sec East, along said centerline of State Highway 289, a distance of 652.03 feet to a point for corner;

THENCE South 88 deg 39 min 55 sec East, a distance of 80.16 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VORTEX" found for corner, said iron rod being the Northwest corner of said MQ Prosper North LLC tract;

THENCE North 89 deg 20 min 16 sec East, departing the Easterly right-of-way line of said State Highway 289 and along the North line of said MQ Prosper North LLC tract, a distance of 914.83 feet to a 1/2-inch iron rod with plastic cap stamped "WESTWOOD" found for corner, said iron rod being the Northeast corner of said MQ Prosper North LLC tract;

THENCE South 06 deg 07 min 02 sec East, departing the north line and along the East line of said MQ Prosper North LLC tract, a distance of 39.97 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VORTEX" found for corner, said iron rod being the Northeast corner of a tract of land (Tract 1) as described in deed to Lisa Coulter, recorded in County Clerk's File No. 20150721000897920, O.P.R.C.C.T.;

THENCE South 62 deg 57 min 39 sec West, departing the East line of said MQ Prosper North LLC tract and along the Northerly line of said Lisa Coulter tract, a distance of 389.84 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 06 deg 10 min 33 sec East, departing said Northerly line and along the Westerly line of said Lisa Coulter tract, a distance of 223.85 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 62 deg 52 min 03 sec East, departing said Westerly line and along the Southerly line of said Lisa Coulter tract, a distance of 389.84 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, from which a 1/2-inch iron rod with yellow plastic cap stamped "ROOME" found, bears North 02 deg 50 min 16 sec East, a distance of 1.30 feet;

THENCE South 05 deg 25 min 34 sec East, departing the Southerly line of said Lisa Coulter tract and along the Easterly line of said MQ Prosper North LLC tract, a distance of 280.07 feet to a point for corner from which a 1/2-inch iron rod with yellow plastic cap stamped "VORTEX" found, bears South 09 deg 16 min 08 sec East, a distance of 0.22 feet, said point being situated in the Northerly line of The Montclair, an addition to the Town of Prosper, Collin County, Texas, according to the plat thereof recorded in Cabinet 2017, Page 776, O.P.R.C.C.T.;

THENCE South 82 deg 49 min 43 sec West, along the Northerly line of said The Montclair Addition, a distance of 529.60 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner at the Northeast corner of Lot 1, Block B of said The Montclair Addition;

THENCE South 07 deg 10 min 17 sec East, departing the Northerly line and along the Easterly line of said Lot 1, Block B, a distance of 104.25 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 55 deg 02 min 25 sec West, departing the Easterly line and along the Southerly line of said Lot 1, Block B, a distance of 63.23 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and the beginning of a non-tangent curve to the right having a radius of 1,159.50 feet, a central angle of 05 deg 18 min 54 sec, a chord bearing of South 87 deg 34 min 54 sec West and a chord length of 107.52 feet;

THENCE continuing along said Southerly line and along said non-tangent curve to the right, an arc distance of 107.56 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VORTEX" found for corner at the Southeasterly end of a corner clip at the intersection of the Northerly right-of-way line of St. Peter Lane (80' right-of-way) and the Easterly right-of-way line of Emerald Trace Drive (50' right-of-way);

THENCE North 43 deg 30 min 45 sec West, along said corner clip, a distance of 13.89 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VORTEX" found for corner at the Northwest end of said corner clip and the beginning of a non-tangent curve to the right having a radius of 275.00 feet, a central angle of 02 deg 08 min 31 sec, a chord bearing of North 04 deg 36 min 06 sec East and a chord length of 10.28 feet;

THENCE along the Easterly right-of-way line of said Emerald Trace Drive and along said non-tangent curve to the right, an arc distance of 10.28 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 84 deg 19 min 39 sec West, a distance of 50.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being situated in the Westerly right-of-way line of said Emerald Trace Drive and the Easterly line of Lot 1, Block A of said The Montclair Addition and also being the beginning of a non-tangent curve to the left having a radius of 325.00 feet, a central angle of 02 deg 34 min 08 sec, a chord bearing of South 04 deg 23 min 18 sec West and a chord length of 14.57 feet;

THENCE along said Westerly right-of-way line and the Easterly line of said Lot 1, Block A and along said non-tangent curve to the left, an arc distance of 14.57 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being at the Northeasterly end of a corner clip at the intersection of the Westerly right-of-way line of said Emerald Trace Drive and the Northerly right-of-way line of said St. Peter Lane;

THENCE South 46 deg 49 min 35 sec West, along said corner clip and the Easterly line of said Lot 1, Block A, a distance of 14.24 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner at the Southwest end of said corner clip;

THENCE North 88 deg 34 min 14 sec West, departing said corner clip and along said Northerly right-of-way line, and the Southerly line of said Lot 1, Block A, a distance of 100.71 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and the beginning of a curve to the right having a radius of 260.00 feet, a central angle of 05 deg 17 min 50 sec, a chord bearing of North 85 deg 55 min 20 sec West and a chord length of 24.03 feet;

THENCE continuing along said Northerly right-of-way line and the Southerly line of said Lot 1, Block A and along said non-tangent curve to the right, an arc distance of 24.04 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the Southwest corner of said Lot 1, Block A and the Southeast corner of Lot 3X, Block A of said The Montclair Addition;

THENCE North 01 deg 25 min 46 sec East, departing the North right-of-way line of said St. Peter Lane, the South line of said Lot 1, Block A and along the Westerly line of said Lot 1, Block A and the Easterly line of said Lot 3X, Block A, a distance of 96.43 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VORTEX" found for corner, said iron rod being the Northwest corner of said Lot 1, Block A and the Northeast corner of said Lot 3X, Block A;

Exhibit A

Item 8.

THENCE South 82 deg 49 min 43 sec West, along the Northerly line of said Lot 3X, Block A, a distance of 108.04 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 13.310 acres or 579,776 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 13th day of February,

**Z21-0003
EXHIBIT C
PLANNED DEVELOPMENT CONDITIONS
MQ PROSPER NORTH**

- A1. Statement of Effect: Lots 1-9, Subdistrict A, shall develop under the regulations of the Retail (R) District of the Town's Zoning Ordinance as it exists or may be amended except as otherwise set forth herein. Lots 10 and 11, Subdistrict B, shall develop under the regulations of the Single Family-15 (SF-15) District of the Town's Zoning Ordinance as it exists or may be amended except as otherwise set forth herein.
- A2. Development Plans (Retail and SF-15 Districts); Exhibit – D Concept Plan, Exhibit – E Landscape Plan; Exhibits F-1-F3 Building Elevations; Exhibit - G Screening Plan

Permitted Uses. Subdistrict A, for Lots 1-7, conditional development standards **(C)** must be met per the Zoning Ordinance, No. 05-20, as it exists, or may be amended. Uses shall be permitted as a Specific Use with the approval of a specific use permit **(SUP)**. Building and parking lot development is prohibited on Lots 8 and 9.

List of Permitted Uses:

1. Administrative, Medical or Professional Office
2. Alcoholic Beverage Sales for off-premise consumption on Lots 1 and 5 by SUP only
3. Antique Shop
4. Artisan's Workshop
5. Bank, Savings and Loan, or Credit Union, Lots 1-7 only; walk-up or drive-through ATM's are allowed but teller window bank drive through lanes are prohibited
6. Beauty Salon, Barber Shop, Lots 1-5 only
7. Business Service, Lots 1 – 5 only
8. Child Care Center, Licensed, only one permitted in PD, Lots 2, 3 and 4 by SUP only
9. Dry Cleaning, Minor
10. Furniture, Home Furnishings and Appliance Store, Lot 3
11. Health/Fitness Center, Lots 1-4
12. Insurance Office, Lots 1-5
13. Massage Therapy, Licensed, Lots 1-5
14. Print Shop, Minor, Lots 1-5
15. Restaurant, Lots 1- 7 only (May include outdoor entertainment in Lots 1, 6, and 7 provided speakers face west away from the single family residential to the east.)
 - a. Restaurants with Drive-through will require a Specific Use Permit.
16. Retail Stores and Shops, Lots 1-7
17. Retail Service, Indoor, Lots 1-7 only
18. Retail/Service Incidental Use, Lots 1-7
19. School, Private
20. Theatre, Neighborhood, Lot 3 by SUP only

Permitted Uses, Subdistrict B: For Lots 10 and 11, permitted uses are those uses allowed in the SF-15 District, Section 5.3 of the Zoning Ordinance, Town of Prosper.

A3. Regulations. For Lots 1-9, development is subject to the Retail District except for the following regulations:

1. Maximum Height
 - a. Buildings on Lots 1-7 are limited to one story and a maximum of 30 feet in height.
2. Building Setbacks
 - a. For Lots 1-7, the minimum building setback from an interior property line is 5 feet, except that patios may encroach into interior lot line setbacks on Lots 1, 6 and 7. Patios may not encroach into required landscape setbacks.
3. Maximum Floor Area: Amendment to the Concept Plan is not required for modifications to the building floor area shown at permit application provided the following criteria is met:
 - a. Compliance with off-street parking regulations is maintained for the PD District as a whole.
 - b. The proposed building floor area does not cause a substandard condition or violate any other applicable development standard.
 - c. The proposed building floor area does not exceed the following parameters for each lot: Lot 1: 8,500 square feet; Lot 2: 9,000 square feet; Lot 3: 15,000 square feet; Lot 4: 5,500 square feet; Lot 5: 6,000 square feet; Lot 6: 6,600 square feet; and, Lot 7: 7,500 square feet.

A4. Design Guidelines. For Lots 1-7, the development shall adhere to the following design guidelines:

1. Elevation Review and Approval
 - a. Building Elevations shall substantially conform to the Concept Elevations provided in Exhibits F-1, F-2 and F-3.
 - b. Building Materials in addition to the building materials permitted in Chapter 4, Section 8 of the Zoning Ordinance, as exists or may be amended, such materials shall also include Architectural Structural Block, under the trade name "Quik Brick" (a 4" manufactured concrete masonry unit) and cultured stone (manufactured) individually stacked, as provided in the building elevations Exhibits F-1 – F-3 which is a part herein. The clay-fired brick colors used in Exhibits F-1 – F-3 shall be consistent throughout the Planned Development District. Split-faced block, architectural concrete block, and painted/textured concrete tilt wall shall be limited to a maximum of ten percent (10%) of any single elevation on any pad site.

A 5. Additional Standards

1. Open Space
 - a. Lots 8 and 9, as depicted on the Exhibit D, shall be maintained as open spaces. Lot 9 shall contain an amenity pond
 - b. The amenity pond in Lot 8 shall contain an operable fountain.
 - c. Lots 8 and 9 improvements shall be developed at the time of construction of phase 1.
 - d. Lots 8 and 9 improvements shall be constructed at the developer's cost.
 - e. Lots 8 and 9 shall be maintained by the property owner, or property management association.
2. Hike and Bike Trail
 - a. An 8-foot wide hike and bike trail is required as noted in Lots 2 and 8.

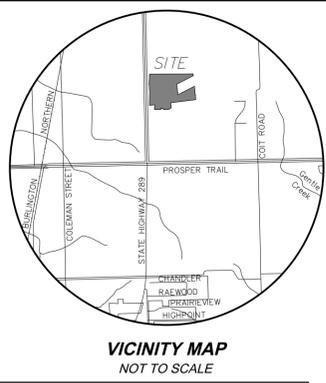
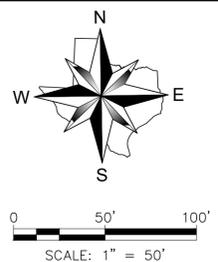
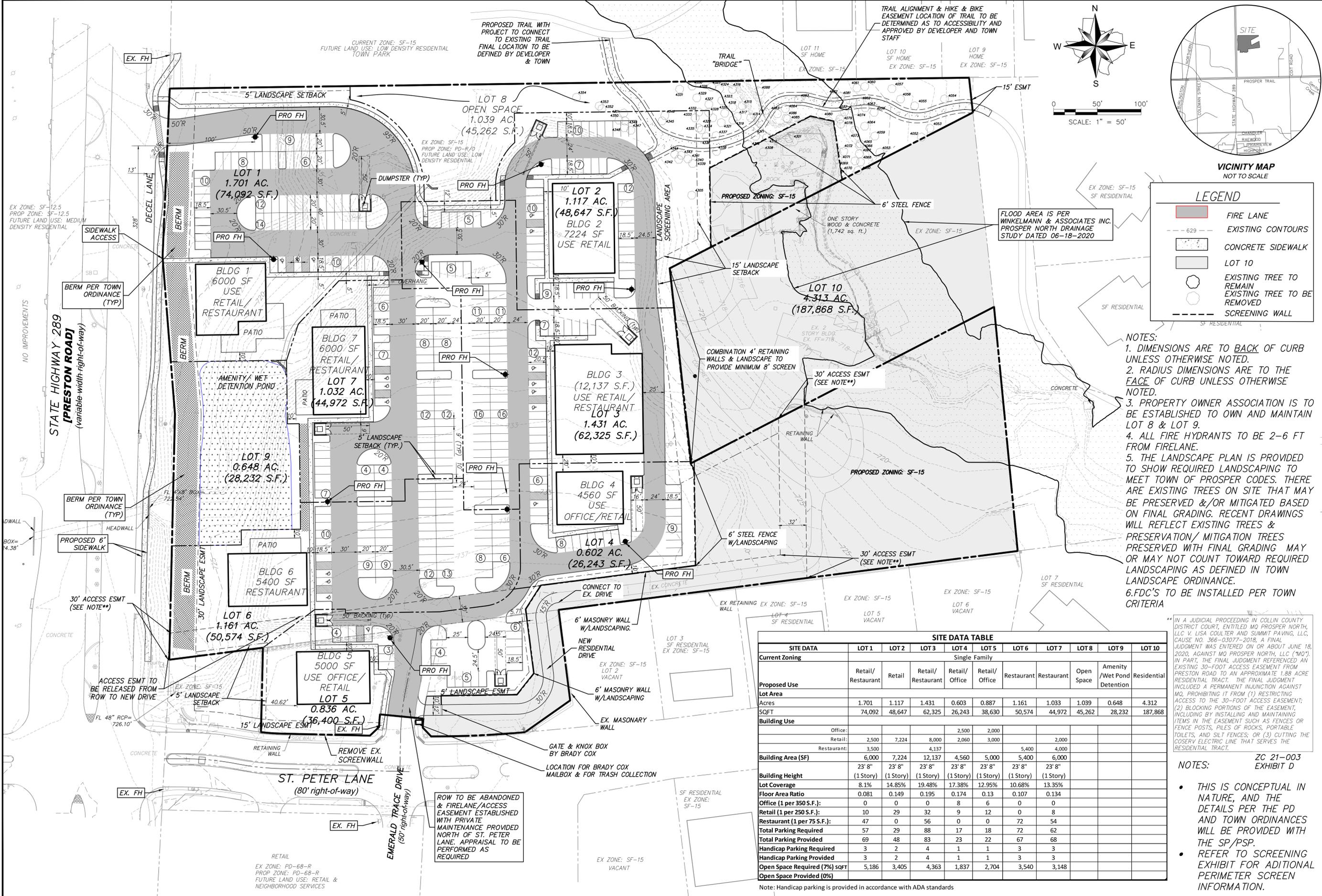
- b. The hike and bike trail shall be constructed at the time of construction of phase 1.
- c. The section of hike and bike trail located on Lots 2 and 8 shall be constructed at the developer's cost.
- 3. Landscaping shall adhere to the Landscape Plan, Exhibit E-1 and E-2.
 - a. A minimum 30-foot landscape easement is required along Preston Road in Lots 1, 6 and 9. The perimeter trees and shrub requirement may be satisfied through a combination of existing and proposed trees per Landscape Plan, Exhibit E-1.
 - b. A berm is required in the landscape easement along Preston Road in Lot 1. Alternative berming is required in the two areas generally identified on the west side of Lots 6 and 9 per the Concept Plan and Landscape Plan.
 - c. A minimum 15-foot landscape easement is required along Saint Peter Lane in Lot 5.
 - d. Perimeter landscaping shall generally comply with the Landscape Plan, Exhibit E-1 and E-2.
- 4. Landscape, parking lots. Parking lot landscaping shall comply with Section 2 of Prosper Development Requirements.
- 5. Landscape Requirements for Certificate of Occupancy. All perimeter landscaping along Preston Road and Saint Peter Lane and all parking lot landscaping within an individual lot shall be installed prior to issuance of a certificate of occupancy (CO).
- 6. Lot Frontage
 - a. Lots are not required to front on a public right-of-way provided each lot has access to a dedicated public access, fire lane and utility easement.
- 7. Perimeter Screening/Fencing. Perimeter screening and fencing shall be provided as shown on the Perimeter Screening Plan, Exhibit H.
 - a. Perimeter screening or fencing is not required along the following perimeters adjacent to residentially zoned property:
 - i. northern perimeter of Lot 1
 - ii. eastern, northern, and portions of the southern perimeters of Lot 8
 - iii. the northern, eastern and southern perimeters of Lot 10, contiguous to residentially zoned property
 - b. Perimeter screening is required as follows:
 - i. a minimum 6-foot tall ornamental metal fence is required along a portion of the southern perimeter of Lot 8, along a portion of the eastern perimeter of Lot 2, and all of the eastern perimeter of Lot 3. Refer to Vegetative Screening Buffer requirements below for vegetative perimeter requirements.
 - ii. a minimum 6-foot tall masonry wall is required along the shared perimeter of Lots 4 and 10. Refer to Vegetative Screening Buffer requirements below for additional perimeter requirements.
- 8. Vegetative screening buffer requirements
 - a. A continuous vegetative hedge is required along a portion of the eastern perimeter of Lot 2 and extending along the entire perimeter of Lot 3 as shown on the Landscape Plan. The vegetative hedge shall be made of a row of shrubs that grow to a minimum height of 8 feet at maturity. A row of trees is also required in the 15' Landscape Setback as noted in Lots 2 and 3 on the Concept Plan and Landscape Plan. A row of evergreen trees is required along the shared perimeter of Lots 4 and 10.
- 9. Parking Requirements. For parking purposes in satisfying off-street parking requirements in Subdistrict A, Lots 1-7 are considered one lot.

A6. Additional Provisions:

Restaurants located on Lots 1, 6 and 7 may have outdoor dining patios oriented toward the open space (Lot 9).

Detention facilities are permitted to be dry ponds, subject to compliance with Town of Prosper Stormwater Regulations, and review and approval by Town Engineering.

The residential tracts shall be incorporated into Lot 10 by replat through the Town's subdivision platting process. No additional residential tracts or lots will be created.



LEGEND

- FIRE LANE
- - - 629 EXISTING CONTOURS
- CONCRETE SIDEWALK
- LOT 10
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- - - SCREENING WALL

- NOTES:**
- DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - RADIUS DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 - PROPERTY OWNER ASSOCIATION IS TO BE ESTABLISHED TO OWN AND MAINTAIN LOT 8 & LOT 9.
 - ALL FIRE HYDRANTS TO BE 2-6 FT FROM FIRELANE.
 - THE LANDSCAPE PLAN IS PROVIDED TO SHOW REQUIRED LANDSCAPING TO MEET TOWN OF PROSPER CODES. THERE ARE EXISTING TREES ON SITE THAT MAY BE PRESERVED &/OR MITIGATED BASED ON FINAL GRADING. RECENT DRAWINGS WILL REFLECT EXISTING TREES & PRESERVATION/ MITIGATION TREES PRESERVED WITH FINAL GRADING MAY OR MAY NOT COUNT TOWARD REQUIRED LANDSCAPING AS DEFINED IN TOWN LANDSCAPE ORDINANCE.
 - FDC'S TO BE INSTALLED PER TOWN CRITERIA

SITE DATA TABLE

SITE DATA	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
Current Zoning	Single Family									
Proposed Use	Retail/ Restaurant	Retail	Retail/ Restaurant	Retail/ Office	Retail/ Office	Restaurant	Restaurant	Open Space	Amenity /Wet Pond Detention	Residential
Lot Area	1,701	1,117	1,431	2,603	0,887	1,161	1,033	1,039	0,648	4,312
SQFT	74,092	48,647	62,325	26,243	38,630	50,574	44,972	45,262	28,232	187,868
Building Use	Office: 2,500 Retail: 2,500 Restaurant: 3,500	7,224	8,000	2,060	3,000		5,400	2,000	4,000	
Building Area (SF)	6,000	7,224	12,137	4,560	5,000	5,400	6,000			
Building Height	23' 8" (1 Story)	23' 8" (1 Story)	23' 8" (1 Story)	23' 8" (1 Story)	23' 8" (1 Story)	23' 8" (1 Story)	23' 8" (1 Story)			
Lot Coverage	8.1%	14.85%	19.48%	17.38%	12.95%	10.68%	13.35%			
Floor Area Ratio	0.081	0.149	0.195	0.174	0.13	0.107	0.134			
Office (1 per 350 S.F.):	0	0	0	8	6	0	0			
Retail (1 per 250 S.F.):	10	29	32	9	12	0	8			
Restaurant (1 per 75 S.F.):	47	0	56	0	0	72	54			
Total Parking Required	57	29	88	17	18	72	62			
Total Parking Provided	69	48	83	23	22	67	68			
Handicap Parking Required	3	2	4	1	1	3	3			
Handicap Parking Provided	3	2	4	1	1	3	3			
Open Space Required (7% SOFT)	5,186	3,405	4,363	1,837	2,704	3,540	3,148			
Open Space Provided (0%)										

Note: Handicap parking is provided in accordance with ADA standards

IN A JUDICIAL PROCEEDING IN COLLIN COUNTY DISTRICT COURT, ENTITLED MO PROSPER NORTH, LLC V. LISA COULTER AND SUMMIT PAVING, LLC, CAUSE NO. 366-03077-2018, A FINAL JUDGMENT WAS ENTERED ON OR ABOUT JUNE 18, 2020, AGAINST MO PROSPER NORTH, LLC ("MO"), IN PART, THE FINAL JUDGMENT REFERENCED AN EXISTING 30-FOOT ACCESS EASEMENT FROM PRESTON ROAD TO AN APPROXIMATE 1.88 ACRE RESIDENTIAL TRACT. THE FINAL JUDGMENT INCLUDED A PERMANENT INJUNCTION AGAINST MO, PROHIBITING IT FROM (1) RESTRICTING ACCESS TO THE 30-FOOT ACCESS EASEMENT; (2) BLOCKING PORTIONS OF THE EASEMENT, INCLUDING BY INSTALLING AND MAINTAINING ITEMS IN THE EASEMENT SUCH AS FENCES OR FENCE POSTS, PILES OF ROCKS, PORTABLE TOILETS, AND SILT FENCES; OR (3) CUTTING THE COSEVY ELECTRIC LINE THAT SERVES THE RESIDENTIAL TRACT.

NOTES: ZC 21-003 EXHIBIT D

- THIS IS CONCEPTUAL IN NATURE, AND THE DETAILS PER THE PD AND TOWN ORDINANCES WILL BE PROVIDED WITH THE SP/PS.
- REFER TO SCREENING EXHIBIT FOR ADDITIONAL PERIMETER SCREEN INFORMATION.

CONCEPT PLAN
PROSPER NORTH
PROSPER, TX 75078

02/10/2023

A-1

Winkelman & Associates, Inc.

CONSULTING CIVIL ENGINEERS SURVEYORS
6720 HILLCREST PLAZA DR., SUITE 215 (972) 486-7899
10000 W. PARKWAY, SUITE 100 (972) 486-7899 FAX
CORPORATE OFFICE: WINKELMANN & ASSOCIATES, INC.

NO.	DATE	REVISION	APPROV.
11.	04/06/2023	RESUBMITTAL	MC
10.	02/10/2023	RESUBMITTAL	MC
9.	01/17/2023	RESUBMITTAL	MC
8.	12/22/2022	RESUBMITTAL	MC
7.	09/15/2022	RESUBMITTAL	MC
6.	08/29/2022	RESUBMITTAL	MC
		REVISION	MC
		DATE	MC

LAST SAVED BY: ALOREZANA April 5, 2023

34271\ENGINEERING\Construction Plans\34271 - SITE PLAN.dwg

Page 185



CONCEPTUAL RENDERING OF OFFICE BUILDING
Z21-0003
EXHIBIT F-1



CAST STONE

STONE

BRICK

CAST STONE

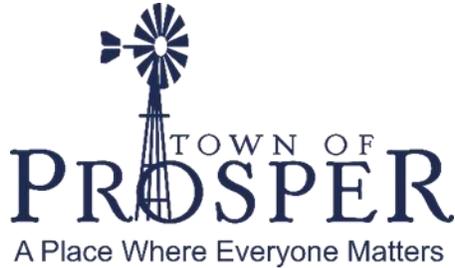
STONE

CONCEPTUAL RENDERING OF RETAIL BUILDING
Z21-003
EXHIBIT F-2

PICTURE OF REAR OF 9 & 10 KROGER SITE



CONCEPTUAL RENDERING OF RETAIL BUILDING
Z21-003
EXHIBIT F-3



PLANNING

To: Mayor and Town Council

From: David Soto, Planning Manager

Through: Mario Canizares, Town Manager
Chuck Ewings, Executive Director of Development and Infrastructure Services
David Hoover, Director of Development Services

Re: Development Agreement MQ Prosper North

Town Council Meeting – May 23, 2023

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Development Agreement between MQ Development Partners and the Town of Prosper, related to the MQ Prosper North Development, located on the east side of Preston Road, north of St. Peter Lane. (DEVAGRE-23-0007)

Description of Agenda Item:

On April 25, 2023, the Town Council approved the proposed request.

A Development Agreement has been prepared accordingly. The ordinance for the adoption of the zoning request, is also on the May 23, 2023, Town Council agenda for consideration.

Legal Obligations and Review:

Town Attorney, Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the agreement as to form and legality.

Attachments:

1. Development Agreement
2. Exhibits

Town Staff Recommendation:

Town staff recommends that the Town Manager to execute a Development Agreement between MQ Development Partners and the Town of Prosper, related to the MQ Prosper North Development, located on the east side of Preston Road, north of St. Peter Lane.

Proposed Motion:

I move to authorize the Town Manager to execute a Development Agreement between MQ Development Partners and the Town of Prosper, related to the MQ Prosper North Development, located on the east side of Preston Road, north of St. Peter Lane.

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (“Agreement”) is entered into by and between the Town of Prosper, Texas (“Town”), and MQ Development Partners, LP, a Texas limited partnership (“Developer”), collectively referred to as “Parties,” to be effective on the date last executed by either of the Parties (the “Effective Date”).

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 an approximate 13.3-acre tract of land generally located east of Preston Road and north of St. Peter Lane, more particularly described in Exhibit A, attached hereto and incorporated by reference (the “Property”); and

WHEREAS, the Property was rezoned by the Town Council on or about April 25, 2023, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the Ordinance rezoning the Property, as said Ordinance may be amended, and/or this Development Agreement, to recognize Developer’s reasonable investment-backed expectations in the development of the Property 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. 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, except for those buildings identified as Buildings 1 and/or 5 on the Concept Plan, attached hereto as Exhibit B and incorporated by reference, 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. Further, Developer agrees and acknowledges that it suggested and has agreed that any such alcohol sales in said Buildings 1 and/or 5 shall be subject to the specific use permit process contained in the Town’s Zoning Ordinance, as amended, and further, Developer agrees and acknowledges that this Agreement is not a zoning ordinance or a contractual agreement to either zone or rezone the Property relative to Buildings 1 and/or 5 on the Property. 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. Development Standards. For any structure built on the Property following the Effective Date, it shall comply with the requirements contained in Exhibit C, elevations and building materials for the structure(s) located on the Property, 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.

3. Business Hours on Lots 2, 3 and 4. Developer agrees and acknowledges that no businesses located on Lots 2, 3 or 4 of the Property shall remain open to the public after 10:00 p.m.

4. Weed-Free Landscape Areas. Developer agrees to maintain all landscaped areas of the Property, as reflected on the Landscape Plan attached hereto as Exhibit D and incorporated by reference, 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. Failure to comply with the terms of this Paragraph relative to weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter may result in the filing of a complaint against Developer in the Town's municipal court (or other appropriate forum) or other such action deemed appropriate by the Town related to the enforcement of the terms and provisions of this Paragraph.

5. 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 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 owners of the Property, regardless of whether this Agreement is expressly referenced therein.

6. Applicability of Town Ordinances. Developer shall construct all structures on the Property in accordance with all applicable Town ordinances and building/construction codes, whether now existing or arising prior to such construction in the future.

7. 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.

8. 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.

9. 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
200 S. Main Street
P.O. Box 307
Prosper, Texas 75078
Attention: Town Manager

If to Developer: MQ Development Partners
4622 Maple Avenue, Suite 200
Dallas, Texas 75219
Attention: Donald L. Silverman

10. 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).

11. 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.

12. 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.

13. Binding Agreement. A telecopied facsimile or pdf of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein.

14. Authority to Execute. This Agreement shall become a binding obligation on the signatories upon execution by all signatories 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.

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 non-binding mediation.

16. Notification of Sale or Transfer; Assignment of Agreement. 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 an owner 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 owner 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 or pdf signature will also be deemed to constitute an original.

21. 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.

22. 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.

23. 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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 _____, 2023, 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:

MQ DEVELOPMENT PARTNERS, a Texas
limited partnership

By: _____
Donald L. Silverman, CEO

STATE OF TEXAS)
)
COUNTY OF DALLAS)

This instrument was acknowledged before me on the ____ day of _____, 2023, by Donald L. Silverman, in his capacity as Chief Executive Officer of MQ Development Partners, a Texas limited partnership, 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)

EXHIBIT B
(Concept Plan)

EXHIBIT C
(Building Materials and Elevations)

EXHIBIT D
(Landscape Plan)

David Soto

From: Terry Welch <twelch@bhlaw.net>
Sent: Thursday, May 4, 2023 10:42 AM
To: David Soto; Chuck Ewings
Subject: [*EXTERNAL*] - MQ Development Agreement
Attachments: Prosper Development Agreement MQ Development Partners 5-1-23.docx

***** This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. *****

Dear David and Chuck:

Attached is a draft copy of the development agreement for the MQ/Silverman tract of land. Please let me know if you have any questions or concerns. If not, please feel free to forward to Don.

Thanks, Terry



**TOWN SECRETARY'S
OFFICE**

To: Mayor and Town Council

From: Michelle Lewis Sirianni, Town Secretary

**Through: Mario Canizares, Town Manager
Robyn Battle, Executive Director of Community Services**

Re: Town Council Subcommittees

Town Council Meeting – May 23, 2023

Agenda Item:

Discuss and consider making appointments to the Council Subcommittees.

Description of Agenda Item:

Each year following the Election, the Town Council reviews and has the opportunity to make any necessary changes to the Town Council Subcommittees.

The current subcommittees are comprised of the following Councilmembers:

- Technology/VERF – Deputy Mayor Pro-Tem Andres and Councilmember Kern
- Finance – Mayor Bristol, Councilmembers Ray and Cotten
- Broadband – Deputy Mayor Pro-Tem Andres, Councilmembers Ray and Kern
- Capital Improvements – Mayor Pro-Tem Hodges, Councilmembers Bartley and Cotten
- Legislative Affairs – Mayor Bristol and Deputy Mayor Pro-Tem Andres
- CEC – Mayor Pro-Tem Hodges, Councilmembers Bartley and Ray

Attached Documents:

1. Town Council Subcommittee's List

Town Staff Recommendation:

Town staff recommends the Town Council review and make any necessary changes to the Town Council Subcommittees.

Town Council Subcommittees

The Town Council Subcommittees are responsible for providing input and making recommendations to Town staff on behalf of the Town Council. There are currently five Town Council Subcommittees. The purpose and scope of each subcommittee is defined below.

Council Technology/VERF Subcommittee

- Shall periodically review the Town's existing technological capabilities, and make recommendations for improvements
- Shall periodically review and make recommendations on the Town's Vehicle and Equipment Replacement Fund (VERF) as it relates to the acquisition, implementation, maintenance and upgrading of the Town's technology, software, and computer equipment
- Shall make recommendations for the continuous improvement of the Town's website and use of social media
- Shall make recommendations to promote the use of technology to increase efficiency of operations within the Town

The current subcommittee consists of two Councilmembers (Craig Andres and Chris Kern). Staff support includes the Town Manager, Executive Director of Administrative Services, IT Director, Finance Director, and Purchasing Manager.

Council Finance Subcommittee

- Shall review the Town's annual Audit/CAFR prior to presentation to the Town Council
- Shall periodically review and make recommendations to the Town's employee compensation and classification plan
- Shall periodically review and make recommendations to the Town's Vehicle and Equipment Replacement Fund (VERF) as it relates to the acquisition, replacement and upgrading of the Town's vehicles and equipment
- Shall review and make recommendations to the investment policy annually
- Shall make recommendations on various Town-related financial matters

The current subcommittee consists of three Councilmembers (Mayor David Bristol, Marcus Ray, and Charles Cotten). Staff support includes the Town Manager, Executive Director of Administrative Services, and Finance Director.

Council Benefits Subcommittee – Dissolved by Town Council on December 13, 2022

- Shall review significant changes to employee benefits that may impact the Town's ability to attract and retain employees
- Shall periodically review and provide input on benefit plans offered to employees
- Shall periodically review and provide input on the employee wellness program
- Shall provide advice and direction to ensure Town benefits are cost-effective

The current subcommittee consists of three Councilmembers (Jeff Hodges, Amy Bartley, and Charles Cotten). Staff support includes the Town Manager, Executive Director of Administrative Services, HR Director, and Finance Director.

Council Broadband Subcommittee

Established for the purpose of researching internet service options within the Town. Committee may meet with providers and/or an external organization to study current service and develop a plan to improve service within the Town.

The current subcommittee consists of three Councilmembers (Craig Andres, Marcus Ray, and Chris Kern) and Greg Creek (resident). Staff support includes the Town Manager, Executive Director of Administrative Services, Development Services Director, IT Director, and Town Attorney (as needed).

Community Engagement Committee (CEC) – Established as formal Committee on September 13, 2022

Established in December 2020 for the purpose of providing residents with an opportunity to enhance the Town's interaction with the public. The Community Engagement Subcommittee shall:

- Act in an advisory capacity to the Town Council regarding Community Engagement activities
- Identify topics of interest and methods or techniques to improve community engagement
- Evaluate, provide feedback, and make recommendations on selected Town programs, events, and activities
- Serve as a focus group for selected pilot projects or programs that may require or benefit from public input before implementation
- Serve as social media ambassadors for the Town by engaging with the Town's social media platforms
- Inform the Subcommittee of community events that may be of interest to the Town Council (multicultural celebrations, large neighborhood events, nonprofit events, etc.)

The current committee consists of three Councilmembers (Marcus Ray, Amy Bartley, Jeff Hodges) and eleven Council-appointed residents with one alternate (See Ord. 2022-56 and 2022-61). Staff support includes the Executive Director of Community Services and Community Engagement Specialist.

Legislative Affairs Subcommittee

- Reviews makes recommendations to the full Council on the Town's Legislative Agenda prior to each legislative session
- Serves as the primary representatives responsible for communicating the Town's legislative priorities to members of the Texas Legislature, appropriate legislative committees, staff members or agencies
- Works with the Town & EDC lobbyist and staff to develop legislative strategies and tactical responses to support or oppose legislation in accordance with the Town's Legislative Agenda.

The current subcommittee consists of two Councilmembers (Mayor Bristol and Craig Andres). Staff support includes the Town Manager, Executive Director of the Prosper Economic Development Corporation and Executive Director of Community Services

Capital Improvements Subcommittee

- Obtain a holistic view of the Town's short-term and long-term capital improvement needs regardless of possible funding sources.
- Using projected funding available by year received from staff and reviewed by the Finance sub-committee prioritize the timing and scope of projects for a minimum of five but potentially up to ten years. Available funding sources as determined by the Finance sub-committee will include the Capital Dedicated Fund, Impact Fee Funds, debt issuance, grants, year-end savings, and other sources.
- In the event, that the sub-committee believes that available funding is not sufficient to complete all needed capital projects within the desired timeframe request the Finance sub-committee to identify additional funding sources including additional debt issuance.
- Make a clear recommendation to the Town Council on the capital improvement projects that would be selected as part of the budget process through the adoption of the Multi-Year Capital Plan.

The current subcommittee consists of three Councilmembers (Jeff Hodges, Amy Bartley, and Charles Cotten). Staff support includes the Town Manager, Executive Director of Administrative Services, and Interim Executive Director of Infrastructure and Development Services.



Town Manager's Office

To: Mayor and Town Council

From: Mario Canizares, Town Manager's Office

Re: May 2022-2023 Council and Staff Review of Activities & Services
Town Council Meeting – May 23, 2023

Agenda Item:

Discussion regarding a review of activities and services of Town Council and staff from May 2022 to May 2023.

Description of Agenda Item:

Over the last twelve months, the Town of Prosper has experienced a significant transition of leadership at the Council and Staff level. With that level of transition, it will usher in differing philosophies and ideas of how to approach Town services for the community.

The purpose of this discussion is to demonstrate the highlights of major milestones that have occurred in the Town of Prosper organization from May 2022 to May 2023. This is an opportunity to reflect on what has been accomplished that sets the direction of moving forward as we strive towards leading with excellence.

The Mayor requested that staff provide a summary of past accomplishments since May 2023. This summarized list will be provided to the Council at the May 23rd Town Council meeting. There may be some items that were left off and I hope that no one takes offense if items are missing. It was not intended to diminish or overlook past activities.

Budget Impact:

There is no budgetary impact affiliated with this item.

Town Staff Recommendation:

This is a discussion item only.

Proposed Motion:

This is a discussion item only.