

AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20, ORDINANCE NO. 00-03, ORDINANCE NO. 00-09, AND ORDINANCE NO. 04-47; REZONING A TRACT OF LAND CONSISTING OF 621.07 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, B. RENISON SURVEY, ABSTRACT NO. 755, AND J. YARNALL SURVEY, ABSTRACT NO. 1038, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-2 (PD-2), PLANNED DEVELOPMENT-3 (PD-3), PLANNED DEVELOPMENT-13 (PD-13), AGRICULTURAL (A), AND SINGLE FAMILY-15 (SF-15) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-SINGLE FAMILY-10/TOWNHOME/MULTIFAMILY/OFFICE/RETAIL/COMMERCIAL (PD-SF-10/TH/MF/O/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, Ordinance No. 00-03, Ordinance No. 00-09, and Ordinance No. 04-47 should be amended; and

**WHEREAS**, the Town of Prosper, Texas ("Prosper") has received a request from Blue Star Allen Land, LP and 183 Land Corporation, Inc. ("Applicant") to rezone 621.07 acres of land, more or less, situated in the Collin County School Land Survey, Abstract No. 147, B. Renison Survey, Abstract No. 755, and J. Yarnall Survey, Abstract No. 1038 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, Ordinance No. 00-03, Ordinance No. 00-09, and Ordinance No. 04-47. Zoning Ordinance No. 05-20, Ordinance No. 00-03, Ordinance No. 00-09, and Ordinance No. 04-47 is amended as follows: The zoning designation of the property containing 621.07 acres of land, more or less, situated in the Collin County School Land Survey, Abstract No. 147, B. Renison Survey, Abstract No. 755, and J. Yarnall Survey, Abstract No. 1038 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-Single Family-10/Townhome/Multifamily/Office/Retail/Commercial (PD-SF-10/TH/MF/O/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) the development schedule, attached hereto as Exhibit "E"; 5) and the supplemental design guidelines, attached hereto as Exhibit "F", which are incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules, and regulations of Prosper, as they currently exist or may be amended.

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

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

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

## SECTION 3

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

## SECTION 4

Unlawful Use of Premises. It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and

shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

#### SECTION 5

Penalty. Any person, firm, corporation or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance No. 05-20, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Prosper from filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state and federal law.

#### SECTION 6

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

#### SECTION 7

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

#### SECTION 8

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

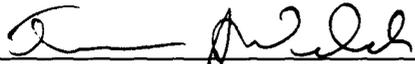
**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 27<sup>TH</sup> DAY OF MAY, 2014.**

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

ATTEST:

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

APPROVED AS TO FORM AND LEGALITY:

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

# GATES OF PROSPER

## Planned Development Ordinance



**September 2009** (Original Submittal)

*Resubmittal June 2011*

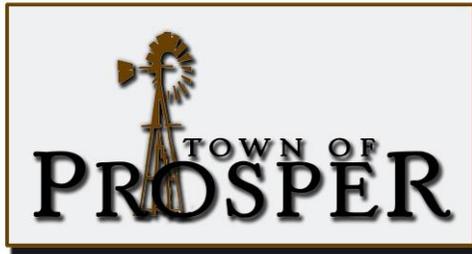
*Resubmittal November 2013*

*Resubmittal February 2014*

*Resubmittal March 2014*

*Resubmittal April 2014*

*Resubmittal May 2014*



***Town Council***

Ray Smith, Mayor

Meigs Miller, Mayor Pro-Tem, Place 4

Kenneth Dugger, Deputy Mayor Pro-Tem, Place 2

Michael Korbuly, Place 1

Curry Vogelsang Jr., Place 3

Danny Wilson, Place 5

Jason Dixon, Place 6

***Planning and Zoning Commission***

Mark DeMattia, Chair

Mike McClung, Vice Chair

Rick Turner, Secretary

Craig Moody

Bill Senkel

Bruce Carlin

Chris Keith

***Town Staff***

Harlan Jefferson, Town Manager

Hulon T. Webb, Jr., P.E., Executive Director of Development & Community Services

Chris Copple, AICP, Director of Development Services

***Consultants***

O'Brien & Associates Architecture

Kimley-Horn and Associates, Inc.



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**APPENDICES**

Appendix A—Zoning Exhibit & Legal Description (Exhibit “A”)

Appendix B—Conceptual Development Plan (Exhibit “D”)



## RELATIONSHIP TO TOWN OF PROSPER COMPREHENSIVE PLAN

Pursuant to Section 1.2 of the Town of Prosper Zoning Ordinance, zoning regulations and districts are established in accordance with an adopted Comprehensive Plan. The proposed Planned Development being an amendment to the Town of Prosper Zoning Ordinance, is consistent with the Town's Comprehensive Plan.

The proposed PD mirrors the specifications and intent of the Town Center District, as defined in the Comprehensive Plan, providing for mixed uses as well as retail and commercial development. It specifically meets Goal No. 1 of the Comprehensive Plan by providing a variety of land uses which will lead to a more diverse tax base. It will be an environment which encourages a desired lifestyle for residents to live, work, shop, eat and relax. It also provides for the desired transitional uses leading into the Town's Old Town District.

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**EXHIBIT "A"**  
**ZONING EXHIBIT & LEGAL DESCRIPTION**

The Zoning Exhibit and legal description of the area within the proposed Planned Development is included in Appendix 'A' as Exhibit 'A'.

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**LEGAL DESCRIPTION**

**621.07 ACRES**

**BEING** of a tract of land out of the ED BRADLEY SURVEY, Abstract No. 86, the COLLIN COUNTY SCHOOL LAND SURVEY, Abstract No. 147, the B. RENISON SURVEY, Abstract No. 755 and the JOHN YARNELL SURVEY, Abstract No. 1038, in the Town of Prosper, Collin County, Texas, being all of the 16.496 acre Tract Five, all of the 125.92 acre Tract Six, being all of the 123.85 acre Tract Seven, all of the 10.068 acre Tract Eight, all of the 27.672 acre Tract Nine, all of the 99.96 acre Tract Ten recorded in Collin County Clerk's File No. 97-0005168 of the Land Records of Collin County, Texas and being part of the 157.13 acre tract of land described in deed to Blue Star Allen Land, L.P., recorded in Volume 6074, Page 2102 of the Deed Records of Collin County, Texas, Being all of the 0.38 acre tract of land described in deed to Blue Star Land, Ltd. Recorded in Document No. 20100809000819450 of the Official Public Records of Collin County, Texas and being more particularly described as follows;

**BEGINNING** at a point for the intersection of the centerline of U.S. Highway 380 (variable width ROW) and the centerline of the Burlington Northern Railroad (100' ROW at this point);

**THENCE** with said centerline of the Burlington Northern Railroad, North 11°23'13" East, a distance of 2716.96 feet to a point for corner;

**THENCE** leaving the centerline of the Burlington Northern Railroad, the following courses and distances two wit:

South 89°15'40" West, a distance of 123.47 feet to a point for corner;

North 00°57'41" West, a distance of 2704.85 feet to a point in the centerline of First Street;

**THENCE** with the centerline of First Street, the following courses and distances to with:

North 89°37'06" East, a distance of 509.94 feet to a point for corner;

South 86°07'09" East, a distance of 202.29 feet to a point for corner;

North 89°38'54" East, a distance of 454.43 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:

South 00°45'07" West, a distance of 313.06 feet to a point for corner;

North 89°29'33" East, a distance of 481.12 feet to a point for corner;

North 00°21'57" West, a distance of 311.69 feet to a point for corner in the centerline of said First Street;

**THENCE** with the centerline of First Street, North 89°38'54" East, a distance of 377.25 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:

South 00°06'52" East, a distance of 314.43 feet to a point for corner;

North 89°49'10" East, a distance of 189.92 feet to a point for corner;

North 00°09'58" West, a distance of 104.29 feet to a point for corner;

North 89°41'07" East, a distance of 455.63 feet to a point for corner in the centerline of Coleman Street;

**THENCE** with the centerline of said Coleman Street, South 00°05'32" East, a distance of 177.82 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:

South 89°56'58" East, a distance of 257.38 feet to a point for corner;  
North 02°09'39" East, a distance of 71.99 feet to a point for corner;  
North 89°18'22" East, a distance of 555.18 feet to a point for corner;  
South 00°58'50" East, a distance of 673.52 feet to a point for corner;  
South 76°42'56" East, a distance of 185.47 feet to a point for corner;  
South 76°51'24" East, a distance of 321.53 feet to a point for corner;  
South 89°06'24" East, a distance of 1107.37 feet to a point for corner in the centerline of Craig Road;

**THENCE** with the centerline of said Craig Road, North 00°04'32" East, a distance of 842.40 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:

North 89°30'30" East, a distance of 205.11 feet to a point for corner;  
North 00°05'59" West, a distance of 299.98 feet to a point for corner in the centerline of said First Street;

**THENCE** with the centerline of First Street, North 89°31'34" East, a distance of 1084.95 feet to a point for corner;

**THENCE** leaving the centerline of said First Street, the following courses and distances to wit:

South 01°02'13" East, a distance of 1546.12 feet to a point for corner;  
South 89°20'50" West, a distance of 899.18 feet to a point for corner;  
South 32°50'09" West, a distance of 339.04 feet to a point for corner;  
North 54°21'333" West, a distance of 401.98 feet to a point for corner in the east right-of-way line of Preston Road (State Highway 289 – variable width ROW);

**THENCE** with said east right-of-way line, South 33°37'47" West, a distance of 423.21 feet to a point for corner;

**THENCE** leaving said east right-of-way line, the following courses and distances to wit:

South 54°19'15" East, a distance of 408.23 feet to a point for corner;  
South 00°03'08" East, a distance of 3183.53 feet to a point for corner in the centerline of said U.S. Highway 380;

**THENCE** with said centerline, the following courses and distances to wit:

South 89°12'47" West, a distance of 2794.95 feet to a point for corner;  
South 89°46'43" West, a distance of 2671.91 feet to the POINT OF BEGINNING and containing 621.07 acres of land.

## EXHIBIT “B”

### PLANNED DEVELOPMENT STATEMENT OF INTENT & PURPOSE

The purpose of the proposed Planned Development District is to accommodate a mix of office, retail, personal service, residential and community activities by providing four individual but integrated Subdistricts. This will be accomplished through the incorporation of the Planned Development Standards and Design Guidelines contained in Exhibits C and F, respectively. Although the Planned Development Standards provide criteria for development within each distinct Subdistrict, the Standards are formulated in such a manner as to allow each Subdistrict to develop as one integral part of the collective Planned Development.

The Conceptual Development Plan includes vehicular and pedestrian linkages that serve both functional and aesthetic roles. The proposed thoroughfare system has been designed to allow for safe and efficient vehicular circulation internal to the site as well as to connect to the existing thoroughfare system external to the development. Furthermore, focal points and terminuses have been provided within the thoroughfare system and pedestrian linkages to enhance the visual aesthetic of the overall design. Pedestrian scale design elements will also be incorporated into the site design in order to foster high quality street and sidewalk environments.

An essential element to the overall site is the incorporation of an open space system to provide for both active and passive recreational opportunities. The open space system will consist of landscape and hardscape elements such as plazas, greens, trails, pathways and parks for the residents and visitors of the development. These elements within the proposed development will be ultimately located so as to provide recreational opportunities within convenient proximity to as many users as possible.

The standards contained within this Planned Development District will help to achieve the vision for the overall development. These standards have been formulated so as to provide specificity where necessary and provide flexibility to allow for creative design.

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**EXHIBIT "C"**  
**PLANNED DEVELOPMENT STANDARDS**

## 1.0 PLANNED DEVELOPMENT GENERAL PROVISIONS

### 1.1 GENERAL

The purpose of the proposed Planned Development District is to accommodate a mix of office, retail, personal service, residential and community activities to serve the needs of the new residents as well as the existing residents in the general area. Terms used in this ordinance shall have the same definition as given in Town of Prosper Zoning Ordinance (Ordinance 05-20), in effect at the time of adoption of this Planned Development Ordinance, unless otherwise defined herein.

### 1.2 SUBDISTRICTS DEFINED

**1.3.1 Subdistrict 1—Regional Retail.** Subdistrict 1, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing for the needs of the community by facilitating the development of regional-serving retail, personal service, and office uses.

**1.3.2 Subdistrict 2—Lifestyle Center.** Subdistrict 2, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing a compact, neighborhood and pedestrian scale mixture of office, retail, personal service, residential and community activities on single or contiguous building sites.

**1.3.3 Subdistrict 3—Downtown Center.** Subdistrict 3, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing an active living and working community benefiting and enhancing the existing downtown area located on the north side of First Street.

**1.3.4 Subdistrict 4—Residential Neighborhood.** Subdistrict 4, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing a planned residential community to serve the needs of the Town by facilitating a range of housing opportunities (e.g., Single-family detached).

## 2.0 SUBDISTRICT 1—REGIONAL RETAIL

### 2.1 GENERAL PURPOSE AND DESCRIPTION

The *Regional Retail* Subdistrict will serve the purpose of providing for the needs of the community by facilitating the development of regional-serving retail, personal service, and office uses. The development standards included in this Subdistrict are generally consistent with the Retail, Commercial and Office zoning districts in the existing Town of Prosper Zoning Ordinance. The Design Guidelines and architectural standards are intended to define the design theme for this Subdistrict as well as to integrate with adjacent Subdistricts. The uses that will be permitted in this Subdistrict will assist in meeting the intent of providing a regional retail district, personal service, hotel and office uses. Residential uses are not anticipated in this Subdistrict.

### 2.2 SITE CRITERIA

**2.2.1 *Property Development Regulations.*** The proposed land uses shall conform to the property development regulations in Tables 2-1 and 2-2.

**Table 2-1. *Size of Yards***

Land Use <sup>(1)</sup>	Front	Side	Corner	Rear
Retail	30 ft.	(2)	30 ft.	(2)
Commercial	30 ft.	(2)	30 ft.	(2)
Office	30 ft.	(2)	30 ft.	(2)

**Notes**

1. Refer to Section 8.0 for definitions pertaining to Retail, Commercial, Office and Mixed Use Land Uses.
2. Minimum setback of 15 feet adjacent to a nonresidential district. Minimum setback of 40 feet for a one story building and 60 feet for a two story building adjacent to a residential district. Setback may be eliminated for attached buildings.

**Table 2-2. *Size of Lots and Lot Coverage***

Land Use <sup>(1)</sup>	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth <sup>(2)</sup>	Maximum Lot Coverage	Maximum FAR
Retail	10,000 sq. ft.	100 ft.	100 ft.	40% <sup>(3)</sup>	0.4:1.0
Commercial	10,000 sq. ft.	100 ft.	100 ft.	50% <sup>(3)</sup>	0.5:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	50% <sup>(3)</sup>	1.5:1.0

**Notes**

1. Refer to Section 8.0 for definitions pertaining to Retail, Commercial, Office and Mixed Use Land Uses.
2. Mutual access agreements may be allowed to satisfy legal frontage requirements for individual lots which do not have legal frontage requirements along a public right of way with Town staff approval (Director of Development Services).
3. Includes main buildings. Parking structures and surface parking facilities shall be excluded from the coverage computations.

**2.2.2 *Parking.*** Refer to Section 6.3 of this Ordinance for the general requirements pertaining to parking standards.

**2.3 BUILDING CRITERIA**

**2.3.1 Maximum Building Height.** All structures in Subdistrict 1 shall conform to the building height requirements set forth in Table 2-3 below. Building height shall be measured to the highest point of a roof surface.

**Table 2-3. Maximum Building Height**

Building Type	Height <sup>(1)</sup>	# Stories
Non-Residential	40 ft.	2

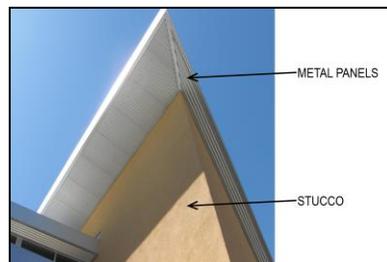
**Notes**

1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit in accordance with Ordinance Chapter 4 Section 9.5.

**2.3.2 Maximum Building Length.** There shall be no maximum length for buildings located within Subdistrict 1. However, all buildings shall be required to conform to the Building Articulation standards set forth in the Town’s zoning ordinance.

**2.3.3 Building Materials.** Exterior materials used in the construction of buildings shall comply with the following standards.

- a. All building façade’s shall be architecturally finished with 100% masonry with an allowance for up to 10% secondary materials. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, granite, marble, architectural concrete block, textured and painted concrete tilt-wall. Textured and painted concrete tilt-wall shall be limited to 50% on the front façade and 75% on the side façades. Windows, doors and accent materials shall be excluded from the façade area for the purposes of calculating percentages.



- b. No single material shall exceed more than eighty (80) percent of an elevation area. A minimum of twenty-five (25) percent of the front and side façades shall be natural or manufactured stone. A minimum of twenty (20) percent of the rear façade of any building along U.S. Highway 380 shall be natural or manufactured stone; all other rear facades facing a public right-of-way shall be a minimum of ten (10) percent natural or manufactured stone unless a landscape screen consisting of a double row of evergreen canopy trees is provided along said right-of-way.

c. Secondary building materials include EIFS as a cornice, band, medallion, etc., quality wood such as, cedar, redwood, ipe, etc. (for example), tile, ornamental metal, metal canopies, canvas, metal awnings, or stucco. Other secondary materials not specifically noted herein may be allowed only if approved by the Town. EIFS and stucco is not allowed on the first nine (9') feet of a structure.



**2.3.4 Window Areas.** Shall not exceed 80% of any façade area for buildings located in Subdistrict 1. Windows shall have a maximum exterior visible reflectivity of 10%.

**2.3.5 Building Entries.** Building entries shall be clearly defined by incorporating distinguishing architectural features, awnings, canopies, lighting, signage or building articulation.



**2.3.6 Awnings, Canopies, Arcades and Overhangs.** These elements shall be designed and materials shall be used to complement the building design. They should be located to be as functional as possible, and with consideration to landscape areas that may be impacted by their placement.



**2.3.7 Above-Grade Structured Parking.** When structured garages are provided, sufficient access from the right-of-way, or fire lane and access easements shall be provided. Entrances and exits shall be clearly marked for vehicles as well as pedestrians. The

exterior façade of the parking structure if visible from the street, shall incorporate similar design elements and finishes as the surrounding buildings in order to minimize the visual impact and shall be designed to minimize visibility from the street.

Parking structures should be oriented in a manner to avoid a general site line from the intersection of Preston/US 380 unless otherwise approved by the Town.

## 2.4 PERMITTED USES

**2.4.1 General.** The following general conditions shall apply to Subdistrict 1.

a. Big Box uses are permitted by right within Subdistrict 1.

**2.4.2 Permitted Use Matrix.** The permitted uses within Subdistrict 1 shall be in accordance with the Permitted Use Matrix in Section 6.6 of this Ordinance.

## 2.5 CONCEPTUAL RENDERING

The following conceptual renderings shall be representative of the architectural style, color and material selections depicted therein.





### 3.0 SUBDISTRICT 2—LIFESTYLE CENTER

#### 3.1 GENERAL PURPOSE AND DESCRIPTION

The *Life Style* Subdistrict will serve the purpose of providing a compact, neighborhood and pedestrian-scale mixture of office, retail, personal service, residential and community activities on single or contiguous building sites. The development standards for non-residential and mixed-use development included in this Subdistrict are generally consistent with the Retail and Office zoning districts in the existing Town of Prosper Zoning Ordinance, while the development standards for residential development are generally consistent with the Townhome and Multifamily zoning districts in the existing Town of Prosper Zoning Ordinance. The Design Guidelines and architectural standards are intended to define the “Town Center” design theme for this Subdistrict by providing opportunities for mixed-use development that includes both vertical and/or horizontal integration. Urban design elements will be incorporated into the construction of the multifamily developments within this project. Buildings will be designed to provide active street-fronts that encourage pedestrian activity. The buildings will be arranged such that the viewing of any surface, and/or structured parking is minimal from the surrounding public streets. These developments will be amenitized with carefully arranged, high-quality open spaces to provide a maximum number of premium units while also providing a high level of connectivity to the overall development. The provision of centrally located open space elements coupled with the proposed development standards will allow for a pedestrian-friendly community. This lifestyle center is intended to be unique in nature to create an image which will encourage a regional draw from throughout the Metroplex. It may also include entertainment type uses as well as Big Box users which would attract patrons from other Cities in and around the Metroplex.

#### 3.2 SITE CRITERIA

**3.2.1 Property Development Regulations.** The proposed land uses and housing types shall conform to the property development regulations in this Section. The proposed land uses within Subdistrict 2 may utilize the Urban Standards in Tables 3-3, 3-4 and 3-5. In addition, where Urban Standards are utilized, these standards shall apply to an entire block length so as not to disrupt the continuity of the streetscape.

**Table 3-1. Size of Yards**

<b>Land Use/Housing Type<sup>(1)</sup></b>	<b>Minimum Front<sup>(5)</sup></b>	<b>Minimum Side</b>	<b>Minimum Corner<sup>(5)</sup></b>	<b>Minimum Rear</b>
Retail	5 ft.	(2)	5 ft.	(2)
Commercial	5 ft.	(2)	5 ft.	(2)
Office	5 ft.	(2)	5 ft.	(2)
Mixed Use	5 ft.	(2)	5 ft.	(2)
Townhome <sup>(3)</sup>	5 ft.	5 ft. <sup>(4)</sup>	5 ft.	20 ft.
Multifamily, Urban Living	5 ft.	(2,4)	5 ft.	(2)

**Notes**

1. Refer to Section 8.0 for definitions pertaining to Retail, Commercial, Office and Mixed Use Land Uses.
2. Minimum setback of 10 feet adjacent to a nonresidential district. Minimum setback of 25 feet adjacent to a residential district. Setback may be eliminated for attached buildings.
3. Vehicular access for Townhomes shall be provided at the rear of the unit via alleys
4. A minimum building separation of 15 feet is required between buildings. Zero feet

between individual attached units.

5. Additional area needed for sidewalks, outdoor dining, landscaping, etc. may be provided within public ROW and/or easements of the adjacent roadways upon approval by Town staff.

**Table 3-2. Size of Lots and Lot Coverage—Non-Residential & Mixed Use**

<b>Land Use<sup>(1)</sup></b>	<b>Minimum Lot Area</b>	<b>Minimum Lot Width</b>	<b>Minimum Lot Depth</b>	<b>Maximum Lot Coverage</b>	<b>Maximum FAR</b>
Retail	10,000 sq. ft.	100 ft.	100 ft.	90% <sup>(2)</sup>	0.6:1.0
Commercial	10,000 sq. ft.	100 ft.	100 ft.	90% <sup>(2)</sup>	3.0:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	90% <sup>(2)</sup>	5.0:1.0
Mixed Use (Vertical)	10,000 sq. ft.	100 ft.	100 ft.	100% <sup>(2)</sup>	5.0:1.0

**Notes**

1. Refer to Section 8.0 for definitions pertaining to Retail, Commercial, Office and Mixed Use Land Uses.
2. Includes main buildings. Parking structures and surface parking facilities shall be excluded from the coverage computations. Open space requirements can be accounted for as per section 6.2.2.

**Table 3-3. Size of Lots and Lot Coverage—Residential**

<b>Housing Type</b>	<b>Minimum Lot Area</b>	<b>Minimum Lot Width</b>	<b>Minimum Lot Depth</b>	<b>Maximum Lot Coverage</b>	<b>Maximum Density</b>
Townhome	2,500 sq. ft.	20 ft.	90 ft.	90%	10 du/ac
Multifamily, Urban Living <sup>(2)</sup>	10,000 sq. ft.	80 ft.	100 ft.	90% <sup>(1)</sup>	N/A

**Notes**

1. Includes main building, accessory buildings and structured parking facilities.
2. Minimum density requirement of 24 du/ac (net) excluding mixed-use vertical structures which combine retail, office, etc. with residential units.

**3.2.2 Minimum Dwelling Area.**

- a. Townhome. The minimum dwelling area shall be 1,500 square feet and a minimum 2 story.
- b. Multifamily. The minimum dwelling area for a one bedroom unit shall be 700 square feet; a two bedroom unit shall be 850 square feet. Additional bedrooms shall provide an additional 150 square feet per bedroom.

**3.2.3 Maximum Residential Dwelling Units.** The maximum number of multi-family residential dwelling units allowed within Sudistrict 2 shall be 600 units. However, the maximum allowed number of multifamily units in this subdistrict shall be reduced by the number of multifamily dwelling units constructed in any other subdistrict, such that the maximum allowable number of multifamily units for this Planned Development District does not exceed 600 units. The maximum number of townhome dwelling units allowed within Sudistrict 2 shall be 150 units. However, the maximum allowed number of townhome units in this subdistrict shall be reduced by the number of townhome units

constructed in any other subdistrict, such that the maximum allowable number of townhome units for this Planned Development District does not exceed 150 units.

**3.2.4 Location Requirements for Multifamily and Townhome Construction.** Apartments shall be constructed in (i) that portion of Subdistrict 2 immediately east of the BNSF railroad line, south of Lovers Lane, north of the Lifestyle Center and west of the proposed north-south greenbelt, (ii) the area bordered on the north by Lovers Lane, on the east by Coleman Street, on the south by the Lifestyle Center, and on the west by the proposed north-south greenbelt, and (iii) that portion of Subdistrict 3 immediately east of the BNSF railroad line, north of Lovers Lane and west of the proposed north-south greenbelt. Townhomes may be constructed in (i) the same locations as the apartments referenced herein, (ii) adjacent to First Street in Subdistrict 3 and (iii) that area west of Coleman Street, north of Lovers Lane and east of the proposed north-south greenbelt.

**3.2.5 Timing Requirements for Multifamily and Townhome Construction.** Upon the issuance by the Town of tenant Certificates of Occupancy for at least 300,000 square feet of retail development the developer may construct up to 300 multifamily units and up to 150 Townhome units. Upon the issuance by the Town of tenant Certificates of Occupancy for at least 600,000 square feet of retail the developer may construct up to a total of 600 multifamily units.

**3.2.6 Parking.** Refer to Section 6.3 of this Ordinance for the general requirements pertaining to parking standards.

**3.3 BUILDING CRITERIA**

**3.3.1 Maximum Building Height.** All structures in Subdistrict 2 shall conform to the building height requirements set forth in Table 3-7 below. Building height shall be measured to the highest point of a roof surface.

**Table 3-6. Maximum Building Height**

<b>Building Type</b>	<b>Height <sup>(1)</sup></b>	<b># Stories</b>
Non-Residential <sup>(2)</sup>	80 ft.	5
Hotel	145 ft.	12
Office	145 ft.	12
Mixed Use (Vertical)	80 ft.	5
Townhome	40 ft.	3 <sup>(6)</sup>
Multifamily, Urban Living <sup>(3)</sup>	80 ft.	5 <sup>(4)</sup>
Parking Structures <sup>(5)</sup>	80 ft.	4

**Notes**

1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit in accordance with the Town’s Zoning Ordinance Chapter 4, Section 9.5.
2. Includes all non-residential buildings except hotel, office buildings and mixed use. Hospitals will have an allowed height of 12 stories.
3. Refer to Section 8.0 for definition of building type.
4. No structure shall exceed two stories or 40’ when located 150 feet or less from a single family zoning district.
5. Main parking structure should not exceed the height of adjacent building it is serving. The maximum allowed height is reduced to 40’ if predominately visible to public ROW unless

otherwise approved by the Town.

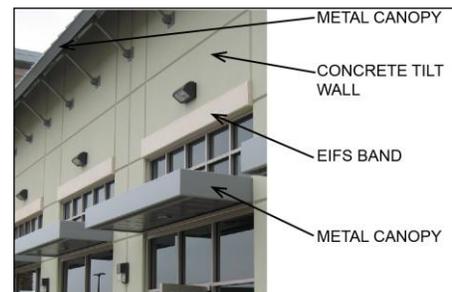
6. The minimum height of a townhome is 2 stories.

**3.3.2 Maximum Building Length.** There shall be no maximum length for buildings located within Subdistrict 2. However, all buildings shall be required to conform to the Building Articulation standards set forth in Section 3.3.7.

**3.3.3 Building Materials.** Exterior materials used in the construction of buildings shall comply with the following standards.

a. Non-Residential and Multifamily building types shall comply with the following standards:

1. All building façade's shall be architecturally finished with 100% masonry with an allowance for up to 10% secondary materials. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, granite, marble, architectural concrete block, and textured and painted concrete tilt-wall (non-residential building types only). Stucco may be used on areas of facades that are at least nine (9) feet above grade on non-residential buildings and on the third floor and above for multifamily buildings. Textured and painted concrete tiltwall shall be limited to 50% on the front façade and 75% on the side façades. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.



2. The front and side facades of all multifamily buildings shall be finished with a minimum twenty (20) percent natural or manufactured stone or integral color split-faced block.

3. The front and side facades of all non-residential buildings shall be finished with a minimum of twenty-five (25) percent natural or manufactured stone.
4. A minimum of twenty (20) percent of the rear façade of any building along U.S. Highway 380 shall be natural or manufactured stone. All other rear facades facing a public right-of-way shall be a minimum of ten (10) percent natural or manufactured stone unless a landscape screen consisting of a double row of evergreen canopy trees is provided along said right-of-way.
5. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.

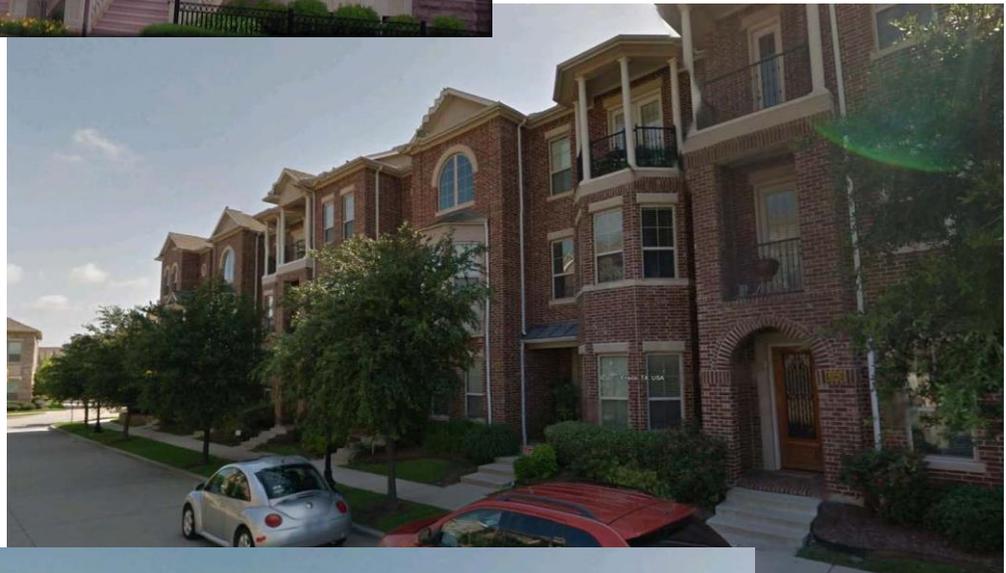


b. Townhome building types shall comply with the following standards.

1. The exterior facades shall be constructed at 100% masonry. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, stucco (second floor or above), and cementitious fiber board (not to exceed 50% of 2<sup>nd</sup> story, in a different vertical plane and above of any façade area). Windows, doors and dormers shall be excluded from the façade area for the purpose of calculating primary building materials.
2. Townhomes shall be a minimum of two stories.
3. Each townhome unit shall have an attached garage. Garages shall open to the rear of the townhome and shall not face the public right-of-way.

Conceptual Photos – The following photographs shall be representative of the architectural style, color and material selections depicted therein.





**3.3.4 Window Areas.** Shall not exceed 80% of any façade area for buildings located in Subdistrict 2. Windows shall have a maximum exterior visible reflectivity of 10%.

**3.3.5 Building Entries.** Building entries shall be clearly defined by incorporating distinguishing architectural features, awnings, canopies, lighting, signage or building articulation.



**3.3.6 Awnings, Canopies, Arcades and Overhangs.** These elements shall be designed and materials shall be used to complement the building design. They should be located to be as functional as possible, and with consideration to landscape areas that may be impacted by their placement.



**3.3.7 Building Articulation.**

- a. **Town Center.** The Town Center is envisioned as a vibrant mixed use area at the heart of Subdistrict 2, combining retail, restaurant, entertainment, living and working into a pedestrian oriented destination not only for the “Gates” neighborhood but also for the surrounding communities. To create an intimate pedestrian environment, buildings should be designed to incorporate articulation both horizontally and vertically at intervals of not more than 30 feet. Acceptable forms of articulation shall include the following:

1. Canopies, awnings, or porticos
2. Wall recesses / projections
3. Arcades
4. Arches



5. Display windows
6. Architectural details, such as tile work and moldings, integrated into the building façade
7. Articulated ground floor levels or base
8. Articulated cornice line
9. Integrated planters or wing walls that incorporate landscape and sitting areas
10. Offsets, reveals or projecting rib used to express architectural or structural bays
11. Varied roof heights



- b. Large Peripheral Buildings. All nonresidential buildings greater than 50,000 sf with facades that face a street, have an entrance, or are highly visible from roads or parking fields shall incorporate changes in wall plane with a depth of at least 6 feet, both horizontally and vertically, at intervals of not more than 100 feet.

Building façades that do not face a street or are not visible from roads or parking fields shall incorporate one of the following:

1. Repeating pattern of wall recesses and projections, pilasters, offsets or reveals.
2. Changes of color, texture or material either horizontally or vertically at intervals of not more than 60 feet.

**3.3.8 Above-Grade Structured Parking.** When structured garages are provided, sufficient access from the right-of-way or fire lane and access easement shall be provided. Entrances and exits shall be clearly marked for vehicles as well as pedestrians. The exterior façade of the parking structure, if visible from the street, shall incorporate similar design elements and finishes as the surrounding buildings in order to minimize the visual impact and shall be designed to minimize visibility from the street.

Parking structures should be oriented in a manner to avoid a general site line from the intersection of Preston/US 380 unless otherwise approved by the Town.

**3.3.9 Projections into Setbacks and/or Rights-of-Way.**

- a. The following projections shall be permitted into a building setback or right-of-way for non-residential or mixed-use buildings only.
  1. Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to 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 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 (1<sup>st</sup> floor only); below grade vaults and area-ways; and elements of a nature similar to those listed; may project up to 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 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 24 inches from the back of curb.
5. Below-grade footings approved in conjunction with building permits.

Projections as described above shall only be permitted into a building setback or right-of-way provided the following:

1. No projection shall be permitted into a building setback or right-of-way of Preston Road, Lovers Lane, Coleman Street or US Highway 380, or any other major or minor thoroughfare.
  2. Such projections do not extend over the traveled portion of a roadway.
  3. The property owner has assumed liability related to such projections
  4. The property owner shall maintain such projection in a safe and non-injurious manner.
- b. Where balconies, awnings, stoops and front porches are provided for Townhome and multifamily uses, they shall be permitted to encroach a maximum of five feet into the front setback line.

### **3.4 MULTIFAMILY CRITERIA**

Multifamily construction within this development shall conform to the following urban-style criteria:

1. Buildings will be oriented towards perimeter streets such that buildings adjacent to streets with on-street parallel parking shall be constructed to a “build-to” line. That is a line parallel to the street where the primary façade of the building must be built to. The build-to line will be determined during the site planning process based upon the minimum distance that will allow the required landscaping and pedestrian sidewalks to be installed between the building and the adjacent street. In no case shall the build-to line be less than the minimum building setback as provided for herein.
2. A minimum of forty (40) percent of the units will have private garages.
3. On-street parallel parking along public and private streets other than major or minor thoroughfares is required and is allowed to count towards the required parking for the adjacent development.
4. All on-site surface parking will be located towards the interior of the site to minimize viewing from surrounding public streets.

5. Tandem parking (ie. One parking space behind either a garage or carport parking space) shall be allowed and considered in the calculation of the required parking.
6. Front porches and/or stoops are required on facades which front public streets.
7. Sidewalks with a minimum clear width of 6' shall be constructed along all public streets adjacent to multifamily developments. Clear width shall be increased to 7' adjacent to vertical mixed use developments.
8. A buffer region shall be established along all streets having on-street parking. The buffer regions shall have a minimum width of six (6) feet and shall be continuous and located adjacent to the curb. This region shall be planted with street trees located a minimum of four (4) feet from the curb at an average spacing of not more than thirty (30) feet on center. Street trees shall be a minimum of three (3) inch caliper when planted. Root barriers shall be used in conjunction with all street trees.
9. Street furniture consisting of a minimum of a bench and a waste receptacle shall be located within the buffer area in at least one location along each block.

Conceptual Photographs – The following photographs shall be representative of the architectural style, color and material selections depicted therein.





### 3.5 PERMITTED USES

3.5.1 *General.* The following general conditions shall apply to Subdistrict 2.

- a. Big Box uses are permitted by right within Subdistrict 2.

3.5.2 *Permitted Use Matrix.* The permitted uses within Subdistrict 2 shall be in accordance with the Permitted Use Matrix in Section 6.6 of this Ordinance.

## 4.0 SUBDISTRICT 3—DOWNTOWN CENTER

### 4.1 GENERAL PURPOSE AND DESCRIPTION

The *Downtown Center* Subdistrict will serve the purpose of providing an active living and working community benefiting from its proximity to the existing town core and the planned Lifestyle and/or Regional Retail Centers to the south. The development standards for non-residential and mixed-use development included in this Subdistrict are generally consistent with the Retail, Commercial and Office zoning districts in the existing Town of Prosper Zoning Ordinance, while the development standards for residential development are generally consistent with the Townhome and Multifamily zoning districts in the existing Town of Prosper Zoning Ordinance and/or the Life Style Standards outline herein. The Design Guidelines and architectural standards are intended to define the “Downtown Center” design theme for this Subdistrict by providing opportunities to leverage from the entertainment, office and/or retail venues located within and/or adjacent to this Subdistrict. Open space elements will be located so as to provide a central focal element for this Subdistrict, along with a proposed new Town Hall/Governmental Center. The uses that will be permitted in this Subdistrict will allow for a flexibility of options including medical campus, office, civic activities, and complementary residential housing. This area could also be developed as a more traditional business park/governmental center if proven to better fit the market demands for such a use.

### 4.2 SITE CRITERIA

**4.2.1 Property Development Regulations.** The proposed land uses and housing types shall conform to the property development regulations in this Section. The proposed land uses within Subdistrict 3 may utilize the Traditional Standards in Tables 4-1, and 4-2 or the Urban Standards in Tables 4-3, 4-4 and 4-5. Where Urban Standards are utilized, these standards shall apply to an entire block length so as not to disrupt the continuity of the streetscape.

*Table 4-1. Size of Yards*

Land Use/Housing Type <sup>(1)</sup>	Minimum Front <sup>(6)</sup>	Minimum Side <sup>(4)</sup>	Minimum Corner <sup>(6)</sup>	Minimum Rear
Retail	5 ft.	(2)	5 ft.	(2)
Commercial	5 ft.	(2)	5 ft.	(2)
Office	5 ft.	(2)	5 ft.	(2)
Mixed Use (Vertical)	5 ft.	(2)	5 ft.	(2)
Townhome	20 ft. <sup>(3)</sup>	10 ft.	15 ft.	20 ft. <sup>(5)</sup>

**Notes**

1. Refer to Section 8.0 for definitions pertaining to Retail, Commercial, Office and Mixed Use Land Uses.
2. Minimum setback of 10 feet adjacent to a nonresidential district; Minimum setback of 15 feet adjacent to a residential district; Setback may be eliminated for attached buildings.
3. The front setback may be reduced to 10 feet where vehicular access is provided via a rear alley.
4. Side setback shall be zero feet for interior units with a minimum building separation of 10 feet between buildings without openings (e.g., windows) and 15 feet between buildings with openings.
5. The rear setback may be reduced to 10 feet where vehicular access is provided at the front of the unit.

6. Additional area needed for sidewalks, outdoor dining, landscaping, etc. may be provided within public ROW and/or easements of the adjacent roadways upon approval of Town Staff.

**Table 4-2. Size of Lots and Lot Coverage—Non-Residential & Mixed Use (Vertical)**

Land Use <sup>(1)</sup>	Minimum Lot Area	Minimum Lot Width	Minimum	Maximum	Maximum FAR
			Lot Depth	Lot Coverage	
Retail	10,000 sq. ft.	70 ft.	100 ft.	50% <sup>(2)</sup>	0.6:1.0
Commercial	10,000 sq. ft.	70 ft.	100 ft.	50% <sup>(2)</sup>	3.0:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	60% <sup>(2)</sup>	5.0:1.0
Mixed Use (Vertical)	10,000 sq. ft.	70 ft.	100 ft.	100% <sup>(2)</sup>	5.0:1.0

**Notes**

1. Refer to Section 8.0 for definitions pertaining to Retail, Commercial, Office and Mixed Use Land Uses.
2. Includes main buildings. Parking structures and surface parking facilities shall be excluded from the coverage computations.
3. Structural parking facilities and surface parking lots shall not be included in lot coverage calculations.

**Table 4-3. Size of Yards (Urban Standards)**

Land Use/Housing Type	Minimum Front	Minimum Side	Minimum Corner	Minimum Rear
Townhome <sup>(2)</sup>	5 ft.	5 ft. <sup>(3)</sup>	5 ft.	20 ft.
Multifamily, Urban Living	5 ft.	(1,3)	5 ft.	(1)

**Notes**

1. Minimum setback of 10 feet adjacent to a nonresidential district. Minimum setback of 25 feet adjacent to a residential district. Setback may be eliminated for attached buildings.
2. Vehicular access for Townhomes shall be provided at the rear of the unit via alleys.
  - All garage doors are to be cedar/wood clad or equivalent. Metal garage doors are not permitted.
3. A minimum building separation of 15 feet is required.

**Table 4-4. Size of Lots and Lot Coverage—Residential**

Housing Type	Minimum Lot Area	Minimum Lot Width	Minimum	Maximum	Maximum Density
			Lot Depth	Lot Coverage	
Townhome	2,500 sq. ft.	20 ft.	90 ft.	90%	10 du/ac
Multifamily <sup>(2)</sup>	10,000 sq. ft.	80 ft.	100 ft.	90% <sup>(1)</sup>	N/A

**Notes**

1. Includes main building, accessory buildings and structured parking facilities.
2. Minimum density requirement of 24 du/ac (net).

#### **4.2.2 Minimum Dwelling Area.**

- a. Townhome. The minimum dwelling area shall be 1,500 square feet and a minimum 2 story.
- b. Multifamily. The minimum dwelling area for a one bedroom unit shall be 700 square feet; a two bedroom unit shall be 850 square feet. Additional bedrooms shall provide an additional 150 square feet per bedroom.

**4.2.3 Maximum Residential Dwelling Units.** The maximum number of multi-family residential dwelling units allowed within Subdistrict 3 shall be 300 units. However, the total number of multifamily units for all Subdistricts may not exceed 600 units. The maximum number of Townhome units in Subdistrict 3 shall be 150 units. However, the maximum combined number of Townhome units in all subdistricts may not exceed 150 units. Any residential units not developed within Subdistrict 3 shall be allowed to be developed in Subdistrict 2 provided the density standards for each Housing Type (See Tables 3-3 and 3-5) for Subdistrict 2 are followed.

**4.2.4 Location Requirements for Multifamily and Townhome Construction.** Apartments shall be constructed in (i) that portion of Subdistrict 2 immediately east of the BNSF railroad line, south of Lovers Lane, north of the Lifestyle Center and west of the proposed north-south greenbelt, (ii) the area bordered on the north by Lovers Lane, on the east by Coleman Street, on the south by the Lifestyle Center, and on the west by the proposed north-south greenbelt, and (iii) that portion of Subdistrict 3 immediately east of the BNSF railroad line, north of Lovers Lane and west of the proposed north-south greenbelt. Townhomes may be constructed in (i) the same locations as the apartments referenced herein, (ii) adjacent to First Street in Subdistrict 3 and (iii) that area west of Coleman Street, north of Lovers Lane and east of the proposed north-south greenbelt.

**4.2.5 Timing Requirements for Multifamily and Townhome Construction.** Upon the issuance by the Town of tenant Certificates of Occupancy for at least 300,000 square feet of retail development the developer may construct up to 300 multifamily units and up to 150 Townhome units. Upon the issuance by the Town of tenant Certificates of Occupancy for at least 600,000 square feet of retail the developer may construct up to a total of 600 multifamily units.

**4.2.6 Parking.** Refer to Section 6.3 of this Ordinance for the general requirements pertaining to parking standards.

### **4.3 BUILDING CRITERIA**

**4.3.1 Maximum Building Height.** All structures in Subdistrict 3 shall conform to the building height requirements set forth in Table 4-5 below. Building height shall be measured to the highest point of a roof surface.

**Table 4-5. Maximum Building Height<sup>(7)</sup>**

<b>Building Type</b>	<b>Height<sup>(1)</sup></b>	<b># Stories</b>
Non-Residential <sup>(2)</sup>	60 ft.	4
Hotel	80 ft.	5
Office	100 ft.	8
Hospital	100 ft.	8
Townhome	40 ft.	3 <sup>(6)</sup>
Multifamily, Urban Living <sup>(3)</sup>	80 ft.	5 <sup>(4)</sup>
Parking Structures <sup>(5)</sup>	80 ft.	4

**Notes**

1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit by a maximum of 20 feet.
2. Does not include hospitals, hotels, office, or medical office buildings.
3. Refer to Section 8.0 for definition of building type.
4. No structure shall exceed two stories or 40’ when located 150 feet or less from a single family zoning district.
5. Main parking structure should not exceed the height of adjacent building it is serving. The maximum allowed height is reduced to 40’ if generally visible to public ROW.
6. The minimum height of a townhome is two-story.
7. No structure within 750’ of First Street can exceed 4-stories in height (60 feet max.).

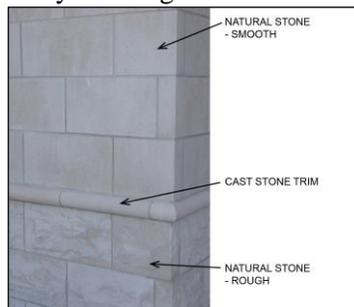
**4.3.2 Maximum Building Length.** There shall be no maximum length for buildings located within Subdistrict 3. However, all buildings shall be required to conform to the Building Articulation standards set forth in the Town’s zoning ordinance.

**4.3.3 Building Materials.** Exterior materials used in the construction of buildings shall comply with the following standards.

- a. Non-Residential and multifamily building types shall comply with the following standards:
  1. All building façade’s shall be architecturally finished with 100% masonry with an allowance for up to 10% secondary materials. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, granite, marble, architectural concrete block, and textured and painted concrete tilt-wall (non-residential building types only). Stucco may be used on areas of facades that are at least nine (9) feet above grade on non-residential buildings and on the third floor and above for multifamily buildings. Textured and painted concrete tiltwall shall be limited to 50% on the front façade and 75% on side façades. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.



ARCHITECTURAL CONCRETE BLOCKS



NATURAL STONE - SMOOTH  
CAST STONE TRIM  
NATURAL STONE - ROUGH



MANUFACTURED STONE  
METAL CANOPY

2. The front and side facades of all multifamily buildings shall be finished with a minimum twenty (20) percent natural or manufactured stone or integral color split-faced block.
3. The front and side facades of all non-residential buildings shall be finished with a minimum of twenty-five (25) percent natural or manufactured stone. The rear façade of any non-residential building facing a public right-of-way shall be finished with a minimum of ten (10) percent natural or manufactured stone unless a landscape screen consisting of a double row of evergreen canopy trees is provided along said right-of-way.
4. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.



5. All multifamily criteria and conceptual photos in section 3.4 of this ordinance also applies in this subdistrict.



- b. Townhome building types shall comply with the following standards.

1. The exterior facades shall be constructed of 100% masonry. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, stucco (second floor and above), and cementitious fiber board (not to exceed 50% of 2<sup>nd</sup> story and above of any façade area). Windows, doors, porches, columns and dormers shall be excluded from the façade area for the purpose of calculating primary building materials.
2. Townhomes shall be a minimum of two stories.
3. Each townhome unit shall have an attached garage. Garages shall open to the rear of the townhome and shall not face the public right-of-way.

Conceptual Photos – The following photographs shall be representative of the architectural style, color and material selections depicted therein.



**4.3.4 Window Areas.** There shall not exceed 80% of any façade area for buildings located in Subdistrict 3. Windows shall have a maximum exterior visible reflectivity of 10%, unless otherwise approved by the Director of Development Services or his/her designee.

**4.3.5 Building Entries.** Building entries shall be clearly defined by incorporating distinguishing architectural features, awnings, canopies, lighting, signage or building articulation.



**4.3.6 Awnings, Canopies, Arcades and Overhangs.** These elements shall be designed and materials shall be used to complement the building design. They should be located to be as functional as possible, and with consideration to landscape areas that may be impacted by their placement.

**4.3.7 Above-Grade Structured Parking.** When structured garages are provided, sufficient access from the right-of-way shall be provided. Entrances and exits shall be clearly marked for vehicles as well as pedestrians. The exterior façade of the parking structure, if visible from the street, shall incorporate similar design elements and finishes as the surrounding buildings in order to minimize the visual impact and shall be designed to minimize visibility from the street.

Parking structures should be oriented in a manner to avoid a general site line from the intersection of Preston/US 380 unless otherwise approved by the Town.

#### 4.3.8 *Projections into Setbacks and/or Rights-of-Way.*

- a. The following projections shall be permitted into a building setback or right-of-way for non-residential or mixed-use buildings only.
  1. Ordinary building projections, including, but not limited to water tables, sills, belt courses, pilasters, and cornices may project up to 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 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 (1<sup>st</sup> floor only); below grade vaults and area-ways; and elements of a nature similar to those listed; may project up to 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 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 24 inches from the back of curb.
  5. Below-grade footings approved in conjunction with building permits.

Projections as described above shall only be permitted into a building setback or right-of-way provided the following:

1. No projection shall be permitted into a building setback or right-of-way of Lovers Lane, Coleman Street or Frost Street, or any other major or minor thoroughfare.
  2. Such projections do not extend over the traveled portion of a roadway.
  3. The property owner has assumed liability related to such projections
  4. The property owner shall maintain such projection in a safe and non-injurious manner.
- b. Where front porches are provided for Townhome uses, they shall be permitted to encroach a maximum of five feet into the front setback line.

## 4.4 PERMITTED USES

### 4.4.1 *General.* The following general conditions shall apply to Subdistrict 3.

Additional commercial uses are allowed for the parcel(s) located on the west side of the railroad as noted in Section 6.6 under Wholesale Uses and Manufacturing/Industrial Uses.

### 4.4.2 *Permitted Use Matrix.* The permitted uses within Subdistrict 3 shall be in accordance with the Permitted Use Matrix in Section 6.6 of this Ordinance.

## 5.0 SUBDISTRICT 4—RESIDENTIAL NEIGHBORHOOD

### 5.1 GENERAL PURPOSE AND DESCRIPTION

The *Residential Neighborhood* Subdistrict will serve the purpose of providing a planned residential community to serve the needs of the Town by facilitating a range of housing opportunities. The development standards included in this Subdistrict are generally consistent with the Single-Family-10, zoning district in the existing Town of Prosper Zoning Ordinance. By providing additional housing opportunities in close proximity to the services included in the other Subdistricts as well as varied transit opportunities will allow for an overall development that will be more self-sufficient and ultimately more sustainable.

### 5.2 SITE CRITERIA

**5.2.1 Property Development Regulations.** The proposed housing types shall conform to the property development regulations in Tables 5-1 and 5-2.

**Table 5-1. Size of Yards**

Housing Type	Minimum Front	Minimum Side	Minimum Corner	Minimum Rear
Single-Family	25 ft.	8 ft.	15 ft.	25 ft.

**Table 5-2. Size of Lots and Lot Coverage**

Building Type	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage	Maximum Density
Single-Family	10,000 sq. ft.	80 ft. <sup>(1)</sup>	125 ft.	50%	200 lots

**Notes**

1. The minimum lot width is defined as the minimum width as measured along the platted building setback line.

**5.2.2 Minimum Dwelling Area.** The minimum dwelling area for standard residential uses shall be as follows:

- a. Single-Family. The minimum dwelling area shall be 2,100 square feet.

**5.2.3 Parking.** Refer to Section 6.3 of this Ordinance for the general requirements pertaining to parking standards.

**5.2.4 Private Street Development.** Restricted access or gated entrances may be permitted as means of establishing a private street development or gated community within Subdistrict 4 via a specific use permit.

**5.2.5 Garage Entry.** Garages with ‘L’ or ‘J’ hook driveway entrances shall be permitted in Subdistrict 4.



### 5.3 PERMITTED USES

The permitted uses within Subdistrict 4 shall be in accordance with the Permitted Use Matrix in Section 6.6 of this Ordinance.

### 5.4 CONCEPTUAL ELEVATIONS

The following elevations shall be representative of the architectural style, color and material selections depicted therein.





## 6.0 GENERAL REQUIREMENTS

### 6.1 PLAN APPROVAL PROCESSES

**6.1.1 General.** Development shall generally take place in accordance with the attached Conceptual Development Plan (Exhibit D), Design Guidelines (Exhibit F) and Conceptual Thoroughfare Plan (Exhibit H).

**6.1.2 Conceptual Development Plan.** Plats and/or site plans submitted for the development of the PD District shall conform to the data presented and approved on the Conceptual Development Plan (Exhibit D). Changes of detail on these final development plan(s) that differ from the Conceptual Development Plan (Exhibit D) may be authorized by the Planning & Zoning Commission, 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 Planning & Zoning Commission determines that the proposed change(s) violates one (1) or more of the above eight (8) criteria, then a public hearing must be held to adequately amend the PD District's granting ordinance prior to the Planning & Zoning Commission's approval of the final development plan(s).

Any change to the boundaries of an individual Subdistrict that results in a change of less than 15% of the land area for that Subdistrict may be authorized by the Director of Development Services or his/her designee.

### 6.2 OPEN SPACE

**6.2.1 General.** The open space and parkland dedication requirements shall be in accordance with the Town's zoning ordinance unless specified herein and/or other requirements / regulations are established via a developer's agreement with the Town at which time the authorized Developer's Agreement will hold precedence over this Planned Development and/or the Town's zoning Ordinance requirements.



**6.2.2 Design Criteria.** Land utilized to satisfy Open Space requirements shall meet the following criteria, as relevant:

- a. A maximum of 1/2 of the required on-site Open Space for either Townhome or Multifamily development may be located off the platted lot however, within 1000' of any unit of a development towards which it will be counted with respect to the Townhome or Multifamily development but within the boundary of the overall Planned Development provided the off-site and on-site Open Space is interconnected by a minimum eight-foot trail system.
- b. Required Open Space for non-residential areas do not have to be located on the individual platted lots but allocated as part of the overall master plan and/or site plan.

## 6.3 PARKING REQUIREMENTS

**6.3.1 General.** The following general standards shall apply.

- a. The number of parking spaces provided for uses shall be in accordance with the requirements established in Section 6.3.2 of these standards.
- b. Where on-street parking is provided, angled as well as parallel parking shall be permitted. On-street parking shall not be permitted within 30 feet of the curb line of a cross street, drive or common access easement.
- c. On-street parking spaces shall be permitted within Subdistricts 2 and 3 within this Planned Development. Parking spaces may be provided in the right-of-way and shall conform to Town standards for vehicle parking areas. No on street parking spaces will be allowed on major or minor thoroughfares.
- d. Vehicle maneuvering shall be allowed within the public right-of-way where on-street parking is provided.
- e. When structured parking garages are provided, adequate access from public rights-of-way via private drives and/or access easements shall be made readily available.
- f. Parking aisles, where practicable, shall be designed to be perpendicular to the front of the primary building in the development.
- g. Parking spaces that face and are adjacent to a building shall utilize curbs, wheel stops, and/or bollards.
- h. Speed bumps/humps are not permitted within a fire lane. However, speed tables may be permitted within a fire lane provided they are approved by the Town of Prosper Fire Department at the time of plat and/or site plan submittal.
- i. Dead-end parking aisles are discouraged and shall only be permitted in unique circumstances upon approval by the Director of Development Services or his/her designee.
- j. In the case of mixed uses, uses may share parking spaces where the practicability of shared parking can be demonstrated. The applicant shall submit a parking analysis to the Director of Development Services demonstrating the feasibility of shared parking. The parking analysis shall address, at a minimum, the size and type of the proposed development, location of required parking, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. The applicant shall also demonstrate that any parking reduction requested as part of the shared parking study will not result in the spillover of parking onto other properties.

- k. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted; these areas shall be included in parking calculations at a rate of 50% of standard requirements.
- l. Surface parking is allowed in urban living multifamily development as long as the parking areas other than on-street parking are located internal to the multifamily development and are screened from public right of way through the use of landscaping and/or walls and structures.
- m. For vertical mixed use developments, no more than one drive with parking on both sides is allowed between the mixed use structure and the public ROW(s) unless otherwise approved by the Town.

**6.3.2 *Parking Requirements Based on Use.*** In all Subdistricts, at the time any building or structure is erected or structurally altered, parking spaces shall be provided in accordance with the following requirements:

- **Assisted Living Facility or Congregate Care Facility:** 1.1 parking spaces per dwelling unit.
- **Automobile Oil Change and Similar Establishments:** One parking space per service bay plus one parking space per maximum number of employees on a shift. The stacking requirements shall be 3 stacking spaces per bay.
- **Dwellings, Townhomes:** Two spaces for each unit. Townhome units with one-car garages shall be permitted to satisfy this requirement through tandem parking spaces by providing one covered space and one space located directly adjacent to the garage, provided the tandem parking spaces have minimum dimensions of nine feet by twenty feet. Townhome units with two-car garages shall provide two covered spaces, located behind the front building line, and two maneuvering spaces for each unit. Permitted on-street parking shall count toward the required off-street parking requirement provided the space(s) are within 300 feet of the property line of the affected lot.
- **Dwellings, Multifamily:** One and one-half spaces for one bedroom units, plus one-half additional space for each additional bedroom. The required number of spaces shall be no less than 1.8 spaces per dwelling unit overall. Covered or enclosed parking shall not be required for Multifamily Dwellings except as specified in other sections of this ordinance. Where provided, covered or enclosed parking shall be counted to satisfy the minimum off-street parking requirements. Covered or enclosed parking may be a part of the dwelling structures or an accessory building. Tandem parking spaces shall be permitted to satisfy parking requirement provided they are located in front of a garage and have minimum dimensions of nine feet by twenty feet.
- **Gasoline Station:** Minimum of three spaces for employees. Adequate space shall be provided for waiting, stacking, and maneuvering automobiles for refueling. A convenient store portion of a gas station shall be parked at a ratio of one parking space per 250 square feet of gross floor area.
- **Mail Kiosks.** Mail Kiosks shall have a minimum of five of the required parking spaces for the development within 50 feet, unless a drive-through facility is provided.

- **Medical or Dental Office:** One space per 250 square feet of floor area. Facilities over 20,000 square feet shall use the parking standards set forth for hospitals.
- **Retail Store or Personal Service Establishment, Except as Otherwise Specified Herein:** One space per 250 square feet of gross floor area.
- **Restaurant, Cafe or Similar Dining Establishment:** One parking space for each 100 square feet of gross floor area.

#### 6.4 DETENTION PONDS

Detention Ponds located adjacent to Preston Road or at other high visibility locations as generally depicted on Exhibit D, shall be treated as open space amenities and landscaped as such. If there are no prohibitive regulatory permitting issues or design constraints, these ponds will be constructed to maintain a constant normal pool elevation. The Town's engineering department shall review and confirm any design constraints that would preclude the pond from maintain a constant pool elevation. Detention ponds located in less visible locations shall be fully vegetated with turfgrass and designed to drain completely and allow ease of maintenance. All visible outfall structures shall be faced with stone.

#### 6.5 LANDSCAPING

**6.5.1 General.** All required landscape areas shall comply with the specific standards contained in the Town of Prosper Zoning Ordinance except as noted herein.

**6.5.2 Landscape Area Requirements.** The below standards shall be applied consistent with the land uses specified below.

- a. Non-Residential and Mixed Use. These standards apply to Non-Residential and Mixed-Use land uses.
  1. All retail buildings which back to US 380 shall be screened with the planting of a double row of evergreen trees such as eastern red cedars or other similar tree that will provide a continuous screen. The evergreen trees used for the screen shall be a minimum of 8 foot tall at the time of planting. There will also be additional berming and planting of smaller shrubs and trees within the water line easements along Highway 380 to the extent allowed by the Town.



2. Where on-street parking is provided, a minimum six-foot wide buffer yard shall be established in the right-of-way. The area shall be located adjacent to the curb and be planted with street trees located a minimum distance of four feet from the back of curb, with an average spacing no greater than 50 feet on center. All trees shall be a minimum of four caliper inches when planted. Due to the location of the street trees, root barriers shall be provided. The area shall also provide space for street furniture such as seating, street lighting, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus stops, bicycle racks, and public utilities. The placement of any items in the public right-of-way is subject to the approval of the Town’s staff. If approved by the Town, a sidewalk with tree wells may abut the curb in lieu of said criteria.
  - b. Multifamily. These standards apply to multifamily land uses.
    1. Perimeter Requirements.
      - (a) Thoroughfares. A landscape area consisting of living trees, turf or other living ground cover and being at least an average of 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 Lovers Lane, Coleman Street, and Richland Boulevard. A maximum deviation of five feet of the minimum width of the landscape area is permitted, provided the minimum average width of 25 feet or 30 feet; respectively, is maintained. One Large Tree, four-inch caliper minimum per 30 lineal feet of roadway frontage shall be planted within the required landscape area. The trees may be planted in groups with appropriate spacing based on species. A minimum of 15 shrubs with a minimum size of five gallons each will be planted in the landscape area for each 30 lineal feet of frontage. Parking abutting the landscape area will be screened from the adjacent roadway. The required screening may be with shrubs or earthen berms.

- (b) Collectors or Other Roadway. A landscape area consisting of living trees, turf or other living ground cover and being at least an average of 15 feet in width measured from the property line interior to the property shall be provided adjacent to all other collector streets, where on-street parking is not provided. A maximum deviation of three feet of the minimum width of the landscape area is permitted, provided the minimum average width of ten feet is maintained.

Where on-street parking is provided, a minimum six-foot wide buffer yard shall be established in the right-of-way. The area shall be located adjacent to the curb and be planted with street trees located a minimum distance of four feet from the back of curb, with an average spacing no greater than 50 feet on center. All trees shall be a minimum of three caliper inches when planted. Due to the location of the street trees, root barriers shall be provided. The area shall also provide space for street furniture such as seating, street lighting, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus stops, bicycle racks, and public utilities. If approved by the Town, a sidewalk with tree wells may abut the curb in lieu of said criteria.

2. Interior Parking. Any multifamily surface parking area shall provide interior landscaping as follows:
- (a) Twenty square feet of landscaping for each parking space shall be provided within the paved boundaries of the parking lot area.
  - (b) All landscaped areas shall be protected by a raised 6-inch concrete curb. Pavement shall not be placed closer than four feet from the trunk of a tree unless a Town approved root barrier is utilized.
  - (c) Landscape islands shall be located at the terminus of all parking rows, and shall contain at least one Large Tree, four-inch caliper minimum, with no more than 12 parking spaces permitted in a continuous row without being interrupted by a landscaped island. The maximum number of continuous parking spaces may be expanded with approval by the Director of Development Services or his/her designee, in the event that required islands are grouped to form larger islands.
  - (d) Landscape islands shall be a minimum of 160 square feet, not less than nine feet wide and a length equal to the abutting space.
  - (e) There shall be at least one Large Tree, three-inch caliper minimum, within 150 feet of every parking space. This minimum distance may be expanded with approval by the Director of Development Services or his/her designee, in the event that required islands are grouped to form larger islands.
  - (f) Subject to approval by the Director of Development Services or his/her designee, landscape islands may be grouped to form one large island. Grouping for large islands is prohibited adjacent to public street frontage.

- (g) These standards shall not apply to structured parking facilities.
- 3. Building Landscaping. Foundation plantings of a single row of shrubs are required along the front façade of all buildings adjacent to a public street.
- 4. Irrigation Requirements. Permanent irrigation shall be provided for all required landscaping as follows:
  - (a) Irrigation lines shall be placed a minimum of two and one-half 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.

**6.6 SIGNAGE**

The developer will follow the Town’s standard signage ordinance with the understanding it can create a special purpose sign district per Section 1.12 of the Town’s sign ordinance for each development phase to meet the unique needs of the overall development.

**6.7 PERMITTED USE MATRIX**

RESIDENTIAL USES	SUBDISTRICT			
	1	2	3	4
Mobile and /or Manufactured Homes				
Model Home		●	●	●
Multifamily Dwelling (including loft, work/live units and studio apartments)		●	●	
Private Street Development (excluding MF)		S	S	S
Retirement Community Residential Development (RCRD Housing)		S	S	S
Single Family Dwelling, Attached (Townhome)		●	●	
Retirement Housing				12
Single Family Dwelling, Detached				●
Two Family Dwelling (Duplex)				

ACCESSORY & INCIDENTAL USES	SUBDISTRICT			
	1	2	3	4
Accessory Building	●	●	●	●
Caretaker's/Guard's Residence				
Construction Yard and Field Office, Temporary	<i>TEMPORARY BUILDING PERMIT ISSUED BY BUILDING OFFICIAL</i>			
Electronic security facilities including gatehouse and control counter		●	●	●
Garage Apartment (not to be rented)				●
Guest House (see conditions in Zoning Ordinance; over .5 acre lot)				●
Homebuilder Marketing Center	1	1	1	1
Home Occupation		2	2	2



ACCESSORY & INCIDENTAL USES (continued)	SUBDISTRICT			
	1	2	3	4
Mail Kiosk		●	●	●
Mobile Food Vendor				
Retail/Service Incidental Use	●	●	●	●
Storage Facilities and uses (incidental to primary use)	●	●		
Temporary Building – see conditions in Town Zoning Ord. (Section 2.0)	S	S	S	S

EDUCATIONAL, INSTITUTIONAL, PUBLIC AND SPECIAL USES	SUBDISTRICT			
	1	2	3	4
Airport/Heliport				
Assisted Care or Living Facility, including Memory Care		S	S	
Athletic Stadium or Field, Private		3	3	3
Athletic Stadium or Field, Public		●	●	●
Cemetery or Mausoleum				
Civic/Convention Center	●	●	●	
College, University, Trade, or Private Boarding School	●	●	●	
Community Center	●	●	●	●
Farm, Ranch, Stable, Garden, or Orchard				●
Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority		●	●	
Helistop		S	S	
Rehabilitation Care Institution		14	14	
Hospital		●	●	
Household Care Facility		S	S	●
House of Worship	●	●	●	●
Municipal Uses Operated by the Town of Prosper	●	●	●	●
Museum/Art Gallery	●	●	●	
Open Storage – see conditions in Town Zoning Ord.	●	●		
Park or Playground	●	●	●	●
Private Recreation Center	●	●	●	●
Public Recreation Facilities	●	●	●	●
Rehabilitation Care Facility				
Rehabilitation Care Institution				
School, Public	●	●	●	●
School, Private or Parochial	●	●	●	S

TRANSPORTATION, UTILITY AND COMMUNICATIONS USES	SUBDISTRICT			
	1	2	3	4
Antenna and/or Antenna Support Structure, Non-Commercial		4	4	4
Antenna and/or Antenna Support Structure, Commercial				
Stealth Antenna, Commercial	5	5	5	
Bus Terminal		S	S	
Carting or Express Hauling				
Electric Power Generating Plant				



TRANSPORTATION, UTILITY AND COMMUNICATIONS USES (continued)	SUBDISTRICT			
	1	2	3	4
Landfill				
Office and Storage Area for Public/Private Utility				
Private Utility, Other Than Listed	●	●	●	●
Radio and Television Studios and Broadcasting Facilities				
School District Bus Yard	6	6	6	
Sewage Treatment Plant/Pumping Station	S	S	S	S
Telephone Exchange	●	●	●	S
Transit Center		S	S	
Utility Distribution/Transmission Facility	S	S	S	S
Water Treatment Plant	S	S	S	S

OFFICE AND PROFESSIONAL USES	SUBDISTRICT			
	1	2	3	4
Administrative, Medical, or Professional Office	●	●	●	
Corporate Campus		●	●	
Governmental Office	●	●	●	
Insurance Office	●	●	●	
Multi-Tenant Office Building	●	●	●	
Research and Development Center –see conditions in Town Zoning Ord.	S	S	S	

RETAIL USES	SUBDISTRICT			
	1	2	3	4
Antique Shop and Used Furniture	●	●	●	
Alcohol Sales (Must comply with all the conditional standards in the zoning ordinance as it exists, or may be amended.)	●	●	●	
Building Material and Hardware Sales, Major	●	S		
Building Material and Hardware Sales, Minor	●	●	●	
Convenience Store with Gas Pumps	10	10	10	
Convenience Store without Gas Pumps	●	●	●	
Equipment and Machinery Sales and Rental, Major				
Equipment and Machinery Sales and Rental, Minor	●	●	●	
Farmer's Market	S	S	S	
Feed Store				
Flea Market, Inside				
Flea Market, Outside				
Furniture, Home Furnishings and Appliance Store	●	●	●	
Gas Pump as Accessory Use	13	13		
Nursery, Major	S	S		
Nursery, Minor	●	●	●	
Pawn Shop				
Retail Stores and Shops	●	●	●	



SERVICE USES	SUBDISTRICT			
	1	2	3	4
Artisan's Workshop		●	●	
Bank, Savings and Loan, or Credit Union	●	●	●	
Beauty Salon/Barber Shop	●	●	●	
Bed and Breakfast Inn				S
Body Art Studio				
Business Service	●	●	●	
Cabinet/Upholstery Shop	●	●	●	
Campground or Recreational Vehicle Park				
Catering Establishments	●	●	●	
Commercial Amusement, Indoor	●	●	●	
Commercial Amusement, Outdoor	S	S	S	
Computer Sales and Repairs	●	●	●	
Contractor's Shop and/or Storage Yard				
Dance Hall	S	S		
Day Care Center, Adult		S	S	S
Day Care Center, Child	7	7	7	7
Day Care Center, In-Home		8	8	8
Day Care Center, Incidental	S	S	S	S
Dinner Theater	●	●	●	
Dry Cleaning, Minor	●	●	●	
Fairgrounds/Exhibition Area		S	S	
Fortune Teller/Psychic				
Furniture Restoration			S	
Golf Course and/or Country Club	S	S	S	
Gunsmith				
Gymnastics/Dance Studio	●	●	●	
Health/Fitness Center	●	●	●	
Hotel – see conditions in Town Zoning Ord.,	●	●	●	
Household Appliance Service and Repair	●	●	●	
Indoor Gun Range	9	9	9	
Landscaping Service				
Laundromat	●	●	●	
Locksmith/Security System Company	●	●	●	
Massage Therapy, Licensed	●	●	●	
Massage Therapy, Unlicensed				
Medical and Health Care Facilities/Clinics	●	●	●	
Messenger/Courier and Telegraph Services	●	●	●	
Mortuary/Funeral Parlor	S	S	S	
Motel				
Pest Control/Exterminating Shops	●	●		
Pet Day Care – see conditions in Town Zoning Ord.	●	●	●	
Print Shop, Minor	●	●	●	



SERVICE USES (continued)	SUBDISTRICT			
	1	2	3	4
Private Club	S	S	S	
Residence Hotel – See conditions in Town Zoning Ord.	●	●		
Restaurant or Cafeteria	●	●	●	
Restaurant, Drive Through	16	16	16	
Sexually Oriented Uses				
Small Engine Repair Shop				
Stable, Commercial				
Taxidermist				
Theater, Drive In				
Theater, Neighborhood	●	●	●	
Theater, Regional	●	●		
Trailer Rental				
Veterinarian Clinic and/or Kennel, Indoor	●	●	●	
Veterinarian Clinic and/or Kennel, Outdoor				

AUTOMOBILE AND RELATED USES	SUBDISTRICT			
	1	2	3	4
Auto Parts Sales, Inside	●	●	●	
Auto Parts Sales, Outside				
Automobile Parking Lot/Garage	●	●	●	
Automobile Paid Parking Lot/Garage	●	●	●	
Automobile Repair, Minor	●		●	
Automobile Sales / Leasing, New	11	11	11	
Automobile Sales, Used				
Automobile Storage				
Car Wash	●	S	S	
Car Wash, Self-Serve				
Motorcycle Sales/Service	S	S	S	
Recreational Vehicle/Truck Parking Lot or Garage				
Recreational Vehicle Sales and Service, New/Used	9	9	9	
Salvage Yard				
Truck/Bus Repair				
Truck Sales, Heavy Trucks				
Truck Terminal				

WHOLESALE USES	SUBDISTRICT			
	1	2	3	4
Apparel Distribution Center			15	
Bottling Works			15	
Clothing, Footwear and Textile Center			15	
Food Product Distribution Center			15	
Mini-Warehouse/Public Storage			S	
Office/Showroom			15	



WHOLESALE USES (continued)	SUBDISTRICT			
	1	2	3	4
Office/Warehouse/Distribution Center			15	
Storage or Wholesale Warehouse			15	
Winery			S	

MANUFACTURING AND INDUSTRIAL USES	SUBDISTRICT			
	1	2	3	4
Bakery (Commercial)				
Concrete/Asphalt Batching Plant, Permanent				
Concrete/Asphalt Batching Plant, Temporary	<i>TEMPORARY BUILDING PERMIT ISSUED BY BUILDING OFFICIAL</i>			
General Manufacturing/Industrial Use Complying with Performance Standards			15	
Limited Assembly and Manufacturing Use Complying with Performance Standards			15	
Machine Shop				
Mineral Extraction				
Miscellaneous Hazardous Industrial Uses				
Portable Building Sales			S	
Recycling Collection Point			15	
Recycling Center			S	
Recycling Plant				
Trailer/Mobile Home Display and Sales				

LEGEND	
●	Use permitted in district indicated
	Use prohibited in district indicated
S	Use is permitted in district upon approval of a specific use permit
1	Use is permitted in the Subdistrict indicated in accordance with the conditional development standards or limitations in the corresponding numeric end note in Section 6.6.1 of this Ordinance.

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### 6.7.1 *Conditional Development Standards.*

1. Homebuilder Marketing Center. Shall be used only to market homes/lots in the development where it is located when located in a residential zoning district. The use must be removed when all homes/lots in the development have been sold.
2. Home Occupation. A home occupation is a business that is customarily carried on in a home by the resident and shall adhere to all of the following conditions and requirements:
  - (a) No signage associated with the home occupation and visible from outside of the dwelling shall be allowed on the premises.
  - (b) Only two employees other than the occupants of the residence may be employed on-site at any one time. This shall not include the coordination or supervision of employees who do not regularly visit the house for purposes related to the business.
  - (c) Hours of operation shall be limited to 8:00 a.m. to 8:00 p.m. for outdoor activities.
  - (d) Outdoor activities are not allowed, unless the activities are screened from neighboring property and public rights-of-way.
  - (e) No exterior storage of material, equipment, vehicles, and/or supplies used in conjunction with the home occupation.
  - (f) The home occupation shall not produce offensive noises, vibrations, smoke, dust, odors, heat or glare beyond the property lines.
  - (g) A home occupation shall not serve as an office or storage facility for a vehicle fleet operation in which fleet vehicles visit the site.
  - (h) No major alterations to the property or exterior of the dwelling unit shall be allowed that changes the residential character of the home.
  - (i) No repair or servicing of vehicles, internal combustion engines, large equipment or large appliances shall be allowed.
  - (j) No storage of hazardous materials for business purposes shall be allowed on the premises.
  - (k) Merchandise shall not be offered or displayed for sale on the premises. Sales incidental to a service shall be allowed; and orders previously made by telephone or at a sales party may be filled on the premises.
  - (l) No traffic shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood, and any need for parking must be accommodated within the off-street parking provided for the residence (i.e. the driveway or garage) and along the street frontage of the lot.

Homeowners/occupants who establish an occupation in their residence must adhere to all of the above conditions.
3. Athletic Stadium or Field, Private. Only permitted by Specific Use Permit when developed in conjunction with a School, Private or Parochial.

4. Antenna, Non-Commercial.

(a) Satellite Dishes and Wireless Broadband Antennas

(1) In Subdistrict 4 (Single Family Detached), satellite dishes and wireless broadband antennas are permitted only on the back half of a residential structure or in the back yard of a residential lot unless a signal cannot be received in these areas. Should a satellite dish or wireless broadband antenna be placed somewhere other than on the back half of a residential structure or in the back yard of a residential lot, it shall be limited to not more than two feet in diameter. Only three satellite dishes and/or wireless broadband antennas shall be permitted per lot or primary structure. One of the three satellite dishes and/or wireless broadband antennas on a residential structure and/or lot may be up to 12 feet in diameter. The other two satellite dishes and/or wireless broadband antennas shall not exceed two feet in diameter.

(2) In Subdistricts 2 and 3 (Townhome and Multifamily), satellite dishes and wireless broadband antennas are permitted only on the back half of a residential structure or in the back yard of a residential lot unless a signal cannot be received in these areas. Should a satellite dish or wireless broadband antenna be placed somewhere other than on the back half of a residential structure or in the back yard of a residential lot, it shall be limited to not more than two feet in diameter. Only three satellite dishes and/or wireless broadband antennas shall be permitted per residential unit. One of the three satellite dishes and/or wireless broadband antennas on a residential unit may be up to 12 feet in diameter. The other two satellite dishes and/or wireless broadband antennas shall not exceed two feet in diameter.

(b) Non-commercial antennas shall not interfere with radio or television reception of adjoining property owners, and shall comply with all regulations of the Federal Communications Commission (FCC). In no case shall the height of such antennas exceed 45 feet and proper guy wire securement shall be followed. In no manner shall the use of such equipment infringe upon adjoining property owners. Roof mounted satellite dishes in excess of 50 pounds shall be approved by a registered architect or professional engineer by written letter to the building official, prior to installation, stating the antenna's stability and support and shall not extend more than six feet above the first story.

5. Antenna, Stealth. Stealth antennas are permitted by right in the residential land uses within a Subdistrict only as a secondary use when the primary use on the lot is a church, school, athletic stadium or field, or public utility structure. Stealth antennas are permitted by right in the non-residential districts. The Director of Development Services, or his/her designee, may approve a request to install a stealth antenna when the proposed stealth antenna is of a type that is specifically listed in the definition of Antenna, Stealth in Chapter 2, Section 1.2 of the Prosper Zoning Ordinance (Ordinance 05-20). For stealth antenna requests of a type that are not specifically listed in this definition, the Town Council may determine if a proposed commercial

antenna is a stealth antenna or not when considering site plan approval for the proposal.

6. School District Bus Yard. A School District Bus Yard shall be owned and/or operated by a public Independent School District. Unless otherwise approved by the Planning & Zoning Commission, School District Bus Yards shall be screened using one of the following methods:
  - (a) Option 1
    - (1) A six (6) foot ornamental metal fence,
    - (2) Three (3) inch caliper evergreen trees on twenty (20) foot centers, and
    - (3) Five (5) gallon evergreen shrubs on three (3) foot centers.
  - (b) Option 2
    - (1) A six (6) foot clay-fired brick wall, and
    - (2) Three (3) inch caliper evergreen trees on twenty (20) foot centers.
7. Day Care Center, Child. Notwithstanding anything to the contrary herein, a public independent school district is not required to obtain a SUP for the operation of a Day Care Center, Child in a public school. A Day Care Center, Child not operated by a public independent school district is permitted by SUP in all Subdistricts.
8. Day Care Center, In-Home. Permitted by right as a home occupation in the designated Subdistricts and is subject to the regulations of Home Occupation.
9. Shall be permitted by right when serving as a complementary use to a primary use. Shall not be subject to the limitations of a maximum of 15% of a main use. Other similar uses not specifically defined may also be permitted. Primary use sales/services may only be allowed by S.U.P.
10. Limited to one at each of the following intersections: Lover's Lane at Preston, First Street at Preston, and Lover's Lane at Coleman Street.
11. Shall be limited to high-end or specialty automobile sales and shall have limited outdoor model displays. A maximum of two rows of display parking (one drive) is allowed along any street frontage. The use shall only be allowed if permitted by SUP.
12. Only allowed in Subdistrict 4 as detached units.
13. Gas Pumps as Accessory Use – Accessory gas pumps are only allowed as an accessory use to a big box tenant and are subject to the following development standards.
  - a. Accessory gas pumps must be located on the same lot as a big box tenant.
  - b. A sales kiosk servicing the accessory gas pumps shall be less than five hundred (500) square-feet in floor area.
  - c. Accessory gas pumps shall be located at least two hundred and fifty (250) feet from a property line of a residential lot.

1. For the purposes of this section, a residential lot means a lot on which a residential use is located, a lot zoned residential, or a lot designated as residential on the Future Land Use Plan.
  2. Accessory gas pumps do not have to meet the spacing requirement if:
    - i. A major thoroughfare separates the accessory gas pumps from the residential lot; or
    - ii. The Future Land Use Plan designates a lot as residential, but Town Council subsequently rezones the property to a nonresidential zoning district and no residential use is located on the lot.
  - d. Canopies shall have pitched roofs.
  - e. Canopy support columns shall be fully encased with masonry materials that are complementary to that used on the main building.
  - f. The canopy band face shall be of a color consistent with the main structure or an accent color and may not be backlit or used as signage.
14. Requires a S.U.P. if located within 250 feet of single family detached zoning.
15. Uses only allowed west of railroad.
16. Limited to 3 locations on either side of Preston and no more than 2 adjacent to each other.

*{This space intentionally left blank}*

## **7.0 INFRASTRUCTURE DESIGN STANDARDS**

### **7.1 GENERAL**

Due to the unique and dynamic nature of Town Center Developments, there are a number of design elements that deviate from standard suburban design criteria. Therefore, it is understood that that alternate design criteria may be utilized in the layout and design of this Planned Development. The design criteria may include such elements as design speeds for streets, street and parking layouts, alternative street sections, storm drain inlets (e.g., grate inlets, slotted drains, etc.), alternative stormpipe materials (e.g., PVC, HDPE), utility locations, etc. Design criteria may be based on similar criteria utilized in similar development throughout the Dallas-Fort Worth Metroplex as previously referenced herein or as determined to be comparable developments. Such standards must be approved by the Town's Engineering Department.

## 8.0 DEFINITIONS

*Adjacent.* The condition of sharing a common dividing line (e.g., property line). For the purposes of this Ordinance, properties that are separated by a thoroughfare shall not be considered adjacent.

*Apartment, loft.* A dwelling unit consisting of a single room or a series of rooms, which is attached to but secondary to a main non-residential structure and is generally located above the first floor of the structure.

*Apartment, studio.* A dwelling unit which has, as an integral part of the unit, a work area generally associated with the creative arts and which may consist of a single room or series of rooms.

*Big Box.* Retail buildings over 80,000 square feet where the primary tenant occupies at least 80 percent of the building.

*Catering Establishment.* An establishment where food and drink are prepared, for immediate off premises consumption.

*Commercial Land Use.* Commercial Land Use shall include “Service Uses” and “Automobile and Related Uses” as listed in Section 6.5 of this Ordinance and similar uses.

*Dinner Theater.* A building or portion of a building used primarily for showing motion pictures or for dramatic, musical or live performance where food and drink are prepared and consumed on the premises during the event.

*Dwelling Area.* Dwelling Area shall mean the area between the floor and roof above it, as measured from the outside edge of the exterior walls of the main structure. The dwelling area calculation excludes basements, patios, decks, balconies, uncovered porches, and covered porches unenclosed on one or more sides.

*EIFS.* An acronym for Exterior Insulation and Finish System; a type of exterior cladding for building walls.

*Flag Lot.* A lot having access to a street by means of a parcel of land having a depth greater than its frontage, and having a width less than the minimum required lot width, but not less than twenty-five (25) feet. There shall be no maximum distance for the required width from the front property line.

*Landscape Service.* Professional service focused on the design and/or installation of landscaping in either a commercial or residential application. The service may include open storage of the materials and equipment used in the process of landscape installation.

*Messenger / Courier Service.* Premium service specializing in the personal delivery of messages, packages and mail.

*Mixed Use Land Use.* An integrated (either horizontal or vertical) mix of land uses within a tract of land or a building. For the purposes of this Planned Development, a Mixed Use Land Use shall include a minimum of two individual land uses (residential/non-residential; retail/multi-family; office/multi-family; etc.).

*Multifamily, Urban Living.* Attached dwelling units designed to be occupied by three or more families living independently of one another, exclusive of Hotels, Motels, or Residence Hotels. Urban Living Multifamily dwelling units are consistent with an urban-style dwelling unit and

intended to accommodate multifamily residential uses, including both for-sale and rental units. Parking can be either surface parking and/or structural parking.

*Office Land Use.* Office Land Use shall include “Office and Professional Uses” as listed in Section 6.6 of this Ordinance and similar uses.

*Open Storage.* The outside storage or exhibition of goods, materials, merchandise or equipment that is either for sale on the premises or is used in the normal course of doing business or conducting a business service.

*Pest Control / Extermination Service.* Service specializing in the regulation or management of pests perceived to be detrimental to a person’s health, the ecology or the economy. The service may include open storage of the materials and equipment used in the process of performing the service.

*Rehabilitation Care Institution.* Subject to being licensed to operate by the Texas Department of Again and Disability Services (DADS), a facility which provides residence and care to ten (10) or more persons, regardless of legal relationship, who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct together with supervisory personnel.

*Retirement Housing.* Any age restricted development which may be in any housing form, including detached and attached dwelling units, apartments, and residences, offering private and semiprivate rooms and designed to provide meals and nursing care.

*Retail Land Use.* Retail Land Use shall include “Retail Uses” as listed in Section 6.6 of this Ordinance and similar uses.

*Security Facilities (including gatehouse and control counter).* A freestanding structure which is part of a larger development that’s primary function is to aid in monitoring and controlling incoming and outgoing vehicular traffic. The facility may be occupied by security personnel or it may only house electronic surveillance equipment.

*Storage Facility.* A freestanding or attached structure which is part of a larger commercial or residential development that’s primary function is to store material or equipment necessary for the ongoing maintenance or upkeep of the development which it is associated with.

*Townhome.* A structure containing three to eight dwelling units with each unit designed for occupancy by one family and each unit attached to another by a common wall.

*Work/Live Space.* a space within a building that is used jointly for residential and/or commercial purposes, where the residential space is accessory to the primary use as a place of work.



**EXHIBIT "E"**  
**DEVELOPMENT SCHEDULE**

## DEVELOPMENT SCHEDULE

It is currently anticipated that the development of Gates of Prosper will begin within two to four 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. The development schedule for the approximate 621 acres will be phased over the next 10 to 15 years and is primarily dependent on the marketability of the highest and best use of the land for the respective land tracts. Progress of development improvements will primarily depend on the time frames established for construction of thoroughfares, utilities, and market trends/demands for the area.

The development of non-residential uses within Subdistrict 1 and Subdistrict 2 will constitute the initial phases of development. The development of Urban Living Multifamily and townhome residential units in Subdistrict 2, and/or Subdistrict 3 shall not begin until a minimum combined total of 300,000 square feet of commercial/retail development has been issued tenant certificates of occupancy by the Town. The required commercial/retail development may include regional retail anchors, a town center mixed-use component, a major multi-purpose medical center with emergency care facilities, a mall, a hotel, or another major development anchor as determined by Town Council.

Incorporation of residential units into a mixed-use town center are not subject to the aforementioned preconditions as long as they are vertically integrated into the retail/commercial structures.

The development schedule is subject to change due to various factors beyond the control of the developer, such as housing market conditions, construction materials and labor availability, acts of nature, and other similar conditions.



**EXHIBIT "F"**  
**SUPPLEMENTAL DESIGN GUIDELINES**

## SUPPLEMENTAL DESIGN PRINCIPLES

The Town of Prosper is on the cusp of transforming itself from a prosperous farming community into a prosperous economic engine and enviable residential neighborhood. The vision for the “Gates of Prosper” is to be the gateway into Prosper’s new future.

The architectural design principles for this development are intended to reinforce a uniform spirit and character throughout the development while promoting fresh and visionary diversity.

- Subdistricts have been carefully planned to maximize vehicular access to transportation arteries and pedestrian access to future transit systems.
- Subdistricts are designed and planned to create a special community that offers the opportunity to live, work, shop and recreate in an urban environment located in a suburban area.
- Each Subdistrict can have its own identity yet still create a sense of belonging through use of consistent iconic markers, streetscape designs, landscape forms, signage, lighting and architectural building standards. These elements should allow Subdistricts to transition seamlessly from one to the next.
- Public amenities including parks, trails, plazas, interactive areas and gateways are planned to serve as venues for recreation, entertainment and social interaction.
- Pedestrian ways should be memorable through their use of landscaping and lighting, and by incorporating shade, street furnishings and other sidewalk amenities.

## SITE DESIGN

The entire site has been effectively designed for efficient land use, as a strong gateway into Prosper and as a quality environment that resonates a “sense of place”. This design contributes to the overall identity which adds value to the project as well as the entire community. To promote these benefits the design has incorporated following features:

- Street design and streetscapes including boulevards connecting and traversing through the different subdistricts.
- Gateway icons that announce entry into and welcome residents and guests to the development. Wayfinding markers that give direction within the development and reinforce the quality of the development.
- Public areas that are accessible and provide for a variety of entertainment and recreational experiences.
- Subdistricts that allow for a crossover of uses while concentrating like uses for the convenience of residents and guests.

## SUBDISTRICT DESIGN

- ***Subdistrict 1—Regional Retail.*** Subdistrict 1, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing for the needs of the community by facilitating the development of regional-serving retail, personal service, and office uses.
- ***Subdistrict 2—Lifestyle Center.*** Subdistrict 2, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing a compact, neighborhood and pedestrian scale mixture of office, retail, personal service, residential and community activities on single or contiguous building sites.
- ***Subdistrict 3—Downtown Center.*** Subdistrict 3, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing an active living and working community benefiting from its proximity to the existing Town core and the adjacent Subdistricts.
- ***Subdistrict 4—Residential Neighborhood.*** Subdistrict 4, as depicted on the Conceptual Development Plan (Exhibit D) shall serve the purpose of providing a planned residential community to serve the needs of the Town and add a complimentary use to the overall development.

## BUILDING DESIGN

Building design is only one element that contributes to the fabric of a community. Although building design can be the most effective means of translating the character, it has to work in concert with all other designed elements. It is not the intent of this section inhibit but give the freedom to achieve excellence in building design within the limits of a few design criteria.

**BUILDING MASSING AND SCALE.** A building's mass or scale is determined by its component parts, including the size of its footprint, its height, its proportions and its relationship to surrounding buildings. Individual characteristics of mass and scale include:

- **Form:** A buildings form should have a relationship to the proposed streetscape that contributes to a comfortable environment and pleasing pedestrian experience. Its form should also be in context with surrounding buildings.
- **Shape:** A buildings shape should incorporate variations in height, rooflines and wall planes and be expressive without seeming unnatural.
- **Scale:** The use may be a determining factor in the size of a building. Incorporating special design techniques can reduce the apparent scale of a structure, such as:
  - a. Subdividing the façade of the building into top, bottom and middle components.
  - b. Using overhangs and shadow lines to create a sense of depth.
  - c. Changing building finishes or colors at logical breakpoints.
  - d. Repeating patterns of windows, awnings, colonnades, porches, offsets or recesses.

**BUILDING RHYTHM/ARTICULATION.** All buildings, shall be designed to incorporate a form of architectural articulation as described in other sections of this document. Architectural articulation can be achieved in a variety of traditional and imaginative ways. The intent is to allow creative architectural notions but not be gregarious or draw unusual attention to their expression. This will allow for variety of design and identity within subdistricts while maintaining high standards for the overall development.

**ARCHITECTURAL ELEMENTS.** They are the unique details and component parts that together, form the architectural style of buildings. Architectural elements typically include compositions of forms and shapes, patterns of windows, doors, roofs and awnings but can also include compositions of materials, expressions of structure, notions of shade and respite, patterns of light and dark, placement of follies and fixtures, all of which must be combined in ways that reinforce the character and quality of the overall development.

**FAÇADE TREATMENTS.** Building façades, with their shapes, materials, colors, openings, textures, and details, shall be used to contribute to the architectural character of the development.

- All Retail except Major Anchor Retail shall have ground level storefront extending across a minimum of 50% of front façade length. Other uses shall have window treatments appropriate for their use.
- On secondary sides of retail buildings, windows do not need to be provided at ground level; however, buildings should avoid monotonous, uninterrupted walls by incorporating articulation standards as outlined in other sections of this document. A variety of offsets, recesses, etc. shall be used to add variety and interest to the building and eliminate long blank walls.
- Same or similar materials will be used on major as well as minor sides of the building to ensure a continuity of the building on all sides.

**LIGHTING.** Lighting is an important aspect of the development. Strategic placement of lighting will greatly enhance the overall ambiance of the development. Security lighting shall be installed per the codes and ordinances of the Town. Architectural lighting should be designed to enhance the buildings appearance. Exterior lighting such as street lamps, façade lighting, twinkle lights, up-lighting at key building elements and landscape features, etc., is allowed. All lighting shall meet the standards outlined in the Town's Zoning Ordinance as it currently exists or as amended there to.

**PAD SITE BUILDINGS.** Buildings on pad sites shall use similar materials and elements in order to visually identify with the rest of the project.

## PUBLIC REALM DESIGN

The public realm exists at the intersections of the various aspects of community living. It consists of areas with unlimited and direct access and is centered upon the pedestrian experience. Streets, sidewalks, plazas and parks are all components of the public realm, and help create a pedestrian network. This network should be given priority over the street network (vehicle access) and provide visible connections to parking facilities, crossings and adjacent development while being of a size to accommodate pedestrian traffic patterns. Crossings shall be designed to minimize pedestrian traffic exposure to vehicle traffic.

The street network should provide connectivity as well as flexibility for future development and be able to accommodate a pedestrian network with appropriate shading from trees and built structures. Other streetscape elements such as benches, wayfinding devices, planting strips, receptacles for trash and recycling, water features and various art and performance media shall contribute to the pedestrian experience. This shall be in accordance with unified landscaping and streetscape plans.

Public parks and open spaces contribute not only to the pedestrian experience but also to the ecological value and appearance of the development. By providing space for recreation, they promote community and gathering and can enhance value for retail, restaurant and residential uses.

## URBAN RESIDENTIAL DEVELOPMENT GUIDELINES

Residential units shall be located in a manner that will provide privacy for residents by one or several of the following:

- Provide a small landscaped front setback
- Raise or lower the finished ground level relative to the sidewalk level
- Allow for encroachment by stoops, stairs and porches within the area between the front façade and the property line

### ARCHITECTURAL ELEMENTS

- Residential buildings shall have relatively little horizontal articulation 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. The minimum pitch for hip roofs is 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.

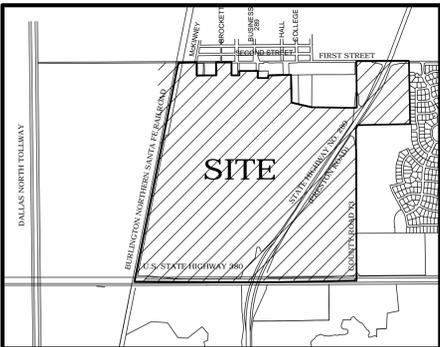
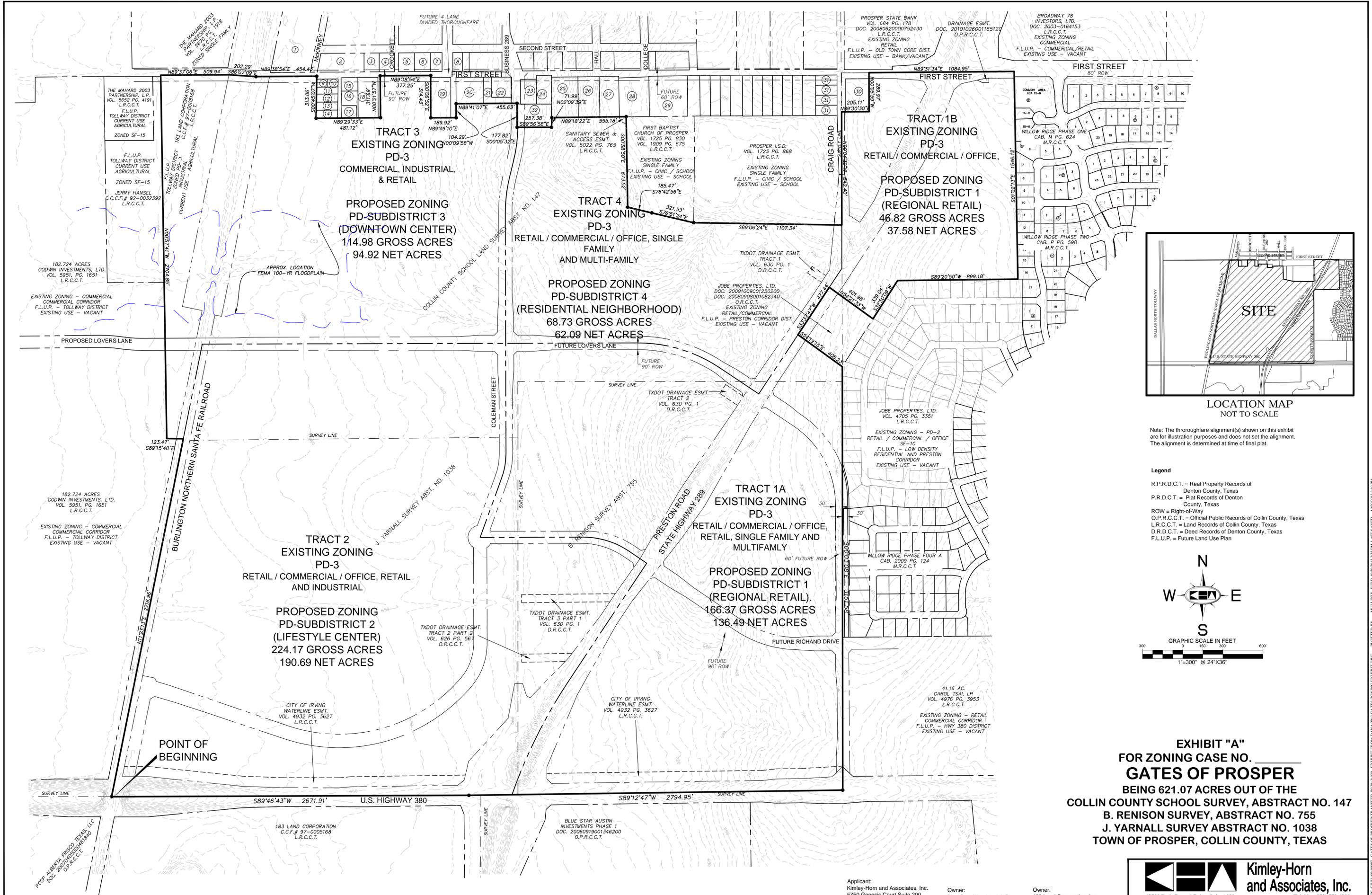
**PARKING.** Where practicable, off-street parking shall be accessed via alleys along the side or rear property lines, thus eliminating driveways from the residential streetscape. However, off-street parking may also be accessed via other public/private streets along the front property line.



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**APPENDIX A—ZONING EXHIBIT & LEGAL DESCRIPTION**

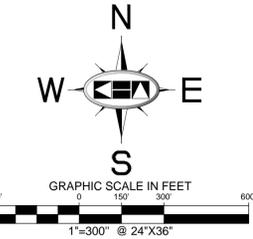
**EXHIBIT “A”**



LOCATION MAP  
NOT TO SCALE

Note: The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat.

- Legend**
- R.P.R.D.C.T. = Real Property Records of Denton County, Texas
  - P.R.D.C.T. = Plat Records of Denton County, Texas
  - ROW = Right-of-Way
  - O.P.R.C.C.T. = Official Public Records of Collin County, Texas
  - L.R.C.C.T. = Land Records of Collin County, Texas
  - D.R.D.C.T. = Deed Records of Denton County, Texas
  - F.L.U.P. = Future Land Use Plan



**EXHIBIT "A"**  
**FOR ZONING CASE NO. \_\_\_\_\_**  
**GATES OF PROSPER**  
 BEING 621.07 ACRES OUT OF THE  
**COLLIN COUNTY SCHOOL SURVEY, ABSTRACT NO. 147**  
**B. RENISON SURVEY, ABSTRACT NO. 755**  
**J. YARNALL SURVEY ABSTRACT NO. 1038**  
**TOWN OF PROSPER, COLLIN COUNTY, TEXAS**

**Applicant:**  
 Kimley-Horn and Associates, Inc.  
 5750 Genesis Court Suite 200  
 Frisco, TX 75034  
 972-335-3580  
 Fax 972-335-3779  
 Contact: Frank Abbott

**Owner:**  
 Blue Star Allen Land, L.P.  
 8000 Warren Parkway  
 Bldg. 1, Suite 100  
 Frisco, TX 75034  
 Ph. 972-335-6800

**Owner:**  
 183 Land Corporation, Inc.  
 8000 Warren Parkway  
 Bldg. 1, Suite 100  
 Frisco, TX 75034  
 Ph. 972-335-6800

		<b>Kimley-Horn and Associates, Inc.</b>	
12700 Park Central Drive, Suite 1800 Dallas, Texas 75252		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
<b>Scale</b>	<b>Drawn by</b>	<b>Checked by</b>	<b>Date</b>
1" = 300'	DAB	FGA	7/19/2011
<b>Project No.</b>	<b>Sheet No.</b>		
68109005	1 OF 2		

Property ID	Owner	Volume	Page	Doc. No.	Existing Zoning	Existing Land Use	Future Land Use
1	Guthrie Properties	4309	38		DTC	Industrial	Old Town Core District
2	Ray McGee				SF-15	Residential	Old Town Core District
3	Rickie Weems	5683	4438		SF-15	Residential	Old Town Core District
4	Rickie Weems	5683	6748		SF-15	Residential	Old Town Core District
5	Antonio Cruz			92-0019840	SF-15	Residential	Old Town Core District
6	M.S. Dalton Estate				SF-15	Residential	Old Town Core District
7	Maire Slough	4568	140		SF-15	Residential	Old Town Core District
8	Rodolfo Soto				SF-15	Residential	Old Town Core District
9	Watch Management			20061228001823700	SF-15	Residential	Civic / School
10	Daril Nix Trust			94-0014368	SF-15	Residential	Civic / School
11	Francisco Ibarra	5848	4453		SF-15	Residential	Civic / School
12	Sayda Hernandez	5982	2009		SF-15	Residential	Civic / School
13	Jose Granados			97-0003293	SF-15	Residential	Civic / School
14	Jose Granados			97-0003293	SF-15	Residential	Civic / School
15	Jose Granados	1395	333		SF-15	Residential	Civic / School
16	Flavio Lozano	4531	2501		SF-15	Residential	Civic / School
17	Sayda Hernandez			20070509000626600	SF-15	Residential	Civic / School
18	Jesus Gonzales				SF-15	Residential	Civic / School
19	Wayne Health				SF-15	Residential	Civic / School
20	First Presbyterian Church	1470	102		SF-15	Agricultural	Civic / School
21	First Presbyterian Church	338	298		SF-15	Church	Civic / School
22	First Presbyterian Church	140	629		SF-15	Church	Civic / School
23	Victoris Bell			20090604000687200	SF-15	Residential	Town House
24	McNeeley Investments			20080408000421900	Commercial	Residential	Town House
25	J.W. Carpenter			20090302000234000	SF-15	Residential	Town House
26	Monte Kauffman	2904	892		SF-15	Residential	Town House
27	Frist Baptist Church Prosper	5023	3304		SF-15	Residential	Town House
28	Ernest Mahard				SF-15	Vacant	Town House
29	Mahard Egg Farm				SF-15	Commercial	Town House
30	First Baptist Church Prosper	1725	830		SF-15	Church	Town House
30	Town of Prosper			20070709000937300	SF-15	Church	Town House
31	G&M Investments	5435	6499		SF-15	Residential	Town House
32	Prosper Collin, LLC			20060608000781100	SF-15	Residential	Town House

**EXHIBIT A  
LEGAL DESCRIPTION  
621.07 ACRES**

**BEING** of a tract of land out of the ED BRADLEY SURVEY, Abstract No. 86, the COLLIN COUNTY SCHOOL LAND SURVEY, Abstract No. 147, the B. RENISON SURVEY, Abstract No. 755 and the JOHN YARNELL SURVEY, Abstract No. 1038, in the Town of Prosper, Collin County, Texas, being all of the 16.496 acre Tract Five, all of the 125.92 acre Tract Six, being all of the 123.85 acre Tract Seven, all of the 10.068 acre Tract Eight, all of the 27.672 acre Tract Nine, all of the 99.96 acre Tract Ten recorded in Collin County Clerk's File No. 97-0005168 of the Land Records of Collin County, Texas and being part of the 157.13 acre tract of land described in deed to Blue Star Allen Land, L.P., recorded in Volume 6074, Page 2102 of the Deed Records of Collin County, Texas, being all of the 0.38 acre tract of land described in deed to Blue Star Land, Ltd. recorded in Document No. 20100809000819450 of the Official Public Records of Collin County, Texas and being more particularly described as follows;

**BEGINNING** at a point for the intersection of the centerline of U.S. Highway 380 (variable width ROW) and the centerline of the Burlington Northern Railroad (100' ROW at this point);

**THENCE** with said centerline of the Burlington Northern Railroad, North 11°23'13" East, a distance of 2716.96 feet to a point for corner;

**THENCE** leaving the centerline of the Burlington Northern Railroad, the following courses and distances two wit:  
North 89°15'40" West, a distance of 123.47 feet to a point for corner;  
North 00°57'41" West, a distance of 2704.85 feet to a point in the centerline of First Street;

**THENCE** with the centerline of First Street, the following courses and distances to wit:  
North 89°37'06" East, a distance of 509.94 feet to a point for corner;  
South 66°07'09" East, a distance of 202.28 feet to a point for corner;  
North 89°38'54" East, a distance of 454.43 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:  
South 00°45'07" West, a distance of 313.06 feet to a point for corner;  
North 89°29'33" East, a distance of 481.12 feet to a point for corner;  
North 00°21'57" West, a distance of 311.69 feet to a point for corner in the centerline of said First Street;

**THENCE** with the centerline of First Street, North 89°38'54" East, a distance of 377.25 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:  
South 00°06'52" East, a distance of 314.43 feet to a point for corner;  
North 89°49'10" East, a distance of 189.92 feet to a point for corner;  
North 00°09'58" West, a distance of 104.29 feet to a point for corner;  
North 89°41'07" East, a distance of 455.63 feet to a point for corner in the centerline of Coleman Street;

**THENCE** with the centerline of said Coleman Street, South 00°05'32" East, a distance of 177.82 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:  
South 89°56'58" East, a distance of 257.38 feet to a point for corner;  
North 02°09'39" East, a distance of 71.99 feet to a point for corner;  
North 89°18'22" East, a distance of 555.18 feet to a point for corner;  
South 00°58'50" East, a distance of 673.52 feet to a point for corner;  
South 76°42'56" East, a distance of 185.47 feet to a point for corner;  
South 76°51'24" East, a distance of 321.53 feet to a point for corner;  
South 89°06'24" East, a distance of 1107.37 feet to a point for corner in the centerline of Craig Road;

**THENCE** with the centerline of said Craig Road, North 00°04'32" East, a distance of 842.40 feet to a point for corner;

**THENCE** leaving said centerline, the following courses and distances to wit:  
North 89°30'30" East, a distance of 205.11 feet to a point for corner;  
North 00°05'59" West, a distance of 299.98 feet to a point for corner in the centerline of said First Street;

**THENCE** with the centerline of First Street, North 89°31'34" East, a distance of 1084.95 feet to a point for corner;

**THENCE** leaving the centerline of said First Street, the following courses and distances to wit:  
South 01°02'13" East, a distance of 1546.12 feet to a point for corner;  
South 89°20'50" West, a distance of 899.18 feet to a point for corner;  
South 32°50'09" West, a distance of 339.04 feet to a point for corner;  
North 54°21'33" West, a distance of 401.98 feet to a point for corner in the east right-of-way line of Preston Road (State Highway 289 - variable width ROW);  
**THENCE** with said east right-of-way line, South 33°37'47" West, a distance of 423.21 feet to a point for corner;

**THENCE** leaving said east right-of-way line, the following courses and distances to wit:  
South 54°19'15" East, a distance of 408.23 feet to a point for corner;  
South 00°03'08" East, a distance of 3183.53 feet to a point for corner in the centerline of said U.S. Highway 380;

**THENCE** with said centerline, the following courses and distances to wit:  
South 89°12'47" West, a distance of 2794.95 feet to a point for corner;  
South 89°46'43" West, a distance of 2671.91 feet to the **POINT OF BEGINNING** and containing 621.07 acres of land.

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

**EXHIBIT "A"**  
**FOR ZONING CASE NO. \_\_\_\_\_**  
**GATES OF PROSPER**  
**BEING 621.07 ACRES OUT OF THE**  
**COLLIN COUNTY SCHOOL SURVEY, ABSTRACT NO. 147**  
**B. RENISON SURVEY, ABSTRACT NO. 755**  
**J. YARNALL SURVEY ABSTRACT NO. 1038**  
**TOWN OF PROSPER, COLLIN COUNTY, TEXAS**

Applicant:  
Kimley-Horn and Associates, Inc.  
5750 Genesis Court Suite 200  
Frisco, TX 75034  
972-335-3580  
972-335-3779  
Contact: Frank Abbott

Owner:  
Blue Star Allen Land, L.P.  
8000 Warren Parkway  
Bldg. 1, Suite 100  
Frisco, TX 75034  
Ph. 972-335-6800

Owner:  
163 Land Corporation, Inc.  
8000 Warren Parkway  
Bldg. 1, Suite 100  
Frisco, TX 75034  
Ph. 972-335-6800

		<b>Kimley-Horn and Associates, Inc.</b>	
12700 Park Central Drive, Suite 1800 Dallas, Texas 75252		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
Scale 1" = 200'	Drawn by DAB	Checked by FGA	Date 7/19/2011
		Project No. 68109005	Sheet No. 2 OF 2



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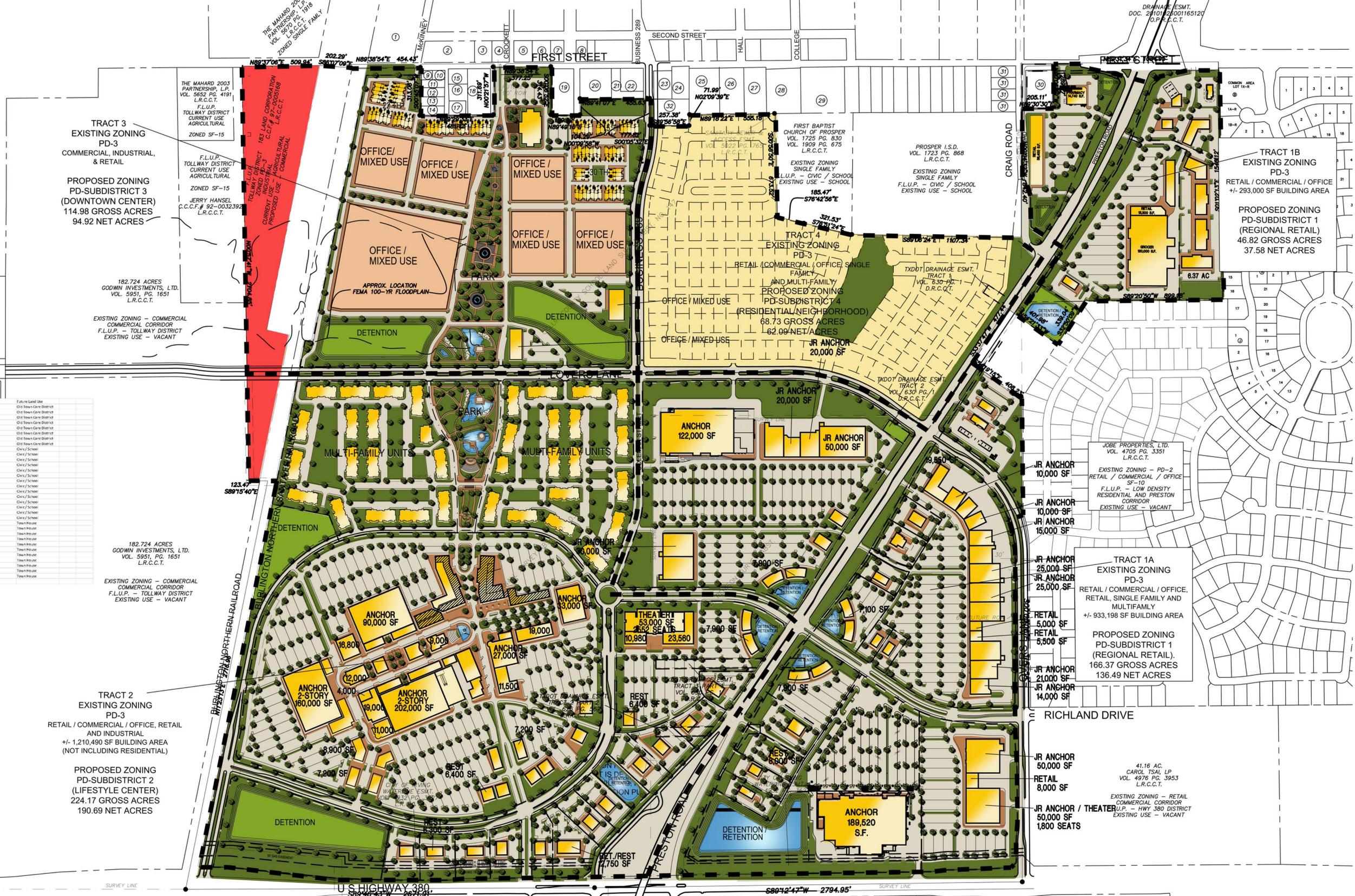
**APPENDIX B—CONCEPTUAL DEVELOPMENT PLAN**

**EXHIBIT “D”**



VICINITY MAP  
PROSPER, TX  
NOT TO SCALE

Property ID	Owner	Volume	Page	Doc. No.	Existing Zoning	Existing Land Use	Future Land Use
1	Various Properties	4389	38	876	SP-35	Residential	Old Town Gate District
2	Ray McGee	5683	4488	SP-35	Residential	Old Town Gate District	
3	Kelley Williams	5683	4298	SP-35	Residential	Old Town Gate District	
4	Antonio Cruz	52-0035840		SP-35	Residential	Old Town Gate District	
5	M.S. Darden Estate			SP-35	Residential	Old Town Gate District	
6	Maure Sough	4568	140	SP-35	Residential	Old Town Gate District	
7	Monetta Soto			SP-35	Residential	Old Town Gate District	
8	Warren Management	20061228000023700	SP-35	Residential	Old Town Gate District		
9	Dani Nix Trust	14-004898	SP-35	Residential	Civic / School		
10	Madison Barter	3848	4418	SP-35	Residential	Civic / School	
11	Steph Hester	1982	2059	SP-35	Residential	Civic / School	
12	Jose Granados	97-0000298	SP-35	Residential	Civic / School		
13	Jose Granados	97-0000299	SP-35	Residential	Civic / School		
14	Jose Granados	1395	384	SP-35	Residential	Civic / School	
15	Jose Granados	4331	2501	SP-35	Residential	Civic / School	
16	Jose Granados	2007050900000000000	SP-35	Residential	Civic / School		
17	Jose Granados			SP-35	Residential	Civic / School	
18	Jose Granados			SP-35	Residential	Civic / School	
19	Jose Granados			SP-35	Residential	Civic / School	
20	First Presbyterian Church	1430	192	SP-35	Agricultural	Civic / School	
21	First Presbyterian Church	838	296	SP-35	Church	Civic / School	
22	First Presbyterian Church	180	629	SP-35	Church	Civic / School	
23	Victoria Bell	2006060400000000000	SP-35	Residential	Town House		
24	McHenry Investments	2006060600000000000	SP-35	Residential	Town House		
25	J.M. Carpenter	2006090200000000000	SP-35	Residential	Town House		
26	Monter Kaufman	2904	892	SP-35	Residential	Town House	
27	First Baptist Church Prosper	5624	8384	SP-35	Vacant	Town House	
28	Ernest Mahand			SP-35	Vacant	Town House	
29	Manard Egg Farm			SP-35	Commercial	Town House	
30	First Baptist Church Prosper	1725	830	SP-35	Church	Town House	
31	USA Investments	5435	6490	SP-35	Residential	Town House	
32	Prosper Coll. LLC			2006060600000000000	SP-35	Residential	Town House



TRACT 3  
EXISTING ZONING PD-3  
COMMERCIAL, INDUSTRIAL, & RETAIL  
  
PROPOSED ZONING PD-SUBDISTRICT 3  
(DOWNTOWN CENTER)  
114.98 GROSS ACRES  
94.92 NET ACRES

182.724 ACRES  
GODWIN INVESTMENTS, LTD.  
VOL. 5951, PG. 1651  
L.R.C.C.T.

EXISTING ZONING - COMMERCIAL  
COMMERCIAL CORRIDOR  
F.L.U.P. - TOLLWAY DISTRICT  
EXISTING USE - VACANT

182.724 ACRES  
GODWIN INVESTMENTS, LTD.  
VOL. 5951, PG. 1651  
L.R.C.C.T.

EXISTING ZONING - COMMERCIAL  
COMMERCIAL CORRIDOR  
F.L.U.P. - TOLLWAY DISTRICT  
EXISTING USE - VACANT

TRACT 2  
EXISTING ZONING PD-3  
RETAIL / COMMERCIAL / OFFICE, RETAIL  
AND INDUSTRIAL  
+/- 1,210,490 SF BUILDING AREA  
(NOT INCLUDING RESIDENTIAL)

PROPOSED ZONING PD-SUBDISTRICT 2  
(LIFESTYLE CENTER)  
224.17 GROSS ACRES  
190.69 NET ACRES

TRACT 1B  
EXISTING ZONING PD-3  
RETAIL / COMMERCIAL / OFFICE  
+/- 293,000 SF BUILDING AREA

PROPOSED ZONING PD-SUBDISTRICT 1  
(REGIONAL RETAIL)  
46.82 GROSS ACRES  
37.58 NET ACRES

EXISTING ZONING - PD-2  
RETAIL / COMMERCIAL / OFFICE  
SF-10  
F.L.U.P. - LOW DENSITY  
RESIDENTIAL AND PRESTON  
CORRIDOR  
EXISTING USE - VACANT

TRACT 1A  
EXISTING ZONING PD-3  
RETAIL / COMMERCIAL / OFFICE,  
RETAIL, SINGLE FAMILY AND  
MULTIFAMILY  
+/- 933,198 SF BUILDING AREA

PROPOSED ZONING PD-SUBDISTRICT 1  
(REGIONAL RETAIL)  
166.37 GROSS ACRES  
136.49 NET ACRES

41.16 AC.  
CAROL TSAI, LP  
VOL. 4976 PG. 3953  
L.R.C.C.T.

EXISTING ZONING - RETAIL  
COMMERCIAL CORRIDOR  
F.L.U.P. - HWY 380 DISTRICT  
EXISTING USE - VACANT

NOTE:  
THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.  
OVERALL BUILDING, PARKING AND LOT LAYOUTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT REPRESENT THE FINAL LAYOUT.

