PD-14

PLEASE NOTE THAT A PORTION OF THIS PD HAS BEEN AMENDED BY PD-65.

TOWN OF PROSPER, TEXAS **ORDINANCE NO. 04- 52**

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 84-16; REZONING A TRACT OF LAND CONSISTING OF 702.14 ACRES, MORE OR LESS, SITUATED IN THE L. NEATHERLY SURVEY, ABSTRACT NO. 962 AND THE J. DORRETT SURVEY, ABSTRACT NO. 350, IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS, AND IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS HERETOFORE ZONED SINGLE-FAMILY-1 (SF-1) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-MIXED USE (PD-M); 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 Zoning Ordinance No. 84-16 should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request from the Rudman Partnership, Beall Legacy Partners, L.P., and West Prosper Investment Partners, Ltd. ("Applicant") to rezone 702.14 acres of land, more or less, situated in the L. Neatherly Survey, Abstract No. 962 and the J. Dorrett Survey, Abstract No. 350, in the Town of Prosper, Denton County, Texas, and in the Collin County School Land Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas; and

WHEREAS, the Town Council has investigated into 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, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning 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: Amendments to Zoning Ordinance No. 84-16. Zoning Ordinance No. 84-16 is amended as follows: The zoning designation of the below-described property containing 702.14 acres of land, more or less, situated in the L. Neatherly Survey, Abstract No. 962 and the J. Dorrett Survey, Abstract No. 350, in the Town of Prosper, Denton County, Texas, and in the Collin County School Land Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned Development-Mixed Use (PD-M). The property as a whole and the boundaries for each zoning classification are 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 planned development standards, attached hereto as Exhibit "C"; and 3) the development schedule, attached hereto as Exhibit "D"; each of which is incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules, and regulations of Prosper, as they currently exist or may be amended.

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

a. Two (2) copies shall be filed with the Town Secretary and retained as original records and shall not be changed in any matter.

b. One (1) copy shall be filed with the building inspector 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.

Written notice of any amendment to this Planned Development District shall be sent to all property owners within two hundred feet (200') of the specific area to be amended.

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. 84-16, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars ($2000.00). 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. 84-16 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 AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS ON THIS 11th DAY OF May, 2004.

APPROVED AS TO FORM:

Charles Niswanger, Mayor

ATTESTED TO AND
CORRECTLY RECORDED BY:

Shanae Jennings, Town Secretary

DATE OF PUBLICATION: 5/21/04 & 5/22/04, *Dallas Morning News – Collin County Addition*

Legacy Pointe

Prosper, Texas

Ownership:

The Rudman Partnership
Beall Legacy Partners, L.P.
West Prosper Investment Partners, Ltd.

Representative:

Craig Curry - Greater Texas Land Resources, L.P.

An Outline of Conditions for a
PLANNED DEVELOPMENT DISTRICT

To be adopted by the Prosper Town Council on
May 11, 2004

EXHIBIT A
LEGAL DESCRIPTION
702.14 ACRES

BEING a 484.15 acre tract of land out of the L. NEATHERLY SURVEY Abstract No. 962, the J. DORRETT SURVEY Abstract No. 350, in Denton County, Texas, being out of the COLLIN COUNTY SCHOOL LAND SURVEY Abstract No. 147 in Collin County, Texas, being all of the tract of land described in deed to Rudman Partnership., recorded in Volume 2844, Page 42 of the Real Property Records of Denton County, Texas, being part of the tract of land described in deed to Beall Legacy Partners, L.P., recorded in Volume 5398, Page 1642 of the Real Property Records of Denton County, Texas, being part of the tract of land described in deed to West Prosper 150 Investment Partners, Ltd., recorded in Volume 5398, Page 1569 of the Real Property Records of Denton County, Texas, being all of the 52.09 acres tract of land described in deed to West Prosper 150 Investment Partners, Ltd., recorded in Volume 5398, Page 5552 of the Land Records of Collin County, Texas and being more particularly described as follows and being more particularly described as follows;

BEGINNING at a point for the intersection of the centerline of Prosper Road with the centerline of County Line Road;

THENCE with the centerline of said County Line Road, North 01°09'50" East, a distance of 317.35 feet to the northwest corner of said 52.09 acre tract;

THENCE with the north line of said 52.09 acre tract, South 89°54'55" East, a distance of 861.72 feet to the northeast corner of said 52.09 acre tract;

THENCE with said ease line, South 00°28'38" West, a distance of 2592.43 feet to the southeast corner of said 52.09 acre tract;

THENCE with the south line of said 52.09 acre tract, North 89°10'41" West, a distance of 892.65 feet to a point in the centerline of County Line Road;

THENCE along said centerline and with the east line of said Beall Legacy Partners, L.P. tract and the West Prosper 150 Investment Partners, Ltd. tract, South 01°09'50" West, a distance of 3538.96 feet to a point for the intersection of centerline of said County Line Road with the centerline of Fish Trap Road;

THENCE continuing with the centerline of said County Line Road, South 00°56'17" West, a distance of 4156.91 feet to a point for corner;

THENCE leaving said centerline, South 89°47'45" East, a distance of 45.30 feet to a point for corner;

THENCE South 00°30'58" West, a distance of 318.10 feet to a point in the north right-of-way line of U.S. Highway 380;

THENCE with said north right-of-way line, South 89°26'58" West, a distance of 2052.99 feet to a point in the east line of a tract of land described in deed to Bert Fields, Jr., recorded in Volume 375, Page 333 of the Deed Records of Denton County, Texas;

THENCE with said east line, North 00°15'51" East, a distance of 345.08 feet to a point for the northeast corner of said Fields tract;

THENCE with the north line of said Fields tract, North 89°40'03" West, a distance of 2183.69 feet to the southeast corner of a tract of land described in deed to Julia Cray;

THENCE with the east line of said Cray tract, North 01°11'48" East, a distance of 3384.52 feet to a point in the centerline of Fish Trap Road;

THENCE with said centerline, the following courses and distances to wit:
North 89°50'15" East, a distance of 2370.21 feet to a point for corner;
North 67°42'23" East, a distance of 279.24 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit.
North 00°18'08" West, a distance of 351.55 feet to a point for corner,
North 73°45'59" West, a distance of 166.83 feet to a point for corner;
North 01°33'14" East, a distance of 350.62 feet to a point for corner;
North 89°32'58" West, a distance of 386.78 feet to a point in the east line of a tract of land described in deed to Johnny Warren, recorded in Volume 3124, Page 11 of the Real Property Records of Denton County, Texas;

THENCE with said east line, North 00°52'48" East, a distance of 423.47 feet to a point for the southeast corner of a tract of land described in deed to Inwood Plaza Joint Venture recorded in Volume 4233, Page 738 of the Real Property Records of Denton County, Texas;

THENCE with said east line, North 01°07'10" East, a distance of 5277.57 feet to a point in the centerline of said Prosper Road;

THENCE with said centerline, South 89°44'01" East, a distance of 2108.90 feet to the **POINT OF BEGINNING** and containing 702.14 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT B

LEGACY POINTE
PLANNED DEVELOPMENT DISTRICT

STATEMENT OF INTENT AND PURPOSE

The Planned Development District provides the ability to encourage and accommodate the development of Business Park, Business Center, and Residential Village uses within the Town of Prosper.

Business Park uses will generally provide opportunities for corporate headquarters, educational training centers, assembly/production facilities for technological and scientific industries, office and commercial facilities, as well as single family and multifamily housing, all in close association with future, major thoroughfares and an open space system tied to natural amenities that currently exist on the site. Business Center development is similar and compliments the Business Park. Facilities will include uses that relate to the geographic location and transportation facilities that are proposed for this area. The Residential Villages will accommodate residential uses, as well as provide commercial/retail service centers for the residents of the neighborhood community.

Site characteristics of Legacy Pointe, such as topography, thoroughfare locations, view corridors, proposed uses and development opportunities will formulate a distinctive approach for the Town's future.

EXHIBIT C

LEGACY POINTE
PLANNED DEVELOPMENT DISTRICT

PLANNED DEVELOPMENT STANDARDS

1.0 PLANNED DEVELOPMENT - VILLAGES "A" & "B"

1.1 General Description: The Villages, identified on the attached Zoning Exhibit are intended to accommodate a variety of uses -- residential and commercial. Commercial/Retail centers shall be allowed within the Villages to provide necessary goods and services to the residential community. Development standards for residential and commercial/retail areas are outlined within this text.

1.2 Permitted Uses:

a. Residential uses as described herein.
b. Commercial/Retail uses as described herein.
c. Parks, playgrounds and neighborhood recreation facilities including, but not limited to swimming pools, clubhouse facilities and tennis courts.
d. Churches/rectories
e. Schools – public or private.
f. Utility distribution lines and facilities.
g. Fire stations and public safety facilities.
h. Real estate sales offices during the development and marketing of the residential areas.
k. Electronic security facilities including gatehouse and control counter.
l. Construction Trailers associated with development for residential, retail, or commercial uses.

1.3 Building Materials: All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass, exterior wood or similar materials or any combination thereof. The use of wood as an exterior building material shall be limited to a maximum of twenty (20) percent of the total exterior wall surfaces.

1.4 Single Family Homes Village "A": Single family units shall be allowed within Village A". These single family units will be located in the areas generally defined on the attached Zoning Exhibit.

Building and Area Requirements: The following development standards shall pertain to single family uses to be developed within Village "A":

a. Number of Dwelling Units – The total number of dwelling units within Village "A" shall not exceed a maximum of nine hundred two (902) units, unless portions of the Commercial/Retail areas are developed as singly family residential. If portions of the Commercial/Retail areas are developed as single family residential, they shall be developed in accordance with Section 1.5 of this text and shall be limited to a maximum of 3.8 units per gross acre of land. There shall be a minimum of 15 gross acres of land devoted to Commercial/Retail land uses at each of the major corners within Village "A". These Commercial/Retail corners are generally outlined on the attached Zoning Exhibit.

b. Minimum Dwelling Size – The minimum area of the main building shall be one thousand four hundred (1,400) square feet, exclusive of garages, breezeways and porticos.

c. Lot Area – The minimum area of any lot within Village "A" shall be fifty-five hundred (5,500) square feet.

d. Lot Coverage – In no case shall more than forty-five (45) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.

e. Lot Width – The minimum width of any lot shall be fifty (50) feet measured at the front building line, except for lots at the terminus of a cul-de-sac, on a corner or along a curve may have a width of forty-five (45) feet at the building line; provided all other requirements of this section are fulfilled.

f. Lot Depth – The minimum depth of any lot shall be one hundred (100) feet, except for lots at the terminus of a cul-de-sac, on a corner or along a curve may have a minimum lot depth, measured at mid-points on front and rear lot lines, of ninety-five (95) feet; provided all other requirements of this section are fulfilled.

g. Front Yard – The minimum depth of the front yard shall be twenty (20) feet. Covered drives and porte-cocheres that are architecturally designed as an integral element of the main structure may extend up to five (5) feet from the established front building line into the front yard area; the area between the street pavement and the front yard line.

h. Side Yard – The minimum side yard on each side of the lot shall be five (5) feet. A side yard adjacent to a street shall be fifteen (15) feet.

i. Rear Yard – The minimum depth of the rear yard shall be twenty (20) feet.

j. Maximum Building Height – Buildings shall be a maximum of two and a half (2 1/2) stories, not to exceed thirty-six (36) feet in height. Chimneys, antennae and other architectural projections not used for human occupancy may extend above this height limit.

1.5 Single Family Homes – Village "B": Single family units shall be allowed within Village "B". These single family units will be located in the areas generally defined on the attached Zoning Exhibit.

Building and Area Requirements: The following development standards shall pertain to single family uses to be developed within Village "B":

a. Lot Area – Other than areas designated for commercial/retail uses, the minimum area of any lot within Village "B" shall be nine thousand (9,000) square feet and the minimum average lot area shall be ten thousand (10,000) square feet.

b. Minimum Dwelling Size – The minimum area of the main building shall be one thousand six hundred (1,600) square feet, exclusive of garages, breezeways and porticos.

c. Lot Coverage – In no case shall more than forty-five (45) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.

d. Lot Width – The minimum width of any lot shall be seventy five (75) feet measured at the front building line, except for lots at the terminus of a cul-de-sac, on a corner or along a curve may have a width of seventy (70) feet at the building line; provided all other requirements of this section are fulfilled.

e. Lot Depth – The minimum depth of any lot shall be one hundred (110) feet, except for lots at the terminus of a cul-de-sac, on a corner or along a curve may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.

f. Front Yard – The minimum depth of the front yard shall be twenty five (25) feet. Covered drives and porte-cocheres that are architecturally designed as an integral element of the main structure may extend up to five (5) feet from the established front building line into the front yard area; the area between the street pavement and the front yard line.

g. Side Yard – The minimum side yard on each side of the lot shall be seven (7) feet. A side yard adjacent to a street shall be fifteen (15) feet.

h. Rear Yard – The minimum depth of the rear yard shall be twenty (20) feet.

i. Maximum Building Height – Buildings shall be a maximum of two and a half (2 1/2) stories, not to exceed thirty-six (36) feet in height. Chimneys, antennae and other architectural projections not used for human occupancy may extend above this height limit.

1.6 Retail: Retail areas are primarily intended to accommodate retail, commercial and service centers that supply the surrounding residential areas with convenience goods and services which are normal daily necessities and routine purchases.

Village "A" shall permit forty-six (46) acres (a maximum of 23 acres at each of the two locations) of Retail development. Village "B" shall permit a maximum of fifteen (15) net acres of Retail development. Portions of the Retail areas within Village "A", as indicated on the attached Zoning Exhibit, may be developed as single family residential, as outlined in Section 1.4 of this text, provided the single family does not exceed a density of 3.8 units per gross acre of land and further provided that a minimum of fifteen (15) acres of retail uses remain at each of the two corners designated for retail uses. All, or a portion of the Retail area located within Village "B", as indicated on the attached Zoning Exhibit, may be developed as single family residential, as outlined within Section 1.5 of this text.

a. Permitted Uses: The following uses shall be permitted in all Retail areas:

- The uses allowed in Section 1.2 of this text.
- Advertising Signs – Permitted in compliance with the Town's Sign Ordinance, as it presently exists or may be amended.
- Antique Shops – Indoor Display Only.
- Appliance Stores – Service and Repair.
- Assisted Living Facilities.

- Artist Materials and Supplies.
- Auto Laundries/Car Wash Facilities – Incidental to the primary business use.
- Auto Parts Sales – No Outdoor Storage/Display.
- Automobile Parking Lots and Parking Garages.
- Automobile Repairs – Excluding paint and body work.
- Baby Shops.
- Bakery and Confectionery Shops.
- Banks, Savings and Loan and Credit Unions.
- Banks, Savings and Loan and Credit Unions – With Drive-Thru Services.
- Barber/Beauty Shops.
- Bed and Breakfast.
- Beverage Stores – In accordance with other applicable Town Ordinances, as they presently exist or may be amended.
- Book and Stationery Stores.
- Business Services.
- Cafeterias.
- Camera Shops.
- Candy and Cake Shops.
- Catering Establishments.
- Churches/Rectories.
- Civic/Convention Center.
- Cleaning, Dyeing, Pressing, Pick-up and Collection Agencies.
- Clothing, Footwear and Apparel Stores.
- Commercial Amusement Enterprises (Indoor).
- Computer Sales and Repairs.
- Concrete Batching Plants – Temporary and Incidental to On-Site Construction.
- Consignment Shops.
- Construction and field offices – Temporary.
- Convalescence Homes.
- Convenience Stores.
- Convenience Stores – With Gas Service.
- Curio and Gift Shops.
- Dairy Products (Retail) – Warehousing of products shall not be permitted as the primary business use.
- Day Care Centers for Children.
- Delicatessens.
- Department Stores.
- Dinner Theatres.
- Drapery Shops.
- Dress Shops.
- Drug Stores/Pharmacies.
- Dry Good Stores.
- Duplicating Centers, Mailing Services. Etc.

- Equipment and Machinery Sales and Rental, Minor.
- Farmer's Market.
- Financial Institutions.
- Fitness and Health Centers.
- Florist and Garden Shops.
- Fraternal Organizations, Lodges and Civic Clubs.
- Frozen Food Lockers – Incidental to the primary business use. Warehousing of products shall not be permitted as the primary business use.
- Furniture, Home Furnishings and Equipment Showrooms and Sales.
- Furniture Stores.
- General Merchandise Stores.
- Golf Course and/or Country Club.
- Governmental and Utility Agencies, Offices, Facilities and Service Yards – No Outdoor Storage Unless Screened.
- Greenhouse and Nursery Facilities – Sales permitted, but no wholesale growing of stock as a primary business use.
- Grocery Stores and Supermarkets.
- Guard and Patrol Services.
- Gunsmith.
- Hardware and Building Materials Stores – No outdoor Storage unless Screened.
- Health Product Stores.
- Hobby or Craft Stores.
- Homebuilder.
- Hospital.
- Ice Cream Stores.
- Independent Living Facilities.
- Indoor Storage Facilities.
- Interior Decorating Stores.
- Jewelry Stores.
- Job Printing Centers.
- Key Shops/Locksmiths.
- Laboratory, Medical and Dental.
- Laundromats.
- Laundry and Dry Cleaning Establishments.
- Leather Goods Shops.
- Marketing Center.
- Mass Commuter/Transit Stations.
- Meat Markets – No Slaughter Houses or Packing Plants.
- Medical and Health Care Facilities/Clinics/Emergency Centers.
- Medical Offices.
- Messenger/Courier and Telegraph Services.
- Municipal Buildings and Facilities.
- Museums, Libraries, Art Schools and Art Galleries.

- Musical Instrument Sales.
- Newspaper and Magazine Sales.
- Novelty/Notion Stores.
- Nursing Homes.
- Offices – Professional, Administrative, Medical and General Offices, including, but not limited to, doctors, dentists, optometrists, psychiatrists, attorneys, architects, engineers, planners, travel agents, advertising, insurance, real estate and similar offices.
- Office Businesses.
- Office Supplies and Sales.
- Optical Stores – Sales and Services.
- Paint Stores.
- Parks, Playgrounds, Recreational Facilities and Community Centers.
- Pet Grooming and Supplies.
- Pet Shops.
- Photographic Services
- Play Equipment – Sales and Display.
- Plumbing Shops – No Outdoor Storage.
- Pool Supply Shops.
- Post Office Facilities.
- Printing and Duplicating Centers.
- Private Club Facilities – In accordance with other applicable Town ordinances, as they presently exist or may be amended.
- Radio and Television Microwave Antennae/Towers – Incidental to the primary use, and in accordance with other applicable Town ordinances, as they presently exist or may be amended.
- Radio and Television Sales and Services.
- Radio and Television Studios and Broadcasting Facilities.
- Recreation Centers – Public and Private.
- Recycling Collection Centers.
- Restaurants.
- Restaurants – With Drive-In/Drive-Thru Service.
- Retail Sales.
- Retail Shops and Stores.
- Schools – Public, Private, or Parochial.
- Securities and Commodities Offices – Including, but not limited to brokers, dealers, underwriters, exchange offices and similar offices.
- Service Stations – Full Service (Including Bays).
- Service Stations – Self Service.
- Sewing Machine Sales and Services.
- Shoe and Boot Sales and Repair Stores.
- Shopping Centers.
- Single Family Residential – As outlined herein (Sections 1.4 and 1.5).
- Small Engine Repairs – Under Roof and Enclosed.

- Specialty Shops and Boutiques.
- Sporting Goods Sales.
- Studios – Art, Photography, Music, Dance, Gymnastics, Health, etc.
- Tailor Shops.
- Telephone Business Office.
- Telephone Exchange.
- Theaters – Indoor.
- Theatrical Centers.
- Tire Dealers – No outdoor Storage.
- Tool and Equipment Rental Stores – No outdoor Storage Unless Screened.
- Toy Stores.
- Travel Bureaus.
- Trophies and Awards Shops.
- Upholstery Shops.
- Utility Distribution Systems and Facilities.
- Variety Stores.
- Veterinarian Clinics and Kennels – Limited to small animals and containing no outside pens.
- Warehousing Facilities – Incidental to the primary business use and located within the same building.
- Watch Making Shops.
- Water Treatment Facilities.
- Accessory buildings and uses customarily incident to the permitted uses.
- Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion of construction work.
- Uses similar to the above mentioned permitted uses, provided the Prosper Town Council approves said uses prior to the issuance of a building permit.

b. Building and Area Requirements: The following development standards shall pertain to retail uses, as outlined above, developed within Villages "A" and "B":

i. Density: The permitted floor area of all buildings within the commercial/retail areas shall be unlimited, provided that all sections of the Planned Development Ordinance are fulfilled.

ii. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet. When a lot has double frontage, the front yard requirement shall be applied to both streets.

iii. 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 (12) feet.

A twenty-four (24) foot 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.

A fifty (50) foot side yard is required when the property is located adjacent to property that is zoned for single family residential uses.

iv. 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 (12) feet.

A twenty-four (24) foot rear yard shall be provided where fire lane access is required and where a vehicular access/fire lane easement is not available on the adjoining property.

A fifty (50) foot rear yard is required when the property is located adjacent to property that is zoned for single family residential uses.

v. Maximum Building Height: The maximum height of the buildings within Commercial/Retail Areas shall have a maximum allowed height of two (2) stories, not to exceed forty (40) feet.

vi. Lot Area: The minimum lot area shall be ten thousand (10,000) square feet.

vii. Lot Width: The minimum lot width shall be fifty (50) feet.

viii. Lot Depth: The minimum lot depth shall be ninety (90) feet.

ix. Lot Coverage: In no case shall more than forty (40) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Parking structures and surface parking facilities shall be excluded from lot coverage computation.

x. Building Materials: All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass, exterior wood or similar materials or any combination thereof. The use of wood as a primary, exterior building material shall be

limited to a maximum of twenty (20) percent of the total exterior wall surfaces.

2.0 PLANNED DEVELOPMENT – BUSINESS PARK

2.1 General Description: The Business Park area is intended to provide development opportunities for corporate headquarters, educational training centers, assembly/production facilities for technological and scientific industries, offices, retail and commercial facilities, as well as single family, townhouse and multi-family housing, all in close association with future, major thoroughfares and an open space system tied to natural amenities that currently exist on the site.

2.2 Business Park Development Standards:

a. Permitted Uses: The following uses shall be permitted within the Business Park area:

- All uses as permitted in the Retail areas as outlined herein. Unless otherwise approved by the Prosper Town Council, "true" retail uses can only be located within eighteen hundred (1,800) feet of major street intersections. Major street locations are indicated on the attached Zoning Exhibit and are identified as; Prosper Road, Legacy Drive (County Line Road), Fish Trap Road, East/West Thoroughfare and U.S. 380.
- The uses allowed in Section 1.2 and Section 1.6(a) of this exhibit.
- Apparel Distribution Centers.
- Auto Laundries/Car Wash Facilities.
- Automobile Repairs.
- Automobile Sales, Service and Leasing (New).
- Automobile Sales, Service and Leasing (Used) – Incidental to the primary business use.
- Automotive Painting Facilities – Incidental to the primary business use.
- Book Binderies.
- Bus Stations/Terminals.
- Clothing, Footwear and Textile Centers.
- Commercial Amusement Enterprises (Outdoor).
- Computer Assembly and Distribution.
- Computer Centers.
- Convention Centers.
- Convention Facilities.
- Corporate and Professional Office Facilities and Headquarters.
- Distribution Centers and Showrooms.
- Electronic Product Centers – Emissions of hazardous or toxic chemicals shall be prohibited.

- Electronic Security Facilities.
- Engine repairs and Service Facilities – Under Roof only.
- Equipment and Machinery Sales and Rental, Major.
- Funeral Homes and Mortuaries.
- Furniture and Upholstery Centers – Including Repairs.
- Heliports and Helipads.
- Hospitals.
- Hotels and Motels.
- Household Appliance Services and Repairs.
- Instrument and Meter Repair Facilities.
- Laboratories – Testing and Experimentation – Emissions of hazardous or toxic chemicals shall be prohibited.
- Medical Equipment Manufacturing and Showrooms.
- Mini-Warehouses.
- Monument Sales.
- Motorcycle Sales and Services.
- Multi-Family Residential – As outlined herein (Section 2.2c).
- Newspaper Printing Centers.
- Office Showroom Facilities – Sales Permitted.
- Office Equipment Repairs and Maintenance.
- Paper Product Centers.
- Plastic Products Centers – Emissions of hazardous or toxic chemicals shall be prohibited.
- Scientific/Research Facilities – Emissions of hazardous or toxic chemicals shall be prohibited.
- Shopping Malls.
- Single Family Residential – As outlined herein (Section 2.2(e)).
- Telecommunication Centers and Sales.
- Townhouse Residential – As outlined herein (Section 2.2(d)).
- Trade and Commercial Schools.
- Warehousing Facilities – Accessory only in conjunction with permitted business uses.
- Wholesale Office and Sample Rooms.
- Uses similar to the above mentioned permitted uses, provided the Prosper Town Council approves said uses prior to the issuance of a building permit.

b. Building and Area Requirements: The following development standards shall pertain to office/commercial/retail uses, as outlined above, developed within the Business Park areas:

   i. Density: The permitted floor area of all buildings within the Business Park areas shall be unlimited, provided that all sections of the Planned Development Ordinance are fulfilled.

ii. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet. When a lot has double frontage, the front yard requirement shall be complied with on both streets.

iii. 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 (12) feet.

A twenty-four (24) foot side yard shall be provided where fire lane access is required and where a vehicular access/fire lane easement is not available on the adjoining property

A fifty (50) foot side yard is required when the property is located adjacent to property that is zoned for single family residential uses.

iv. Rear Yard: No rear yard is required unless vehicular access is provided/required, in which case a rear yard having a depth of not less than twelve (12) feet shall be provided.

A twenty-four (24) foot rear yard shall be provided where fire lane access is required and provision for a vehicular access/fire lane easement is not available on the adjoining property.

A fifty (50) foot side yard is required when the property is located adjacent to property that is zoned for single family residential uses.

v. Maximum Building Height: The maximum allowed height of the Business Park non-residential structures shall be two (2) stories not to exceed forty (40) feet. Non-residential structures may exceed forty (40) feet provided that one additional foot shall be added to the fifty-foot setback from single family residential properties for each foot that such structures exceed forty (40) feet. Non-residential structures may exceed the forty (40) foot height limit using this one-to-one ratio for a total maximum height of eight (8) stories, not to exceed one hundred twenty (120) feet.

vi. Lot Area: The minimum lot area shall be ten thousand (10,000) square feet.

vii. Lot Width: The minimum lot width shall be fifty (50) feet.

viii. Lot Depth: The minimum lot depth shall be ninety (90) feet.

ix. Lot Coverage: In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Parking structures, buildings and surface parking facilities shall be excluded from lot coverage computations.

x. Building Materials: All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass, exterior wood or similar materials or any combination thereof. The use of wood as a primary, exterior building material shall be limited to structures that do not exceed two (2) stories in height and shall be limited to a maximum of twenty (20) percent of the total exterior wall surfaces.

xi. Open Space Requirement: A minimum of ten (10) percent of the net lot area, for Business Park areas to be developed for commercial, retail or office related uses, shall be developed and maintained as landscaped open space. Landscaped open space may include areas used for facilities such as walks, plazas, courts, recreational amenities, water features and other similar uses not specifically used for vehicular access and parking.

Landscape plans for the above noted development areas shall be submitted by the applicant to the Prosper Town Council, or their designee, and approved in accordance with applicable law at the time of site plan review and approval.

c. Multifamily Units: Multifamily units shall be allowed within the Business Park and Business Center areas. A maximum of twenty (20) units per gross acre of land shall be permitted. The maximum number of multifamily units allowed within the Business Park and Business Center areas will be eight hundred (800) units. If multifamily units are developed within the Business Park and/or Business Center areas, they shall be developed in accordance with the following criteria:

i. Lot Area: The minimum area of any lot shall be ten thousand (10,000) square feet.

ii. Required Parking: Parking requirements for multifamily development areas shall be one and one-half (1.5) spaces per one-bedroom unit, two (2) spaces per two bedroom unit, two and one-half (2.5) spaces per three bedroom unit and

one-half (0.5) space per each additional bedroom per unit. The required number of total spaces shall be no less than 1.8 spaces per dwelling unit overall.

iii. Building Materials: All multi-family structures shall have an exterior finish of glass, stone, stucco, brick, tile, exterior wood or similar materials, or any combination thereof, any of which must be approved by the Town Council, or their designee. The use of wood as a primary exterior building material shall be limited to a maximum of fifteen (15) percent of the total exterior wall surfaces.

iv. General Requirements: General requirements for multifamily development shall be as follows:

Unless otherwise approved by the Town Council, or their designee, a six (6) foot screening fence may be constructed by the Owner and/or Developer of the multifamily property between areas developed for multifamily uses and those areas developed for single family residential uses. The above referenced six (6) foot screening fence shall be constructed of stone, stucco, brick tile, concrete, iron fence, landscape hedge or tree rows or similar materials or any combinations thereof. Design of the aforementioned screening fence shall be approved by the Town Council, or its designee at the time of the development plan approval.

A paved walkway should connect the front door of each ground floor unit to a parking area.

v. Minimum Dwelling: The minimum floor area for multifamily units shall be six hundred fifty (650) square feet, exclusive of garages, open breezeways and porticos.

vi. Lot Coverage: In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

vii. Lot Width: The minimum width of any lot shall not be less than eighty (80) feet.

viii. Lot Depth: The minimum depth of any lot shall not be less than one hundred twenty (120) feet.

ix. Front Yard: The minimum depth of the front yard shall be five (25) feet.

x. Side Yard: The minimum side yard on each side of the lot shall be fifteen (15) feet. A side yard adjacent to a street shall be a minimum of twenty-five (25) feet. A building separation of fifteen (15) feet shall be provided between multifamily structures. A minimum side yard of sixty (60) feet shall be required where units abut a single family area, unless the multifamily units are less than two (2) stories in height.

xi. Rear Yard: The minimum depth of the rear yard shall be twenty (20) feet. A minimum rear yard of sixty (60) feet shall be required where units abut a single family area, unless the multi-family units are less than two (2) stories in height.

xii. Building Height: The permitted height of all multi-family structures shall not exceed three (3) stories; provided, however, no multi-family structure shall exceed two (2) stories when located one hundred fifty (150) feet or less from a single family area, unless otherwise approved by the Town Council, or its designee.

xiii. Controlled Access: All developments that contain limited gated access shall locate all gate controls, card pads and intercom boxes in driveway islands and provide one hundred (100) feet of stacking distance from the gate to allow "U-turning" back onto a public street, unless otherwise approved by the Town Council.

xiv. Open Space Requirements: Each lot or parcel of land developed under the multifamily use shall provide open space totaling twenty (20) percent of the total net multifamily acreage.

d. Townhouse Units: Townhouse units shall be allowed within the Business Park and Business Center areas. A maximum of eight (8) units per gross acre of land shall be permitted. The maximum number of units allowed will be three hundred (300) units within the Business Park and Business Center areas. If townhouse units are developed within the Business Park and Business Center areas, they shall be developed in accordance with the following criteria:

i. Front Yard: The minimum depth of the front yard shall be ten (10) feet.

ii. Side Yard: There will be no requirement for separation between units. All buildings shall have a minimum side yard of six (6) feet and shall maintain a minimum building separation of twelve (12) feet. A side yard adjacent to a public street shall be a minimum of fifteen (15) feet.

iii. Rear Yard: All buildings shall have a minimum rear yard of fifteen (15) feet.

iv. Minimum Dwelling Size: The minimum area of the main building shall be one thousand two hundred (1,200) square feet, exclusion of garages, breezeways and porticos.

v. Lot Area: The minimum area of any lot shall be two thousand (2,000) square feet.

vi. Lot Coverage: In no case shall more than seventy-five (75) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

vii. Lot Width: The minimum width of any lot shall be twenty-five (25) feet.

viii. Lot Depth: The minimum depth of any lot shall be ninety (90) feet.

ix. Maximum Building Height: Buildings shall be a maximum of three (3) stories, not to exceed forty-eight (48) feet in height. The maximum height of buildings adjacent to single family property shall be two (2) stories, not to exceed thirty-six (36) feet in height. Chimneys, antennae and other architectural projections not used for home occupancy may extend above this height limit.

x. Open Space Requirement: A minimum of twelve (12) percent of the net lot area, for areas to be developed for townhouse areas, shall be developed and maintained as landscaped open space. Landscape open space may include areas used for facilities such as walks, plazas, courts, recreational amenities, water features and other similar uses not specifically used for vehicle access and parking.

e. Single Family Units: Single family units shall be allowed within the Business Park areas. A maximum of three hundred (300) total units shall be permitted. If single family units are developed within

the Business Park areas, they shall be developed in accordance with the following criteria:

i. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet.

ii. Side Yard: The minimum side yard on each side of the lot shall be seven (7) feet. A side yard adjacent to a street shall be fifteen (15) feet.

iii. Rear Yard: The minimum depth of the rear yard shall be twenty (20) feet.

iv. Minimum Dwelling Size. The minimum area of the main building shall be one thousand six hundred (1,600) square feet, exclusive of garages, breezeways and porticos.

v. Lot Area: The minimum area of any lot shall be seven thousand five hundred (7,500) square feet.

vi. Lot Coverage: In no case shall more than forty-five (45) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

vii. Lot Width: The minimum width of any lot shall be sixty-five (65) feet measured at the front building line, except for lots at the terminus of a cul-de-sac, on a corner, or along a curve may have a width of sixty (60) feet at the front building line; provided all other requirements of this section are fulfilled.

viii. Lot Depth: The minimum depth of any lot shall be one hundred and ten (110) feet measured, except for lots at the terminus of a cul-de-sac, on a corner, or along a curve may have a depth of one hundred (100) feet, measured at the midpoints of the front and rear lot lines; provided all other requirements of this section are fulfilled.

ix. Maximum Building Height: Buildings shall be a maximum of two and a half (2 1/2) stories, not to exceed thirty-six (36) feet in height. Chimneys, antennae and other architectural projections not used for human occupancy may extend above this height limit.

3.0 PLANNED DEVELOPMENT – BUSINESS CENTER

3.1 General Description: The Business Center area is intended to provide development opportunities for uses similar to the Business Park. This area will also include uses that relate to the site location and transportation modes that exist within this area.

3.2 Business Center Development Standards:

a. Permitted Uses: The following uses shall be permitted within the Business Center area.

- The uses as permitted in Retail areas. Unless otherwise approved by the Prosper Town Council, "true" retail uses can only be located within eighteen hundred (1,800) feet of major street intersections Major street locations are indicated on the attached Zoning Exhibit and are identified as; Prosper Road, Legacy Drive (County Line Road), Fish Trap Road, East/West Thoroughfare and U. S. 380.
- The uses allowed in Section 1.2, Section 1.6(a) and Section 2.2(a) of this exhibit, except for single family detached residential.
- Air Conditioning Sales and Services.
- Automobile Painting Facilities.
- Automobile Sales, Service and Leasing – New and Used.
- Baker Plants.
- Boat Sales and Services.
- Bottling Works – No Direct Manufacturing of Glass.
- Dairy Product Centers.
- Feed Stores.
- Fence Sales – No outdoor Storage Unless Screened.
- Food Product Centers.
- Frozen Food Lockers – No Slaughter Houses, Packing or Processing Plants.
- General Commercial Plants.
- Greenhouse and Nursery Facilities – Sales Permitted.
- Health Product Fabrication Centers.
- Laundry and Dry Cleaning Plants.
- Machinery Sales and Services – New and Used (Excluding Junk Yards) – Service and repair facilities to be under roof and enclosed.
- Mini Warehouses.
- Multifamily Residential – As outlined herein (Section 2.2(c)).
- Pest Control/Exterminating Shops.
- Plumbing Shops.
- Prefabricated Home Sales – No Mobile Homes.
- Sign Sales – Sign installation to be in compliance with the Town's Sign Ordinance, as it presently exists or may be amended.
- Townhouse Residential – As outlined herein (Section 2.2(d)).
- Trailer Sales/Rentals – Excluding Mobile Homes.
- Truck Sales and Leasing.

- Uses similar to the above mentioned permitted uses, provided the Prosper Town Council approves said uses prior to the Issuance of a building permit.

b. Building and Area Requirements: The following development standards shall pertain to office/commercial/retail uses, as outlined above, developed within the Business Center areas.

i. Density: The permitted floor area of all buildings within the Business Center areas shall be unlimited, provided that all sections of the Planned Development Ordinance are fulfilled.

ii. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet. When a lot has double frontage, the front yard requirement shall be applied to both streets.

iii. 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 (12) feet.

A twenty-four (24) foot side yard shall be provided where fire lane access is required and where a vehicular access/fire lane easement is not available on the adjoining property.

A fifty (50) foot side yard is required when the property is located adjacent to property that is zoned for single family residential uses.

iv. 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 (12) feet.

A twenty-four (24) foot rear yard shall be provided where fire land access is required and where a vehicular access/fire lane easement is not available on the adjoining property.

A fifty (50) foot rear yard is required when the property is located adjacent to property that is zoned for single family residential uses.

v. Maximum Building Height: The maximum allowed height of the Business Park non-residential structures shall be two (2) stories not to exceed forty (40) feet. Non-residential structures may exceed forty (40) feet provided that one additional foot shall be added to the fifty-foot setback from single family residential properties for each foot that such

structures exceed forty (40) feet. Non-residential structures may exceed the forty (40) foot height limit using this one-to-one ratio for a total maximum height of fifteen (15) stories, not to exceed two hundred (200) feet.

vi. Lot Area: The minimum lot area shall be ten thousand (10,000) square feet.

vii. Lot Width: The minimum lot width shall be fifty (50) feet.

viii. Lot Depth: The minimum lot depth shall be one hundred (100) feet.

ix. Lot Coverage: In no case shall more than sixty (60) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Parking structures, buildings and surface parking facilities shall be excluded from lot coverage computations.

x. Building Materials: All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass, exterior wood or similar materials or any combination thereof. The use of wood as a primary, exterior building material shall be limited to structures that do not exceed two (2) stories in height and shall be limited to a maximum of twenty (20) percent of the total exterior wall surfaces.

xi. Open Space Requirement: A minimum of ten (10) percent of the net lot area, for Business Center areas to be developed for commercial, retail or office related uses, shall be developed and maintained as landscaped open space. Landscaped open space may include areas used for facilities such as walks, plazas, courts, recreational amenities, water features and other similar uses not specifically used for vehicular access and parking.

Landscape plans for the above noted development areas shall be submitted by the applicant to the Prosper Town Council, or their designee, and approved in accordance with applicable law at the time of site plan review and approval.

xii. Multifamily Units: Multifamily units shall be allowed within the Business Center areas. A maximum of twenty (20) units per gross acre of land shall be permitted. A maximum of eight hundred (800) multifamily units shall be allowed in the Business Park and Business Center areas. These uses

shall be prohibited within 300 feet of U.S. Highway 380. If multifamily units are developed within the Business Center areas, they shall be developed in accordance with the criteria set forth in Section 2.2(c) of this text.

xiii. Townhouse Units: Townhouse residential units shall be allowed within the Business Center areas. A maximum of eight (8) units per gross acre of land shall be permitted. A maximum of three hundred (300) units shall be allowed in the Business Park and Business Center areas. These uses shall be prohibited within 300 feet of U. S. Highway 380. If townhouse units are developed within the Business Center areas, they shall be developed in accordance with the criteria set forth in Section 2.2(d) of this text.

4.0 GENERAL CONDITIONS:

4.1 Defining Retail/Commercial Tracts: Retail and/or Commercial Tracts, located within Village "A" shall be defined at the time a Preliminary Plat for residential uses (i.e. single family) is submitted. This requirement is in effect when the boundary of the plat is within eighteen hundred (1,800) feet of a major intersection where retail and/or commercial is illustrated on the zoning exhibit.

4.2 Amendment to the Planned Development District (PD):

a. At such time a request to amend the PD is submitted, only the party initiating the request shall be named as the "Applicant". All owners of property within the boundaries of the PD are not required to be applicants for amendments to the PD, unless the requested amendments directly affect their property.

b. The notification area shall be two hundred (200) feet from the subject property listed on the application as defined by a separate boundary survey or exhibit.

4.3 Landscape Requirements: A landscape buffer with a minimum average width of thirty (30) feet shall be provided adjacent to major thoroughfares as identified on the attached Zoning Exhibit.

4.4 Conformance to All Applicable Articles of the Prosper Zoning Ordinance: Except as amended herein, this Planned Development shall conform to any and all applicable articles and sections of the Prosper Zoning Ordinance as it presently exists or may be amended.

4.5 Parking Requirements: Unless otherwise defined herein, parking requirements shall comply with the ordinances of the Town of Prosper as they presently exist or as they may be amended.

4.6 Conceptual Development Plan: Prior to development of any tract of land within a given area in the Business Park or Business Center areas, a Conceptual Development Plan shall be submitted and approved by the Prosper Town Council. This Conceptual Development Plan shall only be required for the general area within which development is to occur. This general area shall be bounded by major thoroughfares, ownership lines, creekways or other physical barriers that define a geographic boundary that separates the area of interest from other parcels within the Business Park and Business Center areas.

Once prepared, this Conceptual Development Plan shall be attached to the PD ordinance; however, from time to time this Conceptual Development Plan may be amended. Revisions to the Conceptual Development Plan shall not be considered to be an amendment to the PD zoning, provided that all other sections of the PD ordinance are met when the Conceptual Development Plan is revised.

4.7 Residential Buffering: Steps shall be taken to buffer and/or screen commercial users within the Business Park areas from residential users. These buffering and screening elements may include landscaped open space, berms, screening walls/fences or a combination of all. Plans for buffering and/or screening shall be submitted to and approved by the Prosper Town Council in conjunction with the approval process for a user within the specific Business Park area to be developed. Landscape buffer areas shall be a minimum of fifteen (15) feet in width and screening walls/fences shall be a minimum of six (6) feet in height.

4.8 General Compliance: Except as amended by this Ordinance, development of property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of the Town of Prosper as they exist or may be amended.

a. All paved areas, permanent drives, streets (dedicated or private), and drainage structures (if any) must be constructed in accordance with standard Town of Prosper specifications as they exist or may be amended.

b. The Building Official shall not issue a building permit or a Certificate of Occupancy for any use in a phase of this Planned Development District until there has been full compliance with these conditions, and all other rules and regulations of the Town of Prosper as they

exist or may be amended and are applicable to that phase of development.

EXHIBIT D

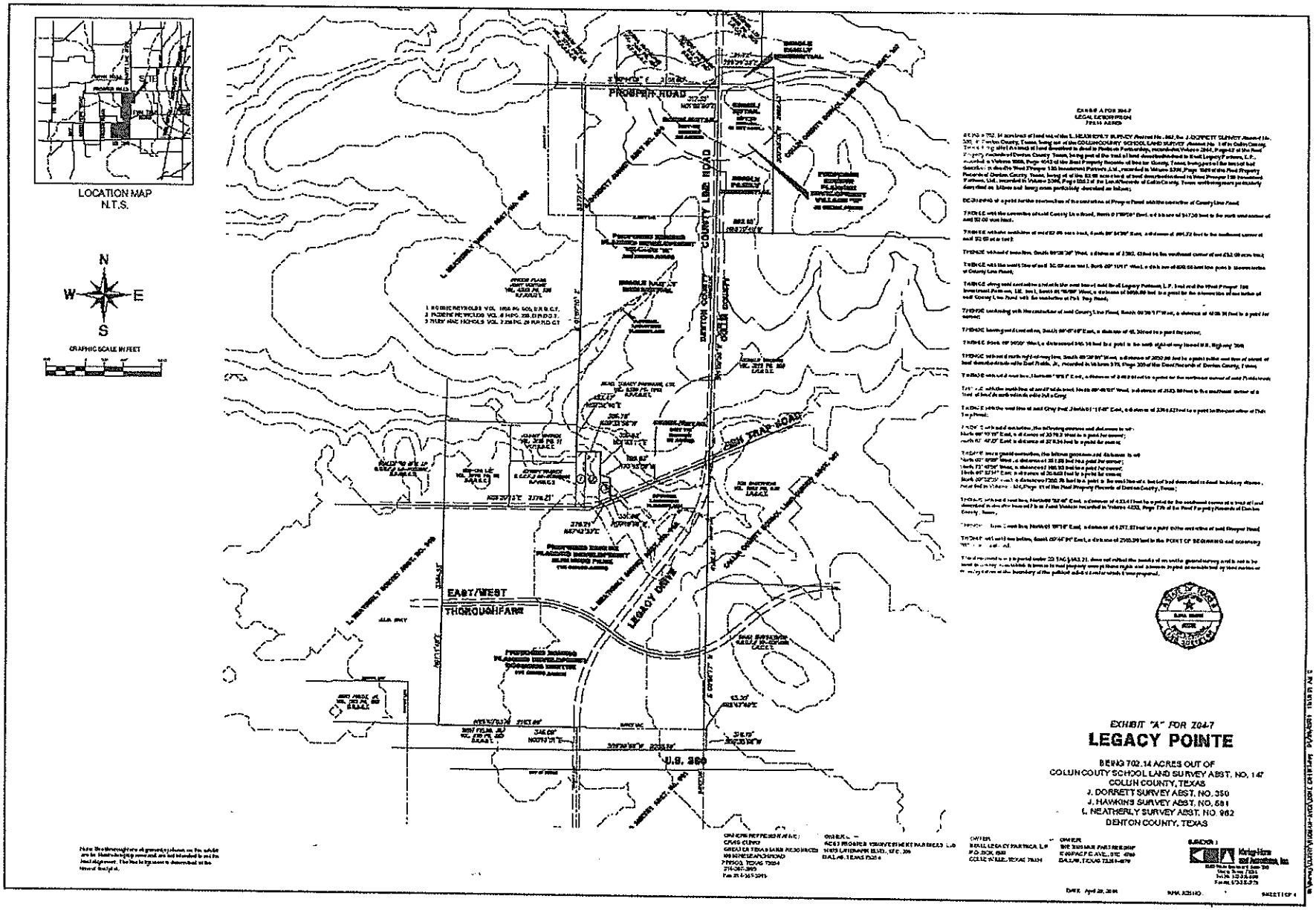
LEGACY POINTE
PLANNED DEVELOPMENT DISTRICT

DEVELOPMENT SCHEDULE

It is anticipated that the development of Legacy Pointe will begin within 2 to 10 years after approval and signing of the zoning ordinance. During this time period, prior to the initial stages of development, it is foreseen that plans and studies will be prepared for development and marketing of the property.

Progress of development improvements will primarily depend on time frames established for construction of thoroughfares, utilities, and market trends/demands for the area.

It is anticipated that the development of Legacy Pointe, excluding total construction of all structures, will be completed within 20 to 25 years of zoning approval.


LOCATION MAP
N.T.S.
N
W
E
S
GRAPHIC SCALE IN FEET
PROSPER ROAD
COUNTY LINE ROAD
DENTON COUNTY
COLLIN COUNTY
SEN TRAP ROAD
LEGACY DRIVE
EAST/WEST
THOROUGHFARE
U.S. 380
EXHIBIT "A" FOR Z04-7
LEGACY POINTE
BEING 702.14 ACRES OUT OF
COLLIN COUNTY SCHOOL LAND SURVEY ABST. NO. 147
COLLIN COUNTY, TEXAS
J. DORRETT SURVEY ABST. NO. 350
J. HAWKINS SURVEY ABST. NO. 581
L. NEATHERLY SURVEY ABST. NO. 962
DENTON COUNTY, TEXAS