



## PLANNING

**To: Mayor and Town Council**

**From: David Hoover, Director of Development Services**

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

**Re: Pradera Development Agreement**

**Town Council Meeting – August 22, 2023**

**Strategic Visioning Priority: 3. Commercial Corridors are ready for Development**

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**Agenda Item:**

Consider and act upon a Development Agreement for the proposed Pradera Development, located north of Prosper Trail and west of the Dallas Parkway.

**Description of Agenda Item:**

The attached Pradera Development Agreement includes the Town's standard development agreement language regarding building materials and "family friendly" business establishments, including the exclusion of package liquor store, but also includes the following: (1) more robust landscape maintenance requirements and (2) periodic review of the property's zoning by the Town Council.

The landscape maintenance requirements provide that Landscape Areas, and their plantings and vegetation must be appropriately maintained, which includes mulching, prompt replacement of dead and dying vegetation with new vegetation, mowing and other routine and regular maintenance of plants and other vegetation. In the event that does not occur, the Town will promptly notify the developer (or subsequent owner) of any failures to maintain, and the developer/owner will be given time to correct any deficiencies. If no action is undertaken, the Town has the right to enter onto the property, replace, replant, or take other appropriate actions regarding the lack of maintenance, and thereafter invoice the developer/owner for the costs the Town incurs, plus an administrative fee. If payment to the Town is not made within 30 days, a lien for the costs incurred may be placed on the property. At no time does the Town waive any other rights it may have, such as enforcement of the Town's high weeds and grasses ordinance.

The Development Agreement grants the Town the right to periodically review the progress and/or scope of development on the property and the Town retains the right to consider any amendments or rezoning of the property, in accordance with all notice requirements under state law and the Town's Zoning Ordinance.

**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. Pradera Development Agreement

**Town Staff Recommendation:**

Town Staff recommends approval of the Pradera Development agreement as it has been prepared to address the Town Council requests for certain requirements that the developer has agreed to abide by.

**Proposed Motion:**

I move to approve/deny a development agreement for the proposed Pradera Development located north of Prosper Trail and west of Dallas Parkway.