

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 08-055

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20; REZONING A TRACT OF LAND CONSISTING OF 202.573 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY LAND SURVEY NO. 12, ABSTRACT NO. 147, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, HERETOFORE ZONED SINGLE FAMILY-15 (SF-15) 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. 05-20 should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request from MF 380 Tollway West, L.P. ("Applicant") to rezone 202.573 acres of land, more or less, situated in the Collin County Land Survey No. 12, 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. 05-20. Zoning Ordinance No. 05-20 is amended as follows: The zoning designation of the below-described property containing 202.573 acres of land, more or less, situated in the Collin County Land Survey No. 12, 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 and design guidelines, attached hereto as Exhibit "C"; 3) the conceptual land use plan, attached hereto as Exhibit "D", "D-1", "D-2", and "D-3"; 4) and the village thoroughfare plan, attached hereto as Exhibit "H"; 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 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. 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.

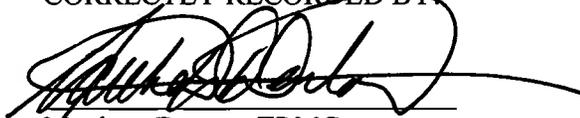
SECTION 8: Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS ON THIS 8TH DAY OF JULY, 2008.

APPROVED AS TO FORM:

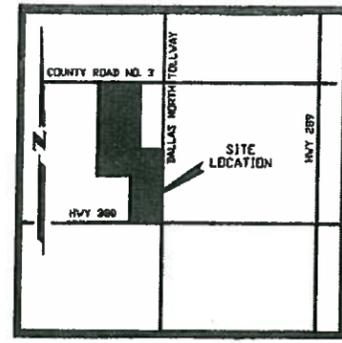
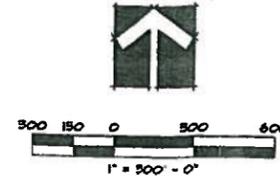
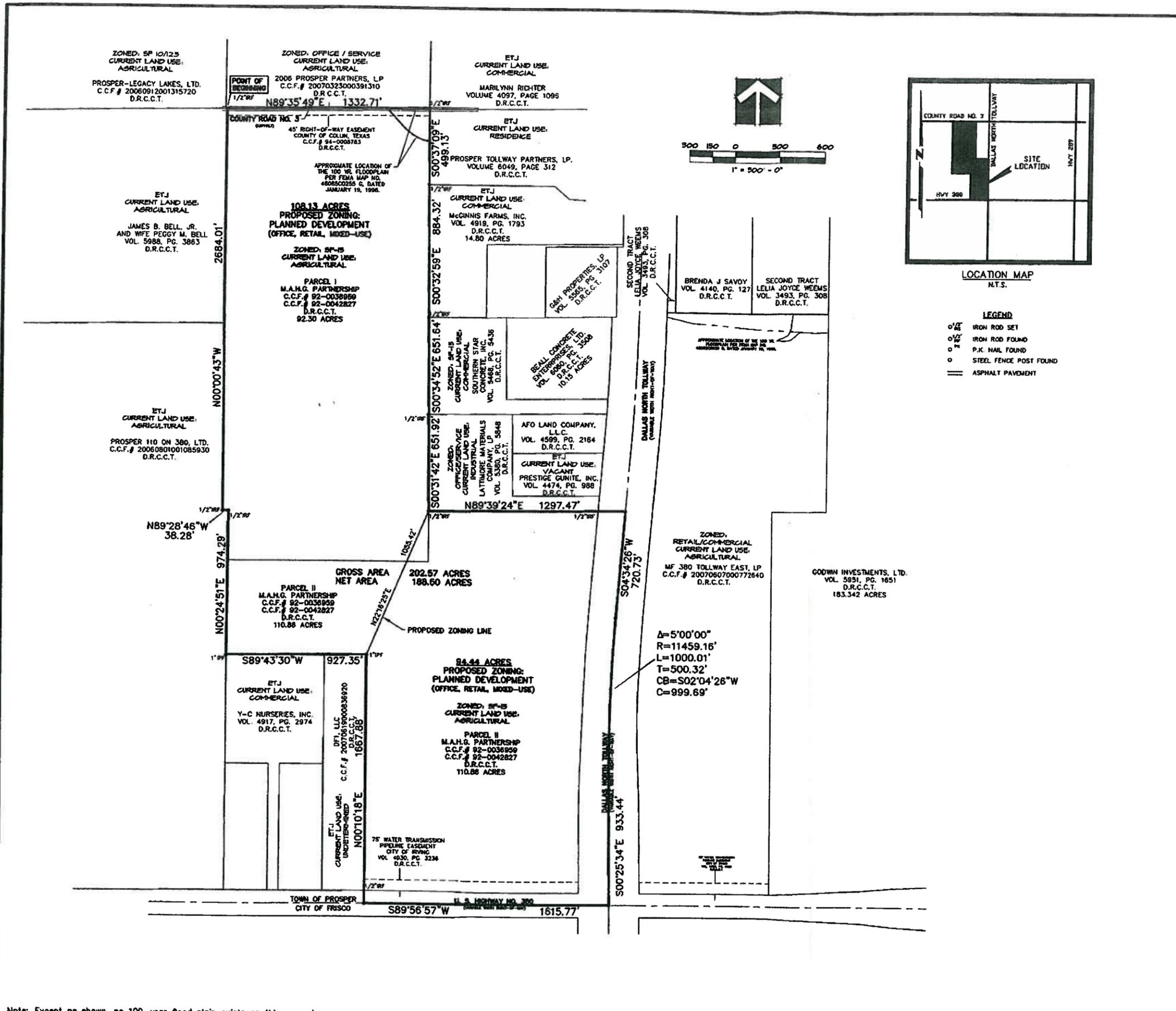

Charles Niswanger, Mayor

ATTESTED TO AND
CORRECTLY RECORDED BY:


Matthew Denton, TRMC
Town Secretary



DATE OF PUBLICATION: July 17, 2008 Dallas Morning News – Collin County
Addition



LOCATION MAP
N.T.S.

- LEGEND**
- IRON ROD SET
 - IRON ROD FOUND
 - P.K. NAIL FOUND
 - STEEL FENCE POST FOUND
 - ASPHALT PAYMENT

EXHIBIT A

BEING a parcel of land located in the Town of Prosper, Collin County, Texas, a part of the Collin County School Land Survey No. 12, Abstract Number 147, and being all that 92.30 acre tract of land described as Parcel I and a part of that 110.86 acre tract of land described as Parcel II conveyed to M.A.H.G. Partnership recorded in County Clerk's File No. 92-0036959, and County Clerk's File No. 92-0042827, Collin County Deed Records, and being further described as follows:

BEGINNING at a one-half inch iron rod found for the northwest corner of said Parcel I, said point being the northwest corner of a tract of land conveyed to James B. Bell, Jr. and wife, Peggy M. Bell recorded in Volume 5988, Page 3883, Collin County Deed Records, said point being in the south line of that tract of land conveyed to Prosper Partners, LP, recorded in County Clerk's File No. 20070323000391310, Collin County Deed Records, and said point being in the center of County Road No. 3;

THENCE North 89 degrees 35 minutes 49 seconds East, 1332.71 feet along the north line of said Parcel I and along the center of County Road No. 3 to a one-half inch iron rod found for corner;

THENCE along the east line of said Parcel I as follows:

- South 00 degrees 37 minutes 09 seconds East, 499.13 feet to a one-half inch iron rod found for corner;
- South 00 degrees 32 minutes 59 seconds East, 884.32 feet to a one-half inch iron rod found for corner;
- South 00 degrees 34 minutes 52 seconds East, 651.64 feet to a one-half inch iron rod found for corner;
- South 00 degrees 31 minutes 42 seconds East, 651.92 feet to a one-half inch iron rod found in the north line of said Parcel II;

THENCE North 89 degrees 39 minutes 24 seconds East, 1297.47 feet along the north line of said Parcel II to a point in the center of the Dallas North Tollway (a variable width right-of-way);

THENCE along the center of the Dallas North Tollway as follows:

- South 04 degrees 34 minutes 26 seconds West, 720.73 feet to a point for corner;
- Southwesterly, 1000.01 feet along a curve to the left having a central angle of 05 degrees 00 minutes 00 seconds, a radius of 11459.16 feet, a tangent of 500.32 feet, and whose chord bears South 02 degrees 04 minutes 26 seconds West, 999.69 feet to a point for corner;
- South 00 degrees 25 minutes 34 seconds East, 933.44 feet to a point found at the centerline intersection of the Dallas North Tollway with U. S. Highway 380 (a variable width right-of-way);

THENCE South 89 degrees 56 minutes 57 seconds West, 1615.77 feet along the centerline of U.S. Highway 380 to a point for corner;

THENCE North 00 degrees 10 minutes 18 seconds East, 1647.88 feet to a one-inch iron pipe found in the west line of said Parcel II, said point being the northeast corner of a tract of land conveyed to DF1, LLC as recorded in County Clerk's File No. 20070819000836920, Collin County Deed Records;

THENCE South 89 degrees 43 minutes 30 seconds West, 927.35 feet along the west line of said Parcel II to a one-inch iron pipe found for corner, said point being the northwest corner of a tract of land conveyed to T-C Nurseries, Inc. as recorded in Volume 4917, Page 2974, Collin County Deed Records, and said point being in the east line of a tract of land conveyed to Prosper 110 on 380, LTD as recorded in County Clerk's File No. 20060801001085930, Collin County Deed Records;

THENCE North 00 degrees 24 minutes 51 seconds East, 974.29 feet along the east line of said Prosper 110 on 380, LTD, to a one-half inch iron rod found in the west line of said Parcel I;

THENCE North 89 degrees 28 minutes 46 seconds West, 38.28 feet along the west line of said Parcel I and along the east line of said Prosper 110 on 380, LTD, to a one-half inch iron rod found for corner;

THENCE North 00 degrees 00 minutes 43 seconds West, 2684.01 feet along the west line of said Parcel I to the POINT OF BEGINNING and containing 202.57 acres.

This document was prepared under 22 TAC §863.21, 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.

DAN B. RAMSEY, R.P.L.S. No. 4172



EXHIBIT A

MF 380 TOLLWAY WEST, LP.
202.573 ACRES OUT OF
COLLIN COUNTY SCHOOL LAND SURVEY NO. 12, ABSTRACT NO. 147
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

M.A.H.G. PARTNERSHIP 10308 CRITTENDON DRIVE DALLAS, TEXAS 75229	OWNER (214)599-0852
MF 380 TOLLWAY WEST, LP. 4516 LOVERS LANE, SUITE 350 DALLAS, TEXAS 75225	APPLICANT (214)599-0852
JONES & BOYD, INC. 17090 Dallas Parkway, Suite 200 Dallas, Texas 75248	PLANNER/SURVEYOR/ENGINEER (972)248-7876

Note: Except as shown, no 100-year flood plain exists on this property.

Drawing: H:\Projects\400017.dwg Saved By: kugh Save Time: 5/8/2008 5:51 PM Plotted by: jayo Plotter: 5/14/2008 1:45 PM

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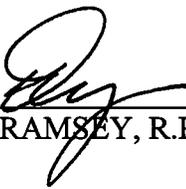
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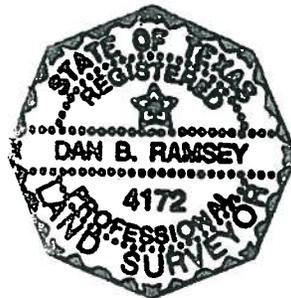
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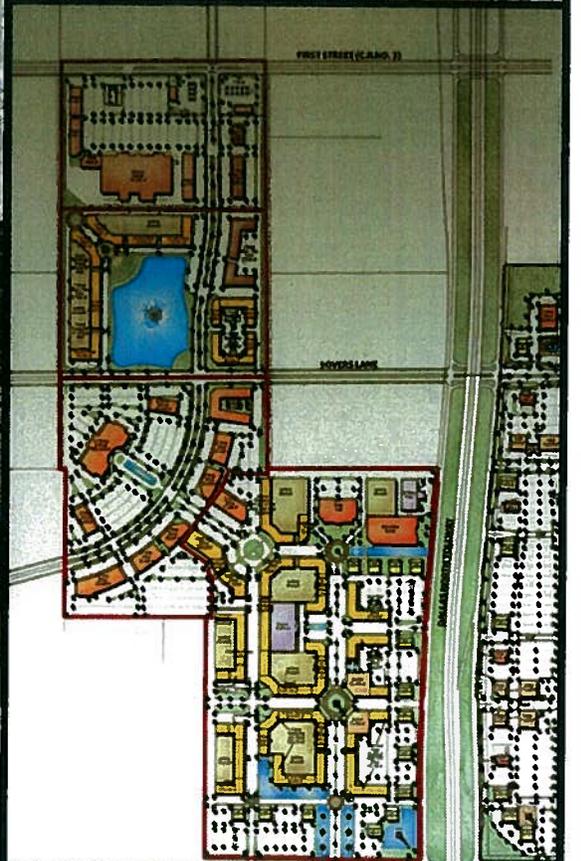
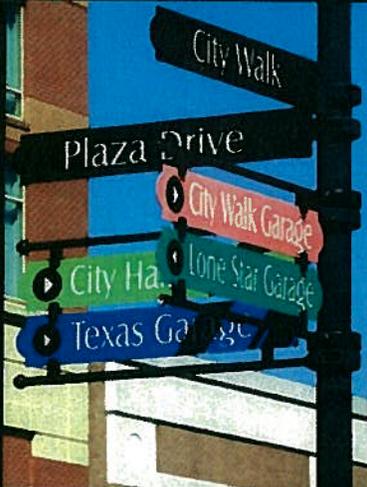
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DAN B. RAMSEY, R.P.L.S. No. 4172

6/28/07





PROSPER WEST

JUNE 12, 2008

CONTRIBUTORS



Beeler Guest Owens Architects
Copyright 2004

HODGES
&
ASSOCIATES

Architecture
PLLC



TOWN OF
PROSPER

INNOVA . Cityscape
Design + Development
John J. Glad

25 Highland Park Village . Ste 100 . LB 501
Dallas, TX 75205 . 214-697-9901



Jones & Boyd, Inc.

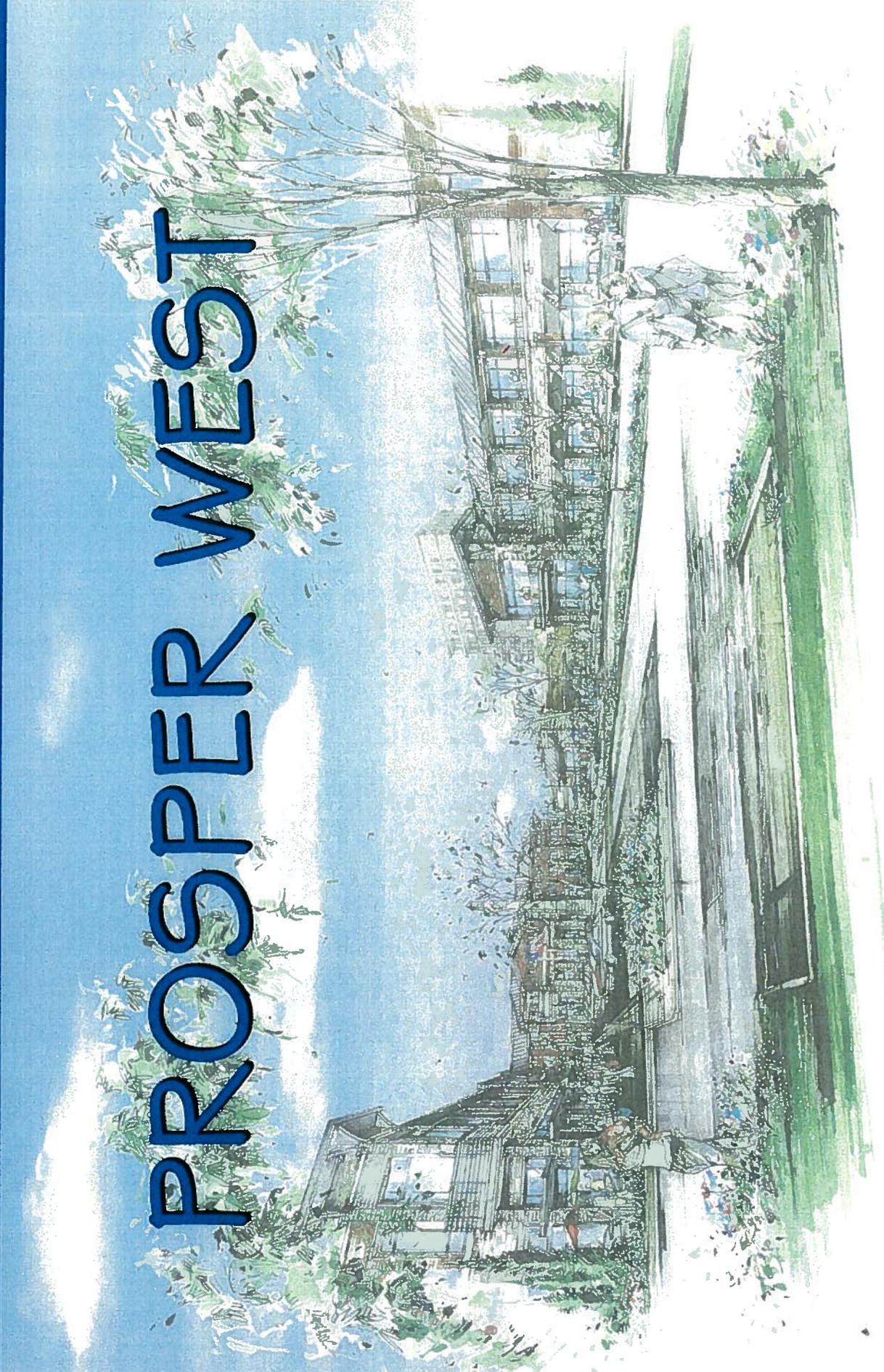
FOUNDER





**PROJECT
FOUNDATION**

PROSPER WEST



RELATION TO PROSPER COMPREHENSIVE PLAN

Land use policies for US Hwy 380 must be established that promotes nodal commercial patterns. (Pg. 4)

Actions must be taken which create and preserve points of nodal importance that attract nodal development...(Pg. 22)

The relationship between employment, retail, and residential is the relationship that distinguished a town from a suburb. (Pg. 22)

...The Prosper Plan must envision a form of development for the future Tollway that compliments the historic town...limit Tollway development to key nodal locations that support an internal street system...(Pg. 25)

The Tollway is and will be a major attractor for commercial, mixed use, and high density residential development. (Pg. 109)

Multi-family development shall be limited to locations in close proximity to retail access and shall comprise no more than 20% of the total land area within the Tollway district. (Pg. 109)

COMPARISON OF OTHER CITY'S MULTI-FAMILY STANDARDS

CITY

TRANSIT ORIENTED/URBAN APARTMENT DENSITY

FAIRVIEW

3 STORY BLDG MINIMUM, 3,500 UNITS MAXIMUM

MCKINNEY

NO MINIMUM, NO MAXIMUM

MANSFIELD

3 STORY BLDG MINIMUM, NO MAXIMUM

ARLINGTON

35 UNITS/AC MINIMUM, NO MAXIMUM

FRISCO

4 SQ FT OF APT FOR EACH RETAIL SQ FT
(1ST FLOOR RETAIL = 4 STORIES OF APTS)

PLANO

40 UNITS/AC MINIMUM, 100 UNITS/AC MAXIMUM

CARROLLTON

NO MINIMUM, NO MAXIMUM

PROSPER WEST

40 UNITS/AC MINIMUM, 2,900 UNITS MAXIMUM

POSITIVE ATTRIBUTES

Garages Integrated into Building Design

Outdoor Music

Lake & Surrounding Area Used as an Amenity/Focal Point

Building Setbacks Varied with Outdoor Seating Areas

Signage & Lighting are Well Coordinated

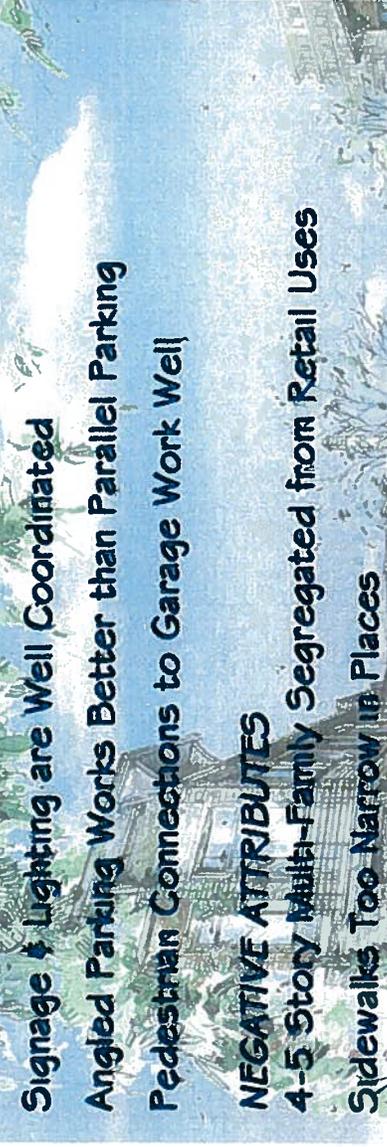
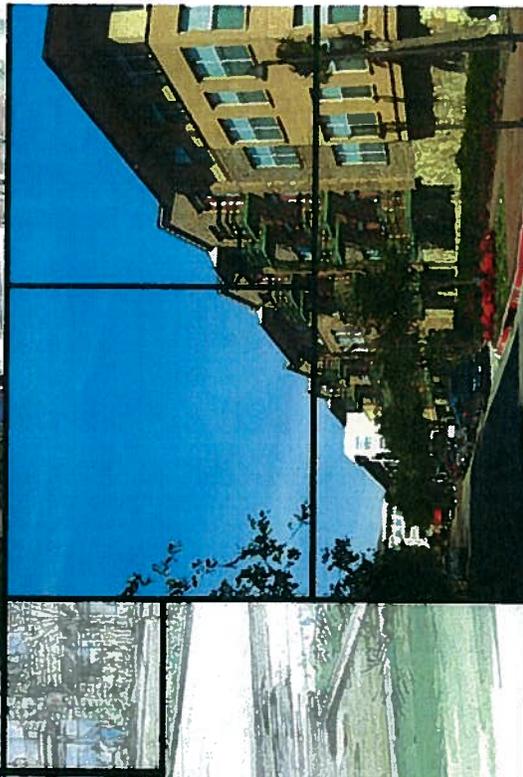
Angled Parking Works Better than Parallel Parking

Pedestrian Connections to Garage Work Well

NEGATIVE ATTRIBUTES

4-5 Story Multi-Family Segregated from Retail Uses

Sidewalks Too Narrow in Places



POSITIVE ATTRIBUTES

- Attention To Detail
- Extensive Use of Public Art
- Tenant's Architecture Incorporated into Building Fronts
- Project is Incorporated into the City's Street System
- Public Gathering Places Scattered Throughout
- Street Trees

NEGATIVE ATTRIBUTES

- Wide Sidewalks, but Outside Dining is Limited
- No Integrated Residential
- Primarily 1 & 2 Story Buildings

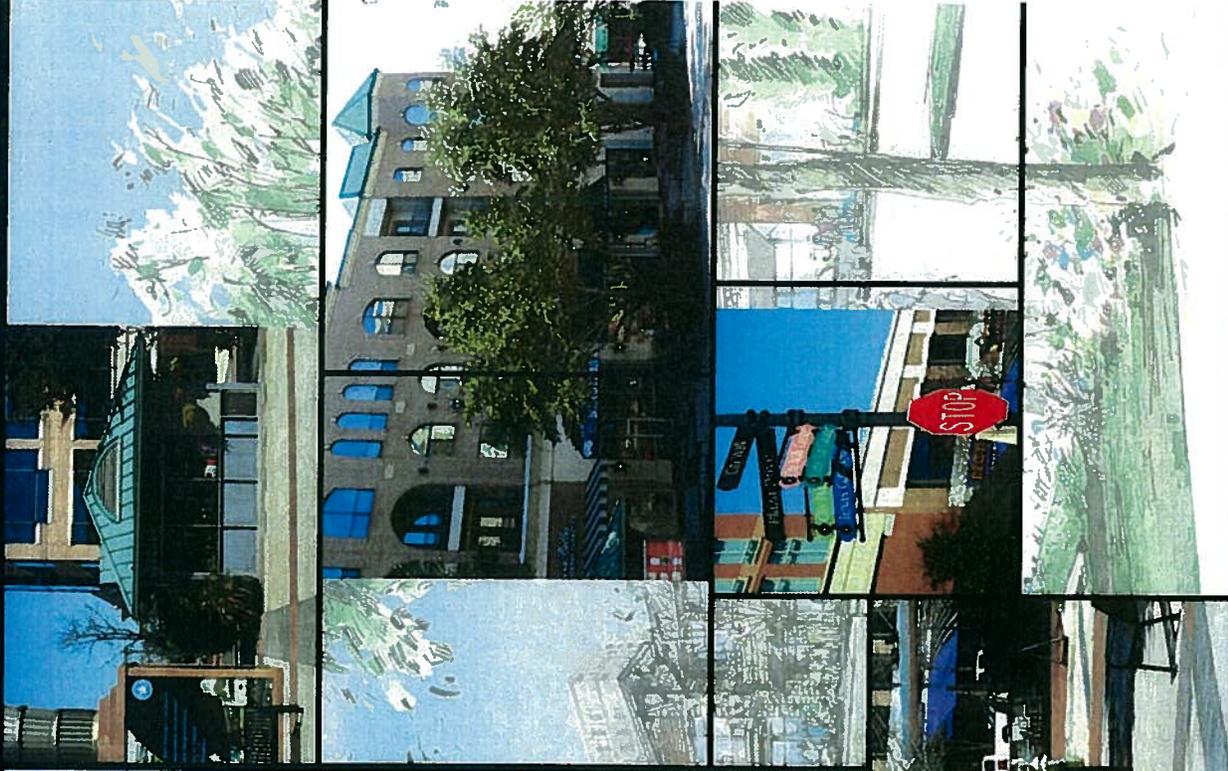


POSITIVE ATTRIBUTES

- Parking Well Hidden, yet Accessible
- Incorporates Upper Level Residential
- Stand-Alone Kiosks Create Opportunities

NEGATIVE ATTRIBUTES

- Development Feels Sterile
- City Hall Architecture is not Complimentary
- Monotone Architecture (Does Not Feel Vibrant)
- Plaza Lacks Engaging Features
- Imposing Buildings Surrounding Plaza
- Limited Interaction Between Plaza and Adjacent Buildings
- Too Small to Achieve Stand-Alone Critical Mass (32 Acres)

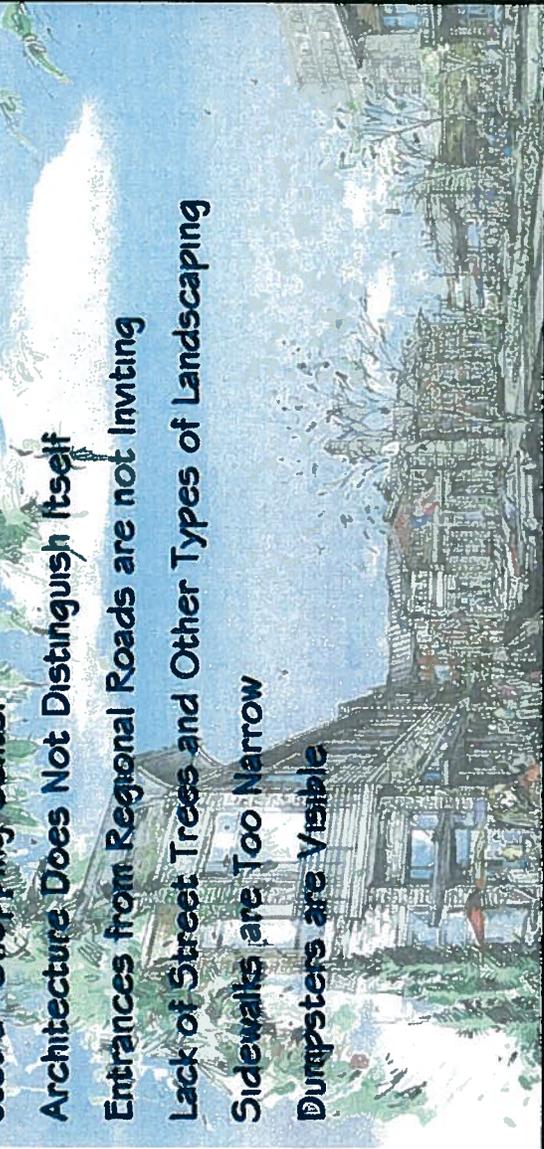


POSITIVE ATTRIBUTES

Enhanced Paving Used to Draw Attention
Open Space, Fountains, Lighting are Done Well

NEGATIVE ATTRIBUTES

Just a "Shopping Center"
Architecture Does Not Distinguish Itself
Entrances from Regional Roads are not Inviting
Lack of Street Trees and Other Types of Landscaping
Sidewalks are Too Narrow
Dumpsters are Visible

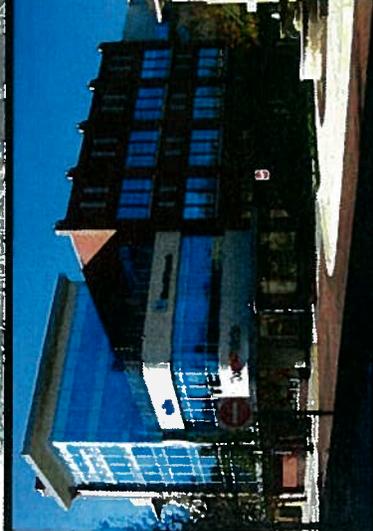
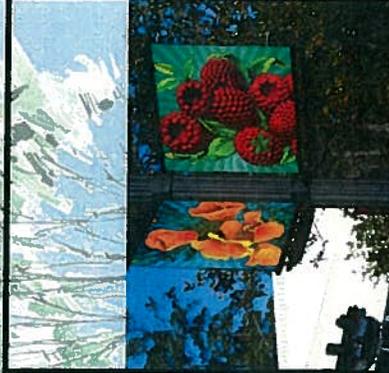


POSITIVE ATTRIBUTES

- Outdoor Music
- Varied Architecture within Building Facades
- Smaller Theater Incorporated into Village
- Human Scale Amenities in Park Areas
- Hidden Dumpsters

NEGATIVE ATTRIBUTES

- No Residential



POSITIVE ATTRIBUTES

Great Mix of Colors, Architecture, & Materials

Lots of Street Trees

Integrated Public Art

Town Hall Incorporated into the Development

Pedestrian Walkways Between the Buildings

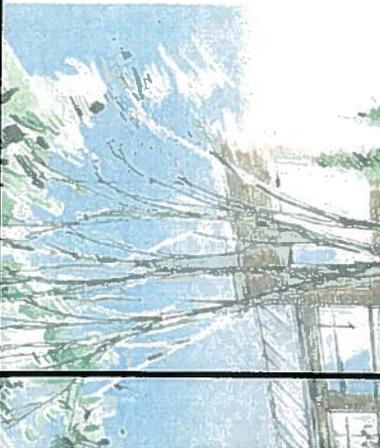
Angled Parking vs. Parallel Parking

NEGATIVE ATTRIBUTES

Primarily 1 & 2-Story Buildings

Narrow Sidewalks

Theater Not Incorporated into the Development



POSITIVE ATTRIBUTES

Full Vertical Integration of Uses

Primarily 4-6 Story Buildings

Easily Accessible Parking Garage

Magnolia Theater - 4 Screens

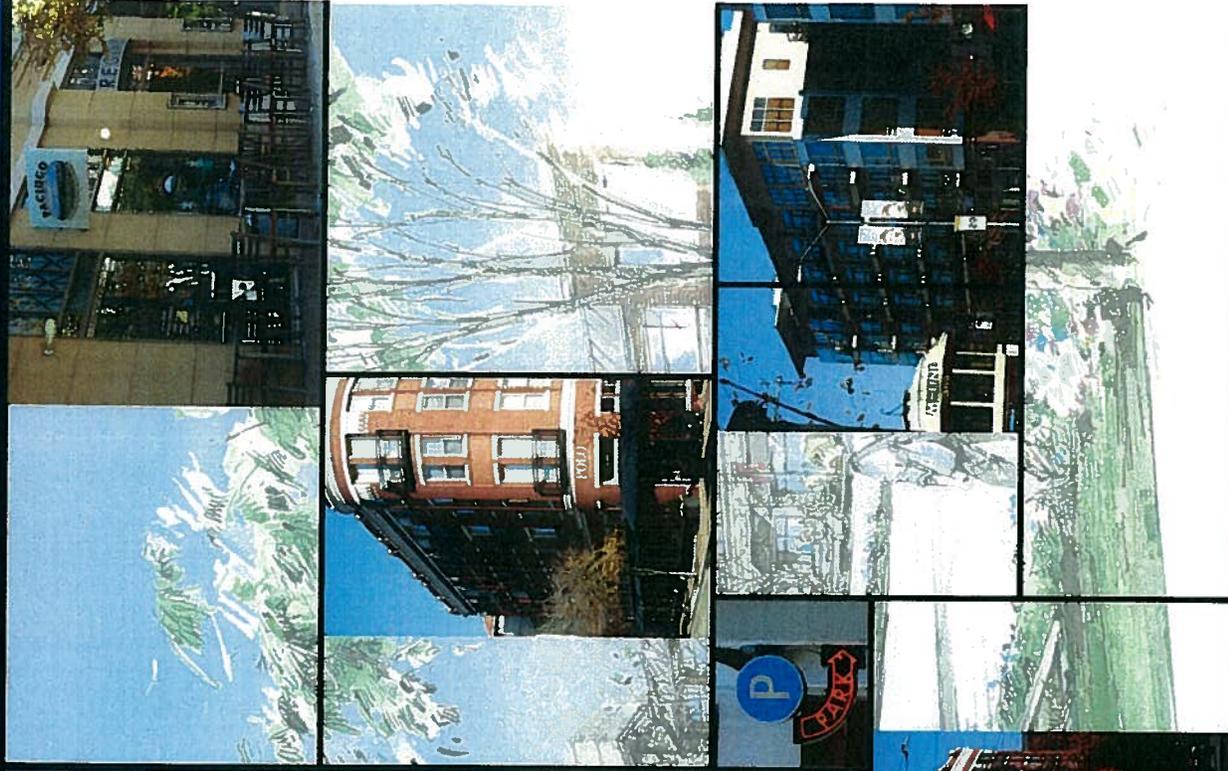
Strong Architecture

Integrated into Public Street System

NEGATIVE ATTRIBUTES

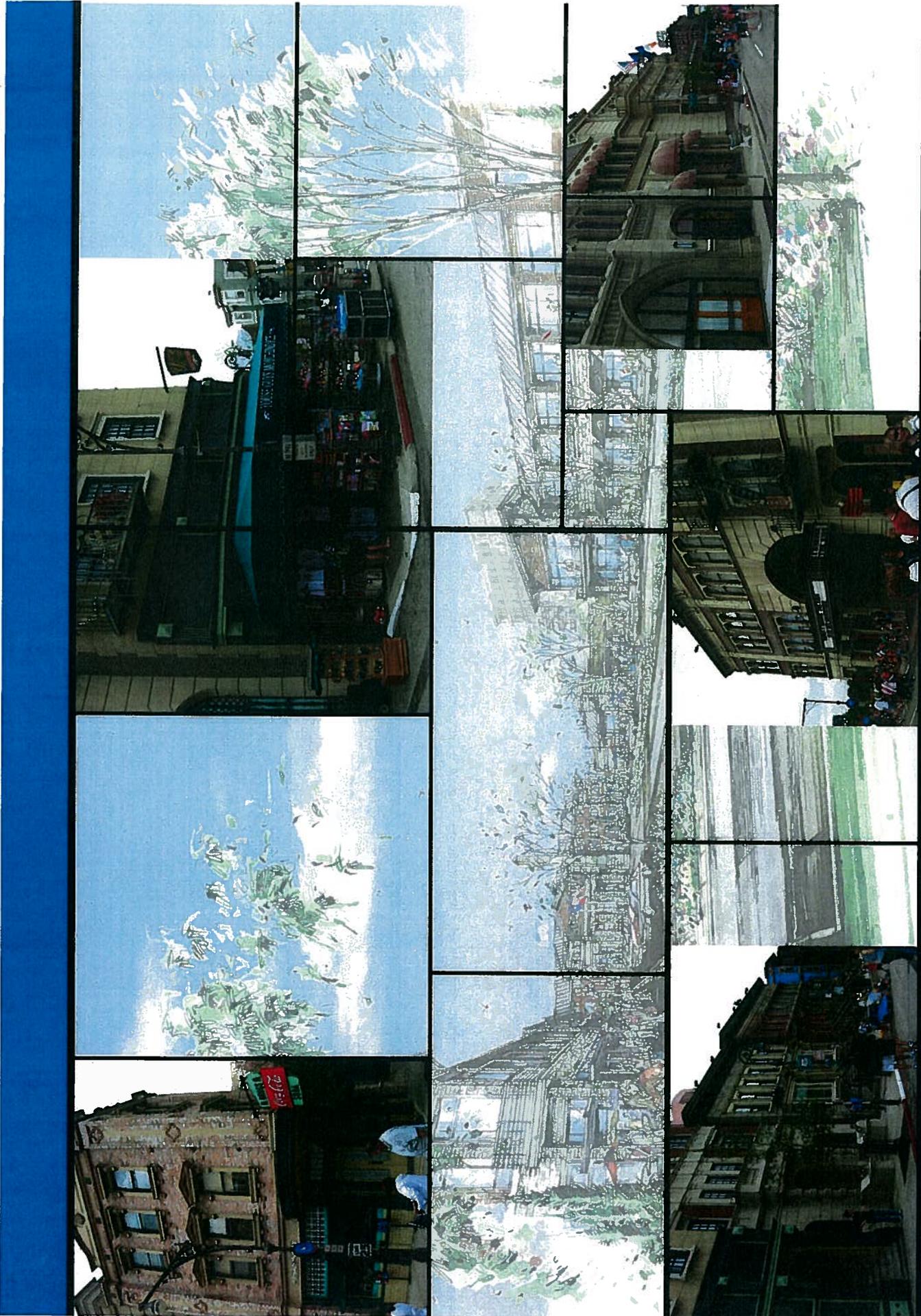
No True Public Places

Narrow Sidewalks

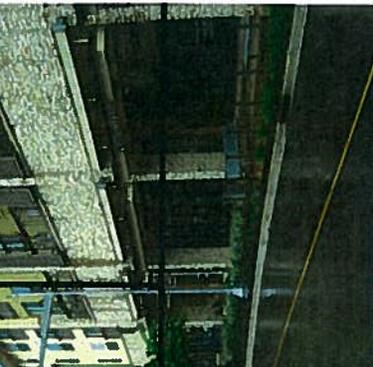
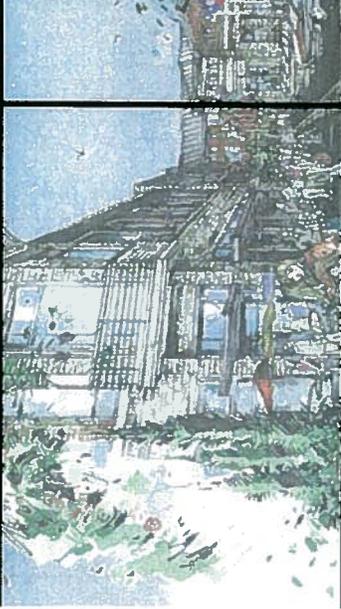
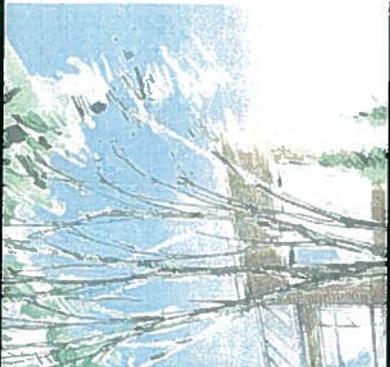
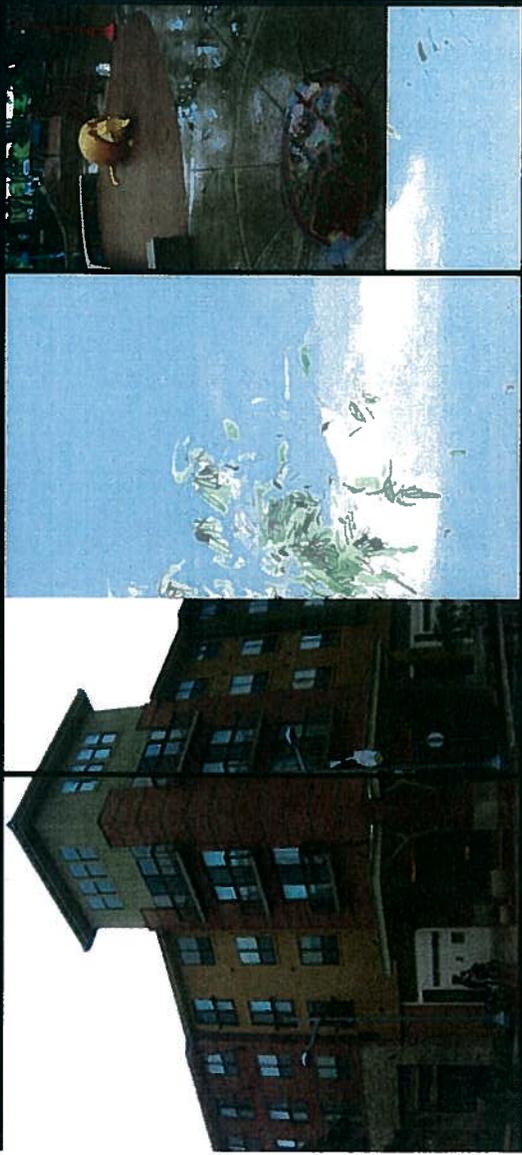




Celebration Market Place



Downtown Disney



The Domain



Lake Eola

DEVELOPMENT STANDARDS BENCHMARKS

The Shops at Legacy

Sugarland Town Center

Austin Mixed Use Design Standards

Addison Circle

West Village (Dallas)

Southlake Town Center

Frisco Square

Downtown Plano

Lakeridge Overlay District (Grand Prairie)

Frisco Form Based Code

Glory Park (Arlington)

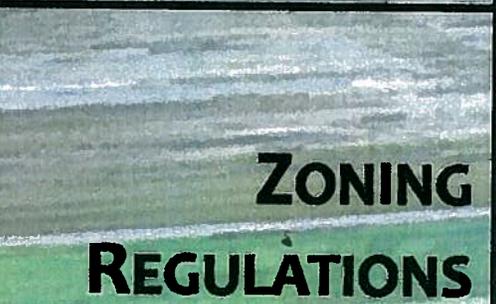
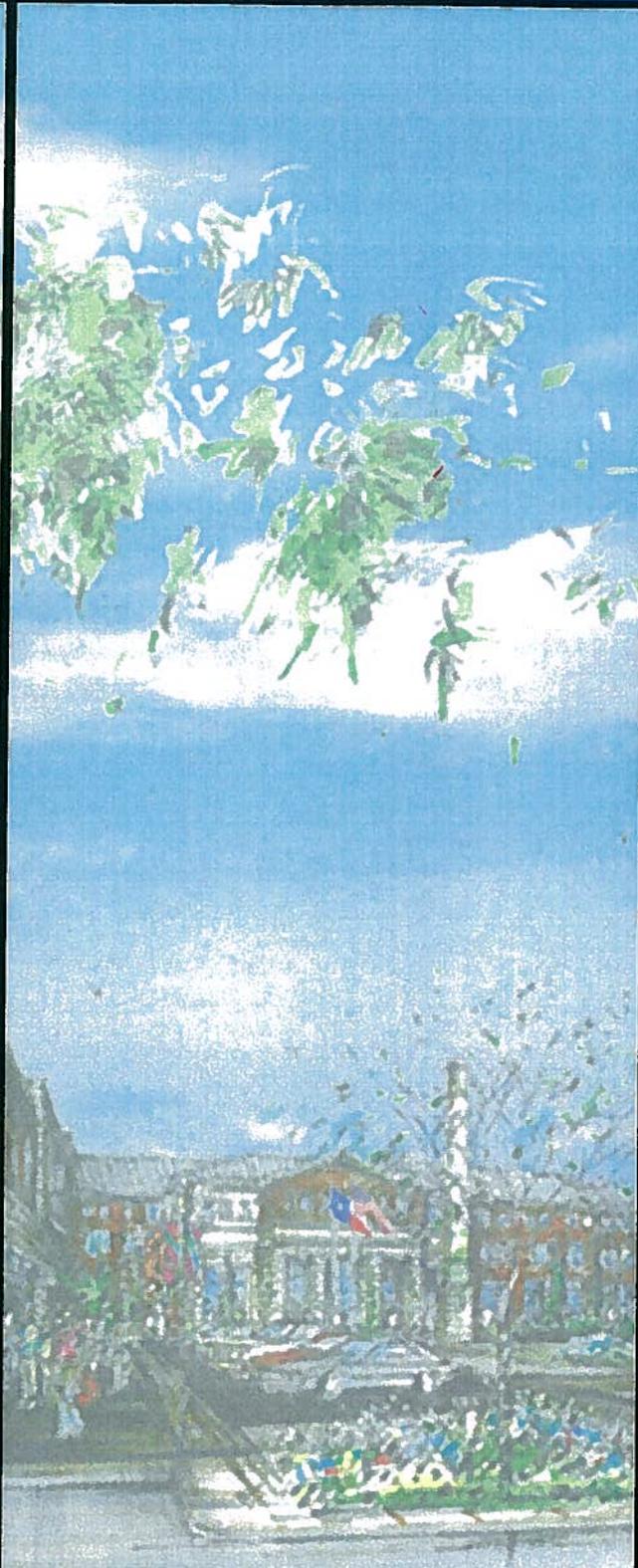
The Reserve (Mansfield)

Arlington Entertainment District

Colleyville Town Center

Parker Square (Flower Mound)



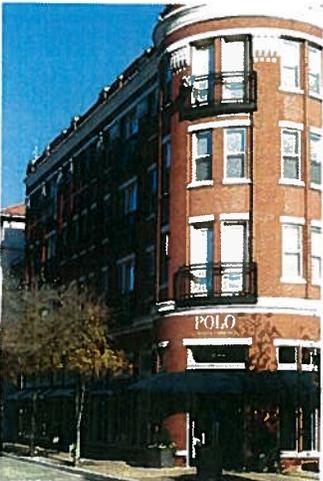


**ZONING
REGULATIONS**

PLANNED DEVELOPMENT NO. _____

EXHIBIT B--PLANNED DEVELOPMENT PURPOSE AND INTENT:

This planned development is intended to provide for and encourage development that contains a compatible mix of residential, office, and commercial uses within close proximity to each other, rather than separating uses.



The use provisions define land uses and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. These uses may be combined either vertically in the same building, or horizontally in multiple buildings, or through a combination of the two.

Additionally, the standards are intended to promote an efficient pedestrian-access network that connects the nonresidential and residential uses. The planned development generally addresses the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment. This is accomplished by the following;

- Ensuring buildings relate appropriately to surrounding developments and streets which create cohesive visual identity and attractive street scenes.
- Ensuring site design promotes efficient pedestrian and vehicle circulation patterns.
- Ensuring the creation of high quality street and sidewalk environments that are supportive of pedestrian mobility and that are appropriate to the roadway context.
- Ensuring large sites are developed in a manner that supports and encourages connectivity and creates a cohesive visual identity and attractive street scene.



In order to implement this vision, the standards affecting development are intended to be consistent with the overall goal. To accomplish this goal, the area has been subdivided into a series of sub-districts with development restrictions that will be necessary to achieve their collective individuality.

The purpose of sub-district requirements is to define the character of new development within each sub-district. They have been carefully designed to allow enough flexibility for creative building solutions, while being prescriptive in areas necessary to preserve consistency throughout the development.

EXHIBIT C--SUB-DISTRICT REGULATIONS:

DOWNTOWN SUB-DISTRICT

PURPOSE & INTENT

The purpose of the Downtown Sub-District is to encourage the creation of a pedestrian-oriented, vertically integrated, mixed-use, urban environment, providing shopping, employment, housing, business and personal services. The Downtown is intended to be the focal point of the community. This is achieved by promoting an efficient, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles within the district; promoting a functional and attractive community through the use of urban design principles; and allowing developers flexibility in land use and site design.



The Downtown Sub-District is to be an area with a mixture of moderately intense uses that are developed surrounding an identifiable core. Buildings are close to and oriented toward the street. There is a connected street pattern, shared parking, and pedestrian amenities.

SITE CRITERIA

A. SIZE OF YARDS:

1. Minimum Front Yard:
 - a. On Dallas Parkway and SH 380: Thirty (30) feet.
 - b. On all other streets: Ten (10) feet.
2. Minimum Side Yard: Zero (0) feet.
3. Minimum Rear Yard: Zero (0) feet.

B. BUILD-TO-LINE: On streets with on-street parking, a build-to-line shall be required. A "build-to-line" is a line parallel to a public or private street where the primary façade of the building must be built to.

1. Buildings with non-residential uses on the first floor: A build-to-line shall be established at the minimum front yard setback. The primary facade shall be continuous along a



block face and at least 70% shall be located adjacent to the build-to-line.

2. Buildings with residential uses on the first floor: The primary façade of a residential dwelling shall be built 10' from the property line. Stairs, stoops, and elevated patios shall be allowed within the front setback. Any land remaining in the setback shall be landscaped with plant materials other than grass and shall be irrigated per the requirements established.



C. SIZE OF LOTS:

1. Minimum Size of Lot Area: Three thousand (3,000) square feet.
2. Minimum Lot Width: Fifty (50) feet.
3. Minimum Lot Depth: Sixty (60) feet.

D. MAXIMUM LOT COVERAGE: One hundred (100) percent.

E. FLOOR AREA RATIO: Maximum 5.0:1.

F. HOUSING: The maximum number of dwellings allowed within the Downtown Sub-District shall be 2,000. The following performance standards however, shall apply to residential development.

1. The minimum density allowed shall be 40 units/net acre.
2. A minimum of 75% of the first floor square footage of all buildings containing residential units shall be used for nonresidential uses.
3. A minimum of 80% of the first floor nonresidential square footage of buildings containing residential units shall have Certificates of Occupancy issued for them prior to the issuance of any building permit for an additional phase of residential units subsequent to the first phase.
4. A minimum of 75% of the residential units of each phase must be leased prior to the issuance of any building permit for an additional phase of residential units subsequent to the first phase.
5. Upon request of the Director of Development Services, actual tenant names and leasing contact information shall be provided to the Town staff for verification that the leases needed to validate items 3 and 4 above are third-party, arms-length, and bona fide commercial and residential leases.
6. The first phase of residential development shall consist of no less than 600 units and no greater than 1,200 units. This first phase shall be constructed within the Downtown Sub-District.

7. Development of residential units in the Uptown Sub-District shall not take place until a minimum 80% of the first floor nonresidential square footage of buildings containing residential units in the Downtown Sub-District has Certificates of Occupancy issued for them.

G. PARKING:

1. The number of parking spaces provided for uses shall be in accordance with the breakdown established in the "GENERAL REQUIREMENTS" section of these standards.
2. Required parking shall be located and maintained anywhere within the Downtown Sub-District.



3. On-street parking and shared parking anywhere within the Downtown Sub-District may be counted towards meeting the off-street parking requirement for any use within the sub-district.
4. All off-street parking shall be located to the side or rear of the property behind the front building lines. Exceptions to this requirement include lots containing surface

parking only and multiple fronted lots.

5. Where on-street parking is provided, angled, as well as parallel parking shall be permitted. However, no on-street parking shall be permitted within 30' of the cross curb line for a cross street, drive, or common access easement.



6. Where on-street parking is provided, vehicle maneuvering shall be allowed within the public right-of-way. Additionally, where off-street parking is adjacent to a "Village Lane", the maneuvering for that parking shall be allowed within the right-of-way of the "Village Lane".

7. Parking may be located in structured garages provided the garages are located generally in the center of a property and lined with building.

8. When structured garages are provided, adequate access from public rights-of-way via private drives and/or access easements shall be made readily available.



9. Parking aisles, where practicable, shall be designed to be perpendicular to the front of the primary building in the development.

10. Parking spaces that face and are adjacent to a building shall utilize curbs, wheel stops, and/or bollards.

11. Speed bumps/humps are not permitted within a fire lane.
12. Dead-end parking aisles are not permitted.
13. In the case of mixed uses, uses may share parking spaces where it can be demonstrated to the Director of Development Services the parking for two (2) or more uses occurs at alternating periods. Such shared parking shall be established in accordance with the following provisions:
 - a. It shall be demonstrated as a condition precedent to consideration of shared parking that such sharing of spaces will result in a reduction of at least ten (10) percent of the aggregate required parking for such uses.
 - b. The applicant shall submit a parking analysis, done by a registered engineer, to the Director of Development Services for his approval.
 - c. Up to fifty (50) percent of the parking spaces required for a theater or other place of evening entertainment (after 6:00 P.M.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours if specifically approved by the Director of Development Services.

H. SERVICE EQUIPMENT AND AREAS:

1. Loading docks, truck parking, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building or placed behind or on the side of a building. On corner lots, these areas should be located behind the buildings.
2. Transformers, HVAC equipment (if located at the ground level), lift stations, utility meters, and other machinery, where practical, should be located at the rear of the property.

I. SCREENING:

1. Service equipment and areas shall be screened so the visual impacts of these functions are fully contained and out of view from adjacent properties and public streets.
2. Solid waste collection and loading areas shall be located to minimize visibility. These areas shall be screened by a six (6) foot high wall built with the same materials as used for the principal building, or an otherwise approved solid masonry material. Trash compactors shall be treated comparably with the height of the screening being a minimum eight (8) feet tall. Trash dumpsters shall have a metal gate or door equal in height or the height of the wall, which shall generally remain closed at all times.





- J. **FENCING:** Fencing is allowed between the primary facade of the building and the property line. In the above instances the fence shall be no greater than forty-two (42) inches in height. Fencing is restricted to wrought iron, tubular steel or similar material, or masonry. The masonry portion of any fence in front of a building shall be no higher than three (3) feet. The masonry portion of the fence must be at

least 50% open in construction for each residential unit or retail/restaurant/office/service lease space. Each residential unit or retail/restaurant/office/service lease space must have an operable gate that opens to the street.

- K. **STREETS AND SIGHT TRIANGLES:** Within the Downtown Sub-District the following street design standards shall apply.
1. Except as provided herein, no sight triangle shall be required. Adequate sight distance will be provided at all intersections through the use of appropriate traffic control devices. Sight triangles, per the Town of Prosper's requirements, for vehicles exiting the development for both public streets and private driveways shall be provided at intersections with Dallas Parkway and US Highway 380.
 2. For plantings within twenty (20) feet of any public street intersection, shrubs and groundcover shall not exceed two (2) feet in height and tree branching shall provide seven (7) feet of clearance measured from the top of the ground surface to the first branch along the tree trunk.

Nothing contained herein shall vary or supersede public safety requirements of the Town of Prosper as set forth in the Uniform Fire Code and other applicable laws, rules, and regulations of the Town of Prosper.

- L. **LANDSCAPING:** The standards and criteria contained in this Section are the minimum standards for all new development. Where the regulations of this Section conflict with the Town of Prosper Zoning Ordinance, the regulations of this Section shall apply. Unless specifically identified in this Section, new developments shall comply with the landscape standards established in the Town of Prosper Zoning Ordinance as of the date of adoption of this ordinance.

1. A landscaped area consisting of living trees, turf, or other living ground cover and being at least thirty (30) feet in width measured from the property line interior to the property shall be provided adjacent to and outside of the right-of-way on all properties adjacent to Dallas Parkway and US Hwy 380. One (1) large tree, three (3) inch caliper minimum per thirty (30) feet of linear roadway frontage





shall be planted within the required landscaped area. The trees may be planted in groups with appropriate spacing for species. A minimum fifteen (15) shrubs with a minimum size of five (5) gallons each will be planted in the landscaped area for each thirty (30) feet of linear frontage. Parking abutting the landscaped area will be screened from the adjacent roadway. The required screening may be with shrubs or earthen berms.

2. A "Buffer Region" which shall be located in the right-of-way, shall be established along streets which have on-street parking. The Buffer Region shall have a minimum width of six (6) feet and shall be continuous and located adjacent to the curb. The region shall be planted with street trees located a minimum four (4) feet from the curb, at an average spacing not greater than thirty (30) feet on center. All trees shall be a minimum of three (3) inch caliper when planted. Root barriers shall be used in conjunction with all street trees. The landscaping shall be provided, installed, and maintained by the developer and/or the owner of the adjacent property. In addition, the region is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.



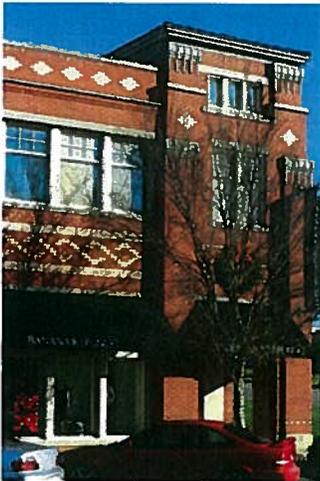
3. Any non-structured, off-street, surface parking that contains twenty (20) or more spaces shall provide interior landscaping as follows:
 - a. Fifteen (15) square feet of landscaping for each parking space shall be provided within the paved boundaries of the parking area.
 - b. All landscaped areas shall be protected by a raised six (6) inch concrete curb. Pavement shall not be placed closer than four (4) feet from the trunk of a tree unless a Town approved root barrier is utilized.
 - c. Landscaped islands shall be located at the terminus of all parking rows and shall contain at least one (1) large tree, three (3) inch caliper minimum, with no more than fifteen (15) parking spaces permitted in a continuous row without being interrupted by a landscape island.
 - d. Landscaped islands shall be a minimum of one hundred sixty (160) square feet, not less than nine (9) feet wide and a length equal to the abutting space.



- e. There shall be at least one (1) large tree, three (3) inch caliper minimum, within one hundred fifty (150) feet of every parking space.
- 4. Permanent irrigation shall be provided for all required landscaping as follows:
 - a. Irrigation lines for perimeter landscaping identified in (1) above, shall be placed a minimum of two and one-half (2 ½) feet from a town sidewalk or alley. Reduction of this requirement is subject to review and approval by the Town Engineer.
 - b. Trees and shrubs shall be irrigated by bubbler irrigation lines only. Other landscaping may be irrigated by spray irrigation. Separate valves shall be provided to turn off the spray irrigation line during periods of drought or water conservation.
 - c. Rain, freeze, and wind detectors shall be installed on all irrigation lines.
- 5. Artificial plants or turf are expressly prohibited. Drought tolerant and/or native plants from the lists approved by the Town are required for compliance. Other species may be utilized with approval from the Town as part of the Final Site Plan process.

BUILDING CRITERIA

The standards and criteria contained in this Section are the minimum standards for all new development. The regulations of this Section shall apply where the regulations of this Section conflict with the Town of Prosper Zoning Ordinance.



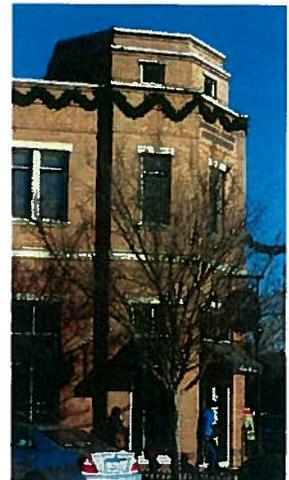
A. **TRI-PARTITE ARCHITECTURE:** All multi-story, mixed use buildings shall be designed and constructed in tri-partite architecture so they have a distinct base, middle, and top.

B. **MAXIMUM BUILDING HEIGHT:**

- 1. Buildings Other than a Hotel: Five (5) stories, no greater than eighty (80) feet.
- 2. Hotel: Twelve (12) stories, no greater than one hundred eighty (180) feet. For purposes of this section, a mix of uses, both residential and nonresidential, may be located in a building classified as a hotel. In all instances, the hotel portion of the building shall comply with the definition

of a hotel established in the Town of Prosper Zoning Ordinance.

- 3. **Parking Structures:** In no instance shall a parking structure be taller than the building it is closest to. Notwithstanding, the maximum height for a parking structure shall be eighty (80) feet.
- 4. **Architectural embellishments** not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plan is no greater than 25% of the first floor foot print may exceed the height limits by up to twenty (20) feet.



5. Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building height, provided that: 1) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-way, measured at six (6) feet high at the right-of-way line.

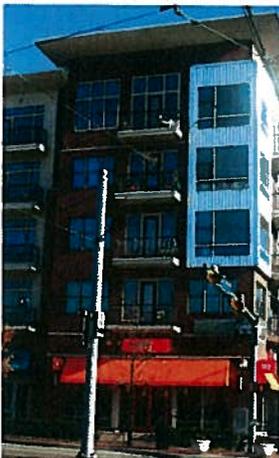
C. **MAXIMUM BUILDING LENGTH:** Buildings shall not be longer than three hundred and thirty (330) feet without an unconnected physical separation of at least fifteen (15) feet between another building.

D. **BUILDING MATERIALS:**

1. Only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, and stucco shall be considered primary materials. Primary materials shall comprise as least ninety (90) percent of each floor, exclusive of doors and windows. For purposes of this section, window walls shall be considered windows.



2. Only primary building materials with the exception of stucco, are allowed on the first floor, exclusive of doors, windows, and their accompanying frames. Stucco shall be allowed as a primary building material above the first floor. For purposes of this section, the first floor shall be at least nine (9) feet high.



3. No single building material shall cover more than eighty (80) percent of the front of any building.
4. Secondary materials used on a building façade are those which comprise not more than a total of ten (10) percent of an elevation area. Permitted secondary materials are aluminum or other metal, cedar or similar quality decorative wood, EIFS, or other materials as approved by the Planning & Zoning Commission.
5. All buildings shall be architecturally finished on all sides with articulation, detailing, and features. Architectural articulation, detailing, and features are not required for facades adjacent to a building or parking garage.
6. An architectural design that does not conform with the specific requirements of this Section, but which has merit by making a positive

contribution to the visual environment may be submitted for consideration to the Planning and Zoning Commission in conjunction with the final site plan submittal process.

E. WINDOW AREAS:

1. For buildings which front on streets with on-street parking and contain nonresidential uses on the ground floor, between forty (40) and seventy-five (75) percent of the ground floor façade shall be windows.
 - a. Clear glass is required in all nonresidential storefronts. Smoked, reflective, or black glass that blocks two-way visibility is prohibited. Windows shall have a maximum exterior visible reflectivity of ten (10) percent.
 - b. Pink or gold glass shall be prohibited.
 - c. Windows shall be vertical in proportion by a ratio of 1.25:1 or more (height to width). Multiple vertical windows however, may be placed together to form a compound window which may be wider than it is tall.



F. BUILDING ENTRIES:



1. Main building entries shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.
2. Each building and separate lease space at grade along the street edge shall have a functioning "Primary Entry" from the sidewalk. Corner entries may count as a Primary Entry for both intersecting street fronts.

G. AWNINGS, CANOPIES, ARCADES, & OVERHANGS:

1. Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.
2. The material of awnings and canopies shall be architectural materials that complement the building.
3. Awnings shall not be internally illuminated.
4. Canopies should not exceed one hundred (100) linear feet without a break of at least five (5) feet.
5. Canopies and awnings shall respect the placement of street trees and lighting.



6. All structural columns that support a canopy shall have a masonry (or other approved material) finish. Materials used on columns and canopies shall be complementary to the building.

H. BUILDING ARTICULATION:

1. That portion of the building where retail or service uses take place on the first floor shall be accentuated by including awnings or canopies, different building materials, or architectural building features.
2. Building facades fronting both streets and driveways should have massing changes and architectural articulation to provide visual interest and texture and reduce large areas of undifferentiated building façade. Design articulation should not apply evenly across the building façade, but should be grouped for greater visual impact employing changes in volume and plane. Architectural elements including projecting volumes, windows, balconies, loggias, canopies, pediments, and moldings that break up the mass of the building are encouraged.



I. ABOVE GRADE STRUCTURED PARKING:

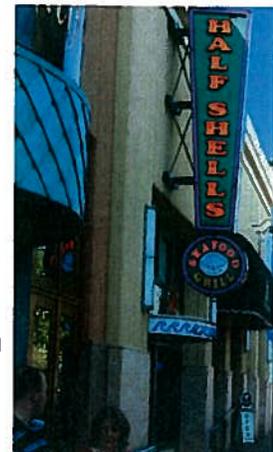
1. At least forty (40) percent of the area occupied along the street level façade of any parking structure that is adjacent to a sidewalk or street right-of-way shall be developed for active nonresidential uses.



2. Where parking garages are within views of streets, openings in parking garages shall not exceed 55% of the façade area. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings.
3. Entries and exits to and from parking structures shall be clearly marked for both

vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.

- J. PROJECTIONS INTO SETBACKS AND/OR RIGHTS-OF-WAY: The following projections shall be permitted into a building setback or right-of-way as allowed below, provided that 1) no projection shall be permitted into a building setback or right-of-way of Dallas Parkway or US Highway 380; 2) such projections do not extend over the traveled portion of a roadway; 3) the property owner has assumed liability related to such projections; and 4) the property owner shall maintain such projection in a safe and non-injurious manner.



1. Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to twelve (12) inches beyond a building face or architectural projection into the setback, but not the right-of-way.
2. Business signs and roof eaves may project up to thirty-six (36) inches beyond the building face or architectural projection into the setback, but not the right-of-way.



3. Architectural projections, including balconies, bays, towers, and oriels; show windows (1st floor only); below grade vaults and areaways; and elements of a nature similar to those listed; may project up to forty-eight (48) inches beyond the building face into the setback, but not the right-of-way.

4. Canopies and/or awnings may project from the building face over the entire setback. Additionally, they may be extended into the right-of-way to be within eight (8) inches of the back of curb if used to provide a covered walkway to a building entrance and as long as any canopy/awning support is no closer than twenty four (24) inches from the back of curb.
5. Below-grade footings approved in conjunction with building permits.



PERMITTED USES

List of Permitted Uses: Uses followed by an “S” are permitted by Specific Use Permit. Uses followed by a “C” are permitted subject to conditional development standards located in the Town’s Zoning Ordinance as it exists at the time of adoption of this ordinance.

- Accessory Building
- Administrative, Medical, or Professional Office
- Antenna and/or Antenna Support Structure, Commercial—C
- Antenna and/or Antenna Support Structure, Non-Commercial—C
- Antique Shop and Used Furniture
- Artisan’s Workshop
- Assisted Care or Living Facility—S
- Auto Parts Sales, Inside
- Automobile Paid Parking Lot/Garage

- Automobile Parking Lot/Garage
- Bank, Savings and Loan, or Credit Union
- Beauty Salon/Barber Shop
- Bed and Breakfast Inn
- Beer & Wine Package Sales—C
- Building Material and Hardware Sales, Minor
- Business Service
- Caretaker's/Guard's Residence
- Civic/Convention Center
- College, University, Trade, or Private Boarding School
- Commercial Amusement, Indoor
- Community Center
- Convenience Store without Gas Pumps
- Dance Hall--S
- Day Care Center, Child—C
- Day Care Center, Incidental--S
- Dry Cleaning, Minor
- Farmer's Market
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture, Home Furnishings and Appliance Store
- Governmental Office
- Gymnastics/Dance Studio
- Health/Fitness Center
- Home Occupation
- Hospital
- Hotel
- House of Worship
- Household Appliance Service and Repair
- Insurance Office
- Laundromat
- Locksmith/Security System Company
- Massage Therapy, Licensed
- Mini-Storage Facility--S
- Mobile Food Vendor—C
- Multifamily Dwelling
- Multi-Tenant Office Building
- Municipal Uses Operated by the Town of Prosper
- Museum/Art Gallery
- Nursery, Minor
- Park or Playground
- Pet Day Care—C
- Print Shop, Minor

- Private Club—S
- Private Recreation Center—C
- Private Utility, Other than Listed
- Real Estate Sales/Leasing Office
- Recycling Collection Point
- Rehabilitation Care Institution—S
- Restaurant or Cafeteria—C
- Restaurant, Drive In
- Retail Stores and Shops
- Retail/Service Incidental Use
- School, Private or Parochial
- School, Public
- Stealth Antenna, Commercial—C
- Studio Dwelling
- Telephone Exchange
- Temporary Building—C
- Theater, Regional
- Utility Distribution/Transmission Facility—S
- Veterinarian Clinic and/or Kennel, Indoor
- Work/Live Units (Property that has been specifically designed for use both as a residential unit and an employment space. While the segregation of uses may take place vertically, they will be located in the same leasable area, be accessed by the same doorway and may or may not share plumbing.)

OFFICE PARK SUB-DISTRICT

PURPOSE & INTENT

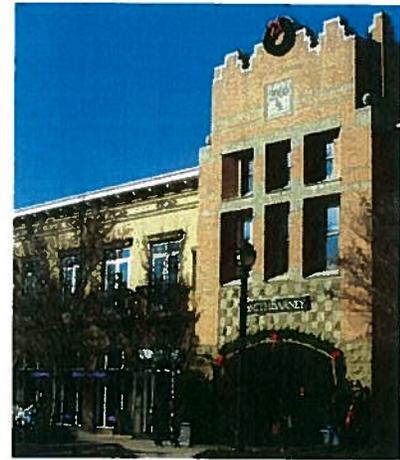


The purpose of the Office Park Sub-District is to provide for a variety of developments in a “suburban” type setting which will provide office space for professional, financial, medical, and similar services. Additional facilities within this sub-district are intended to accommodate corporate offices for regional and national operations.

SITE CRITERIA

A. SIZE OF YARDS:

1. **Minimum Front Yard:** Twenty-five (25) feet.
2. **Minimum Side Yard:**
 - a. Ten (10) feet adjacent to any nonresidential district.
 - b. Twenty-five (25) feet for a one (1) story building adjacent to property zoned to a single family zoning district. Forty (40) feet for a two (2) story building adjacent to property zoned to a single family zoning district. Where buildings exceed two (2) stories in height, the setback shall be forty (40) feet plus the height of the building above two (2) stories where the building is adjacent to property zoned to a single family zoning district.
3. **Minimum Rear Yard:**
 - a. Ten (10) feet adjacent to any nonresidential district.
 - b. Twenty-five (25) feet for a one (1) story building adjacent to property zoned to a single family zoning district. Forty (40) feet for a two (2) story building adjacent to property zoned to a single family zoning district. Where buildings exceed two (2) stories in height, the setback shall be forty (40) feet plus the height of the building above two (2) stories where the building is adjacent to property zoned to a single family zoning district.



B. **MAXIMUM LOT COVERAGE:** Fifty (50) percent. Parking structures and surface parking facilities shall be excluded from lot coverage computations.

C. **FLOOR AREA RATIO:** Maximum 5.0:1.

D. **MAXIMUM FLOOR AREA PER BUILDING:** Six hundred thousand (600,000) square feet.

E. PARKING:

1. The number of parking spaces provided for uses shall be in accordance with the breakdown established in the "GENERAL REQUIREMENTS" section of these standards.
2. When structured garages are provided, adequate access from public rights-of-way via private drives and/or access easements shall be made readily available.



3. Parking aisles, where practicable, shall be designed to be perpendicular to the front of the primary building in the development.

4. Parking spaces that face and are adjacent to a building shall utilize curbs, wheel stops, and/or bollards.
5. Where on-street parking is provided, vehicle maneuvering shall be allowed within the public right-of-way. Additionally, where off-street parking is adjacent to a "Village Lane", the maneuvering for that parking shall be allowed within the right-of-way of the "Village Lane".
6. Speed bumps/humps are not permitted within a fire lane.
7. Dead-end parking aisles are not permitted.
8. In the case of mixed uses, uses may share parking spaces where it can be demonstrated to the Planning Director the parking for two (2) or more uses occurs at alternating periods. Such shared parking shall be established in accordance with the following provisions:
 - a. It shall be demonstrated as a condition precedent to consideration of shared parking that such sharing of spaces will result in a reduction of at least ten (10) percent of the aggregate required parking for such uses.
 - b. The applicant shall submit a parking analysis, done by a registered engineer, to the Planning Director for his approval.
 - c. Up to fifty (50) percent of the parking spaces required for a theater or other place of evening entertainment (after 6:00 P.M.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours if specifically approved by the Planning Director.



F. SERVICE EQUIPMENT AND AREAS:

1. Loading docks, truck parking, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building or placed

behind or on the side of a building. On corner lots, these areas should be located behind the buildings.

2. Transformers, HVAC equipment (if located at the ground level), lift stations, utility meters, and other machinery, where practical, should be located at the rear of the property.

G. SCREENING:

1. Service equipment and areas shall be screened so the visual impacts of these functions are fully contained and out of view from adjacent properties and public streets.
2. Solid waste collection and loading areas shall be located to minimize visibility. These areas shall be screened by a six (6) foot high wall built with the same materials as used for the principal building, or an otherwise approved solid masonry material. Trash compactors shall be treated comparably with the height of the screening being a minimum eight (8) feet tall. Trash dumpsters shall have a metal gate or door equal in height or the height of the wall, which shall generally remain closed at all times.

H. LANDSCAPING: The standards and criteria contained in this Section are the minimum



standards for all new development. Unless specifically identified in this Section, new developments shall comply with the landscape standards established in the Town of Prosper Zoning Ordinance.

1. A landscaped area consisting of living trees, turf, or other living ground cover and being at least twenty-five (25) feet in width measured from the property line interior to the property shall be provided

adjacent to and outside of the right-of-way on all properties adjacent to a major or minor thoroughfare as defined by the Town of Prosper Thoroughfare and Circulation Design Standards. One (1) large tree, three (3) inch caliper minimum per thirty (30) feet of linear roadway frontage shall be planted within the required landscaped area. The trees may be planted in groups with appropriate spacing for species. A minimum fifteen (15) shrubs with a minimum size of five (5) gallons each will be planted in the landscaped area for each thirty (30) feet of linear frontage. Parking abutting the landscaped area will be screened from the adjacent roadway. The required screening may be with shrubs or earthen berms.

2. A landscaped area consisting of living trees, turf, or other living ground cover and being at least fifteen (15) feet in width measured from the property line interior to the property shall be provided adjacent to all streets where no on-street parking is provided except for those streets identified in (1) above. The landscape requirements identified in (1) above shall also be required for these streets.
3. Any non-structured, off-street, surface parking that contains twenty (20) or more spaces shall provide interior landscaping as follows:

- a. Fifteen (15) square feet of landscaping for each parking space shall be provided within the paved boundaries of the parking area.
 - b. All landscaped areas shall be protected by a raised six (6) inch concrete curb. Pavement shall not be placed closer than four (4) feet from the trunk of a tree unless a Town approved root barrier is utilized.
 - c. Landscaped islands shall be located at the terminus of all parking rows and shall contain at least one (1) large tree, three (3) inch caliper minimum, with no more than fifteen (15) parking spaces permitted in a continuous row without being interrupted by a landscape island.
 - d. Landscaped islands shall be a minimum of one hundred sixty (160) square feet, not less than nine (9) feet wide and a length equal to the abutting space.
 - e. There shall be at least one (1) large tree, three (3) inch caliper minimum, within one hundred fifty (150) feet of every parking space.
- 
4. Permanent irrigation shall be provided for all required landscaping as follows:
 - a. Irrigation lines for perimeter landscaping identified in (1) above, shall be placed a minimum of two and one-half (2 ½) feet from a town sidewalk or alley. Reduction of this requirement is subject to review and approval by the Town Engineer.
 - b. Trees and shrubs shall be irrigated by bubbler irrigation lines only. Other landscaping may be irrigated by spray irrigation. Separate valves shall be provided to turn off the spray irrigation line during periods of drought or water conservation.
 - c. Rain, freeze, and wind detectors shall be installed on all irrigation lines.
 5. Artificial plants or turf are expressly prohibited. Drought tolerant and/or native plants from the lists approved by the Town are required for compliance. Other species may be utilized with approval from the Town as part of the Final Site Plan process.

BUILDING CRITERIA

The standards and criteria contained in this Section are the minimum standards for all new development. The regulations of this Section shall apply where the regulations of this Section conflict with the Town of Prosper Zoning Ordinance.

A. MAXIMUM BUILDING HEIGHT:

1. Twelve (12) stories, no greater than one hundred eighty (180) feet.
2. Parking Structures: In no instance shall a parking structure be taller than the building it is closest to. Notwithstanding, the maximum height for a parking structure shall be eighty (80) feet.
3. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas,

domes, and roof forms whose area in plan is no greater than 25% of the first floor foot print may exceed the height limits by up to twenty (20) feet.

4. Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building height, provided that: 1) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-way, measured at six (6) feet high at the right-of-way line.

B. BUILDING MATERIALS:

1. Only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, stucco, architectural concrete block, and architecturally finished concrete tilt wall shall be considered primary materials. Primary materials shall comprise as least ninety (90) percent of each floor, exclusive of doors and windows. For purposes of this section, window walls shall be considered windows.
2. Only primary building materials with the exception of stucco, are allowed on the first floor, exclusive of doors, windows, and their accompanying frames. Stucco shall be allowed as a primary building material above the first floor. For purposes of this section, the first floor shall be at least nine (9) feet high.



3. Secondary materials used on a building façade are those which comprise not more than a total of ten (10) percent of an elevation area. Permitted secondary materials are aluminum or other metal, cedar or similar quality decorative wood, EIFS, or other materials as approved by the Planning & Zoning Commission.
4. All buildings shall be architecturally finished on all sides with articulation, detailing, and features. Architectural articulation, detailing, and features are not required for facades adjacent to a building or parking garage.
5. An architectural design that does not conform with the specific requirements of this Section, but which has merit by making a positive contribution to the

visual environment may be submitted for consideration to the Planning and Zoning Commission in conjunction with the final site plan submittal process.

C. WINDOWS:

1. Clear glass is required in all nonresidential storefronts. Smoked, reflective, or black glass that blocks two-way visibility is prohibited. Windows shall have a maximum exterior visible reflectivity of ten (10) percent.
2. Pink or gold glass shall be prohibited.



- D. HORIZONTAL ARTICULATION:** For buildings three (3) stories or shorter, no building wall shall extend for a distance equal to four (4) times the wall's height without having an off-set equal to 25% of the wall's height. The new plane shall then extend for a distance equal to at least 25% of the maximum length of the first plane.

- E. BUILDING ENTRIES:** Main building entries shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.



F. ABOVE GRADE STRUCTURED PARKING:

1. Where parking garages are within views of streets, openings in parking garages shall not exceed 55% of the façade area. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings.
2. Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.

PERMITTED USES

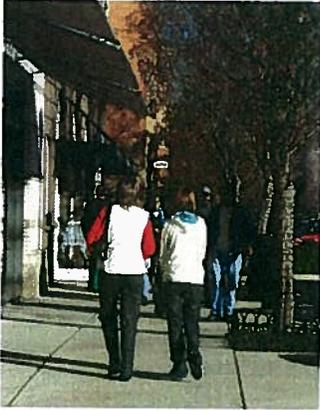
List of Permitted Uses: Uses followed by an "S" are permitted by Specific Use Permit. Uses followed by a "C" are permitted subject to conditional development standards located in the Town's Zoning Ordinance as it exists or may be amended.

- Accessory Building
- Administrative, Medical, or Professional Office
- Antenna and/or Antenna Support Structure, Commercial--C
- Antenna and/or Antenna Support Structure, Non-Commercial—C
- Assisted Care or Living Facility--S
- Automobile Paid Parking Lot/Garage

- Automobile Parking Lot/Garage
- Bank, Savings and Loan, or Credit Union
- Business Service
- Caretaker's/Guard's Residence
- Civic/Convention Center
- College, University, Trade, or Private Boarding School
- Community Center
- Corporate Campus
- Day Care Center, Child—C
- Day Care Center, Incidental
- Dry Cleaning, Minor
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Governmental Office
- Health/Fitness Center
- Home Occupation
- Hospital
- House of Worship
- Insurance Office
- Massage Therapy, Licensed
- Mobile Food Vendor—C
- Multifamily Dwelling as Identified on Exhibit D
- Multi-Tenant Office Building
- Municipal Uses Operated by the Town of Prosper
- Museum/Art Gallery
- Park or Playground
- Print Shop, Minor
- Private Club—S
- Private Recreation Center—C
- Private Utility, Other than Listed
- Real Estate Sales/Leasing Office
- Rehabilitation Care Institution—S
- Restaurant or Cafeteria
- Retail/Service Incidental Use
- School, Private or Parochial
- School, Public
- Stealth Antenna, Commercial—C
- Studio Dwelling
- Telephone Exchange
- Temporary Building—C
- Utility Distribution/Transmission Facility—S

UPTOWN SUB-DISTRICT

PURPOSE & INTENT



The purpose of the Uptown Sub-District is to encourage the creation of a pedestrian-oriented, mixed-use, transitional environment by providing opportunities for leisure activities, employment, housing, and business services.

The Uptown Sub-District is intended to be the linkage between the suburban neighborhoods of Prosper and the more urban environment of the Downtown Sub-District. This is achieved by promoting a mix of

moderately intense uses that are developed around an identifiable central open space. This central element creates a public place where people can gather throughout the year irrespective of where they live or work in Prosper.



SITE CRITERIA

A. SIZE OF YARDS:

1. Minimum Front Yard:
 - a. On Lovers Lane and the North-South Arterial: Twenty-five (25) feet.
 - b. On all other streets: Ten (10) feet.
2. Minimum Side Yard: Zero (0) feet.
3. Minimum Rear Yard: Zero (0) feet.

B. BUILD-TO-LINE: On streets with on-street parking, a build-to-line shall be required. A "build-to-line" is a line parallel to a public or private street where the primary façade of the building must be built to.

1. Buildings with non-residential uses on the first floor: A build-to-line shall be established at the minimum front yard setback. The primary facade shall be continuous along a block face and at least 70% shall be located adjacent to the build-to-line.





2. Buildings with residential uses on the first floor: The primary façade of a residential dwelling shall be built 10' from the property line. Stairs, stoops, and elevated patios shall be allowed within the front setback. Any land remaining in this setback shall be landscaped with plant materials other than grass and shall be irrigated per the requirements established.

C. SIZE OF LOTS:

1. Minimum Size of Lot Area: Three thousand (3,000) square feet.
2. Minimum Lot Width: Fifty (50) feet.
3. Minimum Lot Depth: Sixty (60) feet.

D. MAXIMUM LOT COVERAGE: One hundred (100) percent.

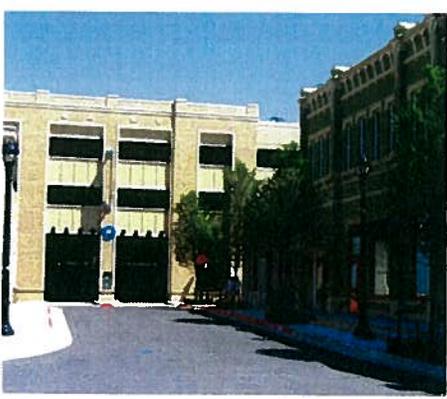
E. FLOOR AREA RATIO: Maximum 5.0:1.

F. HOUSING: The maximum number of dwellings allowed within the Uptown Sub-District development shall be 400. The following performance standards however, shall apply to residential development.

1. The minimum density allowed shall be 40 units/net acre.
2. A minimum of 75% of the first floor square footage of all buildings containing residential units shall be used for nonresidential uses.
3. A minimum of 80% of the first floor nonresidential square footage of buildings containing residential units shall have Certificates of Occupancy issued for them prior to the issuance of any building permit for an additional phase of residential units subsequent to the first phase.
4. A minimum of 75% of the residential units of each phase must be leased prior to the issuance of any building permit for an additional phase of residential units subsequent to the first phase.
5. Upon request of the Director of Development Services, actual tenant names and leasing contact information shall be provided to the Town staff for verification that the leases needed to validate items 3 and 4 above are third-party, arms-length, and bona fide commercial and residential leases.
6. Development of residential units in the Uptown Sub-District shall not take place until a minimum 80% of the first floor nonresidential square footage of buildings containing residential units in the Downtown Sub-District has Certificates of Occupancy issued for them.

G. PARKING:

1. The number of parking spaces provided for uses shall be in accordance with the breakdown established in the "GENERAL REQUIREMENTS" section of these standards.
2. Required parking for residential/nonresidential mixed use buildings shall be located and maintained anywhere within three hundred (300) feet of the building as long as the parking is located within the Uptown Sub-District.
3. Required parking for predominantly single use buildings shall be located on the same lot as the use.
4. On-street parking within the Uptown Sub-District may be counted towards meeting the off-street parking requirement for any uses within a mixed use building located in the sub-district.
5. Where on-street parking is provided, angled, as well as parallel parking shall be permitted. However, no on-street parking shall be permitted within 30' of the cross curb line for a cross street, drive, or common access easement.
6. Where on-street parking is provided, vehicle maneuvering shall be allowed within the public right-of-way. Additionally, where off-street parking is adjacent to a "Village Lane", the maneuvering for that parking shall be allowed within the right-of-way of the "Village Lane".
7. Parking may be located in structured garages provided the garages are located generally in the center of a property and lined with building.



8. When structured garages are provided, adequate access from public rights-of-way via private drives and/or access easements shall be made readily available.
9. Parking aisles, where practicable, shall be designed to be perpendicular to the front of the primary building in the development.
10. Parking spaces that face and are adjacent to a building shall utilize curbs, wheel stops, and/or bollards.
11. Speed bumps/humps are not permitted

within a fire lane.

12. Dead-end parking aisles are not permitted.
13. In the case of mixed uses, uses may share parking spaces where it can be demonstrated to the Director of Development Services the parking for two (2) or more uses occurs at alternating periods. Such shared parking shall be established in accordance with the following provisions:

- a. It shall be demonstrated as a condition precedent to consideration of shared parking that such sharing of spaces will result in a reduction of at least ten (10) percent of the aggregate required parking for such uses.
- b. The applicant shall submit a parking analysis, done by a registered engineer, to the Director of Development Services for his approval.
- c. Up to fifty (50) percent of the parking spaces required for a theater or other place of evening entertainment (after 6:00 P.M.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours if specifically approved by the Director of Development Services.

H. SERVICE EQUIPMENT AND AREAS:

1. Loading docks, truck parking, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building or placed behind or on the side of a building. On corner lots, these areas should be located behind the buildings.
2. Transformers, HVAC equipment (if located at the ground level), lift stations, utility meters, and other machinery, where practical, should be located at the rear of the property.

I. SCREENING:

1. Service equipment and areas shall be screened so the visual impacts of these functions are fully contained and out of view from adjacent properties and public streets.
2. Solid waste collection and loading areas shall be located to minimize visibility. These areas shall be screened by a six (6) foot high wall built with the same materials as used for the principal building, or an otherwise approved solid masonry material. Trash compactors shall be treated comparably with the height of the screening being a minimum eight (8) feet tall. Trash dumpsters shall have a metal gate or door equal in height or the height of the wall, which shall generally remain closed at all times.

- J. FENCING:** Fencing is allowed between the primary facade of the building and the property line. In the above instances the fence shall be no greater than forty-two (42) inches in height. Fencing is restricted to wrought iron, tubular steel or similar material, or masonry. The masonry portion of any fence in front of a building shall be no higher than three (3) feet. The masonry portion of the fence must be at least 50% open in construction for each residential unit or



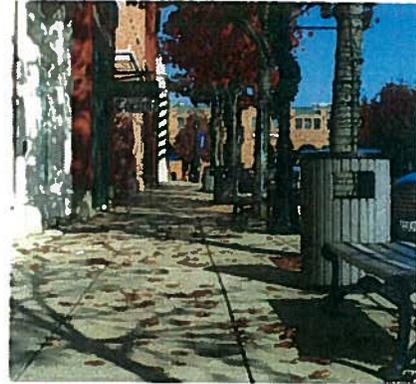
retail/restaurant/office/service lease space. Each residential unit or retail/restaurant/office/service lease space must have an operable gate that opens to the street.

- K. **STREETS AND SIGHT TRIANGLES:** Within the Uptown Sub-District the following street design standards shall apply.
1. Except as provided herein, no sight triangle shall be required. Adequate sight distance will be provided at all intersections through the use of appropriate traffic control devices. Sight triangles, per the Town of Prosper's requirements, for vehicles exiting the development for both public streets and private driveways shall be provided at intersections with Lover's Lane and the north-south spine road.
 2. For plantings within twenty (20) feet of any public street intersection, shrubs and groundcover shall not exceed two (2) feet in height and tree branching shall provide seven (7) feet of clearance measured from the top of the ground surface to the first branch along the tree trunk.

Nothing contained herein shall vary or supersede public safety requirements of the Town of Prosper as set forth in the Uniform Fire Code and other applicable laws, rules, and regulations of the Town of Prosper.

- L. **LANDSCAPING:** The standards and criteria contained in this Section are the minimum standards for all new development. Where the regulations of this Section conflict with the Town of Prosper Zoning Ordinance, the regulations of this Section shall apply. Unless specifically identified in this Section, new developments shall comply with the landscape standards established in the Town of Prosper Zoning Ordinance as of the date of adoption of this ordinance.
1. A landscaped area consisting of living trees, turf, or other living ground cover and being at least twenty five (25) feet in width measured from the property line interior to the property shall be provided adjacent to and outside of the right-of-way on all properties adjacent to Lover's Lane and the north-south spine road. One (1) large tree, three (3) inch caliper minimum per thirty (30) feet of linear roadway frontage shall be planted within the required landscaped area. The trees may be planted in groups with appropriate spacing for species. A minimum fifteen (15) shrubs with a minimum size of five (5) gallons each will be planted in the landscaped area for each thirty (30) feet of linear frontage. Parking abutting the landscaped area will be screened from the adjacent roadway. The required screening may be with shrubs or earthen berms.
 2. A landscaped area consisting of living trees, turf, or other living ground cover and being at least fifteen (15) feet in width measured from the property line interior to the property shall be provided adjacent to all streets where no on-street parking is provided except for those streets identified in (1) above. The landscape requirements identified in (1) above shall also be required for these streets.

3. A "Buffer Region" which shall be located in the right-of-way, shall be established along streets which have on-street parking. The Buffer Region shall have a minimum width of six (6) feet and shall be continuous and located adjacent to the curb. The region shall be planted with street trees located a minimum four (4) feet from the curb, at an average spacing not greater than thirty (30) feet on center. All trees shall be a minimum of three (3) inch caliper when planted. Root barriers shall be used in conjunction with all street trees. The landscaping shall be provided, installed, and maintained by the developer and/or the owner of the adjacent property. In addition, the region is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.



4. Any non-structured, off-street, surface parking that contains twenty (20) or more spaces shall provide interior landscaping as follows:

- a. Fifteen (15) square feet of landscaping for each parking space shall be provided within the paved boundaries of the parking area.
- b. All landscaped areas shall be protected by a raised six (6) inch concrete curb. Pavement shall not be placed closer than four (4) feet from the trunk of a tree unless a Town approved root barrier is utilized.



- c. Landscaped islands shall be located at the terminus of all parking rows and shall contain at least one (1) large tree, three (3) inch caliper minimum, with no more than fifteen (15) parking spaces permitted in a continuous row without being interrupted by a landscape island.
- d. Landscaped islands shall be a minimum of one hundred sixty (160)

square feet, not less than nine (9) feet wide and a length equal to the abutting space.

- e. There shall be at least one (1) large tree, three (3) inch caliper minimum, within one hundred fifty (150) feet of every parking space.

5. Permanent irrigation shall be provided for all required landscaping as follows:

- a. Irrigation lines for perimeter landscaping identified in (1) above, shall be placed a minimum of two and one-half (2 ½) feet from a town sidewalk or alley. Reduction of this requirement is subject to review and approval by the Town Engineer.
- b. Trees and shrubs shall be irrigated by bubbler irrigation lines only. Other landscaping may be irrigated by spray irrigation. Separate valves shall be

provided to turn off the spray irrigation line during periods of drought or water conservation.

- c. Rain, freeze, and wind detectors shall be installed on all irrigation lines.
6. Artificial plants or turf are expressly prohibited. Drought tolerant and/or native plants from the lists approved by the Town are required for compliance. Other species may be utilized with approval from the Town as part of the Final Site Plan process.

BUILDING CRITERIA

The standards and criteria contained in this Section are the minimum standards for all new development. The regulations of this Section shall apply where the regulations of this Section conflict with the Town of Prosper Zoning Ordinance.

- A. **TRI-PARTITE ARCHITECTURE:** All multi-story, mixed use buildings shall be designed and constructed in tri-partite architecture so they have a distinct base, middle, and top.

- B. **MAXIMUM BUILDING HEIGHT:**

1. Five (5) stories, no greater than eighty (80) feet.
2. **Parking Structures:** In no instance shall a parking structure be taller than the building it is closest to. Notwithstanding, the maximum height for a parking structure shall be eighty (80) feet.
3. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plan is no greater than 25% of the first floor foot print may exceed the height limits by up to twenty (20) feet.
4. Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building height, provided that: 1) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-way, measured at six (6) feet high at the right-of-way line.



- C. **MAXIMUM BUILDING LENGTH:** Mixed use buildings shall not be longer than three hundred and thirty (330) feet without an unconnected physical separation of at least fifteen (15) feet between another building.

D. BUILDING MATERIALS:



1. Only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, stucco, architectural concrete block, and architecturally finished concrete tilt wall shall be considered primary materials. Primary materials shall comprise as least ninety (90) percent of each floor, exclusive of doors and windows. For purposes of this Section, window walls shall be considered windows.
2. Only primary building materials with the exception of stucco, are allowed on the first floor, exclusive of doors, windows, and their accompanying frames. Stucco shall be allowed as a primary building material above the first floor. For purposes of this section, the first floor shall be at least nine (9) feet high.
3. On mixed use buildings, a single building material shall cover more than eighty (80) percent of the front of any building.
4. Secondary materials used on a building façade are those which comprise not more than ten (10) percent of an elevation area. Permitted secondary materials are aluminum or other metal, cedar or similar quality decorative wood, EIFS, or other materials as approved by the Planning & Zoning Commission.
5. All buildings shall be architecturally finished on all sides with articulation, detailing, and features. Architectural articulation, detailing, and features are not required for facades adjacent to a building or parking garage.
6. An architectural design that does not conform with the specific requirements of this Section, but which has merit by making a positive contribution to the visual environment may be submitted for consideration to the Planning and Zoning Commission in conjunction with the final site plan submittal process.

E. WINDOW AREAS:

1. For buildings which front on streets with on-street parking and contain nonresidential uses on the ground floor, between forty (40) and seventy-five (75) percent of the ground floor façade shall be windows.

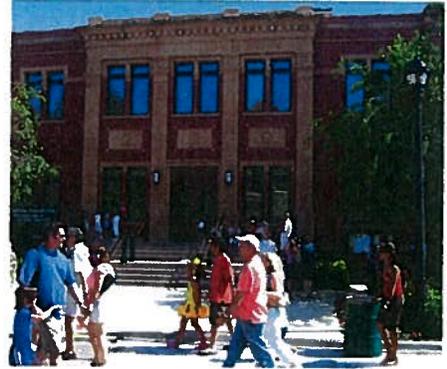


- a. Clear glass is required in all nonresidential storefronts. Smoked, reflective, or black glass that blocks two-way visibility is prohibited. Windows shall have a maximum exterior visible reflectivity of ten (10) percent.
- b. Pink or gold glass shall be prohibited.
- c. Windows shall be vertical in proportion by a ratio of 1.25:1 or more

(height to width). Multiple vertical windows however, may be placed together to form a compound window which may be wider than it is tall.

F. BUILDING ENTRIES:

1. Main building entries shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.
2. For mixed use buildings, each building and separate lease space at grade along the street edge shall have a functioning "Primary Entry" from the sidewalk. Corner entries may count as a Primary Entry for both intersecting street fronts.



G. AWNINGS, CANOPIES, ARCADES, & OVERHANGS:

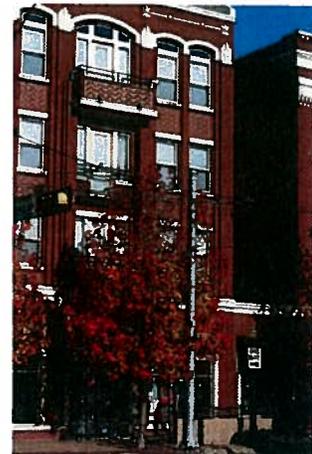
1. Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.



2. The material of awnings and canopies shall be architectural materials that complement the building.
3. Awnings shall not be internally illuminated.
4. Canopies should not exceed one hundred (100) linear feet without a break of at least five (5) feet.
5. Canopies shall respect the placement of street trees and lighting.
6. All structural columns that support a canopy shall have a masonry (or other approved material) finish. Materials used on columns and canopies shall be complementary to the building.

H. BUILDING ARTICULATION:

1. For mixed use buildings, that portion of the building where retail or service uses take place on the first floor shall be accentuated by including awnings or canopies, different building materials, or architectural building features.
2. For mixed use building facades fronting both streets and driveways should have massing changes and architectural articulation to provide visual interest and texture and reduce large areas of undifferentiated building façade. Design articulation should not apply evenly across the building façade, but should be grouped for greater visual impact employing changes in volume and plane. Architectural elements including projecting volumes, windows, balconies, loggias, canopies, pediments, and

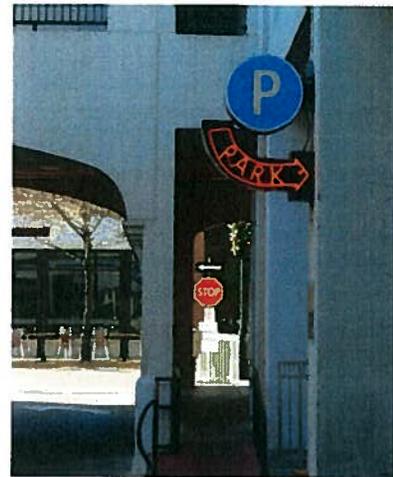


moldings that break up the mass of the building are encouraged.

3. For buildings three (3) stories or shorter, no building wall shall extend for a distance equal to four (4) times the wall's height without having an off-set equal to 25% of the wall's height. The new plane shall then extend for a distance equal to at least 25% of the maximum length of the first plane.

I. ABOVE GRADE STRUCTURED PARKING:

1. At least forty (40) percent of the area occupied along the street level façade of any parking structure that is adjacent to a sidewalk or street right-of-way shall be developed for active nonresidential uses.
2. Where parking garages are within views of streets, openings in parking garages shall not exceed 55% of the façade area. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings.
3. Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.



J. PROJECTIONS INTO SETBACKS AND/OR RIGHTS-OF-WAY: For mixed use buildings, the following projections shall be permitted into a building setback or right-of-way, provided that 1) no projection shall be permitted into a building setback or right-of-way of Lover's Lane or the north-south spine road; 2) such projections do not extend over the traveled portion of a roadway; 3) the property owner has assumed liability related to such projections; and 4) the property owner shall maintain such projection in a safe and non-injurious manner.

1. Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to twelve (12) inches beyond a building face or architectural projection into the setback, but not the right-of-way.
2. Business signs and roof eaves may project up to thirty-six (36) inches beyond the building face or architectural projection into the setback, but not the right-of-way.
3. Architectural projections, including balconies, bays, towers, and oriels; show windows (1st floor only); below grade vaults and areaways; and elements of a nature similar to those listed; may project up to forty-eight (48) inches beyond the building face into the setback, but not the right-of-way.
4. Canopies and/or awnings may project from the building face over the entire setback. Additionally, they may be extended into the right-of-way to be within eight (8) inches



of the back of curb if used to provide a covered walkway to a building entrance and as long as any canopy/awning support is no closer than twenty four (24) inches from the back of curb.

5. Below-grade footings approved in conjunction with building permits.

PERMITTED USES

List of Permitted Uses: Uses followed by an “S” are permitted by Specific Use Permit. Uses followed by a “C” are permitted subject to conditional development standards.

- Accessory Building
- Administrative, Medical, or Professional Office
- Antenna and/or Antenna Support Structure, Commercial—C
- Antenna and/or Antenna Support Structure, Non-Commercial—C
- Antique Shop and Used Furniture
- Artisan’s Workshop
- Assisted Care or Living Facility—S
- Auto Parts Sales, Inside
- Automobile Paid Parking Lot/Garage
- Automobile Parking Lot/Garage
- Bank, Savings and Loan, or Credit Union
- Beauty Salon/Barber Shop
- Beer & Wine Package Sales—C
- Building Material and Hardware Sales, Minor
- Business Service
- Caretaker’s/Guard’s Residence
- College, University, Trade, or Private Boarding School
- Commercial Amusement, Indoor
- Community Center
- Convenience Store without Gas Pumps
- Dance Hall—S
- Day Care Center, Child—C
- Day Care Center, Incidental
- Dry Cleaning, Minor
- Farmer’s Market
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture, Home Furnishings and Appliance Store
- Governmental Office
- Gymnastics/Dance Studio
- Health/Fitness Center
- Home Occupation
- Hospital

- House of Worship
- Household Appliance Service and Repair
- Insurance Office
- Laundromat
- Locksmith/Security System Company
- Massage Therapy, Licensed
- Mobile Food Vendor—C
- Multifamily Dwelling
- Multi-Tenant Office Building
- Municipal Uses Operated by the Town of Prosper
- Museum/Art Gallery
- Nursery, Minor
- Park or Playground
- Pet Day Care—C
- Print Shop, Minor
- Private Club—S
- Private Recreation Center
- Private Utility, Other than Listed
- Real Estate Sales/Leasing Office
- Recycling Collection Point
- Rehabilitation Care Institution—S
- Restaurant or Cafeteria—C
- Retail Stores and Shops
- Retail/Service Incidental Use
- School, Private or Parochial
- School, Public
- Stealth Antenna, Commercial—C
- Studio Dwelling
- Telephone Exchange
- Temporary Building—C
- Theater, Neighborhood
- Utility Distribution/Transmission Facility—S
- Veterinarian Clinic and/or Kennel, Indoor
- Work/Live Units (Property that has been specifically designed for use both as a residential unit and an employment space. While the segregation of uses may take place vertically, they will be located in the same leasable area, be accessed by the same doorway and may or may not share plumbing.)

NEIGHBORHOOD SHOPPING SUB-DISTRICT

PURPOSE & INTENT

The purpose of the Neighborhood Shopping Sub-District is to provide for a variety of retail and service uses in a “suburban” type setting. These shopping facilities should serve more than one (1) neighborhood.

SITE CRITERIA



A. SIZE OF YARDS:

1. Minimum Front Yard: Twenty-five (25) feet.
2. Minimum Side Yard:
 - a. Ten (10) feet adjacent to any nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.
 - b. Twenty-five (25) feet for a one (1) story building adjacent to property zoned to a single family zoning district. Forty (40) feet for a two (2) story building adjacent to property zoned to a single family zoning district.
 - c. Twenty five (25) feet adjacent to a street.
3. Minimum Rear Yard:
 - a. Ten (10) feet adjacent to any nonresidential district. The minimum rear yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.
 - b. Twenty-five (25) feet for a one (1) story building adjacent to property zoned to a single family zoning district. Forty (40) feet for a two (2) story building adjacent to property zoned to a single family zoning district.

B. MAXIMUM LOT COVERAGE: Fifty (50) percent. Parking structures and surface parking facilities shall be excluded from lot coverage computations.

C. FLOOR AREA RATIO: Maximum 0.5:1.

D. PARKING:

1. The number of parking spaces provided for uses shall be in accordance with the breakdown established in the “GENERAL REQUIREMENTS” section of these standards.
2. Parking aisles, where practicable, shall be designed to be perpendicular to the front of the primary building in the development.



3. Parking spaces that face and are adjacent to a building shall utilize curbs, wheel stops, and/or bollards.
4. Where on-street parking is provided, vehicle maneuvering shall be allowed within the public right-of-way. Additionally, where off-street parking is adjacent to a "Village Lane", the maneuvering for that parking shall be allowed within the right-of-way of the "Village Lane".
5. Speed bumps/humps are not permitted within a fire lane.
6. Dead-end parking aisles are not permitted.
7. In the case of mixed uses, uses may share parking spaces where it can be demonstrated to the Director of Development Services and/or his designee the parking for two (2) or more uses occurs at alternating periods. Such shared parking shall be established in accordance with the following provisions:
 - a. It shall be demonstrated as a condition precedent to consideration of shared parking that such sharing of spaces will result in a reduction of at least ten (10) percent of the aggregate required parking for such uses.
 - b. The applicant shall submit a parking analysis, done by a registered engineer, to the Planning Director for his approval.
 - c. Up to fifty (50) percent of the parking spaces required for a theater or other place of evening entertainment (after 6:00 P.M.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours if specifically approved by the Planning Director.

E. SERVICE EQUIPMENT AND AREAS:

1. Loading docks, truck parking, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building or placed behind or on the side of a building. On corner lots, these areas should be located behind the buildings.
2. Transformers, HVAC equipment (if located at the ground level), lift stations, utility meters, and other machinery, where practical, should be located at the rear of the property.

F. SCREENING:

1. Service equipment and areas shall be screened so the visual impacts of these functions are fully contained and out of view from adjacent properties and public streets.
2. Solid waste collection and loading areas shall be located to minimize visibility. These areas shall be screened by a six (6) foot high wall built with the same materials as used for the principal building, or an otherwise approved solid masonry material. Trash compactors shall be treated comparably with the height of the screening being a minimum eight (8) feet tall. Trash dumpsters shall have a metal gate or door equal in height or the height of the wall, which shall generally remain closed at all times.

G. LANDSCAPING: The standards and criteria contained in this Section are the minimum standards for all new development. Unless specifically identified in this Section, new

developments shall comply with the landscape standards established in the Town of Prosper Zoning Ordinance.



1. A landscaped area consisting of living trees, turf, or other living ground cover and being at least twenty-five (25) feet in width measured from the property line interior to the property shall be provided adjacent to and outside of the right-of-way on all properties adjacent to a major or minor thoroughfare as defined by the Town of Prosper Thoroughfare and Circulation

Design Standards. One (1) large tree, three (3) inch caliper minimum per thirty (30) feet of linear roadway frontage shall be planted within the required landscaped area. The trees may be planted in groups with appropriate spacing for species. A minimum fifteen (15) shrubs with a minimum size of five (5) gallons each will be planted in the landscaped area for each thirty (30) feet of linear frontage. Parking abutting the landscaped area will be screened from the adjacent roadway. The required screening may be with shrubs or earthen berms.

2. A landscaped area consisting of living trees, turf, or other living ground cover and being at least fifteen (15) feet in width measured from the property line interior to the property shall be provided adjacent to all streets where no on-street parking is provided except for those streets identified in (1) above. The landscape requirements identified in (1) above shall also be required for these streets.
3. Any non-structured, off-street, surface parking that contains twenty (20) or more spaces shall provide interior landscaping as follows:
 - a. Fifteen (15) square feet of landscaping for each parking space shall be provided within the paved boundaries of the parking area.
 - b. All landscaped areas shall be protected by a raised six (6) inch concrete curb. Pavement shall not be placed closer than four (4) feet from the trunk of a tree unless a Town approved root barrier is utilized.
 - c. Landscaped islands shall be located at the terminus of all parking rows and shall contain at least one (1) large tree, three (3) inch caliper minimum, with no more than fifteen (15) parking spaces permitted in a continuous row without being interrupted by a landscape island.
 - d. Landscaped islands shall be a minimum of one hundred sixty (160) square feet, not less than nine (9) feet wide and a length equal to the abutting space.
 - e. There shall be at least one (1) large tree, three (3) inch caliper minimum, within one hundred fifty (150) feet of every parking space.
4. Permanent irrigation shall be provided for all required landscaping as follows:



- a. Irrigation lines for perimeter landscaping identified in (1) above, shall be placed a minimum of two and one-half (2 ½) feet from a town sidewalk or alley. Reduction of this requirement is subject to review and approval by the Town Engineer.
 - b. Trees and shrubs shall be irrigated by bubbler irrigation lines only. Other landscaping may be irrigated by spray irrigation. Separate valves shall be provided to turn off the spray irrigation line during periods of drought or water conservation.
 - c. Rain, freeze, and wind detectors shall be installed on all irrigation lines.
5. Artificial plants or turf are expressly prohibited. Drought tolerant and/or native plants from the lists approved by the Town are required for compliance. Other species may be utilized with approval from the Town as part of the Final Site Plan process.

BUILDING CRITERIA

The standards and criteria contained in this Section are the minimum standards for all new development. The regulations of this Section shall apply where the regulations of this Section conflict with the Town of Prosper Zoning Ordinance.

- A. **MAXIMUM BUILDING HEIGHT: Two (2) stories, no greater than forty (40) feet.**
- 1. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plan is no greater than 25% of the first floor foot print may exceed the height limits by up to twenty (20) feet.
 - 2. Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, antennas, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twenty (20) feet above the actual building height, provided that: 1) they are setback from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height, or 2) the exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are to be constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described above. Mechanical equipment shall not be visible from the public right-of-way, measured at six (6) feet high at the right-of-way line.

B. BUILDING MATERIALS:

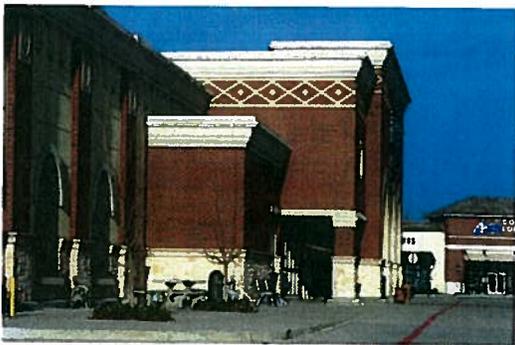
- 1. Only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, stucco, architectural concrete block, and architecturally finished concrete tilt wall shall be considered primary materials. Primary materials shall comprise as least ninety (90) percent of each floor, exclusive of doors and windows.



2. Only primary building materials with the exception of stucco, are allowed on the first floor, exclusive of doors, windows, and their accompanying frames. Stucco shall be allowed as a primary building material above the first floor. For purposes of this section, the first floor shall be at least nine (9) feet high.
3. Secondary materials used on a building façade are those which comprise less than a total of ten (10) percent of an elevation area. Permitted secondary materials are aluminum or other metal, cedar or similar quality decorative wood, EIFS, or other materials as approved by the Planning & Zoning Commission.
4. All buildings shall be architecturally finished on all sides with articulation, detailing, and features. Architectural articulation, detailing, and features are not required for facades adjacent to a building or parking garage.
5. An architectural design that does not conform with the specific requirements of this Section, but which has merit by making a positive contribution to the visual environment may be submitted for consideration to the Planning and Zoning Commission in conjunction with the final site plan submittal process.

C. WINDOWS:

1. Clear glass is required in all nonresidential storefronts. Smoked, reflective, or black glass that blocks two-way visibility is prohibited. Windows shall have a maximum exterior visible reflectivity of ten (10) percent.
2. Pink or gold glass shall be prohibited.



D. HORIZONTAL ARTICULATION: No building wall shall extend for a distance equal to four (4) times the wall's height without having an off-set equal to 25% of the wall's height. The new plane shall then extend for a distance equal to at least 25% of the maximum length of the first plane.

E. BUILDING ENTRIES: Main building entries shall be highlighted using such techniques

as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.

PERMITTED USES

List of Permitted Uses: Uses followed by an "S" are permitted by Specific Use Permit. Uses followed by a "C" are permitted subject to conditional development standards.

- Accessory Building
- Administrative, Medical, or Professional Office
- Antenna and/or Antenna Support Structure, Commercial—C
- Antenna and/or Antenna Support Structure, Non-Commercial—C

- Antique Shop and Used Furniture
- Artisan's Workshop
- Assisted Care or Living Facility—S
- Auto Parts Sales, Inside
- Automobile Paid Parking Lot/Garage
- Automobile Parking Lot/Garage
- Automobile Repair, Minor
- Bank, Savings and Loan, or Credit Union
- Beauty Salon/Barber Shop
- Bed and Breakfast Inn
- Beer & Wine Package Sales—C
- Building Material and Hardware Sales, Major
- Building Material and Hardware Sales, Minor
- Business Service
- Caretaker's/Guard's Residence
- Civic/Convention Center
- College, University, Trade, or Private Boarding School
- Commercial Amusement, Indoor
- Community Center
- Convenience Store with Gas Pumps (Only allowable on property within 200' of the right-of-way adjacent to the intersection of First Street and the North-South thoroughfare depicted on Exhibit D.)
- Convenience Store without Gas Pumps
- Dance Hall--S
- Day Care Center, Adult--S
- Day Care Center, Child--C
- Dry Cleaning, Minor
- Equipment and Machinery Sales and Rental, Minor
- Farmer's Market
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture, Home Furnishings and Appliance Store
- Gas Pumps (Only allowable on property within 200' of the right-of-way adjacent to the intersection of First Street and the North-South thoroughfare depicted on Exhibit D.)
- Governmental Office
- Gymnastics/Dance Studio
- Health/Fitness Center
- Hospital
- House of Worship
- Household Appliance Service and Repair
- Insurance Office
- Laundromat
- Locksmith/Security System Company

- Massage Therapy, Licensed
- Mobile Food Vendor—C
- Municipal Uses Operated by the Town of Prosper
- Museum/Art Gallery
- Nursery, Minor
- Park or Playground
- Pet Day Care—C
- Print Shop, Minor
- Private Club—S
- Private Recreation Center
- Private Utility, Other than Listed
- Real Estate Sales/Leasing Office
- Recycling Collection Point
- Rehabilitation Care Institution—S
- Restaurant or Cafeteria—C
- Restaurant, Drive In
- Retail Stores and Shops
- Retail/Service Incidental Use
- School, Private or Parochial
- School, Public
- Small Engine Repair Shop
- Stealth Antenna, Commercial—C
- Telephone Exchange
- Temporary Building—C
- Theater, Neighborhood
- Trailer Rental—S
- Utility Distribution/Transmission Facility—S
- Veterinarian Clinic and/or Kennel, Indoor
- Water Treatment Plant—S

GENERAL REQUIREMENTS

- A. Development shall generally take place in accordance with attached Concept Plan (Exhibit D) and Village Thoroughfare Plan (Exhibit H).

Plats and/or site plans submitted for the development shall conform to the data presented and approved on the conceptual development plan. Changes of detail on these final development plan(s) that differ from the conceptual development plan may be authorized by the Town staff, with their approval of the final development plan(s) and without public hearing, if the proposed changes do not:

1. alter the basic relationship of the proposed development to adjacent property,
2. alter the uses permitted,
3. increase the density,
4. increase the building height,
5. increase the coverage of the site,
6. reduce the off-street parking ratio,
7. reduce the building lines provided at the boundary of the site, or
8. significantly alter any open space plans.

If the Town staff determines that the proposed change(s) violates one (1) or more of the above eight (8) criteria, then a public hearing must be held by the Planning and Zoning Commission and the Town Council to adequately amend the granting ordinance prior to the Planning & Zoning Commission's approval of the final development plan(s).

- B. The applicant shall provide an exhibit as appropriate with each Preliminary Site Plan application showing the development meets the standards outlined in the Design Guidelines, as amended and adopted by the Town Council.
- C. Conceptual façade plans and sample boards shall be submitted with the Preliminary Site Plan application. The purpose of the conceptual façade plan is to ensure consistency and compatibility for all buildings within the development. Façade plans will be used only to ensure minimum standards are met.
- D. A final façade plan and sample boards shall be submitted with the Final Site Plan application. Façade plans will be used only to ensure minimum standards are met.
- E. A minimum seven (7) percent of the total area covered by this planned development shall be provided as open space.

Open spaces may include areas used for facilities such as plazas, courts, recreational amenities, water features and other similar uses not specifically used for vehicular access and parking.

Additionally, if detention areas contain a constant water level and are landscaped or otherwise treated as an amenity for the development, they may be used to meet the open space requirement.

The open space may not consist of any of the following elements:

1. Vehicular parking.
2. Required parking lot tree islands.
3. Building footprints.
4. Utility yards.
5. Required landscape edges.
6. Sidewalks.
7. Detention areas not treated as described above.

- F. Common open space as designated on the Concept Plan shall be provided for public use. No building or other structure shall be constructed on any common open space without the prior approval of the Town Council.
- G. Sidewalks shall be constructed in accordance with the "Infrastructure Design Standards" established in the ordinance, as well as the "Streetscape Alternatives" established in the Shops at Prosper West Design Guidelines. In those instances where a street type is not addressed by the "Infrastructure Design Standards", sidewalks shall be constructed in accordance with the Town of Prosper's standards.
- H. All utility lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground or relocated to the rear of the site to the maximum extent practicable.
- I. **Parking Requirements Based on Use.**
In all Sub- Districts, at the time any building or structure is erected or structurally altered, parking spaces shall be provided in accordance with the following requirements:
- **Automobile Oil change and Similar Establishments:** One (1) parking space per service bay plus one (1) parking space per maximum number of employees on a shift.
 - **Bank, Savings and Loan, or similar Establishments:** One (1) space per three hundred and fifty (350) square feet of gross floor area.
 - **Bed and breakfast facility:** One (1) space per guest room in addition to the requirements for a normal residential use.
 - **Business or professional office (general):** One (1) space per three hundred and fifty (350) square feet of gross floor area except as otherwise specified herein.
 - **Church, rectory, or other place of worship:** One (1) parking space for each three (3) seats in the main auditorium.
 - **College or University:** One (1) space per each day student.
 - **Community Center, Library, Museum, or Art Gallery:** Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in

- excess of two thousand (2,000) square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one (1) space for each four (4) seats that it contains.
- **Commercial Amusement:** One (1) space per three (3) guests at maximum designed capacity.
 - **Dance Hall, Assembly or Exhibition Hall Without Fixed Seats:** One (1) parking space for each two hundred (200) square feet of floor area thereof.
 - **Dwellings, Multifamily:** One (1) spaces for each bedroom in one (1) and two (2) bedroom units, plus one half ($\frac{1}{2}$) additional space for each additional bedroom.
 - **Farmer's Market, Flea Market:** One (1) space for each five hundred (500) square feet of site area.
 - **Fraternity, Sorority, or Dormitory:** One (1) parking space for each two (2) beds on campus, and one and one-half ($1\frac{1}{2}$) spaces for each two beds in off campus projects.
 - **Furniture or Appliance Store, Wholesale Establishments, Machinery or Equipment Sales and Service, Clothing or Shoe Repair or Service:** Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000).
 - **Gasoline Station:** Minimum of three (3) spaces for employees. Adequate space shall be provided for waiting, stacking, and maneuvering automobiles for refueling.
 - **Health Studio or Club:** One (1) parking space per tow hundred (200) square feet of exercise area.
 - **Hospital:** One (1) space per employee on the largest shift, plus one and one-half ($1\frac{1}{2}$) spaces per each bed or examination room whichever is applicable.
 - **Hotel:** One (1) parking space for each sleeping room or suite plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.
 - **Kindergartens, day schools, and similar child training and care establishments:** shall provide one (1) paved off-street loading and unloading space for an automobile on a through "circular" drive for each ten (10) students, or one (1) space per ten (10) students, plus one (1) space per teacher.
 - **Library or Museum:** Ten (10) spaces plus one (1) space for every three hundred (300) square feet, over one thousand (1,000) square feet.
 - **Lodge or Fraternal Organization:** One (1) space per two hundred (200) square feet.
 - **Medical or Dental Office:** One (1) space per three hundred (300) square feet of floor area. Facilities over twenty thousand (20,000) square feet shall use the parking standards set forth for hospitals.
 - **Mini-Warehouse:** Four (4) spaces per complex plus one (1) additional space per three hundred (300) square feet of rental office.
 - **Motor Vehicle Repair and Service:** Three (3) parking spaces per service bay plus one (1) parking space per maximum number of employees on a shift.
 - **Nursing Home:** One (1) space per five (5) beds and one (1) parking space for each one thousand (1,000) square feet of lot area for outdoor uses.
 - **Private Club:** One (1) parking space for each seventy five (75) square feet of gross floor area.

- **Retail Store or Personal Service Establishment, Except as Otherwise Specified Herein:** One (1) space per two hundred and fifty (250) square feet of gross floor area.
- **Restaurant, Restaurant with a Private Club, Café or Similar Dining Establishment:** One (1) parking space for each one hundred (100) square feet of gross floor area for stand alone buildings without a drive-through, and one (1) parking space for each two hundred (200) square feet of gross floor area for restaurants located within a multi-tenant buildings, and one (1) parking space for each one hundred (100) square for stand alone buildings with a drive-through.
- **Sanitarium, Convalescent Home, Home for the Aged or Similar Institution:** One (1) parking space for each five (5) beds.
- **School, Elementary, Secondary, or Middle:** One and one half (1 ½) parking spaces per classroom, or the requirements for public assembly areas contained herein, whichever is greater.
- **School, High School:** One and one half (1 ½) parking spaces per classroom plus one (1) space per five (5) students the school is designed to accommodate, or the requirements for public assembly areas contained herein, whichever is greater.
- **Theater, Sports Arena, Stadium, Gymnasium or Auditorium (except school):** One (1) parking space for each four (4) seats or bench seating spaces.

PROSPER WEST DOWNTOWN AND UPTOWN INFRASTRUCTURE DESIGN STANDARDS

A. PUBLIC STREETS

1. **Pavement Cross Fall:** All streets shall have a minimum cross fall of one-quarter ($\frac{1}{4}$) inch per foot and a maximum crossfall of three-eighths ($\frac{3}{8}$) inch per foot. Streets with medians may have a crossfall that slopes down towards the median. Paving sections may have a center invert instead of a crown. Center invert shall transition towards the curb at inlet locations.
2. **Grades:** Street grades may vary between 0.60% and 6% as indicated in Table A.
3. **Design Speeds:** Streets shall be designed with design speeds given in Table A.
4. **Roundabouts:** Roundabouts shall be allowed to provide vehicles with free-flow capability while enhancing pedestrian safety with reduced traffic speeds. Roundabout design shall be based upon Federal Highway Administration and Institute of Traffic Engineers design guidelines.
5. **Curb Radius:** Curb return radii should be as small as possible in high volume pedestrian areas. A typical curb return radius of fifteen (15) feet shall be used. In no instance shall curb radii exceed twenty-five (25) feet. Occasional encroachment of a large truck or bus into the opposing turn lane is acceptable.
6. **Parkway Grades:** Grades within the parkway shall slope 2% towards the street for the first 10' of parkway from the face of curb. The remainder of the parkway slopes may vary to fit the building design.
7. **Grades Across Parking Areas:** Slopes across on-street parking areas may vary from 0.50% to 12% in any direction.
8. **Right Turn Lanes on Village Thoroughfares:** Right turn lanes are not required along any village thoroughfare.
9. **Left Turn Lanes on Village Thoroughfares:** Left turn lanes are not required on village thoroughfares except as shown on Exhibits D and H. More specifically, left turn lanes are required on the primary north-south boulevard in the Downtown Sub-District where public streets intersect and a round-about is not provided. When left turn lanes are provided, the turn lane shall be designed with fifty (50) feet of storage and fifty (50) feet of transition.
10. **Deceleration Lanes:** Deceleration lanes are not required along any village thoroughfare.

B. DRAINAGE

1. The drainage plan submitted with the preliminary site plan will identify sheet flow and water conveyance across adjacent properties.
2. **Inlets:** Inlets shall be provided along all village thoroughfares at such intervals that the maximum depth of flow in the 100 year storm event is curb deep. Combination curb/grate inlets shall be allowed in medians and other places where space limitations exist, or design otherwise requires. Grate inlets, slotted drains, and

recessed curb inlets shall be allowed in addition to curb inlets and drop inlets. Materials shall meet NCTCOG standards.

3. Storm Sewer Pipe: Storm pipe located within the parkway for the purpose of landscape drains, area drains in walkways, and building roof drains, may be constructed of PVC or HDPE pipe.

C. WATER

1. Water Mains: Water mains within the right-of-way are to be located under the street pavement or parking area pavement.
2. Water Services: Water services shall be located to eliminate the necessity of disturbing the street pavement, curb, gutter, sidewalks, drainage structures, and landscaping when connections are made.

D. WASTEWATER

1. Wastewater Mains: Wastewater mains within the right-of-way are to be located under the street pavement or parking area pavement.
2. Wastewater Lateral: Wastewater laterals shall be located to eliminate the necessity of disturbing the street pavement, curb, gutter, sidewalks, drainage structures, and landscaping when connections are made.

E. DRIVEWAYS

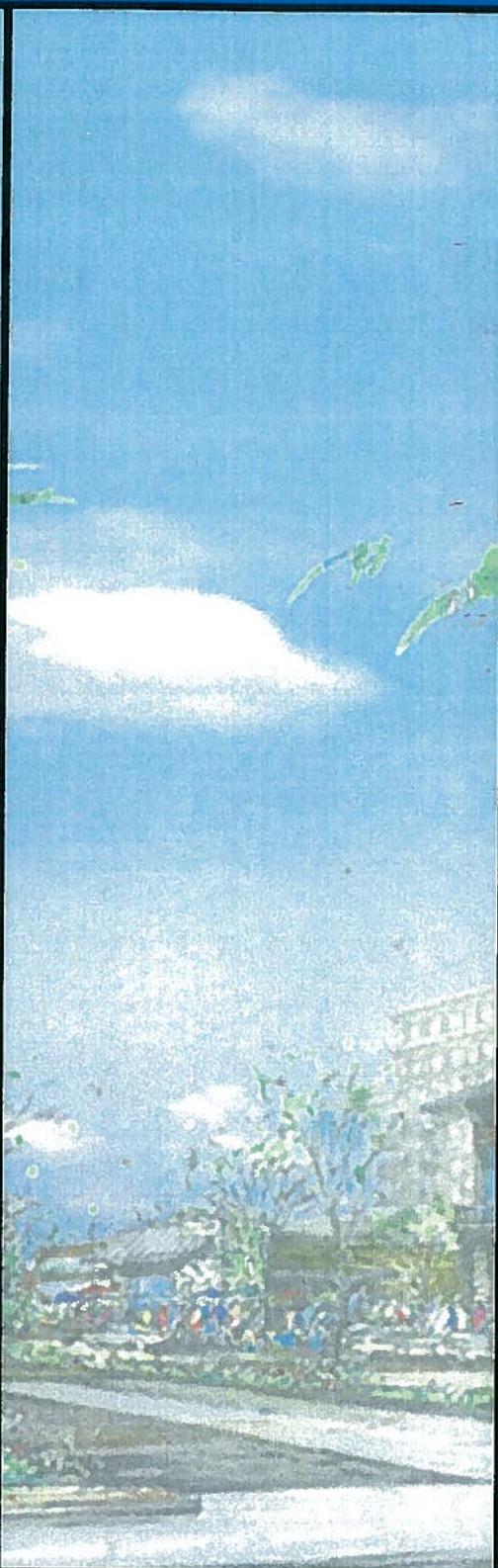
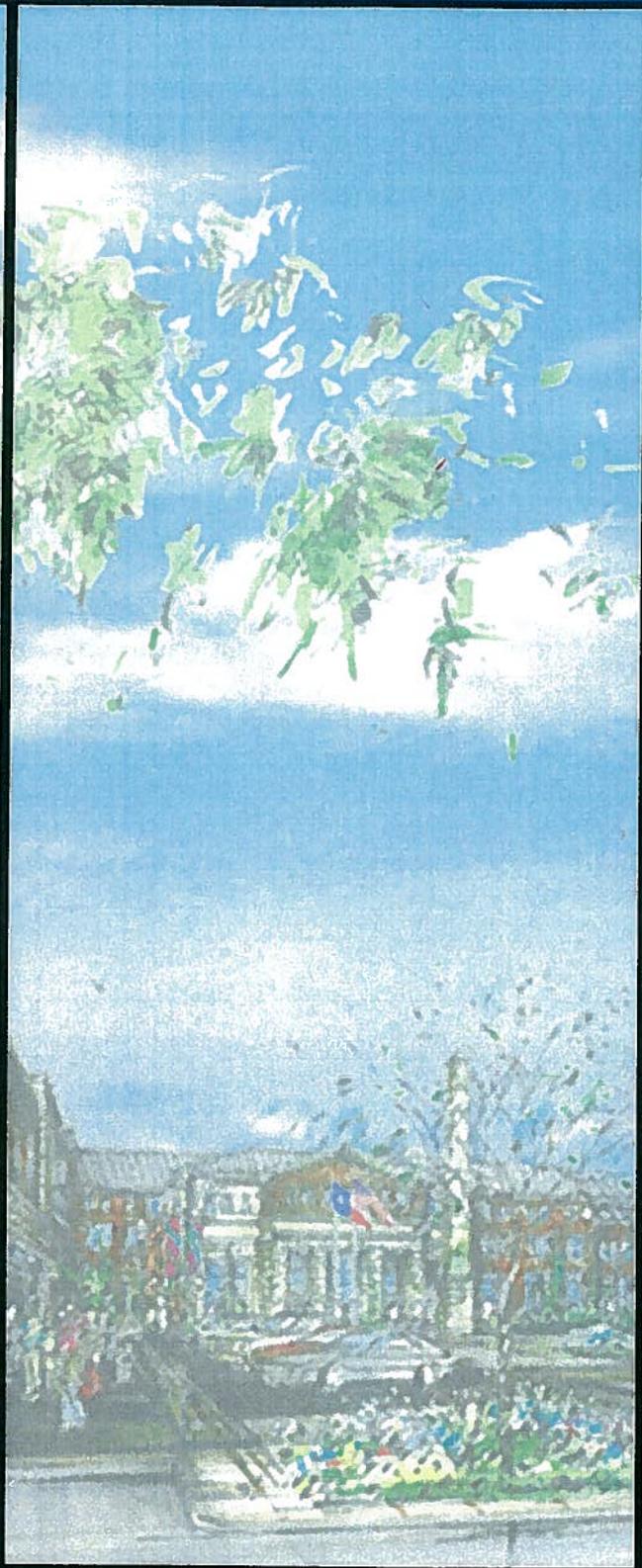
1. Driveways accessing a village thoroughfare shall not be required to be divided.
2. An internal driveway storage length of twenty-five (25) feet shall be provided at all driveways which access a village thoroughfare. The storage length shall be measured from the intersecting curb line to the first aisle or parking space.

PROSPER WEST
TABLE A

		Standard Thoroughfares			
ROADWAY TYPE		Tollway Frontage	Minor Thoroughfare '4LD'	Commercial Collector	
STREET SECTION	DESCRIPTION				
	ROW	Varies	90'	60'	
	F-F	36'	2 at 24'	36'	
	TRAFFIC LANES	3	4	2	
	PARKWAY	Varies	12'	12'	
	HEAD IN PARKING	None	None	None	
	MEDIAN	None	18.0	None	
	TREES	None	30' OC	30' OC	
	SIDEWALKS	None	6' Both Sides	6' Both Sides	
	DESIGN CRITERIA	Per TXDOT	0.6%	0.6%	
MIN GRADE	Per TXDOT	6%	6%		
MAX GRADE	Per TXDOT	45	30		
DESIGN SPEED (MPH)	Per TXDOT	1100'	450'		
MIN HORIZONTAL RADII	Per TXDOT	100'	100'		
MIN TANGENT BETWEEN CURVES	Per TXDOT	20'	15'		
CURB RETURN RADIUS	Per TXDOT				
MINIMUM PAVEMENT THICKNESS	Per TXDOT	Per Town	Per Town		
NOTES	Per TXDOT Standards	Per Town Standards	Per Town Standards		
ROADWAY TYPE		Village Boulevard			
STREET SECTION	DESCRIPTION	with Parking	without Parking	with Varying Median	
	ROW	127'	87'	Varies	
	F-F	2 at 24'	2 at 24'	2 at 24'	
	TRAFFIC LANES	4	4	4	
	PARKWAY	12.5'	12.5'	10.5'	
	HEAD IN PARKING	20'	None	None	
	MEDIAN	14'	14'	Varies	
	TREES	30' OC	30' OC	30' OC	
	SIDEWALKS	12' Both Sides	12' Both Sides	6' Both Sides	
	DESIGN CRITERIA	0.6%	0.6%	0.6%	
MIN GRADE	6%	6%	6%		
MAX GRADE	20	25	25		
DESIGN SPEED (MPH)	200'	200'	200'		
MIN HORIZONTAL RADII	None	None	None		
MIN TANGENT BETWEEN CURVES	15'	15'	15'		
CURB RETURN RADIUS	Per Town	Per Town	Per Town		
MINIMUM PAVEMENT THICKNESS					
NOTES					

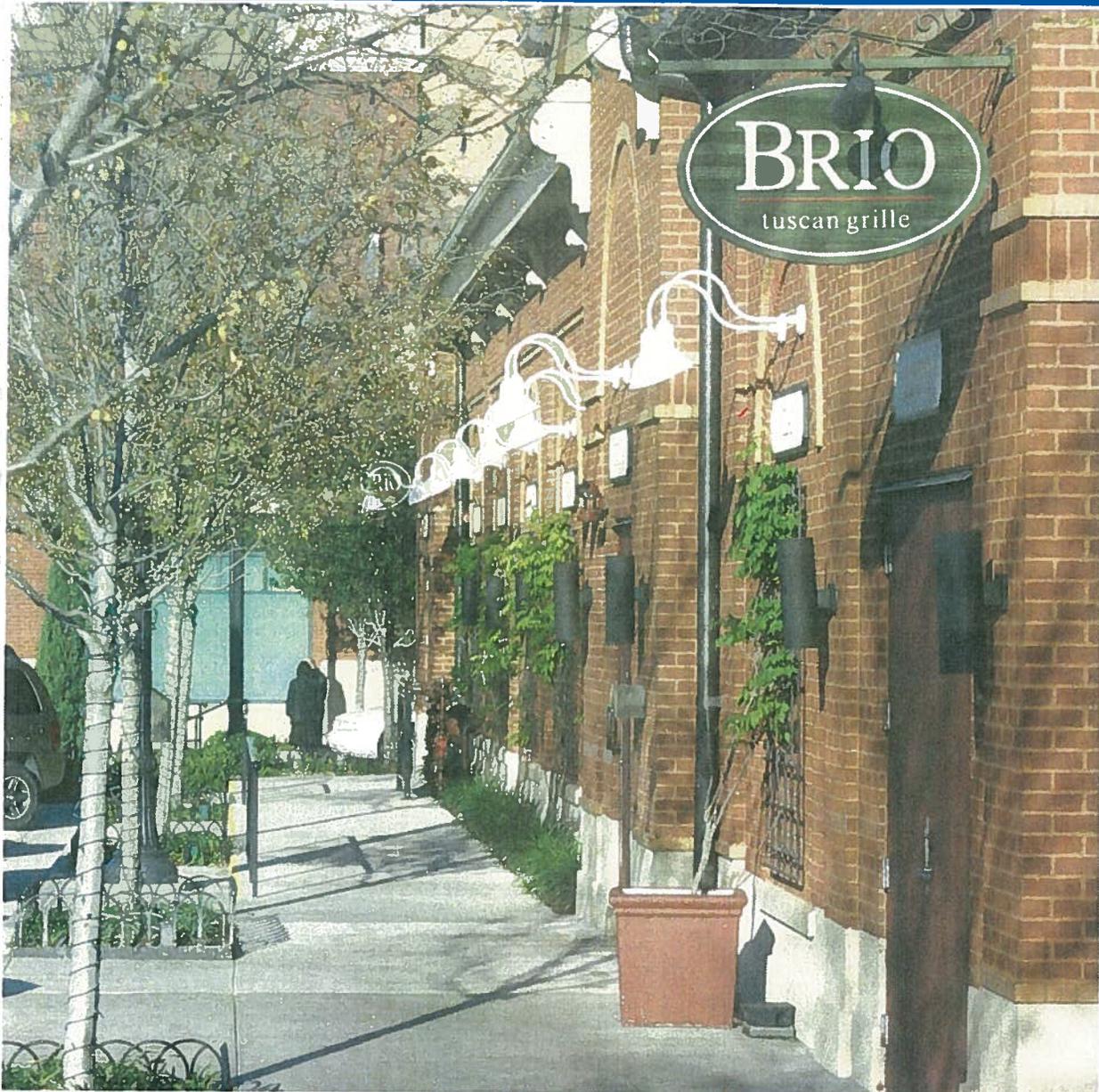
PROSPER WEST
TABLE A

ROADWAY TYPE		Village Avenue			
STREET SECTION	DESCRIPTION	with Angled Parking	without Parking	with Parallel Parking	One Way with Angled Parking
	ROW	89'	49'	65'	89'
	F-F	24'	24'	24'	24'
	TRAFFIC LANES	2	2	2	2
	PARKWAY	12.5'	12.5'	12.5'	12.5'
	HEAD IN PARKING	20'	None	8'	20'
	MEDIAN	None	None	None	None
	TREES	30' OC	30' OC	30' OC	30' OC
	SIDEWALKS	12' Both Sides	12' Both Sides	12' Both Sides	12' Both Sides
DESIGN CRITERIA	MIN GRADE	0.6%	0.6%	0.6%	0.6%
	MAX GRADE	6%	6%	6%	6%
	DESIGN SPEED (MPH)	20	25	20	20
	MIN HORIZONTAL RADII	200'	200'	200'	200'
	MIN TANGENT BETWEEN CURVES	None	None	None	None
	CURB RETURN RADIUS	15'	15'	15'	15'
	MINIMUM PAVEMENT THICKNESS	Per Town	Per Town	Per Town	Per Town
NOTES					
ROADWAY TYPE		Village Avenue (Town Hall)		Village Street	
STREET SECTION	DESCRIPTION	One way with Angled Parking		without Parking	
	ROW	55'		60'	
	F-F	12'		12'	
	TRAFFIC LANES	1		2	
	PARKWAY	10.5' / 12.5'		11'	
	HEAD IN PARKING	20'		None	
	MEDIAN	None		14'	
	TREES	30' OC		30' OC	
	SIDEWALKS	6' Both Sides		6' Both Sides	
DESIGN CRITERIA	MIN GRADE	0.6%		0.6%	
	MAX GRADE	6%		6%	
	DESIGN SPEED (MPH)	20		30	
	MIN HORIZONTAL RADII	200'		200'	
	MIN TANGENT BETWEEN CURVES	None		None	
	CURB RETURN RADIUS	15'		15'	
	MINIMUM PAVEMENT THICKNESS	Per Town		Per Town	
NOTES					

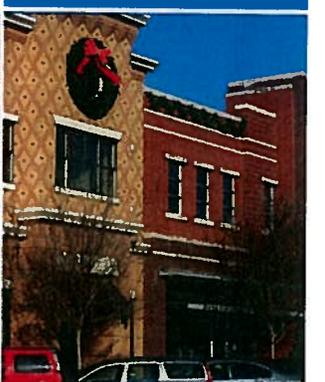
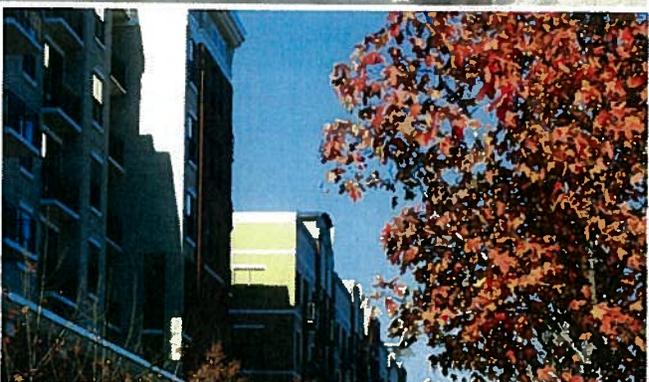


**DESIGN
GUIDELINES**

THE SHOPS AT PROSPER WEST



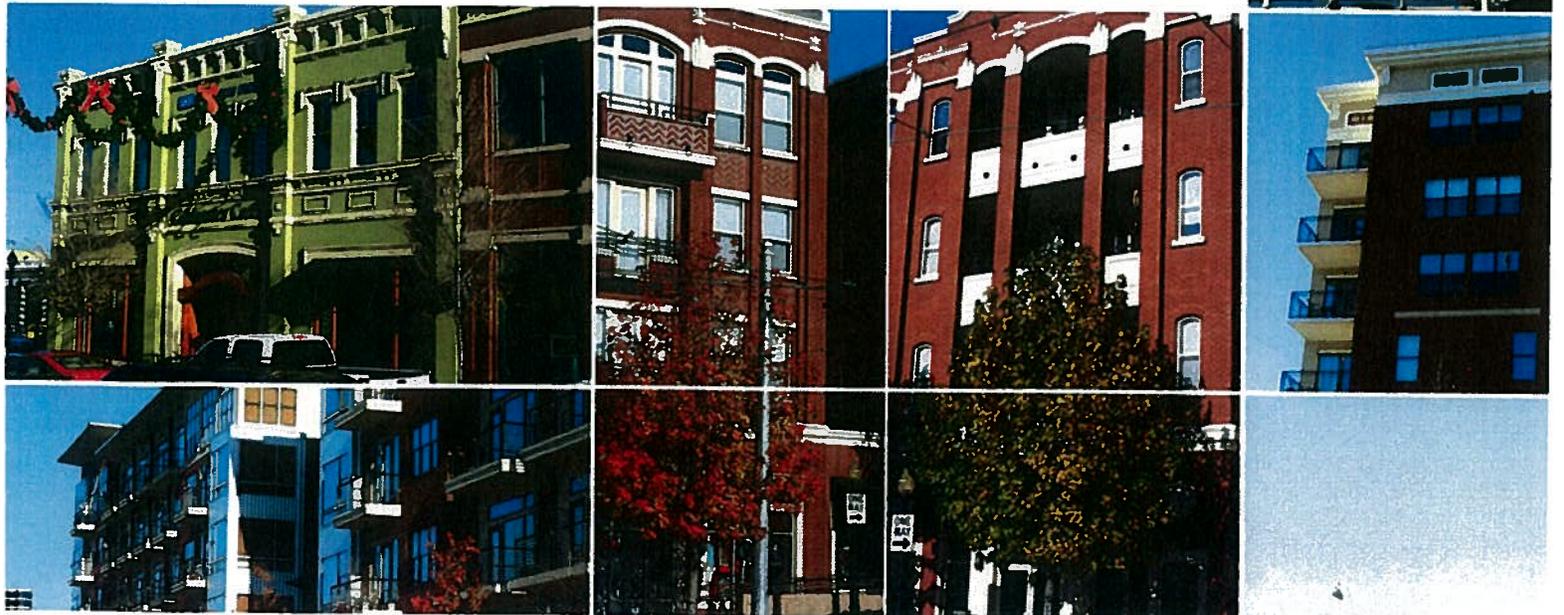
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DESIGN PRINCIPLES

Overall planning and building arrangement should create a compact pedestrian-scaled environment. Individual buildings should be designed and detailed to reinforce the pedestrian-oriented nature of downtown and uptown.

- Buildings should be located and designed so they provide visual interest and create enjoyable, human-scaled spaces. The key design principles are:
- As new buildings are constructed, building facades should utilize building elements and details to achieve compatibility with existing buildings in the Downtown and Uptown sub-districts.
- Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
- Buildings should be built to, or close to, the sidewalk to define and enhance the pedestrian environment.



THE SHOPS AT PROSPER WEST

SITE DESIGN

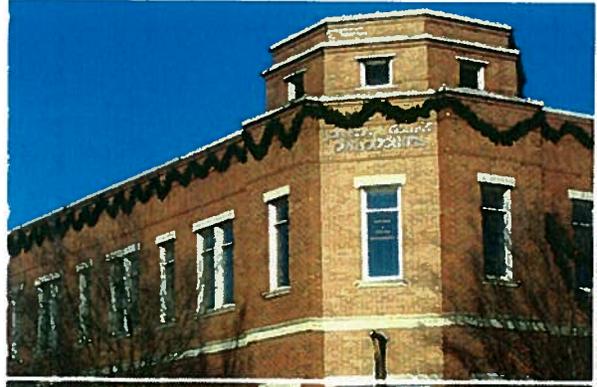
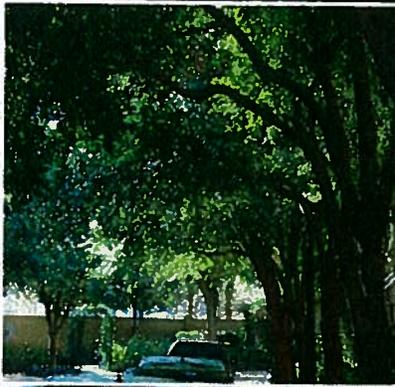
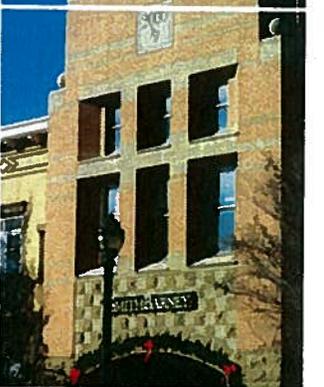
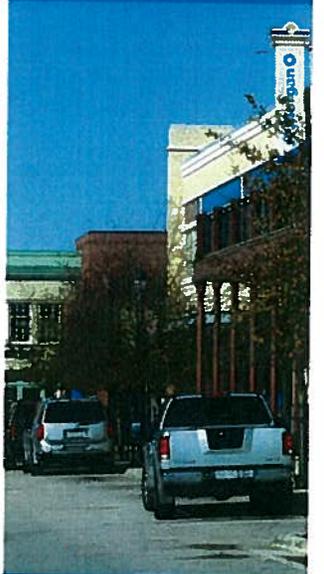
In order to create attractive, pedestrian friendly streets and provide street-level activity and interest, buildings should:

- Be built to or close to the sidewalk.
- Have entrances oriented to the sidewalk for ease of pedestrian access.
- Be located in such a manner as to minimize conflicts between pedestrians and automobiles.

BUILDING ORIENTATION: Buildings should be oriented toward the major street front with the primary entrance located on that street.

CORNER LOTS: At key intersections, buildings located on corner lots should utilize variations in building massing to emphasize street intersections as points of interest in the district.

PARKING: On-street parking should be constructed in the Downtown and Uptown sub-district. Off-street surface parking should be predominantly located behind buildings and accessed by alleys or rear drives whenever possible.



BUILDING DESIGN

BUILDING MASSING AND SCALE: A building's massing is its exterior volume and its scale is the relationship of its overall size and its component parts with its adjoining buildings, spaces, and people.

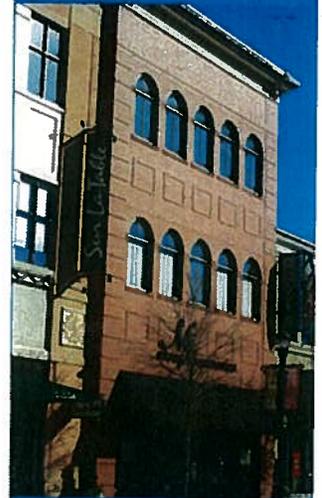
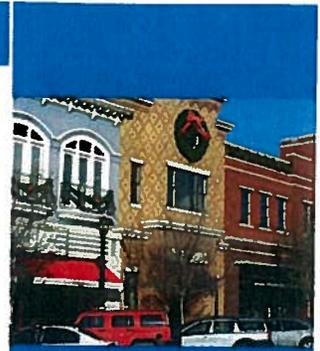
- A building's massing should relate to its site, use, and to the massing of adjacent buildings.
- A building's massing should serve to define entry points and help orient pedestrians.
- The scale of individual building façade components should relate to one another and the human scale, particularly at the street level.
- Buildings and/or facades should emphasize and frame or terminate important vistas.

BUILDING RHYTHM: A building's rhythm is the pattern created by the regular recurrence or alteration of its constituent architectural components.

- Nonresidential and mixed-use buildings in both the Downtown and Uptown sub-districts, to the extent practicable, should maintain a 25' or multiples of 25' building façade widths.
- Variations of the rhythms within individual building facades should be achieved within any block of building facades.
- Breaks in the predominant rhythm may also be used to reinforce changes in massing and important elements such as building entrances or pedestrian pass-throughs.

ARCHITECTURAL ELEMENTS: Architectural elements are the individual components of a building, including walls, doors, windows, cornices, parapets, roofs, pediments, and other features.

Architectural elements should be designed to the appropriate scale and proportions of the selected architectural style. For example, building designs based on an Art Deco style should utilize architectural elements of a scale and proportion characteristic of that style.



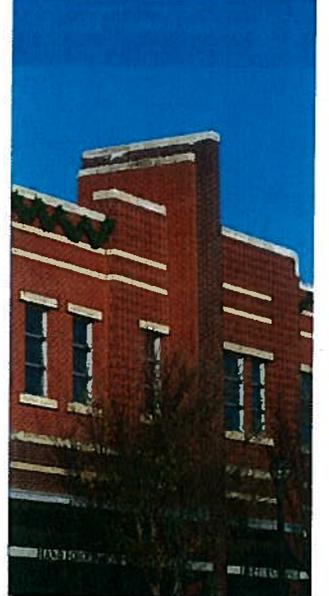
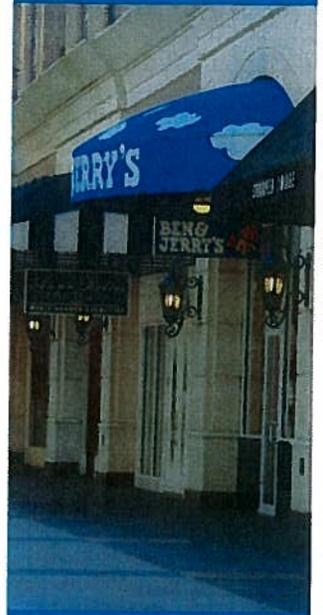
BUILDING DESIGN

ENTRANCES: The design and location of building entrances in the Downtown district are important to help define the pedestrian environment and create retail-friendly environments.

- Entrances should be easily identifiable as primary points of access to buildings.
- Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others, as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole.
- Entrances to upper level uses may be defined and integrated into the design of the overall building façade.

FAÇADE TREATMENTS: Façade treatments are that portion of a building's street façade elevation extending from the ground to the roof that consists of a single layer or architectural expression.

- Retail ground floors should have windows covering a minimum of 60% of the major street fronting façade(s). Other ground level uses shall have façade treatments appropriate to such uses(s).
- All sides of a building shall be consistent with respect to style, colors, and details only to the extent they establish continuity with the main street front facades.
- On facades fronting on service or parking areas and along secondary streets, windows need not be provided at the ground level. However, buildings should avoid long, monotonous, uninterrupted walls. Building wall off-sets, including projections, recesses, niches, fenestration, or changes of materials or color shall be used to add architectural variety and interest, and to relieve the visual impact of a blank wall.
- Parapet and roof-line offsets between facades may be provided in order to break down the scale of the block and create architectural interest and variety.
- Architectural elements, such as canopies, awnings, roof and floor overhangs, and colonnades should be provided as appropriate to protect pedestrians, help unify parts of a building or block, provide human scale, or provide a backdrop for signage and graphics.



BUILDING DESIGN

STOREFRONTS: Storefronts on façade treatments that span multiple tenants shall use architecturally compatible materials, colors, details, awnings signage, and lighting fixtures.

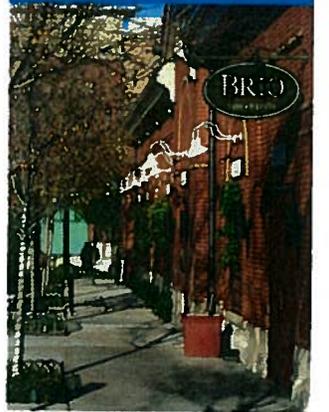
LIGHTING: The placement and orientation of lighting can be a critical part of creating an inviting and safe downtown/uptown environment.

- Exterior lighting shall be architecturally integrated with the building style, material, and color.
- Lighting intensities shall be controlled to ensure that excessive light spillage and glare are not directed toward neighboring areas and motorists.
- Pedestrian level lighting of building entrance-ways should be provided.
- Illuminations of portions of buildings, direct or indirect, may be used for safety or aesthetic results.

SIGNAGE:

- A comprehensive sign package shall be developed for the project and shall be approved by the Planning & Zoning Commission and Town Council.
- Signage in the Downtown and Uptown sub-districts shall enhance the pedestrian character of the districts by providing signs that are pedestrian in scale and located so as to be legible to pedestrians the sidewalks.
- Signs may be attached flush to the building so long as they do not obscure any significant architectural details.
- Businesses are encouraged to create individually styled signage that distinguishes their establishment.
- Signs which are pedestrian oriented may be painted on the storefront glass. The maximum percentage of glazed surface area allowed shall be identified in the project's comprehensive sign package.
- Directory signs may be provided to help direct the public to different businesses and services in the Downtown and Uptown sub-districts. These may be provided at prominent locations in the downtown or uptown.
- Signs may be lit by external light sources as long as such sources are not visually intrusive as determined with the project's comprehensive sign package.

PAD SITE BUILDINGS: For a building that occupies a pad, the building should have similar design characteristics as the remainder of the project. This includes use of similar materials, patterns, rhythms, and proportions.



PUBLIC REALM DESIGN

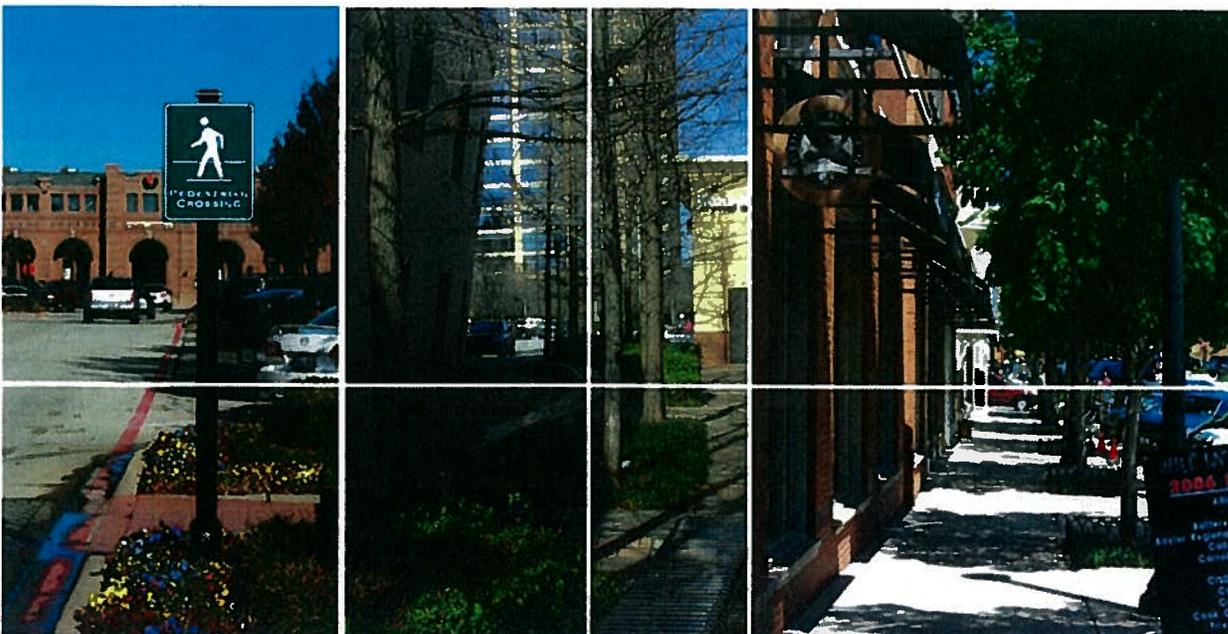
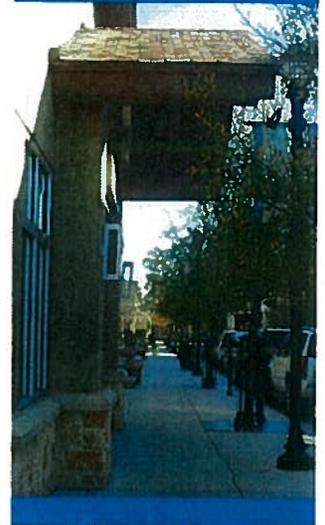
The public realm is where the community meets, gathers, shops, works, and recreates. It consists of those places where people have unlimited and direct access to and includes streets, sidewalks, walkways, parks, and publicly accessible open spaces.

PEDESTRIAN NETWORK:

- Mid-block pedestrian connections from the street to parking lots at the rear of the buildings should be provided at key points.
- Pedestrian crosswalks shall be clearly marked and provided at all key street intersections.
- Sidewalks shall be constructed from the back of curb to the building front or property line.
- Sidewalks shall be a minimum of 6' measured from the face of the curb to the building façade.

STREET FRAMEWORK: A street framework that supports a high level of connectivity providing development flexibility over time and encourages pedestrian activity. Key design features necessary to create the characteristics within the public realm include:

- Street patterns based on a grid system of interconnected streets.
- Continuity of sidewalks along each street.
- Crosswalk demarcation at street intersections.
- Wide sidewalks with shade trees.
- Parallel and head-in parking to protect pedestrians from traffic movements.
- Narrow street cross sections and neck downs at crosswalks.

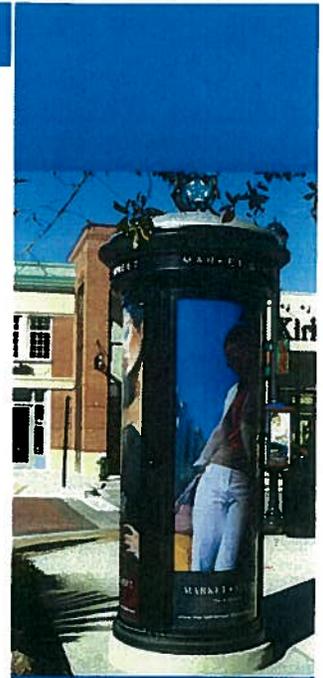


PUBLIC REALM DESIGN

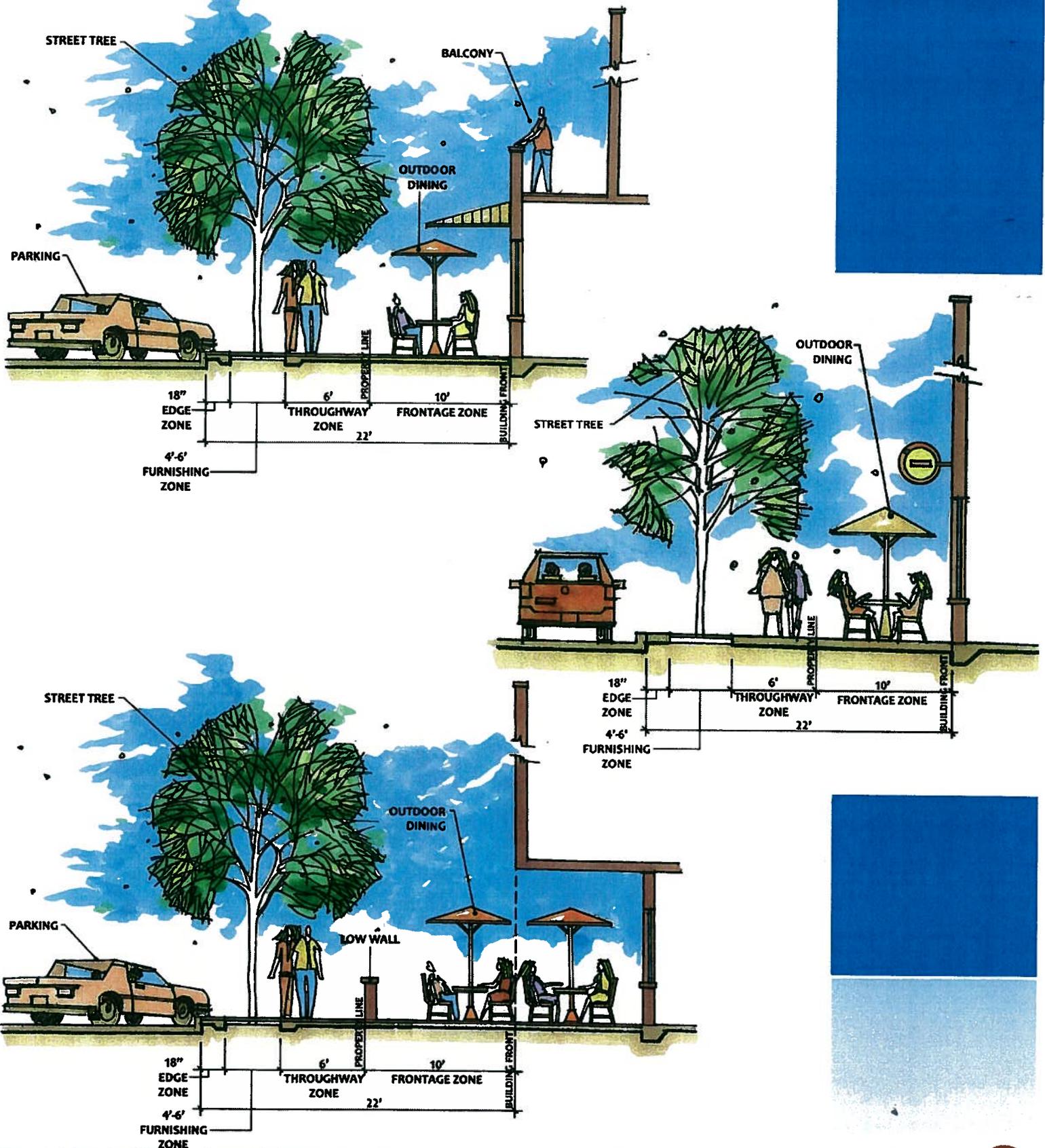
STREETSCAPE TREATMENT: An important element of an urban streetscape is the streetscape design. It is that portion of a street that accommodates both social and business activity. It extends from the face of the building to the face of the curb. A well designed streetscape is important to a street's function as a public place and is the most extensively used civic space in a community.

- The streetscape consists of the following four distinct functional zones:
 - **EDGE ZONE:** The area between the face of the curb and the Furnishing Zone. An area of required clearance between parked vehicles or traveled way and accessories or landscaping. This area shall be a minimum of 18" to facilitate the door swing of a parked car and prevent conflicts with elements within the Furnishing Zone.
 - **FURNISHING ZONE:** The area of the roadside that provides a buffer between pedestrians and vehicles. Items which shall be located in this zone, to minimize impact on the Throughway Zone include; street trees, planting strips, street furniture, utility poles, sidewalk vaults, newspaper racks, cabinets, traffic signal cabinets, fire hydrants, bicycle racks, etc. A typical dimension for this zone is 4'-6'.
 - **THROUGHWAY ZONE:** This zone which must remain clear, both horizontally and vertically, allows for the movement of people. This zone shall be a minimum 6' wide.
 - **FRONTAGE ZONE:** The distance between the Throughway Zone and the building front used to buffer pedestrians from window shoppers, accessories, and doorways. Since this zone is in the building's front setback, it may contain private street furniture, signage, merchandise displays, etc. and can also be used for restaurant seating.
- Street trees shall be planted in accordance with a unified landscaping plan.
- Street furnishings shall be installed in accordance with a streetscape plan. Street furnishings may include planting strips, raised planters, trash receptacles, street lights, street signs, wayfinding signs, media boxes, seating, public art, water features, fire hydrants, etc.

INTERSECTIONS AND CROSSWALKS: Intersections shall be as compact as practical. They shall minimize crossing distance as well as crossing time, minimize exposure to traffic, and encourage pedestrian travel.



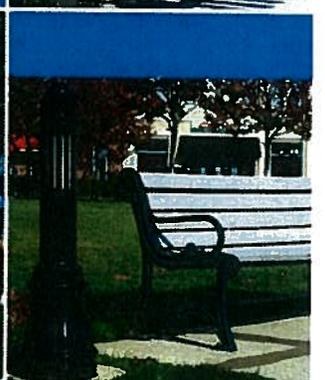
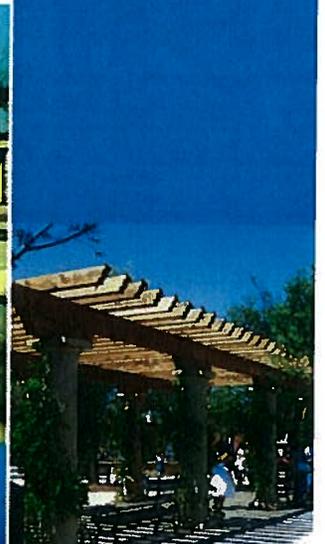
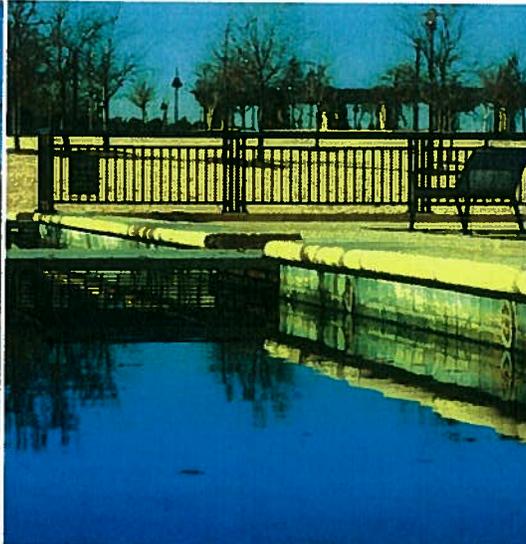
STREETScape ALTERNATIVES



PUBLIC REALM DESIGN

PUBLIC PARKS AND OPEN SPACES: Publicly accessible parks and open space organize and reinforce neighborhood structure. They offer a wide variety of passive and active recreational experiences ranging in size and type, but together, they create an integrated system enhancing livability, natural appearance, and ecological values while providing gathering places and interaction opportunities for the community.

- Public parks and open spaces should be visible and easily accessible from public areas such as building entrances and adjacent streets and sidewalks. Within these parks, ample seating should be provided, including walls, ledges, and other raised surfaces which can serve a similar purpose.
- Active uses such as retail, cafes, restaurants, higher density residential and office uses which provide pedestrian traffic should be considered as appropriate uses to line public parks and open spaces.



RESIDENTIAL DEVELOPMENT GUIDELINES

Residential units shall be located in a manner as to provide privacy for residents by one or a combination of the following.

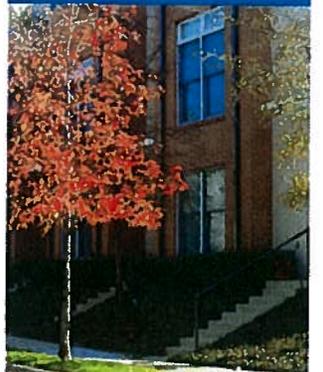
- Providing a small landscaped front setback.
- Raising or lowering the finished ground level relative to the sidewalk level.
- Allowing for encroachments by stoops, stairs, and porches within the area between the front façade and the property line.

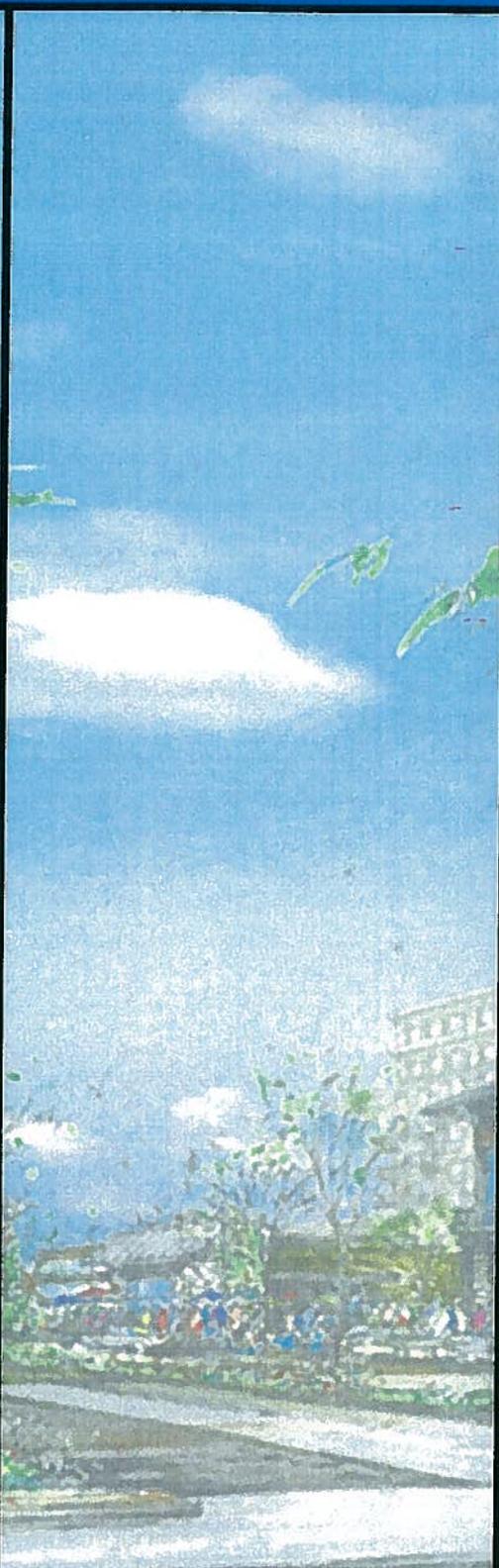
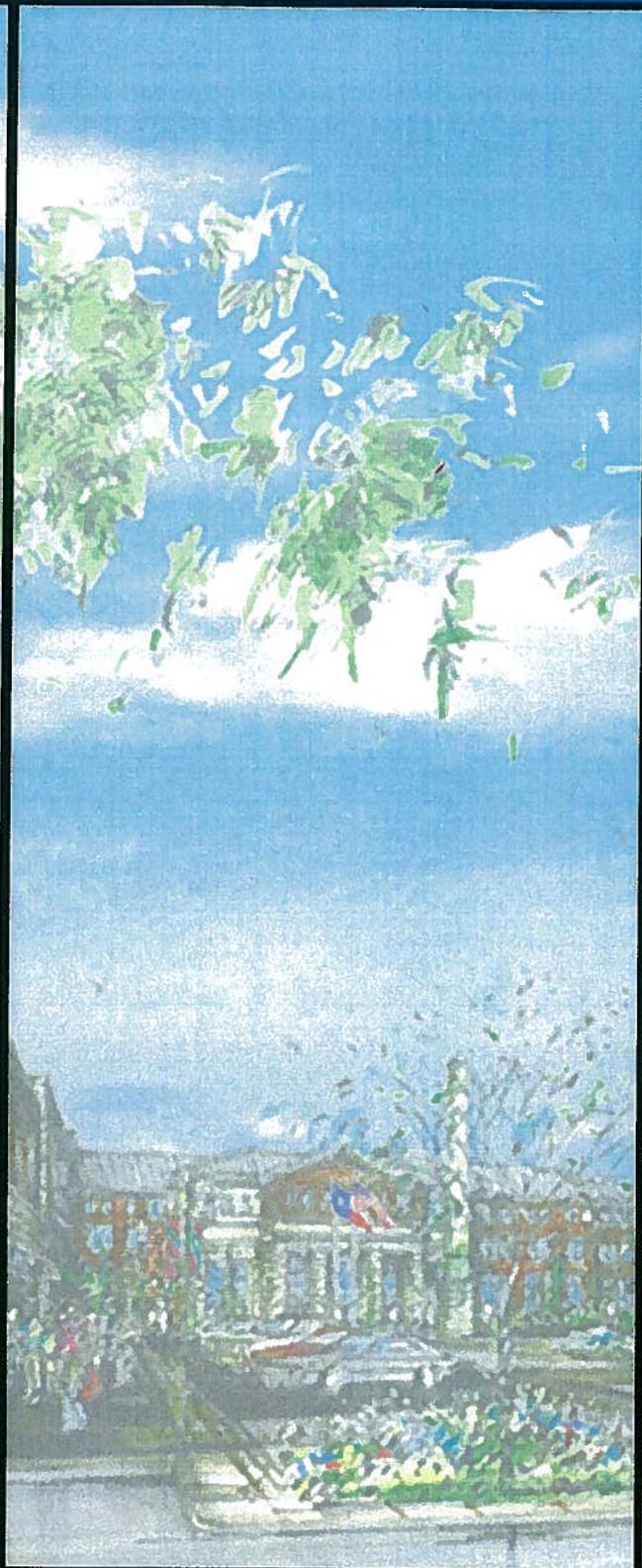
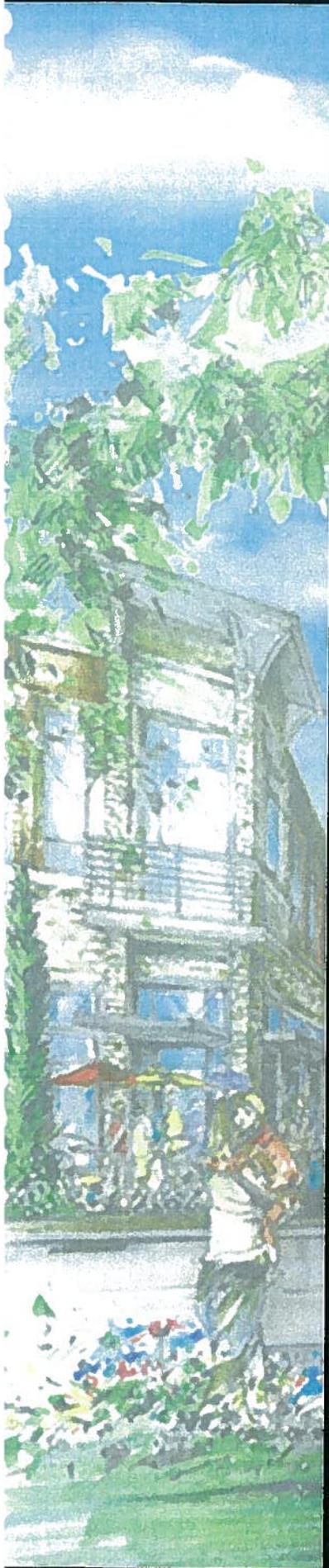
PARKING: Off-street parking shall be accessed through alleys along the rear or side property lines, thus eliminating driveways from the residential streetscape with the following exception:

- Driveways and garages may front onto, and be accessed from a street in the case of a corner lot. The garage and/or driveway shall be allowed to front on the side street.

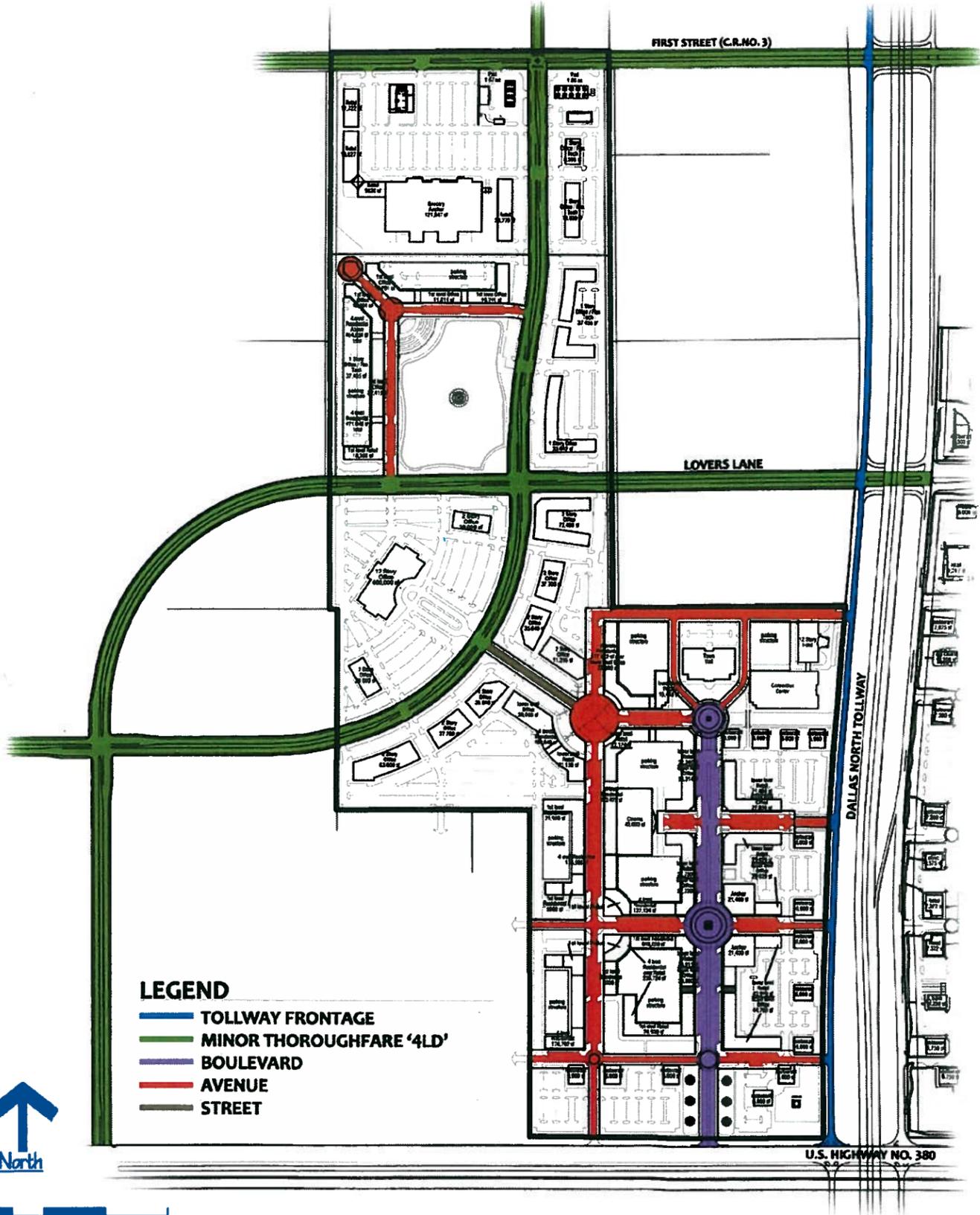
ARCHITECTURAL ELEMENTS

- Residential buildings shall have relatively flat fronts and simple roofs with most building wing articulations set at the rear of the structure. Window projections, stoops, porches, balconies, and similar extensions are exempt from this standard.
- Gable roofs, if provided, shall have a minimum pitch of 9/12. When hipped roofs are used, the minimum pitch shall be 6/12. Other roof types shall be appropriate to the architectural style of the building.
- Architectural embellishments that add visual interest to the roof, such as dormers and masonry chimneys may be provided.



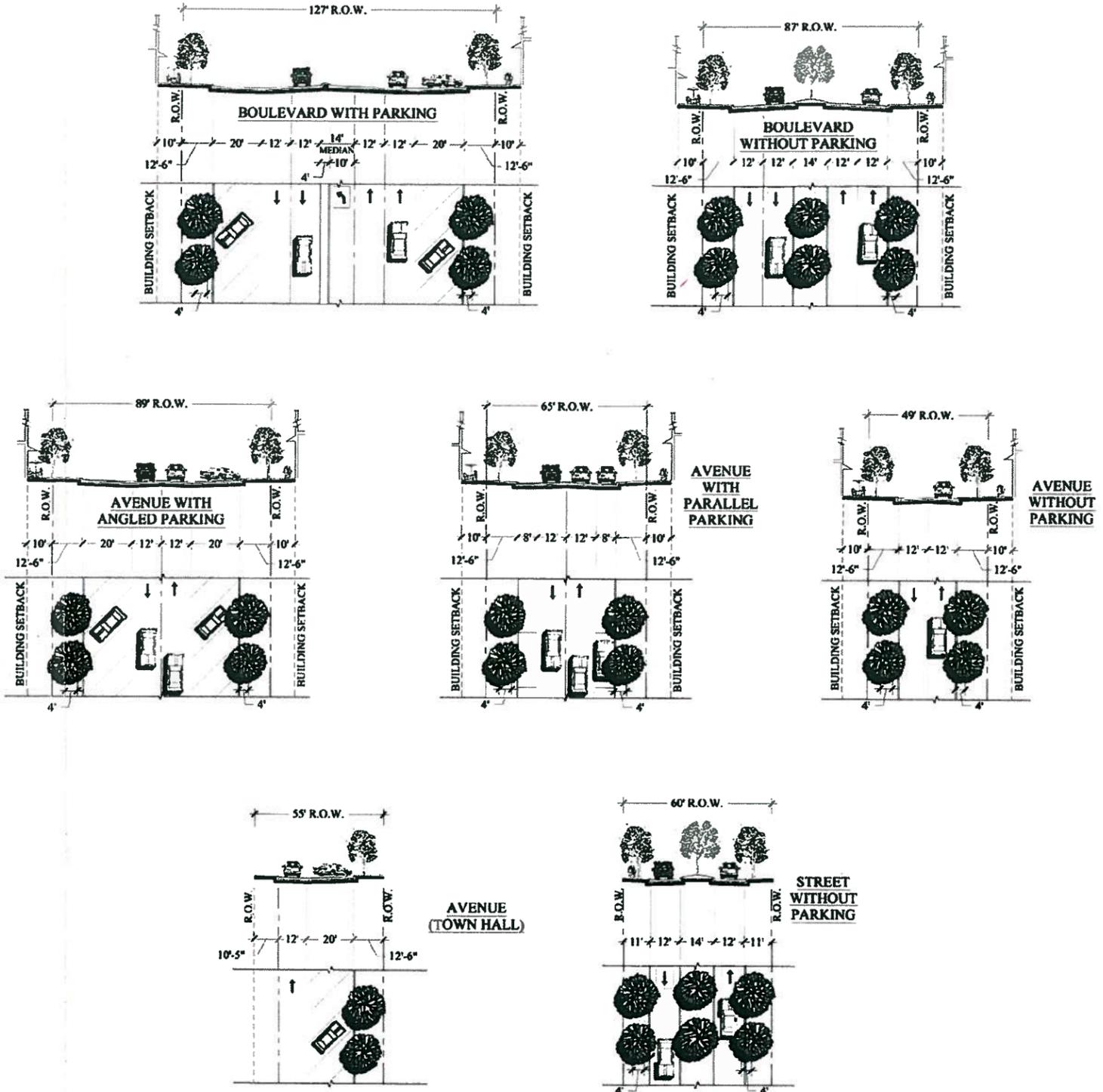


EXHIBITS



LEGEND

- TOLLWAY FRONTAGE
- MINOR THOROUGHFARE '4LD'
- BOULEVARD
- AVENUE
- STREET



NOTE: ALL THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT(S). THE ALIGNMENT(S) ARE DETERMINED AT TIME OF FINAL PLAT.

MOORELAND DEVELOPMENT

VILLAGE THOROUGHFARE PLAN (EXHIBIT H)

PROSPER WEST PROSPER, TEXAS

APR 25, 2008 MOD017 1"=300'

Engineering | Surveying | Planning | Landscape Architecture | Construction Management

Jones & Boyd, Inc.
17090 Dallas Parkway
Dallas, Texas 75248
972.248.7676
www.jones-boyd.com



FIRST STREET (C.R.NO. 3)

NEIGHBORHOOD SHOPPING

AREA: 29.7 AC +/-
OFFICE: 5,000 S.F.
RETAIL: 218,000 S.F.

UPTOWN

AREA: 34.9 AC +/-
OFFICE: 158,000 S.F.
RETAIL: 19,000 S.F.
RESIDENTIAL: 400 HOMES

LOVERS LANE

OFFICE PARK

AREA: 39.1 AC +/-
OFFICE: 1,100,000 S.F.

DOWNTOWN

AREA: 84.9 AC +/-
OFFICE: 260,000 S.F.
RETAIL: 382,000 S.F.
RESTAURANT: 102,000 S.F.
THEATER: 40,000 S.F.
HOTEL: 300,000 S.F.
RESIDENTIAL: 2,000 HOMES

PROJECT TOTALS

AREA: 188.6 AC +/-
OFFICE: 1,523,000 S.F.
RETAIL: 619,000 S.F.
RESTAURANT: 102,000 S.F.
THEATER: 40,000 S.F.
HOTEL: 300,000 S.F.
TOTAL: 2,584,000 S.F.
RESIDENTIAL: 2,400 HOMES

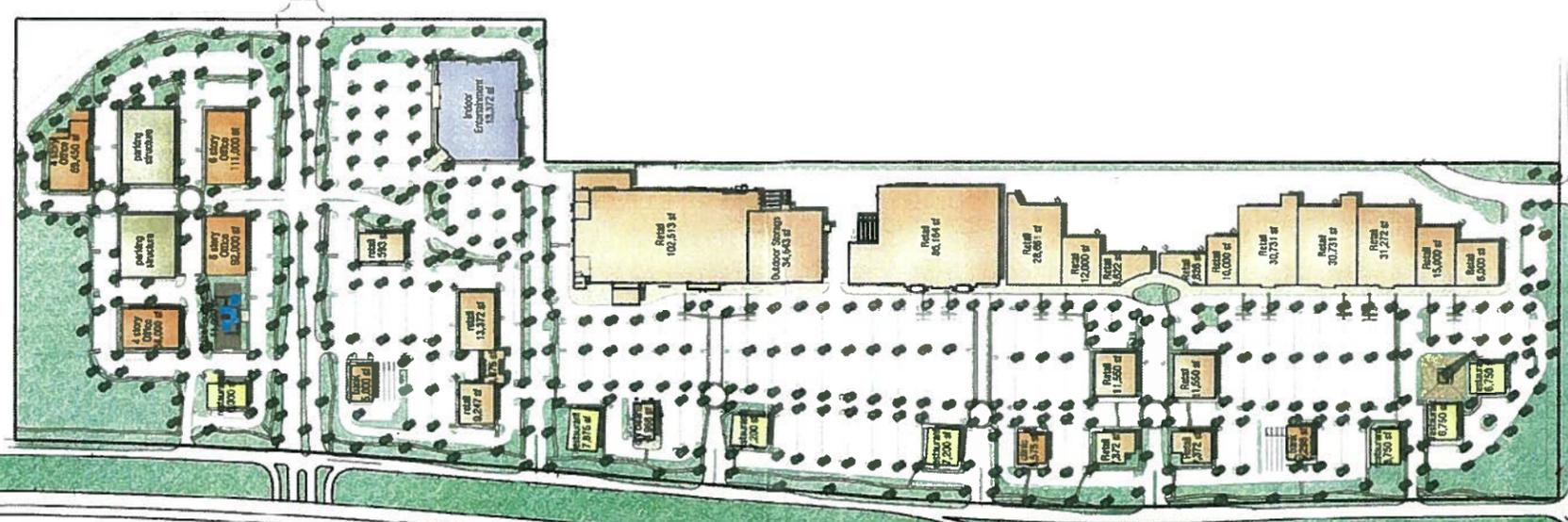


MOORELAND DEVELOPMENT

CONCEPT PLAN

(EXHIBIT D)
PROSPER WEST
PROSPER, TEXAS

NOTE: ALL THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT(S). THE ALIGNMENT(S) ARE DETERMINED AT TIME OF FINAL PLAN.



U.S. HIGHWAY NO. 380

DALLAS NORTH TOLLWAY

APR 25, 2008 MOD017 1"=200'

INNOVA . cityscape
Design + Development
John I. Glod

HODGES
ASSOCIATES
ARCHITECTS

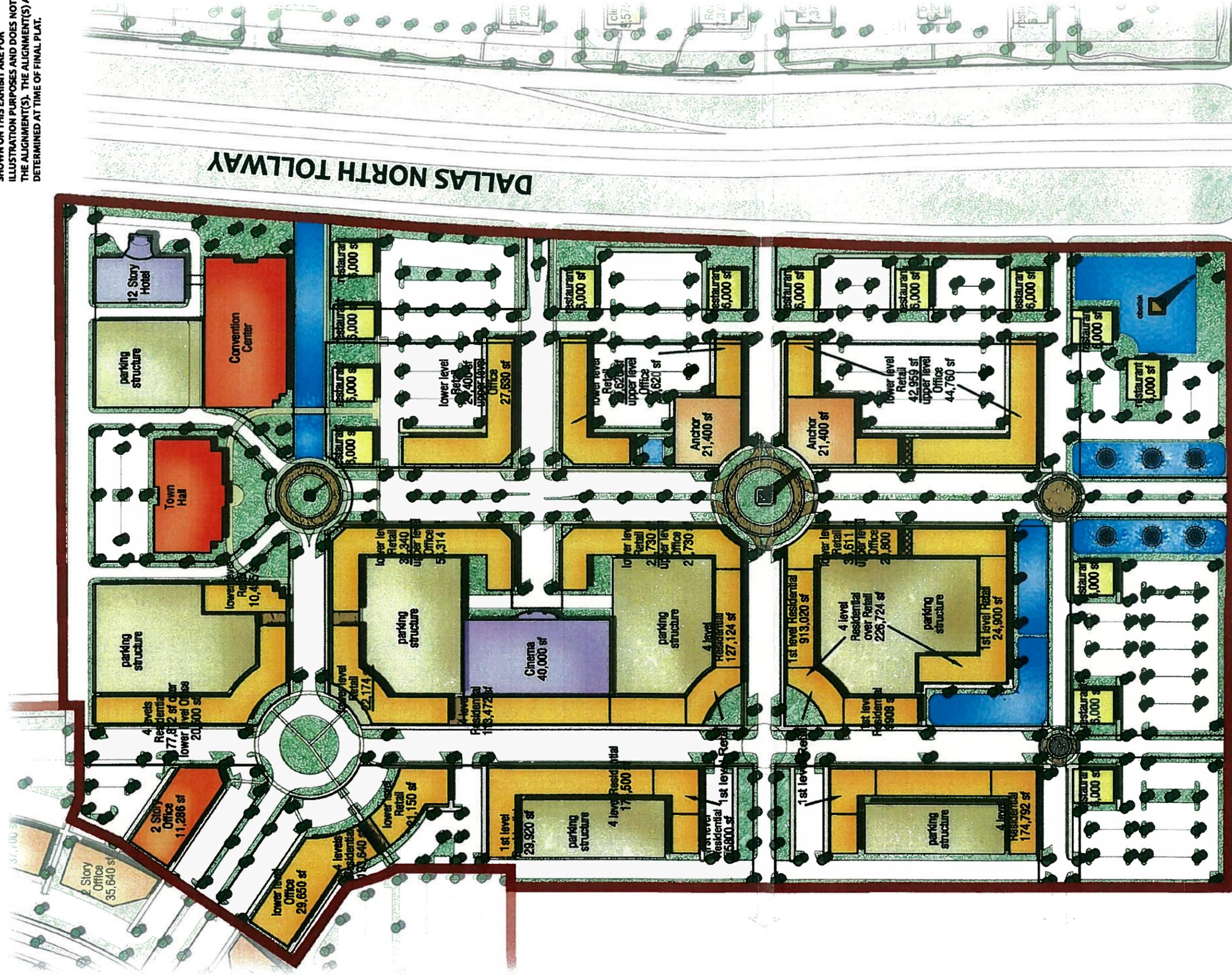


Beeler Guest Owens Architects

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Jones & Boyd, Inc.
17000 Dallas Parkway
Dallas, Texas 75248
972.348.7878
www.jones-boyd.com



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U.S. HIGHWAY NO. 380



0 50 100 200 300

MOORELAND DEVELOPMENT

APR 25, 2006 MOD017 1"=100'

**DOWNTOWN
CONCEPT PLAN**

**(EXHIBIT D-1)
PROSPER WEST
PROSPER, TEXAS**



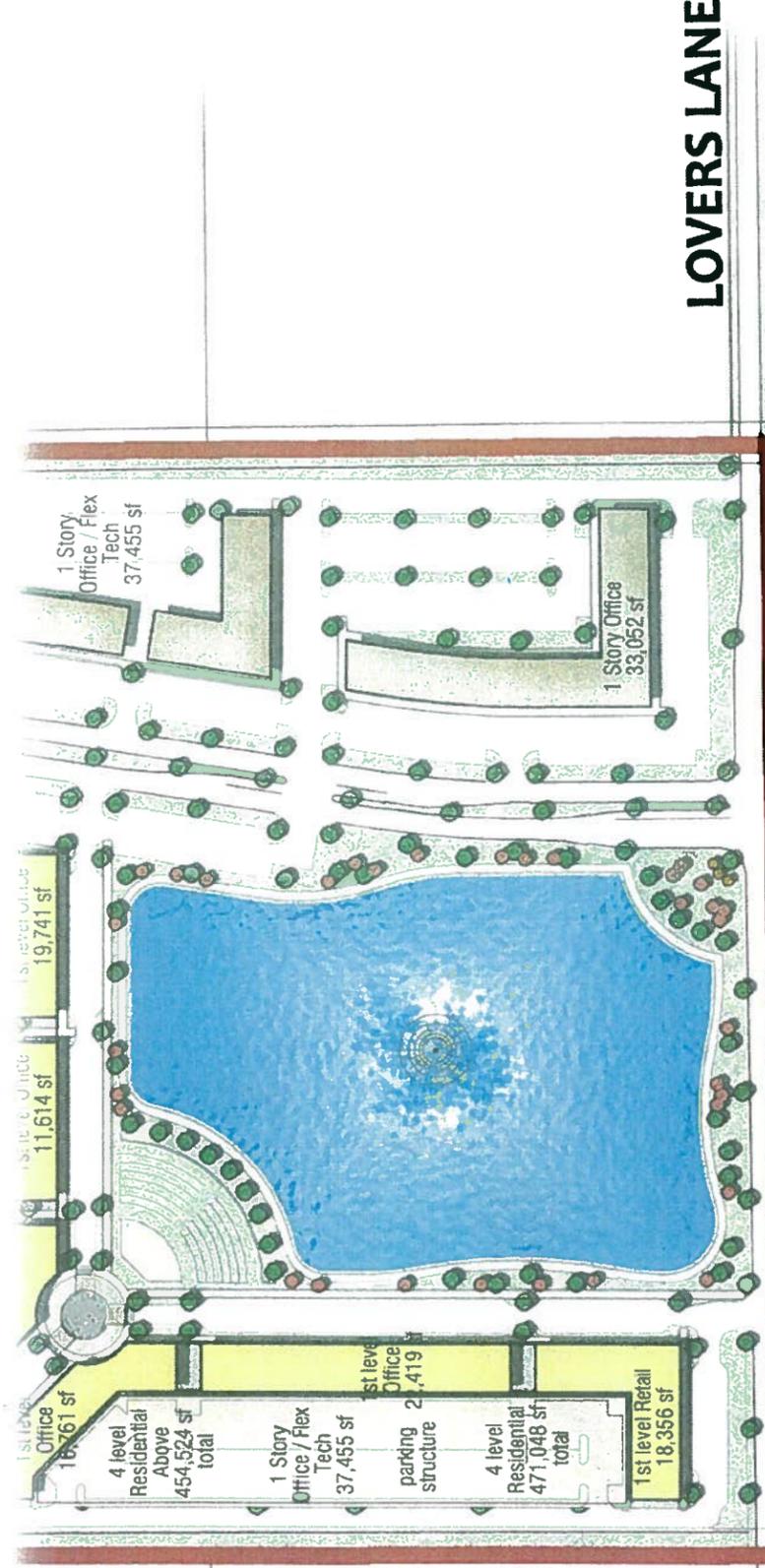
INNOVA - Cityscape
Residential + Environment
John L. Gierd



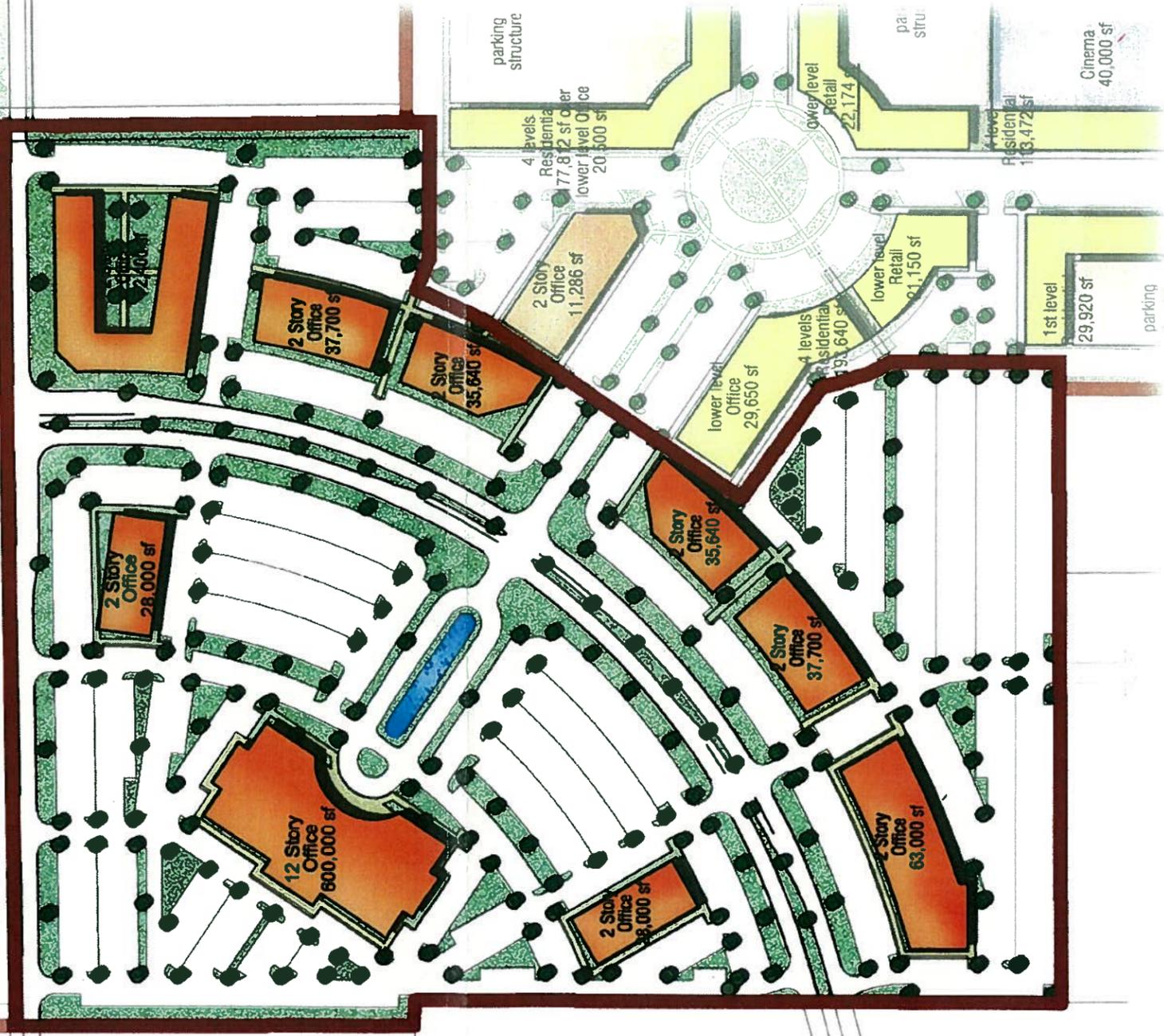
Beeler Guest Owens Architects

Engineering | Surveying | Planning | Landscape Architecture | Construction Management
Jones & Boyd, Inc.
17000 Dallas Parkway
Dallas, Texas 75248
www.jones-boyd.com





LOVERS LANE



1 Story Office / Flex Tech 37,455 sf

1 Story Office 33,052 sf

1st level Office 11,614 sf

1st level Office 18,761 sf

4 level Residential Above 454,524 sf total

1 Story Office / Flex Tech 37,455 sf

parking structure 2

4 level Residential 471,048 sf total

1st level Retail 18,356 sf

2 Story Office 28,000 sf

12 Story Office 600,000 sf

2 Story Office 8,000 sf

2 Story Office 63,000 sf

2 Story Office 37,700 sf

2 Story Office 35,640 sf

2 Story Office 35,640 sf

2 Story Office 37,700 sf

2 Story Office 63,000 sf

lower level Office 29,650 sf

4 levels Residential 193,640 sf

lower level Retail 21,150 sf

2 Story Office 11,286 sf

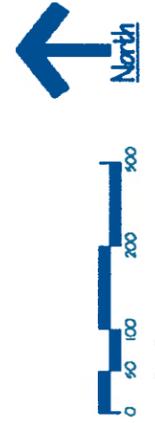
4 levels Residential 77,812 sf or lower level Office 20,500 sf

lower level Retail 22,174

1st level 29,920 sf parking

4 level Residential 113,472 sf

Cinema 40,000 sf



MOORELAND DEVELOPMENT

APR 25, 2008 MOD017 1"=100'

**OFFICE PARK
CONCEPT PLAN**

**(EXHIBIT D-2)
PROSPER WEST
PROSPER, TEXAS**

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INNOVA . **landscape**
Design + Development
John I. Glass

HODGES
ASSOCIATES
ARCHITECTS

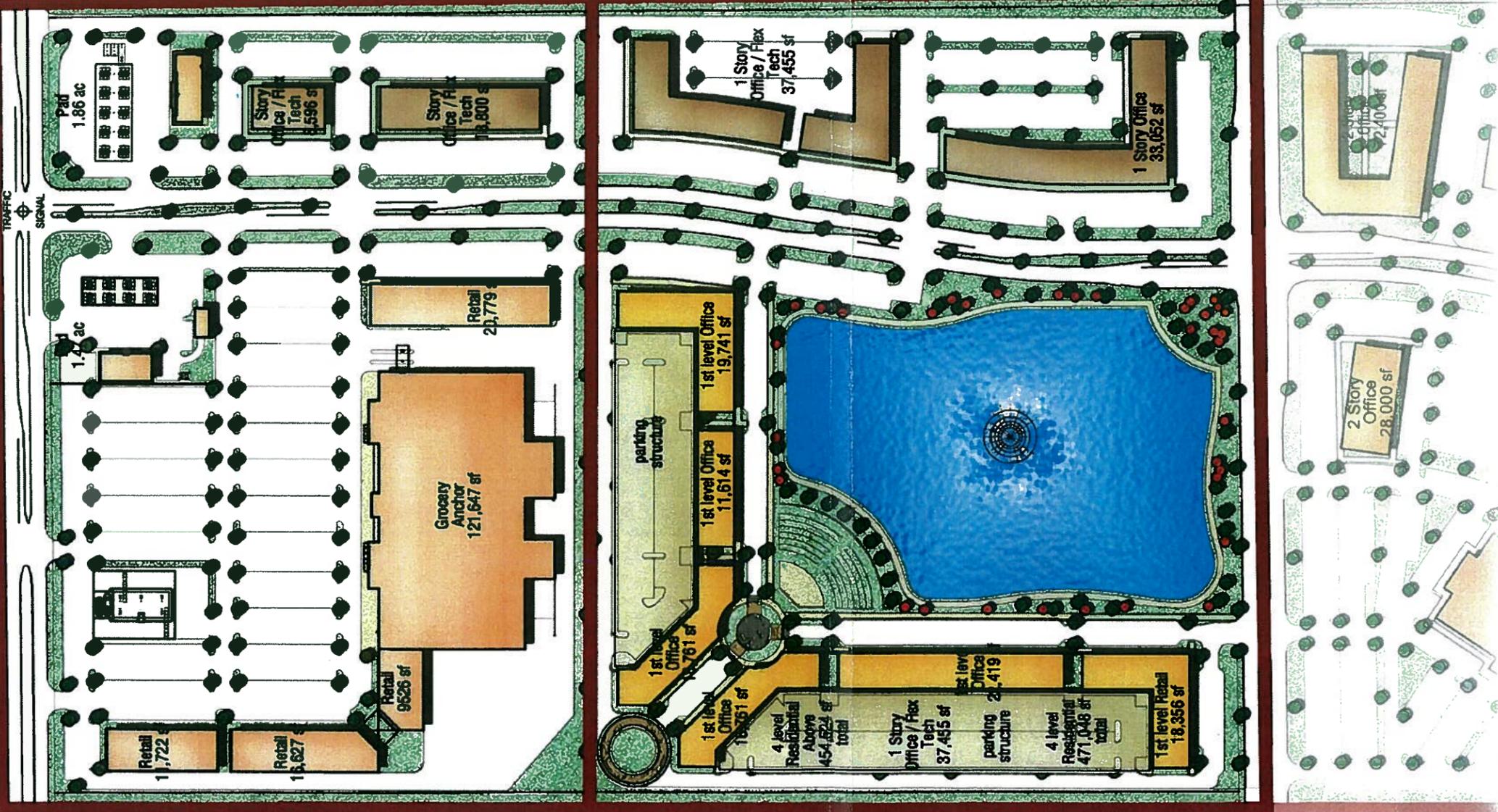


Beeler Guest Owens Architects
ARCHITECTS

Engineering | Surveying | Planning | Landscape Architects | Construction Management
Jones & Boyd, Inc.
17000 Dallas Parkway
Dallas, Texas 75248
972.348.7878
www.jones-boyd.com



FIRST STREET (C.R.NO. 3)



LOVERS LANE

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0 50 100 200 300
1"=100'

MOORELAND DEVELOPMENT
APR 25, 2006 MOD017

UPTOWN-
NEIGHBORHOOD SHOPPING
CONCEPT PLAN

(EXHIBIT D-3)
PROSPER WEST
PROSPER, TEXAS

INNOVA - Craycroft
Design + Development
John I. Grant



Beeler Guest Owens Architects



Jones & Boyd, Inc.
17000 Dallas Parkway
Dallas, Texas 75248
972.248.7876
www.jones-boyd.com



Engineering | Surveying | Planning | Landscape Architecture | Construction Management

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