

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20, ORDINANCE NO. 04-52, AND ORDINANCE NO. 08-099; REZONING A TRACT OF LAND CONSISTING OF 357.32 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, E.B. HAWKINS SURVEY, ABSTRACT NO. 581, AND L. NETHERLY SURVEY, ABSTRACT NO. 962, IN THE TOWN OF PROSPER, COLLIN COUNTY AND DENTON COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-14 (PD-14) AND PLANNED DEVELOPMENT-43 (PD-43) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-SINGLE FAMILY/RETAIL/COMMERCIAL (PD-SF/R/C); 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 Prosper Partners, LP ("Applicant") to rezone 357.32 acres of land, more or less, situated in the Collin County School Land Survey, Abstract No. 147, E.B. Hawkins Survey, Abstract No. 581, and L. Netherly Survey, Abstract No. 962, in the Town of Prosper, Collin County and Denton County, Texas; and

WHEREAS, the Town Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the Town Council has further investigated into and determined that it will be advantageous and beneficial to Prosper and its inhabitants to rezone this property as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1

Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Amendments to Zoning Ordinance No. 05-20, Ordinance No. 04-52, and Ordinance No. 08-099. Zoning Ordinance No. 05-20, Ordinance No. 04-52, and Ordinance No. 08-099 is amended as follows: The zoning designation of the property containing 357.32 acres of land,

more or less, situated in the Collin County School Land Survey, Abstract No. 147, E.B. Hawkins Survey, Abstract No. 581, and L. Netherly Survey, Abstract No. 962, in the Town of Prosper, Collin County and Denton County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned Development-Single Family/Retail/Commercial (PD-SF/R/C). The Property as a whole and for this zoning classification is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with 1) the statement of intent and purpose, attached hereto as Exhibit "B"; 2) the planned development standards, attached hereto as Exhibit "C"; 3) the concept plan, attached hereto as Exhibit "D"; 4) and the development schedule, attached hereto as Exhibit "E", 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 (3) original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. Two (2) copies shall be filed with the Town Secretary and retained as original records and shall not be changed in any matter.
- b. One (1) copy shall be filed with the Building Official and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

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

SECTION 3

No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 4

Unlawful Use of Premises. It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5

Penalty. Any person, firm, corporation or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance No. 05-20, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand

Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Prosper from filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6

Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7

Savings/Repealing Clause. Prosper's Zoning Ordinance No. 05-20 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8

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

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 8TH DAY OF APRIL, 2014.



Ray Smith, Mayor

ATTEST:



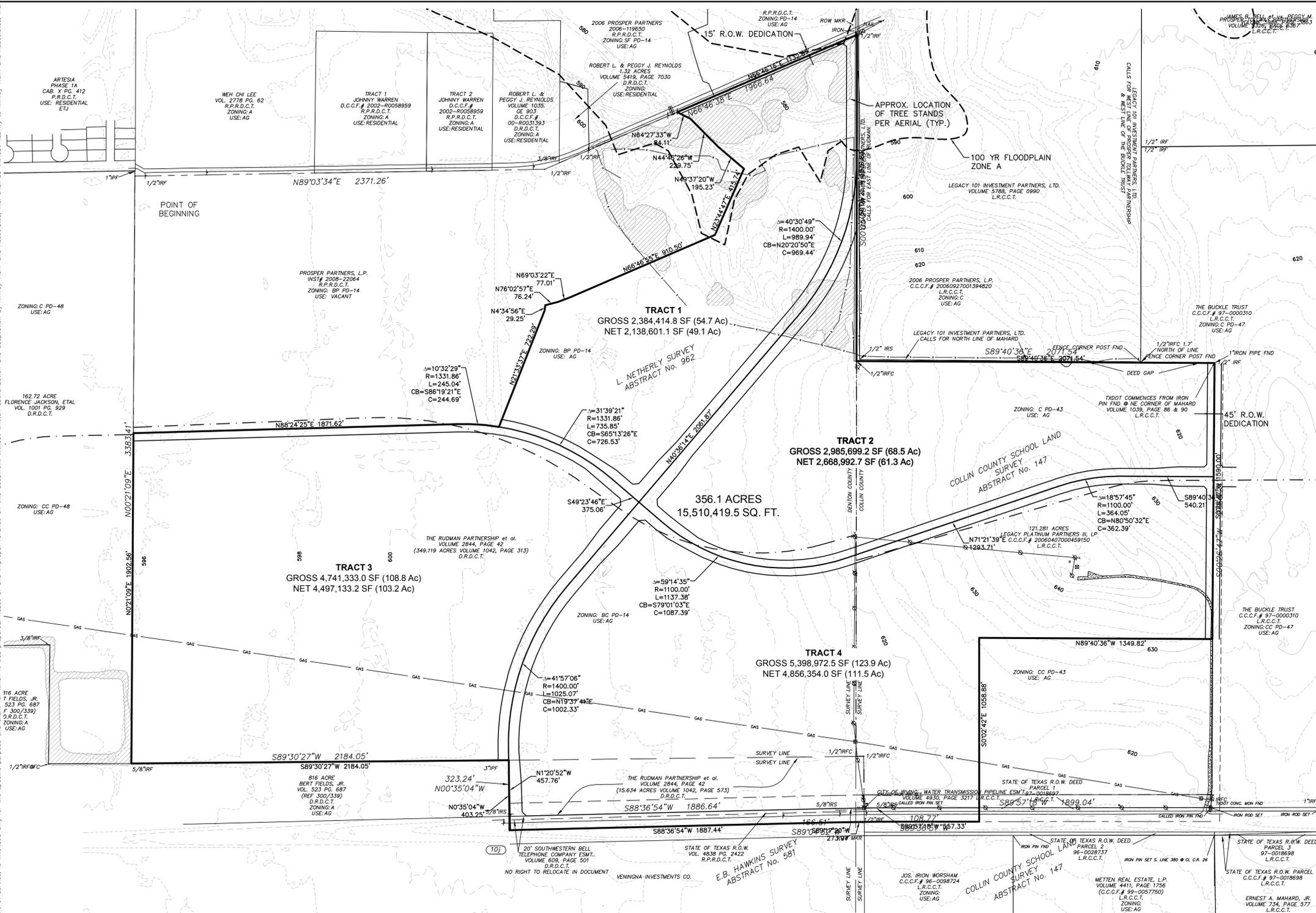
Robyn Battle, Town Secretary

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch, Town Attorney

Plotted By: Gramados, Alex. Date: February 13, 2014. 11:25:08am. File Path: \\K:\V\FRI\Civil\69306706-2\001 Prosper Center, Bob. Shelton Enterprises\Drawings\PlanSheets\Zoning Exhibits.dwg
 This document, together with the concepts and designs presented herein, is an instrument of service, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



LEGAL DESCRIPTION
356.070 ACRES

BEING a tract of land out of the Collin County School Land Survey, Abstract No. 147 in the Town of Prosper, Collin County, Texas, the E.B. Hawkins Survey, Abstract No. 581 and the L. Netherly Survey, Abstract No. 962, in the Town of Prosper, Denton County, Texas, and being a portion of a called 121.281 acre tract of land described in the deed to Prosper Partners, LP, recorded in Instrument No. 20080303000247320, Official Public Records of Collin County, Texas, (O.P.R.C.C.T.) and a portion of a called 356.537 acre tract of land described in the deed to Prosper Partners, LP, recorded in County Clerk's File No. 2008-22064, Real Property Records of Denton County, Texas (R.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a point at the intersection of the easterly line of said 121.281 acre tract and the centerline of U.S. Highway 380 (160' ROW);

THENCE North 89°57'18" West, along the existing centerline of said U.S. Highway 380, a distance of 1340.79 feet to the place of beginning;

THENCE along the existing centerline of said U.S. Highway 380, the following courses:
 South 89°57'18" West, a distance of 557.33 feet to a point for corner;
 South 89°17'20" West, a distance of 273.97 feet to a point for corner;
 South 88°36'54" West, a distance of 1887.44 feet to a point for corner in the east line of a tract of land described as Ray Farm in the deed to Bert Fields, Jr., recorded in Volume 523, Page 687, Deed Records of Denton County, Texas, at the intersection of the existing centerline of U.S. Highway 380 with the southern-most westerly line of said 356.537 acre tract;

THENCE North 0°35'04" West, along the easterly line of said Field tract, passing the southern-most southwest corner of said 356.537 acre tract, and continuing on said course and along the southern-most westerly line of said 356.537 acre tract a total distance of 403.25 feet to a 3 inch iron pipe found for corner at the northeast corner of said Fields tract at a re-entrant corner in the southerly line of said 356.537 acre tract;

THENCE South 89°30'27" West, along the southerly line of said 356.537 acre tract and the northerly line of said Fields tract, a distance of 2184.05 feet to a 5/8 inch iron rod found for corner at the southwest corner of said 356.537 acre tract, common to the southeast corner of a called 162.72 acre tract of land described in the quitclaim deed from Julia Jackson Gray to Two-J Partners, LLLP, recorded in County Clerk's File No. 2008-50523 (R.P.R.D.C.T.);

THENCE North 0°21'19" East, along the easterly line of said 162.72 acre tract and the westerly line of said 356.537 acre tract, a distance of 1902.56 feet to a point for corner that bears South 0°01'09" East a distance of 1480.85 feet from the northwest corner of said 356.537 acre tract;

THENCE departing the easterly line of said 162.72 acre tract, over and across said 356.537 acre tract the following courses:
 North 88°24'25" East, a distance of 1871.62 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 10°32'29", a radius of 1331.86 feet, and chord bearing and distance of South 86°19'21" East, 244.69 feet;
 Along said curve to the right an arc length of 245.04 feet to a point for corner at the end of said curve;
 North 21°33'37" East, a distance of 722.29 feet to a point for corner;
 North 4°34'56" East, a distance of 29.25 feet to a point for corner;
 North 76°02'57" East, a distance of 78.24 feet to a point for corner;
 North 69°03'22" East, a distance of 77.01 feet to a point for corner;
 North 66°46'55" East, a distance of 910.50 feet to a point for corner;
 North 23°44'47" East, a distance of 415.74 feet to a point for corner;
 North 49°37'20" East, a distance of 195.23 feet to a point for corner;
 North 44°46'26" West, a distance of 229.75 feet to a point for corner;
 North 64°27'33" West, a distance of 84.11 feet to a point for corner in the northerly line of said 356.537 acre tract, and in the southerly line of Fishtrap Road (no ROW information found);

THENCE North 66°46'16" East, along the south line of said Fishtrap Road, a distance of 1132.67 feet to a 1/2 inch iron rod found for corner at the northeast corner of said 356.537 acre tract, in the westerly line of a tract of land described as Parcel 1 in the deed to Blue Star Allen Land LP, recorded in Instrument No. 20110630000676920 (O.P.R.C.C.T.);

THENCE South 0°05'25" West, along the easterly line of said 356.537 acre tract and the westerly line of said Parcel 1, a distance of 1879.83 feet to a 1/2 inch iron rod found for corner at the northwest corner of said 121.281 acre tract at the southwest corner of said parcel 1;

THENCE South 89°40'36" East, along the northerly line of said 121.281 acre tract and the southerly line of said Parcel 1, a distance of 2071.54 feet to a 1 inch iron pipe found for corner at the northeast corner of said 121.281 acre tract at a re-entrant in the westerly line of a tract of land described in the deed to 110 Prosper Property LP, recorded in Instrument No. 20091218001516510 (O.P.R.C.C.T.);

THENCE South 0°26'47" West, along the easterly line of said 121.281 acre tract and the westerly line of said 110 Prosper Property tract, passing en route at a distance of 1415.41 feet the northwest corner of a tract of land described in the deed to MSW Prosper 380 LP, recorded in Instrument No. 20130114000054790 (O.P.R.C.C.T.), and continuing on said course a total distance of 1590.00 feet to a point for corner;

THENCE North 89°40'36" West, departing the easterly line of said 121.281 acre tract and crossing said 121.281 acre tract a distance of 1349.82 feet to a point for corner;

THENCE South 00°02'42" East, continuing across said 121.281 acre tract, passing en route at a distance of 978.88 feet the southerly line of said 121.281 acre tract, and continuing on the northerly right-of-way line of said U.S. Highway 380, and continuing on said course a total distance of 1058.88 feet to the POINT OF BEGINNING and containing 356.070 acres (15,510,419 square feet) of land, more or less.

Michael B. Marx
 Registered Professional Land Surveyor No. 5181
 Kimley-Horn and Associates, Inc.
 5750 Genesis Court, Suite 200
 Frisco, Texas 75034
 Ph. 972-335-3580
 michael.marx@kimley-horn.com

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

NO.	REVISIONS	DATE	BY

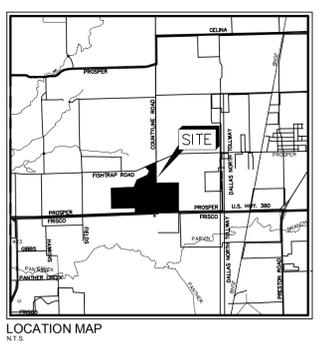
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 PHONE: 972-335-3580 FAX: 972-335-9779
 WWW.KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEERING FIRM #428

KHA PROJECT	DATE	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
069306706.2.001	FEBRUARY 2014	AS SHOWN	PM	SEP	TLF

CURRENT PROPERTY OWNER:
 Prosper Partners, LP
 10950 Research Road
 Frisco, TX 75033
 P 214.387.3993
 F 214.387.3913
 E crichardson@txlandresources.com

APPLICANT:
 Greater Land Resources
 Contact: Clint Richardson
 10950 Research Road
 Frisco, TX 75033
 P 214.387.3993
 F 214.387.3913
 E crichardson@txlandresources.com

SURVEYOR:
 Michael Marx, R.P.L.S.
 Kimley-Horn and Associates
 5750 Genesis Court
 Frisco, TX 75034
 P 972.335.3580
 F 972.335.3779



LAND USE TABLE

Tract	Use	Area (sq.ft.)	Acreage	Net of ROW (sq.ft.)	Net Acreage	Net Commercial Area (Acres)	Net Neighborhood Retail Area (Acres)	Net Single Family Area (Ac.)	Type A SF Units
Tract 1	SF, Floodplain	2,384,414.8	54.7	2,138,601.1	49.1	0.0	0.0	49.1	0
Tract 2	SF	2,985,699.2	68.5	2,668,992.7	61.3	0.0	0.0	61.3	up to 70
Tract 3	SF	4,741,333.0	108.8	4,497,133.2	103.2	0.0	0.0	100.8	up to 150
Tract 4	SF, C	5,398,972.5	123.9	4,856,354.0	111.5	35.6	0.0	75.9	up to 350
Total		15,510,419.5	356.1	14,161,081.0	325.1	35.6	0.0	287.1	350*

* See note #4

SF = SINGLE FAMILY RESIDENTIAL
 C = COMMERCIAL
 NR = NEIGHBORHOOD RETAIL

LINE TYPE LEGEND

---	BOUNDARYLINE
---	EASEMENTLINE
---	BUILDINGLINE
---	WATERLINE
---	SANITARY SEWERLINE
---	STORM SEWERLINE
---	UNDERGROUND GASLINE
---	OVERHEAD UTILITYLINE
---	UNDERGROUND ELECTRICLINE
---	UNDERGROUND TELEPHONELINE
---	FENCE
---	CONCRETE PAVEMENT
---	ASPHALT PAVEMENT

- NOTE:**
- THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.
 - LEGACY RIGHT OF WAY:
 - 120' (WIDENS TO 140' AT INTERSECTIONS WITH 4-LANE AND ABOVE THOROUGHFARES)
 - CENTERLINE RADI MINIMUM 1,400 FEET
 - 4-LANE DIVIDED STREET RIGHTS OF WAY
 - 90' WIDENS TO 110' AT INTERSECTIONS WITH THOROUGHFARES ABOVE 4 LANES.
 - CENTERLINE RADI MINIMUM 1,100 FEET.
 - SEE EXHIBIT "C" - PLANNED DEVELOPMENT STANDARDS FOR ADDITIONAL RESTRICTIONS.
 - MAXIMUM ACREAGE OF NR ZONING ALLOWED SHALL BE 15.0 ACRES LOCATED ON UP TO 2 CORNERS OF THE INTERSECTION OF LEGACY AND EAST-WEST THOROUGHFARE.
 - PER EXHIBIT "C" PROSPER CENTER PLANNED DEVELOPMENT DISTRICT, A MAXIMUM OF 350 TYPE A UNITS SHALL BE ALLOWED LOCATED ONLY WITHIN TRACTS 2, 3, OR 4.
 - A MAXIMUM OF 930 SINGLE FAMILY RESIDENTIAL LOTS SHALL BE ALLOWED PER EXHIBIT "C" PROSPER CENTER PLANNED DEVELOPMENT DISTRICT

EXHIBIT "A"
Prosper Center
 357.32 ACRES
 COLLIN COUNTY SCHOOL LAND SURVEY
 ABSTRACT No. 581
 & L. NETHERLY SURVEY
 ABSTRACT No. 962
 TOWN OF PROSPER, TEXAS

Z13-0011

EXHIBIT "B"

**PROSPER CENTER
PLANNED DEVELOPMENT DISTRICT**

STATEMENT OF INTENT AND PURPOSE

The Planned Development District provides the ability to encourage and accommodate the development of commercial business, retail, and single family residential uses within the Town of Prosper.

The Planned Development District includes commercial areas that will generally provide opportunities for corporate headquarters, retail, training centers, assembly/production facilities for technological and scientific industries, office, and commercial facilities complemented by single family detached residential, all in close association with major thoroughfares. The majority of the Planned Development District will accommodate primarily single family residential uses, as well as provide the opportunity for neighborhood retail service centers for the residents of the community. Facilities will include uses that relate to the geographic location and transportation facilities that are proposed for this area.

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

Z13-0011

EXHIBIT "C"

PROSPER CENTER
PLANNED DEVELOPMENT DISTRICT

PLANNED DEVELOPMENT STANDARDS

Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20 as it currently exists or may be amended) and the Subdivision Ordinance (Ordinance No. 03-05 as it currently exists or may be amended) shall apply.

1. **Single Family Residential**

- 1.1 General Description: Single Family Residential uses shall be permitted in all locations as shown on Exhibit "D" that are not identified as Commercial. Retail uses may be permitted, but not required, to develop in accordance with Section 2 within the areas identified on Exhibit "D".
- 1.2 Permitted Uses: Land uses allowed within the Single Family Residential Tracts are as follows: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town's Zoning Ordinance.
- Accessory Building
 - Antenna and/or Antenna Support Structure, Non-Commercial **C**
 - Athletic Stadium or Field, Private **C**
 - Athletic Stadium or Field, Public
 - Bed and Breakfast Inn **S**
 - Day Care Center, Adult **S**
 - Day Care Center, Child **C**
 - Day Care Center, In-Home **C**
 - Farm, Ranch, Stable, Garden, or Orchard
 - Garage Apartment
 - Golf Course and/or Country Club
 - Guest House
 - Home Occupation **C**
 - Homebuilder Marketing Center **C**
 - House of Worship
 - Household Care Facility
 - Model Home
 - Municipal Uses Operated by the Town of Prosper
 - Park or Playground
 - Private Recreation Center
 - Private Street Development **C**
 - Private Utility, Other Than Listed
 - School, Private or Parochial **S**
 - School, Public
 - Single Family Dwelling, Detached - as described herein
 - Stealth Antenna, Commercial **C**
 - Temporary Building **C**
 - Utility Distribution/Transmission Facility **S**

1.3 Density: The maximum number of single family detached units shall be nine hundred thirty (930).

1.4 Lot Types: The single family detached lots shall be in accordance with the following Lot Types:

- Type A Lots: Minimum 6,600 square foot lots
- Type B Lots: Minimum 7,800 square foot lots
- Type C Lots: Minimum 8,400 square foot lots

1.5 Single Family Detached Residential Area and Building Regulations:

1.5.1 Type A: A maximum of three hundred fifty (350) total units of this type shall be allowed and shall only be located within Tracts 2, 3, or 4. The max amount allowed within Tract 2 shall be seventy (70) units. The max amount allowed within Tract 3 shall be one hundred (150) units. The remainder, up to the three hundred fifty (350) maximum total, shall be allowed in Tract 4.

1.5.1.1 Size of Yards:

1.5.1.1.1 Minimum Front Yard: Twenty-five (25) feet. Setbacks shall be staggered per Zoning Ordinance.

1.5.1.1.2 Minimum Side Yard: Seven and one half (7.5) feet; fifteen (15) feet on corner adjacent to street.

1.5.1.1.3 Minimum Rear Yard: Twenty (20) feet

1.5.1.2 Size of Lots:

1.5.1.2.1 Minimum Lot Area: Six thousand six hundred (6,600) square feet.

1.5.1.2.2 Minimum Lot Width: Fifty-five (55) feet; except for lots at the terminus of a cul-de-sac, on a corner, or along a curve may have a width of fifty (50) feet at the front building line; provided all other requirements of this section are fulfilled.

1.5.1.2.3 Minimum Lot Depth: One hundred twenty (120) feet; except for lots at the terminus of a cul-de-sac, on a corner, backing to a turn lane, or along a curve may have a depth of one hundred ten (110) feet, measured at the midpoints of the front and rear lot lines provided all other requirements of this section are fulfilled.

1.5.1.3 Minimum Dwelling Area: Two thousand two hundred (2,200) square feet.

1.5.1.4 Maximum Building Height: Two and a half (2 ½) stories, no greater than forty (40) feet.

1.5.1.5 Lot Coverage: Fifty Five (55) percent.

1.5.2 Type B: Except for those lots developed per 1.5.1 and 1.5.3, the remainder of the units within the development shall be of this type.

1.5.2.1 Size of Yards:

1.5.2.1.1 Minimum Front Yard: Twenty-five (25) feet. Setbacks shall be staggered per Zoning Ordinance.

1.5.2.1.2 Minimum Side Yard: Seven and one half (7.5) feet; fifteen (15) feet on corner adjacent to street.

1.5.2.1.3 Minimum Rear Yard: Twenty (20) feet.

1.5.2.2 Size of Lots:

1.5.2.2.1 Minimum Lot Area: Seven thousand eight hundred (7,800) square feet.

- 1.5.2.2.2 Minimum Lot Width: Sixty-five (65) feet; except for lots at the terminus of a cul-de-sac, on a corner, or along a curve may have a width of sixty (60) feet at the front building line; provided all other requirements of this section are fulfilled.
- 1.5.2.2.3 Minimum Lot Depth: One hundred twenty (120) feet; except for lots at the terminus of a cul-de-sac, on a corner, backing to a turn lane, or along a curve may have a depth of one hundred ten (110) feet, measured at the midpoints of the front and rear lot lines provided all other requirements of this section are fulfilled.
- 1.5.2.3 Minimum Dwelling Area: Two thousand five hundred (2,500) square feet.
- 1.5.2.4 Maximum Building Height: Two and a half (2 ½) stories, no greater than forty (40) feet.
- 1.5.2.5 Lot Coverage: Fifty Five (55) percent
- 1.5.3 Type C: All lots located along the northern and eastern boundaries of Tract 2 shall be Type C lots.
 - 1.5.3.1 Size of Yards:
 - 1.5.3.1.1 Minimum Front Yard: Twenty-five (25) feet. Setbacks shall be staggered per Zoning Ordinance.
 - 1.5.3.1.2 Minimum Side Yard: Seven and one half (7.5) feet; fifteen (15) feet on corner adjacent to street.
 - 1.5.3.1.3 Minimum Rear Yard: Twenty (20) feet.
 - 1.5.3.2 Size of Lots:
 - 1.5.3.2.1 Minimum Lot Area: Eight thousand four hundred (8,400) square feet.
 - 1.5.3.2.2 Minimum Lot Width: Seventy (70) feet; except for lots at the terminus of a cul-de-sac, on a corner, or along a curve may have a width of sixty-five (65) feet at the front building line; provided all other requirements of this section are fulfilled.
 - 1.5.3.2.3 Minimum Lot Depth: One hundred twenty (120) feet; except for lots at the terminus of a cul-de-sac, on a corner, backing to a turn lane, or along a curve may have a depth of one hundred ten (110) feet, measured at the midpoints of the front and rear lot lines provided all other requirements of this section are fulfilled.
 - 1.5.3.3 Minimum Dwelling Area: Two thousand five hundred (2,500) square feet.
 - 1.5.3.4 Maximum Building Height: Two and a half (2 ½) stories, no greater than forty (40) feet.
 - 1.5.3.5 Lot Coverage: Fifty Five (55) percent
- 1.6 Additional Standards: Residential development shall employ the following additional measures to promote a quality residential community.
 - 1.6.1 Fencing: All fencing shall comply with the Town's fencing standards as they exist or may be amended. In addition, the following regulations shall apply:
 - 1.6.1.1 Fencing shall not exceed (8) feet in height above grade.
 - 1.6.1.2 All fencing located adjacent to open space, parks, or floodplain shall consist of ornamental metal.

1.6.1.3 All wood fencing facing a public street shall consist of cedar, board on board with a top rail, and supported by steel posts. A common wood fence stain color shall be established for the community by the developer.

1.6.1.4 Fences shall be located at least ten (10) feet behind the front elevation of the main building.

1.6.2 Exterior Lighting: All homes shall provide an exterior lighting package to illuminate front entrances and garages.

1.6.3 Garages:

1.6.3.1 Homes shall have a minimum of two (2) car garages, but not more than three (3). No carports shall be permitted.

1.6.3.2 A house with three (3) car garage/enclosed parking spaces shall not have more than two (2) garage doors facing the street. (Note that one double (approximately 20') door counts as two garage doors).

1.6.3.3 All garage doors shall have stamped reveals / texture or have a cedar cladding.

1.6.3.4 A minimum of 25% of the Type B and Type C units shall have swing-in driveways and/or side facing garages.

1.6.4 Driveways and Sidewalks: All portions of driveways and sidewalks outside of the public ROW shall incorporate an enhanced paving treatment consisting of stained concrete, exposed aggregate concrete, salt finished concrete, and/or brick borders.

2. **Retail** – A maximum of two (2) corner locations at the intersection of Legacy Drive and Prairie Drive, with a maximum total acreage of fifteen (15) acres, shall be permitted.

2.1 General Description: Retail may be developed in the general areas as illustrated on Exhibit "D". These areas are primarily intended to accommodate retail, commercial and service centers that supply the surrounding residential areas with convenience goods and services which are normal daily necessities and routine purchases. Portions of or all of the Retail areas as illustrated on the Exhibit "D" may be developed as single family residential as outlined in Section 1.

2.2 Permitted Uses: Land uses allowed within the Retail Tracts are as follows: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town's Zoning Ordinance.

- Accessory Building
- Administrative, Medical, or Professional Office
- Alcohol Sales **C**
- Antenna and/or Antenna Support Structure, Non-Commercial **C**
- Antique Shop and Used Furniture
- Artisan's Workshop
- Assisted Care or Living Facility **S**
- Athletic Stadium or Field, Private **S**
- Athletic Stadium or Field, Public
- 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
- Building Material and Hardware Sales, Major **S**

- Building Material and Hardware Sales, Minor
- Business Service
- Car Wash
- 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
- Day Care Center, Adult **S**
- Day Care Center, Child **C**
- Dry Cleaning, Minor
- Equipment and Machinery Sales and Rental, Minor
- Farm, Ranch, Stable, Garden, or Orchard
- Farmer's Market
- Feed Store
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture, Home Furnishings and Appliance Store
- Golf Course and/or Country Club
- Governmental Office
- Gunsmith
- Gymnastics/Dance Studio
- Health/Fitness Center
- Homebuilder Marketing 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 Recreation Center
- Private Utility, Other Than Listed
- Rehabilitation Care Institution **S**
- Restaurant or Cafeteria
- Restaurant, Drive In
- Retail Stores and Shops
- Retail/Service Incidental Use
- School District Bus Yard **C**
- 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

2.3 Retail Regulations: The area shall be developed in accordance with the “R – Retail” district regulations of the Town of Prosper Zoning Ordinance (as presently existing or as they may be amended).

3. **Commercial** – The Commercial tract comprises approximately thirty-six (36) acres generally located along US 380 east of Legacy Drive as depicted on Exhibit “D”.

3.1 General Description: The Commercial Tract, generally located on the subject property as shown on the attached Exhibit “D”, is intended to provide development opportunities for uses associated with the “C – Commercial” district to create a vibrant commercial center.

3.2 Permitted Uses: Land uses allowed within the Commercial Tracts are as follows: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 3, Section 1 of the Town’s Zoning Ordinance.

- Accessory Building
- Administrative, Medical, or Professional Office
- Antenna and/or Antenna Support Structure, Non-Commercial **C**
- Antique Shop and Used Furniture
- Artisan’s Workshop
- Assisted Care or Living Facility **S**
- Athletic Stadium or Field, Private **S**
- Athletic Stadium or Field, Public
- Auto Parts Sales, Inside
- Automobile Paid Parking Lot/Garage
- Automobile Parking Lot/Garage
- Automobile Repair, Minor
- Automobile Sales, Used **S**
- Automobile Sales/Leasing, New **S**
- Bank, Savings and Loan, or Credit Union
- Beauty Salon/Barber Shop
- Bed and Breakfast Inn
- Beer & Wine Package Sales **C**
- Bottling Works
- Building Material and Hardware Sales, Major
- Building Material and Hardware Sales, Minor
- Bus Terminal **C**
- Business Service
- Cabinet/Upholstery Shop
- Car Wash
- Car Wash, Self-Serve **S**
- Caretaker’s/Guard’s Residence
- Civic/Convention Center
- College, University, Trade, or Private Boarding School
- Commercial Amusement, Indoor
- Commercial Amusement, Outdoor **S**

- Community Center
- Convenience Store with Gas Pumps **C**
- Convenience Store without Gas Pumps
- Dance Hall **S**
- Day Care Center, Adult **S**
- Day Care Center, Child **C**
- Day Care Center, Incidental **S**
- Dry Cleaning, Minor
- Equipment and Machinery Sales and Rental, Minor
- Fairgrounds/Exhibition Area **S**
- Farm, Ranch, Stable, Garden, or Orchard
- Farmer's Market
- Feed Store
- Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority
- Furniture Restoration
- Furniture, Home Furnishings and Appliance Store
- Gas Pumps **C**
- General Manufacturing/Industrial Use Complying with Performance Standards
- Golf Course and/or Country Club
- Governmental Office
- Gunsmith
- Gymnastics/Dance Studio
- Health/Fitness Center
- Helistop **S**
- Homebuilder Marketing Center
- Hospital
- Hotel **C**
- House of Worship
- Household Appliance Service and Repair
- Indoor Gun Range **S**
- Insurance Office
- Laundromat
- Limited Assembly and Manufacturing Use Complying with Performance Standards
- Locksmith/Security System Company
- Machine Shop
- Massage Therapy, Licensed
- Mini-Warehouse/Public Storage **S**
- Mobile Food Vendor **C**
- Mortuary/Funeral Parlor
- Motorcycle Sales/Service **S**
- Municipal Uses Operated by the Town of Prosper
- Museum/Art Gallery
- Nursery, Major
- Nursery, Minor
- Office and Storage Area for Public/Private Utility
- Office/Showroom
- Office/Warehouse/Distribution Center
- Open Storage – subject to Town's open storage and screening standards
- Park or Playground
- Pet Day Care **C**
- Print Shop, Minor
- Private Club **C**

- Private Recreation Center
- Private Utility, Other Than Listed
- Rehabilitation Care Institution **S**
- Research and Development Center **C**
- Residence Hotel **C**
- Restaurant or Cafeteria
- Restaurant, Drive In
- Retail Stores and Shops
- Retail/Service Incidental Use
- School District Bus Yard **C**
- School, Private or Parochial
- School, Public
- Small Engine Repair Shop
- Stealth Antenna, Commercial **C**
- Storage or Wholesale Warehouse **S**
- Taxidermist
- Telephone Exchange
- Temporary Building **C**
- Theater, Neighborhood
- Theater, Regional
- Transit Center
- Utility Distribution/Transmission Facility **S**
- Veterinarian Clinic and/or Kennel, Indoor
- Veterinarian Clinic and/or Kennel, Outdoor
- Winery

3.3 Commercial Regulations: The area shall be developed in accordance with the “C – Commercial” district regulations of the Town of Prosper Zoning Ordinance (as presently existing or as they may be amended) except for as noted below:

3.3.1 Size of Yards:

3.3.1.1 Minimum Front Yard: Thirty (30) feet for one (1) or two (2) story buildings, fifty (50) feet for buildings taller than two (2) stories.

3.3.1.2 Minimum Side Yard:

3.3.1.2.1 Fifteen (15) feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.

3.3.1.2.2 Fifty (50) feet for a one (1) or two (2) story building adjacent to a residential district.

3.3.1.2.3 Thirty (30) feet adjacent to a street.

3.3.1.3 Minimum Rear Yard:

3.3.1.3.1 Fifteen (15) feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.

3.3.1.3.2 Fifty (50) feet for a one (1) or two (2) story building adjacent to a residential district.

3.3.2 Maximum Height: For hotel, hospital, office, or other similar uses as approved by the Prosper Town Council, the maximum building height shall be eight (8) stories, not greater than one hundred (100) feet. All other uses shall have a maximum height of two (2) stories, not greater than forty (40) feet. Where buildings or structures exceed forty (40) feet in height, such structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required side or rear yard setback specified plus the height of the building above forty (40) feet.

3.3.3 Lot Coverage: Sixty (60) percent.

3.3.4 Floor Area Ratio: Maximum 1.5:1.

4. **Parkland and Amenities**

4.1 General Description: The proposed residential community shall provide parks and open spaces throughout to promote use and enjoyment of open areas by the residents within the community and the surrounding area. The proposed residential portion of the property shall convey parkland as shown on Exhibit D and/or provide payment of money in lieu of land as described below which shall satisfy the Parkland Dedication requirement to the Town of Prosper for the proposed residential development described in this PD.

4.2 Community Park: Located at the southwest corner of the intersection of future Legacy Drive and Fishtrap Road as shown on Exhibit D.

4.2.1 The Community Park shall be a minimum of twenty-six (26) contiguous acres with a minimum of fifteen (15) acres outside of the 100 year floodplain.

4.2.2 Included within the Community Park is an existing creek and related floodplain. This area is intended to be preserved in a natural condition. Twenty percent (20%) of the parkland conveyance total for the Community Park may consist of floodplain land.

4.2.3 The Community Park is anticipated to provide area for active uses. Specific facilities in this area will be determined by Town staff, but may include some combination of the following:

- Hike and bike trails connecting neighborhoods, schools, and parks as shown on the Town's Parks and Trails Master Plan
- Sport Courts
- Lighted softball / baseball field(s)- shall comply with Town's lighting standards
- Lighted open sports fields- shall comply with Town's lighting standards
- Covered pavilion or shade structure
- Children's playground areas
- Parking

4.3 Money in Lieu of Land: Payment of money in lieu of land shall be made to satisfy the remaining Parkland Dedication requirement for the development not met by the Community Park conveyance.

4.3.1 The average per-acre value of the property (\$36,021 / acre) was calculated based on the 2013 appraisal values from the Denton County Appraisal District and the Collin County Appraisal District for the residential portion of the property within the PD.

4.3.2 The payment of the anticipated balance of \$279,883 (7.77 acres of park land dedication X \$36,021/acre) shall be required within eighteen (18) months of the adoption of this PD. If the payment is not received within eighteen (18) months, then the average per-acre value will be based on the criteria set forth in the Town's ordinances as they exist or may be amended.

4.4 Amenity Center: A minimum of one (1) Amenity Center shall be provided within the proposed residential community.

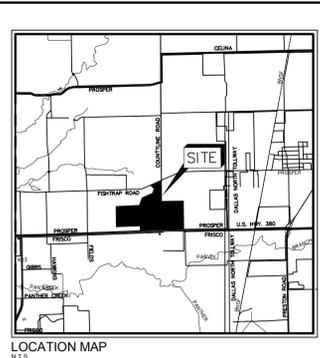
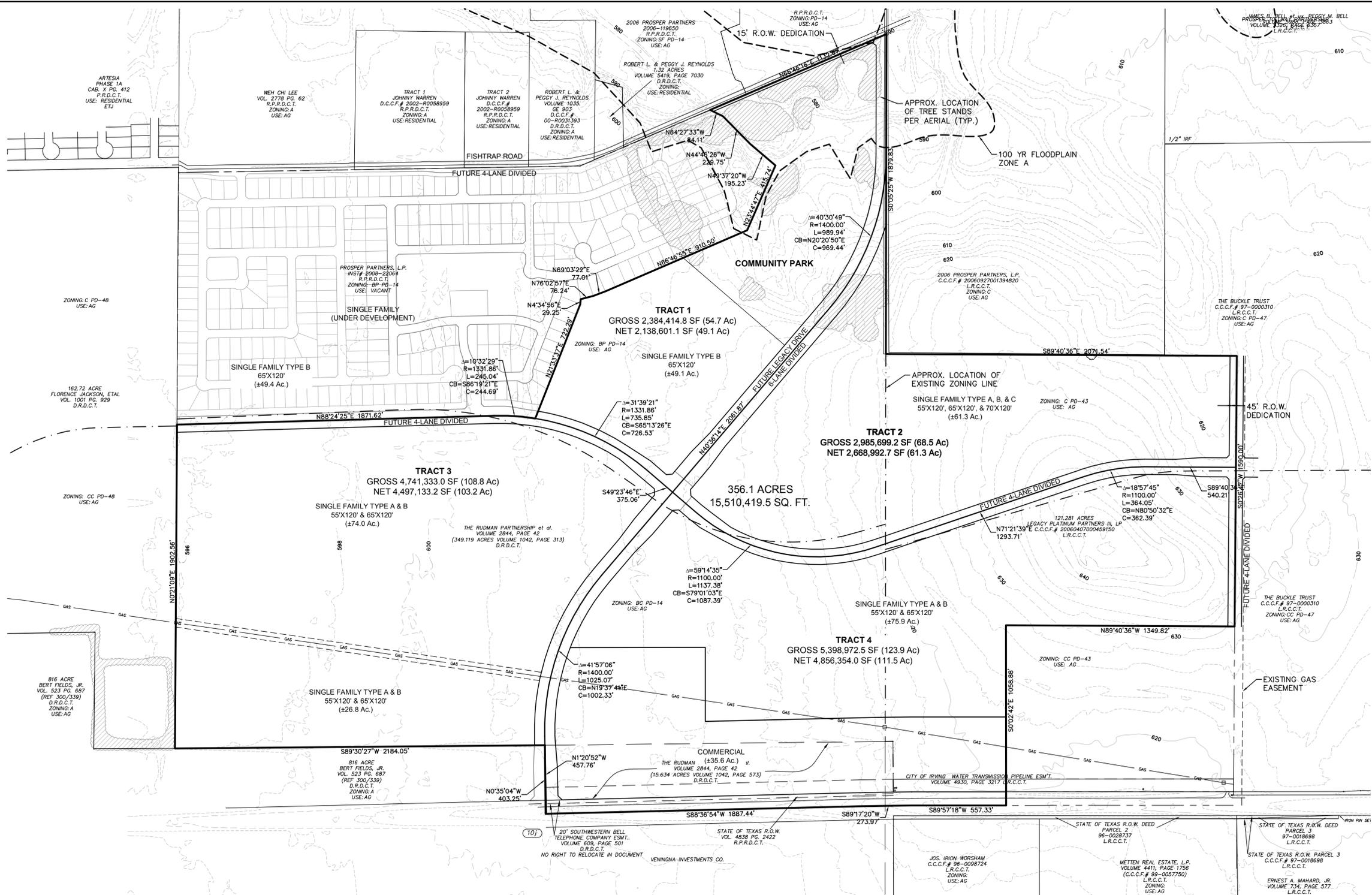
4.4.1 The Amenity Center(s) shall provide area for family oriented activities. The Town shall have no maintenance responsibilities for any Amenity Center. The intended program for the area shall include a minimum of three elements from the following:

- Community building with interior and exterior spaces programmed for resident and HOA uses- potentially to include a kitchen, meeting room(s), restrooms, and/or fitness room
- Swimming pool
- Children's playground facility
- Open play area
- Convenience parking
- Connection to the hike and bike trails within the neighborhood

4.4.2 Any Amenity Center shall be completed with the initial phase of residential development.

4.5 Open Space Areas: The Town shall have no responsibilities for the maintenance of any open space areas.

Plotted By: Gramados, Alex. Date: March 25, 2014. 09:34:09am. File Path: K:\FR1\Civil\69306706.2.001 Prosper Center Exhibits\PlanSheets\Zoning_Exhibits.dwg
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LINE TYPE LEGEND

---	BOUNDARY LINE
---	EASEMENT LINE
---	BUILDING LINE
---	WATER LINE
---	SS SANITARY SEWER LINE
---	SS STORM SEWER LINE
---	UGS UNDERGROUND GAS LINE
---	OHP OVERHEAD UTILITY LINE
---	UGS UNDERGROUND ELECTRIC LINE
---	UGS UNDERGROUND TELEPHONE LINE
---	FENCE
---	CONCRETE PAVEMENT
---	ASPHALT PAVEMENT

NO.	REVISIONS	DATE	BY

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 TEXAS REGISTERED ENGINEERING FIRM #428

KHA PROJECT	069306706.2.001
DATE	FEBRUARY 2014
SCALE	AS SHOWN
DESIGNED BY	PM
DRAWN BY	SEP
CHECKED BY	TLF

CURRENT PROPERTY OWNER:
 Prosper Partners, LP
 10950 Research Road
 Frisco, TX 75033
 P 214.387.3993
 F 214.387.3913
 E crichardson@txlandresources.com

APPLICANT:
 Greater Land Resources
 Contact: Clint Richardson
 10950 Research Road
 Frisco, TX 75033
 P 214.387.3993
 F 214.387.3913
 E crichardson@txlandresources.com

SURVEYOR:
 Michael Marx, R.P.L.S.
 Kimley-Horn and Associates
 5750 Genesis Court
 Frisco, TX 75034
 P 972.335.3580
 F 972.335.3779

LAND USE TABLE

Tract	Use	Area (sq.ft.)	Acreage	Net of ROW (sq.ft.)	Net Acreage	Net Commercial Area (Acres)	Net Neighborhood Retail Area (Acres)	Net Single Family Area (Ac.)	Type A SF Units
Tract 1	SF, Floodplain	2,384,414.8	54.7	2,138,601.1	49.1	0.0	0.0	49.1	0
Tract 2	SF	2,985,699.2	68.5	2,668,992.7	61.3	0.0	0.0	61.3	up to 70
Tract 3	SF	4,741,333.0	108.8	4,497,133.2	103.2	0.0	0.0	100.8	up to 150
Tract 4	SF, C	5,398,972.5	123.9	4,856,354.0	111.5	35.6	0.0	75.9	up to 350
Total		15,510,419.5	356.1	14,161,081.0	325.1	35.6	0.0	287.1	350*

* See note #4
 SF = SINGLE FAMILY RESIDENTIAL
 C = COMMERCIAL
 NR = NEIGHBORHOOD RETAIL

- NOTE:**
- THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAN.
 - LEGACY RIGHT OF WAY:
 - 120' (WIDENS TO 140' AT INTERSECTIONS WITH 4-LANE AND ABOVE THOROUGHFARES)
 - CENTERLINE RADII MINIMUM 1,400 FEET
 - 4-LANE DIVIDED STREET RIGHTS OF WAY
 - 90' WIDENS TO 110' AT INTERSECTIONS WITH THOROUGHFARES ABOVE 4 LANES.
 - CENTERLINE RADII MINIMUM 1,100 FEET.
 - SEE EXHIBIT "C" - PLANNED DEVELOPMENT STANDARDS FOR ADDITIONAL RESTRICTIONS.
 - MAXIMUM ACREAGE OF NR ZONING ALLOWED SHALL BE 15.0 ACRES LOCATED ON UP TO 2 CORNERS OF THE INTERSECTION OF LEGACY AND EAST-WEST THOROUGHFARE.
 - PER EXHIBIT "C" PROSPER CENTER PLANNED DEVELOPMENT DISTRICT, A MAXIMUM OF 350 TYPE A UNITS SHALL BE ALLOWED LOCATED ONLY WITHIN TRACTS 2, 3, OR 4.
 - A MAXIMUM OF 930 SINGLE FAMILY RESIDENTIAL LOTS SHALL BE ALLOWED PER EXHIBIT "C" PROSPER CENTER PLANNED DEVELOPMENT DISTRICT
 - PARK LIMITS ARE ILLUSTRATIVE AND WILL MEET THE REQUIREMENTS OF THE PD

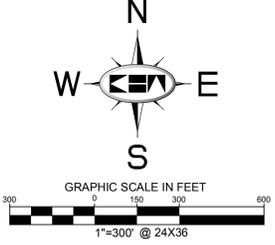


EXHIBIT "D"
Prosper Center

357.32 ACRES
 COLLIN COUNTY SCHOOL LAND SURVEY
 ABSTRACT No. 581
 & L. NETHERLY SURVEY
 ABSTRACT No. 962
 TOWN OF PROSPER, TEXAS

Z13-0011

FEBRUARY 2014

Prosper Center
 TOWN OF PROSPER
 DENTON AND COLLIN COUNTY, TEXAS

SHEET NUMBER
02
 OF 02 SHEETS

EXHIBIT "E"

**PROSPER CENTER
PLANNED DEVELOPMENT DISTRICT**

DEVELOPMENT SCHEDULE

It is anticipated that the development of Prosper Center will begin within 1 to 10 years after approval and signing of the zoning ordinance. During this time period, prior to the initial stages of development, it is foreseen that plans and studies will be prepared for development and marketing of the property.

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

It is anticipated that the development of Prosper Center, excluding total construction of all structures, will be completed within 15 to 25 years of zoning approval.