

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE; GRANTING A SPECIFIC USE PERMIT (SUP) FOR A WIRELESS COMMUNICATIONS AND SUPPORT STRUCTURE, LOCATED ON A TRACT OF LAND CONSISTING OF 0.0048 ACRE, MORE OR LESS, IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS; 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 from T-Mobile ("Applicant") for a Specific Use Permit (SUP) for a wireless communications and support structure, on a tract of land zoned Agricultural (A), consisting of 0.0048 acre of land, more or less, in The Collin County School Land Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas, 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 to grant a Specific Use Permit (SUP) 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

Specific Use Permit Granted. The Town's Zoning Ordinance is amended as follows: Applicant is granted a Specific Use Permit (SUP) for a wireless communications and support structure, on a tract of land zoned Agricultural (A), consisting of 0.0048 acre of land, more or less, in the Collin County School Land Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas, 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 Specific Use Permit shall conform to, and comply with 1) the site plan, attached hereto as Exhibit "B", and 2) the elevations, attached hereto as Exhibit "C", which are incorporated herein for all purposes as if set forth verbatim, subject to the following conditions of approval by the Town Council:

1. Town Council approval of a lease agreement to allow for the use of facilities on Town property.

All development plans, standards, and uses for the Property shall comply fully with the requirements of all ordinances, rules, and regulations of the Town of Prosper, as they currently exist or may be amended.

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 No. 05-20, or 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 No. 05-20 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 25TH DAY OF JULY, 2023.**


David F. Bristol, Mayor

ATTEST:


Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:


Terrence S. Welch, Town Attorney



SURVEY

1240 FRONTIER PARKWAY
PROSPER, TX 75078

1200

• Mobile •

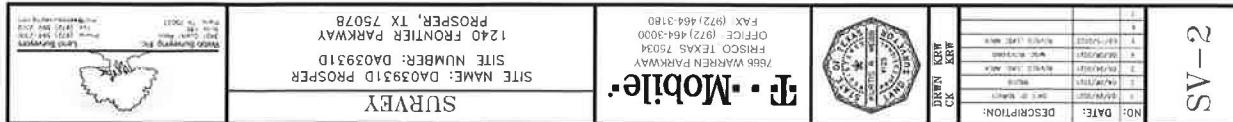
A circular library stamp with a decorative border. The text inside reads 'STATE LIBRARY OF NEW SOUTH WALES' at the top and 'SYDNEY' at the bottom. In the center, it says 'LIBRARY STAMP' and 'RECEIVED' above 'RECEIVED'.

SV-1

Exhibit A

SCALE: 1" = 100' (11X17)
1" = 60' (22X24)

SITE PLAN SCALE 1" = 50'



Zoning Case #:
ZONE-23-0008

NOTICE: WE ARE A FOUNDATION SOCIETY IN COMPLIANCE WITH THE ANS/NSCE A10-08 AND ANY OTHER SAFETY STANDARDS.

LEGEND

HP	POWER POLE
SP	TELEPHONE JACK
WV	WATER VALVE
FM	PIPE HYDRANT
TC	TOWER CENTROID
LP	LIGHT POLE
EW	ELECTRIC METER
GM	GAUGE METER
IRS	IRON ROD SET
RF	IRON ROD FOUND
TBM	SEARCH MARK
BLP	BLINDING LINES
TL	TELEPHONE LINE
PL	POWER LINE

DUKE BRIDGES CAMPUS
2668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (972) 464-3510

SUITE 200
CAMP CHARGES
406-6334

LPRO



03931D
PORT COMPLEX
(AND NATATORIUM)

EQUIPMENT
GROUND PLAN

C-2

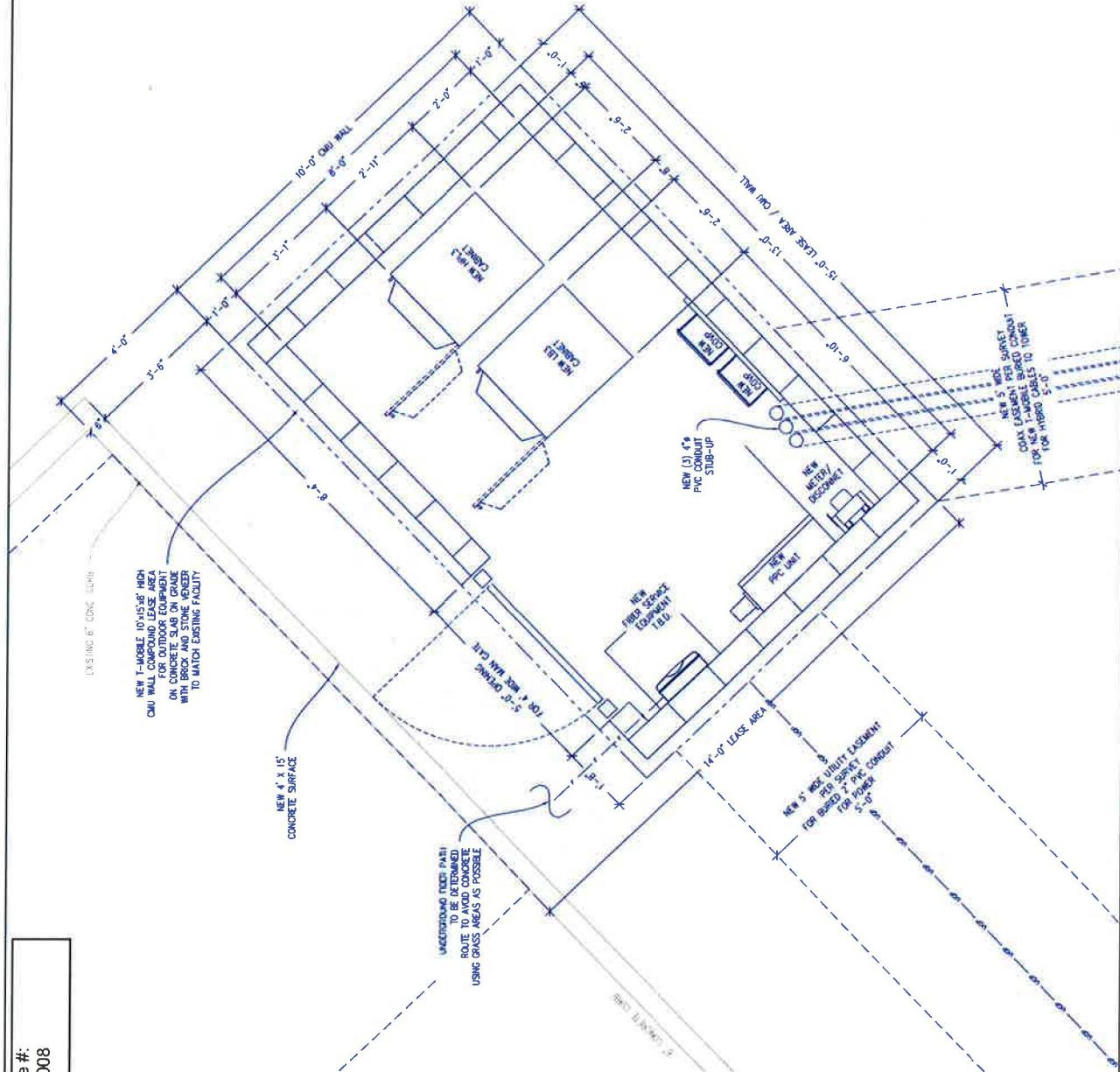


Exhibit B

EQUIPMENT COMPOUND PLAN



ALL TESTIMONIES SHALL BE IN CONFORMITY WITH THE STANDARDS
TO BE SET BY THE STATE'S ATTORNEY GENERAL.

166

1" FISHING BLOCK

8" BUND BEAM W/ 1 1/4" CONCRETE AT TOP OF WALL

8" BUND BEAM W/ 1 1/4" CONCRETE AT MID HEIGHT OF WALL

5" THICK 8'-0" HIGH TEXTURED CMU BLOCK WALL

4" GAUCHE LADDER TYPE CONCRETE CONN. REIN. @ 16' 6" BARS • 15" SPACING

GROUT-FILLED CMU ALL CELLS BETWEEN EODING AND TOP OF SURFACE ALSO GROUT-FILLED CMU ALL CELLS WITH VERTICAL REBAR (SEE DETAIL 2)

6" REBAR @ 12' 0" OC. EACH WAY

6 MIL POLYETHYLENE VAPOR BARRIER TIP

4" MIN SAND CUSHION

9-1

9-2

The diagram shows a cross-section of a concrete foundation. The top horizontal dimension is 5'-8". The left vertical dimension is 2'-0". The right vertical dimension is 0'-5" G.R. (Ground Rebar). A callout indicates a corner reinforcement requirement of 2". A dashed line at the bottom represents the rebar, with a note: 'REINFORCED'.

REBAR W/ GROUT SPACING

REBAR W/ C

WEEP HOLES WITH 1'-4" SPACING AROUND ALL WALLS
Drip Edge
CMU BRICK
NEW FOUNDATION

SITE ID:
DA0931D
SITE NAME:
PISD SPORT
COMPLEX

1240 FRONTIER PKWY PARK RD,
PROSPER, TX 75078
COLLIN COUNTY

THE MEET

MU WALL JEAI

110

Exhibit C

Exhibit C

Exhibit C

NOTES:

1. ALL INSTALLATIONS SHALL BE IN COMPLIANCE WITH ANSI/AISE T14.2 AND ANY OTHER SAFETY STANDARDS
2. GENERAL CONTRACTOR TO VERIFY WITH GENERATOR MANUFACTURER FOR FIT PRIOR TO POURING CONCRETE AND INSTALLATION
3. GENERATOR DESIGN AND DRAWINGS BY OTHERS

FOUNDATION NOTES:

1. COMPRESSIVE STRENGTH OF CONCRETE SHALL BE 4000 PSI AT 28 DAY CURE, AND SHALL MEET SPECIFICATION FOR READY-MADE CONCRETE (ASTM C94-16). CONCRETE SHALL BE PLACED AND CURED AS PER ACI 318 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE.

2. CONCRETE SLUMP SHALL RANGE BETWEEN 4 INCHES TO 6 INCHES

3. ALL CONCRETE WORK SHALL CONFORM TO ACI 318 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE.

4. THE SURFACE, OVER WHICH THE CONCRETE WILL BE POURED, SHALL BE CLEAN OF LOOSE MATERIAL AND LEVELED PRIOR TO CONCRETE PLACEMENT

5. CONCRETE SHALL BE PLACED IN A MANNER THAT WILL PREVENT SEGREGATION OF CONCRETE MATERIALS AND OTHER OCCURRENCES THAT MAY DECREASE THE STRENGTH OR DURABILITY OF THE FOUNDATION.

6. MECHANICALLY VIBRATE CONCRETE, PARTICULARLY WHEN POURED IN DIFFERENT LIFTS, TO ENSURE CONSOLIDATION AND TO AVOID JOINTS.

7. ALL REINFORCING STEEL BARS SHALL BE DOMESTIC, NEW BILLET STEEL, ASTM A-615, GRADE 60 REINFORCING SHALL BE DETAILED AND FABRICATED IN ACCORDANCE WITH ACI 315-LATEST EDITION - "MANUAL OF STANDARD FOR DETAILING REINFORCED CONCRETE".

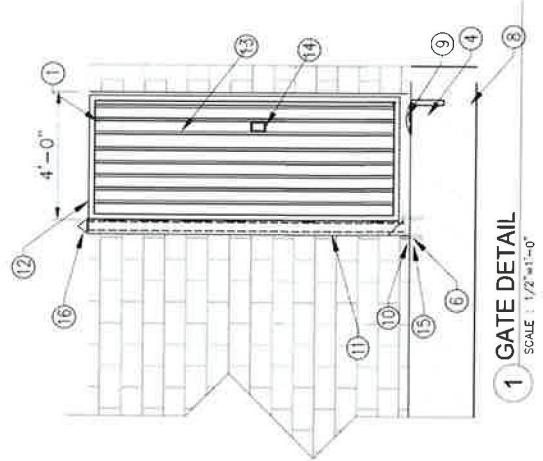
8. ALL LOAD BEARING FOOTING SHALL BEAR ON TOP OF COMPACTED SOIL

9. WELDING OF REINFORCING BARS AND DOWEL BARS IS PROHIBITED UNLESS OTHERWISE APPROVED BY ENGINEER.

10. PRIOR TO THE EXCAVATION, CHECK AREA FOR LOCATION OF UNDERGROUND PIPES, CABLES, ETC.

11. ALLOWABLE SOIL BEARING PRESSURE SHALL BE 1500 PSF MINIMUM, IF DIFFERENT, PLEASE NOTIFY ALLPRO CONSULTING GROUP, INC FOR A REDESIGN.

12. SOIL DATA AS PER PRESUMPTIVE SOIL PARAMETERS FROM IBC 2015 CODE, TABLE 1606.2



SCALE: 1/2" = 1'-0"

REFERENCE NOTES:

1. MANUFACTURER TO PROVIDE RUST INHIBITIVE PAINT OR GALVANIZATION
2. EXISTING SITE MATERIAL
3. WELD ON HEAVY DUTY HINGE (4) PER LENGTH OF TUBE WITH FINISH TO MATCH FRAME
4. (1) GATE STOP
5. HSS44x3/8 FINISH TO MATCH GATE FRAME WELDED TO BASEPLATE W/ 3/16" WELD ALL AROUND
6. 3/4" BASEPLATE W/ (4) 3/4" DIAMETER BOLTS EMBEDDED 4 1/2" INTO FOUNDATION W/ HILTITE 200 ADHESIVE ANCHOR. 1 1/2" 5000 PSI NON SHRINK GROUT BELOW.
7. 1/2" CAP PLATE, WELD TO TOP OF POST W/ 3/16" WELD ALL AROUND.
8. GATE STOP SUPPORT 2" DIAMETER BY 2'-0" DEEP 3000 PSI CONCRETE W/ MUSHROOM GATE STOP EMBEDDED ON TOP OF CONCRETE.
9. REMOVABLE 1/2" DIAMETER BENT BAR WITH CASING EMBEDDED IN GATE STOP CONCRETE
10. BASE BLOCK TRIMMED AROUND BASE AND GROUTED FROM TOP W/ 5000 PSI NON SHRINK GROUT OVER BASEPLATE.
11. LAST TWO CELLS FULLY GROUTED ONE CELL AWAY FROM END TO BE FULLY GROUTED W/ (2) #5 BARS.
12. 2 SC IN STEEL FRAME ALL AROUND
13. 1 1/2 IN. STEEL PICKETS @ 4" O.C
14. KNOB BOX
15. 1 1/2" TALL BY 12" CONCRETE VERTICAL EXTENSION FROM FOOTING FOR STEEL GATE BASE PLATE ANCHOR

Mobile
DUKE BIRDIEES CAPPUA
7668 WARRIOR PKWY
FORT WORTH, TX 76134
OFFICE: (822) 366-3534



SITE ID: DA0831D
SITE NAME: PSD SPORT COMPLEX

1246 FRONTIER PKWY PARK RD,
PROSPER, TX 75078
COLLIN COUNTY

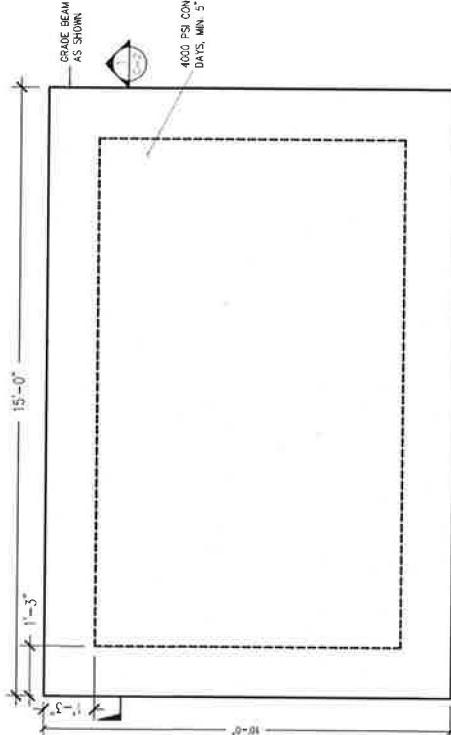
SHRINK GROUT
PAD DETAILS

S-3

CONCRETE FOUNDATION PLAN VIEW

2

Exhibit C



MASONRY

1. MASONRY STRENGTH
- A. HOLLOW CONCRETE MASONRY UNITS: GRADE N, LIGHTWEIGHT WITH A COMPRESSIVE STRENGTH OF $F = 1500$ PSI ON THE NET AREA.

B. GROUT: 2000 PSI, MINIMUM 28 DAY COMPRESSIVE STRENGTH. VIBRATE GROUT IMMEDIATELY AFTER POURING AND AGAIN AFTER 5 MINUTES. GROUT SHALL CONFORM TO TO ASTM C476 AND UBC 2103. MIX GROUT FOR AT LEAST FIVE MINUTES AND UNTIL MIX HAS BEEN ATTAINED. GROUT SHALL HAVE SUFFICIENT WATER ADDED TO PRODUCE A CONSISTENCY FOR POURING WITHOUT SEGREGATION. USE GROUT WITHIN 1.5 HOURS OF ADDITION OF MIXING WATER.

C. MORTAR: CEMENT-LIME TYPES, 1800 PSI MINIMUM 28 DAY COMPRESSIVE STRENGTH. CONFORM TO UBC 2103.

D. 4,000 PSI STRENGTH CONCRETE AT 28 DAY 3" TO 5" SLUMP.

LAY UNITS IN RUNNING BOND. CORNERS SHALL HAVE A STANDARD BOND BY OVER- LAPPING UNITS.

MAXIMUM GROUT LIFT WITHOUT CLEAN-OUTS SHALL BE 4'-0".

TIE VERTICAL REINFORCING AT EACH END OF BAR AND AT 4'-0" MAXIMUM VERTICAL SPACING USING SINGLE WIRE LOOP TYPE TIES AS MANUFACTURED BY A.A. WIRE PRODUCTS COMPANY OR APPROVED ALTERNATE.

SEE ARCHITECTURAL DRAWINGS FOR LOCATIONS OF EXPANSION AND CONTROL JOINTS.

GROUT SOLID ALL WALLS IN CONTACT WITH EARTH, RETAINING WALLS, STEM WALLS, AND AS NOTED ON DRAWINGS. GROUTED MASONRY SHALL BE CONSTRUCTED IN SUCH A MANNER THAT ALL ELEMENTS OF THE MASONRY ACT TOGETHER AS A STRUCTURAL ELEMENT.

8. PRIOR TO GROUTING, THE CROUT SPACE SHALL BE CLEAN SO THAT ALL SPACES TO BE FILLED WITH GROUT DO NOT CONTAIN MORTAR PROJECTIONS GREATER THAN 1/2 INCH. MORTAR DROPPINGS OR OTHER FOREIGN MATERIAL, GROUT SHALL BE PLACED SO THAT ALL SPACES DESIGNATED TO BE GROUTED SHALL BE FILLED WITH GROUT AND THE GROUT SHALL BE CONFINED TO THOSE SPECIFIC SPACES.

9. GROUT MATERIALS AND WATER CONTENT SHALL BE CONTROLLED TO PROVIDE ADEQUATE FLUIDITY FOR PLACEMENT, WITHOUT SEGREGATION OF THE CONSTITUENTS, AND SHALL BE MIXED THOROUGHLY.

10. THE GROUTING OF ANY SECTION OF WALL SHALL BE COMPLETED IN ONE DAY WITH NO INTERRUPTIONS GREATER THAN ONE HOUR.

12. BETWEEN GROUT POURS, A HORIZONTAL CONSTRUCTION JOINT SHALL BE FORMED BY STOPPING ALL C.M.U. AT THE SAME ELEVATION AND WITH THE GROUT STOPPING A MORTAR DROPPINGS OR OTHER FOREIGN MATERIAL. GROUT SHALL BE PLACED SO THAT WHERE BOND BEAMS OCCUR, THE GROUT POUR SHALL BE STOPPED A MINIMUM OF 1/2 INCH BELOW THE TOP OF THE MASONRY.

13. SEGREGATION OF GROUT MATERIALS AND DAMAGE TO THE MASONRY SHALL BE AVOIDED DURING THE GROUTING PROCESS.

14. GROUT SHALL BE CONSOLIDATED BY MECHANICAL VIBRATION DURING PLACEMENT BEFORE LOSS OF PLASTICITY IN A MANNER TO FILL THE GROUT SPACE. GROUT POURS GREATER THAN 12 INCHES IN HEIGHT WILL BE RECONSOLIDATED BY MECHANICAL VIBRATION TO WHERE BOND BEAMS OCCUR, THE GROUT POUR SHALL BE STOPPED A MINIMUM OF 1/2 MECHANICALLY VIBRATED OR PUDDLED AND RODDED WITH SMOOTH BAR.

15. GROUT SHALL NOT BE HANDLED NOR PUMPED UTILIZING ALUMINUM EQUIPMENT UNLESS IT CAN BE DEMONSTRATED WITH THE MATERIAL AND EQUIPMENT TO BE USED THAT THERE WILL BE NO DELETERIOUS EFFECT ON THE STRENGTH OF THE GROUT.

16. PLACE #4 VERTICAL REINFORCEMENT @ EACH CORNER AND @ EACH SIDE OF AN OPENING

T Mobile

DUKE BUILDERS CAMPUSS
7688 WALTERS PARKWAY
FORT WORTH TX 76130
OFFICE: (817) 464-3510



SITE ID:
DA0931D
SITE NAME:
PISD SPORT
COMPLEX

1240 FRONTIER PKWY PARK RD
PROSPER, TX 75078
COLLIN COUNTY
MAIL TO:

MASONRY NOTES

STREET NUMBER
S-4

Exhibit C