

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 15-06

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20 AND ORDINANCE NO. 08-030; REZONING A TRACT OF LAND CONSISTING OF 56.45 ACRES, MORE OR LESS, SITUATED IN THE C. SMITH SURVEY, ABSTRACT NO. 1681 AND THE J. BATES SURVEY, ABSTRACT NO. 1620, IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-40 (PD-40) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-40 (PD-40); 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. 05-20 and Ordinance No. 08-030 should be amended; and

**WHEREAS**, the Town of Prosper, Texas ("Prosper") has received a request from TVG, Texas I, LLC. ("Applicant") to rezone 56.45 acres of land, more or less, situated in the C. Smith Survey, Abstract No. 1681 and the J. Bates Survey, Abstract No. 1620, in the Town of Prosper, Denton 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. 05-20 and Ordinance No. 08-030. Zoning Ordinance No. 05-20 and Ordinance No. 08-030 is amended as follows: The zoning designation of the below-described property containing 56.45 acres of land, more or less, situated in the C. Smith Survey, Abstract No. 1681 and the J. Bates Survey, Abstract No. 1620, in the Town of Prosper, Denton County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned Development-40 (PD-40).

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"; 3) the concept plan, attached hereto as Exhibit "D"; 4) the development schedule, attached hereto as Exhibit "E"; 5) the conceptual elevations, attached hereto as Exhibit "F", and 6) the illustrative tree plan, attached hereto as Exhibit "G", which are 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 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.

Written notice of any amendment to this District shall be sent to all owners of properties within the District as well as all properties within two hundred feet (200') of the District 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. 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.

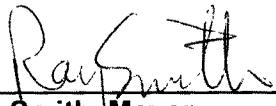
**SECTION 7**

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.

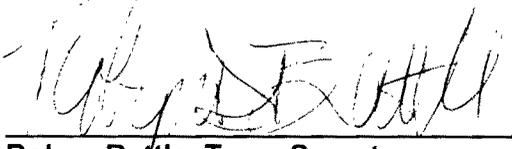
**SECTION 8**

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 27TH DAY OF JANUARY, 2015.**

  
\_\_\_\_\_  
Ray Smith, Mayor

**ATTEST:**

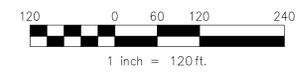
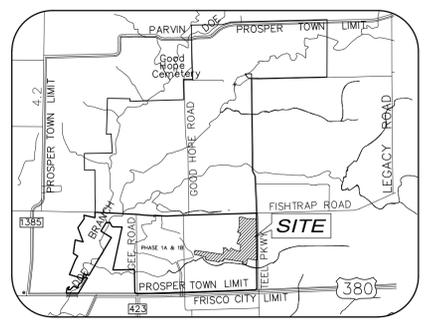
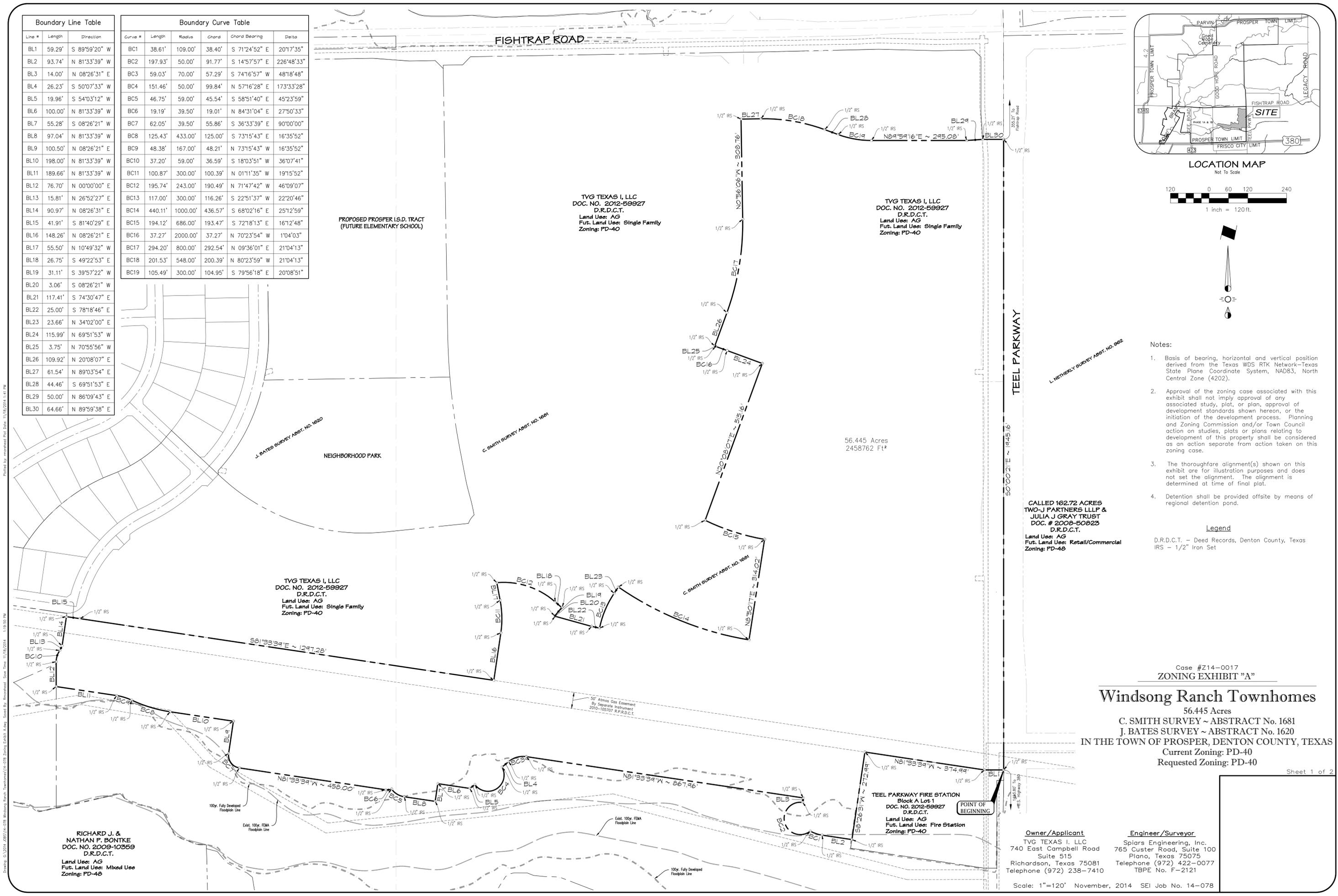
  
\_\_\_\_\_  
Robyn Battle, Town Secretary

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Terrence S. Welch, Town Attorney

Line #	Length	Direction
BL1	59.29'	S 89°59'20" W
BL2	93.74'	N 81°33'39" W
BL3	14.00'	N 08°26'31" E
BL4	26.23'	S 50°07'33" W
BL5	19.96'	S 54°03'12" W
BL6	100.00'	N 81°33'39" W
BL7	55.28'	S 08°26'21" W
BL8	97.04'	N 81°33'39" W
BL9	100.50'	N 08°26'21" E
BL10	198.00'	N 81°33'39" W
BL11	189.66'	N 81°33'39" W
BL12	76.70'	N 00°00'00" E
BL13	15.81'	N 26°52'27" E
BL14	90.97'	N 08°26'31" E
BL15	41.91'	S 81°40'29" E
BL16	148.26'	N 08°26'21" E
BL17	55.50'	N 10°49'32" W
BL18	26.75'	S 49°22'53" E
BL19	31.11'	S 39°57'22" W
BL20	3.06'	S 08°26'21" W
BL21	117.41'	S 74°30'47" E
BL22	25.00'	S 78°18'46" E
BL23	23.66'	N 34°02'00" E
BL24	115.99'	N 69°51'53" W
BL25	3.75'	N 70°55'56" W
BL26	109.92'	N 20°08'07" E
BL27	61.54'	N 89°03'54" E
BL28	44.46'	S 69°51'53" E
BL29	50.00'	N 86°09'43" E
BL30	64.66'	N 89°59'38" E

Curve #	Length	Radius	Chord	Chord Bearing	Delta
BC1	38.61'	109.00'	38.40'	S 71°24'52" E	201°7'35"
BC2	197.93'	50.00'	91.77'	S 14°57'57" E	226°48'33"
BC3	59.03'	70.00'	57.29'	S 74°16'57" W	48°18'48"
BC4	151.46'	50.00'	99.84'	N 57°16'28" E	173°33'28"
BC5	46.75'	59.00'	45.54'	S 58°51'40" E	45°23'59"
BC6	19.19'	39.50'	19.01'	N 84°31'04" E	27°50'33"
BC7	62.05'	39.50'	55.86'	S 36°33'39" E	90°00'00"
BC8	125.43'	433.00'	125.00'	S 73°15'43" E	16°35'52"
BC9	48.38'	167.00'	48.21'	N 73°15'43" W	16°35'52"
BC10	37.20'	59.00'	36.59'	S 18°03'51" W	36°07'41"
BC11	100.87'	300.00'	100.39'	N 01°11'35" W	19°15'52"
BC12	195.74'	243.00'	190.49'	N 71°47'42" W	46°09'07"
BC13	117.00'	300.00'	116.26'	S 22°51'37" W	22°20'46"
BC14	440.11'	1000.00'	436.57'	S 68°02'16" E	25°12'59"
BC15	194.12'	686.00'	193.47'	S 72°18'13" E	16°12'48"
BC16	37.27'	2000.00'	37.27'	N 70°23'54" W	1°04'03"
BC17	294.20'	800.00'	292.54'	N 09°36'01" E	21°04'13"
BC18	201.53'	548.00'	200.39'	N 80°23'59" W	21°04'13"
BC19	105.49'	300.00'	104.95'	S 79°56'18" E	20°08'51"



- Notes:
1. Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network—Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
  2. Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan, approval of development standards shown hereon, or the initiation of the development process. Planning and Zoning Commission and/or Town Council action on studies, plats or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.
  3. The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat.
  4. Detention shall be provided offsite by means of regional detention pond.

**Legend**

D.R.D.C.T. - Deed Records, Denton County, Texas  
 IRS - 1/2" Iron Set

CALLLED 162.72 ACRES  
 TWO-J PARTNERS LLLP &  
 JULIA J GRAY TRUST  
 DOC. # 2008-50823  
 D.R.D.C.T.  
 Land Use: AG  
 Fut. Land Use: Retail/Commercial  
 Zoning: PD-4B

Case #Z14-0017  
 ZONING EXHIBIT "A"

# Windsong Ranch Townhomes

56.445 Acres  
 C. SMITH SURVEY ~ ABSTRACT No. 1681  
 J. BATES SURVEY ~ ABSTRACT No. 1620  
 IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS  
 Current Zoning: PD-40  
 Requested Zoning: PD-40

**Owner/Applicant**  
 TVG TEXAS I, LLC  
 740 East Campbell Road  
 Suite 515  
 Richardson, Texas 75081  
 Telephone (972) 238-7410

**Engineer/Surveyor**  
 Spiars Engineering, Inc.  
 765 Custer Road, Suite 100  
 Plano, Texas 75075  
 Telephone (972) 422-0077  
 TBPE No. F-2121

Scale: 1"=120' November, 2014 SEI Job No. 14-078

Drawing: C:\2014\0085114-078\Windsong Ranch Townhomes\14-078\_Zoning Exhibit A.dwg  
 Date: 11/16/2014  
 Time: 11:18:50 PM  
 Plotted by: mrvanvald  
 Date: 11/16/2014  
 Time: 11:18:50 PM

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the C. Smith Survey, Abstract No. 1681 and the J. Bates Survey, Abstract No. 1620, Town of Prosper, Denton County, Texas, the subject tract being a portion of a tract conveyed to TVG Texas I, LLC according to the deed recorded in Document No. 2012-59927, Deed Records, Denton County, Texas the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod set in the center line of Teel Parkway right of way;

THENCE, S 89°59'20" W, a distance of 59.29 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 81°33'39" W, a distance of 374.99 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 08°26'31" W, a distance of 272.99 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 81°33'39" W, a distance of 93.74 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 20'17'35", a radius of 109.00 feet, a chord of N 71°24'52" W - 38.40 feet, an arc length of 38.61 feet;

THENCE around a non-tangent curve to the right having a central angle of 226°48'33", a radius of 50.00 feet, a chord of N 14°57'57" W - 91.77 feet, an arc length of 197.93 feet;

THENCE, N 08°26'31" E, a distance of 14.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 81°33'39" W, a distance of 867.96 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 48°18'48", a radius of 70.00 feet, a chord of S 74°16'57" W - 57.29 feet, an arc length of 59.03 feet;

THENCE, S 50°07'33" W, a distance of 26.23 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the right having a central angle of 173°33'28", a radius of 50.00 feet, a chord of S 57°16'28" W - 99.84 feet, an arc length of 151.46 feet;

THENCE, S 54°03'12" W, a distance of 19.96 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 81°33'39" W, a distance of 100.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 08°26'21" W, a distance of 55.28 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 81°33'39" W, a distance of 97.04 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 45°23'59", a radius of 59.00 feet, a chord of N 58°51'40" W - 45.54 feet, an arc length of 46.75 feet;

THENCE around a non-tangent curve to the right having a central angle of 27°50'33", a radius of 39.50 feet, a chord of S 84°31'04" W - 19.01 feet, an arc length of 19.19 feet;

THENCE, N 81°33'39" W, a distance of 458.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 90°00'00", a radius of 39.50 feet, a chord of N 36°33'39" W - 55.86 feet, an arc length of 62.05 feet;

THENCE, N 08°26'21" E, a distance of 100.50 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 81°33'39" W, a distance of 198.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 16°35'52", a radius of 433.00 feet, a chord of N 73°15'43" W - 125.00 feet, an arc length of 125.43 feet;

THENCE around a compound curve to the right having a central angle of 16°35'52", a radius of 167.00 feet, a chord of N 73°15'43" W - 48.21 feet, an arc length of 48.38 feet;

THENCE, N 81°33'39" W, a distance of 189.66 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 00°00'00" E, a distance of 76.70 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 36°07'41", a radius of 59.00 feet, a chord of N 18°03'51" E - 36.59 feet, an arc length of 37.20 feet;

THENCE, N 26°52'27" E, a distance of 15.81 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 08°26'31" E, a distance of 90.97 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 81°40'29" E, a distance of 41.91 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 81°33'39" E, a distance of 1297.28 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 08°26'21" E, a distance of 163.34 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 19°15'52", a radius of 300.00 feet, a chord of N 01°11'35" W - 100.39 feet, an arc length of 100.87 feet;

THENCE, N 10°49'32" W, a distance of 55.50 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the right having a central angle of 46°09'07", a radius of 243.00 feet, a chord of S 71°47'42" E - 190.49 feet, an arc length of 195.74 feet;

THENCE, S 49°22'53" E, a distance of 26.75 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 39°57'22" W, a distance of 31.11 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 08°26'21" W, a distance of 3.06 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 74°30'47" E, a distance of 117.41 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 78°18'46" E, a distance of 25.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the right having a central angle of 22°20'46", a radius of 300.00 feet, a chord of N 22°51'37" E - 116.26 feet, an arc length of 117.00 feet;

THENCE, N 34°02'00" E, a distance of 23.66 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a non-tangent curve to the right having a central angle of 25°12'59", a radius of 1000.00 feet, a chord of S 68°02'16" E - 436.57 feet, an arc length of 440.11 feet;

THENCE around a non-tangent curve to the right having a central angle of 16°12'48", a radius of 686.00 feet, a chord of N 72°18'13" W - 193.47 feet, an arc length of 194.12 feet;

THENCE, N 20°08'07" E, a distance of 515.16 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 69°51'53" W, a distance of 115.99 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 01°04'03", a radius of 2000.00 feet, a chord of N 70°23'54" W - 37.27 feet, an arc length of 37.27 feet;

THENCE, N 70°55'56" W, a distance of 3.75 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 20°08'07" E, a distance of 109.92 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 21°04'13", a radius of 800.00 feet, a chord of N 09°36'01" E - 292.54 feet, an arc length of 294.20 feet;

THENCE, N 00°56'06" W, a distance of 308.76 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 89°03'54" E, a distance of 61.54 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 21°04'13", a radius of 548.00 feet, a chord of S 80°23'59" E - 200.39 feet, an arc length of 201.53 feet;

THENCE, S 69°51'53" E, a distance of 44.46 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE around a tangent curve to the right having a central angle of 20°08'51", a radius of 300.00 feet, a chord of S 79°56'18" E - 104.95 feet, an arc length of 105.49 feet;

THENCE, N 89°59'16" E, a distance of 295.08 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 86°09'43" E, a distance of 50.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, N 89°59'38" E, a distance of 64.66 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

THENCE, S 00°00'21" E, a distance of 1945.16 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSEN" set;

to the POINT OF BEGINNING with the subject tract containing 2458762.07 square feet or 56.44541 acres of land.

Case #Z14-0017  
ZONING EXHIBIT "A"

# Windsong Ranch Townhomes

56.445 Acres  
C. SMITH SURVEY ~ ABSTRACT No. 1681  
J. BATES SURVEY ~ ABSTRACT No. 1620  
IN THE TOWN OF PROSPER, DENTON COUNTY, TEXAS  
Current Zoning: PD-40  
Requested Zoning: PD-40

Sheet 2 of 2

Owner/Applicant

TVG TEXAS I, LLC  
740 East Campbell Road  
Suite 515  
Richardson, Texas 75081  
Telephone (972) 238-7410

Engineer/Surveyor

Spiars Engineering, Inc.  
765 Custer Road, Suite 100  
Plano, Texas 75075  
Telephone (972) 422-0077  
TBPE No. F-2121

Scale: 1"=120' November, 2014 SEI Job No. 14-078

## **EXHIBIT “B”**

### Statement of Intent and Purpose

The purpose of this PD Amendment is to specify additional standards for the development and construction of townhomes in the Windsong Ranch community over and above the standards that are currently in place. By proposing more stringent standards than the current PD-40 allows, Windsong Ranch intends to maintain and potentially improve the standard of quality set by the current community and provide more opportunity for an age-diversified community.

## **EXHIBIT C**

Except as otherwise set forth in these development standards, the property, as described in Exhibit A, shall develop under Ordinance 08-030, as adopted by the Town Council on March 25, 2008.

- 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. **Development Pattern:** Lots may front common areas (mews) and collector roadways, generally in accordance with Exhibit D. Common area and collector roadway frontage locations shall be designated as part of the preliminary site plan approval by the Town. Standards shall be as follows:
    - i. Minimum front yard setback: Ten feet (10')

- ii. A minimum five foot (5') wide common mews sidewalk shall be provided within 20 feet of the front of the townhomes in order to provide pedestrian access to the front of each townhome. A minimum four foot (4') wide individual sidewalk shall connect from each townhome front door to the common mews sidewalk.
  - iii. Each townhome shall have two (2) cast stone address plates, one (1) at the front of the townhome near the front door, and one (1) at the rear of the townhome visible from the alley. An additional cast stone address plate shall be placed at each end of the common area mews to help in case of emergency and as a general aid to directions.
- E. Building Elevations: The buildings shall substantially conform to the building elevations, as show on Exhibit F.
- F. Landscaping: Generally in accordance with Exhibit G, a minimum of one hundred fifty (150) shade trees, minimum 4" caliper at the time of planting shall be provided with the development. A minimum of two hundred (200) ornamental trees, shall be provided with the development; the size and species of the ornamental trees shall be determined at site plan approval. The timing of installation of shade trees and ornamental trees will be phased according to completion of the buildings within the applicable lot. The location, type and number of these plantings (subject to the minimum quantities listed above) will be adjusted as necessary (subject to Town staff review and approval) to coordinate road and utility infrastructure conditions and other unforeseen circumstances.

Townhouse Uses for any townhomes built in the 56.445 acre area described in Exhibit "A" (the "TVG Townhome Tract") will be required to follow the standards listed below:

- d. Residential development standards: Development within the TVG Townhome Tract shall be in accordance with the following table:

Development Requirement	Residential Product Type
	Townhouse
Max. Gross Density	8.0 du/ac
Min. Lot Area	1,500 sq. ft.
Min. Lot Width	25'
Min. Lot Depth	60'
Min. Front Setback	7'
Min. Rear Setback	20' for garage/driveway; 10' for main building; 7' (from property line)
Min. Side Setback (interior lot)	0'
Min. Side Setback:	
(corner lot facing street)	15'
(corner lot facing alley)	10'
(corner lot facing open space)	7'
Min. Building Separation	Twenty feet (20'), which may be reduced to no less than ten feet (10') when sideyard patios exist at either one or both ends of adjacent buildings.
Max. Building Encroachment	End of building patios may encroach up to seven feet (7') into the designated sideyard, and may have a trellis and/or decorative metal fence.
Max. Lot Coverage	80%
Min. Floor Area / Dwelling Unit	1,200 sq. ft.
Max. Building Height / No. of stories'	48' / 3
Min. Open Space	20%

Note: 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.

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**EXHIBIT "E"**

**DEVELOPMENT SCHEDULE**

Townhome Section – Phases 2C-1, 2C-2 and 2C-3  
56.445 Acres out of PD-40  
West side of Teel Parkway, north of US Highway 380

Phase 2C-1:

Begin Excavation:	March 2015
Begin Utilities:	May 2015
Begin Paving:	August 2015
Town Acceptance of Public Improvements:	November 2015

Subsequent phases (2C-2 and 2C-3) to be constructed as market conditions warrant.

This schedule is subject to change due to various factors beyond the control of developer.

## **EXHIBIT "F"**

### **Illustrative Elevations and Plans for Townhomes built in TVG Townhome Tract within Windsong Ranch, Town of Prosper, Texas**

The illustrations that are included with this Exhibit F are for the purpose of illustrative example only and do not constitute exact renderings or plans of the buildings and items depicted.



**TH2 front elevation - french**



**TH left side elevation - french**



**TH2 rear elevation - french**



**TH right side elevation - french**



**TH3 front elevation - french**

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**TH3 rear elevation - french**

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**TH left side elevation - french**



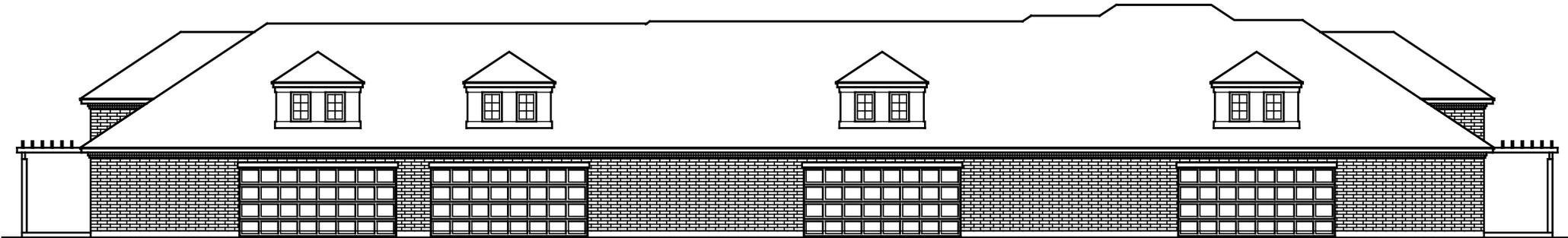
**TH right side elevation - french**



**TH4 front elevation - french**



**TH left side elevation - french**



**TH4 rear elevation - french**

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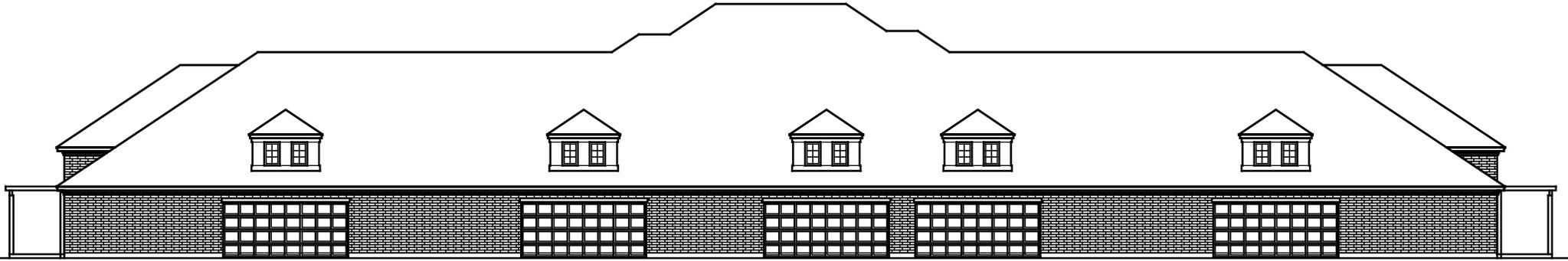
**TH right side elevation - french**



**TH5 front elevation - french**



**TH left side elevation - french**



**TH5 rear elevation - french**



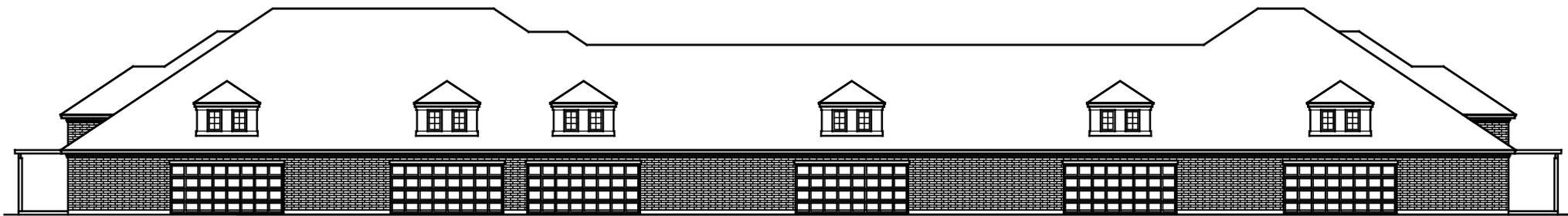
**TH right side elevation - french**



**TH6 front elevation - french**



**plan i side elevation - french**



**TH6 rear elevation - french**



**TH left side elevation - french**

# EXHIBIT "G"

## ILLUSTRATIVE TREE PLAN



L1.01	<b>ILLUSTRATIVE TREE PLAN</b> <b>WINDSONG RANCH MASTER PLAN</b> PROPOSED TOWNHOME TRACT PROSPER, TEXAS	DATE: 08/11/2011 TIME: 10:00 AM PROJECT: WINDSONG RANCH MASTER PLAN SHEET: L1.01 OF 10	NO	DATE	BY