



PARKS AND RECREATION

To: Mayor and Town Council

From: Dan Baker, Director of Parks and Recreation

Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager

Re: Park Improvement Fee Agreement for Toll Southwest LLC, for the Legacy Gardens – Phases 3 and 4

Town Council Meeting – May 19, 2026

**Strategic Visioning Priority: Provide Excellent Municipal Services
Accelerate Infrastructure Delivery**

Agenda Item:

Consider and act upon a Park Improvement Fee Agreement between the Town of Prosper and Toll Southwest LLC, for Legacy Gardens – Phases 3 and 4.

Description of Agenda Item:

By Town Ordinance, developers in Prosper are assessed park improvement fees and park dedication fees for residential development. These park fees are used to acquire land and build parks, park amenities, and hike and bike trails. The grandfathered park improvement fee structure is \$1,500 per single-family residential unit, and the number of lots divided by 35 or 5% of the development area which yields acreage for land dedication or a fee in lieu of the land dedication based on the land value.

The developer of Legacy Gardens – Phases 3 and 4 is requesting consideration of an Agreement to:

- (1) Receive credits to the park improvement fees in exchange for constructing trail throughout their development.
- (2) Receive Park Dedication fees credit for .497 acres of land dedicated adjacent to Creekside Park.

Item No.	Description	Amount
P-1	TOTAL PARK FEE IN LIEU	\$ 1,351,537.77
P-2	TOTAL EXPECTED PARK IMPROVEMENT FEES	\$ 405,000.00
P-3	FULL REIMBURSEMENT & REIMBURSABLE UPSIZED TRAIL COSTS	\$ (535,933.75)
P-4	ESTIMATED PARK FEE IN LIEU TO BE REIMBURSED IN EXCESS OF THE HOPE TRAIL ESCROW	\$ (35,269.50)
TOWN-RETAINED PARK FEES		\$ 1,185,334.52

The Parks and Recreation Board will review and make a recommendation at their meeting on May 13, 2026. The Town Council previously reviewed this item at their March 10, 2026, work session.

Budget Impact:

- Park improvement fees credited – 270 lots @ \$1,500 = \$405,000.00
- Park Dedication fees credited – 270 lots / 35 = 7.714 acres @ \$187,271.41 / acres (per DCAD) = \$1,445,611.66. This amount is greater than 5% of the development area (136.897 acres) totaling 6.845 acres.
- Parkland dedication of .497 acres subtracted from 7.714 acres owed = 7.217 acres @ \$187,271.41 / acres = \$1,351,537.77

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. Park Improvement Fee Agreement for Legacy Gardens – Phases 3 and 4
2. Town Attorney approval email

Town Staff Recommendation:

Town Staff recommend the Town Council approve a Park Improvement Fee Agreement between the Town of Prosper and Toll Southwest LLC, for Legacy Gardens – Phases 3 and 4.

Proposed Motion:

I move to approve a Park Improvement Fee Agreement between the Town of Prosper and Toll Southwest LLC, for Legacy Gardens – Phases 3 and 4.